

**Mandamus—**

Public body required to perform statutory duty, 115  
Prerogative writ—Summary application—Entitling affidavits, 115  
Does not lie when nothing pending in court below, 276  
To Police Magistrate, 276  
*See* Municipal law.

**Manslaughter—**

Provocation as a defence, 55

**Maritime Law—**

Ship to be discharged with all reasonable despatch—Delay, 94  
Charter party—Ballast—Obligation to furnish, 147  
Necessaries supplied to ship—Owner domiciled in Canada, 305  
Supreme Court in Equity, N.B.—Jurisdiction in account between co-owners, 366  
Persuading seamen to desert, 779  
Collision—"Overtaken" vessel, 783  
Careless navigation, 783.  
*See* Charter party—Insurance (Marine).

**Marriage—**

Domiciled British subject—Prohibited degrees, 64  
Law of, in Quebec, 91, 209  
*See* Husband and wife.

**Marriage settlement—**

Mistake—Rectification, 185  
*See* Fraudulent conveyance.

**Married women—**

Property Act discussed, 720  
As next friends, 53  
Separate property—Defect in law of, 51  
Settlement by infant—Repudiation, 67  
Proof of, 509  
Terms of judgment and execution against, 437  
Contract of—Property liable to execution against, 151  
Restraint on anticipation, 151, 688  
Presumption as to child bearing, 343  
Power of appointment—Release of, 688  
Before passing of act—Income, 765  
*See* Husband and wife—Marriage settlement.

**Master and servant—**

Share of profits—Sale of business, 226  
False imprisonment by servant—Master's liability—Implied authority, 296  
Wages by the year—Service for part of year, 340  
Agreement to employ servant—Refusal to provide work—Dismissal, 807  
Dual employment—Profits, 818.  
Negligence—Workmen's Compensation Act—Foreman, 26  
Licensee, not trespasser, 27  
Defendant's servant—Unauthorized act—Evidence of authority, 58  
Fellow servant—Machine sufficient, but failure to manage, 80  
Superintendent, 80  
Evidence, 428  
Dangerous machine—Absence of guard—Contributory negligence, 226  
Defective plant, 415  
Failure to fence or inspect unused place, 428  
Notice of injury—Excuse for, 699  
Evidence—Statement of deceased—Cause of injury, 699  
Negligence of servant of one person lent to another, 779  
"Young girl"—*See* Factories Act.  
*See* Damages—Factories Act.