



1927

# Index to the Revised Statutes of Ontario, 1927 - E

Ontario

© Queen's Printer for Ontario, 1927

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/rso>

---

## Bibliographic Citation

## Repository Citation

Ontario (1927) "Index to the Revised Statutes of Ontario, 1927 - E," *Ontario: Revised Statutes*: Vol. 1927: Iss. 5, Article 5.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1927/iss5/5>

This Index is brought to you for free and open access by the Statutes at Osgoode Digital Commons. It has been accepted for inclusion in Ontario: Revised Statutes by an authorized administrator of Osgoode Digital Commons.

**DRAINAGE, TILE—Continued**

	PAGE
<b>Treasurer of Municipality</b>	
duty after default in payment to Province .....	767
<b>Treasurer of Ontario</b>	
investigation and report on investment by .....	765

**DRUGGIST**

see Pharmacy .....	2033
--------------------	------

**DRUG HABITUATE**

appointment of committee to manage estate .....	1140
see Inebriates	

**DRUGLESS PRACTITIONERS**

Board of Regents,—establishment of .....	2048
term of office .....	2048
vacancies .....	2048
regulations .....	2048, 2049
Act not to authorize general practice of medicine .....	2049
penalty for unauthorized practice .....	2049
recovery of .....	2050
limitations on application of Act .....	2050

**DRUMMOND HILL BURYING GROUND**

see Niagara Parks .....	863
-------------------------	-----

**DRUNKENNESS**

<b>Committee</b>	
appointment of, to manage estate .....	1140
<b>Highway Traffic</b>	
prohibition as to driving .....	3266

**DYNAMITE**

<b>Municipal By-Laws</b>	
regulating storing, etc. ....	2837

**EASEMENT**

<b>Local Courts</b>	
jurisdiction of .....	963
<b>Prescription in Case of</b>	
see Limitations .....	1189
<b>Railways</b>	
acquiring for transmission of electricity .....	2586

**EASTER MONDAY**

to be holiday .....	9
---------------------	---

## EDUCATION

PAGE

see Department of Education.....	3705
Public Schools .....	3717
Auxiliary Classes .....	3807
Continuation Schools .....	3810
High Schools .....	3819
Boards of Education .....	3848
Separate Schools .....	3857
Industrial Schools .....	3894
Schools for Deaf and Blind .....	3902
School Attendance .....	3916
Adolescent School Attendance .....	3923
Vocational Education .....	3928
School sites .....	3937
University of Toronto .....	3944
Upper Canada College .....	3987

## EDUCATION, DEPARTMENT OF

Affiliation	
of certain schools with universities or normal schools for instruction in teaching .....	3707
Agricultural Departments	
apportionment of grants for .....	3709, 3710
apportionment of part of grant applied to primary education .....	3712
Agricultural Education	
apportionment of grants for .....	3710
grants to teachers of .....	3710
Art	
grants to teachers of .....	3710
Art Departments	
apportionment of grants for .....	3709, 3710
apportionment of part of grant applied to primary education .....	3712
Art Schools	
apportionment of grants for .....	3709, 3710
Auxiliary Classes	
powers and duties of minister .....	3709
Blind	
schools for, management and control of by Minister.....	3706
granting of certificates to teachers in schools for .....	3711
Books of Reference	
regulations as to .....	3706
Cadet Corps	
apportionment of grants for.....	3709, 3710
Certificates	
regulations as to granting to teachers .....	3707
granting of, to teachers in schools for deaf and blind.....	3711
persons other than British subjects.....	3712
suspension or cancellation by Minister .....	3711
Charts	
penalty for teacher, trustee or inspector selling .....	3715
penalty for employing teacher to sell .....	3715, 3716

**EDUCATION, DEPARTMENT OF—Continued**

	PAGE
College of Art	
to share in grant for technical education .....	3710
College of Education	
establishment of .....	3713, 3714
powers of Minister .....	3713, 3714
expenses of .....	3714
Collegiate Institutes	
statutes and regulations as to, administration and enforce- ment by Minister .....	3705, 3706
regulations as to .....	3706, 3707
regulations as to affiliation with universities, or normal or model schools .....	3707
Commission of Enquiry	
appointment of, by Minister .....	3711
Complaints	
determination by Minister as to .....	3711
Consolidated Schools	
statutes and regulations as to, administration and enforce- ment by Minister .....	3705, 3706
regulations as to .....	3706, 3707
apportionment of grants for .....	3709, 3710
Continuation Schools	
statutes and regulations as to, administration and enforce- ment by Minister .....	3705, 3706
regulations as to .....	3706, 3707
apportionment of grants for .....	3709, 3710
Department	
meaning of .....	3705
creation of .....	3705
Minister to preside over .....	3705
Deaf and Dumb	
schools for, management and control of by Minister .....	3706
granting of certificates to teachers in schools for .....	3711
Deputy Minister	
appointment of .....	3705
Directors	
regulations as to qualification and duties .....	3707
Disputes	
determination by Minister as to .....	3711
Examinations	
regulations as to fees on .....	3706
prescribing fees of examiners .....	3706
for conducting .....	3707
regulations as to, for training of teachers .....	3707
acceptance by Minister of other qualifications in lieu of de- partmental .....	3711
Faculties of Education	
apportionment of grants for .....	3709, 3710
Fees	
regulations as to, on examinations .....	3706

## EDUCATION, DEPARTMENT OF—Continued

	PAGE
<b>Fifth Classes</b>	
apportionment of grants for .....	3709, 3710
apportionment of part of grant applied to primary education .....	3712
<b>Furniture</b>	
penalty for teacher, trustee or inspector selling .....	3715
penalty for employing teacher, etc., to sell .....	3715, 3716
<b>High Schools</b>	
statutes and regulations as to, administration and enforcement by Minister .....	3705, 3706
regulations as to .....	3706, 3707
regulations as to affiliation with universities, or normal or model schools .....	3707
apportionment of grants for .....	3709
<b>Household Science</b>	
apportionment of grants for .....	3709, 3710
apportionment of part of grant applied to primary education .....	3712
<b>Inspection of Schools</b>	
apportionment of grants for .....	3709, 3710
<b>Inspectors</b>	
appointment by Minister .....	3706
regulations as to qualification and duties .....	3707
regulation for payment of superannuation allowance to .....	3707
prohibition as to selling school libraries, text books, etc., and penalty .....	3715
prohibition as to employing as agent and penalty .....	3715, 3716
gifts to, prima facie evidence of violation .....	3716
exception as to sales in ordinary course of business .....	3716
<b>Interest</b>	
rate of, on securities, etc., deposited with, or purchased by, Treasurer of Ontario .....	3713
<b>Kindergartens</b>	
apportionment of grants for .....	3709, 3710
apportionment of part of grant applied to primary education .....	3712
<b>Kindergarten Departments</b>	
statutes and regulations as to, administration and enforcement by Minister .....	3705, 3706
regulations as to .....	3706, 3707
<b>Legislative Grants</b>	
regulations as to apportionment of .....	3707
apportionment of, by Minister .....	3707
division among public and separate schools .....	3707
distribution of, between public and separate schools .....	3711, 3712
apportionment of when applied for primary education .....	3712
<b>Library Institutes</b>	
statutes and regulations as to, administration and enforcement by Minister .....	3705
regulations as to .....	3707
<b>Library Schools</b>	
apportionment of grants for .....	3709, 3710
<b>Manual Training</b>	
apportionment of grants for .....	3709, 3710
grants to teachers of .....	3710
apportionment of part of grant applied to primary education .....	3712

## EDUCATION, DEPARTMENT OF—Continued

	PAGE
<b>Maps</b>	
penalty for teacher, trustee, or inspector selling .....	3715
penalty for employing teacher, etc., to sell .....	3715, 3716
<b>Medical and Dental Inspection</b>	
regulations as to .....	3706
appointment and payment of officers .....	3709
grants for in rural, public and separate schools .....	3710, 3711
territory without county organization .....	3710, 3711
<b>Minister</b>	
appointment and salary .....	269
meaning of .....	3705
to preside over department .....	3705
administration by, of statutes and regulations re schools, etc. ....	3705, 3706
management and control of normal and model schools, teachers' institutes, etc. ....	3706
appointment of inspectors, teachers and officers .....	3706
regulations, power to make .....	3706
apportionment of legislative grants, etc. ....	3707
<b>Model Schools</b>	
management and control by Minister .....	3706
regulations as to affiliation of schools with .....	3707
apportionment of grants for .....	3709, 3710
<b>Night Schools</b>	
statutes and regulations as to, administration and enforcement by Minister .....	3705, 3706
regulations as to .....	3706, 3707
apportionment of grants for .....	3709, 3710
apportionment of part of grant applied to primary education .....	3712
<b>Normal Schools</b>	
management and control by Minister .....	3706
regulations as to affiliation of schools with .....	3707
apportionment of grants for .....	3709, 3710
<b>Officers</b>	
appointment by Minister .....	3706
duties of, to be prescribed by Minister .....	3706
prohibition as to selling school libraries, text books, etc., and penalty .....	3715
prohibition as to employing as agent and penalty .....	3715, 3716
gifts to, prima facie evidence of violation .....	3716
exception as to sales in ordinary course of business .....	3716
<b>Ontario College of Art</b>	
to share in grant for technical education .....	3710
<b>Orders in Council</b>	
to be laid before Assembly .....	3715
disapproval of, by Assembly .....	3715
<b>Out-Door Playgrounds</b>	
See Supervised Playgrounds	
<b>Penalties</b>	
teacher, trustee, inspector selling school libraries, text books, etc. ....	3715
employing teacher, trustee, inspector to sell school libraries, text books, etc. ....	3715, 3716
recovery and application of .....	3716
no prosecution without consent of Attorney-General .....	3716

## EDUCATION, DEPARTMENT OF—Continued

	PAGE
<b>Primary Education</b>	
apportionment of grants for certain purposes when applied for	3712
• meaning of .....	3712
<b>Prizes</b>	
penalty for teacher, trustee or inspector selling .....	3715
penalty for employing teacher, etc., to sell.....	3715, 3716
<b>Professional Training Schools</b>	
payment of expenses of students .....	3710
<b>Public Libraries</b>	
statutes and regulations as to, administration and enforce- ment by Minister .....	3705, 3706
regulations as to .....	3706, 3707
apportionment of grants for .....	3709, 3710
<b>Public Schools</b>	
statutes and regulations as to, administration and enforce- ment by Minister .....	3705, 3706
regulations as to .....	3706, 3707
regulations as to affiliation with universities, normal or model schools .....	3707
division of apportionment of grant between public and separ- ate schools .....	3707
payment of apportionment to .....	3707, 3708
distribution of special grants for urban, and general for rural between public and separate .....	3711, 3712
<b>Questions</b>	
submission by Minister to Court for opinion .....	3711
<b>Registrar</b>	
meaning of .....	3705
appointment of .....	3705
duties of, to be prescribed by Minister.....	3706
<b>Regulations</b>	
meaning of .....	3705
re schools, enforcement and administration of, by Minister....	3705, 3706
power of Minister to make .....	3706, 3707
to be laid before Assembly .....	3715
disapproval of, by Assembly .....	3715
<b>Report</b>	
annual, of Minister to Lieutenant-Governor.....	3711
<b>Rural Schools</b>	
apportionment and payment of grants for .....	3708, 3709
payment of grants to, in districts .....	3708, 3709
<b>Scholarships</b>	
for post-graduate courses in France.....	3714
<b>School Apparatus</b>	
penalty for teacher, trustee, or inspector selling .....	3715
penalty for employing teacher, etc., to sell .....	3715, 3716
<b>School Cadet Corps</b>	
statutes and regulations as to, administration and enforce- ment by Minister .....	3705, 3706
regulations as to .....	3706
<b>School Debentures</b>	
guaranteeing payment of .....	3713
form of guarantee .....	3713
validity of guaranteed debentures .....	3713
rate of interest on .....	3713

## EDUCATION, DEPARTMENT OF—Continued

	PAGE
<b>School Gardens</b>	
statutes and regulations as to, administration and enforcement by Minister .....	3705, 3706
regulations as to .....	3706
apportionment of grants for .....	3709, 3710
apportionment of part of grant applied to primary education .....	3712
<b>School House</b>	
regulations as to accommodation and equipment .....	3706
<b>School Libraries</b>	
statutes and regulations as to, administration and enforcement by Minister .....	3705, 3706
regulations as to .....	3707
apportionment of grants for .....	3709, 3710
penalty for teacher, trustee, or inspector selling to .....	3715
penalty for employing teacher, etc., to sell .....	3715, 3716
<b>Separate Schools</b>	
statutes and regulations as to, administration and enforcement by Minister .....	3705, 3706
regulations as to .....	3706
regulations as to affiliation with universities, normal or model schools .....	3707
division of apportionment of grant between public and separate schools .....	3707
payment of apportionment to .....	3708, 3709
distribution of special grants for urban, and general for rural between public and separate .....	3711, 3712
vesting of powers as to, in Minister .....	3715
<b>Special Grants</b>	
apportionment of .....	3708
<b>Stationery</b>	
penalty for teacher, trustee or inspector selling .....	3715
penalty for employing teacher, etc., to sell .....	3715, 3716
<b>Statutes</b>	
re schools, enforcement and administration of, by Minister .....	3705, 3706
<b>Summer Schools</b>	
management and control by Minister .....	3706
<b>Superannuation Allowances</b>	
regulation for payment to teachers and inspectors .....	3707
<b>Supervised Playgrounds</b>	
statutes and regulations as to, administration and enforcement by Minister .....	3705, 3706
regulations as to .....	3706
apportionment of grants for .....	3709, 3710
<b>Supervising Examination Boards</b>	
duties and powers of Minister as to .....	3710
<b>Teachers</b>	
appointment by Minister .....	3706
regulations as to qualification and duties .....	3707
regulations as to granting certificates to .....	3707
regulations for payment of superannuation allowance .....	3707
apportionment of grants for examination of .....	3709, 3710
granting certificates to, other than British subjects .....	3712, 3713



**EDUCATION, DEPARTMENT OF—Continued**

	PAGE
<b>Teachers—Continued</b>	
prohibition as to selling school libraries, text books, etc., and penalty .....	3715
prohibition as to employing as agent and penalty .....	3715, 3716
gifts to, prima facie evidence of violation .....	3716
exception as to sales in ordinary course of busi- ness .....	3716
<b>Teachers' Institutes</b>	
management and control by Minister .....	3706
<b>Technical Schools</b>	
statutes and regulations as to, administration and enforce- ment by Minister .....	3705, 3706
regulations as to .....	3706
apportionment of grants for .....	3709, 3710
<b>Text Books</b>	
regulations as to .....	3706
apportionment of grants for .....	3709, 3710
apportionment of part of grant applied to primary education .....	3712
penalty for teacher, trustee, or inspector selling .....	3715
penalty for employing teacher, etc., to sell .....	3715, 3716
<b>Travelling Libraries</b>	
statutes and regulations as to, administration and enforce- ment by Minister .....	3705
regulations as to .....	3707
apportionment of grants for .....	3709, 3710
<b>Trustees</b>	
prohibition as to selling school libraries, text books, etc., and penalty .....	3715
as to employing as agent and penalty .....	3715, 3716
gifts to, prima facie evidence of violation .....	3716
exception as to sales in ordinary course of busi- ness .....	3716
<b>Universities</b>	
regulations for affiliation of schools with .....	3707
<b>Urban Schools</b>	
apportionment and payment of grants for .....	3707, 3708
<b>Vacation Schools</b>	
management and control by Minister .....	3706
 <b>EGRESS FROM BUILDINGS</b>	
<b>Churches and other Public Buildings</b>	
doors to open outwards .....	3535
liability of congregations, trustees, churchwardens, etc. ....	3535
penalties for contravention of Act .....	3535
further for delay in making change .....	3535
application and recovery of .....	3535
regulations for enforcement of Act .....	3535
<b>Factories, Shops and Office Buildings</b>	
see Factory, Shop and Office Building Act .....	3474
<b>Municipal By-Laws</b> .....	2836

**ELECTIONS TO ASSEMBLY**

	PAGE
Acclamation	
declaration of election by.....	154
Act	
copies to be supplied to officers.....	146
Advance Polls	
for railwaymen, sailors and travellers .....	162
Affidavit	
See Oaths and Affidavits	
Age	
exemption from service as election officer on account of.....	147
Agent	
official agent, meaning of.....	134
disqualification of certain persons as.....	138
candidate may undertake duties of.....	139
exception as to official agent.....	139
non-attendance not to invalidate acts done.....	139
disqualification where employed by candidate.....	139
certificate enabling to vote where employed .....	160, 161
right to counting and inspection of ballot papers before poll opens .....	164
may require voter to be sworn.....	164
when to administer oath to deputy returning officer.....	165
to be present at marking ballot for incapacitated person.....	166
number who may be present during voting.....	168
preference to be given to those having written authority.....	168
right to examine ballot papers in counting votes.....	168, 169
may be present at count by deputy returning officer.....	169
may write name on flap of and seal envelope containing ballot papers.....	169
may sign statement of poll.....	170
right to attend recount or final addition.....	173
right to have special constables sworn in.....	179
to take oath of secrecy.....	180
corrupt practice by, effect of.....	186
employment of, after having been found guilty of corrupt practice .....	188
official agent—appointment and duties of, with regard to election expenses .....	191-194
Amherst Island	
special provision when communications interrupted.....	149
Appeal from Judge on Recount	
See Recount or Final Addition	
Arrest	
on verbal order of returning officer or deputy returning officer	179
Assembly	
Members and certain ex-members not to be election officers....	147
Assistant Chief Election Officer	
appointment, qualification and duties.....	136
Ballot	
votes to be given by.....	163

## ELECTIONS TO ASSEMBLY—Continued

	PAGE
<b>Ballot Boxes</b>	
returning officer to provide.....	150
construction of.....	150
property in.....	151
unauthorized interference with.....	189
See Poll	
<b>Ballot Papers</b>	
property in.....	151
returning officer to have printed.....	157
number to be provided.....	157
names on, how to be arranged.....	157
paper, weight of.....	157
King's printer to furnish.....	157
numbering and binding up.....	157
uniformity.....	157
printer's name to be on.....	157
affidavit of printer.....	157
form of, counterfoil and stub.....	157
See Poll	
<b>Betting</b>	
by candidate on result or event relating to election.....	183
providing money for.....	184
for purpose of influencing result of election.....	184
<b>Blindness</b>	
marking ballot paper for voter.....	166
<b>Board</b>	
meaning of.....	134
<b>Books</b>	
property in.....	151
<b>Bribery</b>	
what acts constitute.....	181 - 183
See Corrupt Practice; Penalty	
<b>British Subject</b>	
candidate must be.....	139
voter must be.....	140
who to be deemed.....	143
<b>Candidate</b>	
meaning of.....	134
may undertake duties of agent.....	139
exception as to official agent.....	139
not to be present at marking of ballot of incapacitated person.....	153, 166
not liable unless consenting to nomination or declaration.....	139
qualification of.....	139
nomination.....	153, 154
declaration of election of after refusal to grant poll, void.....	154
withdrawal after nomination.....	155
notice to voters.....	155
death of, before close of poll.....	155
may require voter to be sworn.....	164
right to be present during voting.....	168
may sign statement of poll.....	170
certificate of result of poll, to be delivered and mailed to.....	170
may be present at count by returning officer.....	171
which one to be returned.....	172
notice of recount or final addition to be given to.....	173

## ELECTIONS TO ASSEMBLY—Continued

	PAGE
Candidate—Continued	
right to have special constable sworn in .....	179
bribery of, to stand or withdraw.....	182
payment of personal expenses not to constitute.....	182
treating by.....	183
betting by.....	183
appointment of official agent by.....	191
personal expenses, what to be deemed.....	192
when candidate may pay direct .....	192
onus of proof as to reasonableness.....	192
Canvassers	
employment of persons found guilty of corrupt practices.....	188
Casting Vote	
when returning officer to give.....	171
where equality of votes found on recount.....	175
Certificate	
of number of ballot papers supplied.....	157
enabling deputy returning officers, poll clerk or agent to vote where employed.....	160, 161
Certificate of Judge on Recount	
return to be withheld pending.....	173
Certificate as to Result of Poll	
what to contain .....	170
delivery and mailing of.....	170
Chief Election Officer	
appointment and qualification.....	136
duties .....	137
assistant,—appointment, qualification and duties.....	136, 137
powers in case of emergency.....	137
clerical assistance.....	137
expenses—provision for.....	137
Clergymen	
not to be election officers.....	147
Clerk of the Crown in Chancery	
appointment of.....	136
when Clerk of Assembly to be <i>ex officio</i> .....	136
clerical assistance.....	137
expenses—provision for.....	137
duty as to supplying forms, etc., to officers.....	145
making return and report to.....	176
forwarding ballot papers, envelopes, etc., to.....	177
publication of return by.....	178
documents in custody of.....	178
inspection of, and supplying copies.....	178
ballot papers, inspection to be made under Judge's order.....	178
production in evidence .....	179
Clerk of the Election Board	
appointment of.....	136
oath of.....	136
Clerk of the Municipality	
ballot boxes to be returned to .....	151

## ELECTIONS TO ASSEMBLY—Continued

	PAGE
<b>Clerk of the Peace</b>	
disqualified as voter .....	139
ballot boxes in unorganized territory to be returned to .....	151
preparation of polling list by .....	158
<b>Commission</b>	
of deputy returning officer and poll clerk,—poll book to contain not required for returning officer .....	145 146
<b>Commissioner for Taking Affidavits</b>	
oaths and affidavits may be taken by .....	138
<b>Compartment</b>	
See Poll	
<b>Constables</b>	
appointment of .....	159
to assist in preservation of the peace .....	179
right of returning officer and deputy returning officer to require assistance of .....	179 179
swearing in special constables .....	179
may arrest on verbal order of returning officer or deputy re- turning officer .....	179 179
duty as to maintenance of secrecy .....	180
oath to be taken .....	180
<b>Contracts</b>	
when executory, void though objects lawful .....	188
<b>Contributions</b>	
to be made through official agent of candidate .....	191
statement to be sent to returning officer .....	193
publication of abstract .....	193
<b>Conveyances</b>	
when hiring of, to be a corrupt practice .....	184
supplying private vehicles free of charge not a corrupt practice .....	184
hire of, for candidate to be personal expenses .....	192
when payment not to disqualify livery keeper .....	192
<b>Convicts</b>	
not to vote .....	140
<b>Corrupt Practice</b>	
meaning of .....	134
bribery,—what acts constitute .....	181, 182
distribution of political literature .....	182, 183
treating .....	183
betting .....	183
hiring conveyance to carry voter to poll .....	184
furnishing refreshments .....	184
undue influence .....	185
representation that ballot not secret .....	185
personation .....	185
procuring appointment as election officer by fraud .....	185
appointing election officers who have been convicted of corrupt practice .....	185 185
voting illegally .....	185
publishing false statement of withdrawal of candidate .....	186
when election to be avoided for .....	186
when candidate not personally guilty and result not affected .....	186
disqualification, etc., only upon judgment of election court .....	186

## ELECTIONS TO ASSEMBLY—Continued

	PAGE
<b>Corrupt Practice—Continued</b>	
disqualification of candidate for.....	186
saving in case of excusable ignorance.....	187
of persons other than candidate.....	187
disagreement of trial judges, effect of.....	187
when not to affect new election held after protest.....	187
striking off votes for.....	188
removal of disqualification procured by perjury.....	188
executory contracts to be void.....	188
relief of person committing, who has first prosecuted party jointly liable.....	188
officers wilfully falsifying list or poll book.....	188
offences in relation to ballot papers.....	189
destroying or injuring documents.....	190
deputy returning officer or poll clerk making wilful miscount or false statement.....	190
prosecutions to be before election court.....	191
<b>Costs</b>	
See Recount or Final Addition	
<b>Counsel</b>	
disqualified where employed by candidate.....	139
<b>Count of Votes</b>	
See Poll; Recount or Final Addition	
<b>Counterfoil</b>	
See Ballot Papers; Poll	
<b>County</b>	
meaning of.....	134
<b>County Court</b>	
meaning of.....	134
<b>County Court Clerk</b>	
may be required to attend at recount.....	173
<b>Crown Attorney</b>	
disqualified from voting.....	139
action by, on information as to violation of secrecy.....	180
<b>Death of Candidate</b>	
postponement of election.....	155
<b>Death of Official Agent</b>	
appointment of successor.....	191
<b>Declaration of Election</b>	
when candidate elected by acclamation.....	154
on withdrawal of candidate.....	155
after count of vote by returning officer.....	171
adjournment—when ballot boxes missing, etc.....	171, 172
after recount.....	175
See Penalty	
<b>Deputy Returning Officer</b>	
administration of oath by.....	138
new appointment where appointment of returning officer superseded.....	146
who may not be appointed or act.....	147
who exempt from service.....	147
ballot boxes to be delivered to.....	151
duty as to procuring.....	151

**ELECTIONS TO ASSEMBLY—Continued**

PAGE

**Deputy Returning Officer—Continued**

to be appointed for each polling place.....	152
duty to see that voting compartment provided.....	153
publication of names at nomination.....	155
appointment of.....	156
residence, requirements as to.....	156
oath of office.....	156
death or absence, new appointment.....	156
materials to be furnished to.....	156
posting up directions to voters.....	157
appointment of poll clerk by.....	158
appointment of new poll clerk by.....	159
appointment of constable by.....	159
certificate enabling to vote where employed.....	160, 161
duties with regard to persons voting under certificates.....	161
voting on certificate, administering oath to.....	165
duties at advance polls for railwaymen, sailors and travellers..	162
duties at poll, and penalties for contravention.....	164 - 168
duties after close of poll.....	168 - 170
marks made or omitted by, not to cause rejection of ballot paper.....	169
noting objections on ballot papers.....	169
oaths of performance of duties.....	170
failure to deliver ballot box or documents to returning officer... 171,	172
conservator of the peace to have powers of justice of the peace	179
assistance of justices of the peace, constables, etc.....	179
swearing in special constables.....	179
arrest and imprisonment on verbal order.....	179
duty as to maintaining secrecy of proceedings.....	179
oath to be taken by.....	180
communicating information as to violation of secrecy to crown attorney.....	180
procuring appointment by fraud.....	185
acting without lawful authority.....	185
appointing person found guilty of corrupt practice.....	185
liability to person aggrieved by contravention of act.....	190
See Penalty	

**Directions to Voters**

See Voters

**Disqualification as Agent**

persons convicted of corrupt practices.....	138
---	-----

**Disqualification for Corrupt Practice**

only on judgment of election court.....	186
of candidate.....	186
saving as to case of excusable ignorance.....	187
of persons other than candidate.....	187
disagreement of trial judges, effect of.....	187

**Disqualification of Election Officers**

who may not be appointed or act.....	147
--------------------------------------	-----

**Disqualification as Voters**

See Voters

**Divisional Court**

judge of, appeal to, on recount.....	175
--------------------------------------	-----

**Documents**

See Poll; Clerk of the Crown in Chancery

## ELECTIONS TO ASSEMBLY—Continued

	PAGE
<b>Ecclesiastics</b>	
not to be election officers .....	147
<b>Election Board</b>	
constituted for every county and district .....	135
members not to be candidates .....	135
vacancies .....	136
jurisdiction where electoral district includes portions of different counties .....	136
how constituted .....	135
in County of York .....	135
in other counties and in districts .....	135
chairman .....	135
clerk .....	136
oath of office .....	136
quorum .....	136
<b>Election Clerk</b>	
disqualified from voting .....	139
new appointment where appointment of returning officer superseded .....	146
who may not be appointed or act .....	147
who exempt from service .....	147
when to act as returning officer .....	150
commission appointing .....	150
oath of .....	150
appointment and oath to be endorsed on or attached to writ .....	150
duties and liabilities, when acting as returning officer .....	150
attendance at recount .....	173
duty as to reporting on violation of law .....	180
appointment of, if guilty of corrupt practice .....	185
liability to person aggrieved by contravention of act .....	190
See Penalty	
<b>Election Court</b>	
meaning of .....	134
what prosecutions to be before .....	191
<b>Election Expenses of Candidate</b>	
contributions and payments not to be made except through official agent .....	191
exceptions as to personal expenses of candidate .....	191
receipt of payments not to disqualify voter .....	192
claims,—when to be sent in .....	193
death of person making .....	193
death or incapacity of official agent .....	193
payments after one month from declaration on order of judge .....	193
advertisement of such claims .....	193
statements—official agent to make .....	193
publication of abstracts by returning officer .....	193
statements, bills and vouchers, preservation of by returning officer for inspection .....	194
<b>Electoral District</b>	
jurisdiction of election board where district includes parts of two counties .....	136
jurisdiction of judge on recount .....	173
<b>Emergency</b>	
powers of chief election officer .....	137
proceedings interrupted by .....	138



**ELECTIONS TO ASSEMBLY—Continued**

	PAGE
<b>Employee</b>	
right in city or town to absent himself for purpose of voting ...	168
<b>Equality of Votes</b>	
returning officer to give casting vote .....	171
after recount or final addition .....	175
<b>Evidence</b>	
production of documents in custody of Clerk of the Crown in Chancery .....	179
endorsement on envelopes containing ballot papers .....	179
onus of proof with respect to personal expenses .....	192
<b>Executive Council</b>	
members not to be election officers.....	147
<b>Executory Contracts</b>	
in respect of an election to be void even though lawful .....	188
<b>Exemption</b>	
from service as election officers .....	147
<b>Expenses of Candidate</b>	
payment of through official agent and publication.....	191 - 194
<b>Fees and Expenses</b>	
allowance for each polling place.....	153
of officers, etc., to be fixed by Order-in-Council.....	194
payable out of consolidated revenue.....	194
issue of accountable warrant for payment of.....	194
accounting and audit.....	194
provincial Auditor to countersign cheque on certificate of Auditor of Criminal Justice Accounts.....	194
<b>Final Addition</b>	
recount or final addition by County Judge.....	172 - 176
<b>Foreigners</b>	
employment of interpreter for, at voting.....	166
<b>Form</b>	
meaning of.....	134
mistakes in use of, when not to invalidate election.....	137
Clerk of Crown in Chancery to distribute.....	145
inspection of before opening poll.....	164
<b>Gaol</b>	
persons undergoing punishment for criminal offence dis- qualified .....	140
<b>General Election</b>	
all nominations and polling to be held on same day.....	145
writs to be dated on same day.....	145
<b>Hall</b>	
use of, for polling place.....	153
hire of by candidate to be personal expense.....	192
owner not disqualified by receipt of payment for.....	192
<b>Hospitals for Insane</b>	
patients not to vote.....	140
<b>Hospitals</b>	
special provision as to polling places for soldiers in .....	153

## ELECTIONS TO ASSEMBLY—Continued

	PAGE
<b>House of Refuge</b>	
inmates not to vote.....	140
<b>Illiterates</b>	
marking ballot papers for.....	166
<b>Imprisonment</b>	
on order of returning officer or deputy returning officer until after close of nomination or poll.....	179
prosecution involving to be before election court.....	191
<b>Indians</b>	
when qualified under soldiers' franchise.....	141
when disqualified from voting.....	144
special oath for.....	144
reserves to be deemed unorganized territory.....	144
<b>Inspection of Documents</b>	
right to have.....	178
order of judge for, in case of ballot papers.....	178
<b>Interpreter</b>	
employment of, where voter does not understand English.....	166
oath of.....	166
<b>Intimidation of Voter</b>	
to be a corrupt practice.....	185
See Penalty	
<b>Irregularities</b>	
when not to invalidate election.....	137
<b>Judge</b>	
disqualified as voter.....	139
disqualified from acting as election officer.....	147
recount or final addition by.....	172 - 176
<b>Jury</b>	
actions for recovery of penalties to be tried without.....	191
<b>Justice of the Peace</b>	
returning officer and deputy returning officer to have powers of right of returning officer and deputy returning officer to require assistance of .....	179
	179
<b>King's Printer</b>	
forms to be supplied by.....	145
paper for ballot papers to be furnished by.....	157
<b>Labels</b>	
supplying to officers.....	145
<b>Limitation of Proceedings</b>	
action for recovery of penalties.....	191
claims for payment of election expenses.....	193
<b>Livery Keeper</b>	
when payment to, not to disqualify.....	192
<b>Local Municipality</b>	
meaning of .....	134
<b>Mandamus</b>	
to returning officer to make return.....	177

**ELECTIONS TO ASSEMBLY—Continued**

	PAGE
<b>Medical Practitioners</b>	
exempt from service as election officers.....	147
<b>Meetings</b>	
hire of hall by candidate to be personal expense.....	192
owner of hall not disqualified by reason of receiving payment for .....	192
<b>Members of Parliament</b>	
not to be election officers.....	147
<b>Military Hospitals</b>	
inmates qualifying under soldiers' franchise.....	141
polling places at .....	153
<b>Military Service</b>	
absence on, not to disqualify voter.....	142
<b>Millers</b>	
exemption from service as election officers.....	147
<b>Ministers of Religion</b>	
not to be election officers .....	147
<b>Mistakes</b>	
when not to invalidate election.....	137
<b>Naturalization</b>	
requirements as to.....	143
<b>Newspapers</b>	
distribution of, not a corrupt practice.....	182, 183
<b>Nomination</b>	
riot or other emergency, preventing or interrupting,—pro- ceedings of officers.....	138
candidate not liable unless consenting.....	139
appointment of day for.....	144
at general election all on same day.....	145
date to be named in writ.....	145
place and time for holding to be proclaimed.....	148
at what place and hour.....	148
proclamation of postponement of.....	149
proceedings on,—making proclamation.....	153
reading writ and commission.....	153
call for nominations .....	154
to be made in writing signed by one hundred electors .....	154
each candidate to be nominated by separate paper.....	154
consent of candidate.....	154
certificate of returning officer as to regularity.....	154
acclamation and proclamation of election.....	154
official agents, announcement of names and addresses of .....	155, 191
withdrawal of candidates.....	155
death of candidate, postponement of election.....	155
deputy returning officers to be named .....	155
preservation of peace at.....	179
<b>Notice of Return</b>	
publication of .....	178
<b>Notice of Secrecy</b>	
printing and distribution of.....	145
may be added to or separated from directions to voters.....	145

## ELECTIONS TO ASSEMBLY—Continued

	PAGE
<b>Nursing Sister</b>	
absence on service as, not to disqualify.....	142
<b>Oaths and Affidavits</b>	
who may administer.....	138
to be administered gratuitously.....	138
of secrecy, poll book to contain.....	145, 146
who to take.....	180
of deputy returning officer and poll clerk,—poll book to contain	145
of returning officer.....	148
of election clerk.....	150
to be endorsed on writ.....	150
of deputy returning officer.....	156
of printer as to printing of ballot papers.....	157
of poll clerk.....	158
as to use of poll book.....	170
of deputy returning officer as to performance of duties.....	170
of returning officer after making return.....	177
<b>Oaths of Voters</b>	
Indians.....	144
forms to be furnished to deputy returning officer.....	156
forms to be used.....	164
of voter on voucher when name omitted from polling list.....	164
of person vouching for voter.....	165
when to be administered.....	165
administering to deputy returning officer, poll clerk or agent	
voting on certificate.....	165
when deputy returning officer to administer without request...	165
to be administered to illiterate or incapacitated person.....	166
interpreter to take.....	166
entry in poll book of administering or tendering.....	166
person refusing, not to vote.....	167
to be administered where voter alleges he has been personated	167
<b>Objections to Ballot Papers</b>	
See Poll	
<b>Occasional or Temporary Absence</b>	
when not to disqualify voter.....	142
<b>Office</b>	
bribery by promise of.....	182
<b>Officers</b>	
who may not be appointed or act.....	147
acting when disqualified.....	147
exemptions from service.....	147
duties as to maintaining secrecy of proceedings.....	179
oath of secrecy.....	180
remuneration of, what allowable.....	194
audit of accounts.....	194
<b>Official Agent</b>	
See Agent	
<b>Parliament</b>	
members not to be election officers.....	147
<b>Peace, Preservation of</b>	
powers of returning officers and deputy returning officers.....	179
<b>Pelee Island</b>	
special provision when communications interrupted.....	149

## ELECTIONS TO ASSEMBLY—Continued

Penalty	PAGE
for certain persons voting when disqualified.....	139
disqualified persons acting as election officers.....	147
qualified person refusing to act as returning officer.....	147
returning officer not taking oath.....	148
not posting up proclamation.....	149
failing to provide ballot boxes.....	151
for refusing to act as election clerk.....	150
returning officer refusing to grant poll.....	154
poll clerk refusing to act and take oath.....	158
voting at wrong polling place.....	160
giving certificate to more than two agents.....	161
voting on certificate without being sworn.....	161
deputy returning officer not administering oath in suspicious cases.....	165
receiving vote after refusal of oath.....	167
for bribery.....	182
for providing refreshments at meetings of electors.....	183
treating.....	183
betting,—candidate betting on result of election.....	183
hire of conveyance.....	184
providing refreshments for voters.....	184
undue influence.....	185
personation.....	185
procuring appointment as deputy returning officer or poll clerk by fraud.....	185
appointing disqualified person as election officer.....	185
voting when not entitled.....	185
publishing false statement as to withdrawal of candidate.....	186
when to be imposed only on judgment of election court.....	186
relief where person charged has prosecuted other party to corrupt practice.....	188
officers falsifying voters' list, polling list or poll book.....	188
offences in relation to ballot papers or boxes.....	189
unlawfully destroying or injuring election lists and documents.....	190
deputy returning officer omitting to initial ballot paper.....	190
neglect of duties after close of poll.....	190
miscounting ballots or falsifying statement of poll.....	190
violating secrecy of proceedings.....	190
officers' liability to person aggrieved.....	190
recovery and enforcement of.....	190
statement of claim.....	191
limitation of action.....	191
action to be tried by judge without jury.....	191
production of writ, etc., unnecessary.....	191
when recoverable only before election court.....	191
statement of election expenses, default in delivering.....	194
falsifying.....	194
<b>Personal Expenses of Candidate</b>	
See Candidate	
<b>Personation</b>	
duty of deputy returning officer as to administering oath in suspicious cases.....	165
right of voter who alleges he has been personated.....	167
See Penalty	
<b>Petitions Against Return and Prosecutions for Corrupt Practices</b> see Controverted Elections	
<b>Physicians</b>	
exemption from service as election officers.....	147
<b>Physical Incapacity</b>	
marking ballot for voter.....	166

## ELECTIONS TO ASSEMBLY—Continued

	PAGE
Police Magistrate	
when disqualified from voting.....	139
Political Contributions	
see Political Contributions .....	225
Political Literature	
distribution of, not a corrupt practice.....	182
Poll	
irregularities in, or failure to hold not to invalidate election....	137
appointing day for.....	144
to be eleventh day after nomination.....	144
at general election to take place on same day throughout	
Province .....	145
date to be named in writ.....	145
posting up notice as to secrecy at place for .....	145
time and place for holding and for counting vote to be pro-	
claimed .....	148
place for holding, at least one in each subdivision.....	151
outside subdivision with approval of board.....	151
taverns not to be used as.....	152
designation of, where more than one in subdivision.....	152
where village includes portions of two townships in different	
electoral districts.....	152
what may be used as.....	153
expenses of providing.....	153
compartments .....	153
taking vote in military hospitals, etc.,.....	153
when to be granted.....	154
consequence of refusal or neglect to grant.....	154
place for holding in territory without municipal organization	156
directions to voters.....	157
constables,—appointment of .....	159
where voter to vote.....	159
certificate enabling deputy returning officer, poll clerk or agent	
to vote at poll where employed.....	160
time for opening and closing.....	161
advance polls for railway employees, etc.,.....	162
ballot papers to be counted and inspected.....	163, 164
ballot boxes to be shown empty.....	164
locking and sealing.....	164
how to be placed.....	164
entry of name, address and occupation in poll-book.....	164
procedure in case of omission of name from list.....	164
initialing ballot papers, numbering counterfoil.....	165
assistance of incapacitated or foreign voters.....	166
removal of counterfoil and deposit of ballot papers.....	166
swearing of voters.....	167
procedure where impersonation alleged.....	167
opening ballot boxes and counting votes.....	168, 169
objections to ballot papers to be noted.....	169
all not rejected to be counted.....	169
poll book and other documents to be placed in ballot box.....	170
sealing and delivery of ballot box.....	170
oath of poll clerk and of deputy returning officer.....	170
statement of result of.....	170
who to sign .....	170
secrecy of.....	179, 180
Poll Book	
supplying returning officer.....	145
forms to be contained in.....	145
to be furnished to deputy returning officer.....	156

**ELECTIONS TO ASSEMBLY—Continued**

	PAGE
<b>Poll Book—Continued</b>	
entry of name, address and occupation of voter .....	164
entry in, after voter has voted .....	166
as to oath or refusal to take .....	166
entry as to voter who has been personated .....	167
count of voters and entry as to total at close of poll .....	168
statement of poll to be attached to .....	170
to be placed in large envelope in ballot box after count .....	170
See Penalty.	
<b>Poll Clerk</b>	
administration of oath by .....	138
who may not be appointed or act .....	147
who exempt from service as .....	147
appointment of .....	158
to be voter in local municipality .....	159
duty to assist deputy returning officer .....	159
acting as deputy returning officer .....	159
appointing another poll clerk .....	159
certificate enabling to vote where employed .....	160, 161
to enter name and address and occupation of voter in poll book .....	164
administering oath to deputy returning officer voting on certificate .....	165
to be present at marking ballot for incapacitated person .....	166
to sign statement of poll .....	170
oath of, as to use of poll book .....	170
delivery of ballot box to returning officer by .....	170
receipt to be taken .....	170
oath as to condition .....	170
duty as to maintenance of secrecy .....	179
oath to be taken .....	180
communicating information to Crown attorney .....	180
liability to person aggrieved by contravention of Act .....	190
See Penalty	
<b>Polling List</b>	
meaning of .....	135
to be provided for each polling place .....	152, 158
how to be prepared .....	158
to be provided to candidates .....	158
certificate of clerk of the peace on each copy .....	158
when person whose name is omitted may vote on voucher .....	164
to be placed in large envelope in ballot box .....	170
See Penalty	
<b>Polling Places</b>	
See Poll	
<b>Polling Subdivisions</b>	
duty of returning officer where council fails to make division .....	151
change in boundaries, when not necessary .....	151
polling places in .....	151
<b>Portable Booths</b>	
use of for polling place .....	153
<b>Postmasters</b>	
exemptions from service as election officers .....	147
<b>Preparation of Voters' Lists</b>	
see Voters' Lists .....	93
<b>Prescribed</b>	
meaning of .....	135

## ELECTIONS TO ASSEMBLY—Continued

	PAGE
<b>Priests</b>	
not to be election officers .....	147
<b>Printing</b>	
lawful payments by candidate for .....	192
<b>Prisoners</b>	
not to vote .....	140
<b>Proclamation</b>	
by returning officer of date of nomination and polling .....	148
posting up .....	148
of names of deputy returning officers .....	155
<b>Public Buildings</b>	
use of for polling place .....	153
<b>Qualification of voters</b>	
See Voters	
<b>Railway Employees</b>	
advance polls for .....	162
<b>Recount or Final Addition</b>	
application and material thereon .....	172
security for costs .....	173
jurisdiction of judge where district is in more than one county .....	173
notice of time and place of .....	173
return to be withheld pending .....	173
clerk of the county court,—judge may require attendance of .....	173
custody of ballot papers and statements .....	173
representation of candidates .....	173
returning officer and election clerk to be present at .....	173
authority of judges as to excluding persons .....	174
procedure by judge, final addition from statements .....	174
opening envelopes where recount required .....	174
to be continuous .....	174
precautions for security of documents during adjournments .....	174
rules to govern in recounting .....	174
sealing up ballots at close of proceedings .....	174
disputed ballots, distinguishing .....	174
reviewing decision of returning officer where ballot box or statement lost .....	175
certificate of result .....	175
casting vote,—when equality of votes found .....	175
costs .....	175
application of deposit .....	175
appeal to judge of divisional court .....	175
procedure on .....	175, 176
certificate of decision .....	176
costs .....	176
<b>Refreshment</b>	
when serving, corrupt practice .....	183
serving to voter on nomination or polling day forbidden .....	183
habit of not a defence .....	183
<b>Regulations</b>	
meaning of .....	135
<b>Rejected Ballot Papers</b>	
what to be .....	169
sealing up of, in separate envelope at close of poll .....	169



## ELECTIONS TO ASSEMBLY—Continued

PAGE

## Removal

entry of name on list after change of residence within two months of polling .....	142
certificate of judge or revising officer.....	142

## Residence

of candidate must be in Ontario .....	139
of voter .....	140
change of within two months of polling .....	142
occasional or temporary absence .....	142
of returning officer must be in electoral district.....	146
of deputy returning officer must be in local municipality.....	156
of poll clerk must be in local municipality.....	159

## Return

where ballot boxes or documents lost.....	171
of candidates receiving largest number of votes.....	172
to be withheld pending recount .....	173
when to be made .....	176
report to accompany.....	176
ballot papers, envelopes, etc., to be forwarded with .....	177
affidavit of returning officer after making.....	177
failure to make, mandamus to returning officer.....	177
publication of .....	178
unlawfully destroying or injuring .....	190

## Returning Officer

administration of oath by .....	138
not to vote except by casting vote .....	139
appointment of,—direction of writ to be.....	146
must be resident of electoral district.....	146
death, refusal or incapacity to act.....	146
appointment of substitute,—new writ not required.....	146
new appointee may appoint new election clerk and deputy returning officers .....	146
who may not be appointed or act.....	147
who exempt from service .....	147
to endorse date of receipt of writ .....	148
oath of .....	148
proclamation of election by .....	148
inability to hold nomination on day fixed.....	149
special report .....	149
special provisions with respect to Pelee Island.....	149
Amherst Island .....	149
duties of election clerk when acting as.....	150
ballot boxes—duty as to furnishing .....	150, 151
return of after election to clerk of municipality or clerk of the peace .....	151
polling places to be fixed by.....	151 - 153
procedure at nomination .....	153, 154
publication of names and addresses of official agents.....	155
duty where candidate withdraws after nomination .....	155
where candidate dies before close of polling .....	155
duty as to proclaiming names of deputy returning officers .....	155
appointment of deputy returning officers by.....	156
furnishing materials to deputy returning officer.....	156
printing and supplying ballot papers .....	157
issue of certificate to deputy returning officer, poll clerk or agent to vote where employed .....	160
refusal of certificate .....	160
list of certificates granted or refused.....	160
delivery of ballot box to, after close of poll.....	170
oath of deputy returning officer to be transmitted to.....	170

## ELECTIONS TO ASSEMBLY—Continued

	PAGE
<b>Returning Officer—Continued</b>	
precautions for safe keeping of ballot box to be taken by.....	171
count of vote and declaration of result .....	171
casting vote .....	171
procedure where ballot boxes or papers missing .....	171
notice of recount to be given to .....	173
to withhold return pending certificate .....	173
attendance before judge with ballot papers, etc.....	173
casting vote where equality of votes found on recount.....	175
return and report of.....	176
forwarding documents to Clerk of the Crown in Chancery.....	177
oath of after return .....	177
failure to make return, mandamus.....	177
conservator of the peace to have powers of justice of the peace	179
assistance of justices of the peace, constables, etc.....	179
swearing in special constables .....	179
arrest and imprisonment on verbal order .....	179
duty as to maintaining secrecy of proceedings .....	179
oath to be taken by .....	180
communicating information as to violation of secrecy to	
crown attorney .....	180
liability to person aggrieved by contravention of Act .....	190
publication of name of official agent by.....	191
fees and expenses .....	194
payment of expenses .....	194
See Penalty.	
<b>Revising Officer</b>	
not to be candidate at election .....	135
<b>Riot</b>	
proceedings delayed or interrupted by .....	138
<b>Sailors</b>	
advance polls for .....	162
<b>Seal</b>	
on ballot box used at advance poll .....	163
to be placed on ballot box .....	164, 170
of returning officer, to be affixed to ballot box on receipt .....	171
<b>Sealing Wax</b>	
to be furnished to deputy returning officer.....	156
<b>School House</b>	
use of for polling place .....	153
<b>Screen</b>	
to be provided where required at polling places .....	156
<b>Secrecy</b>	
notices as to, to be sent to returning officer .....	145
duty of persons present at polling or count as to preserva-	
tion of .....	179
interference with voters to ascertain how ballot papers marked	180
communicating information as to how voter voted.....	180
inducing voter to display marked ballot or give information....	180
communicating information as to number on ballot paper.....	180
voter displaying marked ballot paper .....	180
oath of officers and agents .....	180
officers' duty as to giving information of violation of.....	180
duty of crown attorney on receiving information.....	180
voter not compellable to disclose his vote .....	180
false pretence that ballot is not secret .....	185
See Penalty.	

**ELECTIONS TO ASSEMBLY—Continued**

PAGE

<b>Security for Costs</b>	
on application for recount or final addition.....	173
disposal of deposit where applicant is to pay costs.....	175
<b>Soldiers' Franchise</b>	
qualification of voter under .....	141
provisions as to naturalization not to apply.....	143
<b>Solicitor</b>	
disqualified where employed by candidate .....	139
<b>Special Constable</b>	
to be sworn in on request of candidate or agent .....	179
<b>Spoilt Ballot</b>	
procedure where voter has accidentally rendered it unfit for use .....	168
<b>Statement of Expenses</b>	
delivery and publication of .....	193
<b>Statement of Poll</b>	
how to be made out and dealt with .....	170
See Penalty.	
<b>Stationery</b>	
duty of Clerk of the Crown in Chancery as to supplying.....	145
<b>Students</b>	
absence not to disqualify .....	142
<b>Surgeons</b>	
exemption from service as election officers.....	147
<b>Tents</b>	
use of for polling place.....	153
<b>Time</b>	
when non-compliance with limitations not to invalidate elec- tion .....	137
<b>Transportation</b>	
furnishing for voters, a corrupt practice .....	184
<b>Travellers</b>	
advance polls for .....	162
<b>Treating</b>	
when a corrupt practice .....	183
habit of, not a defence .....	183
<b>Undue Influence</b>	
what constitutes .....	185
<b>Unorganized Territory</b>	
Indian reserve to be deemed .....	144
qualification of voter in .....	141
ballot boxes to be delivered to clerk of the peace after election..	151
polling places in .....	156
municipality with no assessment to be deemed .....	156
where voter to vote .....	160
<b>Vacancies</b>	
elections to fill, when to be held, see Legislative Assembly....	249

## ELECTIONS TO ASSEMBLY—Continued

	PAGE
<b>Vehicles</b>	
when hire of to be a corrupt practice.....	184
supplying private conveyances free of charge not a corrupt practice .....	184
hire of for candidate's use to be personal expenses.....	192
when payment of not to disqualify livery keeper.....	192
<b>Voters</b>	
disqualification .....	139, 140
who may vote generally .....	140
soldiers' franchise .....	141
in territory without municipal organization.....	141
change of residence within two months of polling .....	142
occasional or temporary absence .....	142
who to be deemed British subjects .....	143
Indians .....	144
notice of secrecy and posting up .....	145
to have free access to poll .....	152
where more than one place in the subdivision .....	152
directions to .....	157
in what division to vote .....	159
advance polls for railwaymen, sailors and travellers.....	162
declaration and entry of name, etc.....	164
voting on voucher where name omitted from polling list.....	164
administering oath to .....	164
delivery of ballot paper to .....	165
instructing as to marking and folding ballot paper.....	165
illiteracy or incapacity, marking ballot paper.....	166
inability to understand English, employment of interpreter...	166
mode of marking and folding ballot .....	166
to leave polling place immediately after voting.....	167
forfeiture of vote for refusal to take oath.....	167
forfeiture of vote for removing from polling place or returning ballot paper .....	167
procedure where another has voted in his name.....	167
spoiling ballot paper by inadvertence, right to another.....	168
when to be deemed to have tendered vote or to have voted.....	168
right in city or town to absent himself from employment for purpose of voting .....	168
maintenance of secrecy as to how ballot paper marked by.....	179, 180
not compellable to disclose vote .....	180
certain payments not to disqualify .....	192
See Penalty.	
<b>Voters' List</b>	
See Polling List; Penalty.	
<b>Wages</b>	
not to be reduced on account of absence of employee to vote....	168
<b>Withdrawal of Candidate</b>	
See Candidate.	
<b>Witnesses</b>	
conviction for perjury, removal of disqualification on .....	188
<b>Women</b>	
qualification as voter.....	140
soldiers' franchise .....	141
in unorganized territory .....	141
when to be deemed British subjects .....	143

**ELECTIONS TO ASSEMBLY—Continued**

	PAGE
<b>Writ</b>	
for general election all to be dated on same day.....	145
to state date of nomination and polling .....	145
to be returnable forthwith after execution.....	145
direction of to be appointment of returning officer.....	146
not required where returning officer superseded.....	146
endorsements .....	148, 150
reading of at nomination .....	153
 <b>ELECTIONS, MUNICIPAL</b>	
<b>Members of Councils</b>	
see Municipal Institutions .....	2716
<b>Personation</b>	
see Personation .....	222
<b>Preparation of Voters' Lists</b>	
see Voters' Lists .....	93
<b>School Boards</b>	
see Boards of Education .....	3848
Public Schools .....	3760
Separate Schools .....	3867
 <b>ELECTORAL DISTRICTS</b>	
see Representation .....	65
 <b>ELECTRICAL APPLIANCES</b>	
<b>Power Commission</b>	
regulations as to sale, installation and use of.....	732
 <b>ELECTRICAL POWER</b>	
<b>Hydro-Electric Power Commission</b>	
see Power Commission .....	700
<b>Mines</b>	
regulations as to instalment and use of plant and appliances	
see Mines and Mining .....	578
<b>Water Power Development</b>	
regulation and control	
see Water Power Regulation .....	744
 <b>ELECTRIC LIGHT AND POWER LINES</b>	
<b>Highways</b>	
cost of removal, etc., of works,—adjustment of .....	699
<b>Power Commission</b>	
ordering use of underground conduits, etc. ....	739
 <b>ELECTRIC RAILWAYS</b>	
<b>Fatal Accidents</b>	
inquest compulsory .....	1316
<b>Municipal</b>	
management of, by commission .....	3234
see Municipal Electric Railways.....	2637
<b>Regulations as to</b>	
see Railways .....	2471

**ELECTROLYSIS**

	PAGE
Railways	
duty to protect water pipes, etc. ....	2584

**ELEVATORS AND HOISTS**

Factories, Shops	
regulations as to .....	3472
Operators	
see Stationary and Hoisting Engineers.....	2113

**EMBALMERS AND UNDERTAKERS**

Board of Examiners	
appointment of .....	2127
powers and duties .....	2127
quorum .....	2127
secretary .....	2128
appeal from, to Minister .....	2128
annual report .....	2129
audit of receipts and expenditures .....	2129
remuneration of .....	2129
Burials	
licenses to undertakers .....	2129
returns to be made by undertakers.....	2130
penalty for neglect to make.....	2130
Certificate of Qualification	
powers of board of examiners as to .....	2127
register of .....	2128
examination for .....	2127
regulations as to .....	2128
persons already carrying on business .....	2128
appeals from board of examiners to Minister.....	2128
to be kept exposed in place of business.....	2129
Department of Health	
issue of licenses to undertakers .....	2129
notice to, of burials .....	2130
Embalming	
meaning of .....	2127
Licenses	
powers of board of examiners as to .....	2127
regulations by Order-in-Council as to.....	2128
Licenses to Undertakers	
Department of Health to issue .....	2129
penalty for carrying on business without.....	2130
Penalty	
professing to be embalmer without holding license.....	2129
carrying on business as undertaker without license.....	2130
undertaker neglecting to make return of burials.....	2130
Prosecutions	
procedure .....	2130
Register	
of persons qualified .....	2128
Regulations	
powers of Lieutenant-Governor in Council as to .....	2128

**EMBALMERS AND UNDERTAKERS—Continued**

	PAGE
<b>Returns</b>	
undertakers to notify Department of Health as to burial...	2130
<b>Undertakers</b>	
not to carry on business without license.....	2129
license to be issued by Department of Health.....	2129
penalty for neglect to take out license.....	2130
return as to burials .....	2130
penalty for neglecting to make return.....	2130

**EMERGENCY HOSPITALS FOR COMMUNICABLE DISEASES**

Establishment by Health Officer .....	3368
---------------------------------------	------

**EMPLOYMENT AGENCIES**

<b>Employment Agency</b>	
what to include .....	2153
regulations as to .....	2154
<b>Enquiries</b>	
regulations as to .....	2155
<b>Fees</b>	
regulations as to .....	2154
<b>Inspection</b>	
regulations as to .....	2154
<b>Licenses</b>	
issue of, by Deputy Minister .....	2153
term of .....	2153
separate fee for each municipality .....	2153
regulations as to .....	2154
carrying on business without, penalty for.....	2154
regulations as to revocation and cancellation .....	2155
<b>Penalty</b>	
for carrying on business without license.....	2154
<b>Private Employment Agency</b>	
what to include .....	2153
regulations as to .....	2154
<b>Records</b>	
regulations as to .....	2154
<b>Security</b>	
regulations requiring .....	2154
<b>Voluntary Employment Agency</b>	
meaning of .....	2153
regulations for examination of .....	2154

**EMPLOYMENT BUREAUX**

<b>Labour Department</b>	
regulation and control .....	757

**EMPLOYMENT SERVICE COUNCILS**

regulations as to .....	757
-------------------------	-----

**ENGINEERS**

	PAGE
see Professional Engineers .....	2100
see Stationary and Hoisting Engineers .....	2113

**ENGLISH LANGUAGE**

pleadings to be in .....	942
--------------------------	-----

**ENGLISH LAW**

<b>Evidence</b>	
adoption of rules of .....	1375
<b>Poor Laws</b>	
exception as to adoption of .....	1375
<b>Property and Civil Rights</b>	
adoption of .....	1375

**ENTOMOLOGICAL SOCIETY OF ONTARIO**

continued as body corporate.....	792
----------------------------------	-----

**ENTRY OF HORSES AT EXHIBITIONS**

<b>Classification</b>	
determination to what, horse, etc., belongs .....	3442
<b>Name</b>	
prohibition against entering under assumed .....	3442
against change of name.....	3442
<b>Penalty</b>	
for violation of Act.....	3442

**EPIDEMICS**

<b>Vaccination</b>	
enforcing, in case of .....	3409

**EPILEPTICS, HOSPITAL FOR**

<b>Inspection of</b>	
see Prisons and Public Charities Inspection .....	4145

**ESCHEATS AND FORFEITURES**

<b>Rights of Crown</b>	
proceedings by Public Trustee for recovery of lands.....	1386
grant of escheated or forfeited land .....	1386
actual entry not required .....	1386
release of right of forfeiture by Crown .....	1386
grant of personal property by Crown .....	1387

**ESTATES, LIMITATION OF**

see Conveyancing and Law of Property .....	1393
--	------



**ESTATES TAIL**

	PAGE
<b>Administrator</b>	
not to be protector of settlement.....	1428
<b>Appointment</b>	
when deemed a part of settlement.....	1425
<b>Assurance</b>	
to be deemed settlement.....	1425
by tenant in tail, how made.....	1431
registration of, time for.....	1431
exception as to certain leases.....	1431
consent of protector to, how to be given.....	1431
to be irrevocable.....	1432
by married woman.....	1432
registration of, when required.....	1432
<b>Bare Trustee</b>	
not to be protector of settlement.....	1428
<b>Base Fee</b>	
enlargement of into fee simple by tenant in tail.....	1425
saving as to rights in prior estates.....	1426
consent of protector to disposition of.....	1430
not to merge when united with remainder.....	1431
<b>Devolution of Estates Act</b>	
not to govern estate tail.....	1459
<b>Equity</b>	
rules as to objects of appointment excluded.....	1430
rules of not to apply to dispositions.....	1432
<b>Executor</b>	
not to be protector of settlement.....	1428
<b>Expectant Interest</b>	
prohibition as to disposition of by tenant in tail.....	1426
<b>Fraudulent Conveyance</b>	
by tenant, validity of as against heirs, etc.....	1388
<b>Infant</b>	
effect of disentailing assurance.....	1915
death of infant.....	1915
<b>Lapse</b>	
not caused by death of donee leaving issue.....	1482
<b>Limitations</b>	
bar of tenant effectual as to estates which might have been barred by him.....	1187
death of tenant, time extended by.....	1188
possession under assurance by tenant running against subse- quent estate.....	1188
<b>Married Woman</b>	
protector of settlement, when.....	1427
not to be protector in respect of dower.....	1428
consent of to disposition, how given.....	1432
<b>Money</b>	
character of when directed to be invested in entailed lands....	1433

## ESTATES TAIL—Continued

PAGE

## Protector of Settlement

who deemed to be .....	1426, 1427
in case of joint ownership.....	1427
when married women to be.....	1427
as to estates confirmed or restored by settlement.....	1427
certain lessees and other persons not to be.....	1428
where owner of prior estate excluded.....	1428
power of settlor to appoint.....	1428
registration of appointment of .....	1428
when Supreme Court to be.....	1429
consent of to disposition of land.....	1429
where tenant in tail not entitled to remainder.....	1429
where estate converted into base fee.....	1430
agreement by to withhold, void.....	1430
Court not to control or restrain exercise of.....	1430
exclusion of certain rules of equity as to giving.....	1430
consent of to dispositions, how given.....	1431, 1432
to be irrevocable .....	1432
by married woman .....	1432
registration of, when required .....	1432
consent of Supreme Court to disposition of land.....	1432

## Settlement \*

assurance deemed to be .....	1425
appointment in exercise of a power deemed to be.....	1425
date of .....	1425

## Supreme Court

when to be protector .....	1429
consent of to disposition .....	1433

## Tenants in Tail

invalidity of warranties by.....	1425
disposition of land by in fee simple, etc. ....	1425
exception as to tenants restrained from barring.....	1425
base fee, enlargement of by.....	1425
saving as to rights in prior estates.....	1426
prohibition as to disposition of expectant interest.....	1426
mortgages by, effect of .....	1426
confirmation by of avoidable estate by subsequent disposition .....	1430
where consent of protector withheld.....	1430
assurances by, how to be made.....	1431
registration of .....	1431
consent of protector to, how given.....	1431
equitable jurisdiction of courts not to apply to disposition by .....	1432
consent of Supreme Court to disposition by.....	1433

## Warranties

invalidity of .....	1425
---------------------	------

## ESTREATS

## Clerk of the Peace

making up roll and issuing execution.....	1368
recording estreat of recognizance by county judge's criminal .....	1369
court, police magistrate or justice of the peace.....	1369
to certify and transmit copy of roll and return to treasurer .....	1371
of Ontario and inspector .....	1371

## Constable

judge may remit fine for non-attendance of.....	1370
---	------

## Coroner's Inquest

finer imposed at .....	1324
------------------------	------

**ESTREATS—Continued**

	PAGE
<b>County Judge's Criminal Court</b>	
procedure as to recognizances forfeited in .....	1369
<b>Discharge of Recognizance</b>	
effect of order .....	1371
<b>Fines</b>	
entry and record of estreat .....	1368
direction of judge to forbear levying .....	1370
<b>Imprisonment</b>	
in default of goods and lands .....	1369
discharge out of custody on giving security to sheriff .....	1371
<b>Juror</b>	
fine for non-attendance .....	1102
judge may remit fine for non-attendance of .....	1370
<b>Justice of the Peace</b>	
procedure as to recognizances forfeited for non-appearance before .....	1369
<b>Police Magistrate</b>	
procedure as to recognizances forfeited by non-appearance before .....	1369
<b>Police Stations</b>	
recognizances taken by constables at .....	1299, 1300
<b>Recognizances</b>	
entry and record of estreat .....	1368, 1369
for appearance as witness, report of officer as to default .....	1369, 1370
list to be laid before judge .....	1370
not to be estreated without judge's order .....	1370
forbearance from estreating .....	1370
discharge of in a proper case .....	1371
<b>Roll</b>	
contents and preparation of .....	1368
affidavit verifying .....	1368
transmission to central office, or retention in office of clerk of the peace .....	1368
duplicate with writ of execution and capias to be sent to sheriff .....	1368
certified copy if transmitted to another county .....	1368
county judge's criminal court and police magistrate or justice of the peace .....	1369
submitting to judge for revisor .....	1370
discretion of court as to execution .....	1370
entry of minute where levy not to be made .....	1370
return by sheriff .....	1371
transmission to treasurer and inspector of legal offices .....	1371
<b>Rules of Court</b>	
as to practice and procedure .....	1371
<b>Sheriff</b>	
transmission of roll and writ of execution and capias to .....	1368
mode of levying .....	1369
procedure for sale of land under writ .....	1370
effect of order discharging recognizance .....	1371
return of roll and writ .....	1371
payment over of moneys levied .....	1371

**ESTREATS—Continued**

	PAGE
<b>Witnesses</b>	
report on recognizances forfeited for non-appearance of.....	1369, 1370
<b>Writ of Execution and Capias</b>	
form of .....	1372
concurrent writ .....	1368
duration of, renewal .....	1368
alias may be issued .....	1368
mode of procedure under .....	1369, 1370
sale of lands under.....	1370
effect of order discharging recognizance .....	1371
return, how made .....	1371
sheriff to pay over money collected to Treasurer of Ontario....	1371

**EVIDENCE**

<b>Account</b>	
proof of by copy, notice of intention .....	1210
inspection of copy, notice of objection .....	1210
costs of producing originals .....	1210
<b>Action</b>	
meaning of .....	1197
<b>Adultery</b>	
parties to action for, competent but not compellable.....	1198
when husband or wife not bound to answer .....	1198
<b>Adverse Witness</b>	
evidence as to inconsistent statements of .....	1202
<b>Affidavits</b>	
application of Act to evidence taken by .....	1197
certificate to be given when deponent affirms.....	1199
before whom to be sworn when made out of Ontario.....	1206
formal defects, when not to vitiate .....	1207
<b>Affirmation</b>	
form of administration, what binding .....	1199
when to be substituted for oath .....	1199
certificate on affidavit, etc., that deponent entitled to affirm....	1199
before whom to be made when made out of Ontario .....	1206
formal defects when not to vitiate .....	1207
<b>Air Service</b>	
proof of death in .....	1208
<b>Appointments to Office</b>	
how proved .....	1202
what to be prima facie evidence of .....	1202
<b>Arbitrator</b>	
application of Act to proceedings before.....	1197
See Arbitrations .....	1121, 1122
<b>Attestation</b>	
when evidence of, not necessary .....	1210
<b>Bills of Exchange</b>	
protests of to be prima facie evidence wherever made.....	1205, 1206

**EVIDENCE—Continued**

	PAGE
<b>Bill of Lading</b>	
proof of by copy, notice of intention .....	1210
inspection of copy, notice of objection .....	1210
cost of producing original .....	1210
<b>Books of Account</b>	
proof of entries by departments of Government of Canada or Ontario .....	1204
<b>Books of Corporation</b>	
entries in, proof of .....	1203
<b>Breach of Promise to Marry</b>	
corroborative evidence required .....	1198
<b>By-laws of Corporation</b>	
what proof of receivable .....	1203
<b>Certified Copies</b>	
prima facie evidence of proclamations, orders, etc.....	1202
proof of official documents by .....	1202, 1203
proof of entry in government books of account by .....	1204
proof of handwriting of person certifying, not required .....	1205
admissibility of, in case of depositions without proof of signature of judge, etc. ....	1207
of registered instruments, admissibility of .....	1209
of original documents produced by public officer .....	1209
<b>Commercial Documents</b>	
proof of by copies, notice of intention .....	1210
inspection of copies, notice of objection.....	1210
costs of proving original .....	1210
<b>Commission</b>	
taking testimony for use in foreign court under .....	1211
<b>Competency of Witnesses</b>	
no incapacity from crime or interest .....	1197
admissibility notwithstanding interest or previous conviction..	1197
<b>Contradictory Statements</b>	
proof of, in cross examination of witness .....	1201
<b>Conviction of Witness</b>	
how proved .....	1201
<b>Corporations</b>	
how by-laws, etc., of may be proved .....	1203
<b>Corroboration</b>	
required in action for breach of promise of marriage.....	1198
in actions by or against executors, etc. ....	1199
in actions by or against lunatics, etc. ....	1199
<b>Court</b>	
meaning of .....	1197
<b>Crime</b>	
witness not to be incapacitated by .....	1197
admissibility of witness notwithstanding conviction .....	1197
<b>Cross Examination</b>	
as to previous statement of witness, when permissible.....	1201
proof of contradictory oral statements .....	1201
proof of previous conviction, how made .....	1201

**EVIDENCE—Continued**

	PAGE
<b>Crown Witnesses</b>	
allowance to, see Crown Witnesses .....	1365
<b>Deceased Person</b>	
proof of death on military or naval service .....	1208
corroborative evidence required by opposite party in proceedings by or against representatives.....	1199
<b>Declarations</b>	
before whom to be made when made out of Ontario .....	1206
formal defects, when not to vitiate .....	1207
<b>Delivery Order</b>	
proof of by copy, notice of intention .....	1210
inspection of copy, notice of objection .....	1210
costs of producing original .....	1210
<b>Departmental Records</b>	
objecting to production on ground of privilege.....	1204
entries in books of account, prima facie evidence as to.....	1204
<b>Division Court Judgment</b>	
proof of, in support of title under sheriff's deed.....	1206
<b>Documents</b>	
application of Act to evidence furnished by .....	1197
statutes, proclamations, orders in council, etc.....	1202
official documents, certified copies .....	1203, 1204
objecting to produce on ground of privilege .....	1204
departmental book of account .....	1204
where of public nature and admissible on production .....	1204
registered instruments .....	1209
business or other transactions .....	1210
powers of court as to ordering the impounding of .....	1210
witness to signature need not be called where attestation not necessary .....	1210
production of before commission from foreign court .....	1211
<b>Drainage Referees</b>	
signatures to be judicially noticed .....	1204
<b>English Law</b>	
adoption of rules of .....	1375
<b>Exemplification</b>	
under seal of court .....	930
proof of letters patent by production of .....	1202
proof of foreign judgments by .....	1205
<b>Expert Evidence</b>	
limit of number of witnesses .....	1198
<b>Fees</b>	
on certificate of previous conviction of witness.....	1201
for certified copies of extracts of public books or documents..	1204
<b>Fines and Penalties</b>	
what evidence required when enforcing .....	1373
<b>Foreign Court</b>	
obtaining testimony for use in .....	1211
<b>Foreign Judgments</b>	
how proved .....	1205

**EVIDENCE—Continued**

	PAGE
<b>Gazette</b>	
copies of official documents to be prima facie evidence of originals .....	1203
notice of proclamation, etc., to be prima facie evidence .....	1203
<b>Governor-General</b>	
evidence of order of .....	1203
<b>Handwriting</b>	
proof not required in case of person certifying to copies of official documents .....	1205
comparison of, with genuine writing .....	1210
<b>Husband</b>	
competent and compellable witness when wife a party.....	1197
exception as to adultery .....	1198
not compellable to disclose communications of wife .....	1198
<b>Impounding Documents</b>	
order for .....	1210
<b>Interest</b>	
witness not to be incapacitated by .....	1197
<b>Interrogatories</b>	
application of Act to evidence taken under .....	1197
<b>Judges</b>	
signature to be judicially noticed .....	1204
<b>Judicial Proceeding</b>	
in other parts of Empire or in United States, proof of .....	1205
<b>King's Printer</b>	
copies of proclamations, etc., printed by, to be prima facie evidence .....	1203
<b>Law of England</b>	
to govern save as varied by statute .....	1375
<b>Letter</b>	
proof of copy, notice of intention .....	1210
inspection of copy, notice of objection .....	1210
cost of producing original .....	1210
<b>Letters of Administration With Will Annexed</b>	
proof necessary to establish devise, etc., under will .....	1208
<b>Letters Patent</b>	
proved by production of exemplification or enrolment .....	1202
<b>Lieutenant-Governor</b>	
evidence of order of .....	1203
<b>Lunatic</b>	
corroborative evidence required on part of opposite party.....	1199
<b>Medical Examination of Party</b>	
order for .....	925, 926
<b>Military Service</b>	
proof of death in .....	1208

**EVIDENCE—Continued**

	PAGE
<b>Mining Court</b>	
signature of judge to be judicially noticed .....	1204
<b>Naval Service</b>	
proof of death in .....	1208
<b>Notarial Acts and Instruments</b>	
proof of when made in Quebec .....	1205
how rebutted or set aside .....	1205
protests wherever made, prima facie evidence .....	1205
proof of signature and seal unnecessary .....	1207
<b>Oath</b>	
form of administration, what binding .....	1199
when affirmation may be substituted for .....	1199
certificate that deponent entitled to affirm .....	1199
who may administer out of Ontario .....	1206
administering to witnesses before commission from foreign court .....	1211
<b>Official Documents</b>	
copies in Canadian and Provincial Gazettes to be prima facie evidence .....	1203
proof of by production of certified copies.....	1203
objecting to production on ground of privilege.....	1204
copies of entries in departmental records.....	1204
copies of public books or documents.....	1204
to be furnished on payment of prescribed fee.....	1204
judicial notice to be taken of signatures of judges, etc.,.....	1204
proof of judicial proceedings in other parts of Empire or in United States .....	1205
proof of handwriting of person certifying to copy not required	1205
notarial acts and instruments.....	1205
protests of bills of exchange and promissory note.....	1205
proof of signature and seal of official, when unnecessary.....	1207
filing certified copy after production of original by public officer .....	1209
<b>Official Gazette</b>	
how proved .....	1202
<b>Orders in Council</b>	
what to be prima facie evidence of.....	1202
<b>Ordinances</b>	
how proved .....	1202
<b>Parties</b>	
competent and compellable witnesses.....	1197
competent but not compellable in action grounded on adul- tery .....	1198
<b>Penalty</b>	
witness, liability for disobeying subpoena.....	1199
in action to enforce, what evidence required.....	1373
<b>Perpetuation of Testimony</b>	
actions for .....	945
<b>Privilege</b>	
objection to production of official document on ground of.....	1204



**EVIDENCE—Continued**

	<b>PAGE</b>
<b>Probate</b>	
proof necessary to establish devise, etc., under will .....	1208
<b>Proclamations</b>	
how proved .....	1202
what to be prima facie evidence of .....	1202, 1203
<b>Promissory Notes</b>	
protests of to be prima facie evidence wherever made .....	1205, 1206
<b>Protests</b>	
to be prima facie evidence wherever made .....	1205
<b>Provincial Secretary</b>	
official signature by command, effect of as evidence .....	1203
<b>Public Officer</b>	
procedure on production of original document by .....	1209
<b>Public Records</b>	
copies, admissibility of .....	1203
fee for certified copies of .....	1204
<b>Railway Commissioners of Canada</b>	
signatures to be judicially noticed .....	1204
<b>Railway and Municipal Board</b>	
signatures of members to be judicially noticed .....	1204
<b>Receipt</b>	
proof of by copy, notice of intention .....	1210
inspection of copy, notice of objection .....	1210
costs of producing originals .....	1210
<b>Registered Instruments</b>	
certified copies to be prima facie evidence .....	1209
notice of intention to use certified copies .....	1209
cost of production and proof of original .....	1209
<b>Regulations</b>	
how proved .....	1202
what to be prima facie evidence of .....	1202
<b>Seal</b>	
when proof of dispensed with as to oaths, etc., taken out of Ontario .....	1207
<b>Secretary of State</b>	
official signature by command, effect of as evidence .....	1203
<b>Sheriff's Conveyance</b>	
proof of division court judgment in support of .....	1206
<b>Shipping Bill</b>	
proof of by copy, notice of intention .....	1210
inspection of copy, notice of objection .....	1210
cost of producing original .....	1210
<b>Signature</b>	
when proof of dispensed with, as to oaths, etc., taken out of Ontario .....	1207
proof of unnecessary in case of certified copy of depositions ..	1207
proof of, dispensed with as to foreign probates .....	1208
<b>Signature of Judge, etc.</b>	
judicial notice of .....	1204

**EVIDENCE—Continued**

	PAGE
<b>Soldier</b>	
proof of death while on service .....	1208
<b>Statutes</b>	
how proved .....	1202
<b>Subpoena</b>	
liability for damages in case of disobedience.....	1199
<b>Telegram</b>	
proof of by copy, notice of intention.....	1210
inspection of copy, notice of objection.....	1210
costs of producing original .....	1210
<b>Vendors' and Purchasers' Act</b>	
sufficiency in action of evidence declared sufficient by.....	1210
<b>Wife</b>	
competent and compellable witness where husband a party	1197
exception as to adultery.....	1198
not compellable to disclose communications of husband.....	1198
<b>Wills</b>	
how devise, etc., of land in Ontario proved.....	1208
where will proved out of Ontario.....	1208
<b>Witness</b>	
not incapacitated by interest or crime.....	1197
parties and their husbands and wives to be competent and	
compellable .....	1197
exception as to adultery .....	1198
communications between husband and wife.....	1198
not excused because answer may criminate or expose to action	1198
answer not to be used against him.....	1198
experts .....	1198
corroboration, when required .....	1199
to be sworn in form declared to be binding.....	1199
affirmation in lieu of oath, when allowed.....	1199
certificate on affidavit, etc., that deponent entitled to affirm....	1199
liability for damages in case of non-attendance on subpoena..	1199
cross examination, use of previous written statement.....	1201
proof of contradictory oral statements of.....	1201
proof of previous conviction, after denial or refusal to answer	1201
character evidence, not to be given against by party calling....	1202
proof of inconsistent statements, when witness shewn to be	
adverse .....	1202
admissibility of certified copy of depositions without proof of	
signature of judge, etc.....	1207
to document, need not be called unless attestation required	1210
as to handwriting .....	1210
before commission from foreign courts.....	1211
<b>Witness Fees</b>	
officers producing documents .....	941
<b>Writing</b>	
comparison of in case of dispute as to genuineness.....	1210

**EXCHEQUER COURT**

jurisdiction of .....	901
-----------------------	-----

**EXECUTION**

	PAGE
<b>Absconding Debtors</b>	
See Absconding Debtors .....	1254
<b>Administrator</b>	
seizure and sale of interest of intestate in land under execution against .....	1232
<b>Animals</b>	
extent of exemption of .....	1223
<b>Attachment</b>	
proceeds of sale of tools exempt from .....	1223
when municipal officers may be proceeded against by .....	1233
<b>Bank Notes</b>	
duty of sheriff as to seizing .....	1226
<b>Beds and Bedding</b>	
exemption of .....	1222
<b>Bees</b>	
exemption of 15 hives .....	1223
<b>Bond to Sheriff</b>	
indemnity against costs of suing on securities seized .....	1227
indemnity upon seizure of property in possession of third party .....	1227
sufficiency to be determined by judge .....	1227
on taking action for enforcement of mortgage .....	1229
<b>Church Pews</b>	
sale of interest in .....	1231
churchwardens, etc., may purchase interest in .....	1231
execution of deed to purchaser .....	1231
liability for arrears of rent .....	1232
<b>Claimant</b>	
seizing property in possession of third party .....	1227
rights of sheriff as to interpleader .....	1228
<b>Contingent Interests</b>	
liability to seizure and sale .....	1231
<b>Debtor</b>	
what exemptions may be claimed by .....	1222
right to part payment of sale of tools .....	1223
moneys received to be exempt from attachment or seizure .....	1223
death of, effect on exemptions .....	1223
right to select chattels exempted .....	1223
<b>Division Court</b>	
execution against goods binds only from time of seizure .....	1224
seizure and sale of equitable interest in goods .....	1226
See Division Courts .....	1006
<b>Dower</b>	
inchoate right to, not liable to seizure or sale .....	1231
<b>Equitable Interest</b>	
in land available under execution .....	1223, 1230
in shares and dividends, proceedings for seizure and sale .....	1224, 1225
in chattels .....	1226
where execution issues from division court .....	1226

**EXECUTION—Continued**

	<b>PAGE</b>
<b>Equity of Redemption in Land</b>	
liability to seizure and sale.....	1230
rights of purchaser from sheriff.....	1230
mortgagee purchasing to give release to mortgagor.....	1230
rights of mortgagor after payment of mortgage debt.....	1230
<b>Escape of Debtor</b>	
liability of sheriff for.....	302
limitation of action .....	1193
<b>Estreats</b>	
proceedings upon .....	1368
<b>Executor</b>	
seizure and sale of interest of testator in land under execution against .....	1232
<b>Executory Interest</b>	
liability to seizure and sale.....	1231
<b>Exemptions</b>	
free grant lands.....	432
what to include.....	1222
debtor electing to take part proceeds of tools, implements, etc. ....	1223
proceeds not subject to attachment or seizure by creditor...	1223
rights of widow of deceased debtor or his family.....	1223
right of selection of articles.....	1223
not to extend to debts contracted for particular articles.....	1223
extent of, in case of deposits with loan corporation.....	2435
material upon which advances made by municipal corporation	3222
<b>False Return</b>	
forfeiture of office by sheriff for.....	302
<b>Family</b>	
right of to goods exempt from seizure.....	1223
<b>Food</b>	
extent of exemption of .....	1222
<b>Free Grant Lands</b>	
extent of exemption .....	432
<b>Fuel</b>	
extent of exemption of .....	1222
<b>Furniture</b>	
extent of exemption of.....	1222
<b>Future Interest</b>	
liability to seizure and sale.....	1231
<b>Goods</b>	
title of bona fide purchaser without notice, not affected.....	1224
division court execution binds only from time of seizure.....	1224, 1226
seizure and sale of equitable interest in.....	1226
<b>Household Effects</b>	
extent of exemption of .....	1222
<b>Interpleader</b>	
rights of sheriff as to preserved.....	1228

**EXECUTION—Continued**

	PAGE
<b>Land</b>	
right to seizure and sale of.....	1228
when held in trust for execution debtor.....	1223
when to be bound by writ .....	1224
liability of .....	1224
contingent interests in, sale of.....	1231
sale of interest of testator may be sold under execution.....	1232
<b>Landlord and Tenant</b>	
forfeiture upon execution against tenant's interest.....	1940
satisfaction of landlord's claim.....	1951
<b>Land Titles Act</b>	
purchaser for value not affected by notice without registration .....	1619
<b>Leasehold Interests</b>	
seizure and sale of equitable interest in .....	1226
<b>Letters Patent of Invention</b>	
seizure and sale of rights in.....	1226
notice to patent office.....	1226
<b>Limitations</b>	
to remain in force as long as renewed.....	1187
actions for money levied .....	1193
<b>Mandamus</b>	
when municipal officers may be proceeded against by.....	1233
<b>Money</b>	
duty of sheriff as to seizing.....	1226
<b>Mortgage</b>	
discharge after seizure,—registration .....	1557
<b>Mortgagee's Interest</b>	
procedure in case of seizing .....	1228
sheriff's notice to registrar or master of titles.....	1228
effect of registration of notice .....	1228
notice to mortgagor, service of .....	1228
payments made by mortgagor .....	1229
remedies of sheriff for enforcing payment .....	1229
vacating seizure .....	1229
under chattel mortgage.....	1229
<b>Municipal Corporation</b>	
endorsement of direction to levy rate.....	1232
delivery of copy of writ and statement of claim to.....	1232
sheriff to strike rate and collector to levy.....	1232
rate rolls .....	1233
surplus, to be paid to treasurer.....	1233
clerks, assessors and collectors to be officers of court.....	1233
<b>Negotiable Instruments</b>	
liability to seizure and sale.....	1226
duty of sheriff as to seizing.....	1226
sheriff may sue in his own name for recovery.....	1226
effect of payment to sheriff.....	1227
proceeds, disposition of by sheriff.....	1227
sheriff not bound to sue unless indemnified .....	1227
<b>Patents of Invention</b>	
seizure and sale of rights under.....	1226

**EXECUTION—Continued**

	PAGE
<b>Personal Property</b>	
seizure and sale of equitable interest in .....	1226
<b>Fews</b>	
sale of interest in .....	1231
churchwardens, etc., may purchase interest in .....	1231
execution of deed to purchaser .....	1231
liability for arrears of rent .....	1232
<b>Possibility Coupled With Interest in Land</b>	
liability to seizure and sale .....	1231
<b>Power of Appointment</b>	
liability of property where power exercised by will .....	1231
<b>Priority</b>	
abolition of. See Creditors Relief .....	1234
<b>Purchaser for Value</b>	
rights of, how affected by execution against goods .....	1224
<b>Rates</b>	
sheriff's powers of striking and levying on execution against municipal corporation .....	1232
<b>Right of Entry</b>	
liability to seizure and sale .....	1231
<b>Securities</b>	
see Negotiable Instruments supra	
procedure in case of seizing a mortgagee's interest .....	1228
<b>Shares</b>	
liability to seizure .....	1224
notice by sheriff to bank or company .....	1224
effect of notice of seizure .....	1224
where seizure may be made .....	1225
where place for transfer, etc., not the place where seizure made .....	1225
procedure by sheriff after sale .....	1225
rights of purchaser from sheriff .....	1225
other remedies of creditors not affected .....	1225
equitable rights in .....	1225
<b>Sheriff</b>	
duties and responsibilities generally. See Sheriff .....	302
<b>Sheriff's Deed</b>	
to be registered within six months .....	1560
<b>Specialties</b>	
see Negotiable Instruments supra	
<b>Surplus</b>	
from a former execution exigible .....	1226
payment of to execution debtor .....	1227
to municipal corporation .....	1233
<b>Third Parties</b>	
sheriff not bound to seize property in hands of, unless indem- nified .....	1227
<b>Tools and Implements</b>	
extent of exemptions .....	1223
debtor may elect to take part proceeds of sale .....	1223

**EXECUTION—Continued**

	PAGE
<b>Wearing Apparel</b>	
exemption of .....	1222
<b>Widow</b>	
right of to retain chattels which are exempt from seizure...	1223
<b>Writ</b>	
binding on goods and lands from time of delivery to sheriff..	1224
not to prejudice title to goods in hands of bona fide purchaser without notice .....	1224
endorsement of time of receipt.....	1224

**EXECUTIVE COUNCIL**

<b>Assembly</b>	
Ministers may sit and vote in.....	250
re-election after appointment.....	253, 254
<b>Appointments</b>	
how made .....	269
<b>Contracts</b>	
when binding on Crown .....	270
<b>Crown</b>	
when bound by act of minister.....	270
<b>Deeds</b>	
when binding on Crown.....	270
<b>Departments</b>	
ministers to be heads of.....	269
prescribing duties of.....	269
<b>Great Seal</b>	
appointments to be under.....	269
<b>Jury Service</b>	
exemption of members from .....	1070
<b>Lieutenant-Governor</b>	
appointment of ministers by.....	269
<b>Ministers</b>	
appointment and salaries of .....	269
precedence of .....	269
heads of departments.....	269
without portfolio.....	269
transfer of powers and duties from one to another.....	270
acting temporarily for another.....	270
when Crown bound by acts of.....	270
<b>Minister of Lands and Forests</b>	
appointment and salary .....	269
<b>Officers of Departments</b>	
prescribing duties of, by order in council .....	269
<b>Order in Council</b>	
prescribing duties of ministers, departments and officers .....	269
transfer of powers and duties of ministers by.....	270
when not required .....	270

**EXECUTIVE COUNCIL—Continued**

	<b>PAGE</b>
<b>Power Commission</b>	
members may be appointed to.....	700
<b>President of Council</b>	
appointment and salary.....	269
<b>Prime Minister</b>	
additional allowance to.....	269
<b>Salaries</b>	
charge on consolidated revenue fund.....	270

**EXECUTORS**

<b>Actions Against</b>	
limitation of time for.....	1183, 1192
corroborative evidence required.....	1199
<b>Executions Against</b>	
seizure of testator's interest in land.....	1232
<b>Letters Probate</b>	
issue of, etc., see Surrogate Courts.....	976
<b>Rights and Liabilities Generally</b>	
see Trustees .....	1484
<b>Succession Duty</b>	
liability for collection of see Succession Duty .....	339

**EXHIBITION BUILDINGS**

powers of municipal councils as to .....	813
--	-----

**EXHIBITIONS**

<b>Dominion and Ontario Police</b>	
right of admission to .....	3287
<b>Entry of Horses</b> .....	3442
<b>Motor Vehicles</b> .....	3254
councils fixing rate of speed in grounds .....	3254

**EXPLOSIVES**

<b>Factories and Shops</b>	
storing of, in separate building.....	3471
<b>Malicious Use of</b>	
investigations into .....	1321
<b>Mines</b>	
storing and use of, regulations as to .....	559
<b>Municipal By-Laws</b>	
regulating keeping, storing, etc. ....	2837
<b>Railways</b>	
carriage of, on .....	2548



**EXTRA JUDICIAL SERVICES**

	PAGE
Judges of Supreme Court	
annual compensation for additional duties, payable quarterly	951

**EXTRA-MURAL EMPLOYMENT OF PRISONERS**

authorization for .....	4154
discipline,—rules and regulations as to .....	4154
chief parole officer,—appointment of .....	4154
custodial and other powers of, subject to direction of Board of Parole and to regulations .....	4154
recommendation for by Board of Parole .....	4154

**EXTRAORDINARY REMEDIES**

Crown	
not subject to .....	914

**EXTRA-PROVINCIAL CORPORATIONS**

<b>Actions</b>	
prohibition as to by unlicensed corporations .....	2275
may be maintained after restoration of license .....	2276
<b>Agent</b>	
may not represent unlicensed corporation .....	2273
for service of process, regulations as to appointment of .....	2274
<b>Annual Statement</b>	
to Registrar of Loan and Trust Corporations .....	2452
<b>Business</b>	
prohibition as to carrying on without license .....	2273
exceptions .....	2273
onus of proof as to agent or place of business .....	2273, 2274
penalty for carrying on, without license .....	2275
<b>Evidence</b>	
onus of proof as to carrying on business .....	2273, 2274
regulations as to, upon application for license .....	2274
of granting of license .....	2274
<b>Extra-Provincial Corporation</b>	
meaning of .....	2272
<b>Fees</b>	
on licenses .....	2276
<b>Forms</b>	
regulations as to .....	2274
<b>Licenses</b>	
corporations which do not require .....	2272, 2273
corporations which require .....	2273
prohibition as to carrying on business without .....	2273
applications for, conditions of .....	2274
regulations as to evidence upon applications for .....	2274
proof of to be furnished on application .....	2274

**EXTRA-PROVINCIAL CORPORATIONS—Continued**

	PAGE
<b>Licenses—Continued</b>	
notice of granting, publication of.....	2275
suspension, cancellation and restoration of.....	2275
penalty for carrying on business without.....	2275
fees for.....	2276
to certain corporations to deal in real estate.....	2274, 2275
annual statement of to Assembly.....	2276
<b>Minister</b>	
meaning of.....	2272
<b>Notices</b>	
publication of, as to granting license.....	2275
of suspension, revocation or restoration of license.....	2275
<b>Orders in Council</b>	
in special cases not covered by regulations.....	2274
<b>Penalty</b>	
recovery and remission of.....	2276
<b>Real Estate</b>	
licensees dealing in.....	2274, 2275
special power to corporations not requiring license.....	2276
<b>Regulations</b>	
meaning of.....	2272
powers of Lieutenant-Governor as to.....	2274
special Orders in Council, where regulations not suitable.....	2274
compliance with before issue of license.....	2274
<b>Returns</b>	
annual, by licensees and corporations to Minister.....	2275
to Assembly of licenses issued.....	2276
<b>FACTORS</b>	
see Agents, Contracts in Relation to Goods in Possession of..	1736
<b>FACTORIES, SHOPS AND OFFICE BUILDINGS</b>	
<b>Accidents</b>	
notice of where causing injury or death.....	3475, 3476
<b>Actions</b>	
limitation of time and amount.....	3479
<b>Address</b>	
occupier of factory to give notice of.....	3455
<b>Adolescent School Attendance Act</b>	
children not to be employed in contravention of.....	3451
<b>Age</b>	
onus of proof of.....	3478
<b>Application of Act</b>	
workers on repairs not within Act.....	3452
separate factories, etc., on same premises.....	3452
laundries, when to be deemed factories.....	3452
number of persons employed and power used.....	3452
shops, where family employed at home.....	3453