1937

Index to the Revised Statutes of Ontario, 1937 - D

Ontario
CUSTODY OF DOCUMENTS

CUSTODY OF DOCUMENTS; see also LAND TITLES; REGISTRY

Alphabetical index, 1947
Application, costs of, 1949
For delivery of deposit, 1949
Notice of, 1949
Birth, proof of, 1946
Burial, proof of, 1946
Costs, on application, 1949
Death, proof of, 1946
Deposit, acknowledgment of notice, 1947
Effect of, 1948
From another division, notation, 1947
Index, 1951
Entry in, 1946
Notation in abstract index, 1947
In registry books, 1947
Received from another division, 1947
Registrar's fees, 1948
Requisition, 1946
Form of, 1950
Transmission of notice, 1947
Divorce, proof of, 1946
Document, copying extracts from, 1948
Defined, 1946
Delivery of, pursuant to order, 1949
Deposit of, 1946
Effect of depositing, 1948
Entry in deposit index, 1946
Filing on deposit, 1946
Mode of depositing, 1946
Notation in registry books, 1947
Procedure to obtain, 1949
Recording in alphabetical index, 1946
Recording on deposit, 1946
Registrar's fee on delivery, 1950
On producing, 1948
Requisition to deposit, 1946
Executor, expenses on depositing, 1949
Fees, for deposit, 1947
For entries, 1947
On delivery of document, 1949
On producing documents, 1948
Forms, deposit index, 1951
Notice of deposit, 1951
Requisition, 1950
Happening, proof of, 1946

Instrument, defined, 1946
Marriage, proof of, 1946
Muniment of title, deposit of, 1946
Notice, filing of, 1948
Filing of acknowledgments, 1947
Form of, 1951
Forwarding, deposit to another division, 1947
Repetition in cases of default, 1947
Transmission of, 1947
Order, filing of, 1950
For delivery of document, 1950
Notation of, 1950
Pedigree, proof of, 1946
Procedure, delivery of deposits, 1949
Receipts, deposit of, 1948
Fee on deposit of, 1948
Notation of, 1948
Recording, 1948
Registry Act, referred to, 1944, 1948, 1949
Requisition, particulars of deposit in, 1946

DAIRIES; see DAIRY PRODUCTS; MILK AND CREAM; MILK, CHEESE AND BUTTER; MILK CONTROL; PUBLIC HEALTH

DAIRYMEN'S ASSOCIATION; see AGRICULTURAL ASSOCIATIONS

DAIRY PRODUCTS; see also MILK AND CREAM; MILK, CHEESE AND BUTTER; MILK CONTROL

Babcock test, use of, 4130
Board, defined, 4128
Certificate holder, to grade cream, 4130
To test milk, 4130
Of board, requirements for, 4128
Statement of necessity in, 4128
To whom given, 4128
When given, 4128
Of qualification, annual grant, 4131
By Minister on director's recommendation, 4131
Cancellation or suspension by Minister, 4131
For handling dairy products, 4130
Grades of, 4131
Certificate of qualification, cont’d
Ground for cancelling, 4131
Recommendation by director, 4131
  Of cancellation or suspension by di-
  rector, 4131
Reinstatement after cancellation or sus-
pension, 4131
  On director’s recommendation, 4131
To buttermakers, 4131
To cheesemakers, 4131
To cream graders and testers, 4131
To milk graders and testers, 4131
Cheese factory, certificate re construction,
  4128
  Construction, 4129
  Defined, 4128
  Height of ceilings, 4129
  Minister’s permission, 4128
  Outlet for waste water, 4129
  Specifications re floor, 4129
    Of foundation, 4129
    Of walls and ceilings, 4129
  Whey, skim milk containers, 4129
  Windows and doors, 4129
Closing unsanitary premises, order of Min-
  ister, 4130
  Report allowing reopening, 4130
  Upon inspector’s report, 4129
Cream, fat content of, 4130
  Grading at plant, 4130
  Used for butter grading, 4130
  Pasteurization, 4130
  Payment for, 4130
  Where graded, 4130
Creamery, defined, 4128
Director of dairying, recommendation re
cancelling license, 4131
  Recommendation re certificate, 4131
    Re reinstatement, 4131
Inspector, access to plant records, 4132
  Appointment, 4131
  Defined, 4128
  Duties, 4131
  Entry into premises, 4131
  Examination of Babcock test records,
  4132
    Of receipt records, 4132
  Of weight of products, 4132
  Inspection of milk in transit, 4131
  Penalty for obstructing, 4132
  Plant inspection, 4131
  Report re closing dairies, 4129, 4130
    Re reopening dairies, 4129, 4130
  Sampling milk in transit, 4131
  Testing samples, 4131
  When to examine products and weight,
  4132
  Licenses, application forms, 4129
    Cancellation, 4129
    Fees, 4129
    Information re, 4129
    Minister to grant, 4129
    Penalty for not having, 4129
    Recommendation of board, 4129
    Regulations re, 4129
    Requirements for, 4129
    Suspension, 4129
  Lieut.-Gov., consent to regulations for lic-
  enses, 4129
  Making regulations, 4132
  Regulations re butter brands, 4131
  Packages, 4131
  Manufacture of cheese and butter, certi-
  ficate, 4130, 4131
  Milk and cream, payment for, 4130
    Fat content of, 4130
    For cheese making, 4130
    Grading at plant, 4130
    Testing at plant, 4130, 4131
  Minister, cancellation of certificates, 4131
  Cancellation of licenses, 4129
  Closing of dairies by, 4129
    Defined, 4128
    Granting certificates, 4131
    Licenses, 4129
    License regulations by, 4129
    Recommendation re licenses, 4132
    Regulating butter packages, 4131
    Regulations re butter brands, 4131
    Re licenses, 4129
    Reinstatement of license, 4131
    Reinstating after suspending certificate,
    4131
    Reopening dairies, 4130
DAIRY PRODUCTS

Minister, cont'd
Suspension of licenses, 4129
Patron, defined, 4128
Penalties, falsifying records, 4132
For violating Act, 4132
Regulations, 4132
How recoverable, 4132
Obstructing constable, 4132
Re fat content, 4132
Re milk payments, 4132
Plant, defined, 4128
Premises, closing, insufficient equipment, 4129
Closing unsanitary, 4129
Minister's order closing, 4129
Report of inspector re, 4130
Regulations, defined, 4128
Re butter packages, 4131
Re licenses, 4129
Consent of Lieut.-Gov., 4129
To assist administration of Act, 4132
Summary Convictions Act, referred to, 4132
Whey, pasteurization, 4131
Tanks keeping clean, 4131

DAMAGE BY FUMES ARBITRATION
Action, by arbitration only, 788
Arbitration, settlement of claims, 788, 789
Arbitrator, appointment, 788
Assessment of damages, 788
Assessment of expenses, 789
Decision final, 789
Duty to investigate, 788
Fixing compensation, 788
Jurisdiction exclusive, 788
Powers of, 788
Territorial jurisdiction, 788
Assessment, approval of Minister, 789
Award, effect of 789
Compensation, determination of, 788
Complaint, duty to investigate, 788
Damage, determination of, 788
Damages, assessment of, 788
Notice of, 788
Expenses, how recoverable, 789
Maximum amount, 789
Investigation of complaint, 788

Minister of Mines, approval required, 789
Notice, effect of failure, 788
Of assessment, 789
Of damages, 788
Regulations, 789
Settlement, mutual settlement, 789
Territorial jurisdiction of arbitrator, 788

DAMS; see LAKES AND RIVERS IMPROVEMENT; PUBLIC WORKS

DANCE HALLS; see EGRESS FROM PUBLIC BUILDINGS; MUNICIPAL

DAY; see DEFINITION OF TIME

DAYLIGHT SAVING; see FACTORY, SHOP AND OFFICE BUILDING; MUNICIPAL

DEAD BODIES; see ANATOMY; CEMETERY; CORONERS; PUBLIC HEALTH; VITAL STATISTICS

DEAF PERSONS; see DEPARTMENT OF EDUCATION; PUBLIC SCHOOLS; SCHOOL ATTENDANCE; SCHOOLS FOR THE DEAF AND BLIND

DEATH; see ANATOMY; ASSESSMENT; CEMETERY; CONVEYANCING AND LAW OF PROPERTY; CORONERS; CUSTODY OF DOCUMENTS; DEPENDANTS' RELIEF; DEVOLUTION OF ESTATES; EMBALMERS AND FUNERAL DIRECTORS; EVIDENCE; FACTORY, SHOP AND OFFICE BUILDING; FATAL ACCIDENTS; INSURANCE; LIMITATIONS; LIQUOR CONTROL; MINING; MUNICIPAL; POWER OF ATTORNEY; SURROGATE COURTS; VITAL STATISTICS; WILLS

DEATH DUTY; see SUCCESSION DUTY

DEBENTURES; see BILLS OF SALE AND CHATTEL MORTGAGE; COMMUNITY HALLS; COMPANIES; CORPORATION SECURITIES REGISTRATION; CORPORATIONS TAX; COUNTIES REFORESTA-
DEFINITION OF TIME
Day, numbering of hours of, 2023
Expressions of time, deemed standard time, 2023
Month, defined, 2023
Railways, fixing of time tables thereof, 2023
Regulations, Ontario Municipal Board may act thereunder, 2023
Varying reckoning of standard time, 2023
Standard time, defined, 2023
Regulations concerning, definition of, 2023

DENTISTRY; see also JURORS; LIQUOR CONTROL; PUBLIC HEALTH; PUBLIC SCHOOLS
Acquittal, power of Board notwithstanding, 2477
Action for malpractice, limitation of, 2480
Affiliation with colleges, 2474
Annual examinations, 2474
Fees, default of, 2475
When payable, 2475
Appeal, costs of, 2479
Procedure on, 2479
Right of, 2479
Application for license, requirements, 2473
Of penalties, 2476
Board, absence of president and vice-president, 2472
Action on committee’s report, 2479
Admission of persons outside of Ontario, 2473
Annual meeting of, 2474
Appointment of discipline Committee, 2477
Of examiners, 2473
Bar of action against, 2479
By-law regulating conduct of election, 2471
Cancellation of license by, 2477
Composition of, 2470
Consent to alienation of realty, 2470
Duty re examinations, 2474
Elected members, 2470
Election, when held, 2471
Executive committee of, 2472
Ex officio members, 2470

DEBT COLLECTORS; see also COLLECTION AGENCIES
Collection agency, use of imitation forms by prohibited, 4141
Division Court or other legal process intent to deceive by imitation forms, 4141
Issue of imitation forms prohibited, 4141
Use of similar or imitation forms prohibited, 4141
Penalties for using similar or imitation forms, 4141
How recoverable, 4141
Who liable for, 4141

DEBTORS; see ABSCONDEERING DEBTORS; EXECUTION; FRAUDULENT DEBTOR’S ARREST

DECLARATIONS; see COMMISSIONERS FOR TAKING AFFIDAVITS; EVIDENCE; INTERPRETATION; MUNICIPAL; NOTARIES

DECORATOR; see APPRENTICESHIP

DEED; see REGISTRY; SHORT FORMS OF CONVEYANCES

DEER; see GAME AND FISHERIES
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board, cont’d</td>
<td></td>
</tr>
<tr>
<td>Filling vacancies</td>
<td>2471</td>
</tr>
<tr>
<td>First meeting of</td>
<td>2472</td>
</tr>
<tr>
<td>Grants by</td>
<td>2473</td>
</tr>
<tr>
<td>Inquiry re misconduct</td>
<td>2477</td>
</tr>
<tr>
<td>Number of members</td>
<td>2470</td>
</tr>
<tr>
<td>Officers of</td>
<td>2472</td>
</tr>
<tr>
<td>Power to make by-laws</td>
<td>2473</td>
</tr>
<tr>
<td>Quorum of</td>
<td>2470</td>
</tr>
<tr>
<td>Regulations re students</td>
<td>2473</td>
</tr>
<tr>
<td>Remuneration of members</td>
<td>2472</td>
</tr>
<tr>
<td>Representation of electoral districts</td>
<td>2471</td>
</tr>
<tr>
<td>Resignation of member</td>
<td>2471</td>
</tr>
<tr>
<td>Restoration of certificate by</td>
<td>2480</td>
</tr>
<tr>
<td>Special meetings of</td>
<td>2472</td>
</tr>
<tr>
<td>Subsequent meetings of</td>
<td>2472</td>
</tr>
<tr>
<td>Suspension of license by</td>
<td>2477</td>
</tr>
<tr>
<td>Term of office</td>
<td>2470</td>
</tr>
<tr>
<td>Vacancies</td>
<td>2471</td>
</tr>
<tr>
<td>Burden of proof of qualification</td>
<td>2477</td>
</tr>
<tr>
<td>By-laws, annulment of</td>
<td>2473</td>
</tr>
<tr>
<td>Power of Board to make</td>
<td>2473</td>
</tr>
<tr>
<td>Publication of</td>
<td>2473</td>
</tr>
<tr>
<td>Regulating conduct of election</td>
<td>2471</td>
</tr>
<tr>
<td>Tenure and proceedings of committee</td>
<td>2478</td>
</tr>
<tr>
<td>Cancellation of license for misconduct</td>
<td>2477</td>
</tr>
<tr>
<td>Certificate of license, annual return</td>
<td>2475</td>
</tr>
<tr>
<td>Of license application</td>
<td>2475</td>
</tr>
<tr>
<td>Cancellation of</td>
<td>2477</td>
</tr>
<tr>
<td>Effect of</td>
<td>2475</td>
</tr>
<tr>
<td>Examination for</td>
<td>2474</td>
</tr>
<tr>
<td>Granting of</td>
<td>2474</td>
</tr>
<tr>
<td>Issue of</td>
<td>2474</td>
</tr>
<tr>
<td>Lapse of</td>
<td>2475</td>
</tr>
<tr>
<td>Practising without</td>
<td>2476</td>
</tr>
<tr>
<td>Requirements for</td>
<td>2474</td>
</tr>
<tr>
<td>Restoration of</td>
<td>2480</td>
</tr>
<tr>
<td>Rights conferred by</td>
<td>2474</td>
</tr>
<tr>
<td>Suspension of</td>
<td>2477</td>
</tr>
<tr>
<td>College, board of directors of</td>
<td>2470</td>
</tr>
<tr>
<td>Continued as a corporation</td>
<td>2470</td>
</tr>
<tr>
<td>Members of</td>
<td>2470</td>
</tr>
<tr>
<td>Penalty for establishing</td>
<td>2476</td>
</tr>
<tr>
<td>Powers re real estate</td>
<td>2470</td>
</tr>
<tr>
<td>Conviction of indictable offence</td>
<td>2477</td>
</tr>
<tr>
<td>Costs of inquiry</td>
<td>2479</td>
</tr>
<tr>
<td>Proceedings prior to notice</td>
<td>2479</td>
</tr>
<tr>
<td>Recovery of</td>
<td>2479</td>
</tr>
<tr>
<td>Scale of</td>
<td>2479</td>
</tr>
<tr>
<td>Taxation of</td>
<td>2479</td>
</tr>
<tr>
<td>Vexatious complaint</td>
<td>2479</td>
</tr>
<tr>
<td>Counsel, employment by discipline committee</td>
<td>2478</td>
</tr>
<tr>
<td>Right of defendant to</td>
<td>2478</td>
</tr>
<tr>
<td>County court, practice on appeal</td>
<td>2479</td>
</tr>
<tr>
<td>County Courts Act, referred to</td>
<td>2479</td>
</tr>
<tr>
<td>Dental equipment, restriction re use of</td>
<td>2476</td>
</tr>
<tr>
<td>Directors, consent to alienation of real estate</td>
<td>2470</td>
</tr>
<tr>
<td>Number of</td>
<td>2470</td>
</tr>
<tr>
<td>Quorum of</td>
<td>2470</td>
</tr>
<tr>
<td>Resignation of</td>
<td>2471</td>
</tr>
<tr>
<td>Term of office</td>
<td>2470</td>
</tr>
<tr>
<td>Discipline committee, absence of defendant</td>
<td>2478</td>
</tr>
<tr>
<td>Appointment of</td>
<td>2477</td>
</tr>
<tr>
<td>Bar of action against</td>
<td>2479</td>
</tr>
<tr>
<td>By-laws regulating</td>
<td>2478</td>
</tr>
<tr>
<td>Compelling attendance of witness</td>
<td>2478</td>
</tr>
<tr>
<td>Employment of counsel</td>
<td>2478</td>
</tr>
<tr>
<td>Evidence on inquiry</td>
<td>2478</td>
</tr>
<tr>
<td>Meetings of</td>
<td>2478</td>
</tr>
<tr>
<td>Non-appearance of defendant</td>
<td>2478</td>
</tr>
<tr>
<td>Notice of meeting</td>
<td>2478</td>
</tr>
<tr>
<td>Number of members</td>
<td>2477</td>
</tr>
<tr>
<td>Place of meeting</td>
<td>2478</td>
</tr>
<tr>
<td>Powers of quorum</td>
<td>2478</td>
</tr>
<tr>
<td>Procedure on appeal from</td>
<td>2479</td>
</tr>
<tr>
<td>Production of documents</td>
<td>2478</td>
</tr>
<tr>
<td>Quorum of</td>
<td>2477</td>
</tr>
<tr>
<td>Report of</td>
<td>2479</td>
</tr>
<tr>
<td>Secretary may be member</td>
<td>2477</td>
</tr>
<tr>
<td>Vacancies in</td>
<td>2478</td>
</tr>
<tr>
<td>Education, arrangements with other colleges</td>
<td>2474</td>
</tr>
<tr>
<td>Election, by-law regulating</td>
<td>2471</td>
</tr>
<tr>
<td>How votes given</td>
<td>2471</td>
</tr>
<tr>
<td>Manner of holding</td>
<td>2471</td>
</tr>
<tr>
<td>Qualification of voters</td>
<td>2471</td>
</tr>
<tr>
<td>When held</td>
<td>2471</td>
</tr>
<tr>
<td>Electoral districts, division of province into</td>
<td>2471</td>
</tr>
</tbody>
</table>
Electoral districts, cont’d
Districts, representation on Board, 2471
Schedule of, 2480
Evidence, attendance of witnesses, 2478
Certificate to be, 2475
How given, 2478
Onus of proof, 2477
Production of documents, 2478
Required on application for license, 2475
Examinations, conduct of, 2474
Held annually, 2474
Prepayment of fees, 2475
Substitution for, 2474
Examiners, appointment of, 2473
Declaration of, 2474
Remuneration of, 2474
Executive committee, appointment of, 2472
Duties of, 2472
How composed, 2472
Inquiry re misconduct, 2477
Powers of, 2472
Ratification of actions, 2472
Validity of actions of, 2472
Exorbitant charging of fees, 2477
Faculty of Dentistry, representation on Board, 2471
Of dentistry, vacancy on Board, 2471
Fees annual, 2475
Effect of default, 2475
Exorbitant charging of, 2477
Fraudulent charging of, 2477
Of examiners, 2474
Payable to members of Board, 2472
Prepayment of examination, 2475
Recovery of, 2475
When payable, 2475
Witness, 2479
Fraudulent charging of fees, 2477
Funds, application of, 2472
Payable to treasurer, 2472
Grants, adjustment of claims, 2473
Post graduate courses, 2473
Protection of members, 2473
Research, 2473
Scholarships, 2473
Indictable offence, conviction of, 2477
Irregularities in proceedings, 2479
Lapse, renewal of license after, 2475
Licentiate of Dental Surgery, who entitled to certificate, 2474
Limitation of action for malpractice, 2480
Malpractice, limitation of action for, 2480
Matriculation of students, 2473
Medical Act, referred to, 2480
Medical practitioners rights not affected, 2480
Meetings of Board, 2472
Of discipline committee, 2478
Minister of Education, consent re real estate, 2470
Of Education, ex officio director, 2470
Of Health, ex officio director, 2470
Misconduct, application for inquiry, 2477
Inquiry by Board or committee, 2477
Suspension or cancellation of license, 2477
Negligence, limitation of action for, 2480
Non-appearance of defendant on inquiry, 2478
Notice of meeting of committee, 2478
Ontario Gazette, publication of by-laws, 2473
Onus of proof of qualification, 2477
Penalties, application of, 2476
Contravention of Act, 2476
Default of payment of fees, 2475
Practising without license, 2476
Recovery of, 2476
Wrongful use of title, 2476
Practice followed on appeal, 2479
Practising without license, 2476
President, certificate to be signed by, 2475
Election of, 2472
Proceedings, irregularities in, 2479
Prior to notice, costs of, 2479
Professional misconduct, cancellation of license, 2477
Misconduct, suspension of license, 2477
Prosecution, onus of proof, 2477
Provincial Secretary, annual return, 2475
Qualification of voters, 2471
Real estate, alienation of, 2470
Consent of Board to alienation, 2470
Of Minister of Education, 2470
DEPARTMENT OF AGRICULTURE

Agricultural education, apportionment of grants for, 4398
Agriculture, basis of grants to teachers, 4398
Grants to teachers of, 4398
Annual report, Ministers, 4399
Appeals, hearing by Minister, 4399
Art, basis of grants to teachers, 4398
Grants to teachers of, 4398
Auxiliary Classes Act, referred to, 4397
Auxiliary classes, apportionment of grants to, 4397
Payment of grants to, 4397
Blind, schools for, 4395
Book firms, illegal employment of inspectors, 4403
Illegal employment of teachers, 4403

DEPARTMENT OF ARCHIVES; see ARCHIVES

DEPARTMENT OF EDUCATION; see also EDUCATION; SCHOOLS

Agricultural education, apportionment of grants for, 4398
Agriculture, basis of grants to teachers, 4398
Grants to teachers of, 4398
Annual report, Ministers, 4399
Appeals, hearing by Minister, 4399
Art, basis of grants to teachers, 4398
Grants to teachers of, 4398
Auxiliary Classes Act, referred to, 4397
Auxiliary classes, apportionment of grants to, 4397
Payment of grants to, 4397
Blind, schools for, 4395
Book firms, illegal employment of inspectors, 4403
Illegal employment of teachers, 4403

DEPARTMENT OF AGRICULTURE

Agricultural College, Minister to have control, 1040
Annual report, by Minister, 1041

Laid before Assembly, 1041
Assembly, annual report laid before, 1041
Department, continued, 1040
Defined, 1040
Deputy Minister, appointment, 1040
Executive Council Act, referred to, 1040
Minister, annual report by, 1041
Appointment of assistance, 1040
Appointment of outside officials, 1041
Control over administration of law, 1040
Control over appropriations, 1040
Control over college, 1040
Defined, 1040
Duties of, 1040
Powers of, 1040
Remuneration of officials by, 1041
Ontario Agricultural College, control over, 1040
Veterinary College, control over, 1040
Powers of, 1040
Public Service Act, referred to, 1040
Regulations, defined, 1040
Veterinary College, Minister to have control of, 1040

DEPARTMENT OF EDUCATION; see also EDUCATION; SCHOOLS

Agricultural education, apportionment of grants for, 4398
Agriculture, basis of grants to teachers, 4398
Grants to teachers of, 4398
Annual report, Ministers, 4399
Appeals, hearing by Minister, 4399
Art, basis of grants to teachers, 4398
Grants to teachers of, 4398
Auxiliary Classes Act, referred to, 4397
Auxiliary classes, apportionment of grants to, 4397
Payment of grants to, 4397
Blind, schools for, 4395
Book firms, illegal employment of inspectors, 4403
Illegal employment of teachers, 4403

DEPARTMENT OF AGRICULTURE

Agricultural College, Minister to have control, 1040
Annual report, by Minister, 1041

Laid before Assembly, 1041
Assembly, annual report laid before, 1041
Department, continued, 1040
Defined, 1040
Deputy Minister, appointment, 1040
Executive Council Act, referred to, 1040
Minister, annual report by, 1041
Appointment of assistance, 1040
Appointment of outside officials, 1041
Control over administration of law, 1040
Control over appropriations, 1040
Control over college, 1040
Defined, 1040
Duties of, 1040
Powers of, 1040
Remuneration of officials by, 1041
Ontario Agricultural College, control over, 1040
Veterinary College, control over, 1040
Powers of, 1040
Public Service Act, referred to, 1040
Regulations, defined, 1040
Veterinary College, Minister to have control of, 1040

DEPARTMENT OF ARCHIVES; see ARCHIVES

DEPARTMENT OF EDUCATION; see also EDUCATION; SCHOOLS

Agricultural education, apportionment of grants for, 4398
Agriculture, basis of grants to teachers, 4398
Grants to teachers of, 4398
Annual report, Ministers, 4399
Appeals, hearing by Minister, 4399
Art, basis of grants to teachers, 4398
Grants to teachers of, 4398
Auxiliary Classes Act, referred to, 4397
Auxiliary classes, apportionment of grants to, 4397
Payment of grants to, 4397
Blind, schools for, 4395
Book firms, illegal employment of inspectors, 4403
Illegal employment of teachers, 4403
Book firms, cont'd
Illegal employment of trustees, 4403
Penalty, 4403
Books, sale by trustees in course of business, 4403
Cadet Corps, apportionment of grants for, 4397
Regulations re, 4394, 4395
Certificate, grant of temporary, 4399
Certificates, grant to teachers of blind, 4398
Grant to teachers of deaf, 4398
Regulations re teachers, 4398
Teachers of French, 4399
Of Italian, 4399
Of Spanish, 4399
College of Art, deemed a technical school, 4398
Of Art, grants to, 4398
Of education, acquisition of property, 4401
Affiliation of, 4401
Appointment of officers, 4401
Of professors, 4401
Of teachers, 4401
Appropriations for, 4401
Conduct of, 4400
Control of, 4395
Course of study, 4401
Of training, 4401
Equipment of buildings, 4401
Erection of buildings, 4401
Establishment of, 4400
Of buildings, 4401
General powers of Minister, 4401
Granting certificates, 4401
Diplomas, 4401
Management of, 4395
Payment of expenses, 4401
Powers of Minister, 4401
Purposes of, 4400
Collegiate institutes, regulations re, 4394
Commission, duties of, 4399
Establishment of, 4399
Powers of, 4399
Consolidated schools, apportionment of grant to, 4397
Regulations re, 4394
Continuation schools, regulations re, 4394

DEPARTMENT OF EDUCATION

Courses of study, regulations re, 4395
Court, submission of questions to, 4399
Of Appeal, submission of questions to, 4399
Deaf, schools for, 4395
Debentures, guarantee of school, 4400
Dental inspection, apportionment of grants for, 4398
Inspection, payment of grants for, 4398
Regulations re, 4395
Department, defined, 4394
Of Education, establishment of, 4394
Deputy Minister, appointment of, 4394
Disputes, determination of by Minister, 4399
Dumb, schools for, 4395
Education, Minister of, powers and duties, 4394
Examination boards, appointment of members of, 4398
Boards, establishment of, 4398
Expenses of, 4398
Prescription of duties of, 4398
Remuneration of members, 4398
Fees, regulations re, 4395
Examinations, regulations re conducting, 4396
High Schools Act, referred to, 4399, 4400
High schools, apportionment of grants to, 4397
Notice of apportionment of grant, 4397
Regulations re, 4394
Household science, basis of grants to teachers, 4398
Grants to teachers of, 4398
Inquiry, into any school matter, 4399
Inspectors, appeals from decision of, 4399
Appointment of, 4395
Penalty for book agencies, 4403
Prohibiting book agencies, 4402
Regulations re duties, 4396
Re qualification of, 4396
Kindergartens, regulations of, 4394
Legislative grants, apportionment of, 4397
Regulations re apportionment, 4396
Libraries, public, school and travelling, administration of, 4394
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Library institutes, regulations re, 4394</td>
<td></td>
</tr>
<tr>
<td>Institutes, re management, 4396</td>
<td></td>
</tr>
<tr>
<td>Manual training, basis of grants to teachers, 4398</td>
<td></td>
</tr>
<tr>
<td>Grants to teachers of, 4398</td>
<td></td>
</tr>
<tr>
<td>Medical inspection, apportionment of grants for, 4398</td>
<td></td>
</tr>
<tr>
<td>Payment of grants for, 4398</td>
<td></td>
</tr>
<tr>
<td>Regulations, 4395</td>
<td></td>
</tr>
<tr>
<td>Military training, expenses for, 4397</td>
<td></td>
</tr>
<tr>
<td>Minister, annual report of, 4399</td>
<td></td>
</tr>
<tr>
<td>Appointments of, 4395</td>
<td></td>
</tr>
<tr>
<td>Defined, 4394</td>
<td></td>
</tr>
<tr>
<td>Determination of disputes by, 4399</td>
<td></td>
</tr>
<tr>
<td>Duties of, 4394, 4396</td>
<td></td>
</tr>
<tr>
<td>Hearing appeals by, 4399</td>
<td></td>
</tr>
<tr>
<td>Powers of, 4394, 4396</td>
<td></td>
</tr>
<tr>
<td>To make regulations, 4395</td>
<td></td>
</tr>
<tr>
<td>Submission of questions to Court, 4399</td>
<td></td>
</tr>
<tr>
<td>Model schools, apportionment of grant to, 4397</td>
<td></td>
</tr>
<tr>
<td>Control of, 4395</td>
<td></td>
</tr>
<tr>
<td>Management of, 4395</td>
<td></td>
</tr>
<tr>
<td>Music, basis of grants to teachers, 4398</td>
<td></td>
</tr>
<tr>
<td>Grants to teachers of, 4398</td>
<td></td>
</tr>
<tr>
<td>Night schools, regulations re, 4394</td>
<td></td>
</tr>
<tr>
<td>Normal schools, apportionment of grant to, 4397</td>
<td></td>
</tr>
<tr>
<td>Control of, 4395</td>
<td></td>
</tr>
<tr>
<td>Management of, 4395</td>
<td></td>
</tr>
<tr>
<td>Officers, appointment of, 4395</td>
<td></td>
</tr>
<tr>
<td>Prescription of duties, 4395</td>
<td></td>
</tr>
<tr>
<td>Ontario College of Art, defined, 4398</td>
<td></td>
</tr>
<tr>
<td>Payment of grants to, 4398</td>
<td></td>
</tr>
<tr>
<td>Penalties, application of, 4403</td>
<td></td>
</tr>
<tr>
<td>Prosecutions for, 4403</td>
<td></td>
</tr>
<tr>
<td>Recovery of, 4403</td>
<td></td>
</tr>
<tr>
<td>Penalty, book firms, 4403</td>
<td></td>
</tr>
<tr>
<td>Inspectors, 4403</td>
<td></td>
</tr>
<tr>
<td>School trustee, 4403</td>
<td></td>
</tr>
<tr>
<td>Teachers, 4403</td>
<td></td>
</tr>
<tr>
<td>Penny Bank, effect of guarantee, 4400</td>
<td></td>
</tr>
<tr>
<td>Form of guarantee, 4400</td>
<td></td>
</tr>
<tr>
<td>Guarantee of investments of, 4400</td>
<td></td>
</tr>
<tr>
<td>Limit of guarantee of investments, 4400</td>
<td></td>
</tr>
<tr>
<td>Playgrounds, regulations re, 4394, 4395</td>
<td></td>
</tr>
<tr>
<td>Presiding officer's fees, regulations re, 4395</td>
<td></td>
</tr>
<tr>
<td>Professional training schools, expenses of, 4398</td>
<td></td>
</tr>
<tr>
<td>Training schools, per diem allowance of students, 4398</td>
<td></td>
</tr>
<tr>
<td>Public Inquiries Act, referred to, 4399</td>
<td></td>
</tr>
<tr>
<td>Public libraries, regulations re, 4394</td>
<td></td>
</tr>
<tr>
<td>Regulations, re management, 4396</td>
<td></td>
</tr>
<tr>
<td>Public Schools Act, referred to, 4399, 4400</td>
<td></td>
</tr>
<tr>
<td>Public schools, regulations re, 4394</td>
<td></td>
</tr>
<tr>
<td>Registrar, appointment of, 4394</td>
<td></td>
</tr>
<tr>
<td>Defined, 4394</td>
<td></td>
</tr>
<tr>
<td>Prescription of duties, 4395</td>
<td></td>
</tr>
<tr>
<td>Regulations, administration of, 4394</td>
<td></td>
</tr>
<tr>
<td>Affiliation of schools, 4396</td>
<td></td>
</tr>
<tr>
<td>Apportionment legislative grant, 4396</td>
<td></td>
</tr>
<tr>
<td>Cadet corps, 4394, 4395</td>
<td></td>
</tr>
<tr>
<td>Collegiate institutes, 4394</td>
<td></td>
</tr>
<tr>
<td>Conducting examinations, 4396</td>
<td></td>
</tr>
<tr>
<td>Consolidated schools, 4394</td>
<td></td>
</tr>
<tr>
<td>Continuation schools, 4394</td>
<td></td>
</tr>
<tr>
<td>Courses in pedagogy, 4396</td>
<td></td>
</tr>
<tr>
<td>Of study, 4395</td>
<td></td>
</tr>
<tr>
<td>Defined, 4394</td>
<td></td>
</tr>
<tr>
<td>Dental inspection, 4395</td>
<td></td>
</tr>
<tr>
<td>Disapproval of by assembly, 4402</td>
<td></td>
</tr>
<tr>
<td>Duties of inspectors, 4396</td>
<td></td>
</tr>
<tr>
<td>Of teachers, 4396</td>
<td></td>
</tr>
<tr>
<td>Effect of disapproval, 4402</td>
<td></td>
</tr>
<tr>
<td>Enforcement of, 4394</td>
<td></td>
</tr>
<tr>
<td>Establishment of, 4396</td>
<td></td>
</tr>
<tr>
<td>Examination fees, 4395</td>
<td></td>
</tr>
<tr>
<td>High schools, 4394</td>
<td></td>
</tr>
<tr>
<td>Inspectors' superannuation allowances, 4396</td>
<td></td>
</tr>
<tr>
<td>Of study, 4395</td>
<td></td>
</tr>
<tr>
<td>Kindergarten, 4394</td>
<td></td>
</tr>
<tr>
<td>Laying before assembly, 4402</td>
<td></td>
</tr>
<tr>
<td>Library institutes, 4394</td>
<td></td>
</tr>
<tr>
<td>Management of library institutes, 4396</td>
<td></td>
</tr>
<tr>
<td>Of public libraries, 4396</td>
<td></td>
</tr>
<tr>
<td>Of school libraries, 4396</td>
<td></td>
</tr>
<tr>
<td>Of travelling libraries, 4396</td>
<td></td>
</tr>
<tr>
<td>Medical inspection, 4395</td>
<td></td>
</tr>
<tr>
<td>Night schools, 4394</td>
<td></td>
</tr>
<tr>
<td>Playgrounds, 4394, 4395</td>
<td></td>
</tr>
<tr>
<td>Power of Minister to make, 4395</td>
<td></td>
</tr>
<tr>
<td>Presiding officers' fees, 4395</td>
<td></td>
</tr>
<tr>
<td>Public libraries, 4394</td>
<td></td>
</tr>
</tbody>
</table>

172
DEPARTMENT OF EDUCATION

Regulations, cont'd
Public schools, 4394
Pupils' textbooks, 4395
Qualification of inspectors, 4396
Of teachers, 4396
School gardens, 4394, 4395
Houses accommodation, 4395
Equipment, 4395
Libraries, 4394
Separate schools, 4394
Teachers' qualification certificates, 4395
Superannuation allowances, 4396
Textbooks, 4395
Travelling libraries, 4394
Vocational schools, 4394
Rural schools, apportionment of grants to, 4397
Scholarships, post-graduate study in France 4401
Regulations re conditions, 4402
Re number, 4402
Re terms, 4402
School boards, payment of grants to, 4397
Debentures, effect of guarantee, 4400
Form of guarantee, 4400
Guaranteeing payment of, 4400
Rate of interest, 4400
Validity of guaranteed, 4400
Gardens, apportionment of grants for, 4397
Regulations, 4394, 4395
Grants, apportionment of, 4396
Basis of apportionment, 4396
Payment of, 4397
Houses, regulations re accommodation, 4395
Regulations, re equipment, 4396
Inspections, apportionment of grants for, 4397
Libraries, apportionment of grants to, 4397
Regulations re, 4394
Management, 4396
Schools for the blind, control of, 4395
For the blind, management of, 4395
Teachers' certificate of qualification, 4398
For the deaf, control of, 4395

Management of, 4395
Teachers' certificate of qualification, 4398
For the dumb, control of, 4395
Management of, 4395
Regulations re affiliation of, 4396
Separate Schools Act, referred to, 4399
Separate schools, powers of Minister re, 4402
Regulations re, 4394
Summary Convictions Act, referred to, 4403
Summer schools, control of, 4395
Management of, 4395
Superannuation allowances, regulations re inspectors, 4396
Regulations re, 4396
Teachers, acceptance of evidence of qualification, 4398
Appointment of, 4395
Apportionment of grants for examinations, 4397
Certificate for French, 4399
For Italian, 4399
For Spanish, 4399
Grant of temporary certificate, 4399
Penalty re book agencies, 4403
Qualifications, 4399
Regulations re duties, 4396
Re qualification certificates, 4396
Re qualifications, 4396
Unauthorized occupations, 4402
Unnaturalized British subjects, 4399
Teachers' institutes, control of, 4395
Management of, 4395
Technical schools, apportionment of grants for, 4398
Apportionment of grants to, 4397
Textbooks, apportionment of grants for free, 4397
Regulations re pupils, 4395
Re teachers, 4395
Travelling libraries, apportionment of grant to, 4397
Regulations re, 4394
Management, 4396
Trustee, penalty re book agencies, 4403

173
Trustee, cont’d
Sale of books in ordinary course of business, 4403
Trustees, prohibiting book agencies, 4402
Universities, apportionment of grants to, 4402
Vacation schools, control of, 4395
Management of, 4395
Vocational schools, regulations re, 4394

DEPARTMENT OF LABOUR; see also
Apprenticeship; Building Trades
Protection; Employment Agencies;
Executive Council; Factory, Shop
and Office Building; Industrial
Standards; Legislative Assembly;
Minimum Wage; One Day’s Best in
Seven; Operating Engineers; Steam
Boiler
Act, administered, 1018
Board, allowance to, 1020
Appointment of, 1020
By-laws of, 1020
Creation of, 1020
Defined, 1020
Powers of, 1020
Public inquiries by, 1020
Caisson work, regulations for, 1021
Chairman of Board, 1020
Compressed air, regulations for, 1021
Department, Act administered by, 1018
By whom presided over, 1018
Duties of, 1018-1020
Deputy Minister, appointment of, 1018
Duties of, 1018
Power of, 1020
Employees, appointment of, 1018
Employment bureaux, department to establish and regulate, 1019
Industries, department to collect information re, 1019
Industry and Labour Board, appointment of, 1020
Powers of, 1020
Inquiry, Board may hold public, 1020
Inspector, when may stop work, 1021
Investigation, Minister may direct Board to hold, 1020, 1021
Minister of Labour presides over Department, 1018
Officers, appointment of, 1018
Penalty for obstructing, 1021
Right to access, 1021
Order, penalty for non-compliance, 1022
Public inquiries, by whom heard, 1020
Public Inquiries Act, referred to, 1021
Records, penalty for falsifying, 1021
Regulation, confirmation of former, 1021
Existing, 1021
For workmen, 1021
Statistics, department to collect, 1019
Summary Convictions Act, referred to, 1021, 1022
Tunnels, regulations for, 1021
Work, when may be stopped, 1022
Workmen, regulations for protection, 1021

DEPARTMENT OF LANDS AND FORESTS; see Public Lands

DEPARTMENT OF LANDS DOCUMENTS; see Evidence

DEPARTMENT OF MUNICIPAL AFFAIRS
Accounting Department, approval of, 879
Regulations of, 878
Act, ending of application, 898
Provisions to prevail, 898
Actions, application to proceed, 884
Stay of, notice, 884
Until leave of Board, 884
Suspension of limitation, 884
Of statutes of limitation, 884
Agreements, cancellation of, 888
Departmental approval to, 888
Effect of, 895
New, by Housing Commission, 895
Variation of, 888
Annual report of Department, 877
When submitted, 877
Appeal, 883, 893, 894
By Department, 893
Procedure on, 894

174
Appeal, cont'd
From order of Department, 883
Procedure on, by Department, general, 894
Right of Department to, 893
To appeal decision, County Court Judge, 894
Court of Revision, 894
To Minister from Department, 883
Application to proceed with action, 884
Appointment of Deputy Minister, 877
Of special auditor, 880
Of staff, 877
Approval by creditors to order by Board, 887
Assessment Act, referred to, 889, 893, 894
Assessment appeal by Department, 893
Controlled by Department, 885
Right of Department to appeal, 893
Audit, appointment of special auditor, 880
Controlled by Department, 885
Effect of, 881
Evidence on oath, 880
Extent of, 880
Fees of, 881
Petition for, 880
Provincial, of municipality, 880
Public Inquiries Act, applicable, 880
Regulation of, 878
Report to Deputy Minister, 880
Result of, 880, 881
Auditor, appointment of special, 880
May be officer of Department, 880
Powers on municipal audit, 880
Powers under Public Inquiries Act, 880
Board, access to books, and records, 896
Agreements, ratification by, 886
Cancellation of debenture debts, 886
Compromise by, 886
Consolidation of debt, 885
Debentures for consolidation, 886
Defined, 876
Deputy Minister not member, 883
Enforcing of orders by, 896
Injunction by, 897
Inquiry by, 882
Into separate school, 883
Issue of debenture by, 883
Jurisdiction of, 895
Leave to proceed with action, 884
Management of funds by, 886
May order cessation of control, 898
Notice of objections filed with, 887
Ontario Municipal Board, 876
Order as to debentures, 888
Postponement of payment of debentures, 886
Powers of, 896
With respect to debt, 885
Reviewing of orders by, 895
Separate Schools, powers re, 887
Sinking funds by, 886
Special jurisdiction of, 882
When exercisable, 882
Special reserves by, 886
Substituted debentures by, 886
Terms of debentures by, 886
Variation of debt by, 886
Of order by, 887
Borrowings controlled by Department, 885
Bureau of Municipal Affairs, jurisdiction transferred, 878
Staff transferred, 878
By-laws, approval of Department required, 888
Assent of electors not required, 888
Cancellation of plans, City of Windsor, 893
Department may require, 893
Certificate of Redemption, form of, 891
Registration, effect of, 891
Cheques, consent of Department to issue, 889
How issued on default, 888
City of Windsor Act, 1932, referred to, 893
City of Windsor (Amalgamation) Act, 1935, referred to, 898
Collector roll returned, 889
Compromise by Board re debt, 886
Contract, cancellation of, 888
Departmental approval to, 888
Variation of, 888
Councillors, disqualification of, of funds, 897
Personal liability of, 897
County Rates, payment by Department, 889
Settlement of, 889
To be paid, 889
Court of Revision, appointment, 889
Need not be councillors, 889

175
DEPARTMENT OF MUNICIPAL AFFAIRS

Court of Revision, cont'd
Three members, 889
Creditors, approval to order, 887
Objection by, to order, 887
Request to Board to Act, 882
Crown, interest of, in land not affected, 890
Debentures, approval of Department, 888
Approval of Department to by-laws, 888
Assent of electors to by-laws, 888
Issue by Board, 886
In substitution, 886
To cover consolidation, 886
Not to form part of debt, 888
Postponement of payment, 886
Terms of, 886
Variation of, 886
Debt, agreement and compromise, 886
Consolidation of, 885
Debenture debt, 886
Debentures not to form, 888
Exclusion of in determining percentage consenting, 887
In determining percentage objecting, 887
Of separate schools, 887
Default, avoidance of, 879
Control of Department on, 885
Departmental control on, 885
Failure to meet debenture debt, 882
To meet other liabilities, 882
To provide adequate funds, 882
Financially embarrassed, 882
Jurisdiction over local boards on, 883
Notice on, 883
Stay of actions on, 884
Defaulting municipalities, appeals from Department, 883
Failure to meet debenture debt, 882
To meet other liabilities, 882
To provide adequate funds, 882
Financially embarrassed, 882
Improved land, defined, 882
Inquiry, 882
Liable for county rates, 889
Registrar, defined, 882
Registry office, defined, 882
Special jurisdiction over, 882
Vacant land, defined, 882
Department access to books and records, 896
Advisory powers of, 879
All returns to, 880
Annual report of, 877
When submitted, 877
Appointment of office of municipality by, 897
Approval of registration, 891
To variation of agreements, 888
Authorizing compromise of tax appeals, 894
Collection of municipal statistics, 878
Consent required to levy rate, 889
Control exercisable by, 884
Generally, 885
Of land by, 892
Of proceeds of lands vested in, 893
Over accounting and audit, 885
Assessment, 885
Borrowings, 885
Estimates, 885
License and permit fees, 885
Municipal officers, 884
Rates and collection, 885
Revenues and expenditures, 884
Sale of assets, 885
Sinking funds, 884
Utility rates, 885
Council to be heard re salaries, 898
Defined, 876
Deputy Minister appointment of, 877
Direction re return of collector's roll, 889
Enforcing of orders by, 896
Expenses of, 897
Fixing fees of audit, 881
Full control over finances, 888
Hearing by, 879
Housing commission, new agreements, 895
Incidental powers, 879
Investigation by, 879
Jurisdiction of, 877, 896
Of Bureau transferred, 878
Over Housing Acts, 877
Over local boards, 883
May approve other systems, 879
* Combine municipal offices, 897
Require cancellation of plans, 893
Minister shall preside, 877
Registering redemption certificate, 892
Tax certificate, improved land, 892
Vacant land, 892
Vacation certificate, 892
Searches, 892
Forms, certificate of redemption, 891
Municipality to comply with, 879
Notice of registration of Tax Arrears Certificate, 899
Of tax certificate, 890
Of municipal returns, 878
Prescribed by Department, 879
Redemption certificate, 900
Substantial compliance sufficient, 896
Tax arrears certificate, 899
Tax certificate, 890
Vacating certificate, 893, 900
Funds, misapplication of, 897
Hearing by Department, 879
Housing Acts, Deputy Minister director, 877
Jurisdiction over, 877
Municipal Housing Act, 1920, 877
Ontario Housing Act, 1919, 877
Housing Commission, new agreements by, 895
Improved land, fees payable for registrations, 892
Formalities re vesting, 890
Interest of Crown reserved, 890
Proceeds of sale, 893
Redemption of, 890
Right of redemption, 891
Vesting of in municipality, 890
What included in tax certificate, 892
Injunction by Board, 897
Inquiry, partial or full, 882
Powers of, 877
Public Inquiries Act, applicable, 877
Investigation by Department, 879
Jurisdiction, municipal institutions and affairs, 877
Of Board, 895
Of Department, 877, 878, 896
On default, 883
Of municipality, 895
Ontario Municipal Board included, 877
Over Housing Acts, 877
Other Acts, 877
DEPARTMENT OF MUNICIPAL AFFAIRS

Jurisdiction, cont'd
Special of Board, 882
Land Titles Office, registration of certificates in, 892
Land Transfers Tax Act, no tax payable, 892
Referred to, 892
License and permit fees controlled by Department, 885
Duty to appoint auditors, 881
Failure to comply with orders, 897
To make returns, 881
Jurisdiction and powers, 895
Liable for county rates, 889
Provincial audit, 880
Lien, 884, 891, 894
For taxes, 894
On redemption, 891
Priority of, 894
Liens, protected, 884
Lieut.-Gov., report of Department to, 877
To appoint deputy Minister, 877
Staff, 877
Local Board defined, 876
Jurisdiction of Department over, 883
Non-compliance with orders, 897
Minister, appeals to, 883
Defined, 876
Of Municipal Affairs, 876
Mistake vacating certificate correcting, 893
Municipal Housing Act, 1920, referred to, 877
Municipal Affairs, department of, 877
Affairs, Minister shall preside, 877
Government, studying of, 879
Institutions, jurisdiction over, 877
Officers, control of, 884
Dismissal of, 897
Revenues and expenditures controlled by Department, 884
Municipality, appointment of officer of, 897
Defined, 876
Department to Act on behalf of, 896
Duty to appoint auditors, 881
Failure to comply with orders, 897
To make returns, 881
Jurisdiction and powers, 895
Liable for county rates, 889
Provincial audit, 880
Requirements on result of audit, 881
Stay of actions on default, 884
Subject to Act, 898
To comply with forms, 879
Systems, 879
To pay salaries, 898
Vesting control of, in Department, 883
Of improved lands in, 890
Of vacant lands in, 889
When deemed defaulting, 882
Notice, forms of, substantial compliance, 896
Not to apply to incidental matters, 887
Of default, 883
Of exercise of powers, 887
Of intention to exercise powers, 887
Of registration of tax certificate, 890
When not required, 888
Officer appointed by Department, 897
Not affected by audit, 881
Ontario Gazette, notice of, 883
Exercise of powers by Board, 887
Ontario Housing Act, 1919, referred to, 877
Ontario Municipal Board Act, 1932, referred to, 877, 878, 898
Order of Board, approval of, 887
As to debentures, 888
Objection to, 887
Variation of, 887
Orders by Board, 895
Final, subject to review, 895
Non-compliance, liability of Councillors, 897
Not to be questioned in Court, 895
Refusal to comply with, 896
Reviewing by Board, 895
Department, 895
Penalty, Councillor disqualified, 881
For failure to comply with Act, 881
For non-compliance with orders, 897
Member of local board disqualified, 881
Petition for provincial audit, 830
Power, intention of Board to exercise, 888
Of Department to obtain returns, 881
Powers, advisory, 879
Collection of municipal statistics, 878
Incidental, 879
May approve other systems, 879
Of Board re separate schools, 887
Of Department, 878, 883
Powers, cont’d
And Board, 896
Of inquiry, 877, 879
Of municipality under Act, 895
Preparation of statistics, 878
Prescribing systems and forms, 879
Public Inquiries Act, applicable, 877
Regulation of municipal accounting, 878
Of municipal audit, 878
Of municipal returns, 878
Of statistics, 878
Studying municipal government, 879
To vest control of municipality in Board, 883
Procedures on appeal by Department, 894
On general appeal by Department, 894
Provincial audit, when ordered, 880
Public Inquiries Act, referred to, 877, 880
Public utility defined, 876
Rate, levy on default, 889
Rates control by Department, 885
Redemption, amount required for, 891
Determination of amount payable, 891
Lien on redemption, 891
Registration of certificate, 891
Right of, 891
Time for, 891
Registrar, duties of, 892
Fees of, 892
Registration of tax arrears certificate, 890
Registrations, Land Transfer Tax Act not applicable, 892
Registry Act, referred to, 891, 893
Reserve funds, 886
Returns, failure by municipality, 881
Regulation of, 878
To Department, 880
Rules and regulations, powers of Department, 896
Powers of Board, 896
Salaries, Council to be heard, 898
To be paid by municipality, 898
Sale of assets, controlled by Department, 885
Proceeds of, controlled by Department, 893
Security not affected by audit, 881
Separate school, inquiry into, 883
Power of Board re debt, 887
Sinking funds controlled by Department, 884
Staff, appointment of, 877
Of Bureau transferred, 878
Statistics, collection of, 878
Publication of, 878
Statutes of limitations, suspension of, 884
Provided application made, 884
Stay of action on default, 884
Summary convictions Act, referred to, 881
Surety not affected by audit, 881
Tax certificate approval required to registration, 890
Duties of treasurer on registration of, 890
Form of, 890
Registration of, 890
Vacation where registered in error, 893
Taxes, certificate of arrears, registration of, 890
Compromise not to affect lien, 894
Of arrears authorized, 894
Duties of treasurer on registration, 890
Extension of time for payment, 894
Interference with compromise, 895
Not affected by vacating certificate, 893
Reduction of amount, 894
Vesting of improved lands, 890
Of vacant lands, 889
Treasurer, certificate as to arrears, 891
Duties on registration of certificate, 890
Not to interfere with compromise, 895
Utility rates, control by Department, 885
Vacant land, fees payable for registrations, 892
Interest of Crown reserved, 890
Proceeds of sale, 893
Redemption of, 889
Right of redemption, 891
Vesting of, 890
In Municipality, 889
What included in tax certificate, 892
Vacating certificate, effect of, 893
Form of, 893
Not to affect taxes, 893
Registered where mistake, 893
DEPARTMENT OF PUBLIC WELFARE

Defined, 931
Dissemination of information, 931
Funds, regulations by Lieut.-Gov. re, 932
Inquiries, 931
Inspector, appointment, 932
Duties, 932
Investigations, 931
Jurisdiction of, 931
Lieut.-Gov., declaration re charitable institutions, 932
Duties of inspector, 932
Minister, defined, 931
In charge of Department, 931
Obtaining statistics, 931
Power to disseminate information, 931
Institute inquiry, 931
Investigate organizations, 931
Make recommendations, 932
Obtain statistics, 931
Secure observance of Acts, 931
Powers of generally, 931
Recommendations of, 932
Regulations by Lieut.-Gov., 932
Securing observance of Acts, 931

DEPARTMENT OF PUBLIC WORKS:
see PUBLIC WORKS

DEPARTMENT OF THE TREASURY:
see AUDIT; CONSOLIDATED REVENUE FUND; CORPORATION TAX; INCOME TAX; LAW STAMPS; PROVINCIAL LOANS; PUBLIC REVENUE; SUCCESSION DUTY

DEPENDANT'S RELIEF
Allowance as maintenance, 2348
Relief, how allowance payable, 2348
Property conveyed, 2348
Amount of payments, a limit of each allowance, 2350
Total of all allowances, 2350
What debts first deducted, 2350
Appeal to Court of Appeal, 2351
Applications for allowance, effect on distribution of estate, 2348
Extending time for making, 2348
Procedure on application, 2348
To whom made, 2348
When estate distributed, 2348
Letters probate applied for, 2348
Made, 2348
Where beneficiary mentally defective, 2349
Who may make, 2348
Applications of R.S. c. 123, 2351
Conveyance of property as relief, who gives directions, 2348
Costs of application, 2351
What Judge considers in fixing, 2351
Court of Appeal, decision final, 2351
Power on approval, 2351
Definitions, meaning of applicant, 2347
Meaning of dependant, 2347
Executor, 2347
Letters probate, 2347
Testator, 2347
Will, 2347
Executor, what included, 2347
Judge on application for power, re costs, 2351
What to consider, 2349, 2350
Letters probate, what included, 2347
Mental hospital, applicant may be patient within, 2347, 2348
Service on public trustee, where patient dies in, 2349
Where person interested is a patient in, 2349
No appeal as to costs, 2351
Notice to parties before making order, 2349
Official guardian, making application for, 2348
When applicant, 2347
On application, what Judge to consider, 2349, 2350
Order for maintenance, necessary circumstances, 2348
What order included, 2348
Who makes order, 2347
Powers of Judge, extending time for application, 2348
Procedure on application, how evidence given, 2349
How evidence, recorded, 2349
What Judge to consider, 2349, 2350
DEPUTY; see INTERPRETATION; PUBLIC SERVICE

DEPUTY LIEUTENANT-GOVERNOR;  
see LIEUTENANT-GOVERNOR

DESCENT; see DEVOLUTION OF ESTATES

DESCENT CAST; see LIMITATIONS

DEserted wives' and children's maintenance; see also children's maintenance

Adultery, finding of magistrate, 2339
Of husband, when deemed desertion, 2338
Of wife, when bar to maintenance, 2338
Application may be heard in private, 2340
Apprehension of bodily injury, constitutes cruelty, 2338
Of injury to health, constitutes cruelty, 2338
Complaint, who may lay, 2339
Conduct, constituting cruelty, 2338
Confirmation of order, 2339
Cruelty, conduct constituting, 2338
Defined, 2338
When deemed desertion, 2338
Default under order, imprisonment, 2340
Summons may be issued, 2340
Warrant for arrest, 2340
Desertion of child, neglect to maintain, 2339
Of child, neglect to supply necessaries, 2339
Order for maintenance, 2339
Refusal to maintain, 2339
To supply necessaries deemed, 2339
Of wife, adultery of husband deemed, 2338
Cruelty deemed, 2338
Defined, 2338
Neglect deemed, 2338
Refusal to supply necessaries deemed, 2338
Division Court, enforcing order in, 2340
Filing order in, 2340
Enforcement of order, by imprisonment, 2340

DEPOSIT IN REGISTRY OFFICE; see CUSTODY OF DOCUMENTS
DESEYTED WIVES AND CHILDREN'S MAINTENANCE

Enforcement of order, cont'd
By summons, 2340
By warrant, 2340
Execution in Division Court, 2340
Filing in Division Court, 2340
Judgment summons in Division Court, 2340

Expenses, payment of, 2340
Finding of adultery, 2339
Form of order, 2341
Of summons, 2341
Hearing, before magistrate, 2338
Of application in private, 2340
Imprisonment, when default under order, 2340
Information laid before justice of the peace, 2338
Judge of juvenile court, jurisdiction re child desertion, 2339
Judgment summons, enforcing order by, 2340
Justice of the Peace, information laid before, 2338
Summons issued by, 2338
Magistrate, hearing before, 2338
Jurisdiction re child desertion, 2339
Order for maintenance by, 2338
Maintenance of child, to whom payable, 2339
Order for, by magistrate, 2338
Neglect to maintain child, 2339
To supply necessaries, 2338, 2339
Order for maintenance, barred by wife's adultery, 2338
For maintenance by juvenile court judge, 2339
By magistrate, 2336
Confirming, 2339
Enforcement of, 2340
Enforcing in division court, 2340
Filing in division court, 2340
Form of, 2338
For weekly sums, 2338
Grounds for, 2338
Of child, 2339
Private hearing for, 2340
Rescinded on wife's adultery, 2338
Rescinding, 2339

Varying, 2339
Who may confirm, 2339
Rescind, 2339
Vary, 2339
Form of, 2341
Payment of maintenance, time limit for, 2339
Personal violence, need not be proved, 2338
Refusal to maintain child, 2339
To supply necessaries, 2338, 2339
Rescinding of order, 2339
Separation agreement, effect of, 2338
Excluding Act, 2338

Summary Convictions Act, referred to, 2340
Summons for desertion of child, 2339
Form of, 2338 and 2341
When default under order, 2340
Time limit for payment of maintenance, 2339
Varying of order, 2339
Warrant for arrest, when default under order, 2340

DETECTIVES; see PRIVATE DETECTIVES
DETOURS; see HIGHWAY IMPROVEMENT
DE VENTRE INSPICIENDO; see JURORS

DEVOLUTION OF ESTATES; see also ALIENS' REAL PROPERTY; APPORTIONMENT; CUSTODY OF DOCUMENTS; POWER; EXECUTION; INVESTIGATION OF TITLES; LAND TITLES; LANDLORD AND TENANT; MECHANICS' LIEN; MORTGAGE TAX; QUIETING TITLES; REGISTRY; RELIGIOUS INSTITUTIONS; VENDORS AND PURCHASERS

Absentee, consent of Official Guardian, 1806
Action for foreclosure, if mortgagor deceased, 1801
For sale, if mortgagor deceased, 1801
Administration, application of law re, 1799
Payment of costs of, 1799
Administrator of personality only, 1807
With will annexed, rights preserved, 1804
Advancement, calculation of value of, 1810
<table>
<thead>
<tr>
<th>DEVOLUTION OF ESTATES</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature by one representative, 1805</td>
<td></td>
</tr>
<tr>
<td>Verification of, 1803</td>
<td></td>
</tr>
<tr>
<td>Withdrawal of, 1803</td>
<td></td>
</tr>
<tr>
<td>Withdrawal of, 1803</td>
<td></td>
</tr>
<tr>
<td>Certificate withdrawing caution, 1813</td>
<td></td>
</tr>
<tr>
<td>Child, intestate without wife or issue, 1812</td>
<td></td>
</tr>
<tr>
<td>Of intestate, advancement to, 1810</td>
<td></td>
</tr>
<tr>
<td>Education of, 1810</td>
<td></td>
</tr>
<tr>
<td>Maintenance of, 1810</td>
<td></td>
</tr>
<tr>
<td>Convey, power of personal representative to, 1805</td>
<td></td>
</tr>
<tr>
<td>Costs of administration, payment of, 1799</td>
<td></td>
</tr>
<tr>
<td>Creditor, registration of caution by, 1808</td>
<td></td>
</tr>
<tr>
<td>Registration of, lis pendens by, 1808</td>
<td></td>
</tr>
<tr>
<td>Courtesy, election of husband to take, 1811</td>
<td></td>
</tr>
<tr>
<td>Payment in satisfaction of on sale, 1801</td>
<td></td>
</tr>
<tr>
<td>Sale by personal representative free from, 1801</td>
<td></td>
</tr>
<tr>
<td>Debts, after purchase with notice, 1809</td>
<td></td>
</tr>
<tr>
<td>Discharge of realty from, 1808, 1809</td>
<td></td>
</tr>
<tr>
<td>Liability of beneficiaries of personalty for, 1812</td>
<td></td>
</tr>
<tr>
<td>Of beneficiary for, 1809</td>
<td></td>
</tr>
<tr>
<td>Of realty after division, 1808</td>
<td></td>
</tr>
<tr>
<td>While vested, 1809</td>
<td></td>
</tr>
<tr>
<td>Payment of, 1799</td>
<td></td>
</tr>
<tr>
<td>Power of sale to pay, 1806</td>
<td></td>
</tr>
<tr>
<td>Deceased, property of, vesting in representative, 1798</td>
<td></td>
</tr>
<tr>
<td>Deed of election by widow, 1800</td>
<td></td>
</tr>
<tr>
<td>Deputy official guardian, appointment of, 1812</td>
<td></td>
</tr>
<tr>
<td>Descent of estate of intestate married woman, 1811</td>
<td></td>
</tr>
<tr>
<td>Of personalty of intestate, 1811</td>
<td></td>
</tr>
<tr>
<td>Where widow and no issue, 1802</td>
<td></td>
</tr>
<tr>
<td>Devolution, exceptions to, 1799</td>
<td></td>
</tr>
<tr>
<td>What property subject to, 1798</td>
<td></td>
</tr>
<tr>
<td>Distribution, applying for within three years, 1807</td>
<td></td>
</tr>
<tr>
<td>Consent of beneficiaries to sale for, 1806</td>
<td></td>
</tr>
<tr>
<td>Of public trustee to, 1807</td>
<td></td>
</tr>
<tr>
<td>Effect of illegitimacy on, 1810</td>
<td></td>
</tr>
<tr>
<td>In absence of probate, approval to, 1807</td>
<td></td>
</tr>
<tr>
<td>Of estate of intestate married woman, 1811</td>
<td></td>
</tr>
<tr>
<td>Of personalty after one year, 1812</td>
<td></td>
</tr>
<tr>
<td>Liability of beneficiaries after, 1812</td>
<td></td>
</tr>
<tr>
<td>Beneficiary, application to vacate caution, 1805</td>
<td></td>
</tr>
<tr>
<td>Receipt of sale proceeds by, 1808</td>
<td></td>
</tr>
<tr>
<td>Caution, affidavit verifying withdrawal, 1813</td>
<td></td>
</tr>
<tr>
<td>After three years, 1805</td>
<td></td>
</tr>
<tr>
<td>Requirements, 1804</td>
<td></td>
</tr>
<tr>
<td>Application by beneficiary to vacate, 1805</td>
<td></td>
</tr>
<tr>
<td>Certificate withdrawing, 1813</td>
<td></td>
</tr>
<tr>
<td>Effect of if it specifies realty, 1803</td>
<td></td>
</tr>
<tr>
<td>Registration of, 1803</td>
<td></td>
</tr>
<tr>
<td>Form of, 1812</td>
<td></td>
</tr>
<tr>
<td>Registration by creditor, 1808</td>
<td></td>
</tr>
<tr>
<td>If letters not granted, 1804</td>
<td></td>
</tr>
<tr>
<td>Under repealed statute, 1805</td>
<td></td>
</tr>
<tr>
<td>Renewal of, 1803</td>
<td></td>
</tr>
<tr>
<td>Assets, preservation of rules re order of, 1799</td>
<td></td>
</tr>
<tr>
<td>Real and personal, rateable application of, 1799</td>
<td></td>
</tr>
<tr>
<td>Assigns of beneficiaries, late caution on, 1805</td>
<td></td>
</tr>
<tr>
<td>Of beneficiaries, vesting of realty in, 1803</td>
<td></td>
</tr>
<tr>
<td>Vesting where no letters, 1803</td>
<td></td>
</tr>
<tr>
<td>Beneficiaries, assigns of, vesting of realty in, 1803</td>
<td></td>
</tr>
<tr>
<td>Consent to distribution, 1807</td>
<td></td>
</tr>
<tr>
<td>To sale, dispensing with, 1807</td>
<td></td>
</tr>
<tr>
<td>For distribution, 1806</td>
<td></td>
</tr>
<tr>
<td>Division within three years, 1807</td>
<td></td>
</tr>
<tr>
<td>Liability after distribution of personalty, 1812</td>
<td></td>
</tr>
<tr>
<td>For debts, 1808, 1809</td>
<td></td>
</tr>
<tr>
<td>Non-concurring, consent to sale for, 1806</td>
<td></td>
</tr>
<tr>
<td>Vesting, if will not registered, 1803</td>
<td></td>
</tr>
<tr>
<td>In absence of letters, 1803</td>
<td></td>
</tr>
<tr>
<td>Of probate, 1803</td>
<td></td>
</tr>
<tr>
<td>Of realty in, 1802</td>
<td></td>
</tr>
<tr>
<td>In several, 1805</td>
<td></td>
</tr>
<tr>
<td>Advancement, cont'd</td>
<td></td>
</tr>
<tr>
<td>Education of child not, 1810</td>
<td></td>
</tr>
<tr>
<td>Maintenance of child not, 1810</td>
<td></td>
</tr>
<tr>
<td>To child of intestate, 1810</td>
<td></td>
</tr>
<tr>
<td>Affidavit, use of, in proceedings, 1812</td>
<td></td>
</tr>
<tr>
<td>Verifying withdrawal of caution, 1813</td>
<td></td>
</tr>
<tr>
<td>Application of assets, 1799</td>
<td></td>
</tr>
<tr>
<td>Appointment, power of, devolution in case of, 1798</td>
<td></td>
</tr>
<tr>
<td>Liability of beneficiaries after, 1812</td>
<td></td>
</tr>
<tr>
<td>Liability of beneficiaries after one year, 1812</td>
<td></td>
</tr>
<tr>
<td>Liability of beneficiaries after, 1812</td>
<td></td>
</tr>
<tr>
<td>Distribution, applying for within three years, 1807</td>
<td></td>
</tr>
<tr>
<td>Consent of beneficiaries to sale for, 1806</td>
<td></td>
</tr>
<tr>
<td>Of public trustee to, 1807</td>
<td></td>
</tr>
<tr>
<td>Effect of illegitimacy on, 1810</td>
<td></td>
</tr>
<tr>
<td>In absence of probate, approval to, 1807</td>
<td></td>
</tr>
<tr>
<td>Of estate of intestate married woman, 1811</td>
<td></td>
</tr>
<tr>
<td>Of personalty after one year, 1812</td>
<td></td>
</tr>
<tr>
<td>Liability of beneficiaries after, 1812</td>
<td></td>
</tr>
</tbody>
</table>
DEVOLUTION OF ESTATES

Distribution, cont'd
- Liability of intestate, 1811
- Power of, probate needed for, 1807
- Sale for purpose of, 1806
- With consent of beneficiaries, 1807
- Within three years, without order, 1807
- Without consent of beneficiaries, 1807
- Distributive share, election by widow to take, 1800
- Domicile out of Ontario, 1799
- Dower, election of distributive share in lieu of, 1800
- Payment in satisfaction of on sale, 1801
- Preservation of widow's right to, 1800
- Sale by personal representative free from, 1801
- Education, now advancement, 1810
- Election, if widow a mental incompetent, 1800
  - If widow an infant, 1800
  - In mental hospital, 1801
  - Of widow to take distributive share, 1800
- Estate tail excepted from devolution, 1799
- Exceptions to devolution, 1799
- Foreclosure, if no representative of mortgagee, 1801
- Funeral expenses, payment of, 1799
- Guardian, local, appointment of, 1806
  - Official, consent when required, 1807
- Heir, when personal representative deemed, 1799
- Husband of intestate, election by, 1811
- Illegitimacy, effect of on distribution, 1810
- Improvements to realty in absence of caution, 1805
- Incompetent, mental, consent to sale for, 1806
- Infant, real estate of, requirements re sale, 1805, 1806
  - Where widow an, 1800
- Intestacy, share of widow on, 1802
- Intestate child, without wife or issue, 1812
- Joint personal representatives, sale of realty by, 1799
- *Legitimation Act*, referred to, 1810
- Limitation, words of, 1806
- *Lis pendens*, registration by creditor, 1806
- Married woman, intestate distribution of estate of, 1811
- *Mental Hospitals Act*, referred to, 1801, 1807
- Mental incompetency, 1798
- Mentally incompetent person, 1798
- Mortgage of realty, devolution of, 1800
  - Power of personal representative to, 1809
- Mortgagor, in mortgage action, 1801
- Procedure if no representative of, 1801
- Official guardian, appointment of deputy of, 1812
  - Guardian, consent of to distribution, 1807
  - Consent of to sale of infant's realty, 1805
  - Election by, 1800
- Personal property, limitation on administrator of, 1807
- Property, what to be considered, 1798
- Representative, application of law re, 1799
  - As administrator of personalty only, 1807
  - Caution after three years, 1804
  - Defined, 1798
- Division within three years, 1807
  - Without order, 1807
- Joint, sale of realty by, 1799
- Liability to creditors, 1810
  - To purchaser, 1808
  - Powers of distribution by, 1807
  - Of sale of, 1806
  - Over realty, 1806
  - To lease, 1809
  - To mortgage, 1809
- Registration of caution by, 1803
- Rights preserved, 1804
- Sale within three years, 1807
  - Without order, 1807
- Signature of caution by one, 1805
- What property vests in, 1798
- When deemed heir, 1799
- Without probate, approval to distribution by, 1807
  - Approval to sale by, 1807
Personalty, distribution of, 1811
Distribution of after one year, 1812
Law of applying to realty, 1799
Liability of beneficiaries after distribution of, 1812

Power of appointment, devolution in case of, 1798
Practice and procedure, rules of, 1812
Probate, application of law re, 1799

Necessity of, for sale or distribution, 1807
Power of, probate needed to exercise, 1807
Receipt of proceeds by beneficiary, 1808
Within three years, without order, 1807

Statute, repealed, registration of caution under, 1805
Succession Duty Act, referred to, 1803
Succession duty statement, filing, 1803
Tenant by the curtesy, husband's election, 1811

Widow, election to take distributive share, 1800
Incompetent, election on behalf of, 1800
Infant, election on behalf of, 1800
Notice to, requiring election, 1800
Patient in mental hospital, election for, 1801
Share of on intestacy if no issue, 1802
On intestacy in lieu of dower, 1802
Will, devolution to personal representative, 1798
Wills Act, referred to, 1799

Devolution of Estates

Trust estate in, devolution of, 1800
Registry Act, referred to, 1802, 1803
Residue, application of to debts and expenses, 1799

Rules of practice and procedure, 1812
Sale, consent for non-concurring beneficiaries, 1806
Consent of public trustee to, 1807
To by beneficiaries, dispensing with, 1807
For distribution, consent of beneficiaries to, 1806
In absence of probate, approval to, 1807
Of realty, by beneficiary, 1809
By representative, 1808
Free from dower or curtesy, 1801
Where joint representatives, 1799
Power of, probate needed to exercise, 1807

Receipt of proceeds by beneficiary, 1808
Within three years, without order, 1807

Statute, repealed, registration of caution under, 1805
Succession Duty Act, referred to, 1803
Succession duty statement, filing, 1803
Tenant by the curtesy, husband's election, 1811

Widow, election to take distributive share, 1800
Incompetent, election on behalf of, 1800
Infant, election on behalf of, 1800
Notice to, requiring election, 1800
Patient in mental hospital, election for, 1801
Share of on intestacy if no issue, 1802
On intestacy in lieu of dower, 1802
Will, devolution to personal representative, 1798
Wills Act, referred to, 1799
## DISCHARGE OF MORTGAGE

- **DISCHARGE OF MORTGAGE;** see **BILLS OF SALE AND CHATTEL MORTGAGE; LAND TITLES; MORTGAGES; REGISTRY**
- **DISCONTINUANCE:** see **LIMITATIONS**
- **DISEASES;** see **ANDREW MERCER REFORMATORY; HOSPITALS; MUNICIPAL; PUBLIC HEALTH; VACCINATION; VENEREAL DISEASES PREVENTION**
- **DISPUTES;** see **INDUSTRIAL DISPUTES INVESTIGATION**
- **DISTRESS;** see **ASSESSMENT; COSTS OF DISTRESS; CORPORATIONS TAX; DIVISION COURTS; EXECUTION; LANDLORD AND TENANT; LIMITATIONS; LIQUOR CONTROL; MASTER AND SERVANT; MINING TAX; MORTGAGES; PUBLIC UTILITIES**
- **DISTRIBUTION OF ESTATES;** see **DEVOlUTION OF ESTATES**
- **DISTRICT;** see **REPRESENTATION; TERRITORIAL DIVISIONS**
- **DISTRICT COURT HOUSES**
  - Buildings for holding courts, 4800
  - Construction, regulations re, 4800
  - Courts, buildings for holding, 4800
  - Inspection, regulations re, 4800
  - Lieut.-Gov., regulations by, 4800
  - Management, regulations re, 4800
  - Regulations, by Lieut.-Gov., 4800
    - Re construction, management, inspection, repair, 4800
  - Repair, regulations re, 4800
- **DISTRICT COURT JUDGE;** see **COUNTY COURTS; COUNTY JUDGES**
- **DISTRICT COURTS;** see **COUNTY COURT JUDGES’ CRIMINAL COURTS; COUNTY COURTS; COUNTY JUDGES; GENERAL SESSIONS**

## DISTRICT HOUSES OF REFUGE

- **Accounts, audit of, 4786**
- **Submission to inspector, 4786**
- **Aid, under Charitable Institutions Act, 4786**
- **Assessment, for maintenance, 4785**
- **Board of management, appointment of, 4784**
- **Apportionment cost of establishment and maintenance, 4785**
  - Of yearly expenditures, 4786
  - Charge of erection and maintenance, 4785
  - Composition of, 4784
  - Payment of yearly expenditures to, 4786
  - Payment over to, 4786
  - Powers of, 4785
  - Powers of county council conferred, 4785
  - Selection of site by, 4784
  - Term of office, 4784
  - By-laws, approval by Lieut.-Gov., 4784
  - For establishment, 4784
  - Transmission to Minister Public Welfare, 4784
  - Charitable Institutions Act, referred to, 4786
  - Consolidated Revenue Fund, grants from, 4785
  - Department of Public Welfare Act, referred to, 4784
  - District, defined, 4784
  - Establishment, apportionment of cost, 4785
  - Assessment for maintenance, 4785
  - By majority of municipalities, 4784
  - Cost of, how defrayed, 4785
  - Joint house of refuge, 4784
  - Expenditures apportionment of yearly, 4786
  - Notice of yearly, 4786
  - Payments to Board re yearly, 4786
  - Houses of Refuge Act, referred to, 4785
  - Indigent inmate, liability of municipalities re, 4786
  - Inmates, liability re indigent, 4786
  - Inspector, defined, 4784
  - Inspection of site by, 4784
  - Joint House of Refuge, amount legislative grant, 4785
    - Establishment of, 4784
  - Legislative grant, amount of, 4785
  - Liability, re indigent inmates, 4786
DITCHES AND WATERCOURSES

Lieut.-Gov., appointment of board of management, 4784
Approval by-laws by, 4784
Of site by, 4784
Grants by, 4785
Maintenance, apportionment of cost, 4785
Assessment for, 4785
Cost of, how defrayed, 4785
Minister of Public Welfare, transmission of by-laws to, 4784
Municipalities, liability re indigent inmates
4786
Resident, defined, 4786
School section unorganized townships, apportionment of establishment, 4785
Apportionment of maintenance, 4785
Site, approval Lieut.-Gov., 4784
Inspection by inspector, 4784
Selection of, 4784
Term of office, of board of management, 4784

DISTRIBUTING JURATORES; see JURORS

DITCHES; see DITCHES AND WATERCOURSES; DRAINAGE; MINING; MUNICIPAL

DITCHES AND WATERCOURSES; see also CEMETARY; DRAINAGE; HIGHWAY IMPROVEMENT

Act, application of, 4312, 4322
Action, prohibition of, 4324
Agreement among owners, amendment of, 4314
Among owners, enforcement, 4314
Filing, 4314
Form, 4314
Noncompliance re, 4314
Signature by head of council, 4314
By owners, form, 4326
Enforcement of, 4324
Proceedings for reconsideration, 4323
Appeal from award, amending award, 4320
From award, costs of, 4319
Default re costs, 4321
Indemnity re costs, 4318

Inspection for appellant, 4319
Judge's order, 4319
Misdemeanor of engineer, 4319
Notice of, 4318
Of appointment, 4318
To judge, 4318
Payment of costs, 4320
Referring award back, 4320
Summoning witnesses, 4320
Time for, 4318
For hearing, 4319
When permissible, 4318
To referee, when permissible, 4324
Appellant, inspection by other engineer, 4319
Notice of appeal by, 4318
Appointment by engineer, form of, 4327
By engineer, notice of, 4315
By judge, 4318
Assessment, land liable for, 4313
Award, amendment by judge, 4320
Appeal from, 4318
Evidence at, 4320
Notice of, 4318
Summoning witnesses, 4320
Changes by judge, 4319
Enforcement of, 4324
Extending time for performance, 4321
Form of, 4327
Letting work after time limit, 4321
Noncompliance with, 4321
Of engineer, contents, 4316
Filing of, 4317
Notice of filing of, 4318
Subdividing, 4317
Time for, 4316
Proceedings for reconsideration, 4323
Reference back of, 4320
Reletting work, 4322
Stay by referee, 4325
Bench mark, establishing, 4317
Interfering with, 4317
Blasphemy, certificate of engineer, 4321
Directions of engineer, 4317
Form of certificate, 4328
By-law appointing engineer, 4312
Appointing engineer, form, 4325

187
DITCHES AND WATERcourses

By-law, cont'd
Re clerk's fees, 4312
Certificate of completion, after default, 4322
Clear days, defined, 4311
Clerk, as clerk of judge's court, 4319
Book of, 4318
Certificate of engineer re repairs, 4323
Fees of, 4312
Filing judge's order with, 4319
Notice of appeal with, 4318
Of agreement of owners, 4314
Of award with, 4317
Notice of appointment to, 4318
Of appointment to owners, 4315
Of filing of award, 4318
Of judge's order, 4319, 4320
Of requisition to engineer, 4315
To, by engineer, 4315
To engineer, of appeal, 4318
To judge, 4318
To owners of appeal, 4318
Service of notice of appointment, 4315
Summons to witnesses, 4320
Compensation for manufacturing drainage, 4312
For mining drainage, 4312
Completion, by owner after default, 4322
Construction, defined, 4311
Contribution to manufacturing drainage, 4312
To mining drainage, 4312
County, defined, 4311
Court, defined, 4311
Costs, charge on land for, 4321
Default in payment of, 4321
Of appeal, 4319
Of ditch, limit of, 4313
Order for indemnity against, 4318
Payment by municipality, 4320
By one municipality to other, 4321
By owners, 4320
Deepening ditch, application of Act to, 4322
Default in performance, certificate of completion after, 4322
Charge for, 4322
Completion after, 4322
Procedure on, 4321

Ditch, adjournment of meeting by engineer, 4316
Adjournment of examination, 4316
Re taking evidence, 4316
Agreement among owners re, 4314
Amendment owner's agreement, 4314
Appeal from award, 4318
To referee, 4324
Application of Act to, 4322
Appointment by engineer, 4315
Award of engineer, 4316
Bench marks, 4317
Blasting directions, 4317
Completion after default, 4322
Of repairs, 4323
Continuing beyond municipality, 4318
Default in performance, 4321
Defined, 4311
Effect of noncompliance, 4314
Enforcing maintenance, 4323
Evidence taken by engineer, 4316
Examination by engineer, 4315
Extending on petition, 4313
Time for performance, 4321
Filing of award, 4317
Letting work after time limit, 4321
Limit of, 4313
Of assessable area, 4313
Of cost of, 4313
Maintenance of, 4323
Noncompliance with award, 4321
Notice by owner desiring, 4313
Of filing of award, 4318
To inspect repairs, 4323
To repair, 4323
Order of judge, 4319
Proceedings by affected owners, 4314
For overflow, 4324
Reconsideration of agreement, 4323
Of award, 4323
Reletting work, 4322
Relief of owner by engineer, 4317
Requisition of owner desiring, 4315
Rock cutting directions, 4317
Service of notice by owner desiring, 4314
Signature of agreement by corporation, 4314
Use for other purposes, 4322
### Ditches and Watercourses

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drainage, for manufacturing purposes</td>
<td>4312</td>
</tr>
<tr>
<td>For mining purposes</td>
<td>4312</td>
</tr>
<tr>
<td>Engineer, adjournment of examination</td>
<td>4316</td>
</tr>
<tr>
<td>Adjournment re taking evidence</td>
<td>4316</td>
</tr>
<tr>
<td>Appointment of</td>
<td>4312</td>
</tr>
<tr>
<td>Award of, contents</td>
<td>4316</td>
</tr>
<tr>
<td>Filing</td>
<td>4317</td>
</tr>
<tr>
<td>Notice of filing</td>
<td>4318</td>
</tr>
<tr>
<td>Subdivision</td>
<td>4317</td>
</tr>
<tr>
<td>Time for</td>
<td>4316</td>
</tr>
<tr>
<td>Blasting directions</td>
<td>4317</td>
</tr>
<tr>
<td>Calling adjourned meeting</td>
<td>4316</td>
</tr>
<tr>
<td>Certificate of</td>
<td>4316</td>
</tr>
<tr>
<td>Of blasting</td>
<td>4321</td>
</tr>
<tr>
<td>Of completion after default</td>
<td>4322</td>
</tr>
<tr>
<td>Of rock cutting</td>
<td>4321</td>
</tr>
<tr>
<td>Repair</td>
<td>4323</td>
</tr>
<tr>
<td>Continuing ditch</td>
<td>4318</td>
</tr>
<tr>
<td>Decision where manufacturing purpose</td>
<td>4312</td>
</tr>
<tr>
<td>Mining purpose</td>
<td>4312</td>
</tr>
<tr>
<td>Defined</td>
<td>4311</td>
</tr>
<tr>
<td>Deprived of fees</td>
<td>4319</td>
</tr>
<tr>
<td>Establishing bench marks</td>
<td>4317</td>
</tr>
<tr>
<td>Examination by</td>
<td>4315</td>
</tr>
<tr>
<td>Extending time for performance</td>
<td>4321</td>
</tr>
<tr>
<td>Fees of</td>
<td>4312</td>
</tr>
<tr>
<td>Finding ditch not required</td>
<td>4316</td>
</tr>
<tr>
<td>Required</td>
<td>4316</td>
</tr>
<tr>
<td>Inspection after notice of completion</td>
<td>4322</td>
</tr>
<tr>
<td>Letting work after time limit</td>
<td>4321</td>
</tr>
<tr>
<td>Misconduct by</td>
<td>4319</td>
</tr>
<tr>
<td>Noncompliance with award of</td>
<td>4321</td>
</tr>
<tr>
<td>Notice of judge's appointment</td>
<td>4318</td>
</tr>
<tr>
<td>Of requisition</td>
<td>4315</td>
</tr>
<tr>
<td>To clerk of appointment</td>
<td>4315</td>
</tr>
<tr>
<td>To inspect repair</td>
<td>4323</td>
</tr>
<tr>
<td>Oath of</td>
<td>4312</td>
</tr>
<tr>
<td>Payment of fees</td>
<td>4320</td>
</tr>
<tr>
<td>Penalty for failure to inspect</td>
<td>4324</td>
</tr>
<tr>
<td>For interfering with</td>
<td>4317</td>
</tr>
<tr>
<td>Plans, subdivision</td>
<td>4317</td>
</tr>
<tr>
<td>Powers of</td>
<td>4316</td>
</tr>
<tr>
<td>Procedure to complete repair</td>
<td>4323</td>
</tr>
<tr>
<td>Reletting work</td>
<td>4322</td>
</tr>
<tr>
<td>Relieving an owner</td>
<td>4317</td>
</tr>
<tr>
<td>Rock cutting directions</td>
<td>4317</td>
</tr>
<tr>
<td>Service of notice of appointment</td>
<td>4315</td>
</tr>
<tr>
<td>Taking evidence</td>
<td>4316</td>
</tr>
<tr>
<td>Evidence, adjournment by engineer re taking of</td>
<td>4316</td>
</tr>
<tr>
<td>Powers of judge re</td>
<td>4320</td>
</tr>
<tr>
<td>Taking by engineer</td>
<td>4316</td>
</tr>
<tr>
<td>Examination by engineer, adjournment of</td>
<td>4316</td>
</tr>
<tr>
<td>When made</td>
<td>4315</td>
</tr>
<tr>
<td>Extending ditch, application of Act to</td>
<td>4322</td>
</tr>
<tr>
<td>Fees, of clerk</td>
<td>4312</td>
</tr>
<tr>
<td>Of engineer</td>
<td>4312</td>
</tr>
<tr>
<td>Deprivation of</td>
<td>4319</td>
</tr>
<tr>
<td>Of judge</td>
<td>4319</td>
</tr>
<tr>
<td>Of witnesses</td>
<td>4320</td>
</tr>
<tr>
<td>Form of agreement, by owners</td>
<td>4326</td>
</tr>
<tr>
<td>Of by-law appointing engineer</td>
<td>4325</td>
</tr>
<tr>
<td>Of certificate letting work</td>
<td>4328</td>
</tr>
<tr>
<td>Of engineer's appointment</td>
<td>4327</td>
</tr>
<tr>
<td>Award,</td>
<td>4327</td>
</tr>
<tr>
<td>Oath,</td>
<td>4313</td>
</tr>
<tr>
<td>Of notice to affected owners</td>
<td>4325</td>
</tr>
<tr>
<td>Of requisition</td>
<td>4326</td>
</tr>
<tr>
<td>Of rock cutting and blasting certificate</td>
<td>4328</td>
</tr>
<tr>
<td>Forms, municipality to keep</td>
<td>4324</td>
</tr>
<tr>
<td>Highways, road allowance, not computed on limit of ditch</td>
<td>4313</td>
</tr>
<tr>
<td>Improving ditch, application of Act to</td>
<td>4322</td>
</tr>
<tr>
<td>Inspection for appellant</td>
<td>4319</td>
</tr>
<tr>
<td>Of repairs</td>
<td>4323</td>
</tr>
<tr>
<td>Judge, amending award</td>
<td>4320</td>
</tr>
<tr>
<td>Appeal from to referee</td>
<td>4324</td>
</tr>
<tr>
<td>To from award</td>
<td>4318</td>
</tr>
<tr>
<td>Application to by affected owners</td>
<td>4314</td>
</tr>
<tr>
<td>Costs of appeal</td>
<td>4319</td>
</tr>
<tr>
<td>Defined</td>
<td>4311</td>
</tr>
<tr>
<td>Depriving engineer of fees</td>
<td>4319</td>
</tr>
<tr>
<td>Enforcement of orders</td>
<td>4319</td>
</tr>
<tr>
<td>Fees of</td>
<td>4319</td>
</tr>
<tr>
<td>Filing of orders</td>
<td>4319</td>
</tr>
<tr>
<td>Notice of appointment by</td>
<td>4318</td>
</tr>
<tr>
<td>Notification by clerk</td>
<td>4318</td>
</tr>
<tr>
<td>Order for indemnity re costs</td>
<td>4318</td>
</tr>
<tr>
<td>Powers on appeal</td>
<td>4319</td>
</tr>
<tr>
<td>Re evidence</td>
<td>4320</td>
</tr>
</tbody>
</table>
DITCHES AND WATERCOURSES

Judge, cont’d
Referring award back, 4320
Time for hearing appeals, 4319
Letting work, after time limit, 4321
Form of certificate, 4328
Notice of, 4321
Limit of ditch, 4313
Cost of ditch, 4313
Maintenance, default in, 4323
Defined, 4311
Enforcing, 4323
Groundless complaint re, 4323
Of ditch, 4323
Procedure to complete, 4323
Mandamus, prohibition of, 4324
Manufactury, compensation for land used, 4312
Contribution to drainage, 4312
Drainage for, 4312
Meeting, adjourned, called by engineer, 4316
Adjourned, notice of, 4316
Of owners, 4314
Mine, compensation for land used, 4312
Contribution to drainage, 4312
Drainage for, 4312
Municipal Drainage Aid Act, referred to, 4317, 4324
Municipality, payment of costs by, 4320, 4321
Non-resident, defined, 4311
Notice by owner desiring ditch, 4313
By owner desiring ditch, service of, 4314
Of adjourned meeting, 4316
Of appeal from award, 4318
Of appointment by engineer, 4315
Service of, 4315
Of completion after default, 4322
Of requisition of owner desiring ditch, 4315
Of filing of award, 4318
Of judge’s order on appeal, 4319
Of letting work after time limit, 4321
To engineer to inspect repair, 4323
To owner to repair, 4323
Occurant, notice to owner by, 4315
Proceedings against ditch, 4314
Order of judge, stay by referee, 4325
Outlet, sufficient, continuation to, 4313
Overflow, proceedings in case of, 4324
Owner, appeal to referee, 4324
Completing after default, 4322
Default in payment of costs, 4321
Defined, 4311
Desiring ditch, notice by, 4313
Notice of adjourned meeting, 4316
Of appointment to, 4315
Presumption of right of, 4314
Requisition of, 4315
Service of notice by, 4314
Extending time for performance by, 4321
Groundless complaint re repair, 4323
Liability for expense of default, 4322
Maintenance by, 4323
Default in, 4323
Enforcing, 4323
Notice of completion after default, 4322
Proceedings for improvement, 4323
Proceedings for reconsideration of agreement, 4323
For reconsideration of award, 4323
Relieved by engineer, 4317
Owners, affected, appeal by, 4318
Affected, appeal to referee, 4324
Application to judge, 4314
Form of notice to, 4325
Maintenance of ditch by, 4323
Notice of appointment to, 4315
Of letting work, 4321
Proceedings against ditch, 4314
For improvement, 4323
For overflow, 4324
For reconsideration of agreement, 4323
Agreement among, 4314
Amendment of agreement of, 4314
Compensation for manufacturing drainage, 4312
For mining drainage, 4312
Contribution to manufacturing drainage, 4312
To mining drainage, 4312
Defined, 4311
Enforcement of agreement of, 4314
Engineer calling adjourned meeting, 4316.
DIVISION COURTS; see also CHILDREN OF UNMARRIED PARENTS; COSTS OF DISTRESS; CREDITORS RELIEF; DEBT COLLECTORS; DESERTED WIVES AND CHILDREN’S MAINTENANCE; EVIDENCE; JURORS; LIQUOR CONTROL; MASTER AND SERVANT; MINING; MUNICIPAL; PARENTS’ MAINTENANCE; PUBLIC AUTHORITIES PROTECTION; PUBLIC OFFICERS; PUBLIC OFFICERS FEES; PUBLIC SCHOOLS; REPLEVIN; SEPARATE SCHOOLS; SURROGATE COURTS; WORKMEN’S LIEN FOR WAGES; WORKMEN’S COMPENSATION

Absconding debtor, attachment of property of, 1361
Bond, 1363
Absconding Debtors Act, referred to, 1362, 1364, 1365
Accounts, change in office of clerk, 1310
Kept by clerk, 1309
Action against corporation with head office out of Ontario, 1320
Individual trading under firm name, 1326, 1327
Non-resident, 1320
Partners, 1324, 1325
Surety, evidence in, 1308
Bond under Act, 1364
By minor, 1317
Change of limits of division, 1305
Commenced by attachment, 1362
Defined, 1302
Discharge of, 1317
Division of, to give jurisdiction, 1317, 1362
Documents delivered, on transfer of, 1306
Entry of, 1322
In wrong Court, 1322
Fees in, 1311-1312
Judgment in, 1337
Jurisdiction over, 1314-1316
List, placing of on, 1331
Place to be entered, 1319-1320, 1322
Referred to arbitration, 1350
Remedies in, 1317
Separation of counties, 1305
Setting down of, 1342

DIVIDENDS; see APPORTIONMENT; COMPANIES

DIVISION; see APPORTIONMENT; DIVISION COURTS; REPRESENTATION; TERRITORIAL DIVISION
### DIVISION COURTS

**Action, cont’d**
- **Style of, when transferred**, 1321
- **Transfer of, on establishment of new county**, 1305
  - To another division, 1320, 1321, 1322
  - To County Court, 1318
  - To Supreme Court, 1318
- **Trial of**, 1317, 1331-1333

**Affidavit, certification of, on appeal**, 1339
- Evidence by, 1336, 1337
- **In support of application for attachment**, 1345
  - Of application to change place of trial, 1321
  - Of dispute of jurisdiction, 1320
  - Of further judgment summons, 1358
  - Of garnishment of wages, 1345
  - Of judgment summons, 1357
  - Of motion for judgment, 1329
  - Of warrant for attachment, 1361
  - Of judgment creditor after execution against lands, 1355
  - Of service, by bailiff, 1324
    - On jurors, 1342
    - Out of Ontario, 1320
  - Transcript judgment, as to, 1356
  - Verifying accounts of fines, 1309
  - Statement re dependents of primary debtor, 1345
  - Who may take, 1337, 1350, 1361

**Agent defined**, 1323-1324, 1351
- **For parties at trial**, 1333
- **Agreement as to place of trial**, 1319, 1320
  - Not to appeal, 1331, 1332
  - Filing of, 1332
  - To arbitration, 1350
  - Trial by Judge in provincial judicial district, 1370
- **Appeal, agreement not to, effect of**, 1331, 1332
  - Filing of, 1332
- Certification of proceedings for, 1339
- **From order transferring action**, 1318
  - How made, 1339
  - Scope of, 1339
  - Service of proceedings in, 1339
  - Stay of execution on, 1340
  - To Court of Appeal, 1338-1339

**In provisional judicial district**, 1371
- **Application by bailiff for summons**, 1365
- **For attaching order**, 1345
- **For discharge of attaching order**, 1349
- **For leave to issue execution against person trading under firm name**, 1327
- **Against person not a partner**, 1326
- **For new trial**, 1338, 1365
- **For order for statement of name of individual trading under firm name**, 1327
- **To furnish names of partners**, 1325
- **Of defendant, to change place of trial**, 1320
  - Affidavit in support of, 1321
  - To set aside award, 1350

**Arbitrator, administration of oaths by**, 1350
- Who to be, 1350

**Arrest, bailiff, by**, 1367
- **Contempt of Court, for**, 1367
- **Resisting officer, for**, 1367

**Attachment, action commenced by**, 1362
- **Action continued**, 1362
- **Application for**, 1345
- **Bond of absconding debtor**, 1363
  - **Attaching creditor**, 1364

**Claims to share in**, 1362
- **Conditions**, 1361
- **Costs**, 1363
- **Delay in**, 1368
- **Discharge of**, 1349
- **Disposition of property**, 1362, 1363
- **Distribution of proceeds**, 1362
- **Execution against**, 1362
  - Of, 1361
- **Inventory**, 1361
- **Landlord’s claim**, 1365
- **Of partnership**, 1325
- **Perishable goods**, 1363, 1364
- **Warrant for**, 1361

**Bailiff, action by or against**, 1322
- **Affidavit of service of**, 1324

---

192
<table>
<thead>
<tr>
<th>Bailiff, cont’d</th>
<th>Division Courts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application for new trial, 1365</td>
<td>Supervision of, 1307</td>
</tr>
<tr>
<td>Appointment of, 1307</td>
<td>Suspension of, 1307</td>
</tr>
<tr>
<td>Arrest by, 1367</td>
<td>Warrant for attachment, execution of, 1361</td>
</tr>
<tr>
<td>Bond to, by attaching creditor, 1364</td>
<td>Of commitment, execution of, 1359</td>
</tr>
<tr>
<td>Books of, cost how paid, 1308</td>
<td>Barrister, appearance of, 1333</td>
</tr>
<tr>
<td>To be produced by, 1314</td>
<td>Appointment as Deputy Judge, 1306</td>
</tr>
<tr>
<td>Change in office of, 1310</td>
<td>Clerk not to practise as, 1307</td>
</tr>
<tr>
<td>Commission forbidden, 1313</td>
<td>Bequest, no action re, 1315</td>
</tr>
<tr>
<td>Damages, liability in, 1368</td>
<td>Bill of Exchange to be filed with clerk, 1323</td>
</tr>
<tr>
<td>Death, effect of, 1357</td>
<td>Bond, absconding debtor, 1363</td>
</tr>
<tr>
<td>Defined, 1308</td>
<td>Action on, 1364</td>
</tr>
<tr>
<td>Deputy of, 1307</td>
<td>Attaching creditor, 1364</td>
</tr>
<tr>
<td>Disposition of attached property, 1362</td>
<td>Jurisdiction, 1364</td>
</tr>
<tr>
<td>Disqualification, 1368</td>
<td>Books, care of, on change in office of clerk, 1310</td>
</tr>
<tr>
<td>Distress for rent, 1366</td>
<td>Cost of, how paid, 1308</td>
</tr>
<tr>
<td>Execution by, against partners, 1325, 1326</td>
<td>Foreign procedure book, form of, 1308, 1373</td>
</tr>
<tr>
<td>Executed by, 1352</td>
<td>In evidence, 1336</td>
</tr>
<tr>
<td>Extortion by, 1368</td>
<td>Procedure book, form of, 1308, 1372</td>
</tr>
<tr>
<td>Fees of, 1311, 1312</td>
<td>Production of by clerk to inspector, 1314</td>
</tr>
<tr>
<td>How paid, 1312</td>
<td>To be kept by bailiff, 1314</td>
</tr>
<tr>
<td>When forfeit, 1312</td>
<td>By clerk, 1308, 1309, 1314</td>
</tr>
<tr>
<td>Inquiries into conduct of, 1314</td>
<td>Cheque to be filed with clerk, 1323</td>
</tr>
<tr>
<td>Leave of absence of, 1307</td>
<td>Claim, abandonment of part of, 1317, 1362</td>
</tr>
<tr>
<td>Lien for fees of, 1355</td>
<td>Certification of, on appeal, 1339</td>
</tr>
<tr>
<td>Limits for service, 1311</td>
<td>Division of, 1317, 1362</td>
</tr>
<tr>
<td>Misconduct, 1367</td>
<td>Entry of, 1322</td>
</tr>
<tr>
<td>Negligence, 1368</td>
<td>In provisional judicial district, 1370</td>
</tr>
<tr>
<td>Notice of appointment given by, 1314</td>
<td>Landlord’s, 1365, 1366</td>
</tr>
<tr>
<td>Of sale by, 1355</td>
<td>Jurisdiction over, 1314-1316</td>
</tr>
<tr>
<td>Oath of proving confession of debt, 1351</td>
<td>Number of, 1322</td>
</tr>
<tr>
<td>Perishable goods, disposal, 1364</td>
<td>Particulars annexed to summons, 1323</td>
</tr>
<tr>
<td>Production of books by, 1314</td>
<td>Priority of landlord’s, 1367</td>
</tr>
<tr>
<td>Protection, 1368</td>
<td>Review of, on appeal, 1339</td>
</tr>
<tr>
<td>Pro tempore, appointment of, 1324</td>
<td>Trial of, 1317</td>
</tr>
<tr>
<td>Duties of, 1324</td>
<td>Clerk, account of fines made by, 1309</td>
</tr>
<tr>
<td>Powers of, 1324</td>
<td>Account of money paid into Court made by, 1309</td>
</tr>
<tr>
<td>Purchase of goods seized by, 1356</td>
<td>Accounts kept by, 1309</td>
</tr>
<tr>
<td>Resistance of, 1367</td>
<td>Actions by or against, 1322</td>
</tr>
<tr>
<td>Return of process by, 1310, 1312</td>
<td>Placed on list by, 1331</td>
</tr>
<tr>
<td>Returns by, 1314</td>
<td>Adjournment of Court by, 1307</td>
</tr>
<tr>
<td>Sale of goods seized by, 1355</td>
<td>Affidavit for warrant for attachment filed with, 1361</td>
</tr>
<tr>
<td>Securities to, 1357</td>
<td>In garnishment filed with, 1345</td>
</tr>
<tr>
<td>Security furnished by, 1307</td>
<td></td>
</tr>
<tr>
<td>Service of process by, 1310, 1319</td>
<td></td>
</tr>
<tr>
<td>On jurors by, 1342</td>
<td></td>
</tr>
<tr>
<td>Summons delivered to by clerk, 1308</td>
<td></td>
</tr>
</tbody>
</table>
DIVISION COURTS

Clerk, cont’d
Affidavit in support of judgment summons filed with, 1357
Of service prepared by, 1324
Re transcript judgment filed with, 1356
Affidavits may be taken by, 1337
Agreement not to appeal filed with, 1332
To arbitration filed with, 1350
Appointment of, 1307
Of bailiff pro tempore by, 1324
Attachment superseded by, 1363
Award entered by, 1350
Bailiff summons issued by, 1365
Books, cost how paid, 1308
Entries made in, 1308, 1309
Kept by, 1308, 1309
Change in office, care of books on, 1310
Claims entered with, 1322
Commission forbidden, 1313
Costs in transferred action certified by, 1322
Damages, liability in, 1368
Defined, 1308
Deputy of, 1307
Disqualification, 1368
Documents delivered by, on transfer of action, 1305
Entries in books of, as evidence, 1308
Entry of judgment by, on specially endorsed summons, 1329
Evidence in writing forwarded to, 1332
Execution against lands issued by, 1354
Issued by, 1352
Exortion by, 1368
Fees of, 1311, 1312
Fines and penalties, disposition of, by, 1309
Immediate judgment entered by, on order, 1330
Inquiries into conduct of, 1314
Issue of process on transcript judgment by, 1357
Of warrant of commitment by, 1359
Jurors’ fees paid by, 1344
Jury notice to, 1340
Leave of absence of, 1307
Notice of admission by primary creditor by, 1348

Of admission by primary creditor filed with, 1348
Of appointment by, 1314
Of award by, 1350
Of consent to judgment by, 1331
Of dispute by garnishee by, 1348
Filed with, 1348
Of dispute of jurisdiction by, 1321
Of judgment by, 1337
Of money paid into Court by, 1309
Of nulla bona by, 1353
Of payment into Court by, 1334
Of plea of tender by, 1333
Of sittings to, 1303
To parties by, after action transferred, 1322
Oath of, proving confession of debt, 1351
Office of, 1303
Practise by, forbidden, 1307
Proceedings certified in appeals, 1339
Production of books by, 1314
Purchase of goods seized forbidden, 1356
Renewal of execution by, 1353, 1354
Return of jury actions by, 1343
Of sheriff filed with, 1353
Re committal orders by, 1360
Returns by, 1314
Security to, by primary creditor, 1349
Selection of jurors by, 1340-1341
In provisional judicial districts, 1369
Service of process on, in appeals, 1339
In provisional judicial district, 1371
Statement of unclaimed monies by, 1309
Re dependents of primary debtor filed with, 1345
Subpoenas, supplied by, 1335
Summoning of jurors by, 1341
Summons delivered to bailiff by, 1308
Forwarded to clerk of other Court by, 1308
Summonses issued by, 1308
Supervision of, 1307
Suspension of, 1307
Transcript of judgment by, 1356
Transfer of action by, 1321
Transferred action entered in procedure book, 1321
Placed on list, 1322
Clerk, cont'd
Vacancy in office of, 1310

Venditioni Exponas writ issued by, 1355
Warrant of attachment issued by, 1361
Warrants issued by, 1309

Clerk of the Peace, account of fines received by, 1309
Books of clerk held by on change in office, 1310
Copy of records given to inspector by, 1305
Fines received by, 1309
Forfeited fees paid to, 1313
Records kept by, 1305
To act as clerk during vacancy, 1310

Commission, applicant's evidence, when taken by, 1336
Costs of, 1336
Order for, 1335
Service of, 1336
Supreme Court rules, 1336
When to be granted, 1336
Commissioner for taking affidavits, 1337

Committal to gaol, conditions precedent, 1358, 1359
Contempt of Court, for, 1367
Corporation, officer of, 1360
Discharge of debtor after, 1360
Effect of, 1360
Limitations on, 1359
Officer, 1368
Order for, 1359
Variation of, 1360
Resisting officer, for, 1367
Return as to, 1360
Warrant for, 1359

Company, examination of officer of, 1360
Confession of debt, 1351

Consent, arbitration, in district, 1370
To jurisdiction, by garnishee, 1347
Trial by Judge, in district, 1370

Constable, bond to, by attaching creditor, 1364
Disposition of attached property, 1362
Warrant for attachment, execution of, 1361
Of commitment, execution of, 1360

Contempt of Court, 1367

Corporation, committal of officer of, 1360
Examination of officer of, 1360
Service of garnishee summons on, 1346
With head office out of Ontario, agent of, defined, 1323-1324
Place for entering action against, 1320
Service on, 1323

Costs, attachment, 1363
Bailiff summons, 1365
Caused by objection to evidence, 1337
Counsel fees, 1351
In cases of payment into Court, 1334
In cases of tender, 1333
In discretion of Judge, 1351
Judgement summons, 1358
Jury fees, 1343
Limitation, 1369
Of attendance by defendant, 1351
Of commission, 1336
Of copies of proceedings on appeal, 1339
Of notices in garnishment, 1348
Of plaintiff's witnesses after confession, 1352
Of primary creditor, 1349
Of shorthand evidence, 1332
On appeal, 1340
Postage as, 1324
Rules, 1369
Taxation of, 1309
Where no jurisdiction, 1351

Costs of Distress Act, referred to, 1366
Counterclaim in excess of jurisdiction, 1318
On bailiff summons, 1366
Review of, on appeal, 1339
Set off where admitted, 1318

County, application of Act to, 1303
Cost of books to be paid by, 1308
Court, transfer of actions to, 1318
Defined, 1302
New, transfer of actions to, 1306
Payment of Clerk of the Peace by, for acting as clerk, 1310
Separation of, 1305

County Judges Act, referred to, 1332
Court House, sittings of Court in, 1305
Of Appeal, appeals to, 1338, 1339
Appeals to, in districts, 1371
Claim subject to review by, 1339
DIVISION COURTS

Court of Appeal, cont'd
Counterclaim subject to review by, 1339
Room, accommodation in lieu of, 1304
Provision of, 1304
Courts, adjournment of, 1307
Continued, 1303
Designation of, 1303
Jurisdiction of, 1314-1316
New county, how fixed, 1306
Number of, 1303
Officers of, appointment of, 1307
Offices of clerks of, 1303, 1304
Of record, 1303
Place to be held, 1304, 1305
Powers of, 1317
Seal of, 1303
Sittings of, 1303, 1304
In cities, 1304
In Toronto, 1304
Territorial jurisdiction of, 1319-1320
Who to preside, 1306
Creditors' Relief Act, enforcement of judgment under, 1353
Referred to, 1353
Defence, certification of, on appeal, 1339
Memorandum under, 1353
On bailiff summons, 1365
Set-off as, 1334
Statutory, 1334
To motion for judgment, 1330
Under protest, 1327
Defendant, adding of, 1328
Affidavit of, application to change place of trial, 1321
Dispute of jurisdiction, 1320
Agent for appeal in, 1339
Application to change place of trial, 1320
Assignment for creditors by, 1335
Consent to judgment by, 1331
Corporation with head office out of Ontario, 1320
Death of, 1353
Defined, 1302
Dispute of jurisdiction by, 1319, 1320, 1321
Failure to appear, 1332
Jury notice by, 1340
Leave to defend, 1330
Motion for judgment, 1329

Notice of leave to dispute given by, 1330-1331
Of special defences by, 1334
Payment into Court by, 1333
Resident out of Ontario, 1320
Service of order transferring action by, 1321
Set-off by, 1334
Striking out of, 1328
Tender, plea of, by, 1333
To appear at trial, 1331
Deputy Judge, appointment of, 1306
Appointment of, duration of, 1307
When to preside, 1306
Dispute, consent to judgment after, 1331
Leave to, 1330
Time for, on specially endorsed summons, 1328-1329
Distress, bailiff's goods, 1368
Costs of, 1366
Defect in, 1368
For rent, 1366
Replevin, 1366
Division, change of limits, 1305
Change of limits, effect on process, 1305
Court jury fund, 1343-1344
Defined, 1302
Documents, production at inquiries of inspector, 1314
Production by clerk to inspector, 1314
To be filed before judgment, 1323
Transfer of, 1306
Entry in wrong Court, 1322
Of claim, 1322
Place of, 1319-1320, 1322
Equity, Judge to be guided by, 1317
Evidence Act, referred to, 1320
Evidence, books as, 1336
By affidavit, 1336, 1337
Objections to, 1337
Commission to take, 1335
Disposition of, 1332
Entries in clerk's books as, 1308
Interrogatories in support of, 1337
Of agreement not to appeal, 1332
Of failure to give notice of payment into Court, 1309
<table>
<thead>
<tr>
<th>Evidence, cont'd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notice of return of execution, 1353</td>
</tr>
<tr>
<td>Of renewal of execution, 1354</td>
</tr>
<tr>
<td>Shorthand, cost of, 1332</td>
</tr>
<tr>
<td>When expansion to be made, 1332</td>
</tr>
<tr>
<td>When to be taken in, 1332</td>
</tr>
<tr>
<td>Writing, when to be taken in, 1331</td>
</tr>
<tr>
<td>Execution against garnishee, 1347</td>
</tr>
<tr>
<td>Against goods and chattels, 1352</td>
</tr>
<tr>
<td>Against goods, duration of, 1353</td>
</tr>
<tr>
<td>Endorsement on, 1355</td>
</tr>
<tr>
<td>Form of, 1352</td>
</tr>
<tr>
<td>Priority of, after renewal, 1354</td>
</tr>
<tr>
<td>Renewal of, 1353</td>
</tr>
<tr>
<td>Sale under, 1355</td>
</tr>
<tr>
<td>Against lands, 1352, 1354, 1375</td>
</tr>
<tr>
<td>Duration of, 1354</td>
</tr>
<tr>
<td>Effect of, 1354</td>
</tr>
<tr>
<td>Form of, 1354, 1376</td>
</tr>
<tr>
<td>Notice of, 1354</td>
</tr>
<tr>
<td>Priority after renewal, 1354</td>
</tr>
<tr>
<td>Return of, 1354</td>
</tr>
<tr>
<td>Against partners, 1325, 1326</td>
</tr>
<tr>
<td>Against person not a partner, 1326</td>
</tr>
<tr>
<td>Trading under firm name, 1327</td>
</tr>
<tr>
<td>Attached goods, 1362, 1363</td>
</tr>
<tr>
<td>Creditors Relief Act, under, 1353</td>
</tr>
<tr>
<td>Delay in, 1368</td>
</tr>
<tr>
<td>Enforcement of, 1319</td>
</tr>
<tr>
<td>Entry of, 1308</td>
</tr>
<tr>
<td>Issue of, 1309, 1319, 1352</td>
</tr>
<tr>
<td>Landlord's claim, 1365</td>
</tr>
<tr>
<td>Levy of, 1352</td>
</tr>
<tr>
<td>On cross judgments, 1352</td>
</tr>
<tr>
<td>Payment before sale, 1352</td>
</tr>
<tr>
<td>Priority, 1367</td>
</tr>
<tr>
<td>Return to, entry of, 1308</td>
</tr>
<tr>
<td>Revived judgment on, 1353</td>
</tr>
<tr>
<td>Service of, 1310, 1319</td>
</tr>
<tr>
<td>Stay of, 1338, 1340</td>
</tr>
<tr>
<td>Territorial limitations on, 1352</td>
</tr>
<tr>
<td>Time for, 1337</td>
</tr>
<tr>
<td>Extortion, inquiry into, 1367</td>
</tr>
<tr>
<td>Penalty, 1368</td>
</tr>
<tr>
<td>Fees, application of jury, 1344</td>
</tr>
<tr>
<td>Bailiff's for distress, 1366</td>
</tr>
<tr>
<td>Execution for, 1312</td>
</tr>
<tr>
<td>Forfeiture of, 1312</td>
</tr>
<tr>
<td>Jury, 1340, 1343</td>
</tr>
<tr>
<td>Lien for, of bailiff, 1356</td>
</tr>
<tr>
<td>Limitation, 1369</td>
</tr>
<tr>
<td>Of appraiser, 1311</td>
</tr>
<tr>
<td>Of bailiff, 1311, 1312</td>
</tr>
<tr>
<td>How paid, 1312</td>
</tr>
<tr>
<td>When forfeit, 1312</td>
</tr>
<tr>
<td>Of clerk, 1311, 1312</td>
</tr>
<tr>
<td>Of sheriff, 1355</td>
</tr>
<tr>
<td>Returns of, 1314</td>
</tr>
<tr>
<td>Table of, to be posted, 1311</td>
</tr>
<tr>
<td>Tariff of exclusive, 1313</td>
</tr>
<tr>
<td>Time for payment of, 1312</td>
</tr>
<tr>
<td>Witness, 1335</td>
</tr>
<tr>
<td>Fines, account of, by clerk, 1309</td>
</tr>
<tr>
<td>Accounts of, to be kept, 1309</td>
</tr>
<tr>
<td>Collection of, 1335</td>
</tr>
<tr>
<td>Contempt of Court, 1367</td>
</tr>
<tr>
<td>Disposition of, 1309, 1335</td>
</tr>
<tr>
<td>Enforcement, 1368</td>
</tr>
<tr>
<td>On jurors for failure to attend, 1342</td>
</tr>
<tr>
<td>On person refusing to give evidence, 1335</td>
</tr>
<tr>
<td>Foreign procedure book, entries in, 1309</td>
</tr>
<tr>
<td>Form of, 1308, 1373</td>
</tr>
<tr>
<td>Form, defects of, 1368 1369</td>
</tr>
<tr>
<td>Forms, cost of, how paid, 1308</td>
</tr>
<tr>
<td>Schedule of, 1371-1376</td>
</tr>
<tr>
<td>Gaol, committal, 1367 1368</td>
</tr>
<tr>
<td>Garnishee, adding of, 1328</td>
</tr>
<tr>
<td>Admission by, 1348</td>
</tr>
<tr>
<td>Attaching order, effect of on, 1346</td>
</tr>
<tr>
<td>Attendance at trial, 1348</td>
</tr>
<tr>
<td>Conflict of claims against, 1349</td>
</tr>
<tr>
<td>Consent to jurisdiction by, 1347</td>
</tr>
<tr>
<td>Defences of, 1348</td>
</tr>
<tr>
<td>Defined, 1345</td>
</tr>
<tr>
<td>Discharge of attachment, effect on, 1349</td>
</tr>
<tr>
<td>Dispute by, 1348</td>
</tr>
<tr>
<td>Of jurisdiction by, 1321</td>
</tr>
<tr>
<td>Judgment against, 1347, 1348</td>
</tr>
<tr>
<td>Payment by, 1346</td>
</tr>
<tr>
<td>Striking out of, 1328</td>
</tr>
<tr>
<td>Summons to, 1346</td>
</tr>
<tr>
<td>Garnishment, affidavit in support of, 1345</td>
</tr>
<tr>
<td>Costs of, 1348</td>
</tr>
<tr>
<td>Debts subject to, 1344</td>
</tr>
<tr>
<td>Dispute in, 1348</td>
</tr>
<tr>
<td>For satisfaction of judgment, 1345</td>
</tr>
</tbody>
</table>
DIVISION COURTS

Garnishment, cont'd
In satisfaction of claim, 1347
Memorandum on summons, 1345
Of wages, 1345
Persons entitled to, 1344
High Schools Act, referred to, 1316
Individual trading under firm name, actions by and against, 1326-1327
Defence under protest by person served, 1327
Dispute by, 1327
Execution against, 1327
Notice to person served, 1327
Property of subject to execution, 1327
Service on, 1326-1327
Infant, claim of, not prejudiced, 1310
May sue for wages, 1317
Injunction may not be granted, 1317
Inmate, service on, of defendant's house, 1323
Inquiry, officer's misconduct, 1367
Insolvency, jurisdiction re, 1316
Inspector, agreements by, with fidelity companies, 1308
Cost of books to be certified by, 1308
Courts in new county fixed by, 1306
Defined, 1302
Delegation of authority of, 1313
Duties of, 1313
Inquiries by, 1314
Inspection of books by, 1314
Leave of absence granted by, 1307
Notice to, of suspension of officer or vacancy, 1307
Notification to, of appointment of officers, 1314
Of legal offices, defined, 1302
Powers of, 1314
Return to, re committal orders, 1360
Returns to by officers, 1314
Statement of unclaimed monies to, 1310
Insurance, agreements re security, 1308
Costs of appeal re general assessment of, 1339
Judge, absence of, 1307
Account of money paid into Court to be made to, 1309
Actions by or against, 1322
Adding of parties by, 1328
Adjournment of trial by, 1332, 1350
Adjustment of claims against garnishee by, 1349
Affidavits before, 1361
Received as evidence by, 1337
Agents of parties to be approved by, 1333
Agreement not to appeal to be noted, 1332
Allowance for service out of Ontario made by, 1320
Amendment of proceedings by, 1331
Appeal from order transferring action, 1318
Application to, for attaching order, 1345
Appointment of bailiff pro tempore by 1324
Arbitration by order of, in districts, 1370
Attachment discharged by, 1349
Bailiff ordered to pay damages by, 1368
Required to swear before, 1324
Summons to be adjudicated by, 1364
Bond may be ordered, 1364
Of absconding debtor approval by, 1363
Cases to be tried by, 1317
Certificate of, re partnership transaction, 1325
Certification of bailiff's fees by, 1356
Commission to take evidence, ordered by, 1335
Committal order by, 1359
Contempt of court punished by, 1367
Cost of court room apportioned by, 1304
Costs in discretion of, 1351
Decision, how given, 1337
Defined, 1302
Deputy Judge to be appointed by, 1306
Discharge of debtor from gaol by, 1360
Of jury by, 1342
Distribution of proceeds of attachment, 1362
Empaneling of disinterested persons for jury by, 1342
Entry of action in adjacent division authorized by, 1319
Evidence in writing forwarded to clerk by, 1332
Of set-off approved by, 1334
DIVISION COURTS

Proof of service of subpoena, received by, 1335
Questions to jury by, 1343
Reference to arbitration by, 1350
Rules of Supreme Court adopted, 1369
Security from primary creditor required by, 1349
Service of garnishee summons varied by, 1346
Summons on added parties dispensed with by, 1328
Setting aside of award by, 1350
Sittings of Court fixed by, 1303
Striking out of parties by, 1328
Substitution of plaintiff by, 1328
Supervision of officers by, 1307
Suspension of officers by, 1307
Taxation of costs revised by, 1309
Transfer of action by, 1318
To another division, 1320
When limits changed, 1305
Trial by, 1317, 1331
In districts, 1370
Variation of orders by, 1360
Warrants for attachment, 1361
Withdrawal of case from jury by, 1343
Judge's list, actions to be set down in, 1342
Judgment, against garnishee, 1347, 1348
Against partners, 1324, 1326
Appeals from 1338, 1339
Attachment of debts for satisfaction of, 1345
Award as, 1350
Certification of, on appeal, 1339
Change of limits of division, 1305
Combined actions, in, 1316
Consent to, by defendant, 1331
Creditor, attachment by, 1362
Bond of, on attachment, 1363
Creditors' Relief Act under, 1353
Defined, 1302
Execution against goods by, 1352
Against lands by, 1354
Failure to attend on judgment summons, 1359
Further proceedings by, 1354, 1355
Judgment summons by, 1357, 1360
Warrant for attachment, 1361

Judge, cont'd
Evidence taken in writing by, 1331
Examination of judgment debtors before, 1358
Execution ordered by, 1354
Fines applied by, 1335
Immediate judgment ordered by, 1329
Inquiry into officer's misconduct, 1361
Judgment against garnishee by, 1347, 1348
By, in absence of defendant, 1332
By, on application for new trial, 1338
By, when jury fails to agree, 1343
In cases of set-off by, 1334
On confession of debt, 1351
On specially endorsed summons set aside by, 1329
Juror selection directed by, 1341
Jurors' fees certified by, 1344
Fixed by, 1344
Jurors fined by, 1342
Jury directed by, 1342
Notice may be struck out by, 1343
Law to be determined by, 1343
Leave to defend granted by, 1330
To issue execution, firm name, 1327
Not a partner, 1326
To revoke reference to arbitration, 1350
Lists disposed of in discretion of, 1342
New trial for landlord's claim, 1365
Granted by, 1338
Non-suit by, 1331, 1343
Notice of appointment of Deputy Judge, 1306
To be given by, of suspension of officer, 1307
Of vacancy of office, 1307
To proceed after time limited allowed by, 1333, 1334
Order as to payment by, 1337
For payment out to primary creditor, 1346
For substitutional service, 1323
Payment by garnishee approved by, 1346
In money ordered, 1317
Place for holding court fixed by, 1304
Powers of, 1317
When exclusive, 1303
Principles to be guided by, 1317
DIVISION COURTS

Judgment, cont'd
Creditors' Relief Act, under, 1353
Cross, execution on, 1352
Debtor, committal to gaol, 1358, 1359
Compensation to, 1359
Creditors' Relief Act, under, 1353
Defined, 1302
Discharge of, 1358
From gaol, 1360
Examination of, 1358
Execution against goods of, 1352
Against lands of, 1354
Further proceedings against, 1354, 1355
Imprisonment of, 1360
Summons to, 1357, 1360
Default, 1329
Documents to be delivered, on transfer of, 1306
To be filed with before, 1323
Entry of, 1308
Execution on, 1352
For part of claim, a discharge, 1317
How to be given, 1337
Immediate, 1329
In absence of defendant, 1332
In cases of payment into court, 1334
Of set-off, 1334
Of tender, 1333
Money for, in lieu of labor or kind, 1317
Motion for, 1329
Non-suit, 1331
On application for new trial, 1338
On confession of debt, 1351
On specially endorsed summons, 1329
Principles on which based, 1317
Revivor of, 1353
Separation of counties, 1305
Stay of, 1338
Summons, affidavit in support of, 1357
Corporation, against, 1360
Costs of, 1358
Issue of, 1357, 1360
Service of, 1358
Transfer of, where new county, 1305
Transcript of, 1356
Where jury fails to agree, 1342, 1343
Judicature Act, referred to, 1302
Junior Judge, powers of, 1303

When to preside, 1306
Jurisdiction, abandonment of part of claim, 1317
Actions which may be tried, 1315, 1316
Which may not be tried, 1314, 1315
Bailiff summons, 1365
Bond action, 1364
Combined claims, 1316
Consent to, by garnishee, 1347
Counterclaim in excess of, 1318
Dispute as to, 1319, 1320, 1321
Division of claims to give, 1317
Provisional judicial districts, 1370
Remedies which may be granted, 1317
Territorial, 1319, 1320
Transfer of actions where none, 1318
Jurors' Act, referred to, 1340, 1369
Jurors' fees, in districts, 1370
Jury, cases for, 1340, 1349
Challenge of jurors, 1342
Discharge of, 1342
Disinterested persons for, 1342
Empanelling of, 1342
Fees for, 1340, 1343
In districts, 1370
Payable to jurors, 1344
Judge may require, 1342
Jurors in districts, 1369
Who to be, 1340
List, 1342
Actions to be set down in, 1342
Notice for, 1340
Penalty on jurors for failure to attend, 1342
Questions to, 1343
Return of actions, 1343
Selection of jurors, 1340, 1341
Striking out of, notice, 1343
Summoning of jurors, 1341
Swearing of, 1342
Verdict of, 1342
When municipality party, 1341
Withdrawal of case from, 1343
Justice of the Peace, affidavits before, 1361
Affidavits taken by, 1337
Selection of jurors in districts, 1369
Warrants for attachment, 1361
Land, no action for recovery of, 1314
Land, cont’d
Execution against, 1354
Landlord, adjudication, 1365
Amount claimable, 1366
Claim for rent, 1366
To property seized, 1365
Defined, 1364
Jurisdiction, 1365
Priority, 1367
Libel, no action for, 1315
Lien, bailiff’s for fees, 1356
Lieut.-Gov., agreements with fidelity companies authorized by, 1308
Appointment of Deputy Judge annulled by, 1307
Of officers by, 1307
Delegation of inspector’s authority approved by, 1313
Divisions fixed by, 1305, 1306
Fees of bailiff fixed by, 1311
Of clerk fixed by, 1311
Forms of return prescribed by, 1314
Leave required to claim unclaimed money, 1310
Limits of courts fixed by, 1305, 1306
Number of courts fixed by, 1305, 1306
Offices of clerks fixed by, 1303, 1304
Rules by, 1369
Security of officers fixed by, 1307
Sitting of Court directed by, 1303, 1304
Transfer of actions on separation of counties, 1305
To new county, 1306
Limitations Act, how pleaded, 1334
Referred to, 1334
Lists, Judges, 1342
Jury, 1342
Marriage, no action for breach of promise, 1315
Mental incompetent, claim of, not prejudiced, 1310
Minor, actions by, 1317
Money paid into Court, account of, 1309
Accounts to be kept, 1309
Notice of, to be given, 1309
Municipalities, contributions between for costs of court, 1304, 1305

Municipality, cost of accommodation paid by, 1304
Court room provided by, 1304
Remuneration of, bailiff by, 1311
Of clerk by, 1311
Selection of jurors, when party, 1341
New trial, 1338, 1365
Provisional judicial district, 1371
When to be granted, 1338
Next friend, consent to act, 1328
Non-suit of plaintiff, 1331, 1343
Notary public, affidavits taken by, 1337
Notice, contents of, 1331
Disputing jurisdiction, 1320, 1321
Entry of, 1308
Jury, 1340
Of admission of set-off, 1343
Of appointment of Deputy Judge, 1306
Of award, 1350
Of consent to judgment, 1331
Of dispute by garnishee, 1348
Of intention to proceed after payment into Court, 1334
After plea of tender, 1333
Of judgment, 1337
Of landlord’s claim for rent, 1366
Of leave to dispute, 1330
Of motion for immediate judgment, 1329
For immediate judgment, defence to, 1330
Of nulla bona, 1353
Of payment into Court, 1309, 1334
Of plea of tender, 1334
Of sale by bailiff, 1355
Of perishable goods, 1364
Of special defences, 1334
Of suspension of officer, 1307
Of vacancy, 1307
Re capacity of person served in action against partnership, 1325
To claimants against garnishee, 1349
To clerk, of sittings, 1303
To judgment debtor, of execution, 1354
To parties after action transferred, 1322
To person served in action against individual—firm name, 1326, 1327
To primary debtor, of payment out, 1346
Writing required, 1322
DIVISION COURTS

Oaths, who may take, 1337, 1350, 1361
Order, as to payment of judgment, 1337
   Attaching, 1345
      Effect of, 1345, 1346
   Bailiff summons, 1365
   Certification of, on appeal, 1339
   Committal, 1359
      Variation of, 1360
   Enforcing payment of fines, 1368
   Entry of, 1308
   For adding parties, 1328
   For attachment of partnership debts, 1325, 1326
      For commission to take evidence, 1335
      For damages by bailiff, 1368
      For delivery of bonds, 1364
      For discharge of debt attached, 1349
      For immediate judgment, 1330
   For name of individual trading under firm name, 1327
      For names of partners, 1325
      For payment of debt, 1360
         Out to primary creditor, 1346
      For substituting plaintiff, 1323
      For substitutional service, 1323
      Principles on which based, 1317
   Referring action to arbitration, 1350
   Repayment by officer, 1368
      Service of, 1310
   Stay of, 1338
   Transferring action, 1318
      Appeal from, 1318
         To another division, 1320, 1321
      Service of, 1321
   Partners, actions against, 1324, 1325
      Debts of, attachment of, 1325
      Execution against, 1325, 1326
   Firm name, may be sued in, 1325
      May sue in, 1325
   Individual trading under firm name, 1326, 1327
      Names of, order for, 1325
      Notice to party served, as to capacity, 1325
      Out of Ontario, 1326
   Property subject to execution, 1325, 1326
   Service on, 1324, 1325
      When partnership dissolved, 1325
   Payment into court, bailiff’s fees, 1356

In satisfaction of claim, 1333, 1334
   Of proceeds of execution, 1366
   On plea of tender, 1333
   Under attaching order, 1346
   Penalties, contempt of court, 1367
      Disposition of, 1309
      Extortion, 1368
      Jurors’ failure to attend, 1342
      Negligence of bailiff, 1368
      Officers’ misconduct, 1368
      Resisting bailiff, 1367
      Witness, failure to attend, 1335
   Perishable goods, attachment, 1363
   Bond of attaching creditor, 1364
   Disposal, 1364
   Proceeds of sale, disposition, 1364
   Plaintiff, adding of, 1328
      Agent for appeal of, 1339
      Application to issue execution against person trading under firm name, 1327
      Consent of, when substituted, 1328
      Death of, 1353
      Defined, 1302
      Entry of claim by, 1322
      Jury notice by, 1340
      Motion for judgment by, 1329
      Notice of consent to judgment given to, 1331
         Of dispute of jurisdiction to, 1321
         Of leave to dispute to, 1330
         Of payment into Court to, 1334
         Of plea of tender to, 1333
         Of special defences to, 1334
         To proceed after payment into court by, 1334
            After plea of tender by, 1333
   Place for entry of action by, 1319, 1320
   Service of order transferring action on, 1321
   Striking out of, 1328
   Substitution of, 1328
   Powers, of Judge, 1303
      To amend proceedings, 1331
   Practice, rules, 1369
   Supreme Court rules, 1369
   Prescribed form, defined, 1302
   Primary creditor, application by, for attachment, 1345

202
DIVISION COURTS

Primary creditor, cont'd
Board and lodging of, 1345
Costs of, 1349
Defined, 1345
Garnishment by, for claim, 1347
For judgment, 1345
Notice of admission of set-off by, 1348
Payment out of Court to, 1346
To, by garnishee, 1346
Security by, 1349
Summons to garnishee by, 1346

Primary debtor, affidavit re residence of, 1345
Defined, 1345
Dependents of, 1345
Notice to, of payment out, 1346
Service of garnishee summons on, 1346
Wages, garnishment of, 1345

Procedure book, agreement to arbitration in, 1350
Book entry of transferred action in, 1321
Form of, 1308, 1372
Return of Sheriff entered in, 1353
Rules, 1369
Process, seal to be affixed to, 1303
Promissory note, filed with clerk, 1323
Provisional judicial district, appeals, 1339, 1371
Application of Act to, 1303
Arbitration, 1370
Jurisdiction, 1370
Jurors' fees in, 1344
Jurors, fees, 1370
Selection of, 1369
Who to be, 1369
Jury fees, 1370
Selection of jurors in, 1341
Service, 1371
Trial by Judge, 1370
By jury, 1369
Public Officers Act, referred to, 1307
Public Schools Act, referred to, 1316
Railways, agent of, 1324
Remedies, which may be granted, 1317
Which may not be granted, 1317
Rent, amount claimable, 1366
Distress for, 1366
Landlord's claim for, 1365, 1366
Replevin Act, referred to, 1316

Replevin, sale in case of, 1366
Returns, by bailiff, 1314
By clerk, 1314
By Sheriff, 1353
To execution, 1354
Committal orders as to, 1360
Of jury actions, 1343
Revivor, of judgment, 1353
Rules, making, 1369
Subject matter, 1369
Supreme Court, 1369
Sale, seized goods, 1355
Schools, jurisdiction re disputes, 1316
Seal of Courts, 1303
Process to be stamped with, 1303
Security, absconding debtor, 1363
Agreements with fidelity companies as to, 1308
Attaching creditor, 1364
Bailiff, to, 1357
Bailiffs to furnish, 1307
By primary creditor, 1349
Clerks to furnish, 1307
Enforcement, 1364
Landlord's claim to, 1365
Leave to defend conditional on giving, 1330
Purpose of, 1308
Seduction, no action for, in, 1315
Separate Schools Act, referred to, 1316
Servant, service on, of defendant, 1323
Service advertisement, by, 1323
Affidavit of, by bailiff, 1324
Who may take out of Ontario, 1320
Agents for, in appeals, 1339
Allowance for, out of Ontario, 1320
Attaching order, of, 1345
On partners, 1325, 1326
Avoidance of, 1361
Corporations, on, with head office out of Ontario, 1323
Cost of, postage as, 1324
Garnishee summons, of, 1346, 1347
Effect of, 1348
Individual trading under firm name, on 1326
Inmate of defendant's house, on, 1323
<table>
<thead>
<tr>
<th>Service, cont’d</th>
<th>Firm name, actions by and against partners in, 1325</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judgment summons, of, 1358, 1360</td>
<td>Of action transferred, 1321</td>
</tr>
<tr>
<td>Jurors, of summons on, 1341</td>
<td>Subpoena, clerk to supply, 1335</td>
</tr>
<tr>
<td>Limits for, 1311, 1319</td>
<td>Contents of, 1335</td>
</tr>
<tr>
<td>Non-residents, on, 1320, 1323</td>
<td>Names to be inserted, 1335</td>
</tr>
<tr>
<td>Notice as to capacity in which made, 1325</td>
<td>Service of, 1335</td>
</tr>
<tr>
<td>Of appeal, of, 1339</td>
<td>Summons, bailiff, 1365</td>
</tr>
<tr>
<td>To person served in action against individual under firm name, 1326, 1327</td>
<td>Certification of, on appeal, 1339</td>
</tr>
<tr>
<td>Of order for commission, 1336</td>
<td>Clerk to deliver to bailiff, 1308</td>
</tr>
<tr>
<td>Transferring action, 1321</td>
<td>Endorsement on, 1323</td>
</tr>
<tr>
<td>Of process, by bailiff, 1310, 1319, 1323</td>
<td>Entry of, 1308</td>
</tr>
<tr>
<td>Parties added, on, 1328</td>
<td>Forwarding to clerk of other Court, 1308</td>
</tr>
<tr>
<td>Partners, on, 1324, 1325</td>
<td>Garnishee, 1346</td>
</tr>
<tr>
<td>Personal, when to be, 1323</td>
<td>Form of, 1347, 1373</td>
</tr>
<tr>
<td>Proof of, of subpoena, 1335</td>
<td>Memorandum on, 1345, 1346</td>
</tr>
<tr>
<td>Provisional judicial district, 1371</td>
<td>Service of, 1346, 1347</td>
</tr>
<tr>
<td>Servant of defendant, on, 1323</td>
<td>Issue of, 1308, 1322, 1323</td>
</tr>
<tr>
<td>Subpoena, of, 1335</td>
<td>Judgment debtor to, 1357, 1360</td>
</tr>
<tr>
<td>Substitutional, 1323</td>
<td>Particulars of claim annexed to, 1323</td>
</tr>
<tr>
<td>Summons after attachment, 1363</td>
<td>Service of, 1310, 1319, 1323</td>
</tr>
<tr>
<td>Wifl of defendant, on, 1323</td>
<td>After attachment, 1363</td>
</tr>
<tr>
<td>Sheriff, certificate of, 1355</td>
<td>On corporation with head office out of Ontario, 1323</td>
</tr>
<tr>
<td>Fees of, 1355</td>
<td>On individual trading under firm name, 1326, 1327</td>
</tr>
<tr>
<td>Notice of execution by, 1354</td>
<td>On non-residents, 1320</td>
</tr>
<tr>
<td>Return of, to execution, 1354</td>
<td>On parties added, 1328</td>
</tr>
<tr>
<td>Under Creditors’ Relief Act, 1353</td>
<td>On partners, 1324, 1325</td>
</tr>
<tr>
<td>Set-off, by garnishee, 1348</td>
<td>Specially endorsed, 1328, 1347</td>
</tr>
<tr>
<td>Counterclaim admitted as, 1318</td>
<td>Supreme Court, powers equivalent to those of, 1317</td>
</tr>
<tr>
<td>Defence of, 1334</td>
<td>Rules, 1369</td>
</tr>
<tr>
<td>Evidence of, 1334</td>
<td>Transfer of actions to, 1318</td>
</tr>
<tr>
<td>Judgment in cases of, 1334</td>
<td>Surety, action against, 1308</td>
</tr>
<tr>
<td>Recovery of residue of, 1334</td>
<td>Liability for acts of deputy, 1307</td>
</tr>
<tr>
<td>Sittings, of Courts, 1303, 1304</td>
<td>Telegraph company, agent of, 1324</td>
</tr>
<tr>
<td>Of Courts in cities, 1304</td>
<td>Tender, plea of, before action, 1333</td>
</tr>
<tr>
<td>In Toronto, 1304</td>
<td>Transfer, jury notice on, 1340</td>
</tr>
<tr>
<td>Place of, 1304, 1305</td>
<td>Of action, on establishment of new county, 1306</td>
</tr>
<tr>
<td>Slander, no action for, in, 1315</td>
<td>To another division, 1320, 1321, 1322</td>
</tr>
<tr>
<td>Solicitor, appearance of at trial, 1333</td>
<td>To County Court, 1318</td>
</tr>
<tr>
<td>Clerk not to practice as, 1307</td>
<td>To Supreme Court, 1318</td>
</tr>
<tr>
<td>Statement, of jury actions, 1343</td>
<td>Of judgment to another Court, 1356</td>
</tr>
<tr>
<td>Of unclaimed monies, posting of, 1310</td>
<td>Treasurer, fines paid to, 1309</td>
</tr>
<tr>
<td>Preparation of, 1309</td>
<td></td>
</tr>
<tr>
<td>Stay, during disability, 1338</td>
<td></td>
</tr>
<tr>
<td>Pending appeal, 1340</td>
<td></td>
</tr>
<tr>
<td>New trial, 1338, 1365</td>
<td></td>
</tr>
<tr>
<td>Style, firm name, actions by and against individual in, 1326</td>
<td></td>
</tr>
</tbody>
</table>

204
Treasurer, cont'd  
Statement of unclaimed monies given to, 1310  
To receive forfeited fees, 1313  
Trespasser, defect in form not to make, 1368  
Trial, absence of defendant at, 1332  
Adjournment of, 1332, 1350  
By Judge, 1317, 1331  
In districts, 1370  
By jury, in districts, 1370  
Defendant to attend, 1331  
Judgment at, 1337  
New, 1338, 1365, 1371  
Place of, 1319, 1320, 1322  
Agreement as to, 1319, 1320  
Change of, 1320  
Who may appear at, 1333  
Unclaimed money, calculation of time in respect of, 1310  
Claims to, of person under disability, 1310  
When barred, 1310  
Disposition of, 1310  
Statement of, by clerk, 1309  
Venditioni exponas, writ of, 1355  
Voters' Lists, selection of jurors from, 1341  
Wages Act, referred to, 1344  
Wages, garnishment of, 1345  
Warrant, arrest, 1367  
Attachment, 1361  
Distress, 1368  
Entry of, 1308  
Issue of, 1309  
Of commitment, 1359  
Service of, 1310  
Wife, service on, 1323  
Witnesses, attendance of, 1314, 1335  
Examination of, on judgment summons, 1358  
Fees of, 1335  
Penalty for failure to attend, 1335  
Woodman, defined, 1319  
Place of trial for actions by, 1319  
Writ, venditioni exponas, 1355  

DIVORCE; see CUSTODY OF DOCUMENTS:  
INSURANCE; MARRIAGE; MATRIMONIAL CAUSES; VITAL STATISTICS  

DOCTRINE OF COMMON EMPLOYMENT; see WORKMEN'S COMPENSATION  

DOCUMENTS; see CUSTODY OF DOCUMENTS  

DOG KENNELS; see DOG TAX AND LIVE STOCK PROTECTION; MUNICIPAL  

DOG TAX AND LIVE STOCK PROTECTION  
Affidavit, contents of, 4261  
Filing with clerk, 4261  
Appeal, deposit on, 4262  
Time for, 4262  
Application, to minister, 4262  
Assessment, practice if omitted, 4259  
Roll, dogs entered on, 4258  
Assessor, entry by, 4258  
Failing to assess, 4258  
Failing to inquire, 4258  
Requiring statement, 4258  
Bitch, spayed, 4257  
By-law, local, licensing, 4259  
Providing penalty, 4260  
Relieving municipality, 4261  
To increase tax, 4257  
Who to make, 4260  
Canadian Kennel Club, registry in, 4258  
Carcass, viewing of, 4261  
When destroyed, 4261  
Cattle, injured at large, 4261  
Clerk, certain duties of, 4259  
Default by, 4262  
Report to, 4262  
Collector, failing in duty, 4258  
Penalty for negligent, 4258  
Collector's roll, entry upon, 4258  
Constable, executing order, 4258, 4263  
Killing dog, 4258  
Powers of, 4258  
Councils, examination by, 4262  
Powers of certain municipal, 4260  
Damages, apportionment of, 4262  
Further report on, 4261  
Owner's liability for, 4263  
Procedure to recover, 4262
DOG TAX AND LIVE STOCK PROTECTION

Damages, cont'd
When payable, 4261
Date, by-law fixing, 4258
Deposit, forfeit on appeal, 4262
Dog, deemed at large, 4260
Defined, 4257
Destruction of, 4258
Found in public place, 4260
Off premises, 4259
Injuring live stock, 4260
Keeping, 4257
Killing on order, 4263
Untagged, 4259
Order to kill, 4262
Owner to kill vicious, 4262
Ownership of, 4257, 4261
Proof re nature, 4263
Straying at night, 4260
In country, 4260
Near live stock, 4260
Tag for each, 4259
When hunting, 4259
Tax, amount of, 4257
Annual levy of, 4257
By-law increasing, 4257
Collection of, 4258
Liability for, 4257
On pure-bred, 4258
Who liable for, 4257
Untagged, 4259
Dogs, at large, 4259
Impounding of, 4260
Killing of, 4260
Lawful destruction of, 4260
Neglecting to report, 4258
Number stated, 4258
Permissible killing of, 4260
Running at large, 4260
Selling impounded, 4260
Several injuring, 4262
Tagging of, 4259
Electors, assent of, 4261
False statement, penalty for, 4258
Fee, for tags, 4259
Set by by-law, 4259
Highway, cattle upon, 4261
Hunting dog, no tag on, 4259
Injured, defined, 4260

Injuring, defined, 4260
Injury, notification of, 4261
Kennel, tax on, 4258
Liability, by-laws governing, 4261
Of municipality limited, 4261
License fee, effect, 4259
Equalling tax, 4259
Exceeding tax, 4259
Licenses, by-laws for, 4259
Local, 4259
Live stock, defined, 4257
Dog injuring, 4260
Dog straying about, 4260
Injured or killed, 4261
When at large, 4261
Valuers, 4261
Magistrate, enforcing payment, 4258
Powers of, 4262
Minister, appeal to, 4261
Defined, 4257
May name valuer, 4261
Municipality, accepting liability, 4261
Additional liability of, 4262
Appointing valuers, 4262
Increasing dog tax, 4257
Levy by, 4257
Liability of, 4261
Limiting liability, 4261
Powers of, 4259
Recovering damages, 4262
To have penalties, 4263
Notification, by owner, 4261
Oath, administration of, 4263
Objections, procedural, 4263
Order, Magistrate's, 4263
Owner, affidavit of, 4261
Ascertaining identity of, 4262
Defined, 4257
Liability of, 4262
In organized territory, 4263
Notifying to destroy dog, 4262
Of injured live stock, 4261
Paying license fee, 4260
Penalty for neglect, 4263
Procedure to ascertain, 4262
Right to valuations, 4261
Summons to, 4262
To destroy vicious dog, 4262

206
DOMINION COMMISSIONERS OF POLICE

Owner, cont’d
To have report, 4261
To pay costs, 4263
Valuer’s report to, 4262
Owners, record of, 4259
Penalties, by by-law, 4260
For municipality, 4263
Ownership of, 4263
Recovery of, 4260
Penalty, for recalcitrant owner, 4263
Limit on, 4260
On collector, 4258
Re tags, 4259
Police commissioners, powers of, 4260
Procedure, informal nature, 4263
Merely directory, 4263
Substantial conformity to, 4263
Proceedings, by collector, 4258
Prohibitions, re dogs, 4260
Proof, owner to furnish, 4261
Re vicious dog, 4262, 4263
Pure-bred dogs, tax on, 4258
Record, what to contain, 4259
Registration, by-law for, 4259
Regulations, re dogs, 4260
Report, copy to owner of, 4261
Final on damage, 4261
Who to have, 4262
Spaying, certificate as to, 4257
Statement, penalty for false, 4258
Re dogs, 4258
Subpoenas, issue of, 4262
Summary Convictions Act, referred to, 4260
Tag, amount of fee for, 4259
Attaching to dog, 4259
Date for procuring, 4258
Duty to procure, 4258
Late application for, 4259
Neglecting to obtain, 4259
Not affixed to dog, 4259
 Penalty for no, 4259
Switching, 4259
Tags, records of, 4259
Serial numbers for, 4259
Who to issue, 4259
Tax, effect of local, 4259
Increase by municipality, 4257
Manner of collection, 4258

Penalty for non-payment, 4258
When half, 4259
Territory, unorganized, 4263
Township council, in unorganized area, 4261
Unorganized territory, council of, 4261
Valuation, costs fixed, 4262
Municipality paying for, 4262
Valuer, appointed by minister, 4262
Default by, 4262
Forwding reports, 4262
Investigation by, 4261
Report by, 4261
Report final, 4261
To see carcass, 4261
Valuer, appointed by Minister, 4262
Veterinary, spaying bitches, 4257
Vicious dog, in unorganized areas, 4263
Liability of owner for, 4262
Wild animals, injury by, 4261

DOGS; see DOG TAX AND LIVE STOCK PROTECTION; GAME AND FISHERIES; INJURED ANIMALS; MUNICIPAL; VICIOUS DOGS

DOMESTIC ANIMALS; see BEES; CORONERS; DOG TAX AND LIVE STOCK PROTECTION; INJURED ANIMALS; LIVE STOCK BRANDING; PROTECTION OF CATTLE; STALLION

DOMINION COMMISSIONERS OF POLICE

Commissioner, appointment of constables by, 1662
Has powers of Justice of Peace, 1662
Magistrate, 1662
No property qualification, 1662
Oath of allegiance not required, 1662
Office not required, 1662
Qualifications of, 1662
Residence qualification not required, 1662
Constables appointed by commissioner, 1662
Appointment of, 1662
No power in municipal matters, 1662
Powers and duties of, 1662
DOMINION COMMISSIONERS OF POLICE

Justices of the Peace, commissioner to have powers of, 1662
Lieut.-Gov., authorization by, 1662
Magistrate, commissioner to have powers of, 1662
Oath of allegiance, not required, 1662
Property qualification not required of commissioner, 1662
Qualifications of commissioners, 1662
Residence qualification not required, 1662

DOMINION COURTS
Constitutional questions, jurisdiction as to, 1199
Court Houses, use of, 1199
Courts, jurisdiction of, 1199
Exchequer Court Act, referred to, 1199
Jurisdiction re constitutional questions, 1199
Controversies between Dominion and Ontario, 1199
Between provinces and Ontario, 1199
Of courts, 1199
Of Supreme and Exchequer Courts of Canada, 1199
Re validity of Acts, 1199
Supreme and Exchequer Court of Canada, jurisdiction of, 1199
Supreme Court Act, referred to, 1199
Supreme Court of Canada, removal of question to, 1199

DOMINION DAY; see INTERPRETATION

DOWER; see also DEVOLUTION OF ESTATES;
EXECUTION; LAND TITLES; LIMITATIONS; MARRIED WOMEN'S PROPERTY;
MENTAL HOSPITALS; PARTITION; PUBLIC LANDS; QUIETING TITLES; SUCCESSION DUTY
Action, tenant failing to give notice of, 1465
Tenant to give landlord notice of, 1465
Administration, sale of land, 1775
Adultery, effect upon right to dower, 1460
Restoration of dower after, 1460
Alimony, bar of dower by order of judge when disentitled to, 1461
Appeal, from Commissioners' report, 1468

Hearing of, 1468
Judge may appoint new Commissioners, 1468
May extend time for, 1468
May give further directions, 1468
Notice of, must state grounds for, 1468
Time for, from report, 1468
Verification of further grounds on, 1468
Application, conveyance free of dower, 1463
Dispensing with wife's concurrence, 1461
Fees on, for order barring dower, 1462
Mortgaging free of dower, 1463
Order barring dower, 1462
To enable trustee to sell land, 1463
Service of notice of, 1461
Subsequent mortgagee for value without notice, 1464
Purchaser for value without notice, 1464
Assignment, effect of dower, 1465
Execution of, 1465
Registration of, 1465
Bankruptcy, effect on dower, 1463
Certificate, form of, after examination by Judge, 1462
Form of, on medical examination, 1462
Commissioners, appointment of, 1466
Appointment of new, 1466
To admeasure dower, 1466
Duties, 1466
In peculiar circumstances, 1467
On admeasurement of dower, 1467
Employment of chainbearers, 1468
Of labourers, 1468
Failure to act, 1466
Fees of, 1469
Fixation of annual sum, 1467
Guilty of fraud, added as parties, 1469
Judge may appoint new, 1468
Liability of, 1466
Oath of, 1466
Payment of costs by, 1469
Powers of, 1466
Production of witnesses before, 1467
Qualification for, 1466
Report on admeasurement of dower, 1465
To be in writing, 1468
To be signed, 1468
Status of, 1466
Valuation of improvements by, 1467

208
Conveyance, after order, 1462
   Order dispensing with wife’s concurrence in, 1461
   Taking without notice of dower, 1463
   Wife apart from husband, 1461
   Mental incompetent, 1461
   Signing, 1464
Costs, on appeal when fraud alleged, 1469
   Proceedings before Commissioners, 1469
   Damages, computation of, 1465
   Deforcement of dower, 1459
   Detention of dower, 1465

*Devolution of Estates Act*, rights of, reserved, 1800, 1801

   Distress, right of, for annual sum, 1468
   Dower, annual sum in lieu of, 1467
   Application of, 1459
   Appointment of Commissioners to administer, 1466
   Assignment, 1459, 1465
   After judgment, 1465, 1466
   For annual sum, 1465
   For gross sum, 1465
   Barring by infant, 1465
   Computation of, 1460
   Damages for detention, 1465
   Contents of order re, 1462
   Damages for deforcement of, 1459
   Dispensing with bar of, 1462
   Effect of assignment of, 1465
   Bankruptcy on, 1463
   Bar of in mortgage, 1460
   Execution of conveyance, 1464
   Of mortgage, 1464
   Registration of assignment, 1465
Execution of assignment, 1465
   In equitable estates, 1459
   Land subject to right of entry, 1459
   Measure of, 1459
   Mining lands, 1460
   Order securing monies in Court, 1461
   Protection of, 1462
   Registration of assignment of, 1465
   Order barring, 1464
   Report of commissioners on, 1466
   Surplus after mortgage sale, 1469
   Wife apart from husband, 1463
   Wife’s elopement, 1460

Dower
   Election, widow’s, 1461
   Evidence, attestation of, 1468
   Mode of subscribing, 1468
   Examination, medical, 1462
   Medical, when to be made, 1463
   Fee, registration of order, 1464
   Fees, commissioners, 1469
   Form, certificate of Judge, 1470
   Certificate of medical practitioner, 1470
   Oath of commissioner, 1466
   Fraud, by commissioners, 1469
   Effect of, on report, 1469
   Highways, land dedicated free from, 1460
   Husband, conveyance by, when wife confined to mental hospital, 1461
   Improvements, determination of permanent, 1467
   Permanent, after death of husband, 1465
   Value of, deducted from dower, 1467
   Infants, right of election how exercised, 1800
   Joint tenancy, 1459
   Land, dedicated for highway, 1460
   Description of, 1464
   Effect of trusteeship, 1459
   Natural state, 1460
   Landlord, recovery of penalty by, 1465
   Tenant to give notice of writ, 1465
   *Land Titles Act*, referred to, 1461, 1465
   Lien, widow to have, for yearly sum, 1468
   Limitation of action for, 1459
   *Limitations Act*, referred to, 1469
   Maintenance, widow’s, 1459
   *Married Women’s Property Act*, referred to, 1464
   *Mental Hospitals Act*, referred to, 1461, 1462
   Mental incompetent, when wife, 1461, 1462, 1463
   Mining land, dower provisions re, 1469
   Money, payment into Court by mortgagee, 1461
   Mortgage, after order, 1462
   Bar of dower in, 1460
   Execution when wife mental incompetent, 1461
   Mortgagee taking, without notice, 1463
   Order dispensing with wife’s concurrence in, 1461

| Contents | 209 |
DOWER

Execution of, 1468
New commissioners', 1468
Powers of Court of Appeal re, 1468
Procedure on new, 1468
Registration of, when final, 1469
Setting aside on appeal, 1468
Sheriff to endorse time of receiving on, 1468
To return, to Court, 1468
Variation of on appeal, 1468
When final, 1469
Right of entry to recover dower in, 1459
Sheriff, return of report to Court by, 1468
Streets, dedication of land for, 1460
Subpoena, production of witness upon, 1467
Tenancy, joint, no dower, 1459
Tenant, notice of action given by, 1465
Penalty on failure to give notice, 1465
Trustee in Bankruptcy, sale of lands by, 1463
Where husband, 1459
Widow, assignment of dower to, 1459
Election by, when monies in Court, 1461
Maintenance of, prior to dower assignment, 1459
Measure of dower, 1459
Right to tarry in chief house, 1459
Rights re woodland assigned, 1460
Wife, confined to mental hospital, 1461
Elopement with adulterer, 1460
Living apart, 1461
Five years, 1463
Mental incompetent not so found, 1462
Witness, fees of, before commission, 1467
Payment of conduct money, 1467
Production of, before commissioners, 1467
Subscribing evidence given, 1468
Woodland, assignment of, 1460
Widow may take firewood, 1465
Wood for fencing, 1460
Writ of assignment of dower, costs payable by plaintiff, 1469
Of assignment of dower receipt by sheriff, 1466
Of dower, return of by sheriff, 1468
Of possession, issuance of, 1469

Mortgage, cont'd
Right of dower in surplus, after sale, 1460
Wife living apart from husband, 1461
Signing, 1464
Mortgage, payment of surplus into Court by, 1461
Subsequent, for value without notice, 1464
Notice, service of, 1461
Service of on public trustee, 1462
When wife an infant, 1462
Wife mental incompetent, 1462
Oath, attachment of commissioner's, 1466
Form of commissioner's, 1466
Official Guardian, service of notice on, 1462
Order, copies of, signed by judge, 1464
Description of land, in, 1464
When endorsed on instrument, 1464
Directing payment into court, 1462
Dispensing with bar of dower, after medical examination, 1462
With wife's concurrence, 1461
Effect of, 1462
Endorsement on conveyance, 1464
On mortgage, 1464
Fee on registration of, 1464
Registration of, 1464
Subsequent, 1465
Penalty, tenant failing to give notice, 1465
Personal estate, widow's election when mortgage money in Court, 1461
Public trustee, service of notice on, 1462
Purchaser, subsequent, for value without notice, 1464
Taking conveyance without notice of dower, 1463
Registration, fee on, of order, 1464
Final report, 1469
Report, amending on appeal, 1468
Annexation of commissioners' oaths, 1466
Appeal from, 1468
Certification of, 1469
Commissioner's on admeasurement, 1466
Contents of, 1468
Description of land in, 1468
Direction of, 1468
Enlargement of time for, 1468
DRAINAGE; see BUILDING TRADES PROTECTION; CEMETERY; DITCHES AND WATERCOURSES; EVIDENCE; FACTORY, SHOP AND OFFICE BUILDING; HIGHWAY IMPROVEMENT; INTERPROVINCIAL DRAINAGE; LOCAL IMPROVEMENT; MECHANICS' LIEN; MUNICIPAL; MUNICIPAL DRAINAGE; PROVINCIAL AID TO DRAINAGE; PUBLIC HEALTH; PUBLIC WORKS; RAILWAY; SETTLED ESTATES; TILE DRAINAGE

DREDGING; see MINING

DRUGGIST; see FACTORY, SHOP AND OFFICE BUILDING; JURORS; LIQUOR CONTROL; PHARMACY

DRUG HABITUATE; see MENTAL HOSPITALS; MENTAL INCOMPETENCY; PRIVATE SANITARIA; PSYCHIATRIC HOSPITALS

DRUGLESS PRACTITIONERS; see also PUBLIC HEALTH; WORKMEN'S COMPENSATION

Admission, requirements by Board, 2498
Education, requirements by Board, 2498
Emergencies, Act not to apply to, 2499
Fees, regulations re, 2498
First aid, Act not to apply to, 2499
Limitation on application of Act, 2499
Medical Act, referred to, 2498
Midwifery, practice of, 2498
Misconduct, investigation of, 2498
Nurses, Act not to apply to, 2499
Occupation, description of, 2498
Other Acts, compliance with not affected, 2500
Penalties, recovery of, 2499, 2500
Unauthorized advertising, 2499
Practice, 2499
Public Health Act, referred to, 2500
Qualifications, description of, 2498
Regulations re, 2498
Register, certified copy as evidence, 2499
Regulations re, 2498
Registration, cancellation of, 2198
Evidence of, 2498
Regulations re, 2497
Suspension of, 2498
Regulations, admission of members, 2497
Classification of members, 2498
Defined, 2497
Description of qualification, 2498
Discipline and control, 2498
Fixing fees, 2498
Investigation of complaint, 2498
Maintaining register, 2498
Power of Board to make, 2497
Prescribing qualifications, 2498
Registration of members, 2497
Secretary-treasurer, appointment of, 2497
Certificate of registration by, 2499
Summary Convictions Act, referred to, 2499, 2500
Surgery, practice of, 2498
Suspension of registration, 2498
Treatment by prayer, Act not to apply to, 2499
Unregistered persons, penalty for practising, 2499
Vacancies on Board, filling of, 2497
Vaccination Act, referred to, 2500

Vacancies on Board, filling of, 2497

211
DRUGLESS PRACTITIONERS

Vice-chairman, appointment of, 2497
_Vital Statistics Act, referred to, 2500

DRUGS; see MEDICAL; PHARMACY; PRIVATE SANITARIA; REFORMATORY; VENEREAL DISEASES PREVENTION

DRUMMOND HILL BURYING GROUND; see NIAGARA PARKS

DRUNKENNESS; see HIGHWAY TRAFFIC; LIQUOR CONTROL; MARRIED WOMEN’S PROPERTY; MENTAL HOSPITALS; MENTAL INCOMPETENCY; MINING

DRY CLEANING; see FIRE MARSHALS; MUNICIPAL

DUTY; see INTERPRETATION

DYNAMITE; see MUNICIPAL

EARLY CLOSING; see FACTORY, SHOP AND OFFICE BUILDING

EASEMENT; see CONVEYANCING AND LAW OF PROPERTY; COUNTY COURTS; LAND TITLES; LIMITATIONS; MINING; NORTHERN DEVELOPMENT; QUIETING TITLES; RAILWAYS; SETTLED ESTATES

EASTER MONDAY; see INTERPRETATION

EDUCATION; see ADOLESCENT SCHOOL ATTENDANCE; AGRICULTURAL COLLEGE; AUXILIARY CLASSES; BOARDS OF EDUCATION; CERTIFIED PUBLIC ACCOUNTANTS; CHARTERED ACCOUNTANTS; COLLEGE OF ART; CONTINUATION SCHOOLS; DEPARTMENT OF EDUCATION; DENTISTRY; DEVOLUTION OF ESTATES; DRUGLESS PRACTITIONERS; EMBALMERS AND FUNERAL DIRECTORS; EXECUTIVE COUNCIL; HIGH SCHOOLS; INDUSTRIAL SCHOOLS; INFANTS; LAND SURVEYORS; LAW SOCIETY; LEGISLATIVE ASSEMBLY; MEDICAL; MINING SCHOOLS; MUNICIPAL; OPTOMETRY; PHARMACY; PROFESSIONAL ENGINEERS; PUBLIC SCHOOLS; SCHOOL ATTENDANCE; SCHOOLS; SCHOOLS FOR THE DEAF AND BLIND; SCHOOL SITES; SCHOOL TRUST CONVEYANCES; SEPARATE SCHOOLS; TEACHERS’ AND INSPECTORS’ SUPERANNUATION; TRAINING SCHOOLS; UNIVERSITY OF TORONTO; UPPER CANADA COLLEGE; VETERINARY COLLEGE; VOCATIONAL EDUCATION

EDUCATIONAL GIFT; see CHARITIES ACCOUNTING

EGRESS FROM PUBLIC BUILDINGS; see also FACTORY, SHOP AND OFFICE BUILDING; MUNICIPAL; THEATRES AND CINEMATOGRAPHS

Assembly hall, outer doors of, 4193
Church, outer doors of, 4193
Churchwarden, liability of, 4193
Congregation, liability of, 4193
Delay, further penalty for, 4193
Doors, how constructed, 4193
To open outwards, 4193
Enforcement, regulations for, 4193
Gate of outer fence, 4193
Hall, outer doors of, 4193
Incumbent, liability of, 4193
Penalty, application of, 4193
Contravention of Act, 4193
Failure to remedy condition, 4193
Recovery of, 4193
Place of public resort or amusement, 4193
Regulations, who to make, 4193
Safety, regulations for, 4193
School, outer doors of, 4193
Society, liability of, 4193
Summary Convictions Act, referred to, 4193
Trustee, liability of, 4193

ELECTION; see also CONTROVERTED ELECTIONS; LEGISLATIVE ASSEMBLY; LIQUOR CONTROL; MUNICIPAL; PERSONATION; POLITICAL CONTRIBUTIONS; PUBLIC HEALTH; PUBLIC SCHOOLS; REPRESENTATION; SEPARATE SCHOOLS; VOTERS’ LISTS

212