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[The Editor does not necessarily endorse the opinions expressed by correspondents.]

Re Complaint of R. Wilson.

To the Editor of The Advance.

SIR,—In your issue of the 12th inst. a long, untruthful letter appears from R. Wilson relative to certain suits in this Court. For the information of such readers of the ADVANCE as are not acquainted with Mr. Wilson, I propose making some explanation; but to those who know him it is not necessary. I shall take each suit referred to, as they appear in his letter, and then "leave the public to judge."

(1) "Sproule vs. Robbins."—This was an action brought to recover a small account which was *disputed* and of course came to court. It was not proven at the hearing that the account sued for had been paid (as Mr. Wilson alleges) but an effort was made to prove that the debt had not been contracted, one of Defendant's witnesses stating that he heard Mrs. Robbins (Defendant's wife, by whom it was alleged by the Plaintiff that the goods were purchased) say that she never bo't the goods sued for. Such evidence of course was not admissable, and the other witnesses gave almost similar evidence. However, in all such matters the Judge requires proof of the correctness of the account sued upon. The Ptff., Mr. Sproul, was asked by the Judge if he could prove the account, to which Mr. Sproule replied that he could not, as his witness, who is now a commercial traveller (Mr. Wm. Campbell) could not be produced at the Court to prove the same, whereupon the Judge gave verdict, "*non suit.*" Some time after the Court, the Defendant applied to me for witness fees. I enquired as is usual, if Defendant had paid his witnesses, to which he replied, no, I informed him that I could not entertain any such application until the witnesses were paid first. He came again to my office and made affidavit to the effect that he had paid them, *three witnesses and his own* fees. He required $3.00. I informed the Plaintiff that witness fees were demanded, to which he emphatically replied that he would not pay them excepting the Judge so ordered on appeal. Now, Sir, I am prepared to bring the same at any time before the Judge, and if he orders the same to be paid, I shall collect them. In all witness allowances either party to a suit, if they consider themselves aggrieved, has the right of appeal to the Judge.

(No. 2) Federal Bank vs. Wm. Wilson.—This was a suit entered in September, 1882, on a Pro. note made by one Wm. Wilson in favor of Cossett, of Guelph. On the stub end of the note the following was written: Name, Wm. Wilson; Amount, $26.00; Township, Artemesia; Post-Office, Maxwell; Con. 14, Lot 27. I issued summons accordingly and placed same in the Bailiff's hands, *without instructions.* After some time the Bailiff informed me that he could not find or hear of any person of the name of Wm. Wilson in the locality designated on the note. I thought it might be Wm. Wilson now residing on the 8th con. Bailiff met said Wilson, I believe, in Flesherton and served him with summons. Mr. Wilson entered notice of dispute, suit came to Court, where, upon the evidence produced by the Defendant, the Judge ordered "*Non Suit.*" No order made as to costs and no affidavit fyled in order to get any, so that I had nothing whatever to do with regard to giving or refusing witness fees. I was not placed in a position to collect fees, nor dare I collect them without an "affidavit of disbursements." As to blotting out dates, I know not what Wilson means, excepting that *two* Courts had now passed, namely, the October and January Courts, since summons was issued, and in order that Defendant might not be misled by the dates of these Courts, it is possible the pen may have been drawn through them—this, if done, could not have any possible bearing on the case.

(No. 3.) Trimble v. Robins.—This was a suit brought on a note made by Joseph Robins in favor of R. Trimble. When this suit was being entered, Mr. Trimble's agent informed me that the Defendant Robins was working at Wilson's, on the 8th con. I accordingly issued summons and endorsed on copy "Working at Wilsons, 8th con." The Bailiff went out with summons and not finding Defendant Robins, and the debt being under $8.00 the Bailiff, I suppose, concluded that as Robins had been working at Wilson's, that service of summons upon a "grown up person being an inmate of Defendant's dwelling was good, and that as Mr. Wilson was an inmate of the dwelling in which Defendant for the most part resided, that such service was good and lawful. The Bailiff states that he never told Wilson that the Clerk told him to leave summons there, and I am sure that he could not for such was not the case. When the Bailiff made return to the summons, I took exception to the service, as I considered Wilson, who had been served with summons, was not an inmate of Defendant's dwelling, but that Defendant would perhaps be more an inmate of Wilson's dwelling. I however, told the Bailiff that I would take the summons to Court and ask the Judge to decide as to the service. This I did without any pressure from Mr. Wilson or any one else, as I certainly would not enter judgement on a service I considered not good. I brought the matter befor the Judge, who gave his opinion (before he saw Mr. Wilson) that the service was bad. I then drew my pen across the affidavit of service. No attempt was made by myself or Bailiff to get judgement as Wilson alleges, as neither of us had any personal interest in the suit.

Now, Mr. Editor, I am sure that you and the public can see at once that there has been no injustice or wrong done to R. Wilson in the way or manner of which he complains. We have had several suits in which the wrong person had been served, whose name was similar to the real Defendant. This can scarcely be avoided when there are several persons of the same name living within the Division, and especially so when correct instructions are not given to the Clerk at the time when suits are being entered. At the very last Court, in an action where the father and son had the same name, the father was served as the Defendant, when in fact, the son was the Defendant. This matter came before the Judge, when the suit was simply adjourned in order to get the right person served, and I find instances of this kind in every Court in the Province.

I have heard of other statements made by R. Wilson in the presence of gentlemen in this village of a defamatory character which may be subject matter for more serious consideration at a higher tribunal, if his pecuniary circumstances are not such as to forbid the incurring of costs.

JOHN W. ARMSTRONG,
D. C. Clerk.

Flesherton, Feb. 16, '85.

Mr. Sproule's Reply.

To the Editor of The Advance.

Sir,—In your issue of the 12th inst., I observe a communication from one Robert Wilson re costs for witness fees in a suit I had against one Joseph Robins. Seeing the source it comes from I should not deem it worth noticing were it not that he attaches blame to the Clerk of the Court, Mr. J. W. Armstrong, who only did what I believe to be his duty in the matter as the witnesses for whom fees were claimed, simply knew nothing, and therefore did or could prove nothing for the Defendant. Therefore, when the Clerk applied to me, saying Robins and Wilson had been there for costs for witness fees, I forbid him distinctly paying such unless ordered so to do by the Judge.

I did not get judgement against the Defendants (I use the word in the plural as it was not simply Robins I was fighting but Wilsons under the guise of Robins) because (1) I did not think they would have the audacity to deny the indebtedness, having previously admitted it and promised to pay it. (2) The amount being so small—only about $2—and not thinking, as I have said, they would deny the indebtedness, I did not think it would be honorable to bring the salesman who sold the goods, all the way from Montreal to prove the claim, thereby putting the Defendants to a large amount of costs which I deemed would be unnecessary. Not having said witness to prove the account, the Judge, as I understand it, had no other alternative but to enter non-suit.

By giving the above an insertion in your valuable paper you will "let the public know" who was in fault and oblige

Yours truly,
R. J. SPROULE.

An Excellent Report.

Hon. Jos. G. Goodridge, of Brooklyn, N. Y., writes:—"I cannot express myself in sufficiently praiseworthy terms of Burdock Blood Bitters which I have used for the past two years with great benefit."

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SUGAR COATED. PURELY VEGETABLE

Highly recommended for **Biliousness, Head-Ache, Constipation, Indigestion, Dizziness, Heartburn, Bad Breath, Loss of Appetite, Jaundice, Loss of Memory, Sour Stomach, Liver Complaint,** or any illness arising from the **Stomach, Bowels** or **Kidneys.** They are safe, mild and thorough in their action. From 1 to 3 pills is a dose.

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No other complaints are so insidious in their attack as those affecting the throat and lungs: none so trifled with by the majority of sufferers. The ordinary cough or cold, resulting perhaps from a trifling or unconscious exposure, is often but the beginning of a fatal sickness. AYER'S CHERRY PECTORAL has well proven its efficacy in a forty years' fight with throat and lung diseases, and should be taken in all cases without delay.

A Terrible Cough Cured.

"In 1857 I took a severe cold, which affected my lungs. I had a terrible cough, and passed night after night without sleep. The doctors gave me up. I tried AYER'S CHERRY PECTORAL, which relieved my lungs, induced sleep, and afforded me the rest necessary for the recovery of my strength. By the continued use of the PECTORAL a permanent cure was effected. I am now 62 years old, hale and hearty, and am satisfied your CHERRY PECTORAL saved me.
HORACE FAIRBROTHER."
Rockingham, Vt., July 15, 1882.

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"While in the country last winter my little boy, three years old, was taken ill with croup; it seemed as if he would die from strangulation. One of the family suggested the use of AYER'S CHERRY PECTORAL, a bottle of which was always kept in the house. This was tried in small and frequent doses, and to our delight in less than half an hour the little patient was breathing easily. The doctor said that the CHERRY PECTORAL had saved my darling's life. Can you wonder at our gratitude? Sincerely yours,
MRS. EMMA GEDNEY."
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"I have used AYER'S CHERRY PECTORAL in my family for several years, and do not hesitate to pronounce it the most effectual remedy for coughs and colds we have ever tried. A. J. CRANE."
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No case of an affection of the throat or lungs exists which cannot be greatly relieved by the use of AYER'S CHERRY PECTORAL, and it will *always cure* when the disease is not already beyond the control of medicine.

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