

DEBTOR—Continued

meaning of expression, 184, 195.
non-resident, liability of, 196.
return of property to, after attachment, 207.

DEBTS. arrest for, abolished, 195.

How assignable at law, 16, 5.
interest on, of estate in administration, 190.
obligations and liabilities, meaning of expression, 186.

DECEASED PERSON, representative of, in action, 70, 64.**DEFENDANT, attachment, special bail by in, 203.**

costs against, of several actions on one bond, 227.

of, against another defendant, 228.
interpleader, by, 217.

joinder of, 69, 60.

Meaning of expression, 5.

non-appearance of, at trial, 147.

notice of motion on, before defence, 123.

objection by, for want of parties, 73-74, 70, 69.

Possession of land, must show legal right to, 130.

protection of, after erroneous survey, 151.

recovery of land, in actions for, 67, 57.

replevin, indemnity of, in, 210-211.

when not permitted to defend, 157-158.

DEMURRER. (See Pleading; Statement of Defence), 100.

allowed, 118, 100.
effect of, 101.

forbidden in Ontario, 100.

multifariousness got rid of by, 61.
one, out of several defendants, by, 163.

ore tenus, 102.
pending, motion to strike out improper, if, 123.

plaintiff's substitute for, 123, 101.
plea, to, 101.

should be to whole, 102.
striking out proper practice if plea clearly bad, 102.

principles applied in sustaining, 101.
questions of law on pleadings in Ontario, 100.

examples of, 101.
setting down for hearing, 159.

statement of defence, in, 101.
practice on, 101.

DEPOSIT at Master's sale, 51, 38.

return of, to defendant, 83, 84.

where sale requested by mortgagor, 82, 83.

DEPOSITIONS, copies of, how used, 114.

corporation, of officer of, 115.

discovery examination, how taken on, 114.

evidence, use of, as, 115.

at trial, 129-136.

return of, to court, 115.

signing of, before Special Commissioner, 136.

DEPUTY CLERK OF CROWN AND PLEAS, duties of, 36, 19.

office of, 30.

powers of, 36, 19.

seals of office of, 30.

DEPUTY CLERKS, duties of, 35, 19.**DEPUTY OFFICERS. (See Officers.)****DIRECTIONS, administration order, as to carriage of, 189.**

foreclosure, after, in redemption action, 85, 87.

Further, motion on, 191.

Special, after originating notice, 226.

third party practice, application for, in, 78, 77.

DISCLOSURE, affidavit verifying, 55.

no cross-examination on, 55.

demand for, 55.

partners, by, 66.

plaintiff's, by, 65, 54.

solicitors, by, 65, 54.

staying proceedings for failure to make, 65-66, 55, 54.

DISCONTINUANCE of action, 144.

abandonment of action, 190.

form of, 248.

form of judgment for costs on, 304.

notice of, 187.

time for, 187.

withdrawal of, 191, 187.

consent on, 187.

with costs, 187.

without costs, 187.

DISCOVERY. (See Examination of Judgment Debtor; Corporations; Examination; Libel.)

examination viva voce, for, 139.

affidavit on production, on, 139.

conclusive in Ontario, 139.

in certain cases when claiming privilege in Manitoba, 147.

corporation of, 140.

answers on, compelling, 158.

appointment, 142.

original must be served on solicitor, 144.

subpoena on party, 142.

service of, 143, 142.

attendance, 141.

compelling, 141.

penalty for non-, 143.

subpoena, 165, 143, 142.