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1898

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CONTENTS.

KA 82

THE DOMINION OF CANADA.

Admiralty Jurisdiction in Canada	PAGE.
ing in all Provinces outside of Ontario	151
Commissioners for taking Affidavits Exchequer Court of Canada	5
Extradition Law (Synopsis)	4
Extradition Treaties, Declarations and Conventions of Great Britain	10
Index to Advertisements	11
Index to Advertisements	180
Index to Legal Cards Law Correspondents (Foreign)	177
Law Correspondents (Foreign) Pardons	164
Pardons	12
Patent Attorneys Privy Council	166
Privy Council	16
Summary of the Acts of Parliament of the Dominion of Canada Supreme Court of Canada	13
	3

PROVINCES AND NEWFOUNDLAND.

Diffish Columbia	
Manitoba	75
Manitoba	85
New Brunswick	95
Newfoundland	37
North-West Territories)3
Nova Scotia)7
Ontario	7
Prince Edward Island	
Quebec 11	9
(Bailiffs, see page 140) 12	5

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6
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English Harbour, Charles Clinton

Ferryland, John Ryan

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- Halifax, N. S., Jonathan Parsons, Barrister
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- New Westminster, B.C., F. J. Hart, Commission Merchant.

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Fred Swinson, Solicitor, 35 Temple Row

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Dublin, Francis J. Little, Solicitor, 31 Molesworth street

SCOTLAND

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9

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Commissioner under the Naturalization Act.

L. W. Sicotte, Montreal

Extradition Commissioners throughout the Dominion of Canada,

- Hon. Hugh Richardson, Battleford, N. W. T., 25th April, 1883.
- Hon. Edgar Dewdney, Victoria, B. C., 25th April, 1883.
- Alexander Bartlett, Windsor, Ont., 23rd June, 1883.
- Thomas Stinson Jarvis, Niagara Falls, Ont., 15th October, 1883.
- Calixte Aimé Dugas, Montreal, Que., 27th March, 1885.
- Charles B. Rouleau, Battleford, N. W. T., 3rd September, 1885.
- Alexandre Chauveau, Quebec, Que., 24th May, 1887.
- Harry Lawrence Ingles, Niagara Falls, Ont., 7th March, 1889.
- Albert Edward Beck, Vancouver, B. C., 20th August, 1890.
- Louis Wilfred Sicotte, Montreal, Que., 26th January, 1891.
- Ludovic Brunet, Quebec, Que., 20th August, 1896.
- Henry Walter Mulvena, Sherbrooke, Que., 14th October, 1896.

EXTRADITION.

Ι.

FROM CANADA.

In Canada, as in all other British possessions, the Extradition system known as the "Judicial system" prevails. By this system, while the Executive Government decides finally the question of delivery and makes the delivery of the fugitive, the judicial authorities make the preliminary investigation of the criminality of the person whose surrender is sought.

The authorities competent to make the preliminary investigation of the crime are mentioned in R. S. C. cap. 142, "The Extradition Act," sec. 5. These are, in addition to the Judges of the Superior Courts and of the County Courts of any province, all Commissioners appointed under the Great Seal of Canada to act judicially in extradition matters. Such commissioners have all the powers and jurisdiction of any Judge or Magistrate for the purposes of "The Extradition Act."

The Extradition Act prescribes the procedure to be followed and the delays within which extradition may be granted after the fugitive has been duly committed. It also prescribes what evidence shall be sufficient to justify the committal. The crimes for which extradition may be granted are limited to those specified in the treaties which Great Britain has on the subject with the various countries of the would. It seems pretty certain that extradition without treaty cannot be granted under the existing law of Canada.

The prisoner having been duly committed for surrender, the committal is notified by the Judge or Commissioner to the Minister of Justice; but fifteen days must elapse before the Minister of Justice issues his warrant of surrender (section 12), and this is not done in any case until the requisition for the surrender has been received through the proper channel from the foreign government. The requisition generally states the name of the officer who is authorized to receive and take charge of the fugitive and convey him to the foreign country, and the Minister of Justice's warrant is addressed to such officer and to the sheriff or other officer having the custody of the prisoner.

II.

FROM A FOREIGN COUNTRY TO CANADA.

In connection with demands for the extradition of fugitives from any country having a treaty with Great Britam, it may be stated that all steps necessary towards securing the arrest of the fugitive and his committal for extradition must be taken by the party seeking the extradition. This, of course, includes swearing out any information and obtaining any warrant and evidence requisite to that end. Generally speaking, the action of the Dominion Government is limited to making through the proper channel on the foreign Government the necessary demand or requisition under the treaty for the surrender of the fugitive, and to furnishing to the parties seeking the extradition a warrant of *recipias* directed to the officer who is to take charge of the prisoner. The demand or requisition is made at the request of the Provincial Government concerned, the Provincial authorities being charged with the administration of criminal justice; if made at the request of an individual or company, the Dominion Government require to be indemnified against any expense in connection with the proceedings. Of course.

any authentication of documents or official signatures required is given by the Dominion; also, any certificate, etc., which may be necessary. It should be remembered that the signatures and seals of Provincial officers have to be first authenticated by the Lieutenant Governor.

The Canadian Extradition Act simply gives the procedure in this country. The crimes for which fugitive offenders may be extradited are contained in the various treaties in subjoined list.

III.

FROM UNITED STATES TO CANADA.

Fugitive offenders may be extradited from and to the United States as follows:

All persons who, being charged with the crime of murder, or assault

with intent to commit murder, or piracy, or arson, or robbery, or forgery, or the utterance of forged paper. Manslaughter when voluntary.

Counterfeiting or altering money; uttering or bringing into circulation counterfeit or altered money. Embezzlement; larceny; receiving any money, valuable security,

or other property, knowing the same to have been embezzled, stolen, or

Fraud by a bailee, banker, agent, factor, trustee, or director or member or officer of any company, made criminal by the laws of both

Perjury, or subornation of perjury. Rape, abduction, child stealing, kidnapping.

Burglary, house breaking or shop-breaking.

Piracy by the law of nations.

Revolt, or conspiracy to revolt by two or more persons on board a ship on the high seas, against the authority of the master; wrongfully sinking or destroying a vessel at sea, or attempting to do so; assaults on board a ship on the high seas, with intent to do grievous bodily harm.

Crimes and offences against the laws of both countries for suppression of slavery and slave-trading.

Extradition is also to take place for participation in any of the crimes mentioned in this Convention or in the Tenth Article in sub-

joined list, provided such participation be punishable by the laws of both

Akin to the subject of extradition is the surrender of fugitive Akin to the subject of extratition is the sufference of fugitive offenders from other parts of Her Majesty's dominions. This is governed by R. S. C. cap. 143, "The Fugitive Offenders Act," which is almost an exact transcript of the Imperial Act upon the same subject.

LIST OF THE EXISTING EXTRADITION TREATIES, DECLARATIONS

AND CONVENTIONS OF GREAT BRITAIN.

Argentine Republic....22nd May, 1889 (rat. 15th December, 1893.) Austria-Hungary..... Treaty of December 3rd, 1873. Belginm And Declaration of April 21st, 1887. Denmark Treaty of March 31st, 1873. Germany Treaty of May 14th, 1872.

THE CANADIAN LAW LIST-EXTRADITION.

Guatemala	
Guatemala	
Treaty of February 5th, 1873.	
Hayti Treaty of February 5th, 1873. Italy And Declaration of May 7th, 1873.	
16th December 1892.	
Liberia	
Liberia	
Luxembourg Treaty of September 7th, 1886. Mexico	
Monaco It in December 1874	
Monaco	
Roumania	
Roumania	
Russia	
Salvador	
Spain	
Sweden and Norway Treaty of June 26th, 1873.	
Sweden and Norway . Treaty of November 26th, 1880. Switzerland Art IV of Treaty of November 29th, 1879.	
Switzerland Art IV of Treaty of November 29th, 1879.	
Switzerland Treaty of November 20th, 1879. Tonga * Art IV. of Treaty of November 29th, 1879.	
in the second state of the second of the 1842	
United States And Protocol of Sally States 9th, 1842. United States Art X, of Treaty of August 9th, 1842. And Blaine-Pauncefore Treaty of 12th July, 1889.	ł
" " And Diame-1 amount 1884.	
Truguay Treaty of Watch 20th, 20th	
Orugau, to British Territory.	

* Tongon subjects escaping to British Territory.

PARDONS.

In the matter of pardons of convicts in the penitentiaries, prisons, juils and reformatories, the application for elemency should be prepared in the form of a petition addressed to His Excellency the Governor-General, stating the age and name of the convict or prisoner, name of the Judge or Magistrate who tried and sentenced him, crime committed and date of sentence, term of imprisonment, where incarcerated and reasons for seeking the exercise of the clemency of the Grown. This petition should be addressed to the Secretary of State at Ottawa and signed by one or more persons, with any documentary evidence or letters is then submitted to the Department of Justice, where full enquiries are made into the case, and the papers are subsequently laid, with the advice of the Minister of Justice, before His Excellency the Governor-General, whose pleasure is communicated by the Secretary of State of the parties interested and to the Warden of the Penitentiary or Keeper of the Jail as the case may be.

In capital cases, the Judge, after sentencing the prisoner, forwards under the authority of Section 937 of "The Criminal Code, 1892," a copy of the evidence and his report to the Secretary of State. Any application for the commutation of the death sentence should be addressed to His Excellency the Governor-General in Council, through the Secretary of State, in the form of a petition setting forth reasons for such application in various paragraphs, etc., 1, 2, 3. The application or applications are referred to the Minister of Justice, and are there carefully considered and submitted by him, with his recommendation, to the Governor-General in Council, whose pleasure is communicated to the interested parties by the Secretary of State.

REMISSION OF FINES.

Where a remission of a fine is sought, action is only taken upon the report of the Department concerned.-for instance, the Department of Inland Revenue, Customs Department, etc.

13

SUMMARY OF THE ACTS OF THE PARLIA-MENT OF THE DOMINION CANADA.

Passed in the Second Session of the Eighth Parliament, Sixtieth Victoria (1897); Schedule of Titles attached.

FUBLIC GENERAL ACTS.

Chapters I and 2-Are Appropriation Acts.

Chapter 3-Authorizes the raising of a loan not to exceed fifteen million dollars for the purpose of paying the floating indebtedness of Canada, and for carrying on Public Works.

Chapter 4-Authorizes the granting of subsidies in aid of the construction of the lines of railway therein mentioned upon the conditions

Chapter 5-Authorizes the payment of a subsidy to the Canadian Pacific Railway Company towards the construction of a railway from Lethbridge, through the Crow's Nest Pass, to Nelson, in the Province of British Columbia, not to exceed three million six hundred and thirty thousand dollars, payable upon an agreement with the Company containing the covenants set forth in the said Act.

Chapter 6-Authorizes the payment by the Governor in Council of bounties for the production in Canada of :

1. Steel ingots.

2. Puddled iron bars,

3. Pig iron,

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during five years, under such regulations as may be made by the Governor in Council to carry out the intention of the Act.

Chapter 7-Ratifies certain agreements made for cold storage on steamships from Canada to the United Kingdom; also authorizes the Governor in Council to enter into contracts for providing cold storage accommodation at Toronto, Quebec, Halifax, St. John and Charlottetown for a term not exceeding three years.

Chapter 8-Provides that whenever interest is by the terms of any contract made payable at a rate or percentage per day, week, month, or at any rate or percentage for any period less than a year, no interest exceeding the rate or percentage of six per cent. per annum shall be chargeable, payable or recoverable on any part of the principal money unless the contract contains an express statement of the yearly rate or percentage of interest to which such other rate or percentage is equivalent; and any sum paid on account of interest, not chargeable, payable or recoverable, as stated, may be recovered back. The Act is not to apply to

Chapter 9-This Act is to regulate the investment of deposits by

certain Savings Banks in the Province of Quebec.

Chapter IO-Gives the right of recovery to a person paying in good faith and in the ordinary course of business, a bill bearing a forged or unauthorized endorsement, provided that notice of such endorsement or unauthorized endorsement is given to each subsequent endorser within **Chapter II**—This Act is founded on similar though somewhat more stringent legislation of the United States of America, and aims at preventing the immigration of foreigners under contract to perform labor in Canada. Penalties are provided for violations of the Act and machinery for enforcing it.

Chapter 12-Keeps the Voters' Lists of 1897 in force for another year.

Chapter 13—Provides that during the present session of Parliament the usual deduction from the indemnity payable to members shall not be made unless where the member has been absent for more than twelve days.

Chapter 14—Establishes a limit as to age on first appointments to the first or inside departmental division of the Civil Service.

Chapter 15—Provides that upon a dismissal of a public servant from office, his contributions to the Civil Service Superannuation Fund may be returned to him in whole or in part, as the Governor in Council may deem it expedient, with interest not to exceed five per cent. per annum.

Chapter 16-Is the Customs Tariff Act for 1897.

Chapter 17—Provides for the imposition from time to time, and also for the removal and reimposition of export duty on logs, pulpwood, and certain ores and metals.

Chapter 18 — Revives the offices of Minister of Customs and Minister of Inland Revenue, and makes the persons now holding the offices of Controllers become Ministers without vacating their seats.

Chapter 19—This Act amends the Inland Revenue Act in several important particulars: (1) It authorizes Collector of Inland Revenue or any superior officer of Inland Revenue to delegate his powers under any writ of assistance which he may hold; (2) it provides a penalty for not disposing of goods in accordance with warehouse entry; (3) other provisions provide amended penalties for distilling without license for the sale of spirits unlawfully manufactured, and again other provisions relate to the sale of tobacco, cigars and cigarettes. The Act is further amended in relation to licenses for manufacturing acetic acid.

Chapter 20-Provides for the regulation of the importation of petroleum in tauk cars and tank ships.

Chapter 21--Provides for the registration of cheese factories and creameries and the branding of dairy products, and provides penalties for persons misrepresenting the dates of manufacture of such articles.

Chapter 22—Further amends the Steamboat Inspection Act in relation to the qualifications of the third class and fourth class engineers, and of the granting of permits to engineers.

Chapter 23—Authorizes the Minister of Marine and Fisheries to have any obstruction in navigable waters removed, and provides for the disposal by sale of such obstruction and the application of proceeds of such sale.

Chapter 24—Provides that the section of the Fisheries Act which prohibits the fouling of waters by sawdust or mill rubbish shall not apply to the owners of or employees of any sawmill now in operation with respect to putting or permitting to pass such sawdust or mill rubbish before the 1st of May, 1898, into any waters which on the 30th of June, 1897, were excepted from the operation of the said section.

Chapter 25—Revives the fifth section of the Patent Act, which provided that the Deputy Minister of Agriculture should be Deputy Commissioner of Patents, and that the Governor in Council might from time to time appoint such officers and clerks under the Deputy Commissioner as might be required for the purpose of the Act.

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Chapter 26-This Act amends the Post Office Act in the following particulars: It provides for regulations being made for a security being given to her Majesty for the due performance of the duties by any officer, employee, clerk or servant employed by or under the Postmaster-General. It exempts railway mail clerks from the promotion examination required by the Civil Service Act. It provides for the establishment of a railway mail service branch in the Post Office Department, and it prescribes the qualification of the Controller of the Railway Mail

Chapter 27-Amends the Companies Act by making more clear the meaning of the words "Commercial paper discounted by the Company " in the clause which restricts the borrowing powers of a company incorporated under the Act.

Chapter 28-This Act is to amend the Acts respecting the North-West Territories of Canada by making the requisite verbal changes in view of the establishment of a Legislative Assembly in the Territories. It also contains certain provisions as to the control of road allowances or closing up of old roads and the survey of new roads.

Chapter 29-Amends the Dominion Lands Act with reference to the conditions upon which a patent may be obtained for a homestead by a settler; authorizes the sale of certain school lands in the North-West Territories to the Hon. Peter McLaren, and also the sale of school lands to former lessees of grazing ranches; authorizes the grant of a homestead to Edward W. Johnston, and makes other special provisions relative to applications for homestead by women as heads of families; the issue of patents after the death of the applicant

Chapter 30-Amends the Land Titles Act, 1894, especially with

regard to the form of powers of attorney, registration, etc. Chapter 31-Provides that any loan corporation may pass a by law

prohibiting the loaning to shareholders upon the security of their stock, or limiting the aggregate amount which may be so loaned, and that any such by-law shall be repealed until the liabilities of the corporation are

Chapter 32-Is enacted to remove doubts as to the power of the Legislative Assembly of the North-West Territories to enact a certain law as to the trial by jury of actions for slander, libel, false imprison-

ment, malicious prosecution, seduction, breach of promise of marriage,

Chapter 33---Makes provision for the salary of an additional Judge in Manitoba, and also provides for the salary of the local Admiralty Judge at Quebec.

Chapter 34-Takes away the right of appeal to the Supreme Court of Canada from the Court of Appeal for Ontario, except in the cases therein specified. It also provides that the Judges of the Supreme Court of Judicature for Ontario shall reside at the City of Toronto, or within five miles thereof, but leave to reside elsewhere in the Province for any specified time may be granted by order of the Governor in

Chapters 35 to 97-Both inclusive, are local and private Acts, the nature and object of which are sufficiently indicated by their titles-

MEMBERS OF THE QUEEN'S PRIVY COUNCIL FOR CANADA.

(Members of the Dominion Cabinet.)

Prime Minister-Hon. Sir Wilfrid Laurier, G.C.M.G. Minister of Trade and Commerce-Hon. Sir Richard J. Cartwright. K.C.M.G., G.C.M.G.

Secretary of State-Hon. Richard Wm. Scott.

Minister of Marine and Fisheries-Hon. Sir Louis Henry Davies, K.C.M.G.

Minister of Militia and Defence-Hon. Frederick Wm. Borden.

Postmaster General-Hon. Wm. Mulock.

Minister of Agriculture-Hon. Sydney Arthur Fisher.

Minister of Agriculture Hon. Joseph Israel Tarte. Minister of Funnce-Hon. Wm. Stevens Fielding. Minister of Railways and Canals-Hon. Andrew George Blair.

Minister of the Interior and Superintendant General of Indian Affairs-

Hon. Clifford Sifton.

(Not of the Cabinet.)

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THE CANADIAN LAW LIST

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& G. .G. (HARDY)

1898.



ONTARIO.

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CONTENTS.

P	AGE
Alphabetical list of Barristers and Solicitors in Ontario. (Number after name refers to town in Ontario list having corresponding number before name)	53
	25
Barristers and Solicitors, City of Toronto	20
Barristers and Solicitors throughout the Province. (Number after name refers to Toronto agent having corresponding number before name)	34
	00
County and Judicial Officers	66
Court of Appeal	20
Crown Law Officers	21
Faculty of Law of the University of Toronto	22
Heir and Devisee Court	20
High Court of Justice	20
Laws of Ontario	68
Law Society of Upper Canada (Osgoode Hall)	21
Ontario Division Courts	62
Surrogate Court	20
Supreme Court of Judicature	19
Toronto Admiralty District	19

ONTARIO.

THE SUPREME AND HIGH COURT JUDICIARY OFFICIALS

SUPREME COURT OF CANADA.

Chief Justice - Hon. Sir Henry Strong, Knight

Puisne Judges-Hon.Henri E. Taschereau, Hon. John W. Gwynne, Hon. Robert Sedgewick, Hon. George E. King, Hon. D. Glrouard Registrar-R. Cassels,Q.C.

Reporter-C. H. Masters Assistant Reporter-L. W. Coutlee

Clerk-James Lawson Librarian-H.H.Bligh, Q.C

EXCHEQUER COURT OF CANADA.

Judge-Hon.G.W.Burbidge Registrar-L. A. Audette Reporter-Chas. E. Morse Clerk-John McDonald

TORONTO ADMIRALTY DISTRICT.

Judge-Hon. J. E. Mc-Dougall.

Registrar-John Bruce Marshall-Wm. Boyd

Reporter—Alex. Downey Surrogate Judges in Admiralty of the Exchequer Court, appointed under the Admiralty Act, 1891:

His Hon. Cornelius Vallean Price, Kingston (Judge of the County Count of the County of Frontenac): J.M. Farrell, *Deputy-Registrar*, for that portion of the Toronto Admiralty District comprised in the Counties of Hastings, Prince Edward, Lennox, Addington, Frontenac, Leeds, Grenville, Dundas, Stormont and Glengarry. Appointed by Order in Council dated 25th March, 1896. His Hon. Charles Robert Horne, Sandwich (Judge of the County Court of the County of Essex); J.T.Hare, *Deputy-Registrate*, for that portion of the Toronto Admiralty District comprised in the Counties of Essex, Kent, Elgin, Lambton and Middlesex. Appointed by O. C. dated 17th May, 1897.

His Hon, John Creasor, Owen Sound (Judge of the County Court of the County of Grey); Geo. Inglis, Deputy-Registrar, for that portion of the Toronto Admiralty District comprised in the Counties of Grey, Bruce and Simcoe, Appointed by O. C. 13th July, 1897.

Bernard Louis Doyle, Esquire, Goderich (Junior Judge of the County Court of the County of Huron); D. McDonald, Deputy-Registrar, for that portion of the Toronto Admiralty District comprised in the counties of Huron and Bruce. Appointed by O. C., 26th August, 1897.

SUPREME COURT OF JUDICATURE FOR ONTARIO.

President-Hon. Geo. Wm.

The Justices in Appeal, and of the High Court of Justice, are members of the Supreme Court

Clerk-Alexander Grant Assistant Clerk and Reporter-J. F. Smith, Q.C.

OFFICERS OF THE SUPREME COURT OF JUDICATURE.

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Clerk-Neil McLean

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Assistant Clerk — Alex. McGregor. Entry Clerk—A.B.G. Cull.

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Chief Justice of Ontario-Hon. George Wm. Burton

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HIGH COURT OF JUSTICE.

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Chief Justices-Hon. John D. Armour, Hon. Sir Ralph W. Meredith

Justices-Hon. Thos. Ferguson, Hon. John E. Rose, Hon. Thos. Robertson, Hon. Wm. G. Falconbridge, Hon. Hugh MacMahon, Hon. W. P. R. Street, Hon. Richard Martin Meredith

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Judges-The Judges of the Supreme Court (ex officio) Clerk-C. A. Steward

SURROGATE COURT.

Judges — The County Judges of the several Counties of Ontario

Chief Clerk-F. A. Anglin (pro tem.) Clerks-Sir F. Robinson, A. R. Duff

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Elected to hold office until first day of Easter Term, 1901.

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- Douglas, William, Q.C., Chatham

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- Stratford Irving, Æmilius, Q.C., To-
- ronto Kerr, William, Q.C., Co-
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- Teetzel, James Vernall, Q.C., Hamilton

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Watson, George Hughes, Q.C., Toronto Alfred, John Wilkes, Brantford

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LIST OF HER MAJESTY'S COUNSELS

The order given are the dates of the Order in Council making the appointments.

QUEEN'S COUNSEL APPOINTED BY PATENT FROM THE GOVERNMENT OF THE LATE PROVINCE OF CANADA.

Dec. 29, 1855. Oliver Mowat, G.C.M.G. Dec. 23, 1858. David Breakenridge Read March 27, 1863. Æmilius Irving Christopher Robinson

Dec. 22, 1864. Edward Blake June 26, 1867.

John Bell Clarke Gamble Richard William Scott

QUEEN'S COUNSEL APPOINTED BY PATENT FROM THE GOVERNMENT OF THE DOMINION OF CANADA.

Dec. 18, 1872. *James Beaty, jr. *D'Alton McCarthy *James Maclennan (J.C.P.) *Thomas Robertson (Judge H. C. J.) *David Tisdale *Robert Stuart Woods (Junior Judge C. C.) Feb. 28, 1873. *Thomas Hodgins (Master in Ordinary) *John Hoskin *G. R. Van Norman May 19, 1879. Zebulon Aiton Lash Oct 11, 1880. Thomas M. Benson (C. C. J.) *John A. Boyd (Chancellor) *Thos. Ferguson (J.H.C.J.) Alfred Hoskin

Geo. A. Kirkpatrick *Francis MacKelcan *William Ralph Meredith John O'Donohoe *Martin O'Gara *Britton Bath Osler Richard Thomas Walkem Aug. 13, 1881. Wm. Henry Ritchie Alison *Byren moitatt Britton John Creasor (C. C. Judge) Allen R. Dougall *James Kirkpatrick Kerr Samuel Smith McDonell William McDougall John McIntyre Charles Moss (Judge Ct. of Appeal) John C. Rose (J. H. C. J.) John Charles Rykert

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Alexander Shaw Thomas W. Taylor (C. J. Manitoba July 14, 1883. Richard Bayly Walter G. P. Cassels James Jos. Foy Cecrge M. MacDonell Valentine Mackenize Norman F. Paterson Henry J. Scott Hugh McKenzie Wilson Oct. 21, 1884. Fred. W. Barwick J. McPherson Hamilton W. P. R. Street (J. H. C. J.) J. C. C. Oct. 23, 1885. Charles R. Atkinson *Samuel Hume Blake Alexander Bruce John Wesley Beynon Robert Cassels William Douglas Chas. Oakes Z. Ermatinger (Junior Judge C. C.) W. C. Falconbridge (J. H. C. J.) Jas. Thompson Garrow *Donald Guthrie Jas. Harshaw Fraser *John Idington William Laidlaw James Holmes Macdonald Colin Macdougall Edward Martin James Masson (J. C. C.) Hugh McMahon (J. H. C. J.) Edmund Meredith William Nicholas Miller Ephraim Jones Parke Alfred Passmore Poussette Chas. Henry Ritchie James Frederick Smith Edward Handley Smythe Henry Hatton Strathy James Peter Woods J. C. C. Dec. 2, 1889.

J. R. Gowan Francis Arnoldi George Tate Blackstock A. R. Boswell W. Hannington Bowlby Adam R. Creelman Thomas D. Delamere Alex, Ferguson James Henry Flock

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F. J. French James S. Fullerton J. J. Gormully Nicol Kingsmill Wm. H. Kingston A. B. Klein (Junior Judge C. C.) Jas. Leitch A. H. Macdonald Alfred H. Marsh Alexander Miller George Moncrieff Nicholas Murphy F. E. P. Pepler D. H. Preston James McPherson Reeve A. Romain-Lewis Colin G. Snider, J. C. C. George L. Tizard W. H. Walker W. F. Walker R. M. Wells William R. White John A. Worrell Jan. 6, 1890 George O. Alcorn *A. B. Aylesworth John Bergin *C. R. W. Biggar Alfred Boultbee John Boyd Edmund Campion D. Chisholm (Judge C. C.) J. B. Clarke Joseph Deacon J. E. Farewell Wm. W. Fitzgerald, J. C. C. W. D. Hogg *John King *S. F. Lazier W. C. Loscombe J. A. Macdonell *J. J. Maclaren J. A. McGillivray Huson W. M. Murray *J. W. Nesbitt D. O'Connor C. E. Pegley *James Robb (Judge C. C.) *G. F. Shepley *G. W. Wells J. P. Whitney Matthew Wilson *J. F. Wood Nov. 18, 1893. Edmund Leslie Newcombe Aug. 8, 1895.

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*Samuel Hume Blake Wm. Proudfoot March 11, 1876. *James Beaty, jr. *Thos. Hodgins *John Hoskin *James Maclennan (J. C. A.) *D'Alton McCarthy *Thos. Robertson (J. H. C.) *David Tisdale *Geo. Robinson VanNorman *Robert Stewart Woods J. C. C. March 13, 1876. Francis Ramsay Ball *,¹ohn A. Boyd (Chancellor) *Byron Moffatt Britton Malcolm Colin Cameron Thomas Deacon *Thos. Ferguson (J.H.C.J.) *Donald Guthrie Arthur Sturgis Hardy *John Idington *James Kirkpatrick Kerr William Kerr William Lount *Francis MacKelcan Donald Ban Maclennan Hugh MacMahon (J. H. C. J.) *Edward Martin *Wm. Ralph Meredith (C. J. C. P.) *Britton Bath Osler John Galloway Scott (Master of Titles) Edmund John Senkler J. C. C. Thomas W. Taylor (Chief Justice Manitoba) Jan. 4, 1890. Edward Douglas Armour *Allen Bristol Aylesworth John A. Barron *Chas. Robt. Webster Biggar

March 16, 1872.

John Wedgwood Bowlby Henry Carscallen John Robison Cartwright William Mortimer Clark Francis Henry Chrysler Roger Conger Clute John Crerar Hammel Madden Deroche James David Edgar John Farley George Christie Gibbons John Morrison Gibson Richard Harcourt John Elley Harding Newman Wright Hoyles Ebenezer F. B. Johnston *John King **Thomas Langton** *Stephen Franklin Lazier John Lees James Frederick Lister James Magee John Mauler Machar *John James Maclaren Alex. Fraser McIntyre Wm. Barclay McMurrich Duncan John McIntyre Duncan Byron MacTavish William Hugh McClive David Mills William Mulock Elgin Myers *John Wallace Nesbitt Hamilton Park O'Connor Hugh O'Leary *James Robb, J. C. C. Henry Robertson *Geo. Fergusson Shepley Larratt William Smith James Vernal Teetzel Daniel Edmund Thomson Warren Totten George Hughes Watson *George Washington Wells Alfred John Wilkes *John Fisher Wood

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- 6 Anderson, F. G., 4 Mc-Kinnon Bldg
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- 137 Hamilton, J. C., Confederation Life Bldg.
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- 139 Hansford, J. E., 18-20 King w 140 Harcourt, G. A., 36 King e
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- laide e
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- 161 Howland, O. A.

- 162 Hulme, Herbert D., Traders Bank Chmb's 163 Hunter, John Howard,
- Parliament Bldgs 164 Hunter, W. E. L., 59
- Yonge st 165 Hunter & Hunter, Temple Bldg, W. H. Hunter, A. T. Hunter

Ι.

- 166 Irving, Æmelius, Q.C., Osgoode Hall
- 167 Irving, J. E. 61 Victoria st
- 168 Irwin, H. E., 103 Bay street
- 169 Irwin, W. N. 102 Freehold Loan Bldg

J.

- 170 Jackes & Jackes, cor. Church & Court sts. C. B. Jackes, M.A.,
- LL.B., E. H. Jackes 171 Jarvis, S. M., 28 Toronto st
- 172 Johnston & Ross, Janes Bldg. E. F. B. Johnston, Q.C., Geo. Ross
- 173 Jones, H. C., 18 Toronto st
- 174 Jones, J. G., 155 Bay st 175 Jones, S. Alfred, Canada Life Bldg
- 176 Jones, Mackenzie & Leonard, 18 Toronto st. Clarkson and Beverly Jones, G. A. Mac-
- kenzie, C. J. Leonard 177 Jones, W. W., 18 Toronto st

К.

- 178 Kent, H. A. E., Ar-cade Yonge st
- 179 Kerr, Bull & Rowell, 62 Wellington w. Geo. Kerr, B. E. Bull, N. W. Rowell
- 180 Kerr, James, Union Station
- 181 Kerr, Macdonald, Davidson & Paterson, 23 Adelaidee. J. K. Kerr, Q.C., W. Macdonald,

W. Davidson, J. A. Paterson, R. A. Grant 182 Kilmer & Irving, 10 King w. G. H. Kil-mer, W. H. Irving

- 183 King, S., 18 Wellington e
- 184 King & Eagen, 1 Toronto st. John King,
- Q.C., N. B. Eagen 185 Kingsford, R. E., 24 King w
- 186 Kingsmill, Saunders & Torrance, 19 Welling-ton w. N. Kingsmill, Q.C., J. J. Kingsmill, Q.C., Dyce W. Saund-ers, W. P. Torrance
- 187 Kingstone, Wood & Symons, 20 King w. F. W. Kingstone, S. G. Wood, D. T. Symons

L.

- 188 Laidlaw, Kappele & Bicknell, Imperial Bank Bldg. W. Laidlaw, Q.C., Geo. Kap-pele, Jas. Bicknell
- 189 Laing, J. M., 59 Yonge 189aLake, E.M., 14 King w 190 Lamport, W. A., 46
- King w 191 Lamont, J. H., 35 Ade-
- laide e 192 Lawless, J. P., 191/2
- Richmond e 193 Lawrence & Ormiston,
 - 15 Toronto st. A. G. F. Lawrence, W. S. Ormiston
- 194 Lee, G. H. D. (with Mulock & Co.)
- 195 Lefroy, Boulton & Lefroy. Traders Bank Bldg. A. H. F. Lefroy, C. R. Boulton, B. St. G. Lefroy
- 196 LeVesconte, R. C., Mc-Kinnon Bldg
- 197 Lindsey, G. G. S., 23 Scott st
- 198 Little, J. E., 28 Toronto 199 Lobb & Baird, 2 Toronto. A. F. Lobb. James Baird
- 200 Lount, Marsh & Cam-eron, 25 Toronto st.

W. Lount, Q.C., A. H. Marsh, Q.C., W. A. Cameron, G. A. Kingston

201 Love, S., 75 Yonge st

Mc.

- 202 McArthur, D., 5 Adelaide e
- 203 McBrady & O'Connor, Can. Life Bldg. L. V McBrady, T. J. W. O'Connor
- 204 McBride, Jas., Janes Building
- 205 McCarthy, Osler, Hoskin & Creelman, Freehold Loan Bldg. D'Alton McCarthy, Q.C., B. B. Osler, Q.C., J. B. B. Oster, G.C., J.
 Hoskin, Q.C., LL.D.,
 A. R. Creelman, Q.C.
 F. W. Harcourt, W.
 B. Raymond, W. M.
 Douglas, H. S. Osler, Leighton G.McCarthy, D. L. McCarthy
- 206 McCulloch, R.O., Freehold Loan Bldg
- 207 McCullough & Burns, 46 King w. J. W. McCullough, S. W. W. Burns
- 208 McGhie & Keeler, 91/2 Adelaide e. J. H. Mc-Ghie, A. J. Keeler
- 209 McGill, S. G., 34 Yonge
- 210 McGillivray, John A., Q.C., Temple Bldg
- 211 McLean & McCallum, 61 Victoria. Donald R. McLean, W. H. S. McCallum
- 212 McMichael, A. F., Aberdeen Chambers
- 213 McMurrich, Coatsworth, Hodgins & Co., 5 Melinda st. W. B. McMurrich, Q.C., Emerson Coatsworth, Jr., Frank E. Hodgins
- 214 McNab Allan, 15 Toronto st
- 215 McNeill, E. P., Canada Life Chambers
- 216 McPherson, Clark. Campbell & Jarvis, 27 Wellington e. W. D.

McPherson, J. M. Clark, R. U. McPherson, G. C. Campbell, F. C. Jarvis

- 217 McPhillips, F., 1 Toronto st
- 218 McWhinney, Ridley & Co., 14 King w. W. J. McWhinney, H. E. Ridley
- 219 McWilliams, W. G.

MI.

- 220 Macdonald, Cartwright & Garvey, 37 Yonge st. Walter Macdonald. A. D. Cartwright, W. H. Garvey
- 221 Macdonald, Charles Egerton, 18 Toronto
- 222 Macdonald, Chas., 2 Court
- 223 Macdonald, Donald, 1 Toronto st
- 224 Macdonald, J. A., The Janes Bldg
- 225 Macdonell, Allan S. 226 Macdonell, McMaster & Geary, 51 Yonge. A. McL. Macdonell, A. C. McMaster, G.R.Geary
- 227 Macdonell, Boland & Thompson, 2 Toronto st. A. C. Macdonell, W. J. Boland, J. T. C. Thompson.
- 228 MacDougall & Jones, 18 Toronto st. A. Mac-
- Dougall, F. C. Jones 229 MacGregor, John, 18 Toronto st
- 230 Mackay, W. C., Mc-Kinnon Bldg
- 231 Mackenzie, E. C., 18 Toronto st
- 232 Mackenzie, H. Gordon, Medical Bldg., Bay st
- 233 Macklem & Denison, 15 Toronto st. O.R. Macklem, G.T. Denison, jr
- 234 Maclaren, Macdonald, Merritt & Shepley, 28 Toronto st. J. J. Mac-laren, Q.C., J. H. Mac-donald, Q.C., W. M. Merritt, G.F. Shepley, Q.C., W.E. Middleton, R. C. Donald, Frank W. Maclean

- 235 Macrae, H. H., 1 Toronto st. 236 Marsh & Marsh, Free-
- hold Loan Bldg. G. W. and W.L.E. Marsh
- 237 Martin, A. F. R. (with Foy & Kelly)
- 238 Martin, H. J., 43 Adelaide e
- 239 Martin, S. S., 1 Toronto 240 Mealy, J. W., 60 Ter-
- aulay st 241 Mearns & Spence, 120 Yonge. F. S. Mearns, J. H. Spence
- 242 Medd, Sydney T., Canada Life Bldg
- 243 Meek, Ed., Mail Bldg
- 244 Mercer & Bradford, Bk of Com. Bldgs. M. S. Mercer, S.H.Bradford
- 245 Middleton, A. N. (with Maclaren & Co)
- 246 Middleton, E. L. (with Foy & Kelly)
- 247 Millar, C., & Co., 55 Yonge, C. Millar, W. N. Ferguson, V. H. Hughes
- 248 Mills, N. D., 2 Court st
- 249 Mills, Keyes & Tennant, Can. Life Cham. J. A. Mills, J. A. Keyes, J. H. Tennant
- 250 Mills, Mills & Hales, G. G. Mills, Mills, J. Hales Alex. 33 Richmond st w
- 251 Montgomery, J. D., 72 Yonge st
- 252 Montgomery, R.A. Can. Life Bldg
- 253 Morphy, Arnold, Bursar, Upper Can. Col.
- 254 Morris, W. 24 King w 255 Mortimer, E. 77 Con-
- federation Life Bldg 256 Mowat, Langton, Mowat & Maclennan, 9 Toronto st. Sir Oliver Mowat, G.C.M.G., Q. C., T. Langton, Q.C., H. M. Mowat, R. J. Maclennan
- 257 Mulock, Miller, Crowther & Montgomery, Dom. Bk. Cham, cor. King and Yonge sts. Wm. Mulock,Q.C., W. N. Miller, Q.C., J.

Crowther, J. D. Montgomery, Wm. Mulock. Jr., McDowal Thomson

- 258 Mulvey, Thomas, 11 Quebec Bk. Chambers
- 259 Munro, R. H. R., 9 Toronto st
- 260 Murphy, Nicholas, Q.C.
- 261 Murray, Huson W. M., Q.C., 59 Yonge st

N.

- 262 Nason, J., 46 King w 263 Neville, R. S., 18 & 20
- King st w
- 264 Nicol, W. B., 13 Adelaide e

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- 265 O'Brian, J. B. Freehold Loan Bldg
- 266 O'Brien, Gibson & Defries, 74 Church. H. O'Brien, G. Gibson, R. A. L. Defries
- 267 O'Donohoe, Hon.J., 100 Church st
- 268 O'Meara, A. E., Confederation Life Bldg

P.

- 269 Parker, T., Janes Bldg
- 270 Paterson, Ritchie & Sweeney, offices, 27 Wellington st e, and Room 17 N.W. cor. Spadina av and College sts. N. F. Paterson, Q.C., P. E. Ritchie, G.R. Sweeney
- 271 Parkes, James, & Co., 19 Melinda st
- 272 Pearson & Denton, 1 Toronto st. J. Pearson, J. H. Denton
- 273 Penton, Edward, 24 Adelaide e
- 274 Pinkerton & Cooke. Medical Bldg. W. Pinkerton, F.C. Cooke
- 275 Powell, Frank R., 9 Toronto st
- 276 Proctor, Jas. A., 24 Adelaide e

Q.

277 Quinn, J. M., Aberdeen Chambers

R.

- 278 Reeve, James M., Q.C., 18½ King e 279 Read & Read, McKin-
- non Bldg. D. B. Read,
- Q.C., W. Read 280 Reid, Owens, Wood & Arnold, Freehold Loan Bldg. T. Reid, E. W. J. Owens, S. Casey Wood, O. M. Arnold
- 281 Ridout, John G., 103 Bay st. (Ridout & Maybee)
- 282 Ritchie, G., 81/2 King e
- 283 Ritchie, Ludwig & Ballantyne, 9 Toronto st. C. H. Ritchie, Q.C., M. H. Ludwig, A. W. Ballantyne
- 284 Roaf, Curry & Gun-ther, 23 Adelaide e. W. Roaf, J. R. Roaf, J. W. Curry (City Crown Attorney), E. E. Gunther
- 285 Roberts, H.N., 4 Leader Lane
- 286 Robertson & Maclennan, Can. Life Cham. Donald M. Robertson, Jas. J. Maclennan
- 287 Robertson, Jas. E., 59 Yonge st
- 288 Robinette, T. C., 15 Toronto st
- 289 Robinson, Christopher. Q.C., 74 Church
- 290 Robinson, Lennox N Macleod, Canada Life Cham. C. C. Robinson, Solicitor for York County, T. H. Lennox, H. F. Macleod
- 291 Roche, F. J., & Co., 15 Wellington w
- 292 Rolph & Brown, 32 Adelaide e. Thos. T. Rolph, E. B. Brown
- 293 Rose, H. (with Beatty & Co)
- 294 Ross, D. C., 101/2 Adelaide e
- 295 Rowan & Ross, 9 Toronto st. T. A. Ro-wan, Jas. L. Ross
- 296 Royce, A.H., 48 King w
- 297 Ryckman, Kirkpatrick & Kerr, 34 Adelaide

e. E. B. Ryckman. A. T. Kirkpatrick, C. W. Kerr

298 Ryerson, C. Egerton, 18 King w

S.

- 300 Saunders, E., 511 Mc-Kinnon Bldg
- 301 Scanlon Mark & A. E., Freehold Bldg. Mark Scanlon, A.E. Scanlon
- 302 Schoff, Elgin, 15 Toronto st
- 303 Scott & Houston, 18 Toronto st. Henry J. Scott, Q.C., Stewart F. Houston
- Scott. 304 Scott Se 34 Yonge. J. J., C. D. and J. T. Scott
- 305 Segsworth, R. F., 103 Bay st
- 306 Shaw, John, 34 Victoria st
- 307 Shaw, J.G. (with Kerr, Bull & Co.)
 308 Shilton, Wallbridge &
- Martin, 100 McKinnon Bldg. John Shil-ton, W.H. Wallbridge, C. B. Martin
- 309 Sinclair & Sinclair, 46 King w. A. H. Sin-clair, D. L. Sinclair
- 310 Smellie & Shaw, 36 King st e. R. S. Smellie, J. R. Shaw
 311 Smith, D. J., Medical
- Bldg and 710 Queen e
- 312 Smith, G. H., 9 Toronto st
- 313 Smith, W.A., 46 King w 314 Smith, Rae & Greer, 25 Toronto st. J. F. Smith, Q.C., J. Greer, G.M. Rae, G.L. Smith
- 315 Smyth, R. G., 18 To. ronto st
- 316 Smyth, W. R., 70 Victoria st
- 317 St. John & Thompson, Temple Bldg. J. W. St. John, Geo. H. Thompson
- 318 Steele, W. H., 70 Adelaide e
- 319 Stonehouse, Edwd., 180 Robert st

320 Story,R.D., 100 Church 321 Strathy, J. R., 123 Simcoe st

322 Swazie, B. E., 17 Adelaide e

Т.

- 323 Taylor & McConnell, 43 Adelaide e. W. B. Taylor
- 324 Thompson, C. W., 81 Can. Life Bldg
- 325 Thomson, Henderson & Bell, Board of Trade Bidg. D. E. Thomson, Q.C., D. Henderson, G. Bell, John B. Holder, W.
- Holden, W. N. Tilley 326 Thomson, T. C., Medical Building
- 327 Thorne, Warren & Starr, Freehold Loan Bidg. H. Thorne, J. J. Warren, J. R. L. Starr
- 328 Thurston, W. G., 23 Toronto st
- 329 Titus, F. E., Can. Bk. Com. Bldg
- 330 Travers, F. J., 53 Can. Life Bldg
- 331 Tremeear, W. J., 51 King e
- 332 Trow, A. E., 10½ Adelaide e
- 333 Tytler & McCabe, 9½ Adelaide st e. J. Tytler, C. J. McCabe

U.

334 Urquhart & Urquhart, Med. Bldg. D. Urquhart, T. Urquhart

V.

- 335 Vandervoort, M. P., 18 Wellington e
- 336 Vickers & Parker, 9 Toronto st. W. W. Vicker, W. R. P. Parker

- 337 Waldron & Hodges, 2 Toronto st. G. Waldron, W. H. Hodges
- 338 Wallace & Johnston, 18 & 20 King w. W. J. Wallace, W. Johnston
- 339 Watson, Smoke & Masten, York Cham., 9 Toronto st. Geo. H. Watson, Q.C., C. A. Masten, S. C. Smoke, J. G. Smith
- 340 Watt, D. H., 34 Yonge street
- 340a Watt, H. L., 81 King street e
- 341 Webb, Lamport & Langley, 61 Can. Life Bldg. F. L. Webb, W. A. Lamport, O. A. Langley
- 342 Wells & MacMurchy, Union Station. Hon. R. M. Wells, Q.C., Angus MacMurchy
- 343 Welton, R. H., 1 Toronto st
- 344 White, J. P., 25 Toronto st
- 345 Wickham, H.J. (special examiner), 81 Canada Life Bldg
- 346 Wickson, Samuel, 8½ King e
- 347 Wilkie, Geo., 61 Victoria st
- 348 Williams, A. J., 101/2 Adelaide e
- 349 Williams & Williams, 18 Toronto st. T. E. and W. H. Williams
- 350 Wright, J. A., 101/2 Adelaide e

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351 Young, McGregor, Osgoode Hall

BARRISTERS AND SOLICITORS

Throughout the Province, with reference to Toronto Agents.

NOTE.—To find the Toronto Agent, the number after name will refer you to name in Toronto List opposite the same number, Except where specified, the firm representing numbers are Agents in all Divisions.

1 Toronto

A.

2 Acton, Co. Halton Mackinnon, A. J.-64 McLean & McLean-234 (Guelph Branch)

3 Ailsa Craig, Co. Middlesex

Meredith, Cameron, Judd & Dromgole-65 (London Branch)

- 4 Alexandria, Co.Glengarry Macdonell & Costello-345. J. A. Macdonell, Q.C., F. T. Costello. Munro, M.-234 Smith, A. L.-267
- Tiffany, T. H.-29 5 Alliston, Co. Simcoe Fisher & Bell-82, W. G. Fisher, W. A. Bell

Lennox, Boys & Brown-15 (Barrie Branch)

McCarthy, Pepler, Mc-Carthy & Duncan-205 (Barrie Bch)

- 6 Almonte, Co. Lanark Jamieson & Greig-15 H. Jamieson, A. M. Greig Kirkland, J. T. McFarlane, M. J.-339 Stafford, W. H.-339
- 7 Alvinston, Co. Lambton

Clement, R. V.-68 Hanna & Burnham-15 (Sarnia Branch)

- 8 Amherstburg, Co. Essex Clay, Henry-205 Davis, Delos R.-256 Hough, F. A-65
- 9 Ancaster, Co. Wentworth Kenrick, Edward
- 10 Arm prior. Co. Renfrew Dulmage & Burwash-15. R. Dulmage, A. Burwash Slattery, R. J. -191 Thompson & Hunt-205. R. A. Hunt, J. E. Thompson
- 11 Arthur, Co. Wellington East, M. H. McMartin, M. M.-235 Tytler & McCabe (Toronto Branch) Wilkins, M.-64
- 12 Athens, County Leeds Beall, Thos. R.-211 Lewis, W. A.-283
- 13 Aurora, Co. York Fleury & Montgomery (Toronto Br'h). Robinson, Lennox & Macleod (Tor'to Br.) Taylor, A. E.-69
- 14 Avonmore, Co. Stormont Rae, Chas. B. (Chesterville Branch)
- 15 Aylmer, Co. Elgin Grawford & Crawford-15. John and J. L. Crawford Haines, Alfred E.-251 Miller & Backhouse-256. E. A. Miller, A. H. Backhouse Stevens, W. E.-331

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16 Barrie, Co. Simcoe Ault & Cowan-15. W. Ault, A. Cowan Dickinson & Macwatt-342. D.F. Macwatt, J. Dickinson Hewson & Creswicke-200. C. E. Hewson, A. E. H. Cheswicke

ser. John Hood, J. Jacks, Jas. Fraser Lennox, ennox, Boys & Brown-15. H. Len-nox, W. A. Boys, Geo. E. J. Brown Lount & Lount-200. W. L. Lount, Q.C., G. W. Lount McCarthy, Pepler & McCarthy-205. D'A. McCarthy, Q.C., F. E. P. Pepler, Q.C., J.A.McCarthy, D.C. Murchison Plaxton C. W.-256 Radenhurst, Geo. A.-Ross, Donald-15 Stewart, H. D.-15 Strathy & Esten-29 H. H. Strathy,Q.C., G. H. Esten Tiffin, F. W. 17 Beamsville, County Lincoln Bell, Geo.F.-8.(Grimsby Branch) 18 Beaverton, County Ontario Godson, T.E. Roach, M. H.-278 Beeton, Co Simcoe McCarthy, Pepler & McCarthy-205. (Barrie Branch) 20 Belle River, Co. Essex Haldane, J. F. C. (Windsor Branch) 21 Belleville, Co. Hastings Anderson, P.J.M.-157 Bell & Biggar-15. J. Bell, Q.C., W. H. Biggar Bogart, C.-339 Bull, S. J.-339 Butler, Edward-339 Carnew, Wm.-162 Clute, Williams Morden-69. R. C. Clute, Q.C., J. Williams, W.S.Morden Denmark, G.-15 Diamond, W. J.-234 Donald, E.-27

19

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Hood, Jacks & Fra-

Dougall, A.R.,Q.C.-263 Falkiner & Thomas-159. N. B. Falkiner, H. P. Thomas Farnham, Wm. Lazier & Lazier-69. S. D. and R. E. Lazier Lyons, C. E.-69 & 29 Macaulay, C. D.-27 Masson, Stewart-159 Mikel, W. C.-15 McMahon, W. D. 15 McMahon, W. P. 69 Northrup & Roberts-15. W. B. Northrup, A. A. Roberts O'Flynn, F. E.-15 Ponton, W. N.-15 Porter, E. Gus.-157 Robertson, D. B. Thomas & Lozier-120. J. P. Thomas, S. D. Lozier Wallbridge, F. S.-15 Walker, A. R. Wills, J. F.-196 Wright, M.-69

- 22 Berlin, Co. Waterloo Andrews, H. M.-172 Bitzer, Conrad-181 Bowlby & Clement-68. W. H. Bowlby, Q.C., E. P. Clement Dalzell, J. B.-205 Millar & Sims-181. A. Millar, Q.C., H. J. Sims. Rohleder, F. Weir, J. J. A.-188
- 23 Blenheim, Co Kent Gosnell, R. L.-327 Thompson, R. M.
- 24 Blythe, Co. Huron Dickson, A. S.-15
- 25 Bolton, Co. Peel Bolton, H. H. Cameron & Lee (Toronto Branch)
- Bothwell, Co. Kent 26 Hickey, W. R.-181 Taylor, George L.-93
- Bowmanville. Co. 27 Durham Blair, Chas. P. Galbraith, John K.-339 Loscombe, R. R.-213 McLaughlin, A. E.-29 Simpson, D. B.-157

- 28 Bracebridge, Muskoka Johnson, T.-68 Mahaffy & Ashworth-12. A. A. Mahaffy, John Ashworth Reid, Owens, Wood & Arnold (Toronto Branch)
- 29 Bradford, Co. Simcoe Evans, T. W. W.-216 Scanlon, Mark & A. E. (Toronto Branch)
- 30 Brampton, Co. Peel Beynon, J. W., Q.C.-339

Blain T. J.

- Graham E. G.-234
- Heyd & Earngey (Toronto Branch) Justin & Hollis-15. B.
- F. Justin, J.F.Hollis Manning, J. J.-339
- Morphy & Morphy-251. T. and W. S. Morphy

McFadden, W. H.-234 McKechnie & Heggle-15. A. McKecknie, R. E. Heggle Pringle, R. H.-234

31 Brantford, Co.Brant Baird & Henderson-175. A. L. Baird, W. T. Henderson Bowlby, J.W.,Q.C.-256 Brewster, Muirhead & Heyd-151. W. S. Brewster, G.H.Muirhead, G. D. Heyd . Hardy & Wilkes-15. Hon. A. S. Hardy, Q.C., A. J. Wilkes, Q.C. Harley, Sweet & Harley-120. J. Harley, E. Sweet, E. Harley Hewitt, J. T.-339 Heyd, Louis F.-151 Jones & Hollinrake-175. S. Alfred Jones, W. A. Hollinrake Mackenzie, V., Q.C.-96 Muir, M. F.-175 Roswell, J. W.-143

VanNorman, G. R., Q.C., 29 Wade, T. S.-15

Wilson & Watts-29. H. McK. Wilson, Q.C., A. E. Watts, Peter Purvis Woodyatt, Thos.-175

- 32 Brechin. Co. Ontario Roach, M. H. (Beaverton Branch)
- 33 Brighton, Co. Northumberand Drewry, George Field & McColl-69. (Cobourg Branch) Gordon, J. W.-65 Irvine, C. R.-29
- 34 Brockville, Co.Leeds Brown & Fraser-15. M. M. Brown, O. K. Fraser Buell, W. S.-15 Deacon, Jos., Q.C.-200 Fulford, C. C.-267 Hutcheson & Fisher-250. Jas. A. Hutcheson, A. A. Fisher Marshall, I. N.-251 O'Brien & O'Brien-249. D. O'Brien, J. O'Brien Page, J. Albert-339 Reynolds, E. J.-15 Wood & Stewart-65. Hon. John F. Wood, Q.C., H. A. Stewart Wright, W. J.-341
- 35 Brussels, Co. Huron Blair, G. F.-15 Sinclair, W. M. Taylor, R. L.-267
- 36 Burk's Falls, Parry Sound District Evans, S. T.-175
- 37 Burlington, County Halton

Greene, T. J. C. Kerns, F. A.-65

C.

38 Caledon East, Co. Peel Morphy & Morphy

(Brampton Branch)

39 Caledonia, Co.Haldimand

Crerar, Crerar & Bankier-15. J. Crerar, Q.C., P. D. Crerar, P. M. Bankier, John McKean (Hamilton Branch)

- 40 Campbeliford, Co. Northumberland Colville, A. L.-15 Harris, W. H.-258 Lynch, D. J.-29 & 339 Payne, G. A.-339
- 41 **Cannington**, County Ontario Noble, R. M.-157 Reid, A. J.-15

42 Carleton Place, Co. Lanark McIntosh, Colin-8 Patterson & Findlay-15. Robert Patterson, G. Findlay Small, H. C.-15

- 43 Cayuga, Co. Haldimand Colter & Goodman-15. C. W. Colter, A. K. Goodman Grant, W. A. D.-6 Snider & Thompson-157. T. A. Snider, A. T. Thompson
- 44 Chatham, Co. Kent Atkinson & Atkinson-29. C. R., Q.C., and C. R. Atkinson, Jr. Bell & Fraser-339. Edwin Bell, J.T.Fraser Douglas, Wm., Q.C.-303 Douglas, G. B.-15 Laffarty, A. M.-193 Lewis & Richards-157. O. L. Lewis, W. G. Richards Martin, Geo. G.-69 Martin, W. J.-220 O'Neill & Stanworth-157. C. J. O'Neill, W. Stanworth O'Flynn, J. B.-29 McKeough, Wm. E.-8 Rankin, Scullard & Co.-8. J. B. Rankin, Thos. Scullard Reeve, John-15 Robinson, W. H.-15 Sayer, Geo. A.-256 Scane, Houston Stone & Scane-205. E. W. Scane, M. Houston, F. Stone, W. W. Scane

Smith, W. F.-69

Thrasher & Arnold-8. Walter Thrasher, S. B. Arnold Walker, J. A. White, J. W.-234 Wilson, Kerr & Pike-8. M. Wilson, Q.C., J. G. Kerr, J. M. Pike, W. E. Mc-Keough

- 45 Chesley. Co. Bruce Mickle, C. J.-68
- 46 Chesterville, Co. Dundas Lawson, W. B.-69 Rae, Chas. B.-347
- 47 Claremont, County Ontario Denton, Dods & Ford (Toronto Branch)

48 Clinton, Co. Huron Brydone, W.-239 Scott, Jas.-15

- 49 Cobourg, Co. Northumberlaud Armstrong, A. J.-19 Boggs, F. D.-188 Dumble, J. F.-49 Field & McColl-157. Frank M. Field, J. B. McColl Holland, H. F.-157 Huycke, E. C. S.-339 Kerr & Kerr-297 Wm. Kerr, Q.C., W. F. Kerr Kerr, John W.-297
- 50 Colhorne, Co. Northumberland Field & McColl-15. F. M. Field, J. B. Mc-Coll Payne, Wm. L.-339 Webb, Hooey & Hunter-341. F.L. Webb, D. Hooey, H. F. Hunter
- 51 Coldwater, Co.Simcoe J. C. Brokovski-242
- 52 Collingwood, Co. Sinucoe Allan, W. T.-199 Birnie, John, jr.-68 Bruce & Fair. G. W. Bruce R. E. Fair Moberley & Campbell-303 & 188. George

Moberley, W. M. Campbell Robertson, H., Q.C.-15

- 53 Comber, Co. Essex Poole, J. I.-250
- 54 **Cookstown**, County Simcoe Ferguson, McDonald & Glassford (Toronto Branch)
- 55 **Cooksville**, Co. Peel Mercer & Bradford (Toronto Branch)
- 56 Cornwall, Co. Stormont, Dundas and Gleogarry Chisholm, J. A.-339 Chisholm, Wm.-188 Copeland, G. P.-69 Davis, D. C.-69 Dingwall, Jas.-256 Goge, G. I. P. Harkness & Cameron-69. J. G. Harkness, J. A. C. Cameron. Leitch & Pringle-186. James Leitch, Q.C., R. A. Pringle Macdonell, A. I.-69 Maclennan, Liddell & Cline-15. D. B. Maclennan, Q.C., J. W. Liddell, C. H. Cline Sheets, M. O.-267 Smith & Pettit-15. R. Smith, G. H. Pettit 57 Creemore, Co.Simcoe
 - Lennox, Boys & Brown-15 (Barrie Branch) McCarthy, Pepler, Mc-Carthy & Duncan-
 - Carthy & Duncan-205 (Barrie Branch)

D.

- 58 Deseronto, County Hastings
 - Derochs, Geo. E.
- 59 **Dinorwic**, Rainy River District Price, H. E.
- 60 Drayton, Co. Wellington
 Gordon & Drew-250.
 W. H. Gordon, —
 Drew
 - Lown, A. S.-58

- 61 Dresden, Co. Kent Sharpe, Jas. W.-205 Weir, George E.-267
- 62 Dundas, Co. Wentworth
 - Begue, T. H. A.-186 Knowles & Sampson 15. W. E. S. Knowles, H. E. Sampson
 - Osler & Ĝwyn-205. B. B. Osler, Q.C., H. C. Gwyn Wardell, A. R. & T.
 - A.-15
- 63 Dundalk, Co. Grey Lamon, James-64
- 64 Dunnville, Co. Haldimand Bradford, Robert Eccles, J. C.-15 Macdonald & Macdonald-234. Jas. F. & S. C. Macdonald Swayze, W. D.-15
- 65 Durham. Co. Grey Elliot & Elliot-157. B. V. Elliot, F. Elliot McCaul, G. Lefroy-58 Telford, J. P.-170 Wright & Batson, Lucas Wright, C. A. Batson
- 66 Dutton. Co. Elgin Leitch, C. St. Clair-29

E.

- 67 **East Toronto,** Co. York Duncan, Grant & Skeans (T'nto B'ch)
- 68 Eganville, Co. Renfrew Lawson, W.-267 Matheson, R. A.-199
- 69 Elmira, Co. Waterloo McBride, A. B. (Waterloo Branch) Reade, Wm. M. (Waterloo Branch)
- 70 Elmvale, Co. Suncoe Dickinson, Macwatt & Lent-342. (BarrieBr) Lennox & Boys-15 (Barrie Branch)

- Elora, Co. Wellington Burns, Edward-15 Jacob, John-256 Wissler, H.-339
- 72 Erin, Co. Wellington McDowell, W.-234 McKechnie, A.
- 73 Essex, Co. Essex Wismer. E. A.-29
- 74 Exeter, Co. Huron Collins, R. H.-15 Dickson, L. H.-65 Elliot & Elliot. 157, B. V. Elliot, F. Elliot

F.

- 75 Fencion Fails, Co. Victoria McDiarmid, F. A.
- 76 Fergus, Co. Wellington Fasken, Alex.-19 Gordon, W. H.-250 Munro & Kilgour-15. N. M. Munro, T. F. Kilgour
- 77 Flesherton, Co. Grey Frost, J. W. (Owen Sound Branch) Lucas & Wright-107 (Owen Sound Br'ch)
- Flinton, Co. Lennox and Addington
 Perry, W. H.-157
- 79 Forest, Co. Lambton Owens, W. G.-179 Porte, W. J.-15
- 80 Fort Eric, Co. Welland Morwood, H. R.-241
- 81 Fort William, Thunder Bay Dictrict Matheson, W. A.-15 Morris, F. R.-157 Morton, W. L.-73

G.

Galt, Co. Waterloo Allenby, F. G.-186 Ball & Blake-267. G. A. Ball, J. R. Blake Beaumont & Irwin-15. E. J. Beaumont, J. B. Irwin Card, W. D.-188 Millican, W. J.-29 McMullen, J. E.-205 Turnbull & Barrie-206. W. H. Turnbull, Robt. Barrie

- Gananoque, Co. Leeds and Grenville Carroll, Wm. B.-348 Gillett, R. C. Ross, James C.-145 Sheppard, D. E.-279
- 84 Georgetown, County Italicon Goodwillie, G. S.-188 McLeod, J. B.-181
- 85 Glencoe, Co. Middlesex Blackburn & Cox-234
 - (London Branch) Stuart, Stuart & Ross-
 - 216 (London Br'ch) Tennent, McDonagh & Coleridge (London Branch)
- 86 Goderich, Co. Huron Cameron, Holt & Holmes, M. C. Cameron, Q.C., Philip Holt, D. Holmes Cameron, M. G.-234 Campion, E., Q.C.-234 Dancey, L. E.-15 Garrow & Proudfoot-15. J. T. Garrow, Q.C., Wm.Proudfoot Hays, R. C.-75 Heaton, Ernest-186 Johnston, M. O.-280 Lewis, E. N.-279 Lewis, Ira-279
- 87 Gore Bay, Manitoulin Island Cashman, Jas. W.-279
 - McKessock, R. R.-241 Grand Valley, Co.
- Dufferin Preston, J. A. V.-103

88

- 89 Gravenhursi, Mu-s koka District McFadyen, John Hornsby, Frank-267 Romains, Samuel Strathy, Esten & Ardagh-267 (Barrie Br)
- 90 Grimsby, Co. Lincoln Bell, G. F.-S Lancaster, E. A. (St. Catharines Branch) Meyer, Geo. W.-225

91 Guelph, Co. Wellington Coffee & Buckingham-209. T. P. Coffee, W. E. Buckingham Cutten, W. H.-267 Dawson, T. C Dunbar, Chas. L.-172 Field, G. W.-188 Day, J. E.-49 Fischer, J. B.-240 Guthrie, Watt & Guthrie-15. D. Guthrie, Q.C., James Watt, Hugh Guthrie Jeffrey, Nicol-15 Macdonald & Drew-220. A. H. Macdonald, Q.C., J. J. Drew Maclean, K.-29 & 157 McMillan, Hugh Meldrum, A. D.-211 Mowat, J. A. Mitchell, Robert-267 McLean & McLean-172. W. A. McLean, J. A. McLean Peterson, H. W.-157 Saunders, T. W.-267

н.

92 Hagersville, County Haldimand Geddes, F. W. B.-29 Lindsay, S. E.-157

93 Hamilton, Co. Wentworth Bell & Pringle-234. W.Bell, R.A.Pringle Bicknell, H. H.-188 Biggar & Lee-15. S. D. Biggar, L. Lee Bruce, Burton 8 Bruce-205, A. Bruce, Q.C., W. F. Burton, Ralph R. Bruce Burkholder, E.-339 Carpenter & Carpen-ter-157. H. Carpenter, A. A. Carpenter Carscallen & Cahill-157. H. Carscallen, Q.C., E. D. Cahill, D'Arcy Tate Chisholm & Logie-78. Jas. Chisholm, W. A. Logie Crerar, Crerar & Bankier-15. J. Crerar,

Q.C., P. D. Crerar, P. M. Bankier

Culham & Witton-15. J. A. Culham, H. B. Witton Duff, W. A. H.-29 Evans, W. T.-12 Farmer & Farmer-216 & 96. T. D. J. Farmer, John G. Farmer Furlong & Beasley-15. E. Furlong, A. C. Beasley Gage, R. R. Gibson & Orsborne-29. Hon. J. M. Gibson, Q.C., W. W. Os-borne, M.J. O'Reilly Haslett, T. C.-339 Jones, J. W.-179 Kerr, Geo. S.-191 & 339 Knowles, W. E. S.-188 Lazier & Lazier-234. S. F. Lazier, Q.C., E.Lazier. Lemon, Charles-205 Lewis, A. M. Livingston & Garrett-199. Stuart Livingston, A. E. Garrett Garrett Lovering, W. H.-157 Lyall, T. F.-258 McClemont, W.M.-241 McBrayne, W. S.-241 McKean, John Macdonald, W. R.-256 MacKelcan, F., Q.C.,-29 Malone, Martin Martin, F. R.-238 Martin, T. B.-238 Martin & Martin-339 E. Martin, Q.C., K. Martin, D'ArcyMartin Mewburn & Ambrose-157. S. C. Mew-burn, E. H. Ambrose Mills, Geo. H.-15 MacLennan, J. K.-188 Monck, J. F.-339 Nesbitt, Gauld & Dickson-19. Jonn W. Nesbitt, Q.C., J. G. Gauld, James Dickson Papps, G. S.-29

Robertson, H. H.-S Special Examiner Ross, W. L.157 Scott, Lees & Hob-son-203 & 205. J. J. Scott, W. Lees. Thomas Hobson Staunton & O'Heir-15. G. L. S ton, A. O'Heir G. L. Staun-Teetzel & Harrison-191 & 205. J. V. Teetzel, Q.C., John Harrison Thomson, Geo. C.-187 Waddell, F. R.-29 Waddell, J. N.-188 Walker, W. F., M.A., LL.B., Q.C.-339 Wardrope, W. H.-157 Washington, S. F.-339 Witherspoon, R. W .-15 94 Hanover, Co. Grey Tucker & Spotton-20. Owen Sound Br'nch) 95 Harriston, Co. Wel-

- lington Campbell, Arch. G.-339 Ebbels, Walter D.-29 Irvine C. E.-279
- 96 Hastings, Co. Peter. borough Sherry, Geo. J. 29
- 97 Hastings Village, Co. Northumberland Sherry, Geo. J.
- 98 Hawkesbury, Co. Prescott H. W. Lawler.289
- (L'Orignal Branch) 99 **Hensall**, Co. Huron Cooke, H. J. D.
- 100 **Hespeler**, Co. Waterloo Beaumont & Irwin. (Galt Branch)
- 101 Huntsville, Muskoka Grant, Donald-213 McMurrich, Coatsworth, Hodgins & Co.-213

Wilgress, G. S.-23

1.

102 Ingersoll, Co. Oxford Hegler & Hegler-65. J. C. & J. H. Hegler Holcroft, W. W.-29 Jackson, J. B.-7 McDouald, J. F.-279 Walsh, Michael-234 Wells, Thomas-15

103 Iroquois, Co. Dundas Overell, A. E.-68

Л.

104 Jarvis, Co. Haldimand Murdoch, J. Y.-72 Wells & Innes-303 (Simcoe Branch)

К,

105 Kemptville, Co. Grenville
Ferguson, G. H.-251
French & Allan-234.
F. J. French, Q.C., Thos. K. Allan
Kidd & Jones-96
G. E. Kidd, B. M. Jones
106 Kincardine, County Bruce

Scott, J. H. Loscombe, W. C., Q. C.-15 Macpherson, J. A.-29

- 107 King, Co. York Duncan Grant &
 - Skeans (Torn'to Br.)
- 108 Kingston, Co. Frontenac Bawden, Jos.-15 Britton & Whiting-78 B. M. Britton, Q.C., J. L. Whiting Brown, F. M.-250 Cunningham, A. B .-286 Geale, John King, Francis-256 Kirkpatrick, F. G.-297 Kirkpatrick & Rog-ers-297. R. V. Rogers, Q.C. Lyon, Horatio V.-112 Macdonnell & Farrell-256. G. M. Macdonnell, Q.C., J. M. Farrell

Machar, J.M., Q.C.-15 Macnee, J. H.-69 Maudie, John-157 Mundell, Wm.-325

McIntyre & McIntyre-205. John Mc-Intyre Q.C., D. M. McIntyre-256 Nickle, W. F. Plewes, David-250 Skinner, J. S.-65 Smith C. F. Smythe & Lyon-29. E. H. Smythe, Q.C., H. I. Lyon Snook, Tunis L.-15 Strange, John-267 Sullivan W. H.-7 Walkem & Walkem-1955. R. T. Walkem, Q.C., Joseph B.Walkem

- 109 Kingsville, Co. Essex Smith, W. A.-251
- 109a Kirkfield, Co. Victoria Godson, T. Ernest. (Beaverton Branch)

L.

- 110 Lancaster, Co. Glengarry Macdonald, J. S.-15 Stewart, Wm.
- 111 Leamington, County Essex Boles, A. T.-157
 - Easton & Gundy-65. W. T. Easton, W. E. Gundy
- 112 Lindsay, Co. Victoria Barron & Steers, 29. Wm. Steers
 O'Connor, L. V.-258
 Devlin, A. P.-213
 Hopkins, G. H.-15
 Moore & Jackson-339, F. D. Moore, Alex.
 Jackson
 McIntyre & Stewart-15. D. J. McIntyre, Q.C., T. Stewart
 McLaughlin & Mc-Diarmid-19. R. J.
 McLaughlin, F. A.
 McDiarmid
 McMurchy, N. A.
 McSweyn & Anderson-65. John Mc-Sweyn, D. R. Anderson

O'Leary, Hugh, Q.C.-29 & 157

- 113 Listowell, Co. Perth Blewett, F. R.-234 Morphy & Carthew-339. H. B. Morphy, J. M. Carthew Terhune, J. E.-279
- 114 Little Current, Manitoulin Island Cashman, J.W. (Gore Bay Branch) Kessock, R. R. (Gore Bay Branch)
- 115 London, Co.Middlesex Bartlett, Elliott & Graham-179. P. H. Bartlett, H. B. El-liott, R. M. Graham Bartram, W. H.-15 Bayly & Bayly-17. Richard Bayly,Q.C., R. A. Bayly Beattie, J. H. A. Becher, H. C. Blackburn & Cox-234. H. S. Blackburn, A. B. Cox Buchner, U. A.-72 Casey, Avery-267 Chisholm, A. G.-234 Clarke, W. J.-234 Cowan, R. K.-280 Cronyn & Betts-223 & 29. V. Cronyn, F. P. Betts, H. Cronyn Essery, E. T., LL.B. 120 Fitzgerald & Fitzgerald-15. W. C. & W. E. Fitzgerald Flock & Flock-251. J. H. Flock, Q.C., E. W. M. Flock Frazer & Frazer-157. J. H., Q.C., & M. D. Frazer, P. Moore Gibbons Mulkern & Harper-15. Geo. C. Gibbons, Q.C., P. Mulkern, Fred. F. Harper Graydon & Graydon-172. N. P. Gray-don, H. M. Graydon Greenlees, A.-29 Gunn & Harvey-280. G. C. Gunn, W. J. Harvey
Hellmuth & Ivey-120. I. F. Hellmuth, C. H. Ivey Jarvis & Vining-179. C. G. Jarvis, Jared Vining Jeffery, A. O., LL.B., D.C.L.-15 Jeffery, J. E.-15 Johnston, E. H.-183 Kingston, C. A.-200 Laidlaw, W. B.-249 Love & Dignan-265. F. Love, R. H. Dignan Luscombe, T. H.-15 Macbeth & Macpher-son-15. 'l'albot Macbeth, John Macpherson Magee, McKillop & Murphy-15. J. Magee, Q.C., J. B. Mc-Killop, T. J. Mur-phy, P. E.Mackenzie Meredith & Fisher-65. Thos. G. Meredith, R. G. Fisher Meredith, Cameron. Judd & Dromgole-234. E. Meredith, Q.C., E. R. Came-ron, J. C. Judd, J. O. Dromgole McCann, B. C. McEvoy & Pope-216. John M. McEvoy, LL.B., H. C. Pope, LL.B. McKenzie Philip-256 McPhillips & Toothe-157. P. McPhillips, R. M. C. Toothe McWhinney, J. M. O'Neil, J. D.-15 Parke, Purdom & Pur-dom-284. E. J. dom-284. E. J. Parke, Q.C., T. H. Purdom, A. Purdom Partridge, Thos. Proudfoot, W. A. Scandrett, T. W. Scratcherd, E.-15 Simpson, C. P.-29 Stuart, Stuart & Ross-216. Alex. Stuart, D. Stuart, D. C. Ross Tennent, McDonagh & Coleridge-193. D. H.

Tennent, M. P. Mc-Donagh, Thomas Coleridge Thomas, James, A.-72 Walker, J. S. Weekes, G. N. Weld, Edmund-15 Winnett, J. W.-294

116 L'Orignal, Co. Prescott and Russell Constantineau, A.-69 Lawlor, H. W.-267 O'Brian & Hall-265, C. G. O'Brian, W S. Hall

Maxwell, John-234

- 117 Lucau, Co. Middlesex Bayly & Bayly-17 (London Branch) McDiarmid, W.-279
- 118 Lucknow, Co. Bruce Malcomson, P. A.-234 Morrison, H.-181

M.

- 119 Madoc, Co. Hastings Cross, W.-235 McDonald, A. A.-175 Stewart & Moore-263. D. E. K. Stewart, W. J. Moore
- 120 Manitowaning, Manitoulin Island McKessock, R. R. (Gore Bay Branch)
- 121 Markdale, Co. Grey Lucas & Wright-107. (Owen Sound Br'ch) McCullough, Pat'k-308
- 122 Markham, Co. York Higgins & Douglas (Toronto Branch) Holmes & Gregory (Toronto Branch) Lawrence & Ormiston (Toronto Branch) Mairs, Alexander-43 Robinson, W. A.-188 Stephenson, G. H.-199
- 123 Mattawa, Nipissing District Cooley, S. J.-256 Dunlap, D. A.-15
- 124 Meaford, Co. Grey Sutherland, C. T.-15 Wilson & Dyre-29, John S. Wilson, T. H. Dyre

- 125 Merrickville, County Leeds and Grenville Baker, A. E.-249
- 126 Metcalle, Co. Carleton MacCraken, Henderson & Layton-256. (Ottawa Branch
- 127 Midland, Co. Simcoe Bennett, W. H.-15 Morgan, G. St. V. Rowe, John-29
- 128 Mildmay, Co. Bruce Swartz, E. O.-69
- 129 Millbrook, Co. Durham Ruddy, R.-15 Smith, A. A.-101
- 130 Milton, Co. Halton Boyd, E. W.-216 Chisholm, Victor-72 Dick, W. I.-68 Elliott, John W.-10 Matheson, Thos. G.-15 McCraney, G. E.-181
- 130a Mine Centre, Rainy River District Elliott & Beattie. W. J. Elliott, H. Beattie
- 131 Mitchell, Co. Perth Dent & Thompson-155. A. Dent, F. H. Thompson Goodeve, G. S.-205
- 132 Morrisburg, Co. Dundas Hilliard, Irwin-200 Johnston & Bradfield-172. Adam Johnston, G. F. Bradfield Lyle, R. F.-200 Myers, C. A.-188 Perry, A. D. Tyrrell, Frank-200 Whitney, J. P., Q.C .-205
- 133 Mount Forest, Co. Wellington Clarke & Clarke-65. J. B. & A. S. Clarke Kilgour, Robert O. Kingston, W. H., Q. C.-303 McGregor, M. O.-8 McMullen, J. A.-181 Perry, W. C.

- N. 134 Napance, Co. Lennox and 'Addington Deroche & Madden-15. H. M. Deroche, Q.C., J. H. Madden English & Perry-157. John English, W. H. Perry German, T. B. Gibson, S.-69 Herrington & Warner-339. W. S. Herrington, S.C.Warner ner Preston, D. H., Q. C.-234 Ruttan, G. F.-251 Wilson, W. G.-200 Wilson, U. M.-213 135 Newboro', Co. Leeds Richardson, W. W. (Westport Branch) 136 Newcastle, Co. Durham Wright, Charles-15 137 New Hamburg, Co. Waterloo Millar, Wm.-15 138 Newmarket, County York Knowles, W. F. C. Lloyd, T. H.-193 Robertson, Thos. J.-15 Widdifield, W. C.-200 139 Niagara Falls, Co.
 - Welland Cole, A. E. Fraser & Woodruff-339. Alex. Fraser, W. E. Woodruff German & Macdon-nell (Welland Br'ch) Griffiths, F. W.-241 Hill, F. W.-205 McBurney, F. C.-327
- 140 North Bay, Nipissing District Bowie, Geo. S. Browning & Leask-339. A. G. Browning, H. D. Leask LaRose, P. A. C.-69 McNamara, J. M.-182
- 141 Norwich, Co. Oxford Brown, Thomas-175 Duncan & Duncan-15. (Woodstock Branch)

142 Norwood, Co. Peterborough Campbell, W.A.F.-339 Sherry, George J.-29

X

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0.

143 Oakville, Co. Halton Appelbe, R. S.-265 Cameron & Lee. (Toronto Branch)

144 Oil Springs, County Lambton Dawson & Greenizen-157. (Petrolia Br'ch)

- 145 Orangeville, County Dufferin Fish, J. N.-84 Hughson, A. A.-218 Island, John L.-241 Myers, Elgin, Q.C. McKay, W. J. L.-172 McKaown C. R.-181 Robb, George Walsh, W. L.-205
- 146 Orillia, Co. Simcoe Evans, F. G.-205 Grant, D. I. Grant, G. D.-181 Gunn, R. D.-7 Hammond, J. H.-65 Lafferty, T. B.-297 McCarthy, Pepler, Corbould & McCarthy, 205. D. McCarthy, Q.C., F. E. P. Pepler, Q.C.,Chas. Corbould, J.A.McCarthy McCosh John-15 Robinson, S. S.-29
- 147 Oshawa, Co. Ontario Grierson, John F.-135 Jones, C. A.-283 Morphy, H. E.-179 Murton, L. K.-20
- 148 Ottawa, Co. Carleton Barry, W. H.-15 Belcourt & Ritchie-234, N. A. Belcourt, LL.D., M.P., John A. Ritchie, County Crown Attorney Bishop & Smith-78, John Bishop, L. A. Smith Blanchet, C. A.-205 Bradley, Rich. A.-20

Christie, Greene Sc. Greene-234. J.Christie, G. M. Greene, W. Greene Chrysler & Bethune-205. F. H. Chrys-ler, Q.C., C. J. R. Bethune Clemow F. C. Code & Beament-23. W. J. Code, T. A. Beament Code & Burritt-23. R. G. Code, E. F. Burritt Constaintneau & Lawlor. A. Constantin-eau, H. W. Lawlor Dowlin, J. L.-205 Ferguson, A., Q.C.-205 Fisher, J. P.-339 French, F.J., Q.C.-234 Fripp, A. E.-23 Gemmill & May-12. J. A. Gemmill, A. F. May Gorman, M. J.-68 Gormully & Orde-314. J. J. Gormully, Q. C., J. F. Orde Grant & Sims-15. J.C. Grant, R. J. Sims Grundy, Arthur W. Henderson, G. S.-159 Hick, Robert-15 Hodgins & Graham-159. John Hodgins, G. Duncan Graham Kidd, George E.-69 Kidd & Forward-159. W. J. Kidd, A. G. Forward Latchford & McDougall-339. F. R. Latchford, J. L. Mc-Dougall, jr. Lees, W. A. D.-15 Lewis & Smellie-205. J. Travers Lewis Jas. F. Smellie Lussier, A. E.-234 MacCraken, Hender-son & McGiverin-250. John I. Mac-Craken, Geo. F. Henderson, H. B. McGiverin Macfarlane, A:-272 Mackay, W. M. Maclean, Donald H.

Mahon, Edward-205 Morton, T. P.-93 Mott, Wm.-102 Murphy, Chas.-219 McCready, J. J. McDougall, Joseph McIntyre & Powell. A.F.McIntyre, Q.C., F. C. Powell McLaurin & Millar-29. Geo. McLaurin, H. Millar McLean, D. L.-29 McVeity, Taylor-251 Nellis, Monk & Mathe-son-157. T. F. Nel-lis, H. C. Monk, R. B. Matheson Nugent, A. O'Connor, D., Q.C. O'Connor, Hogg Magee-113. W. D. Hogg, Q.C., Charles O'Connor, F. A. Magee O'Connor, J. R. O'Gara, Wyld & Gemmell-15 & 256. M. O'Gara, Q.C., Wm. Wyld,Q.C.,R.E.Gemmell O'Meara & Kehoe. J. O'Meara. L. J. Kehoe O'Meara & O'Meara-65. J.&J.E. O'Meara Percival, H. A.-267 Perkins & Fraser-325. W. C. Perkins, A. W. Fraser Pratt & Pratt-342. H. O. E. & C. B. Pratt Ritchie, Owen-29 Scott, Scott & Curle-339. Hon. R. W. Scott, Q.C., LL.D., D'Arcy Scott, W.H. Curle, M.A. Sinclair, R. V.-15 Smith, J. J. Smith & McDougal. J. P. Smith, Frank J. McDougal Sparks, Nicholas Stewart, McLeod-270 Ward, J. W. W. Warne, J. F. Webster, G. R. Wicksteed, R. G.

149 Owen Sound, County Grev Armstrong, Wm. R. Armstrong & Telford-15. J. Armstrong, Wm. P. Telford, jr Bishop & Middleboro-15. Wm. A. Bishop, W. S. Middleboro Christie, Robert-15 Creasor & Smith-15. A. D. Creasor, H.B. Smith Evans & Scott-179. R. W. Evans, J. M. Scott Frost, J. W.-205 Hatton, W. J.-205 Kilbourn & Kilbourn-15. J. M. & F. H. Kilbourn Lucas & Wright-107 J. B. Lucas, W. H. Wright Mackay, A. G.-29 Masson, Wm.-216 Tucker & Spotton-19 H. G. Tucker, W. H. B. Spotton, B.A. Р.

- 150 **Paisley.** Co. Bruce Cowan, Hector-155 McCallum, A. B.
- 151 Palmerston, Co. Wellington Clark, Allister M.-186 Drew & Downs, J. J. Drew, G. F. Downs
- 152 **Paris**, Co. Brant Foley & Smith-205. C. M. Foley, G. J. Smith
- Smoke, Franklin-339 153 **Parkdale**, Co. York
- Douglas & Murray. (Toronto Branch)
- 154 Parkhill, Co. Middlesex Goodman, K.-15 McTavish, A. A.-15 O'Brien, Thomas-267
- 155 Parry Sound, Parry Sound District Haight, W. L.-52 Pirie & Stone-68. E. Pirie, H. E. Stone Ray, N.

156 Pembroke, Co. Renfrew Burritt, Jas. H.-205 Delahaye & Reeves-G. Delahaye, 15. John R. Reeves Forgie, J. G.-205 Irving, Lennox-188 Kennedy, J. D.-19 Knowles, James Metcalf & Metcalf-29. J. H. & J. R. Metcalf O'Meara, J. J.-15 White, Peter, Jr. White & Williams-15. Wm. R.White, Q.C., W. H. Williams 157 Penetanguishene, Co. Simcoe Hewson, W. H.-58 Morgan, G. St. V.-216

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g,

jr

0-

p,

5. B.

9.

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n-

I.

7

I.

6

9

¹Inompson, A. B. 58
¹Derth, Co. Lanark Allan, J. A.-339 Consitt, G. A.-15 Foy, O. J.-241
¹Hall & Hall-15 & 205. F. A. Hall, Q.C., F. W. Hall
¹Malloch, E. G.-256
¹Matheson & Balderson-15. A. J. Matheson, J. M. Balderson
¹Rogers & Stewart-339
¹J. M. Rogers, John A. Stewart
¹Shaw, Alex. C.-15

159 Peterborough, Co. Peterborough

Dennistoun, Peck & Stevenson-205. E. A. Peck, R. M. Dennistoun, A. Stevenson

Dumble & Johnston-339. D. W. Dumble, W. F. Johnston

Edmison & Dixon-339. Geo. Edmison, A. E. Dixon

Edwards, E. B.-339

Green, John-234

Hall & Hayes-339. E.H.D. Hall, Louis M. Hayes

Hatton & Wood-234. G. W. Hatton, R. E. Wood Kerr, Gladman & Kerr, Q.C., F. W. Gladman, F. D. Kerr Moore, W. H.-234 O'Connell, Daniel-49 Poussette, A.P., Q.C.-65 Roger & Bennet-339. G. M. Roger, J. W. Bennet Sawyers, C. W.-65 Stone, E. B.-65 Stratton & Hall-29. W. A. Stratton, R. R. Hall

- 160 Petrolia, Co.Lambton Anderson, T. J.-339 Dawson & Greenzlen-157. H. J. Dawson, I. Greenizen Isbister, John Moncrief & Gausby-314. Geo. Moncrief, Q.C., J. D. Gausby Shaunessy, A. E.-15 Wilson, Fred'k W.-157
- 161 Picton, Co. Prince Edward

Alcorn, G. O., Q.C.-12 Allison, M. R.-58 Brown, J. Roland-339 Gilbert, Nehemiah-69 Hubbs, Rich. H.-15 Macnee, P. Clark-15 Widdifield, O. H.-216 Wright & Walmsley-65, John A. Wright, Thos. Walmsley Young, E. M.-69

- 162 Port Arthur, Thunder Bay District Gorham, T. A.-256 Keefer, Frank H.-78 Langworthy, W. F. 205 McBrady, W.-7 Wink, A. S.-186
- 163 Port Dover, County Norfolk

H. D. Petrie-96. (Simcoe Branch)

154 Port Elgin, County Bruce

> Burgess, W.-29 & 157 Dalrymple, J. C.-234 Palmer, J. F.

165 **Port Hope,** County Durham Chisholm & Chisholm-

Chisholm & Chisholm-15. W. C. and D. H. Chisholm Holland, R. H.-29 Smith, Seth S.-303 Ward, Henry A.-15 White, H.-286

- 166 Port Perry, County Ontario Billings, John Ebbels, Hubert L.-234 Paterson, Ritchie & Sweeney (Toronto Branch) Yarnold, F. M.-249
- 167 Prescott. Co. Leeds and Grenville Dowsley, J. K.-65 French, F.J., Q.C.-234 Halpin, P. K.-339 Knapp, F. A.-279 O'Reilly, J. R.-339

168 **Preston**, Co. Waterloo Hanning, C. R.-96

R.

169 Rat Portage, Rainy **River** District Boyce & Beairsto. A. Cyril Boyce, William Beairsto Edgar, Malone & Bird-101. Hon. J. D. Ed-gar, Q.C., M.P., E. T. Malone, J. F. Ed-gar, J. H. Bird Ferguson, T. R.-251 Kennedy, T. S., Q.C.-101 Langford & Moran, 188. Henry Langford, W. J. Moran. McGillivray & Mc-Murray. J. F. Mc-Gillivray, Frank A. McMurray (a) McLennan, Allan-241 O'Brien, Gibson & Co-burn, H. O'Brien,

Goodwin Gibson, J. H. Coburn Smith, L. C. Thibaudeau, W.B.-250 Towers, W. B.-205 Wragge, E. C.

170 Renfrew, Co. Renfrew Chown, S. T.-250 Craig, James-44 McGarry & Grout-15, T. W. McGarry, T. H. Grout

- 171 **Richmond Hill,** Co. York Lawrence & Ormiston (Toronto Branch)
- 172 Ridgetown, Co. Kent Mills & Mills-145, Hon, D. Mills, Q.C., Walter Mills Ridley & Gundy-69, E. H. Ridley, W. Gundy Beycraft, L. J. Smith, Herbert D.-69 Watson, O, K.
- 173 Rodney, Co. Elgin Jell, Horace F.-331 Shaw, J. D.-199

5.

174 Sarmin, Co. Lambton Adams, Joshua-29 Bucke, Julius P.-29 Hanna & Burnham-15. W. J. Hanna, Alex. Burnham Kittermaster & Gurd-15. F. W. Kittermaster, N. S. Gurd Lister & Cowan-15. J. F. Lister, Q.C., J. Cowan Logan, John R.-72 McDowall, J. A.-200 Mackenzie, David McMillan, D. S.-200 Pardee, F. F.-29 Weir, A.-157

175 Sau't Ste. Marie, District of Algoma Carney, W. H. Hamilton, H. C.-234 Hearst & McKay-205 W. H. Hearst, J. Mc-Kay Kehoe, J. J.-234

McFadden & Farwell-339. M. McFadden, .C. F. Farwell Rogers, Fred.-181 Simpson, N.-68

 176 Scatorto. Co. Huron Best, J. M.-15 Hays, R. Stanley-15 Holmested, Francis-29 Killoran, J. L.

J.

50

n.

n

177 Shelburne, Co. Duf. ferin

Douglas & Whiteside-152. J. W. Douglas, D. Whiteside Vance, Geo. M.-4

- 178 Simcor, Co. Norfolk Ansley & Slaght-256. J. H. Ansley, T. R. Slaght Atkinson, T. R. Backus, C. C.-58 Curtis, Frank E.-267 Kelly & Porter-96. W. E. Kelly, J. Porter Petrie, Harry D.-96 Tisdale, Tisdale & Reid-205. David Tisdale, Q.C., W. E. Tisdale, Frank Reid Wells & Innes-303. Geo. W. Wells, Q.C., Hugh P. Innes
- 179 Smith's Falls, Co. Lanark Cairns, Geo. F.-339 Lavell, Farrell & Lavell, Farrell & Lavell, Farrell & Lavell, Alex, G. Farrell, Harry Lavell McEwan, John-106
- Sparham, B. E.-205 180 Staymer, Co. Simcoe Campbell, W. M.-339 Hood, Fraser & Sullivan. John Hood, James Fraser, A. J. F. Sullivan
- 181 Stirling, Co. Hastings Halliwell, J. E.-339 Thrasher, G. G.-200
- 182 Stouffville, Co. York Macdonald & Fitch-175. G. S. Macdonald, C. R. Fitch McCullough, Jas. 207 Robinson, Lennox & Lennox-290. C. C.

Robinson, J. F. Lennox, T. H. Lennox 183 Stratford, Co. Perth Coughlin, J. J.-278 Darling, J. L.-234 Duggan, J. M. Harding, J.E., Q.C.-29 Harding, R. T.-234 Idington & McCarthy-15. John Idington, Q.C., M.S.McCarthy Lawrence, G. W., & Son-15. Wm. Lawrence Mabee, J. P.-205 M.Pherson & Davidson-29. G. G. Me-Pherson, J. A. Davidson Panton, A. M. Smith & Steele-216, E. S. Smith, Q.C., J. Steele 184 Strathroy, Co.Middlesex Bartlett, Elliot & Graham (London Br'ch) Cameron, J.-93 Folinsbee, John-186 Laird, W. P.-15 Stuart, Stuart & Ross-233. (London Br'ch) Traver, Elliott-29 185 Streetsville, Co. Peel Mahaffy, J. J.-49 Boyd, E. W. (Milton Branch) 186 St. Catharines, Co. Lincoln Benson, C. I. Brennan, Michael, 7 Campbell, J. S.-216 Collier & Yale-205. H. H. Collier, H. Yale Connor, Chas. H.-235 Gilleland, W. B.-234 Ingersoll & Varley-19. J. H. Ingersoll, J. E. Varley Keyes, James A.-249 Lancaster, E. A.-8 McCarron, M. J.-258 McClive & McClive-234. W. H., Q.C., & H. W. McClive Macdonald, F. W.-15 Marquis, A. W.-15 Peterson, G. F.-205

Phelps, W. L. Rykert, J. C., Q.C.-235 Wilson, W. S.-65 186a St. Clements, Co. Waterloo Reade, Wm. M. (Waterloo Branch) Francis, Rainy River District Keating, W. J. Harding, E. W.-234 Harstone, Leonard-266 Graham, J. W.-167 Moscrip, Wm. C.-15 Barnum, W. H.-92 Coughlin, D.-205 Crothers & Price-342. T. W. Crothers, S. Price Crothers, D. B. S.-29 Davidson, J. B.-200 Doherty, Wm. B.-15 Donahue, D. J.-205 Farley & Travers-15. John Farley, Q.C., Harry B. Travers Glenn, J. M.-29 & 157 Grant, Andrew-69 Horton, E.-266 Kains, John A.-188 Macdougall & Robertson-78 & 213. C. Macdougall, Q.C., J. S. Robertson Maxwell, C. F.-327 Miller, Robt.-15 (Special Examiner) McConnell, R. H.-151 McCrimmon & Wil-son-216. A. McCrimmon, Wm.A. Wilson McLean, McLean & Cameron-15. J. & Jas. A. McLean, W. K. Cameron Robinson, John A.-331 White, W. J.-15 Wickett, W. L.-157 190 Sturgeon Falls, District Ninissing McKee, H. E.-73 Clary, J. H.-212 Fowler, Joseph

- 187 St.
- 188 St. Mary's, Co. Perth
- 189 St. Thomas, Co.Elgin
- 191 Subdury. Dis. Nipissing Lemieux, F. F.-258 MacLennan, J. K.

192 Sutton, Co. York Crozier, A.-157

T.

- 193 Tamworth, Co. Lennox and Addington Carscallen, F.-249
- 194 Tara, Co. Bruce Start, C. E.-274
- 195 Teeswater, Co.Bruce Stephens, J. J.-157
- 196 Thamesville, Co. Kent Coutts, John-172
- 197 Thedford, Co. Lambton

Gowans, James

- 198 Thessalon. District of Algoma Livingstone, John
- 199 Thornbury, Co.Grey Wilson & Dyre-29. (Meaford Branch)
- 200 Thorndale, Co. Middlesex Jarvis & Vining (London Branch)
- 201 Thornhill, Co. York Duncan, Grant & Skeans (Toronto Br)
- 202 Thorold, Co. Welland Collier & Burson, H. H. Collier, G.B.Burson
 - Casey, F. W.-267
- 203 Tilbury, Co. Essex McDonald, Alex.-12 Nelles, F. E.-289
- 204 Tilsonburg, County Oxford Baker, A. E. 249 Carruthers, John-251 Clarke, C. F.-157 Dowler & Sinclair-339 W.A. Dowler, V.Sinclair

Livingstone, L. B. C .-157

Van Sittart, J. G.-331 205 Toronto Junction, Co. York

Anderson, A. J.-72 Going, Chas. C.-236

206 Tottenham, County Simcoe Hearn & Lamont-143.

(Toronto Branch)

Hood, Jacks & Fraser (Toronto Branch) McCarthy, Pepler & McCarthy-205. (Barrie Branch)

207 Trenton, Co.Hastings Abbott, A.-211
Bleasdell, J. H. T.-267
Delaney, H. W.-200
Forbes, Alex.-65
Keith, J. F.-258
McLellan, McLellan,
65. A. L. McLellan,
D. McLellan
O'Rourke, T. A.-258
Ostrom, G. W.-15
Young & Cooley-408, S.
J. Young, S.J.Cooley
208 Tweed, Co. Hastings Craig, C. W.-128

U.

- 209 Unionville, Co. York Higgins & Douglas. (Toronto Branch) Holmes & Gregory. (Toronto Branch)
- 210 Uxbridge, Co. Ontario Chapple, T. W.-157 McGilluvray, John A., Q.C. Paterson, Ritchie & Sweeney-270. (Toronto Branch) Raines, F. N.-216

V.

- 211 Vankleek Hill, Co. Prescott and Russell Thistlethwaite, F. W.-200
- 212 Verner, Dis. Nipissing McKee, H. E.-266. (Sturgeon Falls Br)

W.

213 Wabigoon, Rainy River District
Price, H. E.
Robinson, Sangster, Lennox & Lennox.
C. O. Robinson, F.
H. Sangster, T. H.
& J. F. Lennox

f

- 214 Walkerton, Co. Bruce Collins, A.-157 Dixon, Thomas-20 Klein, O. E.-234 McKay, S. H.-241 O'Connor, H. P., Q.C.-15 Robertson, D.-182 Shaw & Shaw-29. Shaw, Q.C., W. M. Shaw 215 Wallaceburg, Co. Kent Carscallen & Hall-157 Wm. Carlisle Hall, A. B. Carscallen Fraser, John S.-339 Jackson, C. B.-157 McDougall, A.-267
 - 216 Warkworth, County Northumberland Webb, Hooey & Hunter. (Colborne Br.)
 - 217 Warren, Dis.Nipissing McKee, H. E.-266. (Sturgeon Falls Br.)
 - 218 Waterford, Co. Norfolk
- Wilkinson, W. B.-286 219 Waterloo, Co. Waterloo McBride, A. B.-15

McBride, A. B.-15 Haight, J. C. 205 Reade, Wm. M.

- 220 Wattord, Co.Lambton Fitzgerald & Fitzgerald-15. (London Br.) Kennedy, W. H. Lister & Cowan. (Sarnia Branch) Saunders, A,-15
- 221 Welland, Co. Welland land
 Bridgeman, A.
 German & Macdonell-277. W. M. German, A. Macdonell
 Gross, J. F.-234
 Harcourt, Cowper & Macoomb-205. Hon.
 R. Harcourt, Q.C., T. D. Cowper, H.
 W. Maccomb
 Raymond & Cohoe-205
 L. C. Raymond, J.
 E. Cohoe
 Scilly, S. T.
 222 West Lorne. Co Elgin
- 222 West Lorne, Co Elgin Bridgeman, A.-15

- 223 West Winchester, Co. Dundas Lawson, W. B. (Chester Branch) Palmer, W. L.-29 Reveller, S. S.-205
- Weston, Co. York Irwin, H. E. (Toronto Branch) Nason, Joseph (Toronto Branch)
 Titus, T. E. (Toronto Branch)
- 225 Westport, Co. Leeds Richardson, W. W.
- 226 Whitby, Co. Ontario Barclay, L. T. Dow & McGillivray-325. John B. Dow, T. A. McGillivray Farewell, John., E., Q.C.-29 & 157 Gordon, James K.-134 Greenwood, J. H.-29 Ormiston, D.-193 Rutledge, James-29 Smith, G. Young-15
- 227 Wiarton, Co. Bruce Ferguson, W. J.-23 Fletcher, James-241
- 228 Windsor, Co. Essex Arnold, A. J.-197 Clarke, Cowan, Bartlett & Bartlett-15. A. H. Clarke, M. K. Cow-an, M.P., N. A. Bart-lett, A. R. Bartlett Cleary & Sutherland-48. F. Cleary, R. F. Sutherland Dougall, Duncan-15 Ellis & Ellis-205. H. T. W. & St. G. Ellis Fleming, Wigle & Rodd-205. O. E. Fleming, E. S. Wi-gle, J. H. Rodd Haldane, J. F. C.-284 (Special Examiner) Hanna, J. W.-292 Hare, J. F.-274. (Local Master) Kenning, E. C. Kerby, F. C.-329 Lafferty & Davis-213. F. D. Davis, A. L. Lafferty

Martin, J. R.-29 O'Connor, J.Edward-7 Panet, A. P. E. Patterson, Leggatt, Murphy & Sale-65. Hon. J. C. Patterson, J. L. Murphy, C. J. Leggatt, John Sale, J. F. Patterson Peters, J. L.-205 Sheppard, M.-15 Templeton, James White, S.-137

- 220 Wingham, Co. Huron Dickinson, E. L.-15 Morton, J. A.-157 Vanstone, R.-15
- 230 Woodbridge, County York
 - Duncan, Grant & Ferguson, McDonald & Glassford (To ronto Branch)
- 232 Woodstock, County Oxford
 - Ball, Alfred S.-279 Ball & Ball-157, F. R. Ball, Q.C., R. N. Ball Bird & Martin-29, R.
 - Bird, F. C. Martin Duncan & Duncan-15. H. J. Duncan, G. G. Duncan
 - Finkle & McMullen-205. H. J. Finkle, W. T. McMullen
 Kemp, Clifford-157
 Kendall, Daniel S.-205
 Knight, H. V.
 Mackay, J. S.-15
 McKay & Bicknell-188. S. G. McKay, Alfred Bicknell
 McKay, J. S.-191
 Nellis, J. H.-15
 Smith, George-339
 Totten, W., Q.C.-15
 Wallace, J. G.-338
- 232 Woodville, Co. Victoria Godson, T. Ernrst.
 - (Beaverton Branch) Weeks, C. E.-157

ALPHABETICAL LIST OF BARRISTERS IN ONTARIO

NOTE. - To find place of Residence, the number after name refers to City or Town in Ontario of same number.

A.

Abbott, A., 207 Adams, A. A., I. J., 1 Agnew, John, 1 Akers, John, 1 Aleorn, G. O., 161 Allan, J. A., 158. W. T., 52 Allen, T. K., 105. W. McC., 1 Allenby, F. G., 82 Allison, M. R., 161 Ambrose, E. H., 93. (Mewburn & Co.) Co.) Co., A.J., 105. D. R., 112, (McSweyn & Co.) F. G., 1. P. J. M. 21. T. J., 160. Andrews, H. M., 22 Anglin, A. W., 1. (Blake & Co.) F. A., 1 Ansley, J. H., 178 Appelbe, R. S., 143 Ardaab, 89 Ardagb, 89 Armour, D., 1. (Barwick & Co.) E. D., 1 Armstrong, A. B, I. A. J., 49. H., I. (Beatty & Co) J., 149. T. C. L., I. W. R., 149 Arnold, A. J., 228, F., I. O. M., I. (Reid & Co.) S. B., 44. (Thrash-(Reid & Co.) S. B., 44. (Thrash-er & Co.) Arnoldi, F., 1. G. F. T., 1. (Gib-son & Co.) Ashworth, John, 28. Atkiroson, C. R., 44. C. R., Jr., 44.

T. R., 78 Ault, W., 16

Aylesworth, A. B., 1. (Barwick Co.)

B.

Backhouse, A. H , 15 Backus, C. C., 178 Bain, A., 1 Bain, A., 1 Co.) W. A., 1. (Lobb & Co.) W. A., 1. (Clark & Co.) Baker, A. E., 125 and 204 Balderson, J. M., 158. (Matheson & Co.) 82 (20.) Baldwin, L. H., 1 Bald, A. S., 231. F. R., 231. G. A, 82. R. N., 231 Ballantyne, A. W., 1. (Ritchie & Co.) Bankier, P. M., 93, (Crerar & Co.) Barlay, L. T., 226 Barker, B. K., 1. (Bristol & Co.) Barnum, W. H., 189 Barrie, R. & 189 Barrie, R. & 148 Bartheram, W. H., 115 Barthett, A. R., 228, (Clarke & Co.) N. A., 228. (Clarke & Co.) P. H., 115 Co.)

Barwick, W., 1. Batson, C.A., 65 Pawden, Jos., 108 Baxter, D. W. 1 Bayly, E., I. R., 115. R. A. 115 Beairsto, W., 169 Beairsto, W., 169 Beal, T. K., 12 Beament, T. A., 148. (Code & Co.) Beasty, A. C. 93. (Furlong & Co.) Beatty, C. W., 1. (Beatty & Co.) W. H., 1 Beaty, J., Jr, 1 Peavors, G. 1 Peavors, G. 1 Beavers, G. 1 Becher, H. C., 115 Beck, H. T., 1 Beck, H. T., 1 Bedford-Jones, A. C., 1 Beguer, T. H. A., 62 Belcourt, N. A., 148 Bell, Edwin, 44. G., 1. (Thomson-&Co) G. F., 90. J., 21. Wm., 93 W. A., 5 Bennet, J. W., 159 Bennet, V. H., 127 Benson, C. I., 186 Benntley, W. B. 1 Bestly, W. B. 1 Besthune, C. J. R., 148. (Chrys.'er & Co.) Bentley, W. B. 1 Best, J. W., 176. W. H., 1 Bett, J. M., 176. W. H., 1 Bett, M., 176. W. H., 1 Bettine, C. J. R., 148. (Chrysler & Co.) Bettes, F. P., 115. (Cronyn & Co.) Bettes, F. P., 115. (Cronyn & Co.) Bigger, C. R. W., 1, G. C. 1. (Biggar, C. R. W., 1, G. C. 1. (Biggar, C. R. W., 1, G. C. 1. Bigger, C. R. W., 1, G. C. 1. Bigger, S. C., 1 Hillings, J. 160 Bird, J. H., 160. J. E., 1. (Edgar & Co.) R., 231. Bird, J. H., 160. J. E., 1. (Edgar & Co.) R., 231. Birt, J. H., 160. J. E., 1. (Edgar & Co.) R., 231. Birt, J. J. H., 52. Birt, J. H., 160. J. E., 1. (Edgar & S. S. H., 160. J. E., 1. Birt, C. J. H., 5, 135 Biar, C. F. E. F., I. H., J. R., 82. S. H. E. F., J. H., 1. J. R., 83. S. H. E. F. J. H., 1. J. R., 84. S. W., 1. W. H., 1 Biardet, C. A., 30 Biar, C. J. Bieasdell, J. H. 7. Boogar, C. 31 Boogar, C. 31 Boogar, C. 4, 1 Boonard, W., 1. (Macdonell & Co.) Bolton, H. H., 25 Boomer, G. A., 1 Bowerki, A. R., 1 Bowerki, A. R., 1 Bowerki, A. R., 1 Bowerki, S., 140 Rowiby, J. W., 31. W. H., 22 Bowles, A. T., 11 Boyes, W. A., 16 Boyet, A., 168 Bradfield, G. F., 132 Bradford, R., 64. S. H., 1. (Mercer & Co.) Bradiey, R. A., 168 Brennan, M., 166 Bradtord, K., 64. S. H., 1. & Co.) Bradley, R. A., 166 Brennan, M., 166 Prewster, W. S., 31 Bridgeman, A., 221 & 222 Brigge, A. W., 1 Brigst, A. W., 1

Britton, B. M., 108 Brock, H., I. (Cassels & Co.) Brokovski, J. C., 51 Brouse, W. H., I. (Heatty & Co.) Brown, A. M., 1. E. B., 1. F. M., 108. G. E. J., 18. J. R., 161. M. M., 34. T. 141 Browning, A. G., 140. T. B., 1 Bruce, A., 59. G. W., 52. J., 1. R. R., 59. P. k. K., 93 Brydone, W. R., 48 Buchner, U. A., 115 Buckingham, W. E., 91. (Coffee & Buckingnam, w. E. st. (Conce & Co) Fuckle, J. P., 174 Buell, W. S. 34 Buell, W. S. 34 Bull, R. E., 1. (Kerr & Co.) S. J., 21. T. H., L. W. P. 1. Burgess, W. C., 164 Burk A. W. 1 Burkholder, E. 93. Burnham, A. 174. J. G. 1. Burns, E., 71. S. W. J. (McCul-lough & Co.) Burrett, E. F. 148. (Code & Co.) W. F., 3. (Bruce & Co.) Burron, G. F. 1. (Biggar & Co.) W. F., 93. (Bruce & Co.) Burrwash, A., 10 Co

C.

C. Cahill, E. D., 93 (Carscallen & Co.) Calirus, G. F., 179 Cameron A. B., 1. (Cameron & Co.) I. O., 1. (Gameron & Co.) J. B. J. A. C. Gameron & Lee.) E. R., 115. (Meredith & Co.) J., 184. J. A. C. 66. (Hark-ness & Co.) K. H., 1. M. C., 86. M. G., 86. W. A., 1. (Lount & M. G., 86. W. A., 1. (Lount & Co.) W. K., 189. (McLean & Co.) Co.) W. K., 189. (McLean & Co.) Co.) W. K., 189. (McLean & Co.) Compbell, A. G., 95. D. J. G. C. 1. (McLherson & Co.) J. S., 186. 1. (McLherson & Co.) J. S., 186. Cunavou, J., 85 Cunavou, J., 85 Cunavou, J., 85 Cunavou, J., 85 Cunavou, J. J. J. F., 1 Caprend, J. L., 10. (McCarthy & Co.) Co.) Card, W. D., 83 Carey, F. W., 1. Carnew, W., 21 Garney, W. H., 175 Carpenter. A. A., 93. H., 93 Carroll, W. B., 83 Carruthers, J., 201 Carscallen, A. B., 1 & 215. F, 193. H. 9.

Chown, S. T., 170 Christie, J., 148, R., 149 Chrysler, F. H., 148 Church, H. W., 14 Clark, A. M., 151, J. M., 1. (Mc-Pherson & Co.) W. J., 1. W. M., 1 M, 1 Clarke A. H., 228. C. F., 204. A. S., 133. J. B., 1 & 133. S. R., 1. W. J., 115 Clary, J. H., 191 Clary, Henry, 8 Cleary, F., 288 Clement, E. P., 22. R. V., 17. W. Clement, E. F., 22. B. V., H. H. H. P., 1 Clemow, F. C., 148 Cline, C. H., 56. (Maclennan & Co) Gute, R. C., 1 & 21 Coatsworth, E., Jr., 1. (McMur-wich & Co) Guites, R. C., 1 & 21
Coatsworth, E., Jr., I. (McMurrich & Co.)
Coburn, J. H., 169
Coded, J. R., 169
Coded, J. R., 1 (Beck & Co.) R. G., 148
Coffee, T. P., 91
Cohoe, J. E., 221
Cohoe, J. E., 221
Colasting, C., 148
Construct, G. A., 158
Constantineau, A., 116 & 148
Constantineau, A., 116 & 148 Constantineau, A., 116 & 148 Cook, H. J. D., 99, J. E., 1. Wm., 1 Cooke, F. C., 1. (Pinkerton & Co.) Cooley, S. J., 207 (Young & Co.) & Consey, B. J. S. W. (1941); C. Collectiza
Copeland, G. T., 56
Corley, W. S., 1
Costello, F. T., 4
Coughlin, D., 189, J. J., 183
Coutts, J., 197
Cowan, A. . 16, H., 150, J., 174, M. K., 123, (Blake & Co.) R. K., 115
Cowper, T. D., 221
Cox, A. B., 115, (Blackburn & Co.)
Craif, C. W., 208, J., 170
Crawford, John, 15, J. L., 15
Creenman, A. R., 1. (McCarthy & Co.) 123 Co.) Creighton, John, 1 Crear, J., 93. P. D., 93 Creswicke, A. E. H., 16 Cronyn, H., 115. V., 115 Crosks, A. D., 1. (Cameron & Co.) Cross, W., 119 Crothers, D. B., 189. T. W., 189 Crowther J. 1. (Mulock & Co.) Crearting J. M. (Mulock & Co.) Crowthers, D. B., 189, T. W., 189 Crowther, J. 1. (Mulock & Co.) Crozier, A., 192 Culham, J. A., 93 Cunningham, A. B., 108 Curle, W. H., 148. (Soott & Co.) Curry, J. W., 1. (Roat & Co.) Curris, H. E., 178 Cutten W. H. 91

D.

Dalrymple, J. C., 164 Dalzer, J. B., 22 Dancay, L. E., 86 Darling, J. L. 183

Davidson, J. A., 183. J. B., 189. N. F., I. (Henderson & Co.) W., 1. (Kerr & Co.) Davie, B. N., I. D. C., 56. D. R., 8. F. D., 228. (Latiferty & Co.) Dawson, H. J., 160. T. C., 91 Decom, G. P., I. J. 34 Defries, R. A. L., 1. (O'Brien & Co.) Delinave, G., 150 Denistor, T. W., 207 Denistour, R. M., 150 Denove, G. T., J., 1. (Macklein & Co.) S., 1. J., 1. (Macklein & Co.) S., 1. J., 1. (Macklein denistour, R. M., 159 Denove, A. M., 1. J., 1 Dento, Frank, I. J., 1. Dento, F., 131 Dento, G. E., 58. H. M., 131 Devart, H. H., 1 Dick, W. J. S., 21 Dickinson, E. L., 229. J., 16 Dickon, A. S., 21. J., 93. (Nesbitt & Go.) L. H., 74. R. A. 1 Digman, R. H. 115. (Love & Co.) Dingwall, J., 66 Donnaid, D. J., 189 Donnal, S., 100 Donnaid, D. J., 189 Donnaid, D. J., 180 Donnaid, D. J., 180 Donnaid, D. J., 180 Donnaid, J., 199 Donnaid, J. J., 201 Donnaid, J. J., 201 Donnaid, J. J., 202 Donnaid, J. J., 202 Donnaid, J., 150 Donnaid, J. J., 202 Denover, J. J. 202 Drewery, G., 33 Dromgole, J., 115. (Meredith & Co.) Duff, W. A. H., 23 Duggan, J. M., 183 Durgan, J. M., 183 Durlmage, R., 10 Durnble, D. W., 150, J. F., 49 Durbay, C. L., 51, F. J., 1, G. E., 1, Durbay, C. L., 51, F. J., 1, G. G., 231. H. J., 231 Durba, P. D. A., 123 Durb, Herbert L., 1 Duvenet, E. F. A., 1 Dymond, A. M., 1 Dymon, A. M., 1 Dymon, Y. H., 124

E.

Earngey, W. D., I. (Heyd & Co.) Easts, H. M., I. M. H., 11 Easton, W. J. P., 1 Easton, W. J. P., 1 Eagen, N. B., 1 (King & Co.) Ebbels, H. L., 166, W. D., 93 Eoles, J. C., 64 Eddis, F. A., 1 Eddis, F. A., 1 Eddis, F. A., 1 Edmison, G., 159 Edwards, E. B., 159

Elliot, Audrew, I. (Armstrong & Co.) B.V., 65 & 74. F., 65 & 74. H. B., 115. (Bartlett & Co.) W. J., 130a Ethott, Charles, 1. J. W., 130. Ethiott, Charles, I. J. W., 130. W. J., 1 Ellis, A. St. G., 228. H. T. W., 228 English, E. T., 1. (Delame):e & Co.) J., 131 Essens, G. H., 16 Estens, F. G., 146. R. W., 149. S. T., 30. T. W. W., 29. W. T., 93 Evans-Lewis, C., 1

F.

Fair, R. E., 52 Falkiner, N. B., 21 Farewell, J. E., 226

G.

Gage, R. R., 93 Gageu, R. E., 1 Galbraith, G. H., 1. J. K., 27 Gallagher, Z., 1 Galt, T. P., 1. (Beatty & Co.) Gamble, C., 1. H. D., 1 Garrett, A. E., 33. (Livingston & Co.) Garrow, J. T., 86

Garvey, W.H., 1. (Macdonald & Co.) Carvin, F. W., 1. J. S., 1 Gash, N. B., 1 Gauld, J. G., 93. (Nesbitt & Co.) Gault, H. F., 1 Gausby, J. D., 160 Geary, G. R., 1. (Macdonell & Co.) Gedary, G. R., 148. (O'Gara & Co.) Gemmell, J. A., 148 Gernan, T. H., 134. W. M., 221 Ghent, C. A., 1 Gibson, A. C., 1. G., 169 & 1. Gibson, A. C., I. G., 169 & 1.
 (O'Brien & Co.) J. M., 93. R. J.,
 1. S., 134. T. A., 1. (Cavell & Co.) 1. 8, 134 - 7, a, t. (Caven & O., Gilbert, N., 161 Gilleland, W. B., 186 Gillett, R. C., 88 Gladman, F. W., 159 Glassford, C. H., 1. (Ferguson & Co.) Co.) Co., J. M., 189 Godfrey, J. M., 1 Godson, T. E., 18 Gogo, G. I. P., 56 Going, C. C., 205. C. E., 1 Goodwan, A. K., 43. K., 154 Goodwillie, G. S. 84 Goodwillie, G. S. 84 Gordon, J. K., 226. J. W., 33. W. H., 60 & 76. W. H. L., 1 H., 60 & 76. W. H. L., 1 Gorham, T. A., 162 Gorman, M. J., 149 Gormully, J. J., 149 Gosnel, R. L., 23 Gow, W., 1. (Blake & Co.) Gowans, J., 198 Graham, E. G., 30. G. D., 148. (Hožgins & Co.) J. W., 188. R. M., 115. (Bartlett & Co.) Grant, A., 159. D., 101. D. I., 140. G., 1. G. D., 146. J. C., 143. R. A., 1. (Kerr & Co.) W. A. D., 43. W. H., 1. (Duncan & Co.) Gray, F. M., I. (W. M. Clark & Co.) Graydon, H. M., 115. N. P., 115 Greene, J., 159 Greene, C. H., 1. G. M., 148, (Christie & Co.) H. V., 1. S. A., I. T., J. C., 37. W., 148. (Chris-tie & Co.) Greenizen, I., 160 Greenlees, A., 115 Greenwood, J. H., 226 Greer, A. E. K., 1. J., 1. (Smith & Co.) Gregory, W. D., 1. (Holmes & Co.) Greig, A. M., 6 Grier, A. M., 1. (Beatty & Co.) Grierson, D. D., 1. J. F., 147 Griffin, S. 1. (Clarke & Co.) Griffin, S. 1. (Clarke & Co.) Groos, J. F., 221 Grote, G. W, 1 Grout, T. H., 170 Gundry, A. W., 148 Gundy, W., 172, W. E., 111 Gunn, G. C., 115. R. D., 146 Gunther, E. F., 1. (Roaf & Co.) Gurdn, N. S., 174. (Roaf & Co.) Gurdn, N. S., 174. H., 91 Gwunne, W. D., 1. (Crombie & Co.) Gregory, W. D., 1. (Holmes & Co.)

H.

H sight, J. C., 219. W. L., 155 Haideane, J. F. C., 223 Haideane, J. F. C., 223 Hailes, J., I. (Mills & Co.) Haile, J. L. (Mills & Co.) Hail, E. H. D., 154; F. A., 158; F. W., 158; R. R., 159, W. C., 215 & I. (Carscallen & Co.) W. S., 116; Hailiwell, J. E., 181 Haipin, P. K., 167 Hauniton H. C., 175, J. C., I. Hanna, W., 228; W. J., 174 Hannah, W. G., 1 Hanniba, Y. M., 200 Hanniba, J. E., 1 (DuVernet & Co.) & 169 Hansford, J. E., 1. Haming, C. 14, 1 (DuVernet & Co.) & (E F., 1 Harcourt, F; W. 1, (McCarthy & Co.) G, A., 1 K, 221 Hardourt, F; W. 1, (McCarthy & Co.) G, A., 1 K, 221 Harding, E, W., 188, J, E., 183, R, T, 183 Hardy, A. S., 31 Hardy, A. S., 31 Hardy, A. S., 35 Hardy, A. S., 31 Haren, G. F., 15 Harman, G. F., 1 Harper, F. F., 115, (Gibbons & Co.) Harris, W. H., 40 Harrison, J., 93, (Teetzel & Co.) Harsto, W. H., 40 Harrison, J., 193, (Teetzel & Co.) Harsto, W. J., 105, (Gunn & Co.) Hastedt, T. C., 33 Hatton, G. W, 150, W. J., 119 Haverson, J., 1 Hayes, L. M., 159 Haves, S. C., 56 Haverson, J., 1 Hayes, L. M., 159 Hays, R. C., 86 Heator, F. T. D., 1 Heaton, Ennest, 86 Heetor, F. T. D., 1 Hoggie, R. E., 30, (McKechnie & Co.) Co.) Hegler, J. C., 102, J. H., 102 Heighington, J., 1 Heilmuth, I. F., 1 & 115 Henderson, C., 1. D., 1. (Thom-son & Co.) E., 1. G. F., 148, (MacCraken & Co.) G. S., 148, J., I. R. B., 1. W. T., 31, (Baird & Co.) J., 1. R. B., 1. W. T., 31, (Baird & Co.) Herrington, W. S., 134 Hewitt, J. *, 31 Hewson, W. H., 157 Heyd, G. D., 31. (Brewster & Co.) L. F., 1 & 31 Hick, R., 148 Hickrey, W. R., 26 Hildiard, Irwin, 132 Hilliard, Irwin, 132 Hilliard, Irwin, 132 Hilliard, Irwin, 132 Hilliard, F. A., 1. (Clarke & Co.) Holdges, W. H., 1. (Waldron & Co.) Hodges, W. H., 1. (Waldron & Co.) Hodgen, W. A., 1 Hoffman, Hilton, 1 Hoffman, Hilton, 1 Hoffman, Hilton, 1 Hodgen, W., 148. (O'Connor & Co.) Holden, J., 1. (Thomson & Co.) Holden, J., J., 1. (Thomson & Co.) Hollins, J. F., 30, (Justin & Co.) Hollins, J. F., 30, (Justin & Co.) & Co.)

Holmes, D., 86. G. W., 1. Holmested, F., 176 Holt, Philip, 86 Hood, J., 16 and 180 Hewson, C. E., 16 Hooey, D., 50 Hopkins, G. H., 112 Hornsby, F., 89 Horton, E., 189 Hoskin, A., L. A. E. 1 (H Hoskin, A., I. A. E., I. (Hoskin & Co.) J., I. (McCarthy & Co.) Hough, F. A., 8 Houston, M., 44. (Scane & Co.) Honston, M., 44. (Scane & Co.) S. F., 1.
Howell, A., 1
Hubbs, R. H., 161
Hughson, A., 145
Hughnon, A., 145
Hume, H. D., 1
Hunt, R. A., 10
Hunt, R. A., 10
Hunter, A. T., 1. H. F., 50, J. H., 1.
W. E. L., I. W. H., 1
Hutcheson, J. A., 34
Huveke, E. C. S., 49

I.

ldington, J., 183 Ingersoll, J. H., 186 Innes, H. P., 178 Irvine, C. R., 33 Irvine, A. J. J. E., I. L., 166. W. H., I. (Kilmer & Co.) Irwin, H. E., I. J.B., 82. W. N., 1 Isbister, J., 160 Island, J. L., 145 Ivey, C. H., 115. (Hellmuth & Co.)

J.

Jackes, C. B., 1. E. H., 1 Jacks, J., 16 Jucks, J., 16 Juckson, A., 112. (Moore & Co.) C. B., 215. J. B., 102 Jucob. John, 71 Junieson, H., 6 Jurvis, C. G., 115. F. C., 1. (Me-Pherson & Co.) S. M., 1 J. frery, A. O., 115, J. E., 115 Jeffrey, Nicol, 91 Johnson, R. L., 1. (Dickson & Co.) T., 28 T., 28 J. J. Maton, Adam. 132. E. F. B., 1. E. H., 115. M. O., 86. S., 1. (Arnold & Co.) W., I. (Wallace & Co.) W. F., 159. C., F. F. C., 1. (MacDougall & Co.) H. C., 1. J. E., 1. (DuVernet & Co.) J. G., 1. J. W., 1. S. A., 1. & 31. W. W., 1 J. J. J. J. J. J. C. I. J. (Meredith & Co.) J. J. J. S., 30 T., 28

К.

Kains. J. A., 189 Kappele, G., I. (Laidlaw & Co.) Keati Jg, W. J., 187 Keeler, A. J., 187 Keeler, A. J., 1. (McGhie & Ce.) Kehee, J. J., 1. (McGhie & Ce.) Keith, J. F., 207 Keith, J. F., 207

Keily, H. T., 1. (Foy & Co.) E.) 178
Kemp, C. 231
Kennedall, D. S., 231
Kenneday, J. D., 156, T. S., 169.
W. H., 220.
Kenning, E. C., 228
Kenrick, E., 9
Kenrick, E., 9
Kenr, C. W. J.
Reyer, S. C., 258
Kerr, C. W. J.
Kild, G. C. A., 1486. (Millis & Co.)
Kildoura, F. H., 149, J. M., 149
Kilgour, K. C., 15, G. A., 1.
Kingstond, R. E., 1
Kingstond, R. E., 105, G. A., 1.
(Lount & Co.) W. H., 133
Kingstone, F. W., 174
Kittermaster, F. W., 174
Kittermaster, F. W., 174
Kittermaster, F. M., 174
Kittermaster, F. W., 174
Kittermaster, F. W., 174
Kittermaster, J. E., 108
Kuapp, F. A., 165
W. E., 193
W. E., 105
W. E., 105
W. E., 105
W. E., 105
K., 22
W. F., 138
Kyles, John, 1. (Grierson & Co.) Kelly, H. T., 1. (Foy & Co.) F.) 178

L.

L. Lafferty, A. L., 228. A. M., 44. T. B., 146 Laidlaw, Wm., 1. W. B., 115 Laing, J. M., 1 Lainc, Y. W., 1 Laincy, V. P., 184 Lake, E. M., 1 Lamont, J., 1. (Hearn & Co.) J. H., 1 Lamont, Y. A., 1. (Webb & Co.) Langeton, Y. A., 1. (Webb & Co.) Langton, T., 1. (Wobb & Co.) Langton, T., 1. (Mowat & Co.) Langton, T., 1. (Blake & Co.) Langton, T., 1. (Blake & Co.) Langton, T., 1. (Blake & Co.) Langton, F., 1.48 Lavel, H., 179, J. R., 179 Lawol, F. M., 146 & 148. (Con-stantineau & Co.) Lawnone, A. G. F., 1. W., 183 Lawson, W., 68. W. B., 146 Lazier, E., 36, S. D., 21. S. F., 03 Loasek, H. D., 140 Lazier, K., 85, S. D., 21. S. F., 03 Loasek, H. D., 140 Lazier, K., 149 Lazier, K., 149 Lazier, K., 149, (Boute, K. Co.) Law, 160 Lazier, K., 19, 80 Lazier, K., 100 Lazier, 100 Lazier, K., 100 Lazier, K., 100 Lazier, 100 Leitch, C. St. C., 66. J., 56

Lemieux, F. F, 191. Lemon, C., 93 Lemox, H., 16, J. F., 182 & 213. T. H., 1 (Kobinson & Co.) 182 & 213 Lent, 70 Leni, 70 Leonaid, C. J., 1. (Jones & Co.) Leosier, A. E., 148 LeVesconte, R. C., 1 Lewis, A. M., 93, A. R., 1. (Biggs & Co.) E. N., 86, 1., 86, J. T., 148, O. L., 44, W. A., 12 Liddell, J. W., 56, (Maclennan & Co.) (O.) Lindsay, S. E., 92 Lindsey, G. G. S., 1 Lister, J. F., 174 Little, J. E., 1 Lister, J. F., 174 Little, J. E., 1 Livingston, S., 93 Livingston, J., 196. L. B. C., 204 Lloyd, T. H., 198. Lobb, A. F., 1 Loftus, J. T., 1^c (Colley & Cc.) Logan, J. R., 171 Logan, J. R., 171 Logan, J. R., 171 Logan, B. R., 173 Lowen, B. R., 173 Loscombe, R. R., 97, W. C, 106 Lount, G. W., 16, N. L. 16 Lover, F. 16, S., 1 Lovering, W. H., 93 Lover, S. D., 21. (Thomas & Co.) Lucas, J. B., 149 Ludwig, M. H., 1. (Ritchie & Co.) Luseombe, T. H., 113 Lysli, R. F., 132 Lynch, D. J., 40 Lyon, H. I., 108, H. V., 108 Lyon, K. C., 21

Mc.

M c. McArthur, D., 1 McBrady, L. V., 1, W., 162 McBrayne, W. S., 93 McBrie, A. B., 210, J., 1 McCabe, C. J., 1, (Tytler & Co.) McCallum, A. B., 150, W. H. S., 1. (McLean, B. C., 115, 100, W. H. S., 1. (McCarn, B. C., 115, 100, W. H. S., 1. (McCarn, B. C., 115, 100, W. H. S., 1. (McCarn, B. C., 115, 100, W. H. S., 1. McCarn, M. J., 186 McCarton, M. J., 186 McCarton, G. L., 65 McCallano, L. G., 1. McCanthy & Co.) J. A., 16 & 16, M. S., 183 McCalle, L. G., 1. McCanthy & M., 93 McClawo, H. W., 186, W. H., 186 McConl, J. B., 49 & 50 McClamont, R. H., 189 McCosh, J., 146 McCraney, G. E., 130 McCready, J. J., 148 McCriney, G. E., 130 McCriney, G. E., 130 McCriney, G. E., 130 McCriney, R. O., 1 & Co.) McCulloch, R. O., 1 McCullough, J., 182, J. W., 1. P., 121 McDularmid, F. A., 75 & 112, W., 117 McDonagh, M. P., 115. (Tennent & Co.) McDonald, A. A., 119, J. F., 102, W. J., 1. (Ferguson & Co.) McDougal, F. J. 18, (Smith & Co.) McDougal, A., 215, J., 148, J. L., J., 148, (Latchford & Co.) McDowal, J. A., 174 McDowal, J. A., 174

McEvoy, J. M., 115 McEwen, J., 179 McFadden, M., 175, W. H., 30 McFatlae, M. J., 6 McFatlae, M. J., 6 McGarry, T. W., 170 McGhie, J. H., 1 McGhil, S. G., 1 McGilli, N. L. A. 1 & 210, J. McGillivray, J. A., 1 & 210. J. F. 169. T. A., 226 McGiverin, H. B., 148. (MacCiaken MecGive1, A., 220 & Colling, H. B., 148. (MacCraken & Coll Melnteger, M. O., 133 Melnteger, M. O., 133 Melnteger, M. O., 133 Melnteger, M. O., 133 Melnteger, J. S., 231, R., 1. (Beatty, 167), J. S., 132 MeKean, J. J., 148, S. W., 1. (Fraser & Co.) MeKessock, R. P., 87 MeKeindy, J. B., 115. (Magge & Co., MeLaurin, G., 148, D. R., 1. J.) 189, J. A., 91 & 196, W. A., 91 MeLenan, A., 109 MeLendan, A., 109 MeLendan, A., 109 Medead, J. B., 81 MeMatrin, M. M., 11 MeMaster, A. C., 1 MeMatonel, A. F., 1 McMattin, M. M. M. (Macdonell & McMatter, A. C., 1. (Macdonell & Co.) McMicheal, A. F., 1 McMillan, D. S., 174. H., 91 McMullen, J. A., 133. J. E., 82. W. T., 231. (Finkle & Co.) McMurchy, N. A., 116 McMurchy, N. A., 116 McMatter, J. M., 140 McPherson, G. G., 183. R. U., 1. WcPhatish, A. A., 154 McVairish, A. A., 154 McVairish, A. A., 154 McVairish, A. A., 154 McVairish, McVair, J. H. McVairish, M. G., 1

M.

Mabee, J. F. 183 Macaulay, C. D., 21 MacDeth, T., 115 MacCateken, J. I., 148 MacCateken, J. I., 148 MacCateken, J. I., 148 MacCateken, J. I., 148 MacCateken, J. H., 148 MacCateken, J. H., 15 C. E., 1. D., 1. F. W., 156 G. S., 164 W., 1. (Maclaren & Co) W., 1. W. R., 38 Macdonell, A., 221. A. C., 1. A. I., 56. A. McL., 1. A. S., 1. G. M., 108, J. A., 4 Macdougal, A., 1. C., 189 Macfarlane, A., 148 MacGregor, John, 1 Machar, J. M., 108

Macintosh. J. A., 1. (Clute & Co.) Mackay, A. G., 140. J. S., 231. W. C. J. W. M., 148 MacKelean, F., 13 MacKelean, F., 15 MacK. 126, A., 1 (Blake & Co.) D., 174, E. C., 1, G. A., 1. (Jones & Co.) H. G., 1. P.E., 115. (Ma-gee & Co.) V., 31 Macklem, O. H., 1 Maclean, D. H., 148, F. W., 1. (Maclearen J. J. 1 Maclean, D. H., 148, F. W., 1. (Maclearen & Co.) K. C., 91 Maclean, D. B., 56, J. K., 151 & 93. R. J., 1. (Mowat & Co.) MacMurchy, A., 1, (Wells & Co.) MacMurchy, A., 1, K., 151 & 93. R. J., 1. (Mowat & Co.) MacMurchy, A., 1, 15. (Macbeth & Co.) D. B., 56, P. C., 161 Macomb, H. W., 221 Machardy, A. A., 28. J. J., 185 Madden, J. H., 108 Magee, F. A., 148. (O'Connor & Co.) J., 115. (Maclear & A., 198 Maloons, A., 192 Maloomson, P. A., 118 Mainon, E., 148 Maino, E., 148 Mainon, E., 148 Mainon, J. J., 30 Marquis, J. J., 30 Marquis, J. J., 30 Marquis, J. J., 30 Marquis, J. N., 31 Marini, A., P. R., 1, C. B., 1. (Shil-ton & Co.) D.A., 93. E., 93. F. R., 93. F. C., 221. (Hird & Co.) G. G., 44. H., 11. (Kayain & Co.) Marshin, J. N., 34 Martin, A., P. R., 1, C. B., 1. (Shil-ton & Co.) D.A., 93. E., 93. F. R., 93. S. S., 1. T., B., 93. W., 1,94 Masson, Stewart, 31. W., 149 Massen, C. A., 1. (Watson & Co.) O. G., 44. H. J., I. J. R., 228. K., 39. S. S., I. T. B., 933. W. J., 44
Masson, Stewart, 21. W., 149
Masten, C. A, 1. (Watson & Co.)
Matheson, A., J., 158. R. A, 68, R. B, 148. (Nellis & Co.) T. G., 130. W. A, 81
Maw, H. W., 1. (Dewart & Co.)
May, A. F., 148. (Gennmill & Co.)
Mearins, F. S., 1
Medad, S. T., 1
Meenk, F. S., 1
Medd, S. T., 1
Mercer, M. S., 1
Mercer, W. S., 1
Mercer, W. S., 1
Mercer, W. S., 1
Mercer, W. S., 1
Mercelith, E., 115. F. G., 115
Mercially, J. H., 156. J. R., 126
Mewyer, G. W., 90
Mickle, C. J., 45. H. W., 1. (Armour & Co.)
Middleboro, W. S., 149
Middleboro, W. S., 149
Midleboro, W. S., 149 W. E., I. (Macharen & C., Mikel, W. C., 21 Millay, A., 22, C., I. H., 148, (Mc-Laurin & Co.) W., 137 Miller, F. A., 15, R., 189, W. N., I. (Mulcek & C., 189, W. N., Millican, W. J., 82 Millis, A., I. D., 172, G. G., 1, G. H., 93, J. A., I. N. D., I. W., 172

Mitchell, R., 91 Moberly, G., 52 Monck, J. F., 93 Monck, J. F., 93 Mons, H. C., 142. Montgenery, J. D., 1. (Mulock & Co.) R. A., 1. Moore, F. D., 112. J. P., 115. (Fraser & Co.) W. H., 159 W. J., 119 Moran, W. J., 169. (Langford & Co.) Morden, W. S., 21. (Clute & Co.) Morden, W. S., 21. (Clute & Co.) Morden, G. St. V., 127 & 157 Morphy, A., 1. H. B., 113. H. E., Morr, G. St. V., 127 & 157 Morphy, A., 1. H. B., 113. H. E., Morr, S. K. K., 81 Mortion, J. B. Mortion, J. A., 229. T. P., 148. W. U., 51 Moreury, W. C., 188 Mose, C., 1. & J. H., 1. (Barwick & Co.) Mott, Wm., 148 Mose, C., 1. & J. H., 1. (Barwick & Co.) Mott, W., 1. (Mowat & Co.) J. A., 91. Sir O., 1 Mulce, John, 108 Muirhead, G. H., 31 Mulcek, W., 1. W., 1., 1 Mulcek, W., 1. W., 1., 1 Mulcek, W., 1. W., 1., 1 Murchison, D. C., 16 Murdhy, J. H., 1. (28) Murphy, C., 148. J. L., 228. (Patterson & Co.) N., 1. T. J., 115. (Magee & Co.) Murphy, C., 148, J. L., 228. (Patterson & Co.) N., 1. T. J., 115. (Magee & Co.) Murphy, A., 31, D. (Douglas & Co.) Murphy, A., 192. F., 145

N.

Nason, J., 1 Nelles, F. E. 903 Nellis, J. H., 231, T. F., 148 Nesbitt, J. W., 93. (W. A. Beatty & Co., 1990) Netwille, R. S., 1 Nickle, W. F., 108 Nickle, W. F., 108 Nickle, W. H., 14 Northrup, W. B., 21 Nugent, A., 148

0.

O'Brian, J. B., I. C. G., 116 O'Brien, D., 34. H., 1 & 169. J., 31. T., 154 O'Connor, C., 148. D., 148. H.P., 0'Connor, C., 148. D., 148. H.P., 142. T.J., W. I. (McIrady & Co.) O'Doroue, J., 1 O'Flynn, F. E., 21. J. B., 44 O'Hait, M., 146 O'Hait, J. R., 167. M. J., 93. (Gibson & Co.) O'Rourke, T. A., 307 O'Leary, Hugh, 112

O'Meara, A. E., I. (O'Brien & Co.) J.,148. J. E., 148. J. J., 156
O'Neil, J. D., 115
O'Neil, C. J., 44
Orde, J. F., 148. (Gormully & Co.)
Orde, J. F., 148. (Gormully & Co.)
Ormiston, D., 226. W. S., I. (Law-rence & Co)
Osborne, W. W., 93. (Gibson & Co.)
Osborne, W. W., 93. (Gibson & Co.)
Osborne, W. W., 93. (Gibson & Co.)
Ostrom, G. W. 207
Overnell, A. E., 103
Owens, W. G., 79. W. J., 1. (Reid & Co.)

P.

Page, J. A., 34 Palmer, J. F., 164. Panton, A. M., 183 Pardee, F. F., 174 Parke, E. J., 115 Parkes, J., 115 Parker, T., 1 Parkes, J., 115 Parker, J., 115 Park W. L., 223 (Kerr & Co.) N. F., 1 Patterson, J. C., 228. J. F., 228. R. 42 R. 42 Pattullo, J. B., 1. (Holman & Co.) Payne, G. A., 40. J. W., 1. (Cars callen & Co.) W. L., 50 Parker, W. R. P., 1. (Vickers & Co.) Pearson, James, 1 Callen & Co.) W. L., 50
Parker, W. R. P., 1. (Vickers & Co.)
Pearson, James, 1
Peck, E. A., 159, (Dennistoun & Co.)
Penton, E., 1
Pepeler, F. E. P., 16 & 146.
Papps, G., 93
Percival, H. A., 148
Pertrik, J. L., 228
Peters, J. L., 228.
Peters, J. L., 228.
Peters, J. L., 228.
Peters, J. K., 44. (Wilson & Go.)
Phelpe, K., 156.
Phelpe, W. L., 186.
Pike, J. M., 44. (Wilson & Go.)
Pinkerton, W., 1
Pinkerton, W., 1
Pinkerton, W., 1
Pite, E., 155.
Poole, H., 715.
(McIntyre & Co.)
Porter, E. G., 21. J., 178
Poussette A. P., 156. (McEvoy & Co.)
Porter, W. J. 79
Porter, E. G., 21. J., 178
Poussette A. P., 159
Powell, F. C., 148. (McIntyre & Co.)
Preston, D. H., 134. J. A. V., 88
Price, H. E., 59 & 213. S., 119.
(Croathers & Co.) H., 134. J. A. V., 89
Preton, W., 15, & W. A., 115
Purdow, A., 115, & T. H., (Parke & W. A., 115, & T. H., (Parke Purvis, Peter, 31. (Wilson & Co.)

Q.

Quinn, J. M., 1

R.

Radenhurst, G. A., 16 Rae, C. B., 46. G. M., 1. (Smith & Co.) Raines, F. N., 210 Raney, W. E., 1. (Dewart & Co.) Rankin, J. B., 44 Ray, N., 155 Rankin, J. B., 44 Ray, N., 155 Ray, N., 155 Raymond, L. C., 221, W. R., 1. (McCarthy & Co.) Read, D. B., 1. W., 1 Heade, W. M., 219 Reeve, J. H., 1. (Delamere & Co.) Reeve, J. 4. J. M., 1. Reeve, J. 4. J. M., 1. Reeve, J. 4. J. J., 178 Reid, A. J., 41. F., 178. T., 1 Reveller, S. S., 223 Reycraft, L. J., 172 Heynolds, E. J. 34 Richards, W. G. 44. (Lewis & Co.) Richardson, W. W., 225 Riddell, W. R., 1. (Heatty & Co.) Niddell, W. R., 1. (Heatty & Co.) Riddell, G. H., J. G., 1. J. A., 148, (seleourt & Co.) O., 148. P. E., 1. (Preterson & Co.) Roach, M. H., 18 (selecourt & Co.) O., 148, P. E., 1. (Faterson & Co.) Roach, M. H., 18 Roaf, J. K., 71, W. 1 Robert, A. K., 71, W. 1 Robert, A. A., 21, (Northrup & Co.) H. N., 1 Robertson, D., 214, D. B., 21, D. M., I. H., 52, H. H., 93, J. E., I. J. S., 189, (Macdougall & Co.) T. J., 138 Co.) T. J., 138 Co.) T. J., 138 Co.) T. J., 138 Robertson, C., I. C. C., 1 & 182 & 213, J. A., 159, S. S., 116, W. Rodd, J. H. 228, (Fleming & Co.) Rogers, F. 72 Roder, G. M. 259 Rogers, F., 22 Holph, T. 7., 1 Romains, S., 59 Rose, Hugh, 1 Ross, C. C. 1. (Delamere & Co.) Romains, D., 50.
Rose, Hugh, 1
Ross, S. C., 1. (Delamere & Co.)
D., 16. D. C., 115 (Stuart & Co.)
& 1. G., 1. (Johnston & Co.) J.
C., S3. J. L., 1. (Rowan & Co.) L. G., I. (Johnston & Co., J.
K. I. G., I. (Johnston & Co., J.
C., 83. J. L., I. (Rowan & Co.)
W. L., 93
Roswell, J. W., 31
Rowal, T. A., 1
Rowel, N. W., 1. (Kerr & Co.)
Rowhand, P. T., 1. (Elliott & Co.)
Royce, A. H., 1
Rutledge, J. 226
Ryckman, E. B., 1
Ryckman, C. Egetton, 1
Rykert, J. C. 186

S.

St. John, J. W., 1 Sampson, Alex. 1. (Gordon & Co. H. E., 62 H. E., 02 Sangster, F. H., 213 Saunders, A., 220. D. W., 1. (Kingsmill & Co.) E., 1. T. W, 91 Sawers, C. W., 159

S 19er, G. A., 44 Soandrett, T. W., 115 Soane, E. W., 44. W. W., 44 Seanlon, A. E., I. M., 1 Soctoherd, E., 115 Schoff, Elgin, 1 Scitt, S. T., 221 Scott, C. D., 1 D. A., 48. J. H., 106. J. J., 03 & 1. J. M., 140. J. J., 03 & 1. J. M., 140. J. T. I. R. W., 148 Scott, C. N., 140. J. T. I. R. W., 148 Scott, C. J. B. K., 158, J., 1. J. D., 173. J. C., 158, J., 1. J. D., 173. J. C., 158, J., 1. J. Shaw, A., 214. A. C., 158, J., 1. J. Baanesy, A. E., 160 Shepher, G. F., 60 (Maclaren & Co.) Sheppard, D. E., 83 Sherry, G. J., 96 (Maclaren & Co.) Shepher, H. W., 1, (Gash & Co.) Shins, H. J., 22. R. J., 148. (Grant & Co.) Sheppard, N., 175 C. P., 115 D B 27 & Co.) & Co.) Simpson, N., 175 C. P., 115, D.B., 27 Sinclair, A. H., I. D. L., I. & V., 148, V., 204, W. M., 35 S. eans, W. A., I. (Duncan & Co.) Skinner, J. S., 108 Sia, th. T. R., 178 Sia; th. Y. H., 178 Small, H. C., 42, J. T., I. (Hen-derson & Co.) Smellie, J. F., 148, (Lew's & Co.) R. S., 1 Sueilie, J. F., 148, (Lew.'s & Co.)
 R. S., 1
 Smith, A. A., 129. A. L., 4. C. F., 103. C. P., 1. (Beaty & Co.)
 D. P., 1. (Beaty & Co.)
 D. J., 152. G. L., 1. (Smith & Co.)
 G. Y., 152. G. L., 1. (Smith & Co.)
 G. Y., 2526. H. B., 149. (Creasor & Co.)
 H. J. J., 148. J. P., 148. L. A., 148. (Bishop & Co.)
 L. J. G., 1. (Watson & Co.)
 J. J., 148. J. P., 148. L. A., 148. (Bishop & Co.)
 L. G., 160. H. M., 172. J.
 S. S., 165. W. A., 109 & L. W., 144. Smoke, F., 152. S. C., 1. (Watson & Co.) Smoke, F., 152.
 S. C., I. (Watson & Co.)
 Smythe, E. H., 108.
 R. G., I. W. R. 1
 Suider, F. C., I. (Gibson & Co.)
 T. A., 43
 Snook, T. L., 108
 Snoow, A. J. R., 1. (Beatty & Co.)
 Sparham, B. E., 179
 Snatks, N., 146
 Spence, J. D., I. (Clement & Co.)
 J. H., I. (Mearns & Co.)
 Spatham, H. E., 149
 Spence, J. D., 1. (Clement & Co.)
 Spotton, W. H. B., 149
 Stafford, W. H., 6
 Standish, Ira, I. (Cassels & Co.)
 Star, J. R. L., 1. (Chorne & Co.)
 Star, J. R. L., 1. (Chorne & Co.)
 Stare, J. R. J., 138.
 W. H., 1
 Seers, W., 112. (Barron & Co.)
 Stevens, M. E., 15
 Stevens, A., 159. (Dennistonn & Co.)
 Stavar, D. F. K. 119.
 H. A., 34 & Co.) & Co.) Stewart, D. E. K., 119. H. A., 34. H. D., 16, J. A., 158. (Rogers & Co.) McL., 148. T., 112. (Mc-Intyre & Co.) W, 110 Stone, E. B., 159. F., 44. (Scane & Co.) H. E., 155 Stouchouse, E., 1

Story, R. D., 1 Strange J., 108 Strathy, H., H., 16, J. R., 1 Strathy, W. A, 150 Stuart, A, 115, D., 115 Stephenson, G. H., 122 Stilivan, A, J. F., 180, D. H., 108 Sutherland, C. T., 124, H. F., 228, (Cleary & Co.) Swabey, C., 1. (Clarke & Co.) Swartz, E. O., 128 Swartz, E. O., 128 Swartz, E., 1 Sweeney, G. K., L(Paterson & Co.) Sweet, E., 31 Symons, D.T., 1, (Kingstone & Co.)

т.

Taylor, A. E., 13. G. L., 26. R. L., 35. W. B., 1 Tate, D'Arcy, 93. (Carscallen & Co.) Teotzel, J. V., 93 Tcl'ord, J. P., 65. W. P., Jr., 149. (Armstrong & Co.) Templeton, J., 225 Tennent, D. H., 115. J. H., 1. (Mills & Co.) Terhune, J. E., 113 Thistlethwaite, F. W., 211 Thomas, H. P., 21. (Falkener & Co.) J. A., 115. J. P., 21 Thompson, A. E., 157. A. T., 43. C. W. I. F. H., 131. G. H., 1. (St. John & Co.) J. T. C., (Macdonell & Co.) J. E., 10. MeD. 1. (Mulock & Co.) R. M., 23 Thomson, D. E. I. 6. C., 93. T. C., 11 Thorae, Horace, 1 Thorae, Horace, 1 Thorae, G. G., 181. W., 44 Tuarston, W. G., 115. (MePhillips & Co.) Totten, W., 21. (Thomson & Co.) Titus, F. E., 1 Toothe, R. M. C., 115. (MePhillips & Co.) Totten, W., 231 Towers, W. B., 169 Travers, E., 184 F. J., 1. H. E., 180. (Farley & Co.) Trawers, E., 184 Trawers, W. J., 1 Towar, H., 6, 129 Travers, F., 12 Towar, H., 6, 120 Travers, M. J., 1 Trawer, H., 169 Travers, M. J., 1 Trawer, H., 169 Travers, H., 169 Travers, M. J., 1 Trawer, H., 169 Travers, J., 149 Tunbull, W. H., 82 Tyrtell, F., 132 Tytler, John, 1

U.

Urquhart, D., 1. T., 1

v.

Vance, G. M., 177 Vandervoort, M. P., 1 Yan Norman, G. R., 31 Van Sittart, J. G., 204 Vanstone, K., 229 Varley, J. E., 186. (Ingersoll & Co.) Vickers, W. W., 1 Vickers, W. W., 1 Vining, J., 115. (Jarvis & Co.)

w.

W. Wade, T. S. 19, 10, 10, 93 Walfyn, G. 11 Walken, A. 100, B. T., 108 Walker, A. R. 21, J. A., 44, J. S., 115, W. F., 408 Walken, Y. J. 10, J. A., 44, J. S., 115, W. F., 48 Walken, Y. J. 11 Walken, J. G., 291, W. J., 1 Walken, Y., 102, W. J., 145 Wardell, A. H., 62, J. W. W., 148 Wardell, A. H., 62, J. W. W., 148 Wardell, A. H., 62, T. A., 62 Ward, H. A., 165, J. W. W., 148 Wardell, A. H., 62, T. A., 62 Ward, H. A., 165, J. W. W., 148 Wardell, A. H., 62, T. A., 62 Wardell, A. H., 62, T. A., 62 Wardell, A. H., 65, J. W. M., 148 Warner, S. C., 134 Warner, S. C., 134 Warner, S. C., 134 Warner, S. C., 154 Webb, F. J., 1, K. 50 Webster, C. R., 108, G. R., 148 Weekes, G. K., 115 Weeks, C. R., 105 Weitz, J. H., 62 Weitz, J. H., 64 Weitz, J. H., 65 Webter, C. R., 108, G. R., 148 Weekes, G. M., 115 Weekes, C. J., 222 Weld, E., 115 Weekes, C. J., 222 Weld, E., 115 Werter, W. A., 1. (Bull & Co) Whitehened, W. M., 1. (Campbell & CO.) Whiteward, J. J., 175 & Co.) Whiteside, D., 177 Whiting, J. L. 108

Whitney, J. P., 132 Wickett, W. L., 189 Wickkatt, Samuel, J. Wickson, Samuel, J. Wickson, Samuel, I. Wickson, Samuel, I. Wikit, C. H., 161, W. C., 178 Wildt, E. S., 228, (Fleming & Cc.) Wilkres, A. J., 31 Wilkles, S., 101 Wilkles, A. J., 31 Wilklins, M., 11 Wilklins, M., 11 Wilklins, M., 11 Wilklins, M., 11 Wilklins, J. F., 21 Wilklins, M. H., 18, 156 Wilk, A. S., 162 Wins, A. S., 162 Wins, A. S., 162 Winser, F. A., 73 Winsergroup, R. W., 93 Witton H. 200 Wissler, H., 71 Witherspoor, R. W., 93 Withon, H. B., 93, (Calham & Co.) Wood, J. F., 34, R. E., 159, S. C., I. (Reid & Co.) S. G., I. (King-stone & Co.) S. G., 1. (King-Woodyatt, T., 5: Woorlell, J. A., 1 Wiragge, E. C., 169, Wright, C., 138, H. J., 1. (Barwick & Co.) I., 65, J. A., 1 & 161, M., 21. W. H., 149, W. J., 34 Wyld, W., 148. (O'Gara & Co.)

Yale, H., 186. (Collier & Co.) Yarnold, F. M., 166 Young, E. M., 161. McG., 1. S. J., 207

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ALGOMA DISTRICT

1Sault St. Marie
2 Bruce Mines
3 Thessalon
4 Webbwood
6 Richards' Landing
BRANT.
1 Brantford
2 Paris
3 St. George
4 Burford
5 Scotland
BRUCE.
1 Walkerton
2 Teeswater
3 Kincardine
4 Paisley
5 Port Elgin
6 Underwood
7 Invermay

ESSEX.
1 Sandwich
1 Sandwich 2 Amherstburg
3 Kingsville 4 Oxley 5 Leamington 6 Belle River
4 Oxley
5 Leamington
6 Belle River
T Windsor
8 Essex
9 Comber
FRONTENAC
1 Kingston 2 Kingston
2 Kingston
3. Sydenham
4 Verona
D Sunbury
6 Sharbot Lake
GREY
1 Owen Sound
2 Durham 3 Meaford
3 Meaford
4 Heathcote
5 Fleshertca
2 Durham 3 Meaford 4 Heathcote 5 Fleshert c_{Λ} 6 Chatsworth 7 Hanover
8 Markdale
HALDIMAND
1 Caledonia
2 Cayuga 3 Dunnville
3 Dunnville
4 Rainham 5 Canborough
6 Jarvis
6 Jarvis
HALIBURTON
1 Minden 2 Haliburton
3 Ursa
HALTON
1 MALION
1 Milton 2 Oakville
3 Georgetown
4
4 Acton 5 Nassagaweya
6 Burlington
HASTINGS.
1 Belleville
3 Shannonville
4 Twood
5 Stirling
5 Stirling 6 Madoc
Dogonomt-
9 Deseronto 9 Trenton 10 Marmora 11 Maynooth
10 Marmora
11 Maynooth
12 Umfraville

HURON
1 Goderici 2 Seaforti
2 Seafortl
3 Clinton 4 Brussels
4 Brussels
5 Exeter 6 Dungannor
6 Dungannor
7 Bayfield
8 Wingham
9 Wroxeter
10 Zurich
0
Diyth
1 Chatham 2 Ridgetown
2 Ridgetown
3 Dresden
4 Blenheim
5 Wallaceburg
6 Bothwell
2 Ridgetown 3 Dresden 4 Blenheim 5 Wallaceburg 6 Bothwell 7 Fletcher LAMETON
LAMBTON
1
Z Watford
A Florence
Sombra
B Forest
7 Thedford
8 Detrolio
9 Alvinston
5Forest 6Thedford 7Mooretown 8Petrolia 9Alvinston LANARK
1 Perth 2 Lanark 3 Carleton Place
2 Lanark
3 Carleton Place
Totto Smith's Falls
5 Pakenham
6 Almonte LEEDS & GRENVILLE
LEEDS & GRENVILLE
LLEDS & GRENVILLD 1Brockville 2Prescott 3Gananoque 4Kemptville 5Merrickville 6Philingville
2 Prescott
3 Gananoque
4 Kemptville
5 Merrickville
6 Phillipsville
7 Toledo
8 Newboro'
6 Phillipsville 7 Toledo 8 Newboro' 9 Athens 10
10 Spencerville
19 North Augusta
10 Spencerville 11 North Augusta 12 Caintown LENNOX & ADDINGTON North
1 NICE & ADDINGTON
1 Napanee 2 Bath 3. Adolphustown
3 Adolphustown

dam lan Fast	10 Wooler
4 Camden East	11 Campbellford
5 Centreville	
6 Odessa	ONTARIO
7 Tamworth LINCOLN	1 Whitby
LINCOLN	2 Greenwood
1 Niagara	3 Port Perry
2 St. Catharines	4 Uxbridge
3 Smithville	5 Cannington
4 Beamsville	6 Beaverton
MANITOULIN ISLAND	7 Uptergrove
1 Gore Bay	OXFORD
2 Little Current	1 Woodstock
3 Manitowaning	2 Drumbo
MIDDLESEX	3 Embro-
1 London	4 Norwich
2 Parkhill	5 Ingersoll
3 Lucan	e Tilaanhung
	6 Tilsonburg PARRY SOUND DIS-
4 Delaware	PARRY SOUND DIS-
5 Glencoe	TRICT
6 Strathroy 7 Dorchester Station	1 Parry Sound
7 Dorchester Station	2 McKellar P.O.
8 Arva	3 Rosseau
9 London	4 Burk's Falls
MUSKOKA DISTRICT	5 Maganetawan
1 Bracebridge	6 Commanda
2 Gravenhurst	7 Sundridge
3 Huntsville	PEEL
4 Port Carling	1 Brampton
	2 Cooksville
NIPISSING DISTRICT	3 Caledon
1 Sturgeon Falls	4 Bolton
2 Mattawa	PERTH
3 North Bay	
4 Sudbury	1 Stratford
5 Bonfield	2 Mitchell
NORFOLK	3 St. Mary's
1 Simcoe	4 Shakespeare
2 Waterford	5 Milverton
3Windham Centre	6 Listowel
4 Ronson	PETERBOROUGH
5 Vittoria	1 Peterborough
6 Port Rowan	2 Norwood
7 Fairground	3 Keene
8 Port Dover	4 Lakefield
	5 Apsley
NORTHUMBERLAND	
AND DURHAM	PRESCOTT & RUSSELL
1 Bowmanville	1 L'Original
2 Newcastle	2 Vankleek Hill
3 Port Hope	3 St. Eugene
4 Millbrook	4 Plantagenet
5 Cobourg	5 Cumberland
6 Grafton	6 Russell
7 Colborne	7 Hawkesbury
8 Brighton	S Fournier
9 Warkworth	9 Alfred

10 Clarence Creek
11 Grant
PRINCE EDWARD
1 Picton
1 Picton 2 Milford
3 Domorostrillo
4 Ameliasburg
5 Wellington
4 Ameliasburg 5 Wellington 6 Bloomfield
7 Consecon
S waupoos
7 Consecon 8 Waupoos RAINY RIVER DIS- TRICT
1 Rat Portage 2 Fort Francis
2 Fort Francis
RENEREW
1 Pembroke
2 Beachburg
3 Renfrew
4 Arnprior
5 Shamrock
1
8 Rockingham
7 Cobden 8 Rockingham SIMCOE
1 Barrie
1 Barrie 2 Bradford
3
4 Collingwood
5 Craighurst
7 New Torollia
8 Alliston
9. Penetanguisheno
10 Coldwater
10 Coldwater STORMONT, DUNDAS
AND GLENGARRY
1 Williamstown 2 Alexandria
2 Alexandria
3 Cornwall 4 Dickinson's Landing
4 Dickinson's Landing
5 Morrisburg 6 Iroquois 7 South Mountain
7. South Mountain
8Cryslor
8 Crysler 9 Bridge End
0 Chesterville
1 Strathmore
0 Chesterville 1Strathmore 2 Dominionville
HUNDER BAY DIS.
TRICT 1 Port Arthur
3 Fort William

VICTORIA
1 Woodville 2 Fenelon Falls
2 Fenelon Falls
3 Bobcaygeon
4 Omemee
5 Lindsay
6 Oakwood
7 Victoria Road
Second State
WATERLOO 1 Beriin 2 Preston 3 Galt 4 New Hamburg 5 Linwood 6 St. Jacob's 7 St. Jacob's
2 Preston
o Galt
4 New Hamburg
B Linwood
7 St. Jacob's
7 Ayr WELLAND
WELLAND
1 Welland 2 Marshville 3 Fort Erie 4Niagara Falls South 5
2 Marshville
5 Fort Erie
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5 Thorold 6 Port Colborne
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WELLINGTON
1 Guelph 2 Morriston 3 Rockwood
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4 Forgus 5 Erin 6 Elora
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6 Elora
7 Drayton
8 Arthur
0 Harrison
7 Elora 8 Drayton 8 Arthur 0 Harrison 1. Mount Forest
WENTWORTH WENTWORTH 1 Hamilton 2 Dundas. 3 Waterdown 4 Rockton 5 Stoney Creek 7 Glanford
1 Hamilton
2 Dundas
3 Waterdown
4 Rockton
5 Stoney Creek
7 Glanford
8 Binbrook
9 Hamilton
YORK
3
2 Unionville
3 Richmond Hill 4 Newmarket 5 Sutton West
Newmarket
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SYNOPSIS OF THE LAWS OF ONTARIO.

Compiled by Messrs. Macdonald, Cartwright and Garvey, of Osgoode Hall, Barristers at Law, Toronto.

(Revised to January, 1st 1898.)

Arrest for Debt, Absconding Debtors—When a creditor has a claim of \$100 or over, and can show to the satisfaction of the Judge that he has such claim and that there is reasonable and probable cause for believing that the debtor is about to leave the Province with intent to defraud his creditors, an order for arrest may be granted.

Assignments—Must be made to the Sheriff of the County where the debtor resides or carries on business, unless the majority of the creditors having claims of \$100 or over consent to the appointment of some other person. The assignment must be filed within five days after execution, and notice inserted in the Onterio Gazette in the issue next after five days after execution; for default there is a penalty of \$25 per day. The assignment on a resolution of the creditors or inspectors, without the procuring of a judgment.

Bankruptcy—There is no bankruptcy law in this Province, but a debtor may make an assignment for the benefit of cceditors and ensure a ratable distribution of his assets. Assignment not under this. Act does not require to be made to the Sheriff.

Bills of Exchange and Promissory Notes—These are practically subject to the commercial law in respect to days of grace, notice and protest. Notes only bear interest from the date of maturity, and then at the legal rate, six per cent, unless the rate and time are expressly mentioned on the face. Loss of a bill or note does not prevent collection, but payee must be indemnified.

Bills of Sale and Chattel Mortgages—These must be registered within five days in the office of the County Court Clerk, otherwise they are void as against creditors, except bills of sale, where there is an actual and continued change of possession of the property. There are special regulations regarding ohattel mortgages and bills of sale in the territorial and provisional districts, both as to place of filing and time of filing. Affidavits of execution must now show the date of the execution of the mortgage. Chattel mortgages must be renewed yearly.

Conditional Sales of Chartels—When there is a sale of manufactured goods and possession is given, but the intention is that the ownership thereto shall not pass, a subsequent purchaser or mortgagee without notice in good faith for valuable consideration is put on enquiry as to whether they have been fully paid for, if the name and address of the manufacturer or vendor is painted, printed, or otherwise plainly attached thereto, but is only valid as against such subsequent purchaser or mortgagee when evidenced in writing, signed by the original bailee or his agent. The above provision does not apply to household furniture, nor to cases where the bailor or vendor within ten days from the execution of any receipt note, time receipt, order or other instrument evidencing the bailment or conditional sale, file the same or a copy thereof with the Clerk of the County Court, but pianos, organs or other musical instruments are not included in the term household furniture.

Contracts—Contracts for sale of goods over \$40 require part performance or to be in writing, otherwise they are void. Contracts made on Sunday (with few exceptions), and contracts contrary to public policy or of an immc[∞]al character, are illegal.

Courts, Jurisdiction of—In money claims on contract the jurisdiction of the Division Court extends to \$200 in liquidated claims, *i.e.*, those settled by acts or signature of the parties, and \$100 in unliquidated claims, that of the County Court to \$600 and \$200 respectively, and that of the High Court claims beyond these amounts.

Commissions—When a witness resides out of the Province an order may be made to take his evidence on commission.

Execution—In the County Court and High Court execution may issue immediately upon entry of judgment, unless stayed by order of the Court or Judge. Executions must be reneved before the expiration of three years from the date of the issuing thereof. In the Division Court, where the judgment is recovered for \$40 or upwards, exclusive of costs, a writ of execution may issue directed to the sheriff, and will bind the lands of the debtor in the same manner as executions issued from the higher courts. All executions issued in the County and High Courts are directed against both goods and lands. Lands cannot be sold for one year from the time the writ is delivered to the Sheriff. but debtors' lands are bound from date of delivery to the Sheriff. The interest of a person in a pew or sitting may be taken in execution and sold.

Exemptions — The exemptions from seizure under execution and distress are enumerated in the Revised Statutes, chap. 64, and consist generally of :--

- (1) Bed, bedding and bedsteads in ordinary use.
- (2) Necessary and ordinary wearing apparel.
- (3) One cooking stove with pipes, 1 heating stove with pipes, sewing machine, 30 vols. books, all spinning wheels and weaving looms, and a large number of articles of furniture, cooking utensils, etc., in all not to exceed the value of \$150.
- (4) All necessary fuel, meat, fish, flour and vegetables, not more than sufficient for ordinary consumption of debtor and family for 30 days, and not exceeding in value the sum of \$40.
- (5) One cow, 6 sheep, 4 hogs and 12 hens, in all not to exceed the value of \$75; also food for them for 30 days.
- (6) Tools and implements of, or chattels ordinarily used in the debtor's occupation, to the value of \$100.
- (7) Bees reared and kept in hives to the extent of fifteen hives.
- On the death of the debtor these goods go to the widow and family.

Examination of Judgment Debtor--The judgment debtor may be examined as to his property at the time debt is incurred and his disposal of the same, and in the higher courts the transferee may also be examined; any person in possession of property of the execution debtor may also be examined under order. On examination in the Division Court the Judge may order the debtor to pay the debt in such a way as he deems proper, and in default may issue an order for committal.

Fraudulent Conveyances — Conveyances in fraud of creditors are void. Preferences by insolvents are void. Conveyances by debtors attacked within sixty days or made within sixty days before an assignment for the benefit of creditors are presumed to be made with intent to defraud or prefer.

Garnishment – Debts due the debtor may be attached in the Division Court at the time of the issue of the summons, but in the C-anty Court and High Court only after judgment. Debts due for wages or salary cannot be attached except as to any excess over the sum of \$25, and then only to the extent of the excess. Where, however, the debt has been contracted for board or lodging, and in the opinion of the Judge the exemption of \$25 is not necessary for the support and maintenance of the debtor's family depending, or where the debtor is an unmarried person having no family depending on him for support, the Judge may in his discretion order the debt to be paid out of the \$25. Notice served on the garnishee, if the debtor is unmarried, should state so.

Interest—The legal rate is six per cent., and where no agreement and interest is payable, that is the rate. Interest is allowed on all written agreements and on accounts where notice is given that the interest would be charged.

Judgments—Where defendant does not defend, judgment may be entered in the higher courts ten days after service of the writ in the action. The practice provides in many cases for the procuring of speedy judgment after appearance where a proper case is made out in the Division Courts, ten, fifteen or twenty days after service, according to the residence of the defendant.

Limitation of Actions — Actions of account must be brought within six years — on contracts under seal, twenty years. Actions on the covenant on a mortgage made after 1st July, 1894, must be brought within ten years. Part payment will extend the time of action. Promissory notes and accounts are prescribed or outlawed in six years from the time they become due.

Married Women-Every contract hereafter entered into by a married woman otherwise than as an agent :

(a) Shall be deemed to be a contract entered into by her with respect to and to bind her separate property, whether she is or is not in fact possessed of or entitled to any separate property at the time when she enters into such contract, and it shall not be necessary in any proceeding to prove as a fact any separate property at the time when such contract was entered into or subsequently.

(b) Shall bind all separate property which she may at the time or thereafter possess or be entitled to; and shall also be enforceable by process of law against all property which she may thereafter while discovert possess or be entitled to.

The will of a married woman speaks from death.

Registry of Deeds—Instruments for registry must contain a sufficient description of the property mentioned, and the execution be vorified by affidavit in proper form of a witness present at the time of signature. Deeds executed outside of the Province require the affidavit of execution by the subscribing witness should be sworn before, if executed in Quebec:

(1) A Judge or Prothonotary of the Supreme Court or Clerk of the Circuit Court.

Or before a Commissioner authorized under the laws of Ontario to take in Quebec affidavits in and for any of the Courts of Record in the Province of Quebec.

Or before any Notary Public in Quebec, certified under his official seal.

(2) If made in Great Britain or Ireland, before a Judge of the Supreme Court of Judicature in England or Ireland, or of the Court of Sessions, or the Justiciary Court in Scotland.

Or before a Judge of any of the County Courts within his county.

Or before the Mayor or Chief Magistrate of any city, borough or town corporate therein, and certified under the common seal of the city, borough or town corporate.

Or before a Commissioner authorized to administer oaths in the Supreme Court of Judicature in England.

Or before a Commissioner authorized by the laws of Ontario to take, in Great Britain or Ireland, affidavits in and for any of the Courts of Record of the Province of Ontario.

Or before a Notary Public certified under his official seal.

(3) If made in any British colony or possession, before a Judge of a Court of Record or of any Court of Supreme Judicature in the colony.

Or before the Mayor of any city, borough or town corporate, and certified under the common seal of the city, borough or town.

Or if made in the British possessions in India, before any magistrate or collector certified to have been such under the hand of the Governor of such possession.

(4) If made in Ontario, before the Registrar or Deputy Registrar of the county in which the land lies.

Or before a Judge of the Supreme Court of Judicature.

Or before the Judge of a County Court within his county.

Or before a Commissioner authorized by the High Court to take aff.davits. Registration gives priority.

Wills—Must be in writing, signed at the foot by the testator in the presence of two witnesses, both present with him at the same time, and who in his presence and at his request, and in the presence of each other, sign their names as "itnesses. A legacy or devise to a witness, or to the husband or wife of a witness, is void. An executor may be a proper witness. All wills are revoked by marriage. Except:

(a) When it is declared in will that same is made in contemplation of marriage.

(b) When the wife or husband of the testator elects to take under the will by an instrument in writing signed by the wife or husband, and filed within one year after the testator's death in the office of the Surrorate Clerk, Toronto.

(c) When the will is made in the exercise of power of appointment, and the real or personal estate thereby appointed would not, in default of such appointment, pass to the testator's heir, executor or administrator, or the person entitled as the testator's next of kin, under the Statute of Distributions.

A minor cannot make a valid wi¹l. There is now a succession duty payable on property passing on the death of the owner, made up on a scale provided for in the Act, according to the amount of the estate and the relations inheriting. In the administration of the estate of a deceased person, any person in the employment of the deceased at death, or one month prior thereto, shall have priority to the extent of three months' wages or salary over ordinary or general creditors.

INTESTACY.

PERSONALTY.

If the Intestate die leaving : His personal representatives take thus, etc. :

Wife and child or children	One-third goes to wife, rest to child or children; if children dead, then to their lineal descendants, except such child or children (not heirs at-law) who had estate by settlement of in- t-state or were advanced by him in his lifetime equal to the other shares. (Hulf to wife; rest to next of kin, in
Wife only	equal degree to intestate, or their legal representatives, or if no next of kin, to the Crown. By 58 Vici. cap. 21, the widow is entitled to whole state where it does not ex- ceed \$1,000, and if it exceeds that amount, then she is entitled to \$1,000 al intely, and takes her share in mainder of estate in addition.
No wife or child	All to the next of kin, and to their legal representatives.
Child, children or their repre- sentatives	All to him, her or them.
Children by two wives If no child, children or repre- sentatives Child or grandchild by deceased	Equally to all. All to next of kin, in equal degree to intestate. Half to child, half to grandchild, who
Husband only	takes by representation. Half to him and half as if he had pre- deceased intestate (R. S. O. c. 108, 5.5. and ride R. S. O. c. 132, 5.24,
Father, mother, brother or sister	One-third to husband and two-thirds to Half to each. [children. Equally to all. (R. S. O. c. 108, ss. 5, 6.) Whole to them equally
Wife, mother, brother, sister, and nieces or nephews	Half to wife, residue to mother, brothers, sisters and nieces, but
TTT: 0	nephews and nieces take per stirpes. Half to each.
	Two-fourths to wife, one-fourth to mother, and one fourth to nephews
Wife Latt	and nicces. Half to wife, half to brothers and sisters and mother equally. (Stat. of Car. II.) The whole.

72

Brother or sister of whole blood, and brother and sister of half Half to each. blood	
Posthumous brother or sister, and mother	
Posthumous brother or sister, and brother or sister born in lifetime of father	
Father's father and mother's) Half to each.	

If the Intestate die leaving :

His personal representatives take thus, viz. :

Uncle's or aunt's children, and brother's or sister's grand- children	All equally.
Grandmother, uncle or aunt	All to grandmother.
Two aunts, nephew and niece	
Uncleand deceased uncle's child	
Uncle by a mother's side, and deceased uncle's or aunt's child	
Nephew by brother, and nephew by half-sister	Equally, per capita.
Brothers or sisters, and nephews	Nephews or nieces take per stirpes, others equally.
Nephew by deceased brother, and nephews and nieces by deceased sister	Equally, per capita.
Brother and grandfather	All to brother.
Brother's grandson and brother) or sister's daughter	All to daughter.
Brother and two aunts	All to brother.
Brother and wife	Half to each.
Mother and brother	Equally.
Wife, and mother, and children of deceased brother or sister	Half to wife, one-fourth to mother, one-fourth to deceased brother's or sister's children <i>per stirpes</i> .
Wife, brother or sister, and children of deceased brother or sister	Half to wife, one-fourth to brother or sister <i>per capita</i> , one-fourth to de- ceased brother or sister's child <i>per</i> stirpes.
Brother or sister and children of a deceased brother or sister	Half to brother or sister per capita, half to children of deceased brother or sister per stirpes.
Grandfather and brother	All to brother.

Twenty-third section, R. S. O. c. 132, enacts that separate personal property of a married woman dying intestate is to be distributed between her husband and children in the same proportion as the personal property of a husband dying intestate is to be distributed between his wife and children. If there be no child or children living at the death of the wife so dying intestate, then such property shall pass or be distributed as if that Act had not passed.

REALTY.

Realty descends to personal representatives, whether the deceased died testate or intestate, since 1st July, 1886. In case of intestacy, to be distributed in the same way as personal estate, except as follows :

R. S. O. c. 108, s. 4, s.s. 2 : A widow is entitled to elect whether she will take dower or a distributive share of her deceased husband's real

R. S. O. c. 108, s. 4, s-s. 3: A husband entitled to curtesy may, by deed executed within six calendar months of his wife's death, elect to take curtesy in lieu of a distributive share.

R. S. O. c. 108, s. 6: The father, mother, brothers and sisters of an intestate dying without issue are to share equally in real and personal

estate, to the exclusion of grandfather and grandmother. 54 Vict. c. 18, s. 1, and 55 Vict. c. 2, make provision for real estate not disposed of or conveyed by an executor or administrator within twelve months after decease of the testator or intestate.

CANADIAN LAW LIST

THE

(HARDY)

1898.



BRITISH COLUMBIA.

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CONTENTS.

Iphabetical list of Towns	8
ttorney-General's Department 7	7
arristers, Solicitors, etc 7	8
ounty Courts and Officials 7	7
idicial Districts	7
and Registry Offices	8
aw Society of B. C	7
apreme Court	
nopsis of the Laws of B. C	

THE CANADIAN LAW LIST-BRITISH COLUMBIA. 77

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SYNOPSIS OF THE LAWS OF BRITISH COLUMBIA.

Compiled by Messrs. Wilson & Senkler, Barristers, Vancouver, B.C., of the British Columbia Bar.

(Revised to January 1st, 1898.)

Absconding Debtor—If any person resident in British Columbia, indebted to any other person to an amount exceeding \$100, departs from the province, with the intent to defraud his creditors, his goods are liable to seizure under a writ of attachment.

When a plaintiff has such a claim, and can show that the debtor has left the province to avoid being arrested or served with process, or to defraud the plaintiff, any Judge of the Supreme or County Court, according to jurisdiction, may direct a writ of attachment to issue, and may appoint in the order a time for the defendant to put in special bail, having due regard to the distance of the place where the absconding debtor is supposed to have gone.

Arrest-1 and 2 Vict. chap. 110, Imp., respecting arrest of the defendant on mesne process, is still in force; where the plaintiff shows to the satisfaction of the Judge that he has a cause of action against the defendant and that he is about to leave the province, the Judge will direct that the defendant be arrested and held to bail, on a writ of capias ad respondendum, for such sum (\$100 or upwards) as may be shown due; after judgment a writ of capias ad satisfaciendum will issue under like circumstances. Maintenance money of \$3.50 a week must be paid in advance to the sheriff on his executing the writs of Ca. Re., Ca. Sa., and ne excat regno.

The County Court has the same powers of arrest as the Supreme Court within its jurisdiction.

Assignments—An assignment may be made of all real and personal property to any person, for the purpose of ratably satisfying creditors; it takes effect when deposited in the Land Registry Office in the District in which the debtor resides, to be recorded; it must also be recorded in each of the Land Registry offices of the province; it is also necessary that notice of the assignment should be published in the *British Columbia Gazette* and in a daily newspaper for one month. The assignce may be removed by any Judge of the Superior Court on the application of a creditor, on petition supported by an affidavit. All questions arising at creditors' meetings are decided by a majority of votes given by the Act on a sliding scale, according to the amounts of the claims.

Bills of Sale and Chattel Mortgages—Bills of Sale of personal chattels remaining in the possession of a grantor must be verified by affidavit and registered within twenty-one days of the date of execution, or they are void as against the assignces of the estate of the grantor and sheriff's officers and others seizing goods in execution and as against subsequent purchasers and mortgagees in good faith for valuable consideration.

Hire and purchase agreements require registration the same as bills of sale. If the bill of sale be made, or given subject to any defeasance, condition or declaration, not contained in the body thereof, it is null and void to all intents and purposes as against the same persons as if it had not been filed.

Joint Stock (:ompanies-The Statute relating to this subject repealing all former enactments relating to the organization of Joint Stock (Companies is founded on the Imperial Acts 1862 to 1897.

The liability of a shareholder may be limited to the amount of shares; limited by guarantee, or unlimited.

Mining Companies may be incorporated without any personal liability.

Courts—The Courts in British Columbia are the Supreme and County. The Supreme Court has five Judges, who preside over the several District Courts, and who sit *en banc* in the Court of Appeal. The province is now divided into seven judicial districts. This Court has jurisdiction in all cases.

The County Court has general jurisdiction in all personal actions where the debt or damages claimed do not exceed \$1,000, but usually the actions in this Court are for much smaller sums. It also has large equitable jurisdiction, extending to \$2,500, which is very seldom invoked. The Judges of the County Courts are local Judges of the Supreme Court within their own districts.

The Small Debts Court is a statutory Court of the session of 1895, giving Provincial Magistrates certain civil jurisdiction, having such powers and *duties* as may be assigned to them by Statute in *Rules of Court*.

Execution—In the Supreme Court execution may issue forthwith after judgment against goods, unless otherwise ordered; and against lands after a return of the execution against goods, if returned unsatisfied; but Fi. Fa. lands will not issue within seven days after judgment, nor can the lands be sold within one month after the writ is delivered to the sheriff. A judgment for the recovery of any property other than lands or money may be enforced by writs for the delivery of the property, of attachment or sequestration. A writ of execution need not be renewed.

In the County Court execution may issue forthwith after judgment against goods, and against lands thereafter, by special order, as if in the Supreme Court.

Exemptions—There is no exemption from distress for rent, except a limit of three months' rent against goods sold conditionally to the tenant; lodgers' goods are also exempt.

Against seizure under execution there is an exemption of goods to the value of \$500; this is to be demanded by the execution debtor within two days after the seizure; but no goods are exempt when the debt is contracted in respect to them. Land to the value of \$2,500 can be brought within the "Homestead Act," and it is then exempt to that extent.

Examination of Judgment Debtor—In the Supreme Court the judgment debtor can be examined; this is done under the head of discovery in aid of execution; an order can be obtained for the examination of the judgment debtor or any other person if it can be shown that it will assist in realizing the judgment.

In the County Court the judgment debtor may be examined under a judgment summons as to his property and income, and the Judge may direct the judgment to be paid in such manner as he deems fit, and in default may commit the debtor.

Garnishment—Debts due to the debtor may be attached to the County Court at the time of the issue of the summons; the Judge may, however, allow sufficient to the judgment debtor to maintain him and family, but this not to exceed \$40 a month.

In the Supreme Court debts due to the judgment debtor can only be attached after judgment, upon an order of the Court issued upon affidavit.

Interest—These laws are, of course, those set out in the statutes of the Dominion, and if in any case the Dominion statutes do not cover the case, the English law controls, *i.e.*, before 1858.

Laws—The Civil Laws of England, as the same existed on the 19th day of November, 1858, and so far as the same are not from local circumstances inapplicable, shall be in force in all parts of British Columbia : Provided, however, that the said laws shall be held to be modified and altered by all legislation, still having the force of law of the Province of British Columbla or of any former colony comprised within the geographical limits thereof.

Judgments—In the Supreme Court, where the writ of summons is endorsed for a liquidated demand, and the defendant fails to appear within eight days thereto, the plaintiff may enter final judgment for any sum not exceeding the sum endorsed on the writ, together with interest at the rate specified, or if no rate be specified, at the rate allowed by law, to the date of judgment. Speedy judgment can also be obtained where a proper case can be made out that the defendant is only attempting to delay by his appearance, and has no good defence.

Judgment in the County Court can be signed, in default, after eight days from the service of the summons, if for a liquidated demand, and speedy judgment obtained as in the Supreme Court.

After judgments are signed a certificate of judgment may be obtained, and when filed in the Land Registry becomes a charge on lands of the judgment debtor.

Limitation of Actions—This law comprises the body of English law on the subject, too diversified to detail, but generally all actions of account, simple contracts, etc., must be commenced within six years after the cause of action arose, or an acknowledgment was given. And all actions brought for the recovery of land or things real must be commenced within 20 years.

Provided the claimant labors under no disability.

Married Women-May now contract, hold and enjoy property, real and personal, in the same manner as if unmarried; and may also sue and be sued with reference to such separate estate.

Mining Law—These are comprised in Legislative enactments, too numerous to detail in a short space.

Generally—Any person may become a free miner and prospect and locate mining claims.

Claims upon which mineral has been found can be located by a free miner. The size of the claim 1,500 feet in length by 1,500 feet in breadth, in as nearly as possible a rectangular form, marked by two posts 1,500 feet apart, as near on the vein or ledge as possible, upon which shall be written the name of the claim, the name of the locator and the date of location; also on No. 1 post the approximate compass bearing of No. 2 post, and a statement of the number of feet lying to the right and left of the line between the posts.

It is necessary to do \$500 worth of work on the claim or pay \$500 to the Provincial Government before a Crown grant issues.

Leases of land for hydraulic and placer mining are also issued.

Mining companies can be formed with limited liability.

Coal prospecting licenses are issued; but coal now goes to the grantee of the land, subject to a royalty.

Registration of Deeds-The Land Registry Act provides among other things :

That a description according to an official survey shall be contained in the deed.

That a statutory form of affidavit of witness or maker, attorney or secretary of a corporation shall be annexed; such affidavit to be made before, if without the Province, and in British Dominions.

THE CANADIAN LAW LIST-BRITISH CCLUMBIA.

84

To any Judge of a Court, or Clerk or Registrar of any Court having a seal; to any Notary Public, or any Magistrate of any town or district having a seal of office, or to any person commissioned in that behalf by the Lieutenant-Governor in Council.

And if acknowledged or proved without the British Dominions, may be made.

 T_0 any British Ambassador, Charge d'Affaires, or Minister, Consul or Consular Agent appointed to reside in the country where such is made ;

Or to any Judge of any Court of Record having a seal ;

Or to any Notary Public practising in such country, duly certified to be a Notary Public by some British Ambassador, Charge d'Affaires, Minister, Consul or Consular Agent, or Governor of the State, Province or Territory.

Every estate less than a fee simple is registered as a charge. Registration of a charge is notice to every person dealing with the estate. Charges take effect in the order of priority of application for registration. Parchase for value is not affected by any notice of any unregistered title other than a lease for three years. The certificate of registration is *prima facie* evidence of title.

CANADIAN LAW LIST

THE

(HARDY)

1898.



MANITOBA.

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CONTENTS.

PA	GE.
Alphabetical list of Towns	87
Barristers, Solicitors, etc	
County Courts and Officials	87
County Judges' Criminal Court	87
Court of Queen's Bench	87
ynopsis of the Laws	90

THE CANADIAN LAW LIST-MANITOBA.

MANITOBA.

COURTS, JUDICIARY OF-FICIALS AND BAR-RISTERS.

COURT OF QUEEN'S BENCH.

Chief Justice-Hon. Sir Thos. Wardlaw Taylor, Kt Puisne Judges - Hon. J. Dubuc, Hon. A. C. Killam, Hon. J. F. Bain Attorney-General-Hon. J.

D. Cameron Chief Clerk-H. A. Mc-

Lean

Prothonotary and Clerk of the Crown and Pleas and Deputy Reg. Exchequer Court.-G. H. Walker.

Deputy-Aug. Mills

Chamber Clerk-A. J. Belch

Master and Referee-P. A. Macdonald

Registrar-R. J. Wilson Accountant and Deputy-

Registrar-John Y. Cain Sheriff-Hon. Colin Inkster

Court Stenographers - W.

Perkins, Jas. Perkins Crier and Interpreter-J. C. Delorimer

Official Administrator-G. Patterson

COUNTY COURTS.

EASTERN JUDICIAL DISTRICT. Northern Division Judge-

D. M. Walker, Winnipeg Assistant Judge-James

E. P. Prendergast.

Central Division Judge-L. A. Prud'homme, St Boniface

Southern Division Judge-Corbet Locke, Morden

CENTRAL JUDICIAL DISTRICT.

Judge and Deputy Master under Q. B. Act, 1895.-J. Ryan, Portage la Prairie.

Deputy Clerk of the Crown and Pleas and County Court Clerk— John Macdonald.

Sherif-Daniel McLean. Deputy-R. H. Home. Official Administrator-L. R. Marlatt.

WESTERN JUDICIAL DISTRICT.

Judge and Deputy Master under Q. B. Act, 1895.-T. D. Cumberland, Brandon.

Deputy Clerk of Crown and Pleas, County Court Clerk and Deputy Master under Q. B. Act, 1895-Robert Darrach. Assistant Dep. Clerk-L. J.

Clement, Sheriff-Stephen Clement. Official Administrator-R. M. Matheson.

EASTERN JUDICIAL DISTRICT.

James Emil Pierce Prendergrast.

COUNTY JUDGES' CRIM-INAL COURTS.

Courts held at Winnipeg, pre-sided over by Judges of Court of Queen's Bench, and at Portage la Prairie and Brandon, presided over by Judges of the Courts for Central and Western Judicial Districts, respectively.

LIST OF BARRISTERS, Etc.

30 Birtle

Mickle & Tingley, Hon. C. J. Mickle, A. R. Tingley.

31 Boissevain Buckingham, N. P. Morrow, J.

32 Brandon Clement & Clement. S. E. Clement, R. A. Clement Coldwell & Coleman. G. R. Coldwell, Q.C., G.B. Coleman.

THE CANADIAN LAW LIST-MANITOBA.

Henderson & Matheson. H. E. Henderson, R. M. Matheson Kirchoffer, J. N. Macdonald & Macdonald. W. A. Macdonald, Q.C., R. G. Macdonald, B.A. Philp & Cameron. A. E. Philp, A. D. Cameron.

32¹ Carberry Barrett, G. Hunt, J. D.

33 Carmen Basten, C. E. Black, W. R. Brown, F. A. Haverson, J. H. Kiven, Cyprus.

34 Dauphin Harvey, J. G. Maughan, J. A.

35 **Deloraine** Mather, J. A. Paterson, Geo.

36 **Emerson** Forrester, David. Fraser, W. A.

37 Gladstone Claxton, G.

38 **Glenboro'** Mitchell, Frank H. Smith, R. M.

39 Hamiota Jackson, M. B.

40 Hartney Hallen, G. S.

41 Killarney Hay, A. G.

Metcalfe & Buckingham. T. L. Metcalfe, N. J. Buckingham.

42 **Manitou** Bradley, G. F. Ellis, W. F.

43 Melita Crerar, John 44 Millwood Chapman, F.

45 Minnedosa Curran, J. P. Myers, R. H. Pearson, E. W.

46 Morden Lemon, H. S. McLaren & Black, J. B. McLaren, J. H. Black McConnell, H. McK.

47 **Neepawa** Davis, Fred. L. Howden, Jas. H. Wemyss, J.

48 Oak Lake Manbey, W. J.

49 **Pilot Mound** Donald, W. A. Bastin, C. E.

50 Portage la Prairie Cooper, W. J., Q.C. Janes, W. J. Macdonald, D. A. Martin, Anderson & Mathers. Hon. J. Martin, E. Anderson, T. G. Mathers Wright, S. R.

51 Rapid City Nelles, R. A.

52 Russell Chapman, F.

53 Souris
 Acheson, H.
 Buron, E. J. P.
 St. Jean, Baptiste.
 Taylor, J. A.

54 **Stonewall** Heap & Heap. J. Heap, F. Heap

55 Virden Agnew, J. H. Goulter, H. H.

56 West Selkirk Elliott, F. C. Heap & Heap. J. & F. Heap. O'Reilly, John.

57 Winnipeg

- Aikins, Culver & Mc-Cleneghan. J. A. M. Aikins, Q.C., W. H. Culver, Q.C., A. V. Mc-Cleneghan, W. F. Hull, G. D. Minty
- Allen & Cameron. C. H. Allen, Hon. J. D. Cameron
- Andrews & Pitblado, A. J. Andrews. I. Pitblado
- Archibald, Machray & Sharpe. H. Archibald, J. A. Machray, F. J. Sharpe.
- Bonnar, R. A.
- Campbell, Crawford & Smith. C. H. Campbell, Q.C., H. E. Crawford. Q.C., R. M. Smith
- Carbert, C E.
- Chaffey, B. E. Clarke, O. H.
- Dawson & Graham. Alex. Dawson, J. Graham Dubuc, A. J. H.
- Ewart, Fisher & Wilson. J. S. Ewart, Q.C., J. Fisher, Q.C., C. P. Wil-son, H. G. Wilson
- Elliott & McCreary. G. A. Elliott, W. F. McCreary
- Forrester, Donald.
- Gilmour & Hastings. T. H. Gilmour, Q.C., W.H. Hastings
- Howden & Howden, A. Howden, J. H. Howden
- Haggart, Alex., Q.C.
- Haney, J. R.
- Hough & Campbell. J. S. Hough. Q.C., Isaac

Campbell, Q.C., S. J. Rothwell Howell, H. M., Q.C. Huggard, J. T. Jameson, R. W. Macdonald, Tupper, Phippen & Tupper, J. J. Macdonald, Q.C., J. S. Tupper, Q.C., F. H. Phippen, W. J. Tupper McKercher, D. W. McMeans, L. McPherson, A. N. Martin & Mathers. Hon. Joseph Martin, T. G. Mathers. Metcalfe & Sharpe, T. L. Metcalfe, E. E. Sharpe. Monkman, A. Morice, J. D. Mulock & Robarts. W. R. Mulock, Q.C., J. T. Robarts, Munroe & West. G. F. Munroe, G. H. West Munson & Allan. J. H. D. Munson, Q.C., G. W. Allan Nason. H. Nugent, Frank S. Patterson & Howard. G. Patterson, G.R.Howard Perdue & Robinson. W. E. Perdue, T. Robinson Richards & Bradshaw. A. E. Richards, C. W. Bradshaw Sutherland & Reyal. R. Ross Sutherland, Henri Royal C. Taylor, E. L. Thomson, R. M. Vivian, H. Whilla, H. W.

SYNOPSIS OF THE LAWS OF MANITOBA

Compiled by Archibald, Machray & Sharpe, of the Manitoba Bar.

(Revised to January 1st, 1893.)

Arrest-IN QUEEN'S BENCH-No person can be arrested or held to bail for debt or for non-payment of money.

In COUNTY COURT—The defendant may be summoned to attend for examination as a judgment debtor, and if he refuse to attend or to be sworn, or to answer, or if it appear by his own or other evidence that he obtained credit or incurred the debt by false pretences, or by fraud or breach of trust, or that he contracted the debt without reasonable expectation of being able to pay it, or that he has fraudulently disposed of his property, or if it appear that the party, when summoned, or since the judgment was obtained, had sufficient means or ability to pay be paid, and the debtor has neglected or refused to pay at the time and in the manner ordered, the Judge may imprison the debtor for any paried not discharge the debt.

Attachment - No writ of attachment now issues, but an Order for attachment may be obtained in an action commenced by a Statement of Claim. Such Order will issue in case of a debtor being an inhabitant of the Province, who departs therefrom with intent to defraud his creditors or those having cause of action against him, or to avoid being Province with a like intent; or in the case of a non-resident debtor, when he is legally liable to a resident creditor on a contract or obligation to be performed in the Province or liable to be compensated for in damages; or when the debtor, whether resident or non-resident, is about to transfer or remove any of his property from the Province, or has already done so, with intent to delay, defeat or defraud his creditors or those having cause of action against him. The Order for Attachment from the time of its delivery to the Sheriff binds all the goods and chattels of the person against whom the same is issued not exempt from seizure under execution, or from liability to answer a judgment upon the cause of action upon which the Order issued. A certificate of the issue of such Order of Attachment can be registered in any Registry Office and bind the interest of the person against whom the Order issued in all ands in such district.

Bankruptcy—There is no Bankruptcy Law in this Province, but a debtor may make an assignment for the benetit of his creditors, and insure a ratable distribution of his assets.

Bills of Sale and Chattel Mortgages—Sales and mortgages of personal property not accompanied by an immediate delivery and followed by an actual and continued change of possession, are absolutely void as against creditors of vendor and mortgagor, and subsequent purchasers or mortgagees in good faith for value without actual notice, unless a bill of sale or mortgage or a true copy of the mortgage be filed with the clerk of the County Court in the Judicial Division where the goods and chattels are situate, accompanied by an affidavit of execution, and an affidavit of the vendee or mortgagee showing the good faith of the transaction. Such mortgage must be renewed within 30 days preceding the expiration of two years from date of filing, by filing a statement exhibiting the interest of the mortgagee in the property, and showing the amount due and payments made, and that the mortgage is not kept on footfor any fraudulent purpose, otherwise it will cease to be valid as against creditors and subsequent purchasers and mortgagees in good faith or valuable consideration.

Courts and Jurisdiction—QUEEN'S BENCH—Is a Court of Record of original and appellate jurisdiction, and possesses all the jurisdiction, powers and authorities in all matters civil and criminal whatsovere, which, by the laws of England, were on the 15th day of July, 1870, possessed and exercised or incident to the Court of Chancery in England, and by Superior Courts of Common Law at Westminster, and by the Court of Chancery at Lincoln's Inn, and by the Court of Probate, and by any Court in England having cognizance of property and civil rights and of crimes and offences; and holds plea in all, and all manner of actions, and decides all matters of controversy relative to property and civil rights.

Procedure and rules of evidence are regulated by the rules of evidence and modes of practice and procedure as they existed in England on the 15th of July, 1870, except as altered by Provincial statute and rules of Court. By Provincial statute, "The Queen's Bench Act, 1895." The Rules of Procedure and Practice are made practically identical with the Judicature Act and rules in England and Ontario, with one step in advance, namely, the writ of summons is abolished and actions are commenced by statement of claim, to which defence must be delivered. if served in Manitoba, within sixteen days, and within four weeks if served in other parts of Canada or United States, within eight weeks if served in Great Britain, within twelve weeks if served elsewhere. The Court is composed of a chief justice and three puisne judges, three of whom sit as a Court of Appeal four times a year, which is the highest Court of Appeal in the Province, and appeals therefrom may be had to the Supreme Court of Canada.

County Court—Has jurisdiction in all actions of tort where the damages claimed do not exceed \$250, and in replevin where the value of the goods does not exceed \$250, and in all personal actions for claims and demands of debt account, breach of contract, covenant or money demands to the extent of \$400; but have no jurisdiction in actions for gambling debts, or for price of liquor drunk in a hotel; or where the title to land is called in question, or the validity of any will is called in question, or in any action for malicious prosecution, libel, slander, etc., or actions against Justices of the Peace. The procedure is simple and inexpensive, and debtors may be ordered to pay the debt at a stated time or times, and in default be committed to gaol as for contempt (see arrest).

Evidence—All parties can testify upon oath (or affirmation, if oath objected to); husband and wife also, except in criminal cases. In suits against personal representatives, evidence as to matters prior to death must be corroborated.

Execution—In QUEEN'S BENCH—Execution issues on judgment forthwith, or at any time within six years, without leave. After six years leave must be obtained. - 61

IN COUNTY COURT-Issues six days after judgment, or immediately on Judge's order.

Priority of claim in respect of writs of execution is abolished. The Sheriff distributes all moneys realized by him on writs of execution ratably among the persons having unsatisfied executions in force in his hands at the expiration of three months from the publication by him of a notice in the Manitoba Gazette. Such notice must be published within

Exemptions-Following property is exempt from seizure under executions :-

(a) Bed and bedding, household furniture and effects in use of debtor and his family to the value of \$500.

(b) Ordinary clothing of debtor and his family.

(c) Twelve volumes of books, the books of a professional man, an axe, saw, gun and six traps.

(d) Necessary food for debtor and his family for thirty days.

(e) Three horses, mules or oxen, six cows, ten sheep, ten pigs, fifty fowls and food for same for eleven months. Exemption as to horses over four years of age . applies only in case they are used by the debtor in earning his living.

(f) Tools, agricultural implements and necessaries used by debtor in practice of his trade, profession or occupation, to the value of \$500.

(g) Articles of furniture necessary to performance of religious service.

(h) The land upon which the debtor and his family actually reside, and which he cultivates or uses for grazing or other purposes, to the

(i) The house, stables, barns and fences on the debtor's farm.

(j) All necessary seeds or roots for the seeding and cultivation of 80acres.

(k) The actual residence or home of any person other than a farmer to the value of \$1,500.

(1) The debtor cannot by any contract or bargain, whether under seal or otherwise, deprive himself of his right to exemptions. Every contract or agreement to that effect is by statute made null and void.

(m) Sheriffs and bailiffs are prohibited from seizing anything exempted by statute.

Garnishment-In both Queen's Bench and County Court, plaintiff may in all actions (as well damages as actions of debt, etc.), at any stage of the action, garnish all debts, obligations and liabilities due, owing and payable or accruing due. Provided that the wages or salary of a mechanic, laborer, servant, clerk or employee to the extent of \$40 are exempt from garnishment, and only the excess over \$40 can be gar-

Interest-Legal rate, 6 per cent. Any rate can be agreed upon and collected.

Life Insurance-Life INSURANCE FOR BENEFIT OF WIVES AND CHILDREN-May be effected by parents, or insurance already effected may be appropriated to his wife and children and may be apportioned amongst them. Such insurance is not liable for parents' debts at his

Limitation of Actions—Actions must be brought within six years on open account, promissory note, simple contracts, etc.; within ten years on judgments and on mortgages and on money charged in any way on land; or within the like time in either case from the last payment on account or acknowledgment in writing signed by the party chargeable, or his duly authorized agent.

Married Women—May hold and enjoy property free from the debts and control of their husbands in as full and ample a manner as if unmarried, and may contract with respect to their separate property, and may also trade and carry on business as if unmarried.

THERE IS NO DOWER, but the wife takes the same right in land of her deceased husband as if it were personal property; that is, if he dies intestate leaving issue, she takes one-third of his whole estate, real and personal, absolutely, and the children the other two-thirds in equal shares; if the husband leaves no issue, then the wife takes the whole of his property.

Registration—Registry laws are in force, and the title to all lands may be registered, and if so registered documents take priority over unregistered unless there is actual notice of the prior unregistered instrument of title.

Affidavits of execution for the purpose of registration may be made before the following persons :

(a) If made in Manitoba it may be before—

(1) Any person authorized to take affidavits in the province; or before-

(2) The Registrar or Deputy Registrar of the district in which the lands lie; or before --

(3) Any Justice of the Peace for the Province.

(b) If made in any of the other provinces of the Dominion or in Great Britain or Ireland, it may be made before—

 A Judge of any of the Superior Courts of law or equity therein; or before—

(2) A Judge of any of the County Courts within his district; or before—

(3). The Mayor or Chief Magistrate of any city or borough or town corporate therein, certified under the common seal of such city, borough or town corporate; or before—

(4) Any Notary Public, certified under his official seal; or before-

(5) A Commissioner for taking affidavits outside the province to be used in the province.

(c) If made in the North-West Territories of the Dominion of Canada or in the District of Keewatin, it may be made before—

(1) A Judge of any Court or Police Magistrate; or before -

(2) A Commissioner authorized to take affidavits for use in said territories or district, or for use in this province; or before—

(3) Any Notary Public under his official seal, or any Justice of the Peace.

(d) If made in British possessions in India, it may be made before any magistrate or collector, certified to have been such under the hand of the Governor of such possession.

(e) If made in any other British colony or possession, it may be made before—

(1) A Judge of a Court of Record, or of any Court of supreme jurisdiction therein ; or before-

(2) The Mayor of any city, borough or town corporate, and under the common seal of such city, borough or town; or before-

(3) Any Notary Public, certified under his official seal.

(f) If made in any foreign country it may be made before ---

(1 The Mayor of any city, borough or town corporate of such country, and under the common seal of such city, borough or town corporate;

(2) Any Consul or Vice-Consul of Her Majesty resident therein; or before-

(3) A Judge of a Court of Record or a Notary Public, under his official seal.

What is commonly known as "The Torrens System" of titles is also in force, and all lands may be brought under the system. On the title being investigated and found good, a certificate of title is issued which is absolute and indefeasible and cannot be questioned except for

Wills-All persons of sound mind and of the age of 21 years may dispose of every kind of property and of every interest therein by will, which must be in writing, signed at the foot or end thereof by the testator or by some other person in his presence and by his direction, and the signature shall be made or acknowledged in the presence of two or more witnesses present at the same time, and the witnesses must attest and subscribe the will in the presence of the testator, except a holograph will, wholly written and signed by the testator himself, which is not subject to any particular form and does not require any attesting wit-

INTESTACY-Real and personal property devolve in same way.

(1) If intestate leave a widow and child or children, one third of his whole estate goes to widow and the remaining two-thirds to his child or to his children in equal shares, children of a deceased child (or, failing such, the lineal descendants of deceased child,) take share of deceased child. If all descendants are of same degree of kindred they take equally-otherwise according to the right of representation.

(2) If intestate leaves a widow and no issue, the widow takes all.

(3) If intestate leaves father, but no widow or child, father takes all. (4) If intestate leaves children, but no widow, children take all per stirpes.

(5) Child advanced during life of intestate must abate pro rata.

(6) No distinction between whole blood and half blood.

(7) Posthumous child, when there is a will and no provision for it, takes as if there were an intestacy.

(8) The separate property of a married woman dying intestate is distributed in the same manner as the property of a husband dying

CANADIAN LAW LIST

THE

(HARDY)

1898.



NEW BRUNSWICK.

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CONTENTS.

PAG	е.
habetical List of Towns 4	8
rristers, Solicitors, Etc	8
anty Courts and Officials	7
art of Divorce and Matrimonial Cases 9	7
art for Irial of Piracy, Etc., on the High Seas 9	7
rt of Vice-Admiralty 9	7
aries	7
reme Court	7
opsis of the Laws	1

NEW BRUNSWICK.

COURTS. JUDICIARY OFFI-CIALS, ETC.

SUPREME COURT OF JUDICATURE.

Chief Justice-Hon. William Henry Tuck

Justices-Hons. D. L. Hanington, F. E. Barker, P. A. Landry, J. A. Van Wart, E. McLeod

Judge in Equity-Hon. James Alfred Van Wart.

Clerk of the Pleas and Clerk in Equity-T. Carleton Allen

Deputy Clerk in Equity— R. R. Ritchie

COURT OF VICE-AD-MIRALTY.

Judge-Hon. E. McLeod Registrar and Scribe--Robt. O. Stockton

Surrogate -G. Sydney Smith

Marshal-Thos C. Humbert

PROBATE COURT.

Judge-Arthur I. Trueman

Registrar-John McMillan

COURT OF DIVORCE AND MATRIMONIAL CASES.

Judge-Hon. J. A. Van Wart

Registrar-F. A. H. Straton.

COURT FOR THE TRIAL AND PUNISHMENT OF PIRACY AND OTHER OFFENCES ON THE HIGH SEAS.

The Governor, the Chief Justice, and other Judges of the Supreme Court; the members of the Executive Council, Judge of the Vice-Admiralty, the Provincial Secretary, Commander-inChief, Flag Officers, and Captains, and Commanders of Ships of War on this Station for the time being. The Court sits at any place within the Province, to be appointed by any three of the members; the Governor, Chief Justice, or one of the Supreme Court, or Judge of Admiralty being one.

JUDGES AND CLERKS OF COUNTY COURTS.

JUDGES.

Charlotte, Carleton, Victoria & Madawaska—J. G. Stevens

York, Sunbury and Queens —James Steadman

Westmoreland and Kent-W. W. Wells

Northumberand, Gloucester, and Restigouche-William Wilkinson

St. John—J. Gordon Forbes Kings and Albert—William Wedderburn

CLERKS.

G. Stevens, jr., James Charlotte Wm. M. Connell, Carleton W. Fred Kertson, Victoria Barry R. Plant, Madawaska Jer. H. Barry, York C. E. Duffy, Sunbury Arthur W. Ebbett. J. H. Dickson, Albert W. H. Chapman, Westmoreland C. J. Sayre, Kent Samuel Thompson, North-

umberland John J. Harrington, Glou-

cester Jas. S. Morse, Restigouche

Mont McDonald, St. John Ora P. King, Kings

NOTARIES.

All Barristers, with a few exceptions, are Notaries.

LIST OF BARRISTERS, Etc

67 Albert Village-Albert Co.

Trueman, Wm. A. (Judge of Probate Court).

68 Andover-Victoria Co.

Carter, Titus J. Lawson, Thos. Straton, Alex.

69 **Bathurst**—Gloucester Co. Gilbert, George

Harrington, John J. Landry, Narcisse A. Maclauchlan, D. Gustavus

70 Buctoche-Kent Co. James, Henry H. Irving, R. A.

71 Campbellton — Restigouche Co.

Aitken, R. T. D. McAllister, John, Q.C. McLatchey, Henry F. Mott, Wm. A. Murray, Wm.

72 Chatham – Northumberland Co.

Benson, Michael S. Fraser, George B. Lawlor, Richard A. Murray, Robt. Tweedie, L. J., Q.C. Winslow, W. C.

73 **Dalhousie** — Restigouche Co.

Barberie, Joseph C. Harquail, James S.

74 Dorchester — Westmoreland Co.

Chapman, Allan W. Chapman, Albert J. Chapman, W. Hazen Emmerson, Hon. H. R. Friel, James Knapp, Chas. E. Richard, Ambrose D., Q.C. Teed, M. G.

75 Edmundston — Victoria Co.

Balloch, A. Rainsford Gagnon, C. A. D. Laforest, Frederick Plant, Barry R. Stevens & Lawson, J. M. Stevens, Aaron Lawson,

76 Elgin—Albert Co. Jonah, W. B.

77 Fredericton – York Co.

Allen, George W. Barry, J. H. Beckwith, Chas. W. Black, Bliss & Nealis. Jno. Black, F. St. J. Bliss, Hugh G. Nealis. Black, Geo. Coy, Havelock Duffy, Chas. E. Fisher, C. H. B., Q.C. Gregory, Geo. F. & A. J. Geo. F. Gregory, Q.C.; A. J. Gregory Hughes, Peter McCready, James W. McLellan, R. W. McLeod, H. F. Peters, F. H. Phinney & Crockett. J. D. Phinney, Q.C., O. S. Crockett. Rainsford, Henry B. Sharkey, James T. Simonds, C. E. A. Slipp, Arthur R. Van Wart, Wesley, Q.C. Wilmot, A. B. Wilson, William Winslow, E. Byron

78 Gagetown - Qucen's Co.

Ebbett, Arthur W.

79 Grand Falls — Victoria Co.

Kertson, W. Frederick

80 **Hampton**—King's Co. Tweedie, R. LeBert

81 Hopewell Cape -Albert Co. Dickson, J. H. (Registrar of Probate, Clerk, of the Peace, County and Circuit Courts.) Steadman, Geo. H. 82 Hopewell Hill-Albert Co. Peck, Chas, A., Q.C. 83 Moncton - Westmoreland Co. Atkinson, Harvey Bordon, R. A. Bray, A. W. Chandler & Robinson. W. B. Chandler, Clifford W. Robinson Girouard, Edouard Grant & Sweeney. David Grant, FrankJ.Sweeney Hanington, H. C. Hewson, R. W. Kay, James Knight, James M. McCully, Frank A. Palmer, C. A & S. W. Reilly, E. A. Steeves, Chipman A. Thomas, George P. Welch, D. I. 84 Newcastle-Northumberland Co. Butler, Thos. W. Davidson, Allan A. Mitchell, C. R. Thomson, Chas. J. Thomson, Samuel, Q.C. Williston, E. P. 85 Perth Centre-Vic toria Co. Lawson, Thos. 86 Petitcodiac - Westmoreland Co. Yeomans, J. H. 87 Port Elgin - Westmoreland Co. Wells. W. W. 83 Richibucto - Kent Co. Carter, W. D. Hutchinson, Robert, Q.C. McInerney, Geo. V., Q.C. Phinney, J. D., Q.C. Richardson, Caleb Sayre, Charles J. i

89 Sackville-Westmoreland Co. Emmerson, F. W. Powell, Bennett & Harrison. H. A. Powell, Q.C., A. W. Bennett, F. A. Harrison. Teed & Copp. B. B. Teed, A. B. Copp. 90 Shediac - Westmoreland Co. McDonald, E. R. McQueen, James Porrier, Hon. Pascal Russell, Wm. A. 91 Sussex Vale-King's Co. Byrne, J. P. Fairweather, F. L. Fowler, G. W. Freeze, J. A. McIntyre, J. M. Morison, R. Morton, F. E., Q.C. Parlee, M. H. Stockton, Fred. W. White, Allison & King. Hon. A. S. White, Q.C., Attorney-General ; L. Allison, Ora P. King. Clerk of the Co. Court. 92 St. Andrew's-Charlotte Co. Coakley, Edward A. Cockburn, M. N. Grimmer, F. Howard 93 St. John-Allen, W. W. Almon, Lewis J. Alward, Silas, M.A., Q.C Armstrong, J. R., Q.C. Ashe, John F. Bailey, C. T. Baird, Alex. W. Baird, G. F. Ballentine, Alex. Barnhill, A. P. Baxter, J. B. M. Bedell, A. Rankine Belyea, Geo. H. V. Belvea, James A. Blair, Ruel & Blair. Hon. A. G. Blair, Q.C., G. G. Ruel, A. G. Blair, jr. Bustin & Porter. Stephen B. Bustin, J. Joseph Porter

Campbell, J. Roy Carleton & Ferguson. J. L. Carleton, C. H. Ferguson Chapman, E. R. Coster, G. C. & J. Geo. C. Coster, C. J. Coster. Cowan, J. E. Currey & Vincent. L. A. Currey, Q.C., G. R. Vincent. Devine, Fred. Dixon, M. B. Dunn, J. R. Earle, Allan O., Q.C. Fairweather, Arthur C. Fairweather, G E. Fairweather, S. L., LL.B. Fenety, Harris G. Gilbert, G. G., Q.C. Hanington, A. H., Q.C. Hansard, H. H. Hartt, J. T. Hazen, J. D., Q.C. Henderson, G. R. Henderson, M. G. B. Jack, I. Allen, Q.C. Jarvis, Wm. M. Jones, E. C. Jordan, D., Q.C. Kaye, Edmund G. Kelley, J. King Keith, H. S. Kerr, John Knowles, E. T. C. McAlpine, E. H. McDonald, Mont McKeown, H. A. McLeod, R. McSorley, Geo. Macdonald, Charles A. MacRae & Sinclair, A. W. MacRae, J. A. Sinclair. Merritt, T. Gray Milligan, Chas. J. Millidge, Thos., Q.C. Montgomery, John, LL.B. Morrill, Scott E. Murray, Robert G. Mullin, D. Otty, G. O. D. Palmer, Chas. A., Q.C. Palmer, Philip Picket, H. H. Puddington, Henry F. Pugsley, W., Q.C. Quigley, R. F., Q.C. Raymond, E. P.

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SYNOPSIS OF THE LAWS OF NEW BRUNSWICK.

Compiled by Messra. Blair, Ruel & Blair, Barristers of the New Brunswick Bar.

(Revised to January 1st, 1898.)

Arrest—Where claim is for liquidated amount over \$20.00, arrest can be had in Supreme or County Court, before judgment, on affidavit stating that amount is justly due, and that arrest is not made for the purpose of vexing or harassing the debtor. The allegation that debtor intends to depart from jurisdiction is not necessary, except after summons in higher Courts and in cases in inferior Courts for small claims. When claim is not for a sum certain, a Judge's order for arrest can be obtained upon the aforementioned affidavit. (59 Vict. c. 28.)

Bankruptcy—Governed partially by "Act respecting Assignments and Preferences by Insolvent Persons," whereunder assignment can be made to sheriff, or to assignee named by majority of creditors having claims over \$100. No preferences allowed, and no discharge to debtor. Assignee must call meeting within five days after assignment, and meeting must be held within twelve. At meeting, creditors having proved claims, elect inspectors, and direct assignee in disposition or conduct of estate. There is no power to compel an insolvent to assign but an assignment once made takes precedence of all judgments and executions. (58 Vict. c. 6; 59 Vict. c. 37.)

Barristers—Barristers from British Colonies or Possessions will be accorded in New Brunswick the same rights and privileges as are granted in such jurisdictions to barristers from this Province. Attorneys must study one year before being admitted to the bar.

Courts and Jurisdiction — SECURITY FOR COSTS — The Supreme Court has jurisdiction in all actions for debt or damage irrespective of amount. A creditor, residing out of the jurisdiction, upon demand, must give security to the extent of \$200. (60 Vict. c. 24.) The Supreme Court in Equity has the powers of the Court of Chancery in England. Security for costs \$500. (53 Vict. c. 24.) The Courty Courts have jurisdiction up to \$400 in all cases, except actions where the title to land is brought in question, or in which the validity of any devise, bequest or limitation is disputed. Security, \$80 to \$160. (60 Vict. c. 28.) Probate Courts have jurisdiction over the granting of probate or letters of administration. Where infants' estates are valued at \$2,000 and under, the Court may appoint guardians of the person or estate; where over \$2,000 in value, the Equity Court has jurisdiction. (Con. Stat. c. 52; 58 Vict. c. 20.) There is also a Court for Divorce and Matrimonial Causes, and numerous small-debt Courts, Parish Courts, and Commissioners, Courts of inferior and local jurisdiction.

Bills of Sale and Chattel Mortgages—Where mortgage or sale is made not accompanied by immediate delivery, and an actual and continued change of possession of the goods conveyed, the conveyance or a copy proved by affidavit of the subscribing witness, together with an affidavit of the *bona fides* of the transaction, must be filed within thirty days with the Registrar of Deeds of county wherein maker resides, if within the Province, or of county where the goods are if maker resides without. All chattel mortgages must be renewed each year by filing sworn statement of amount due. On neglect to file after thirty days' notice served on mortgage, the mortgage ceases to be valid against execution creditor. (56 Vict. c. 5.)

Executions—On judgments in Supreme and County Courts executions may be issued within twenty years from signing of judgment. Personal estate of all kinds may be seized and sold, and after such exhausted pessessory rights in land, rights of entry, beneficial rights and other interests in real estate may be sold. Wearing apparel, bedding, kitchen utensils and tools of trade or calling to value of \$100 of any debtor exempt. (Con. Stat. c. 47.)

Imprisonment for Debts upon execution is only allowed in inferior Courts, such as the City Court of St. John, the Parish Courts and Justices' Courts, or in cases of default in payment of a penalty, of taxes, or by officers of the Court. (59 Vict. c. 28.)

Garnishment-On judgments in County or Supreme Court, debts due the judgment debtor may be garnisheed. The Crown is exempt from garnishment, and wages or salary of debtor less than \$20. (45 Vict. c. 17.)

Interest-Six per cent., unless otherwise agreed.

Judgments — In default of appearance final judgment may be entered in thirty days from service of summons, or if the action be for a sum certain a specially endorsed writ may be issued in the Supreme Court and final judgment signed in twenty days; in this latter form of action, and when suing for a sum certain in the County Courts, an appearance may be set aside by Judge's order, on affidavit proving claim and showing that the proceedings are merely intended to delay. Memorials of judgments in the Supreme or County Courts may be registered and bind lands in county of registry for five years, after which period they may be renewed.

Limitation of Actions — On judgment and specialties twenty years; for penalties for assault, battery, wounding, imprisonment, or for words, two years; other causes of action, six years. Fersonal actions against minors, parsons insane, or out of the Province, may be commenced within like period after removal of disability. (C. S. c. 84.) Real actions, twenty years; against Crown, sixty years. (C. S. c. 84.)

Married Women—May contract and sue and be sued same feme sole. Judgment good, however, merely against separate property, but immaterial whether prior or subsequently acquired. Can dispose of property freely, subject to husband's rights as tenant by courtesy. (58 V. c. 24.)

Registry of Deeds — All conveyances must be registered, otherwise ineffective against subsequent *bona fide* purchaser. Deeds may be acknowledged or proved out of New Brunswick before a notary public, the mayor or chief magistrate of any city or town, certified under corporate seal, Judge of Supreme Courts, British Minister, Ambassador or Consul, Governor of any State, certified under hand and seal of respective office. (57 Vict. c. 20.)

Wills—Infants cannot make a will. Will must be in writing signed by testator in presence of two witnesses, who shall subscribe as witnesses in his presence and in presence of each other. No form of attestation necessary. Executors may witness, but any legacy to witness is avoided. (Con. Stat. c. 77.)

Intestacy—Real estate to children or their legal representatives, then to next of kindred, and then representatives, including those of half blood. That is: 1st, children; 2nd, father or mother; 3rd, brothers and sisters and descendants of deceased brothers and sisters per stirpes, and so on. Personal estate is distributed one-third to widow, and the residue in equal proportions amongst children and their representatives. If no descendants, one-half to widow, residue amongst next of kin in equal degree and representatives, but no representation among collaterals after brothers' and sisters' children. If no widow, all to children. (Con. Stat. c. 78.) Of the separate property of a married woman dying intestate, one-half goes to husband, balance to children. If no children, all to husband. (58 Vict. c. 24.)

THE CANADIAN LAW LIST

(HARDY)

1898.



NORTH-WEST TERRITORIES.

PUBLISHED BY THE CANADIAN LEGAL PUBLISHING COMPANY, 24 Adelaide Street East, Tobonto.

CONTENTS.

			PAGE.
Alphabetical List of Town	8	 	105
Barristers, Solicitors, Etc	•••••••	 	105
Courts and Officials		 	105
Land Registration District	s	 	105
Supreme Court-Eastern	Assinaboia.	 	105
" " Western		 	
" " Northern	Alberta	 	105
" " Southern	" …	 	105
" " Saskatche	wan	 	105
Yukon Judicial District		 	105

NORTH-WEST TERRITORIES.

COURTS, JUDICIARY OF-FICIALS, ETC.

SUPREME COURT.

WESTERN ASSINIBOIA. Judge-Hon. Hugh Richardson, Regina Sheriff-J. H. Benson, Regina Clerk-Dixie Watson, Re gina EASTERN ASSINIBOLA. Judge-Hon. Edward L. Wetmore, Moosomin Sheriff-Geo. B. Murphy, Moosomin Clerk-Oliver Neff, Moosomin SOUTHERN ALBERTA. Judge-Hon. D. L. Scott, Calgary Sheriff-D. J. Campbell, Macleod Clerk-C. N. Campbell, Macleod NORTHERN ALBERTA. Judge - Hon. Chas B.

Rouleau, Calgary. Sheriff-P. W. King, Calgary

Clerk-E. R. Rogers, Calgary

SASKATCHEWAN.

Judges-Hon. Hugh Richardson, Regina; Hon. Edward Wetmore, Moosomin. Sheriff-Graham Neilson,

Prince Albert. Clerk-C. de Lagorgen-

diere, Prince Albert

YUKQN JUDICIAL DISTRICT.

Judge-Hon. T. H. Mc-Guire (to reside within the limits of the Yukon Judicial District).

Sheriff-Charles Constantine (Inspector of the North West Mounted Police). Clerk-Fred'k C. Wade, Dawson City

LAND REGISTRATION DISTRICTS.

Inspector-W. H. Newlands, Regina

ASSINIBOIA.

Land Registration District comprises all Assiniboia

Registrar-W. H. Newlands, Regina

ALBERTA.

Land Registration District (2) comprises all Alberta

SOUTHERN DIVISION - SOUTH OF THE 9TH CORREC-TION LINE.

Registrar—Horace Harvey, Calgary

EAST SASKATCHEWAN.

Land Registration District comprises all Saskatchewan lying east of range 11, west of the 3rd Initial Meridian

Registrar—S. Brewster, Prince Albert

WEST SASKATCHEWAN.

Land Registration District comprises all Saskatchewan lying west of range 10, west of the 3rd Initial Meredian

Registrar-W. J. Scott, Battleford

LIST OF BARRISTERS, Etc.

105 **Battleford** Forget, A. P.

106 Calgary Alexander, Geo. Barwis, T. S. Bernard & Bernard. W. L. Bernard, M. C. Bernard Colles, E.

106 THE CANADIAN LAW L ST-N. W. TERRITORIES.

Costigan, J. R., Q.C. Ede. T. Harvey, Horace Hooper, J. H. Knott, H. W. R. Lougheed & Bennett. Hon. J. A. Lougheed. Q.C., R. B. Bennett. McCarthy & Bangs. Peter McCarthy, Q.C., J. A. Bangs, McCaul & Short. C. C. McCaul. Q.C., Jas.Short McCarter, J. S. Muir & Jephson. James Muir, Q.C., J. P. Jephson Nolan, P. J. Smith, Crispin E. Smith, J. B., Q.C. Symons & Meyer. H. Symons, Q.C., H. W. C. Meyer, Q.C. Winter, W. Roland 107 Carnduff Gordon, T. C. 108 Edmonton Beck & Emery. N. D. Beck, E. C. Emery Brown & Prince, J. C. F. Brown, Antoine Prince McNamara, P. L. Short, William Taylor, H. C. Woodworth, C. M. 109 Edmonton South McKenzie, Mervyn 110 Grenfell Peel, Woolnough III Indian Head Ireland, F. A. W. MacGilvray, D. Smith, Wm. 112 Innistail Connor, C. H. Greene, Geo. W. Osborne, W. B. Watson, G. A. 113'Lethbridge Conybeare & Alexander. C. F. P. Conybeare, Q.C., J. S. T. Alexander 114 Macleod

Haultain & McKenzie, Hon. F. W. G. Haultain, J. McKenzie Harris & Burne, C. F. Harris, J. F. Burne

115 Medicine Hat Conybeare & Alexander. C. F. P. Conybeare, Q.C., J. S. T. Alexander 116 Moosejaw Gordon, J. G. Grayson, W. Nelson, W. J. 117 Moosomin Brown, J. T. Cole, Douglas H. McLorg, E. A. C. Tennyson, Bertram, Q.C. White, Ellward & Gwillim, William White, Q.C., F. L. Gwillim, E. L. Ellward Wyssman, R. H. 118 Pincher Creek Harris & Burne. C. F. Harris, J. F. Burne 119 Prince Albert Chisholm, R. F. Gunn, W. R. McKay, James, Q.C. McCaul, J. A. Newlands, H. W. 120 Qu'Appelle Station Dickson, A. D. Smith, William 121 Red Deer Greene, Geo. W. Watson, G. A. 122 Regina Davin, Nicnolas Flood, Q.C. Hamilton & Jones. W. C. Hamilton, Q.C., Fred Jones, B.A. Haultain & Robson, F.W. E. Haultain, H.A. Robson Johnstone, T. C. McKenzie & Brown. N. McKenzie, Geo. W. Brown Secord & Balfour. John. Secord, Q.C., James Balfour Rimmer, R. 123 St. Albert Prince, Antonio 124 Witaskiwin Lisle, H. C. 125 Whitewood MacDougall, H. A. J. 126 Yorkt own Elliott, Giffard

THE CANADIAN LAW LIST

(HARDY)

1898.



NOVA SCOTIA.

PUBLISHED BY THE CANADIAN LEGAL PUBLISHING COMPANY, 24 Adelaide Street East, Toronto.

CONTENTS.

Al-L-L-M-LT-L-AM	PAGE.
Alphabetical List of Townsi	. 111
Barristers, Solicitors, etc	. 111
County Court and Officials	
Court of Divorce and Matrimonial Causes	. 109
Court of Probate and Registrars of Deeds	. 110
Officers and Terms of the Supreme Court	. 109
Supreme Court	. 109
Synopsis of the Laws	. 115
Vice-Admiralty Court	109

NOVA SCOTIA.

SUPREME COURT OF NOVA SCOTIA

HAVING LAW AND EQUITY JURISDICTION THROUGH-OUT THE PROVINCE.

Chief Justice-Hon. James McDonald

Assistant Judges-Robt. L. Weatherbe, Jos. N. Ritchie, Charles J. Townshend, Wallace Graham (Judge in Equity), Nicholas H. Meagher, Hugh McD. Henry

VICE-ADMIRALTY COURT

Judge-Hon. J. McDonald Registrar-L. W. DesBar-

Marshal - Donald Archibald

COURT OF DIVORCE AND MATRIMONIAL CAUSES

Judge in Ordinary—Hon. Wallace Graham

Registrar-Wm. L. Barss

OFFICERS AND TERMS OF THE SUPREME COURT

SHERIFFS.

Annapolis, Edwin Yates Antigonish, D. D. Chisholm Cape Breton, Wm.Buchapan Colchester, L. J. Crowe Cumberland, M. A. Logan Digby, Benj. Van Blarcom Guysboro', A. J. O. Maguire Halifax, Donald Archibald Hants, Jas. O'Brien Inverness, Hugh McDonald Kings, Stephen Belcher Lunenberg, Jos. Creighton Pictou, J. S. Harrns Queens, L. W. Drew, jr. Richmond, Jas. D. Power Shelburne, G. W. McLean Victoria, James G. Dunlap Yarmouth, Geo. H. Guest

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Inverness, 1st Tu. of June, 4th Tu. of Sept.

Kings, 1st Tu. of June, 2nd Tu. of Oct.

- Lunenburg, Thur. before 1st Tu. of June, Thur. after 2nd Tu. of Oct.
- Pictou, 3rd Tu. of June, 4th Tu. of Oct.
- Queens, 2nd Tu of June, 1st Tu. of Oct.
- Richmond, 4th Tu. of June, 3rd Tu. of Oct.
- Shelburne, last Tu. of Sept. Shelburne, Barrington, 3rd Tu. of June
- Victoria, 2nd Tu. of June, 1st Tu. of Oct.

Yarmouth, 4th Tu. of June, Tu. before last Tu. of Sept.

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Yarmouth, Miss A. Murray

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Judge-Jas. W. Johnston Clerk-Hon. S. H. Holmes District No. 2-Lunenburg, Queens and Shelburne Co's.

Judge-Francis Gordon Forbes

Clerks - Lunenburg, W. J. Dauphinee. T. J. Farrell. W. J. Bell Liverpool, Shelburne, District No. 3-Annapolis, Digby and Yarmouth Co's. Judge-Alfred W. Savary Clerks-Annapolis, R. J. Uniacke; Digby, W. B. Stewart: Yarmouth, James Huntington District No. 4 - Kings, Hants and Colchester Co's. Judge-John P. Chipman. Clerks-Kings, C.P. Rock-well; Hants, H. Percy Scott; Colchester, E. W. Hamilton District No. 5-Pictou and Cumberland Co's. Judge-W. A. D. Morse Clerks-Pictou, David Logan; Cumberland, A. Davidson District No. 6-Inverness, Antigonish and Guysboro' Co's. Judge-Angus McIsaac Clerks-Inverness, John McKay; Antigonish, J. C. McKinnon, M.D.; Guysboro', Ed. C. Peart and W. D. R. Cameron District No. 7-Cape Breton, Victoria and Richmond Co's. Judge-Murray Dodd Clerks-Cape Breton, W. E. Peters; Victoria, A. Taylor; Richmond, D. O'C.Madden LIST OF BARRISTERS. 136 Amherst - Cumberland Co. Casey, C. E. Dickie, A. R., Q.C. Donkin, W. F. Hewson, E. E. Hickman, J. W. Logan, H. J. Pipes, W. T., Q.C. Rogers, H. W. Smith, C. R., Q.C. Smith, J. T. Townshend & Rogers. J. M. Townshend, Q.C., T. S. Rogers

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THE CANADIAN LAW LIST-NOVA SCOTIA.

SYNOPSIS OF THE LAWS OF NOVA SCOTIA.

Compiled by Messrs. Harrington & Chisholm, Barristers, Halifax, N.S.

(Revised to January 1st, 1898.)

Arrest—In causes of action in the Supreme Court for \$80 or more, whether for debt or damage, but before final judgment, where the creditor can prove to the satisfaction of a judge or commissioner such cause of action, and that the defendant is about to leave the province, an order for arrest can be obtained. After final judgment the debtor cannot be arrested except where the judgment is for a fine or penalty or imprisonment, and for taxes. In the County Courts the procedure is similar, but jurisdiction is limited to \$400.

Bankruptcy—An assignment by an insolvent trader or debtor may be made to any person in trust for creditors. There is no provision by statute regulating assignments or requiring the distribution of insolvent estates to be ratable. The debtor may prefer his creditors in his assignment in the order he desires. Like other transfers of property, it must be either recorded or filed or both, according as the property may be real or personal, or including both.

Barristers—A barrister or attorney of any Court of Her Majesty's colonies, or in Great Britain or Ireland, shall be entitled to be admitted to practice in the Supreme Court of Nova Scotia on producing certificates of their admission, and of good moral character.

Bills of Sale and Chattel Mortgages—It is necessary that the original or a copy shall be filed in the Registry of Deeds, and shall be accompanied by an affidavit of the party giving the same, or his agent or attorney, setting forth the *bona fides* of the transaction, and that the debt is justly and honestly owing, otherwise it shall be void as against assignee for creditors, purchasers and execution creditors who have seized.

Conditional Sales — Every agreement for the sale of goods and chattels, and a hiring or lease accompanied by immediate delivery and change of possession, whereby it is agreed that the property in the goods and chattels, or a lien thereon for the price or value thereof, shall remain in the hirer, lessor or bargainor until payment, must be in writing and signed by the parties and accompanied by an affidavit setting forth the contract, and must be registered as a bill of sale or chattel mortgage, otherwise it shall be void as against the creditors and subseare hired, leased or agreed to be sold.

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3 THE CANADIAN LAW LIST-NOVA SCOTIA.

(courts and Jurisdiction of - The Supreme Court has jurisdiction in all actions for damages and in debt for \$80 and upwards, and has all the powers of the Court of Chancery in England. The County Courts have jurisdiction in all actions for debt where the amount is at least \$20 but not exceeding \$400, and in all actions for damages not exceeding \$400.

The Court for Divorce and Matrimonial Causes has jurisdiction relating to prohibited marriages and divorce.

Courts of Probate are established in each county of the province and have jurisdiction over the estates of deceased persons and to grant letters testamentary or letters of administration in the county where deceased last dwelt or where the estate is situate, and when necessary power is given to appoint guardians for infants.

Municipal Courts are established in each incorporated city and town and municipal corporation or police division. These are presided over by Stipendiary Magistrates or Recorders exercising criminal and civil jurisdiction. Justices of the Peace in their respective counties have similar jurisdiction.

Execution—May issue on the entry of a judgment in the Supreme and County Courts, unless pending an appeal an order for a stay has been granted. When delivered into the hands of the Sheriff it binds the goods of the judgment debtor against all persons except a *bona jide* purchaser. The lands of the judgment debtor are not bounl by the issue of an execution, but are by the recording in the Registry of Deeds of a certificate of the docket of judgment, and may be sold by virtue of the execution after one year from the date of the recording of such certificate.

Imprisonment for Debt under execution has been abolished-A creditor who has a judgment can, however, examine his debtor as to his means and ability to pay the debt before a judge or a commissioner, and the debtor may be ordered to pay the debt by installments, and if he makes default he may be committed. The following property is exempt from execution: The necessary wearing apparel, beds, bedding and bedsteads of the debtor and his family. Certain house furniture and utensils for domestic use, ten volumes of books, and fishing nets, the value of which is not to exceed \$20. All necessary fuel, meet, fish, flour and vegetables, actually provided for family use, not more than sufficient for the ordinary consumption of the debtor and his family for 30 days, and not exceeding in value the sum of \$40. One cow, two sheep, and one hog, and food therefor for 30 days; tools and implements of, or chattels ordinarily used in the debtor's occupation, to the value of \$30.

Giarnishment—Debts due a judgment debtor may be attached or garnished. Besides the exemptions at common law from this process our statutes enact that the wages of a servant, laborer or workman shall not be subject to attachment unless the debt amounts to or exceeds \$40, and if the debt exceeds \$40 it shall be bound only as to the excess.

Interest—The laws of Canada regulate this. Interest is recoverable on all written agreements to pay a specific sum at a specific time, and also on accounts current where in the course of dealing between the parties interest has been paid, or where there is an express oral agreement to pay interest.

Judgments—In actions to which the defendant does not appear, judgment may be entered in ten days after the service of the writ where the cause of action is a liquidated debt or a money claim. In all other cases, in default of appearance, an order of a judge for judgment mast be obtained. A defendant may by his warrant of attorney authorize a judgment to be entered upon against him on the issuing of the writ.

Limitation of Actions - Trespass for assault. battery, wounding or imprisonment, actions on the case for words and prosecutions for taking illegal interest, must be brought within one year; actions for trespass to lands, assumpsit, detinue, trover, replevin, debt grounded upon any lending or contract without specialty, for rent, account or upon the case within six years. Actions for the recovery of lands, moneys secured by any mortgage, judgment or lien, or otherwise chargeable upon any land or rent or any legacy, and actions upon any deed, covenant or instrument under seal, shall be brought within twenty period of limitation.

Married Women—A married woman may contract to carry on business, sue and be sued, in the same manner as if unmarried. To carry on a separate trade she must file the written consent or license of her husband and register a certificate or declaration specifying her intended business and the place where she proposes to carry it on. The husband must be joined in all actions brought by or against her. She has the right of dower in her husband's ceal estate, and can dispose of her property by will without her husband's consent.

Registry—Deeds executed in the province must be executed in the presence of a witness, who shall make oath of its execution before a Barrister or J. P., or a Notary Public, or the party making the deed may acknowledge its execution under oath before any of the said functionaries. Deeds may be proved out of the Province as well in Foreign Countries as in the British Dominions by the oath of a subscribing witness, to be administered by a Commissioner appointed to take affidavits out of the province, by a Judge of a Court of Record, by a Mayor of any city, a justice of the peace or a notary public, who shall certify to the attestation. When the certificate is made by a Justice of the Peace it must be anthenticated by a Notary Public. When the deed is proved in a Foreign Country any Public Minister, Ambassador or Consul or Viceconsul from the Court of Great Britain may administer such oath.

To bind lands all deeds, judgments and attachments shall be registered in the office of the county or district in which the lands lie, and unregistered deeds or mortgages shall be void against any subsequent purchaser or mortgage for valuable consideration, who shall first register his deed or mortgage.

Grants from the Crown must also be recorded.

Wills—No person under the age of 21 years can make a will. A married woman without her husband's consent can make a will. No will is valid unless in writing, signed at the foot by the testator or by some person in his presence and by his direction. The execution must be acknowledged in the presence of two or more witnesses, who shall attest and subscribe in the presence of the testator. Change of domicile will not revoke the will. Marriage will, except where the will is made in exercise of a power of appointment. Property situate within the province disposed of by will or other instrument, intending to take effect after death, of the value of \$5,000, after payment of all debts and ex118

penses, is subject to a succession duty, if testator has not certain relatives. This duty is also chargeable upon intestate estates the value whereof exceeds \$5,000, in the absence of certain relatives.

INTESTACY-The estate of a person dying intestate is invariably administered by the Court of Probate, but the Supreme Court has jurisdiction in an administration action by a creditor to administer the estate in that Court. In the Probate Court administration is grnted first to the widow or next of kin, and if they do not voluntarily take or renounce, then it is committed to the principal creditor. The administrator is required to file a bond with sureties, also an inventory of both real and personal estate and can be cited to a final accounting at the end of 18 months. He has no title to the real estate except in cases where the personalty is insufficient to pay the debts. In the latter case on application to the Court a license to sell the real estate or sufficient thereof to pay the debts is granted on the administrator filing a bond for the due application of the moneys. The creditors are required to file their accounts with the administrator, duly attested to. In the distribution of the estate of a deceased insolvent the funeral expenses and the expenses attending the last illness of deceased and the administration are first paid; next, clerks, domestics, farm servants and rent are to be paid in full when not more than a year's rent or wages is due, the excess to be on same footing as other claims; lastly, all other creditors filing attested claims to be paid in proportion.

THE CANADIAN LAW LIST

(HARDY)

1898.



PRINCE EDWARD ISLAND.

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CONTENTS.

	PAGE.
Admiralty Court	121
Alphabetical list of Towns	121
Barristers, Solicitors, etc.	121
County Courts	191
Court of Chancery	121
Law Society	121
Supreme Court	121
Synopsis of the Laws	121

THE CANADIAN LAW LIST - P. E. ISLAND.

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Marshal-Fred. W. Hyndman

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Registrar-J. G. J. Weldon

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PRINCE COUNTY. Judge-Neil McLeod Chief Clerk-W. T. Hunt High Sheriff-J. Gaffney KING'S COUNTY.

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SYNOPSIS OF THE LAWS OF P. E. ISLAND.

Compiled by R. Smallwood, Esq., Barrister of the Prince Edward Island Bar.

(Revised to January 1st, 1898.)

Arrest-In causes of action in the Supreme Court for \$432 or more, whether for debt or damages, but before final judgment, where the creditor can prove to the satisfaction of a judge such cause of action, and that the defendant is about to leave the Province with the intention of defrauding his creditors, an order for arrest can be obtained.

After final judgment the debtor can be arrested if it can be shown to the satisfaction of a judge that he has fraudulently made away with his

In the County Courts the procedure is similar, but the jurisdiction is limited to \$150.

Bankruptcy-An assignment by an insolvent debtor or trader may be made to any person in trust for creditors. There is no provision by statute regulating assignments or requiring the distribution of insolvent estates to be ratable. The debtor may prefer his creditors in his assignment in the order he desires. Like other transfers of property it must be either recorded or filed, or both, according as the property, may be real or personal, or including both.

Barristers-A barrister of any court in Great Britain or Ireland, or an attorney, solicitor or barrister of any British Province or Colony, and who shall have resided in this Province 12 months previous to making application for admission, shall be entitled to be admitted to practice as an attorney and barrister of the Supreme Court of this province, on his producing a satisfactory certificate bearing date within six months previous to the commencement of his residence in this island from a judge of the court to which he belongs, of his being at the bar or on the rolls of such court, and of his being in actual practice at the time when such certificate was granted, and that he has conducted himself with credit

122

and reputation since he was called to the bar, and that he is a person of good moral character, and, if required by the Judges of the Supreme Court of this island, shall submit himself to and pass a satisfactory examination touching his fitness and capacity.

Bills of Sale and Chattel Mortgages—It is necesnecessary that the original shall be filed in the office of the Prothonotary of the Supreme Court in the county where the goods are, and shall be accompanied by an affidavit of the grantee or his agent setting forth the *bona fides* of the transaction and that the debt is justly and truly owing, otherwise it shall be void as against assignee for creditors purchasers, and execution creditors who have executions in the sheriff's hands.

Conditional Sales-See Bills of Sale and Chattel Mortgages.

Courts and Jurisdiction of -The Supreme Court has jurisdiction in all actions for damages and in debt for \$32 and upwards.

The County Courts have jurisdiction in all actions for debt where the amount does not exceed \$150, and in all actions for damages not exceeding the same amount, except where the question of title to land is in dispute, when they have no jurisdiction.

The Court of Probate is established in Charlottetown for the whole province and has jurisdiction over the estates of deceased persons and to grant letters testamentary or letters of administration.

Municipal Courts are established in Charlottetown and Summerside. These are presided over by stipendiary magistrates exercising criminal and civil jurisdiction. There is also a stipendiary magistrate for each county in the Island, who has similar jurisdiction outside of the towns.

Justices of the Peace in their respective counties have similar jurisdiction.

Execution—May issue on the entry of a judgment in the Supreme Court (except where entered on a warrant of attorney and the defeasance thereof gives time for payment), and County Courts unless pending an appeal.

When delivered into the hands of the sheriff it binds the goods of the judgment debtor against all persons except a *bona fide* purchaser.

The lands of a judgment debtor are bound by the entry of the judgment, Providing a minute has been filed with the judgment, and may be sold at any time after six mouths from the issue of statute execution.

A minute must be filed every ten years in order to keep the lands bound as against subsequent purchasers or incumbrancers.

Imprisonment for Debt under execution has been abolished. A creditor who has a judgment can, however, examine his debtor as to his means and ability to pay the debt before a Judge, and the debtor may be ordered to pay the debt by installments.

The following property is exempt from execution: The necessary wearing apparel and bedding of the debtor and his family and the tools or instruments of his trade or calling, five pounds in money and one cow.

Garnishment — Debts due a primary or judgment debtor may be attached or garnisheed.

Interest — The laws of Canada regulate this. Interest is recoverable on accounts current when in the course of dealing between the parties interest has been paid, or where there is an express oral agreement to pay interest. It is also recoverable on promissory notes from their due dates, and of course on all agreements in writing to pay interest.

Judgments—In actions to which defendant does not appear, judgment may be entered in eight days after service of writ when the cause of action is a liquidated debt or money claim and where the writ has been specially endorsed. In cases where the writ has not been

specially endorsed (if for debt) judgment cannot be entered till plaintiff has filed particulars and declaration, with notice to plead in eight days, when judgment shall be final.

Where action is for damages and defendant does not appear, damages must be assessed.

Limitation of Actions-Actions of trespass, detinue, trover, replevin and debt, within six years. Actions of trespass, assault, battery, wounding and imprisonment, within one year.

Actions for the recovery of lands, moneys secured by mortgage, judgment or lien, or otherwise chargeable upon any land, and actions upon any deed, covenant or instrument under seal shall be brought within 20 years. Part payment or acknowledgment in writing will extend the period of limitation.

Married Women - A married woman is entitled to have and to hold as her separate property all real and personal property which she shall acquire. She may sue or be sued in her own name. To carry on a separate trade she must get a protection order. She has the right of dower in her husband's lands.

Registry-Deeds executed in the Province must be executed in presence of a witness, who shall make oath of its execution before the Registrar of Lands, or before a Commissioner for taking acknowledgment to deeds, or the party executing the deed may acknowledge its execution before either of the said functionaries.

Deeds may be proved out of the Province as well in Foreign Countries as in the British Dominions by the oath of a subscribing witness to be administered by a commissioner appointed to take acknowledgment to deeds out of the Province by a Judge of a Court of Record, by a Mayor of any city, or by a Notary Public, or the grantee may acknowledge the execution before any of them.

To bind lands all deeds must be registered in the registry office for the county in which the lands are situated. (There is no registry office in Kings County, and deeds of lands in that County must be registered in Queens County). And unregistered deeds or mortgages are void against any purchaser or mortgagee for valuable consideration who shall first register his deed or mortgage.

Wills-No person under the age of 21 years can make a will. A married woman as regards her separate property can make a will without her husband's consent. Otherwise his consent must be obtained. No will is valid unless in writing, signed at the foot by the testator. He must sign in the presence of two witnesses who must both be present at the same time and both see the testator and each other sign. Change of domicile will not affect the will. Marriage will, except where the will is made in exercise of a power of appointment.

Property situated within the Province disposed of by will, if it amounts in value to \$3,000, after payment of all debts and expenses, is subject to a succession duty if testator has not certain relatives.

This duty is also chargeable upon intestate estates, the value whereof exceeds \$3,000, in the absence of certain relatives.

Intestacy-The estate of a person dying intestate is administered by the Court of Probate, but the Court of Chancery has jurisdic. tion in an administration by a creditor to administer the estate in that Court. In the Probate Court administration is granted first to the widow or next of kin, and, if they do not voluntarily take or renounce, then it is committed to the principal creditor. The administrator is required to file a bond with sureties, also an inventory of both real and personal estates, and can be cited to a final accounting at the end of 12 months. He has no title to the real estate except in cases where the personalty is insufficient to pay the debts. In the latter case on application to the Court a license to sell the real estate, or sufficient thereof to pay the debts, is granted. The creditors are required to file their accounts with the administrator duly attested to.

THE CANADIAN LAW LIST

(HARDY)

1898.



QUEBEC.

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CONTENTS.

		PAGE.
Advocates		100
Alphabetical List of Towns		. 130
Circuit Const	•••••••••••••••••••••••••••••••••••••••	. 130
Circuit Court		. 128
Court of General Sessions		. 127
Court of Queen's Bench		197
District Magistrates		
Recorder's Court		. 128
Sheriffa Prothonotorio - 1 D	• • • • • • • • • • • • • • • • • • • •	127
Sheriffs, Prothonotaries and Registrars	•••••	128
Superior Court		127
Superior Court in Review		128
Synopsis of the Laws		140
Vice-Admiralty Court		140
		127

QUEBEC.

THE QUEEN'S BENCH AND SUPERIOR COURT. JU-DICIARY OFFICALS, Etc.

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Puisne Judges-Hon. J. G. Bosse, Hon. J. Blanchet, Hon. R. N. Hall, Hon. J. S. C. Wurtele, Hon. J. A. Ouimet.

Officers of the Court-J. O. Joseph, Q.C., Clerk of Appeals for Montreal; Louis Ouimet, Deputy Clerk of Appeals for Montreal; W. C. Duggan, Clerk of Appeals for Quebec; Joseph Nadeau, Deputy Clerk of Appeals for Quebec.

SUPERIOR COURT.

QUEBEC DISTRICT. Chief Justice-Hon. Sir Louis E. N. Casault, Kt.

MONTREAL DISTRICT.

Sir Melbourne M. Tait, Kt., Senior Puisne Judge.

PUISNE JUDGES.

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Beauce-Hon. H. C. Pelletier

Beauharnois-Hon. Louis Belanger

Bedford-Hon. William Warren Lynch.

Chicoutimi and Saguenay -Hon. J. A. Gagne

Gaspe-Hon. L. A. de Billy

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Joliette-Hon. Chas. C. de Lorimier

Kamouraska-Hon. M H. E. Cimon

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Rimouski-Hon.J.E.Larue St. Francis - Hon. W. White

St. Hyacinthe-Hon. Louis Tellier

Terrebonne-Hon. H. T. Taschereau

Three Rivers-Hon. J. B. Bourgeois

VICE-ADMIRALTY COURT,

Judge-Hon. Adolphe Basite Routhier, Q.C.

Registrar-J. Dunbar, Q.C. Marshall-J. B. Parkyn.

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Quebec-Hon. A. Chauveau, Q.C., presiding Justice and Police Magistrate

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Montreal-B. A. T. De-Montigny, Recorder; L.Forget, Clerk

Quebec-E. A. Dery, Recorder; E. Foley, Clerk

SUPERIOR COURT IN REVIEW.

Montreal-L. H. Collard, Dy. Clerk in Review, Clerk of Review Days - being days fixed by Judges every month except July and August,

SUPERIOR COURT. Sitting in Review-P. B. Casgrain, Q.C., Clerk. Review days, the last four days in each month except July and August.

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- Chicoutimi-R. P. Vallee, Quebec
- Gaspe (Bonaventure) M. Tremblay, New Carlisle
- Iberville, Beauharnois and St. Hyacinthe—Chas. Loupret, Iberville
- Joliette, Ottawa and Terrebonne—C. de Martigny, Quebec
- Ottawa and Pontiac-J. T. St. Julien, Aylmer.
- Rimouski-A. P. Garon, Rimouski
- Quebec, Beauce, Montmagny and Kamouraska--C. Panet-Angers, Rimouski.
- Saguenay—A. H. Simard, Malbie
- Three Rivers, Athabasca and Richelieu – M. J. Desilets, Three Rivers

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NOTE. — Communications to Officials should be addressed to the official name of office, not to the holder of office,

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Montmagny-

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Labelle-

Registrar—L. de G. Roby, Buckingham.

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Kingsey, Ed. Chainey

L'Avenir, Moise Cloutier

Leeds East, Nap. Lemieux

Plessisville, A. Bourke

Richmond, Absolon J.Taylor

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St. Julte de Somerset, J. Honore Godbout

St. Norbert, Edmund Skilling

St. Pierre de Durham. See L'Avenir

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Thetford Mines, Theo, Cyr Warwick, Pierre Brunette

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Lac Megantic, Benj. Lachance

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St.Ephrem de Tring (Beauce Co.), Jean Roy

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- yer Lefleur
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- Ste. Croix, A. Bourque, E. Legendre

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District of St. Francis Auckland, Joseph Lemieux Coaticooke, J. S. Beaufort,

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- St. Hyacinthe, Norbert Girard, J. Wingender, J. A. Cadotte
- St. Liboire, G. E. Hetu
- St. Pie, Antime Joncas
- Upton (St. Ephrem d'Upton), Elie McDuff

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- Louiseville (R. du Loup en haut), L. D. Caron, G. Caron
- Nicolet, P. Prince, P. J. O. Rousseau

Shawenigan, Moxine Gelinas

- Stanislas de Batiscan, E. Roberge
- St. Anne de la parade, J. E. Douville, F. Le Fleche St. Barnabe, N. Bourassa
- Ste. Genevieve de Batiscan, Jos. Lefebvre
- Ste. Gregoire, Magloire Martin
- St. Maurice, I. A. Carignan Ste. Monique, Oliver Lauziere

St. Paulin, G. Bourassa

- St. Pierre le Becquets, J. P. Demers
- St. Sophie de Levrard, P. Monfet
- St. Tite, Onesime Lafontaine

St. Ursule, T. Lambert

- St. Wenceslas, I. L. E. Brunelle
- Three Rivers (City), Jos. Bellefeuille, Odillon Panneton, J. W. Lariviere, D. T. Morrissette, P. E. Vezina
- Yamachiche, Narcisse Gelinas

SYNOPSIS OF THE LAWS OF QUEBEC.

Compiled by Messrs. Carter & Goldstein, Advocates of the Quebec Bar.

(Revised to 1st January, 1898.)

Arrest for Debt—A debtor is liable to arrest by capias ad respondendum when the creditor's claim exceeds \$50, upon the creditor producing an affidavit setting forth one or more of the following facts: I. That the debtor is about immediately to leave the Provinces of Quebee and Ontario, with intent to defraud his creditors and that thereby the creditor will be deprived of his recourse. 2. That he has secreted or made away with his property and effects or is immediately about to do so with like intent. 3. That he is a trader, has failed to meet his payments, and has refased to make a judicial abandonment of his property for the benefit of his creditors. 4. That he is in possession of immovable property, and that he is deteriorating the value thereof so as to prevent an hypothecary creditor from recovering the whole or any part of his claim to the extent of \$50. Capias will not issue if the debt be contracted or is payable outside of the Provinces of Quebeo Contario, nor does it lie against ministers, suptuagenarians, or females.

Assignments-In the absence of an insolvent law our Code of Procedure enacts that a creditor holding an unsecured claim of \$200 and upwards may make a demand upon his insolvent debtor to file a judicial abandonment of his property for the benefit of his creditors, and in default of the debtor filing forthwith a written consent to abandon within two days and making the abandonment within four days, he may be arrested, and the Court may appoint a provisional guardian to take possession of his estate. If the insolvent debtor has absconded the Court may make a like order. Subsequently, upon the advice of the creditors, a curator is appointed by the Court, who takes charge of the debtor's estate, subject to the supervision of the creditors and the order of the Court. The curator realizes the estate and distributes the proceeds, the costs and privileged claims ranking first and afterwards the ordinary claims pro rata. The debtor is not discharged by this aban-donment from the claims due by him; the law merely provides for the equitable distribution of the estate and the suspension of proceedings by individual creditors carrying costs against the estate. Judgment can be entered against an insolvent debtor notwithstanding the abandonment if the claim be not prescribed, but the costs do not rank against the estate. If the creditor making the demand of abandonment be a non-resident he must give a special power of attorney to a resdent to act on his behalf, and must at the same time file his sworn claim, supported by vouchers.

Attachments—The property of a debtor can be attached before judgment as well in his own rands as in the possession of third parties when the amount claimed exceeds \$5, upon the production of an affidavit setting forth any of the charges which are referred to under the head of "Arrest for Debt." Attachment for rent requires no affidavit. Attachment after judgment in the hands of third parties is effected by the service upon them of a writ ordering them to retain whatever effects or moneys they may hold belonging to the debtor or which they may hereafter owe him, and requiring them to appear and specify the same, and upon their delivering over such effects or monies, as ordered by the Court, they obtain a judicial discharge. A conservatory attachment may be had where there is no other remedy equally convenient, beneficial and effectual upon the production of an affidavit showing cause.

Bankruptcy-See "Assignments."

Bills of Exchange and Promissory Notes—Our law on these matters is governed by the Bills of Exchange Act of Canada, which applies to all the provinces.

Bills of Sale and Chattel Mortgages—There is no chattel mortgage in this province. Bills of sale of movable effects may be made, but cannot be considered effective as against other creditors unless the debtor is dispossessed of the property and the same be taken over by the creditor.

Costs, including the fees of attorneys as fixed by tariff, are taxed against the losing party. These costs are taxed to the attorney of the successful party and not to the party himself. A non-resident plaintiff can be required to furnish security for the costs which may be incurred by the defendant, and to produce a power of attorney authorizing his legal attorney or other resident to prosecute the action.

Courts, Jurisdiction of—The province is divided into judicial districts, and a debtor must be summoned before the Court of the district where (1) he has his domicile, (2) he is personally served, or (3) the right of action accrued.

The following are the principal Civil Courts of the province: (1) The Circuit Court, which has jurisdiction in most cities to the extent of \$100, and elsewhere to the extent of \$200. There is no appeal from the judgment of this Court when the amount claimed is under \$100. (2) The Superior Court, which has original jurisdiction in all civil matters of whatsoever nature and in suits involving an amount over the Circuit Court jurisdiction. The Appellate Courts are: (1) The Superior Court sitting in Review, which is presided over by three judges of the Superior Court, and which sits only in the cities of Montreal and Quebec. (2) The Court of Queen's Bench (appeal side), which is presided over by five judges, and which also has its sittings only in the cities of Montreal and Quebec at specified times. When the amount involved is under \$2,000, the judgment of this Court is final ; when the amount exceeds this sum or the suit has reference to fees, etc., of the Crown, or future rights, an appeal lies to the Supreme Court of Canada sitting at Ottawa. If the amount involved exceeds £500 sterling, an appeal also lies to the Privy Council in England, whose decision is final. An appeal also lies in certain cases direct from the Superior Court sitting in review to either the Supreme Court or the Privy Council.

Commissions—In the case of witnesses residing out of the province, commissions may issue to take the evidence of such witnesses upon interrogatories and cross-interrogatories which have been allowed by the Court Attached to the commission are instructions for its execution. An open commission can only issue by consent of the parties.

Execution—In commencial matters and cases of a summary nature, execution can issue eight days after judgment against the debtor's property and effects. In other cases execution can only issue at the expiration of 15 days from date of judgment. It may issue before the above delays upon the filing of a special affidavit showing sufficient cause. (See "Attachments Against Property, ")

Exemptions—The exemptions allowed a debtor are: (1) The bed, bedding and bedsteads in use by himself and family; (2) the ordinary and necessary wearing apparel of himself and his family; (2) household effects to the extent of \$50, 50 vols. books, family portraits, sewing machine; (4) fuel and food sufficient for the debtor and his family for three months; (5) one span of plough horses, one yoke of oxen, one horse, one summer vehicle and one winter vehicle, and the harness used by a carter or driver for earning his livelihood; one cow, two pigs, four sheep, the wool from such sheep, the cloth manufactured from such wool, and the hay and other fodder intended for feeding the said animals, and further, the following agricultural tools and implements: One plough, one harrow, one working sleigh, one tumbril, one hay cart, with its wheels and the harness necessary for farming purposes; (6) books, tools and implements or other chattels used in profession, art or trade to the value of \$200; (7) bees to the extent of filteen hives.

Books of account, titles of debt and other papers in possession of the debtor are exempt from seizure; also, (1) sacred vessels and things used for religions worship; (2) alimentary allowances granted by a Court; (3) sums of money given or bequeathed upon the condition of their being exempt from seizure; (4) sums of money or pensions given as aliment; (5) pay and pensions¹ of persons belonging to the army and navy, salaries of school teachers, contingent emoluments and fees due to ministers of worship by reason of their actual services and the income of their clerical endowment; (6) wages or salaries of public officers to the extent of from two-thirds to four-fifths, according to amount.

Examination of Judgment Debtor—By leave of the Court after a return of *nulla bona* a debtor can be examined as to his property and assets, but no order can be procured from the Court to compel him to pay any fixed sum at specified times.

Fraudulent (:onveyances—Creditors may in their own name impeach fraudulent conveyances made by their debtors. A gratuitous conveyance is deemed fraudulent, if the debtor be insolvent at the time of making it. An onerous contract made by a debtor with a person who knows him to be insolvent is deemed to be fraudulent. A payment made to a creditor knowing the insolvency is deemed to be fraudulent, and the creditor may be compelled to restore the amount or thing received, or the value thereof, for the benefit of the creditors generally. Suit to set aside a fraudulent conveyance must be brought within one year from the time of the creditor obtaining a knowledge thereof.

Garnishment-See "Attachments."

Interest.-The legal rate of interest in this province is 6 per cent, but any rate may be agreed upon between the parties. There are special laws restricting the rate of interest with regard to certain corporations. Interest is not allowed on open accounts unless specially agreed to.

Judgments in commercial cases, when the debtor makes default, can be secured in from five to ten days after service. If not appealed from within six months, judgments are final. Judgments are prescribed by thirty years, but as in other cases, prescription can be interrupted by certain proceedings. When registered against an immovable property judgments become an hypothecary claim, with rank from the date of such resignation. Judgments rendered by the Courts of any other province of the Dominion in a suit in which the defendant was personally served in that province, or which he has contested, are binding in this province, but a new action must be taken, based upon such judgment, before the same can be rendered executory here. Judgments rendered out of the Dominion of Canada are of no avail in this province.

Limitation of Actions—Actions for slander, for libel, for wages where an employee is under engagement for less than a year, for hotel and boarding house charges, and for bodily injuries, are prescribed by one year. Actions for seduction, for damages resulting from certain offences, for wages of workmen hired for a year or more, and for teachers' claims, are prescribed by two years. Actions on open accounts, promissory notes, professional fees, and commercial matters generally, are prescribed for five years. Actions for rescission of contracts, restitution to minors, by lesion, for rectification of tutors' accounts, and upon architects' and contractors' warranty, are prescribed by thirty years. Actions for all other matters are prescribed by thirty years. In certain cases short prescriptions of three and six months are specially fixed. These apply generally to actions for damage against municipalities, railway companies and certain public corporations.

Married Women-Are either in community of property with their husbands, or they are separate as to property. Separation of property must be agreed on by ante-nuptial contract, or may be ordered by udgment of the Court upon cause shown. In the absence of separation of property the wife can hold no moveable property in her own name, except what may be willed or bequeathed to her by a third party to be her own private property. The husband during his lifetime has the sole administration of the common property, but at his death, or the dissolution of the community when ordered, the wife takes one-half of the common prnperty. The husband can only will his own half. Immovable property which may belong to the wife before marriage, or coming to her from her parents or other ancestors, does not fall into the community, but belongs to her; the rents of such immovable property only fall into the community ; the wife when separate as to property has the administration thereof, but in the sale or realization she requires the authorization of her husband, or, in the event of his refusal, of a judge. A married woman may be a trader, but she must register her intention of carrying on such trade, and unless she is separate as to property her effects in trade would be responsible for her husband's debts. Marriage contracts must be registered within 60 days. A wife cannot bind herself or become security for her husband.

Registry for Deeds and Wills—All deeds or wills affecting immovable property must be registered in order to preserve the rights conveyed thereby, in the office of registration division within which the property is situated. Deeds of donation, marriage contracts and similar documents must be registered in the office of the registration division within which the donor or nusband resides.

Taxes—Every commercial corporation carrying on business in this province is obliged to pay a Local Government tax according to the amount of capital paid up, and the business carried on, and an additional tax for each office. The succession tax applies to estates exceeding \$3,000, and ranges from one-half to ten per cent., according to the value of the estates and the relationship of the person who inherits.

These taxes are in addition to the ordinary municipal assessments

Wills—Persons of the full age of majority (21 years), and of sound intellect, only can make wills, in one of the following forms: 1. No-TARIAL—Before two notaries or one notary and two witnesses. This will remains in the custody of the notary, who grants copies which are authentic. 2. HOLOGRAFH—Wholly written and signed by the testator, no witnesses being necessary. 3. ENGLISH FORM—Which requires to be signed in the presence of two witnesses. The two latter wills must be field in Court and probate thereof secured.

INTESTACY-In the absence of a will, the estate of a deceased person devolves as follows :--(1) To his legitimate children without distinction of sex. (2) If he leaves no issue, one-half devolves to his parents or survivor of them, and the other half to his brothers and sisters or their descendants. (3) In default of 1 and 2, to ascendants equally, between nearest of paternal and maternal lines. (4) In default of 1, 2 and 3, to collaterals. Relations beyond the twelfth degree do not inherit. If deceased leave no relations within the heritable degrees, the succession devolves to the surviving consort, and in default of latter to the Crown. If within three months none of the heirs accept the succession, it is deemed to be vacant, and the creditors can then have a curator appointed, who has the administration of the estate. If the succession appears to be more onerous than profitable, the heirs may accept the same under benefit of inventory. This has the effect of limiting their liability for the debts of the succession to the amount received therefrom, otherwise they would be responsible for all the debts, irrespective of the value of the estate. If there be property without the limits of the province belonging to the estate, the heirs can obtain from the Court the letters
ALPHABETICAL LIST of BARRISTERS

PRACTISING IN THE PROVINCES OF

British Columbia, Manitoba, New Brunswick, North-West Territories, Nova Scotia, Prince Edward Island and Quebec. To find the place of residence, the number after Name refers to City or Town having the same number.

NOTE. - Ontario Barristers are in a Separate Alphabetical List.

A.

Abbott, H., 224. J. B., 224. J. L. G., 15 and 20. (Davis & Co.) L. G., D and ZJ. (Davis & Co.) Acheson, H., 53 Adam, J., 224, M. A., 224 Agnew, J. H., 55 Aikins, J. A. M., 57 Aikiman, H. B. W., 22. (Drake & Co.) I. A. 11 & Co.) J. A., 11 Aitken, R. T. D., 71 Alexander, G., 106. H. O., 12. J. S. T., 113 and 115 Allain, L., 197 Allan, G. W., 57. (Munson & Co.) J. B., 224. (Geoffrion Co.) J. D., 224. (Co.) & Co.) Allard, V., 194 and 224 Allen, C. H., 57. G. W., 77. W. W., 93 Allison, E. P., 145. L. 91 Allmon, L. J., 93 Almon, A. 93 Almon, L. J., 93 Alward, S., 93 Andreson, Albert, 148. (Me-Lean & Co.) E., 50 Andrews, A. J., 57. F. S., 17 Angres, Hon. A. R., 224. C. 910 219 Appleby, C., 95. S. B., 95 Archambault, A., 224 and 256. H., 224. (Rainville & Co.) J. B., 224. (Lussier & Co.) J. L., 224. L. H., 224. N. B., 216 Archer, C., 224. (Prefontaine & Co.) Archibald, B., 151. H., 57 Armstrong, B. H., 145. E. H., 166. J. N., 151. (Sinclair & Co.) J. R., 93. L., 224 Ash, J. F., 93 Atkinson, H., 83 Atwater, A. W., 224 Aubert, I., 231 Aylen, H., 206 Aylmer, H., 232 Aylwin, T. C., 231 & Co.)

B.

Baden, C. E., 33 Bagg, R. S. C., 224 Bailey, C. T., 93 Eaird, A. W., 93. G. F. 93 Baker, G. B., 254. W. A. 224 Balfour, J., 122 Ballontin, A., 93 Ballentine, A., 93 Balloch, A. R., 75 Bampton, G. E., 214 Bangs, J. A., 106. (McCarthy & Co.) Barberie, J. C., 73 Baril, Z., 240 Barker, C. H., 10 Barnard, C. A., 224. (Doherty & Co.) E., 224. G. H., 22. (McPhillips & Co.) Barnhill, A. P., 93. Barnstead, A. S., 145 J. L., 145 Barnett, G., 32
 Barrett, G., 32
 Barrett, G., 32
 Barret, M. L., 145
 Barts, W. L., 145
 Barth, G. J., 255
 Barwis, T. S., 106
 Bastien, F. de S. A., 224
 Bastin, C. E., 49
 Bauset, J. E., 206
 Baxter, J. B. M., 93
 Bayfield E. 176 Bayfield, E., 176 Bazin, A., 224. (Piche & Co.) Beaubien, C. P., 224. L. O., 231 Beauchamp, J. J., 224 Beauchemin, A. O. T., 242 Beaudin, S., 224 Beaudry, A., 230. F. A., 196. P., 242 Beauline, G., 224 Beaulne, J., 198 Beauparlant, A. M., 242 Beauregard, J. O., 242 Beausoleil, C., 224 Becigneul, A., 215 Beck, N. D., 108 Beckell, A. E., 224

Beckwith, C. W., 77. H. L., 145. (Eaton & Co.) Bedard, E. J., 232. J. V. E., 231 Bedard, E. J., 232. J. V. E., 231
 Bedell, A. R., 93
 Begrin, P., 224
 Belange, F. L., 224
 Belange, J. B., 226, L. C., 251
 Belcourt, N. A., 228
 Bell, F. H., 145. J. H., 179, J. L. 231. (Fremont & Co.) J. L., 231. (Fremont & Co.) Belleau, E., 217 and 231. I. N., 217 and 231 Belley, L. G., 197 Belley, L. G., 197
Belyea, A. L., 22. G. H. V., 93. J. A., 93
Bennet, J. A., 23
Bennet, A. W., 89. R. R., 106. (Loughead & Co.)
Benoit, B., 224
Benson, M. S., 72
Bentley, W. E., 176
Bergeron, J. H. G., 224
Bernard J. A., 224. L. E., 224
(Cross & Co.) M. C. 106. W. L., 106 L., 106 L., 100 Bernier, A., 217. N., 233. Bethune, M. B., 224. S., 224 Beullac, P., 224 Bigrelow, H. V., 161 Bill, E. M., 156 Bullings, F., 19 Billings, C. 166 J. W. 166 Bingay, G. 166. J. W., 166 Biron, J. B. S., 224. Bisaillon, F. J., 224 Bissonette, J. B., 224. (Sanche & Co.) Black, A. S., 6. G., 77. J., 77. J. H., 46. W. R., 33 Blackader, H. S., 145 Blair, A. G., 93. A. G., Jr., 93 Blanchard, A., 161. F. C., 156. H. P., 140. S., 176. W. H., 164 Blanchet, T., 226 Blanchette, J. B., 242 Bligh, F. P., 145 Bliss, F. St. J., 77. (Black & Boak, H. W. C., 145 Boak, H. W. C., 145 Bodwell, E. V., 22 Bohaker, G. T., 137 Boisclair, E. D., 255 Boissonnault, J. G. 224. (Renauld & Co.) Boisvert, O., 224 Bonchette, R. E., 224 Bonin, J. A., 224. (Taillon & Co.) Bonnar, R. A., 57 Borden, H. C., 145. R. L., 145 Bordon, R. A., 83 Bouchard, M., 191 Boudreault, J. B., 224. P. A.,

Bouffard, E., 231. (Gosselin & Co.) Boupre, J., 211 Bourgouin, N. H., 224. (Mir-eault & Co.) eaut & Co.) Boutillier, F. G., 224 Bowes, J. H., 11 Bowie, D. E., 224 Bowser, W. J., 20 Boyer, L., 224 Bradley, C. F. 49 Bradley, G. F., 42. R. J., 231 Bradshaw, C. W., 57. (Rich-ards & Co.) Branchaud, A., 224. (Judah & Co.) Bray, A. W., 83 Bray, A. W., 85 Brisset, J., 224 Broderick, J. S., 251 Brodeur, D., 224. (Berard & Co.) I. P., 224. (Dondur-Co.) L. F., 224. (1990) and & Co.) Brooke, C. J., 206 Brossard, L. J. A., 224 Brossau, T., 224. (Bissaillon A. Co.,
 Brossoit, T., 192. J. B., 252
 Brown, A. J., 224. (Hall & Co.) F. A., 33. G. W., 122,
 H. B., 251. J. C. F., 108.
 J. T., 117
 Brancher, G. 234. (Dependence) Bruchesi, C., 224. (Beauchamp & Co.) Bruneau, A. A., 224 and 252. E., 245 Buchan, J. S., 224. (Taylor & Co.) Buchanan, W. P., 224. (White & Co.) Buckingham, N. J., 41. N. P., Budden, H. A., 224 Budden, H. A., 224
Bull, A. E., 20
Bulmer, J. T., 145
Burne, J. F., 114 and 118
Burns, E. J. P., 53
Burroughs, C. S., 224, L. F., 231, W. H., 224
Busteed, E. B., 224
Busteed, E. B., 32
Bustee, N. H., 193, T. P. 294 Butler, H., 193. T. P., 224. T. W., 84 Byrne, J. P., 91

C.

Cahalane, T. J., 145 Cahan, C. H., 145. (Harris & Co.) Calder, F., 161 Cameron, A. D., 32. J. D., 224. D. A., 160. J. D., 57. (Allen & Co.) Camirand, J. A., 251. W., 227

Campbell, A. J., 161. C. H., 57. C. S., 224. (Abbott & Co.) F., 251. G. W., 161. I., 57. J. R., 93. R., 231 Cannon, L. J., 231 Cantin, P., 231 Capsey, G., 193 Carbert, C. E., 57 Cardinal, T., 224. (Beaudin & Co.) Carleton, J. L., 93 Carmichael, S., 224. (Butler & Co.) & Co.) Caron, Sir A. P., 231 Carreau, J. P., 224 Carrier, A. F., 224. L. N., 231 Carter, C. B., 224. T. J., 68. W. D., 88 Carvell, F. B., 95 Casey, C. E., 136 Chase-Casgrain, Th., 224. (Mc-Gibbon & Co.) Gibbon & Co.) Gibbon & Co.) Cassidy, R., 22 Cate, C. W., 251 Cayley, H. S., 5 Cedras, J. L., 224 Chabot, M., 231 Chaffers, J., 224. (Larose & Co.) Chaffey, B. E., 57 Chagnon, G. J., 204. J. A., 257 Chaldecott, F. M., 20 Chalifoux, J. L., 224. (Plant & Co.) Chambers, A. H., 224 Champagne, C. L., 224. L. N., 206 Chandler, W. B., 83 Chapman, A. J., 74. A. W., 74. E. R., 93. F., 44 and 52. W. H., 74 Charbonneau, N., 224 Charbonnel, L. E., 199 Charpentier, M. E., 224 Chasse, P. A., 244 Chauvin, H., 222. L. A., 224 Chenevert, C. A., 194 and 224. (Robidoux & Co.) Cherry, J. B., 13 Chesley, S. A., 148. T. W., 141 Chicoyne, J. A., 251 Chipman, L., 166 Chisholm, C., 160. C. P., 138. Chisnoim, C., 109, C. P., 106,
 D. C., 138, J. A., 145, (Borden & Co.) J. M., 145, (Harrington & Co.) R. F., 119
 Cholette, H. A., 224,
 Choquet, F. X., 224, (Beau-article & Co.) soleil & Co.) Choquette, P. A., 223 Chouinard, J. A. E., 231. M. 231. (Pelletier & Co.) Chabot, J. H. J., 231. Christie, F. L., 16 and 20. (Bowser & Co.) W. M., 164 Christin, Alphonse, 224

Cimon, E. H., 231. (Canier & Co.) Clark, H., 145 Clarke, G. J., 94. O. H., 57. Claxton, A. G. B., 224. (McCormick & Co.) G., 37 Clement, R. A., 32. S. E., 32. E. N., 166 Cleveland, J. B., 198 Cluney, A., 145 Clute, J. S., 13. (Macdonald & Co.) Coakley, E. A., 92 Cobb, A. J. S., 143 Cochrane, W. M., 21 Cockburn, M. N., 92 Codene, L., 224. (Primeau & Co.) Co.) Cogswell, E. B., 146. (wire & Co.) E. J., 146 Coldwell, G. R., 32 Cole, D. H., 117 Coleman, G. B., 32 Colles E. 106 (Wick-Colles, E., 106 Comben, C. C., 95 Comeau, J. A., 255. L. H., 237 Congdon, F. T., 145 Connell, A. B., 95. W. M., 95 Constantineau, S., 193 Conybeare, C. F. P., 113 and 115 Cook, A. H., 231. T. W., 224. (Hall & Co.) W., 231. Cooke, J. P., 224. R. S., 255 Cooper, W. J., 50 Cooper, W. J., 50 Copp, A. B., 89 Corbeil, L. L., 224 Corbould, G. E., 13 Cordeau, N. Z., 224 Cornell, Z. E., 193 Cornelliz, C. A., 224 Corning, T. E., 166 Corriveau, A. T., 231, P., 231 Coster, C. J., 93, G. C., 92 Costigan, J. R., 106 Cote, P. H., 190 Cote, P. H., 190 Courtney, H. E. A., 15 Covert, W. H., 145. (Pearson & Co.) Cowan, G. H., 20. J. E., 93 Covan, G. H., 20, 9, 12, 39 Coy, Havelock, 77 Coyle, P. J., 224 Cramshaw, J., 224 Cramshaw, J., 224 Crawford, H. E., 57. (Camp-bell & Co.) Crease, A. D., 22. E. A., 11. L., 22 Crepeau, I., P. E., 190. J. P. E., Jr., 190 Crerar, J., 43 Cresse, L. G. A., 224 Crockett, O. S., 77. (Phinney & Co.)

Cronyn, Edward, 13. (Macdonald & Co.) Cross, A. G., 224. S., 224 Crowe; W., 160 Crowley, E. S., 165 Cruickshank, W. G., 224 Cullen, J. P., 224 Culler, W. H., 57. (Aikins & Co.) Curran, F. J., 224. J. P., 45 Curtis, Smith, 15 Curson, V., 224. (Geoffrion & Co.) Cutter, W. R., 189

D.

Dalbec, A., 224 Daly, F. M., 15 D'Amour, J. G., 224 D'Amour, J. G., 224 Dandurand, R., 224 Daniels, O. T., 141 D'Anjoin, L. E., 221 Darby, D., 257 Darveau, C. A., 217. C. C. R., 921 231 D'Auteuil, P., 191 David, Alphonse, 224 Davidson, A. A., 84. 224. P., 224 H. L., 224, P., 224 Davies, L. H., 176 Davin, N. F., 122 Davis, F. P., 20 Davis, F. L., 47 Davison, J. M., 145 Dawson, A., 57 Day, J. J., 224 Deacon, E. J., 20. (Macdonell & Co.) W. S., 15. (MacNeil a Co., DeBellefeuille, E., 224 De Blois, M. W., 137 Decarie, J. L., 224 Decary, A., 224. (Prefontaine & Co.) & Co.) Dechene, F. G. M., 231. (Bed-ard & Co.) Deguise, C., 231 DeLaronde, R. P., 236 Delfausse, R., 224. (Martineau & Co.) Delisle, A., 224. J. A., 224. DeLorimer, A. E., 224. (An-gers & Co.) R. G., 224. (Demars & Co.) Demarais, O., 242 DeMartingy, A. L., 224. C. L., 224 Demers, A., 194. J., 224. J. N. A., 224. L., 224. L. G., 231. L. N., 224. N., 224. D. 924. P., 224 Denis, U. A., 224 Dononcourt, N. L., 255 Derosiers, E., 224

Desaulniers, A. L., 218. E. L., 224. G., 224 Descarries, J. E., 224. (Cresse & Co.) Desjardins, A., 224. A. Jr., 224. M., 224 Desmarais, O., 224 De-aulnier, L., 255 DesRevieres, R., 224 Devine, F., 93 Devine, F., 93 Devlin, E. B., 224 DeWolfe, C. E., 164 Dickie, A. R., 136 Dickie, A. R., 136 Dickscon, A. D., 120. J. H., 81. T., 224. W. A., 158. W. E., ²²²⁴
 ^{2231.} L. B., 204
 ^{231.} L. B., 204
 ^{231.} Dixon, M. B., 93
 ^{231.} Dockrill, G. O. M., 13
 ^{231.} Doherty, M., 224
 ^{232.} Donahue, W., 224. (Johnson & Co.) Co.) Donald, W. A., 49 Donkin, W. F., 136 Dorais, A. P., 224. O. P. 224 Doran, D., 245 Dorion, A., 224. (Geoffrion & Co.) C. E., 231. (Miller & Co.) Co.) Doucet, J. S., 190 Doutre, J. B., 224 Doyle, M. N., 145 Drapeau, R. A., 233 Driscoll, N., 224 Drouin, F. X., 231, J. A., 224. J. O., 224, P. E., 234 Drysdale, A., 145, Dubreuil, J. F., 224 Dubre, A. J. H., 57 Dubue, A. J. H., 57 Duck, Wm., 22 Duclos, C. A., 224. (Atwater & Co.) Duff, L. P., 22. (Bodwell & Co.) Duffy, C. E., 77. H. T. 254 Dugas, F. O., 211 Duggan, E. J., 224 Dumas, D. C., 224 Dumas, D. C., 224
 Dumbleton, A. S., 22
 Dunbar, J., 231. J. S., 231
 Dunlop, J., 224. J., Jr., 224
 Dunn, J. R., 93
 Duplessis, L. N., 255
 Dupre, L. P., 224
 Dupus, F. X., 224
 Dupuand, N., 224. P. M., 224

Е.

Earle, A. O., 93 Eaton, B. H., 145 Ebbett, A. W., 78 Eberts, D. M., 22 Eckstein, L. P., 19 Ede, T., 166

Edmonds, H. L., 13. W. H., 13 Elberts, D. M., 20 Ellershaw, E., 143 Elliott, F., 11. J., 11. J. K., 191 Elliott, F. C., 56. G., 126. G. A., 57. G. H., 153. R. T., 22 Elliso, W. F., 42 Elliwood, E. L., 117 Emard, J. U., 224 Emery, E. C., 108. (Beek & Co) Emmerson, F. W., 89. H. R., 74 Ervin, J., 141 Ethier, J. A. C., 249. L., 252. L. J., 324 Ewart, J. S., 57

F.

Fairbault, J. E., 216 Fairweather, A. C., 93. F. L., 91. G. E., 93. S. L., 93 Falconer, C. J., 224. (Robert-son & Co.) son & Co.) Fay, J. E., 213 Fell, T., 22 Fenety, H. G., 93 Ferguson, C. H., 93, (Carleton & Co.) J. M., 224 Fibrault, L. A., 224. (Gaudet & Co.) ac Co., Finlayson, D., 139 Fiset, E., 231. (Pelletier & Co.) H. R., 233 Fisher, C. H. B., 77. J., 57. L. P., 95. W. E., 3 Fitzpatrick, Hon. C., 231. H. K., 150 K., 150 Fleet, C. J., 224. (Robertson & Co.) Flint, T. B., 166 Florin, P. McL., 15 Flynn, Hon. E. J., 231. W. A. E., 226 Fontaine, A., 211. R. E., 242. V. E., 242. Z., 224 Forget, L., 224 Forrey, P. McL., 13 Forrester, D., 36 and 57 Forsyth, G. O., 154 Fortin, J. E., 231. T., 224 Foster, A. W., 157. G. H., 224. J. G., 145. W. R., 145 Fowler, G. W., 91 Frame, F. J., 145 Fraser, D. C., 150. G. B., 72. H. R., 251. W. A., 36 Freeze, J. A., 91 Freemont, J. J., 231 Friel, J., 74 Fullerton, C. P. (Harrington E., 226 Friel, J., 74
 Fullerton, C. P. (Harrington & Co.) 145
 Fulton, E. M., 161. (Patterson & Co.) F. J., 7. J. A., 144.
 W. H., 145. (Drysdale & Co.)

G.

Gaboury, L. A., 195 Gagnon, A., 224. C., 205. C. A. D., 75. C. E., 242. J. A. M., 231 A. M., 231 Gallagher, D. B., 95 Galliner, W. A., 11 Galt, A. C., 15 Garceau, N., 224 Garneau, A. S., 230. H., 224 Garow, J., 230 Gaudet, A., 215. O., 924. Gauthier, A. A., 25 f. (Cho-lette & Co.) Geldert, J. M., 145 Gelely, J. E., 217 Genereux, F. A., 224. (Mackay & Co.) & Co.) Genest, J. E., 251 Genest, J. E., 201 Gendron, L. A., 242 Geoffrion, A., 224. (Geoffrion & Co.) C. A., 224. V., 224. & Co.) 0. A., (Geoffrion & Co.) (Geoffrion & 224, T. A., 224 Germain, A., 224, T. A., 224 Gerroir, E. L., 138 Gervais, A. E., 255, H., 224 (Rainville & Co.) Giard, A., 220 Gibb, J. R., 224 Gibsone, G. F., 231 Gilbeault, R., 224 Gilbert, G., 69. G. G., 93 Gillies, D., 155
Gillies, D., 155
Gillis, J. A., 160
Gillis, H. E., 137
Gilman, F. E., 224
Gimonr, T. H., 57
Girard, A. D., 244. J. A., 224.
(Beausoleil & Co.) L. N., 210
Gironard, D. H., 224. (Foster & Co.) E. 83. J. E. 190 & Co.) E., 83. J. E., 190 Giroux, A., 254 Glass, N. G., 224. shields & Co.) (Green-Globensky, A., 224 Godin, E. H., 224. (Angus & Co.) Goldstein, M., 224. (Carter & Co.) Gordon, A., 206. J. G., 116. T. C., 107 Gosselin, J., 231. L. A. 208 and 224 Gouin, L., 224 Gouller, H. H., 55 Gourley, S. E., 161 Goyet, P. R., 224 Goyette, H. A., 206. 224. (Jasmin & Co.) Cashaw J. 57 (Day O. A., Craham, J., 57. (Dawson & Co.) R. B., 161. R. H., 150. (Fraser & Co.) Grant, D., 83. D. K., 145. (McCoy & Co.) J. R., 13 Gratton, C. E., 224 Gray, W. M., 13

Grayson, W., 116
Greene, G. W., 112 and 121
Greenshields, J. N., 224. R.
A. E., 224
Gregory, A. J., 77. C. C., 138,
E., 138. F. G., 22. (Fell & Co.) G. F. 77
Grenier, A. W., 224. N., 255
Grierson, J. A., 163
Grimmer, F. H., 92. W. C. H., 94.
Grinimsett, M. L., 16
Grondin, T. J. O., 206
Guay, R., 231
Guibault, J. A., 211
Guilet, C. B., 227. L. P., 255
Gunn, W. R., 119
Gwillim, F. L., 117

H.

Hackett, M. F., 253 Haggart, A., 57 Hague, H. J., 224. (Abbott & Co.) Halchett, F. J., 224 Halibutton, A. F., 140 Hall, A. R., 224. (Johnson & Co.) J. S., 224 Hallen, G. S., 40 Hallett, I. H., 6 Hamil, C. N., 201. G. F., 247 Hamersley, A. St. G., 20 Hamirsley, A. St. G., 20 Hamily, C. R., 15. (Daly & Co.) W. C., 122 Haney, J. R., 57 Hanington, A. H., 93. H. C., Co.) Haney, J. R., 57 Hanington, A. H., 93. H. C., 83. R. W., 11 Hansard, H. H., 93 Hanson, A. C., 198 Hanwright, F. W., 145 Harding, H. T., 161 Harnois, J., 255 Harquail, J. S., 73 Harrington, C. S., 145. J. J., 69 69
Harris, C. F., 114 and 118. F.
W., 137. (Gillis & Co.) R.
E., 145. R. W., 20
Harrison, F. A., 89
Hartley, J. C., 95
Hartley, J. C., 95
Hart, J. T., 98
Harvey, A. E., 224. H., 106.
J. A., 4. J. G., 34
Harwood, C. A., 224. (Lighthar) Hastings, W. H., 57. (Gilmour & Co.) Haszard, L., 176 Hatton, J. C., 224 Haultain, F. W. E., 122. F. W. G., 114 Haverson, J. H., 33 Haviland, E. H., 176

Hay, A. G., 41 Hazen, J. D., 93 Hean, F., 54, J., 54 Hearn, D. A., 160, J. H., 160. M. A., 231 Hebert, J., 224 Helmcken, H. D., 22. (Drake & Co.) (Drake & Co.) Henderson, A., 13. G. R., 93. H. E., 32. M. G. B., 93 Heneker, R. T., 224 Henry, W. A., 145. (Harris & Herbert, W. C., 253 Herchmer, H. W., 4. (Ross & Co.) Heroux, E., 258 Hewson, E. E., 136. R. W., Hibbard, F. W., 224. (Weir & Co.) Hickman, J. W., 136 Higgins, Frank, 22 Hill, W. A. G., 160 Hills, H. M., 22 Holt, C. M., 224. (Morris & Co.) Co.) Holton, E., 224 Honan, M., 224 Hood, J., 156 Hooper, J. H., 106 Hough, J. S., 57 Hould, J. B. L., 255 Howard, G. R., 57. (Patterson & Co.) Howden, A., 57. J. 'L., 47 and 57 Howell, H. M., 57 Huggart, J. T., 57 Huggars, W. H., 145 Hughes, P., 77 Hull, W. F., 57. (Aikins & Co.) Hunt, J. D., 32. J. J., 145. J. L., 20 Hunter, G., 22 Hurd, A. S., 251 Hutchins, H.A., 224. (Stephens & Co.) M., 224 Hutchinson, R., 88

I.

Ings, A. E., 176 Inman, G. S., 176. (McDonald & Co.) Innes, A. S., 22, A. W. V., 22. (Dumbleton & Co.) Ireland, F. A. W., 111 -Irving, P. A. E., 22. (Bodwell & Co.) R. A., 70 Ives, W. B., 153

J.

Jack, A. C. B., 22. I. A., 93 Jacobs, S. W., 224 Jacques, J. A., 257 James, H. H., 70. W. J., 50 Jameson, R. W., 57 Jamieson, R. W., 57 Jamieson, J. H., 155 Jarvis, W. M., 93 Jasmin, V. F., 224 Jay, G., Jr., 22 Jeanotte, H. J., 224 Jeanotte, H. J., 224 Joanette, J. H., 224 Jodin, A., 224. I. A., 224 Jodinson, A. M., 11. A. R., 224 Johnston, J. J., 176. R. E., 179. L. M., 145 Johnston, R. R., 76 Jones, A. G., 224. (Kinfret & Co.) E. C., 93 Jicaah, W. B., 76 Jones, A. G., 224. (Kinfret & Co.) E. C., 93 Joaph, J. P., 106. (Muir & Co.) Jordan, D., 93 Joseph, E., 224

K.

Kane, G., 219
Kavanagh, H. J., 224. (Judah & Co.)
Kay, James, 83
Kaye, E. G., 93
Keefler, R. T., 142
Keith, C. S., 13. H. S., 93
Keelley, J. K., 93
Kenny, J. B., 145. W. R., 206
Kert, J., 93. R. B., 122
Kertson, W. F., 79
King, E. D., 145. O. H., 164.
H. D., 145. O. P., 91
Kirchoffer, J. N., 32
Kiven, C., 33
Knapp, C. E., 74
Kinowle, E. T. C., 93
Knowle, E. T. C., 93
Kyte, G. W., 158

L.

Labelle, J. A., 224. (Fontaine & Co.) Laberecque, C. O., 234 Labine, G., 224

Labrie, D. N., 230 Lachance, A., 231. (Turgeon & Co. Lachapelle, 224. (Jeannotte & Co.) Lacoste, J. C., 224. P., 224. (Bisaillon & Co.) Labouceur, E. A. B., 224 Labouceur, N. K. L., L., 224. (Greenshields & Co.) Lafleur, E., 224 Lafontaine, E., 224. (Beique & Co.) Laforest, F., 75 Lafortune, D. A., 224 Lajoie, H. G., 224. (Bisaillon & Čo.) Lamarche, J. A., 224. (Bastien & Co.) Lamarre, J. I., 224. (Globensky & Co.) Lamirande, A., 224 Lamothe, C., 224. J. C., 224. (Taylor & Co.) G., 224 Lampman, P. S., 22. Secretary Law Society of British Columbia Columbia Columnia Lampson, G., 231 Lampton, H. 224. P., 224 Landry, J. P., 224. (Macmaster & Co.) N. A., 69 Lane, C., 224, C. W., 148. (Busteed & Co.) J. A., 231. (Lemieux & Co.) Langille, R. M., 162 Langlais, L. A., 234 Langley, W. H., 22. (Martin & Co.) Langlier, C., 231. (Montainbault & Cc.) F., 231. (Montainbault & Co.) Langlois, C. B., 231 Languedoc, W. C., 231 Laplante, J. B. R., 256 Laporte, C. Y., 224. (Leonard & Co. & Co.) Larochelle, M. G., 224 LaRose, V., 224. W., 224 Larviere, M. J. C., 224 Laurence, F. A., 161 Laurendeau, C., 224, (Fortin & Co.) J. G., 192. R., 224 Lavallee, H., 224, L. O., 224, P. O., 224 Lavery, J. T., 231. (Taschereau & Co.) Lavielte P. R. 294 ac Co.) Laviolette, P. B., 224 Lawrence, H. D., 251 Lawlor, R. A., 72 Lawson, A., 75. J. H., 22. T., 68 and 85 Layton, N. J., 161 Le Beuf, C., 224 Leblanc, J. A., 251. P. E., 224

Leclair, P., 224 Leduc, J. D., 249 Leet, S. P., 224 Lefebvre, F., 224 and 252. L. A., 224 Lefabvre, F., 224 and 252. L. A., 224 Lemieux, A., 241 Le Meistre, W. de V., 18 Lemieux, F. X., 231. R., 224. (Gouin & Ca., 216 Lemin, M. S., 46 Leonard, A. J E., 254. J., 251. J. E. 224 Lenoir, M. U., 145 Lepine, E., 223 Letellier, B., 239 Letourneux, S., 224. (Pelletier & Co.) Lighthall, W. D., 224 Lisle, H. C., 124 Loranger, H. J., 136 Longworth, I., 161 Loranger, L. O., 224. (Beaudin & Co.) J. T. R., 224 Lougheed, Hon. J. W., 145 Longed, H. J., 242 Lougheed, H. J., 242 Luven, H. A., 161 Lussier, E., 224. (Dupuis & Co.) J., 224. L., 242 Luven, A. P., 22. (Pooley & Co.) Lyman, F. S., 224. (Dunlop & Co.) Lyons, W. A., 145

Mc.

McAlpine, E. H., 93 McBride, R., 13 McCabe, J. J., 140 McCater, G. S., 4 McCarthy, Peter, 106 McCarl, C. C., 106. J. A., 119 McCarena, A. V., 57. (Aikins & Co.) McCuneghan, A. V., 57. (Aikins & Co.) McCune, F., 161 McCornell, A., 206. H. McK., 46 McCorkill, J. C., 200 McCorkill, J. C., 200 McCranick, D., 224 McCready, J. W., 77 McCreary, W. F., 57. (Elliott & Co.) McCunick, A., 155. A. J., 140 and 160. E. A., 176. E. R., 90. H. C., 176 and 179. J., 151. J. A., 145, 151 and 176. J. S., 176. L. X., 160. M., 93. W., 145 and 161 McDougall, J., 145. J. L., 159.

J. M., 206 McGibbon, R. D., 224 McGibbon, R. D., 224 McGillivray, A. H., 144. J., 150 McGowen, Frank, 21 McHaig, W. H., 15 McInerney, G. V., 88 McInerney, G. V., 88 McInerney, H., 145. (Dryrdale & Co.) W. W. B., 10 McIntyre, J. M., 91 McIsaac, C. F., 138 McKay, J., 119, J. G., 145a McKaya, H. W., 152 McKenzie, H., 161. J., 114. M., 109. N., 122. P. S. G., 232 McKeown, H. A., 93 McKercher, D. W., 57 McKinnon, D. A., 176, 177 and 179. (Warburton & Co.) J. 179. (Warburton & Co.) J.
A., 145. J. L., 145
McLaren, J. B., 46
McLatchey, H. F., 71
McLean, A. A., 176. A. K., 148
C. A., 164. H. H., 93.
(Weldon & Co.) J. A., 142
McLeilan, R. W., 77. S. D., 161. W. W., 145
McLennan, D., 155. F., 224. (Hatton & Co.) McLennan, D., 155. F., 224. (Hatton & Co.) McLeod, D. C., 176. F. M., 15. H. F., 77. J. D., 153. J. P., 9. M., 176 and 228. R., 93. S. M., 13 McLorg, E. A. C., 117 McMahon, A., 206 McNeanar, P. L., 108 McNeil, A., 145. D., 145 McPhee, D. L., 151 McPhee, D. L., 151 McPhee, D. L., 151 McPheis, Stewart, 158. W. F., 138 McPhillips, A. E., 22. L. G., 20McQuarrie, N., 176 and 178 McQueen, J., 90 McSorley, G., 93

M.

MacCoy, F., 145. W. B., 145 Macdonald, Allan, 21. A. C. D. L., 224. (Dohenty & Co.) C. A., 93. C. D., 145. D., 138. D. A., 50. E., 153. H. J., 57. J. A., 13. R., 251. R. G., 32. R. M., 11. W. A., 11 MacDonnell, S., 155 MacDongall, G. W., 224. (Lafleur & Co.) H. A. J., 125 MacEohen, A. J. G., 160 Macgillivray, A., 138

MacGilvray, D., 111 Macnish, Angus, 15 Machray, J. A., 57. (Archi-bald & Co.) MacIlbrieth, R. T., 145 Machibrieth, K. T., 149 Mack, J. M., 147 Mackay, A., 224, A. A., 145, (Wallace & Co.) A. S., 229, F. H., 224, (Smith & Co.) J. A. N., 236, N. F., 8 Mackenzie, D. D., 151 Mackeie, J. F., 224, (Atwater & Co.) & Co.) a co., Mackinnon, D. H., 144 Maclaren, J. J. C., 224 Maclauchlan, D. G., 69 Maclean, B. C., 224 Maclennan, F. S., 224. (Mac-master & Cu.) master & Co.) Macmaster, D., 224 MacMonagle, M., 94 MacNeil, A. H., 15 Macneill, C. B., 20. (Davis & Co. Co.) Macpherson, K. R., 224 MacRae, A. W., 93 Maidore, J. A. C., 224 Maidot, M., 203 Major, C. B., 206 Malouin, O. A., 231. Manbey, W. J., 48 Marceau, J. O., 224 Marchildon, A., 255 Marcehal, L. T., 224 J., 231 Marechal, L. T., 224 Marin, E., 242 Marshall, D. G., 20. (Davis & Co. & Co.) Marshall, J. N. S., 147 Marsaw, G. A., 224 Marsolais, A. L., 211 Martel, J., 211. P. N., 255 Martin Arches, 22. J., 20, 50 and 57. J. E., 224. (Foster & Co.) K. J., 176 and 179 Martineau, P. G., 224. V., 924 224 Mason, C. D., 22 Massicotte, E. Z., 224 Masson, L., 224. (Lariviere & Co. Masters, F. A., 146 Mather, J. A., 35 Mathers, F. F., 145. (Ross & Co.) T. G., 50 and 57. (Martin & Co. Matheson, R. M., 32 Mathieson, J. A., 177 Mathieu, A., 224, F. X., 249, G. E., 224, (Adam & Co.) De L., 224, (Adam & Co.) Maughan, J. A., 34 Megnernon, J. H., 224 Mellish, A. J. B., 178. H., 145. (Ross & Co.) J. T., 176 Menger, J., 145. (Ritchie" & Co.)

Mercier, W., 224 Meredith, F. E., 224. (Abbott Meredith, F. E., 224. (Abbott & Co.) Merizzi, E., 224 and 225 Merrill, A. E., 224 Merritz, T. G., 93 Messier, J. S., 224 Metodalfe, T. L., 41 and 57 Method, G., 255. J. E., 190 Meunier, H., 224. L. C., 224 Meyer, W. C., 106. (Symons & Co.) Co.) Co.) Michand, J. A. B., 231 Mickle, C. J., 30 Mignault, P. B., 224 Miller, E. 13. O. S., 141. W., 139. W. J., 231, Millidge, T., 93 Millidge, T. 94. S. P., 22 Miller, F. L., 141 Minty, G. D., 57. (Aikins & Co.) Co.) Mireault, G., 224 Mireault, G., 224
 Mitchell, A. E., 207. C. R., 84, F. H., 38, J., 94, V.
 E., 224, (McGible':n & Co.)
 Moffatt, G. U., 224
 Monet, D., 224. (Geoffrion & Co.) and 248
 Mouk, F. D., 224
 Moukman, A., 57 Monkman, A., 57 Montambault, J., 231 Montgomer, J., 93 Montgomer, J., 93 Morgan, E. A. D., 224 Morice, D., 57 Morin, A., 244. L. D., 231. L. J. S., 224. Taillon & Co.) Morian, L. F. 949. R. 01 Morian, L. F. 949. R. 01 Co.) Morison, L. F., 242. R., 91 Morley, S. F., 4 Morrill, S. E., 93 Morris, J. L., 224. W., 251 Morrison, A., 13. A. G., 145. G. A., 224. (Durand & Co.) M. J., 224. (Quinn & Co.) Morrow, J. 31 Morrow, J., 31 Morse, A., 141. E. J., 134 Morson, W. A. O., 176 and 179. (McLeod & Co.) 119. (McLeoa & Co.) Morton, F. E., 91 Moseley, E. T., 160. E. W., 160. F., 160 Mott, W. A., 71 Mount, W. E., 224 Main G. S. 150 Mair, C. S., 152. J., 105 Mullin, D., 93 Mulock, W. R., 57 Munro, H. H., 166. K. G. 143 Munroe, G. F., 57 Munson, J. H. D., 57 Murchison, R. 224

N.

Nantel, W. B., 243 Nason, H., 57 Natel, G. A., 224 Nealis, H. G., 77. (Black & Co., R. A., 51 Nelson, W. J., 116 Newlands, H. W., 119 Noel, A., 190. C., 209. J. C., 190 Nolan, P. J., 106 Noting, T., 145 Nugent, F. S., 57 Nutring, C. A., 237

0.

O'Bready, M., 201 O'Connor, C. H., 112 O'Donoghue, R., 138 O'Halloran, F. O., 224. (White & Co.) J., 224 Olivier, A., 255 Oliver, T. H., 231. W. E., 22. (Hunter & Co.) Olivier, N. N., 231 Outbit, F. J., 145. (Congdon & Co.) O'Reilly, J., 56 Osborne, W. B., 112 Otty, G. O. D., 93 Oughtred, A. R., 224. (Hutchinson & Co.) Ouimet, A., 224 Ouseley, J. W., 164 Outram, F. P., 145 Owen, D. M., 148. J. M., 37. W. H., 112

P.

Pacaud, A., 245. E., 231 Pagmelo, T., 224 Pagnuelo, W., 224 Palmer, C. A., 83 and 93. H. J., 176. P., 93. S. W., 83 Panneton, L. E., 251 Papineau, L. J., 256 Paquin, L. D., 255 Paradis, E.Z., 244. R., 244 Pare, A. T., 202. E. G., 231. (Carriveau & Co.) Parent, S. N., 231 Pariseault, C., 224. (Le Blanc & Co.) Parker, J. G. H., 141. W. F., 145

Parlee, M. H., 91 Parsons, J. F. L., 145. W. G., 149 Paterson, G., 35 Paton, V. J., 142. (Wade & Co.) Patterson, A. C., 161. G., 57.
 G., 150. (Sinclair & Co.)
 Payzant, J. A., 145. (Silver & Co.) J. Y., 145. W. L., Pearson, B. F., 145. E. W., Feirson, B. F., 149, E. W.,
 45 or 145
 Peck, C. A., 82
 Peel, W., 110
 Pelissier, E., 224. (St. Pierre Pelland, J. O., 224. (Desmarais & Co.) Pelletier, A., 231. C. A., 231. E. G., 208 and 244. H., 224. (Charbonneau & Cc.) L. C., 224. L. P., 231 Pelletin, J., 224 Pelly, J., 2 Pelton, S. H., 166 Pentland, C. A., 231. (Caron & Co.) Perdue, W. E., 57 Perras, F. X., 224 Perrault, J. E., 211. J. S., 219 Perron, J. R., 224. (Madore & Co.) Co.) Peters, A., 176. F. H., 77 Phalen, R. F., 151 Philp, A. E., 32 Philpen, J. D., 77 and 88 Philpen, F. H., 57. (Macdon-ald & Co., 224 Picket, H. H., 93 Picket, H. H., 93 Picket, J. H., 93 Pilon, A., 250 Pilon, A., 250 Pineo, A. V., 165 Pipes, W. T., 136 Pitblado, I., 57. (Andrews & Plamondon, J. D., 252 Plant, A., 224. B. R., 75 Plourde, G. H., 224 Plunkett, Osborne, 20. (Mc-Phillips & Co.) Pointer, A. E., 224 Poisson, M. J. A., 190 Polette, L. T., 255 Pooley, C. E., 22 Porrier, P., 90 Porter, J. J., 93. (B (Bustin & Co.) Co.) Potts, C. H. B., 10 Poulin, J. S., 203 Pouleot, A., 231. J. C., 204. J. E., 204. J. N., 233 Powell, G. E., 22. H. A., 89 Power, J. J., 145, L. G., 145 Prefontaine, R., 224

Prevost, G., B. B., 243. W. G. G., 243. W. Primeau, E., 224 Prince, A., 123 and 108. (Brown & Co.) J. E., 231 Proud'heume, J. N., 211 Puddington, H. F., 93 Pugsley, W., 93 Pyke, J. G., 147

Q.

Quigley, R. F., 93 Quinn, M. J. F., 224

R.

Racicot, E., 254 Rainsford H. B., 77 Rainville, H. B., 224. V. O. B., 254 Raymond, E. P., 93 Raymes, C., 224 Reddin, J. H., 176 Regan, T. P., 93 Reid, R. L., 13 Reilly, E. A., 83 Renaud, J. A., 211 Renauld, Z., 224 Rene de Salabery, 216 Rheaume, A. A., 231 B., 254 Rheaume, A. A., 231 Richard, A. D., 74. J. U., 202 J., 251. J. U., 202 Richards, A. E., 57 Richardson, C., 88 Reille, N. T., 224 Rimmer, R., 122 R^{i-fret}, A. L., 224 Ric., S. C., 204 Riopel, L. J., 226 Ritchie, G., 145. J., 137. R. R., 93. T., 145. W. B. A., 145. (Borden& Co.) IW. F., 224. (Davidson & Co.) Rivard, A., 231. (Taschereau) Rivard, A., 231. (Taschereau & Co.) Rivet, L. A., 224 Robarts, J. T., 57. (Mulock & Co.) A. J., 142 Co.) A. J., 142
 Robertson, A., 231. D. C., 224. (Beique & Co.) H. E.
 A., 22. S. J., 162. T. R., 146. (Webster & Co.) W.
 W., 224 Robidoux, J. E., 224 Robillard, A. (Robidoux & Co.) Robinson, C. W., 83. (Chand-ler & Co.) T., 57. (Perdue & Co. & CO. / Robitaille, R. A., 231 Robson, H. A., 122 Rocher, A., 224. (Leclair & Co.) Rochette, J. A., 231 Rochon, A., 206

Rodier, C., 224. (Larose & Co.)
Rogers, H. W., 136. T S., 136.
(Townsend & Co.) and 152
Roscoe, W. E., 146
Ross, H., 160. H. T., 142.
J. T., 145. J. U., 153.
W. B., 145. W. R., 4
Rouleau, F. F., 233
Rowlings, G. A. R., 145
Roy, C., 223. F. L., 231. F., 233.
Roy, C., 223. F. L., 231. F., 224. J. B. E., 224. J. P., 231. F. X., 224. J. B. E., 224. Royal, C. H., 57. (Sutherland & Co.)
Ruegles, E., 141. H., 141.
H. D., 137. N. C., 148.
(Owen & Co.)
Russell, B., 145. F. R. McD., 20. F. W., 145. J. A., 20.
W. A., 90
Ryan, P. C., 224. (McGibbon & Co.)

S.

St. Germain, P., 224. (Beaudin & Co.)
St. Jean, B., 53. E. N., 224. (Prefontain & Co.)
St. Julien, J. A., 224
St. Louis, C. H., 224
St. Louis, C. H., 224
Sanche, H., 224
Sanche, H., 224
Sandred, P. V., 198. H. C., 224
Sangster, H. W., 164
Savard, P. V., 197
Sayre, O. J., 88
Schultz, S. D., 22
Soott, F. B., 145. H. P., 164
Secord, J., 122
Sedgewick, J. A., 145
Seeres, L. A., 192
Senakler, J. H., 204
Senecal, O., 224
Senkler, J. H., 204
Senecal, O., 224
Sharkey, J. T., 77
Sharp, W. P., 146
Sharkey, J. T., 77
Sharpe, E. E., 57. (Metcalfe & Co.)
Sharkey, J. G., 164. G. H., 93.
H. C., 20. (Cowan & Co.)
Short, J., 106. (McCaul & Co.)
R., 224. W., 108

Shreve, T. C., 143 Sicotte, L., 224. (Doherty & Co.) L. W., Jr., 224. (Doherty & Co.) Silver, A. E., 145 Simard, J. A., 257 Simonds, C. E. A., 77 Simoson, H. A., 10 Sinclair, J. A., 93. (MacRae & Co.) J. H., 150 Skinner, C. N., 93. S., 93 Slipp, A. R., 77 Smallwood, C. R., 176 Smith, A., 245. A. G., 22. B. S., 33. C. E., 106. C. H., 145. C. R., 136. G. H., 145. G. S., 93. J. B., 106. J. T., 136. R. C., 224. R. M., 57. (Campbell & Co.) R. M., 38. W., 111 and 120 120 Smyth, W. O., 224 Spencer, O. L., 18 Spragge, A. G. M., 14 Stafford, L., 217 an and 231. (Belleau & Co. Stairs, H. B., 145 Steadman, G. H., 81 Steeves, C. A., 83 Stephens, C. H., 224. G. W., 224 Stevens, J. G., Jr., 94. J. M., 75 and 94 75 and 94 Stewart, W. S., 176 Stockford, O. B., 93 Stockton, A. A., 93, C. A., 93, F. W., 91, R. O., 93 Straton, A., 68 Straton, J., 93 Stuart, G. G., 231. (Caron & Co.) Co.) Surtleff, W. L., 198 Surveyer, E., 224. (McGibbon & Co.) Sutherland, R. R., 57 Sutton, A. C., 5 Sweeney, F. J., 83 Swindlehurst, A., 224 Sylvester, J. P., 246 Symons, H., 106

T.

Tabor, C. W. C., 20 Tache, L., 233, L. H., 224, P. V., 212 Taillefer, E., 224 Taillon, L. O., 224 Talbot, A. X., 206, L. U. 245 Tanner, C. E., 153 Taschercau, A., 231. (Fitzpatrick & Co.) and 247, C. E., 231. L., 245 and 231. R., 224. (Ernard & Co.) and Marechal & Co.)

Taylor, A. D., 224. E. L., 57. H., 108. H. C., 108. J. A., 53. S. S., 10. W. J., 22. (Eberts & Co.) Teed, B. B., 89. M. G., 74 Tellier, J. M., 211 Tennyson, B., 117 Ternan, G. B., 145. (McNeil & Co.) & Co.) ^A CO.) Tessier, A., 233. J., 231. (Hamel & Co.) J. A., 255. U. J., 231. Hamel & Co.) Tetralt, A., 218 Tetraeult, E., 224 Tetreault, E., 224 Theberge, Severe, 245 Therin, O., 224. (Archam-bault & Co.), 225. F. X., 192 Thibault, C., 257. F. X., 192 Thomas, G. P., 83 Thompson, E. M., 94. W. E., 145. (Rowlings & Co.) Thomson, C. J., 84. R. M., 57. S. 84. W. K., 145 Tilley, L. P. D., 93 Tingley, A. R., 32 Tobin, T. F., 145. (Lyons & Co.) W. R., 151 Toure, F. S. 255 Topp, F. 224
 Touregny, F. S., 255
 Toussignant, J. O., 231
 Townshend, J. M., 136 and 152
 Tranchemintagne, F. R., 194
 Tremaine, C. F., 145. (Mac-Ilbrieth & Co.) E. D., 155.
 W. J. 145. R., 161 Ibrieth & Co., J E. D., 155. F. J. 145. R., 161 Trenholme, N. W., 224 Troop, A. G., 145 Trudel, A., 224. (Lamothe & Co.) H., 224. P., 224. Lamothe & Co.) Truell, H. V., 224 Trueman, A. L., 93. W. A., 67. W. H., 93 Tucker, H., 224 Tupper, J. S., 57. (Macdon-ald & Co.) W. J., 57. (Macdon-ald & Co.) Turcotte, H. A., 231. J., 231 Turcotte, H. A., 231. J., 231 Turcotte, H. A., 231. J., 231 Turgeon, E. L., 224. (Beique-& Co.) L. A., 217 and 231 Tweedie, L. J., 72. R. L., 80 Tweedy, G., 176. Twining, W., 145

V,

Vachon, A., 231. (Montambault & Co.) Vanesse, A. P., 252 Vandal, P., 224 Van Wart, W., 77 Veriet, H., 224 Vezina, E., 245. M. C. E., 245

Villiard, J. A., 252 Vince, D. M., 95 Vincent, G. R., 93. (Curray & Co.) Vivian, H., 57

W.

Wade, F. B., 142 Walker, A. B., 93. W. S., 224 Wall, J. A., 138 Wallace, J. W., 165. T. J., 145. W. B., 93 and 145 Wals, J. P., 22 Walsh, J. C., 224. W. W., 145 Warburton, A. B., 176, 177 and 179 Ward, C. W., 7 Wardroper, H. E., 93 Waterbury, H. S., 93 Weny, 83, 93 Weny, 93, 93 Waterbury, H. S., 93 Weny, 93, 93 Waterbury, H. S., 93 Weny, 93 Waterbury, H. S., 93 Waterbu

m

Whilla, H. W., 57 White, A. S., 91. C., 251. N. S., 156. W., 14 and 117. W. J., 224 Whiteside, A. M., 15. (Mc-Leod & Co.) W. J., 15 Whittan, A., 145 Whittaker, W. H., 7 Wickwire, H. H., 146 Williett, J., 93 Williston, E. P., 84 Willians, A., 20 (McPhillips & Co.) Williston, E. P., 84 Willion, A. B., 77 Wilson, A. A., 93. C., 20. C. A., 224. (St. Pierre & Co.) C. P., 57. (Ewart & Co.) P. E., 11. W., 77 Winslow, E. B., 77. J. N. W., 45. W. C., 72 Winter, W. R., 108 Woodworth, C. M., 108 Wotton, E. E., 20. (McPhillips & Cc.) Wartele, C. J. C., 252 Wyatt, J. E., 179 Wyssman, R. H., 117

¥.

Yates, J. S., 22 Yeomans, J. H., 86 Young, L. E., 95

164 THE CANADIAN LAW LIST—CORRESPONDENTS.

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CONTENTS.

	PAGE.
Barristers, Solicitors, etc.	 170
District Court	
Law Society	
Officers of the Supreme Court	
Supreme Court of Judicature	
Synopsis of the Laws	
Terms of the Supreme Court	

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170 THE CANADIAN LAW LIST-NEWFOUNDLAND.

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THE CANADIAN LAW LIST-NEWFCUNDLAND.

171

SYNOPSIS OF THE LAWS OF NEWFOUNDLAND.

Compiled by M. M. Browning, Esq., Barrister, of the Newfoundland Bar.

(Revised to January 1st, 1898.)

Arrest for Debt—A debtor is liable to arrest by capias ad respondendum when the creditor's claim exceeds \$50, upon the creditor producing an affidavit setting forth one or more of the following facts: (1.) That the debtor has made, or is about to make, some disposition of his property, or some part thereof. (2.) That he is about to quit the Colony, with intent to defraud his creditors generally or the creditor in particular. (3.) That he is about to quit the colony, and that his absence will materially prejudice the prosecution of the action. (4.) That he is possessed of means of payment of which he has control, and which he withholds from his creditors. Upon the same grounds a judgment debtor is liable to arrest by capias ad satisfaciendum.

Assignments—In the event of a conveyance or assignment for the benefit of creditors, the trustees or assignees are liable and compeliable to pay out of the first proceeds all creditors who would have preferential claims in the case of a declaration of insolvency; and also, unless a majority in number and value of the creditors shall otherwise agree, to distribute the estate and effects as in the case of insolvency, notwithstanding any contrary provision in the conveyance or assignment; and such trustees or assignees are subject in such distribution to the order and direction of the Supreme Court or a Judge thereof as fully and in like manner as the trustees of the estate of a person declared insolvent.

Attachments—The property of a debtor can be attached before judgment, as well in his own hands as in the possession of third parties, when the amount claimed exceeds \$20, upon the production of an affidavit setting forth that the said party is indebted in such sum. The property, d-bts or effects so attached shall be released upon the debtor giving a bond, with two sufficient sureties, to the sheriff in double the sum sworn to.

Barristers or Solicitors of any of Her Majesty's Superior Courts in any of Her Majesty's Colonies or Provinces in which the same privilege is extended to barristers or solicitors from Newfoundland, may, upon the production of evidence and testimonials to the satisfaction of the Law Society, be admitted as solicitors of the Supreme Court and to practice at the Bar.

Bills of Exchange—The law of the Colony upon this point is the same as the Imperial Act of 1882.

Bills of Sale and Chattel Mortgages—Bills of Sale and Mortgages of personal chattels being deeds of gift or where consideration exceeds \$400, and where possession continues in the grantor or mortgagor, must be registered, otherwise void against subsequent purchaser, attachment and execution, and against trustee in insolvency. The Conveyancing Act, 1896, provides that certain covenants shall be deemed to be included in conveyances prepared in compliance with the Act.

172 THE CANADIAN LAW LIST-NEWFOUNDLAND.

Commissions—The Court or a Judge may in any cause make an order for the examination upon oath before any person at any place of any witness, and may empower any party to such cause to give such deposition in evidence on such terms as may seem meet. In the case of witnesses residing out of the Colony, commissions may issue to take the evidence of such witnesses upon interrogatories and cross-interrogatories.

Companies' Law—Any three or more persons desirous of forming a company for any purpose, except banking and insurance, may be registered, and thereinpon become a body corporate and politic. Term more than nine, some of whom shall be residents in the Colony. An annual report is to be published in the *Royal Guzette* containing state ment of amount of capital stock, amount of same paid in, and amount of existing debts due by and to the company. Shares in such companies are personal property and liable to attachment. The Governor may direct an audit of the accounts of a company when necessary.

Courts and Jurisdiction—The Supreme Court is a Court of Record and has all civil and criminal jurisdiction whatever in Newfoundland, and in all lands, islands and territories dependent upon the Government thereof, as fully and amply, to all intents and purposes, as on the 17th day of June, 1824, the Court of Queen's Bench, Common Pleas, Exchequer and High Court of Chancery had in England. The Supreme Court is also a Court of over and terminer and general gaol delivery in and for Newfoundlandiand all places within the Government thereof, and also has jurisdiction in all cases of crimes and misdeor islands to which ships or vessels repair from Newfoundland for Justice and two other Judges.

There are two District Courts, namely : the Central District Court, composed of two Judges, and the District Court of Harbour Grace, composed of one Judge. The said Courts are Courts of Record and have jurisdiction in all civil causes in which Courts of Session have jurisdiction to the amount of \$50, and in actions for the wrongful detention of goods and chattels in which the specific return of the said chattels is sought, and where the value thereof does not exceed \$200.

Courts of General and Quarter Sessions may hear and determine in a summary way all civil actions for the recovery of debt and damages to the amount of \$25, except actions in which the title to any land or tenement is in question, and except actions for libel or slander, replevin, malicious prosecution and actions against any Justice of the Peace or other public officer for acts done in the execution of his duty, and may hear and determine all disputes to any amount concerning the wages of servants in the fishery, the supply of bait and the hiring of boats for the fishery, and the wages or share of seals of any person engaged in the seal fishery. The Court of Sessions may be held by one Stipendiary Magistrate. Justices of the Peace have the like powers, authorities and jurisdiction, where the same are not inapplicable, as Justices of the Peace in England. For this purpose the following Acts of the Imperial Parliament are made the law of this Colony so far as the same can be applied, namely :- The Act 11 and 12 Vic. c. 42; the Act 11 and 12 Vic. c. 43; the Act 11 and 12 Vic. c. 44; the Act 20 and 21 Vic. c. 43; the Act 28 and 29 Vic. c. 127.

Criminal Law—In all cases not provided for by local enactment, the law of England, as to crimes and offences, is the law of this Colony, so far as the same can be applied. Amendments, alterations and further enactments of the Imperial Parliament come into force in the Colony after twelve months from the passing thereof. Between the time of the passing of any law and its coming into force in the Colony, the law as it previously stood remains in force therein.

Evidence—All persons shall be competent and compellable to give evidence upon oath or affirmation, except a person charged in a criminal proceeding, or his or her wife or husband to give evidence for or against himself or herself. The defendant and the husband or wife of defendant is a competent witness in a summary proceeding of a criminal or other nature. Evidence of plaintiff in action of breach of promise of marriage, must be corroborated, and also in actions by or against representatives of a decased person or person of unsound mind, the evidence of any opposite or interested party shall be corroborated by some other material evidence.

1

Execution—In the Supreme Court execution may issue forthwith after judgment for the payment of money or costs, or for the recovery of land, and in other cases upon expiration of fourteen days from the date of judgment, unless otherwise ordered. A writ of execution, if unexecuted, shall remain in force for one year only from its issue, unless renewed. In the District Court execution may issue forthwith.

Exemptions—The following property is exempt from distress by the common law, namely: Fixtures, animals fere nature, goods delivered to a person in the way of trade, things in actual use and goods in the custody of the law.

The working tools and implements of trade of any person, his fishing skiff or punt, the necessary cooking apparatus, the bedding and wearing apparel of himself and his family shall not in any case be liable to or be taken under attachment or execution.

Fraudulent Conveyances—Every charge, mortgage, conveyance, grant, or assignment of the property or effects of an insolvent, or of any part thereof, and every gift, delivery or transfer of any of his goods or chattels, and every payment made by him in money or otherwise, and every cognovit, warrant of attorney, judgment or other security whatsoever paid, made or given by an insolvent within two months prior to his declared insolvency, and with a view to give an undue preference to any creditor, shall be declared to be null and void and of no effect in case the person taking or receiving the same, or for whose benefit the same was taken or received, had notice or was aware of the insolvency.

Game Laws—Willow Grouse (Partridge) and other Grouse—Close time for taking birds and eggs, Jan. 12 to Sept. 15; for sale, Jan. 22 to Sept. 15. Suipe, Curlew, Plover, and other migratory birds (except Wild Geese)—Close time for birds and eggs, Jan. 12 to Aug. 20. Otters and Beavers—April 1 to October 1. Rabits and Hares—March 1 to Sept. 15. Moose and Elk—Preserved until Jan. 1st, 1906. Cariboa—Close times, 1st February to 15th of July, 7th October to 20th October; persons not domiciled in the Colony require caribou license, fee \$100 (Officers of British warships stationed on coast exempted); three stags and two does only to be killed; antlers, etc., must be entered at customs for exportation, with an affidavit that they are not exported for sale. Trout, Char, Whitefish, Land-Locked Salmon, etc., in any lake, river or stream—Close time, 10th September to 15th January.

Garnishment—So often as any goods, debts or effects of any defendant in any action have been attached in the hands of any third person, such goods, debts or effects shall be paid into Court or delivered to the Sheriff, as the case may be, to abide the order of the Court, upon proof before the Court or Judge of the nature and amount of such goods, debts or effects. Third persons holding the moneys or effects of a debtor may be garnisheed under a writ of attachment or under a writ of *fieri facias*.

Imprisonment for Debt-No person shall be arrested and held to bail in civil actions on either original or final process, except in the cases men oned under the heading "Arrest for Debt."

Insolvency-Procedure is by petition of the debtor himself or of a creditor, addressed to the Supreme Court or a Judge thereof, setting forth that the debtor is unable to pay his creditors one hundred cents to the dollar, and having attached to it, where the debtor is the petitioner. a schedule of assets and liabilities; and where the creditor is the peti-tioner, either a similar schedule or a statement of facts sufficient to satisfy the Court or Judge that an order for hearing should be made. The petition must also have attached to it an affidavit verifying its contents and those of the schedule, if any. Upon the hearing, the debtor may be declared insolvent, and his estate vested in a trustee or trustees for realization and distribution. The Court or a Judge may subsequently grant the debtor a certificate of insolvency and discharge. An arrangement or composition entered into by the debtor and two-thirds in number and value of his creditors resident or having a house of business in Newfoundland, and of two thirds of his creditors elsewhere, or of threefourths in number and value of the whole of such creditors, may be confirmed by the Court or Judge, and has the same effect, when so confirmed, as a certificate of final discharge. The working tools and implements of trade of any person, his fishing skiff or punt, the necessary cooking apparatus, the bedding and wearing apparel of himself and family, shall not pass to or vest in the trustee.

Interest-Interest is allowed on written agreements, and on accounts when notice is given that the interest would be charged. usual rate is six per cent., and this is allowed except when under an agreement another rate is provided for. Under a writ of *fieri facias*,

Judgments-Where defendant does not defend, judgment may be entered in the Supreme Court four or eight days (according to the place of residence of defendant) after service of the writ in the action. The Judicature Act, Order xiv., provides for the entry of judgment in a case where a defendant appears and pleads where the Court is satisfied as to the cause of action, and that the defendant has no defence thereto on

Limitations of Actions-TWENTY YEARS-Judgments, rent upon lease under seal, bonds and other specialties, recovery of land.

SIX YEARS-Award where submission not under seal, money levied under fi. fa., actions upon the case (except slander), actions for account, trespass, debt, detinue, trover, replevin for goods or cattle, trespass quare clausum fregit, admiralty suits for seamen's wages.

FOUR YEARS-Assault, menace, battery, wounding, imprisonment. Two YEARS-Penalties, damages or sums of money by the party grieved; slander. Disabilities and acknowledgments extend the time

Married Women—A married woman can sue and be sued as if she were a *femme sole*. The law of the Colony on this point is the same as the Imperial Act of 1882, as amended by that of 1893.

Mining Laws-The Governor in Council may issue licenses to search for gold over an area not execeding one-half square mile for a period of one year from date of application. Fee, \$25. Extension for a second year, fee, \$50. The holder of such a license may obtain a twentyone years' lease to mine and work gold over an area not exceeding onequarter of a mile square. Fee, \$50 with application, and a royalty of three per cent. per annum on the gross amount of gold mined. Lessee must expend \$500 per annum, and furnish an attested account to the Surveyor-General every year. Other minerals may be searched for without license, but only samples may be taken. The finder of a lode must mark off a "mining location," not exceeding one square mile in area, by four posts of a prescribed size; he may obtain a twelve-months' license by paying a fee of \$20 and complying with certain conditions; he may obtain renewals of this license by paying increased fees and expending certain prescribed amounts on excavating; upon certain further conditions he may obtain a five-years' lease of the location and fifty acres of unoccupied surface land; and finally, upon certain other conditions,

Registration of Deeds-Instruments requiring registration must be proved by the affidavit of a subscribing witness, or of any party executing the same, or by the personal acknowledgment of a party from whom an interest passes. If executed within the Colony the affidavit or acknowledgment must be made before the Registrar, Deputy Registrar, a Judge or Commissioner of the Supreme Court, or a Justice who, in the case of an acknowledgment, shall sign a certificate of such acknowledgment on the deed. If executed out of the Colony the instrument may, if the party or witness proving it be within the Colony at the time of proof, be proved as above; otherwise it shall be proved in the same manner before a Commissioner of the Supreme Court, a Judge of a Court of Record, the Mayor or Chief Magistrate of any city or town, a Justice, a British Ambassador, Consul, Vice-consul, or Consular Agent ; and in case it be proved before a Judge or a Mayor, the attestation or acknowledgment shall be certified under the seal of the Court, city or town. In the case of the other officials, their official character shall be certified by a Notary Public.

Wills must be in writing, and must be either written and signed by the testator, or if not so written and signed, must be signed by him in the presence of a least two witnesses, who shall sign as witnesses in his presence; and if he is a marksman the will must have been first read over to or by him in the presence of the said witnesses. Incompetency of a witness to be admitted to prove a will does not per se invalidate the will. A Jegacy or devise to a witness, or to the husband or wife of a witness. Every will is revoked by marriage, except a will made in the exercise of a power of appointment, when the property appointed would not in default of appointment, when the person under the age of 17 years is invalid.

INTESTACY.—The Supreme Court grants administration to the estate and effects of any one dying intestate leaving property within the Colony. The person primarily entitled to administration is the nearest of the next of kin, but the Court will grant administration to any fit and proper person upon the consent of the persons entitled to share the estate. There is no local enactment respecting the distribution of intestate estates; the law of the Colony upon the subject being the Statutes of the Imperial Parliament made in the time of James and Charles. The Court allows to the administrator as renunceration for his services a commission, not being more than five per cent. upon the value

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INDEX TO LEGAL CARDS.

DOMINION OF CANADA.

VANCOUVER.	BRITISH COLUMBIA.	
		PAGE.
wilson & Senk	kler	xi
WINNIPEG.	MANITOBA.	
Archibald, Ma	chray & Sharpe	
ST. JOHN.	NEW BRUNSWICK.	xi
Blair, Ruel & I Weldon & McI	Blair Lean	xi
CALGARY.	NORTH-WEST TERRITORIES.	
Bangs, J. A		xi
EDMONTON.		XI
Taylor, H. C.		- 14 Mg
- of the off	***************************************	xi
HALIFAX.	NOVA SCOTIA.	
	nicholas & E.U.	
Whitman, A.	nisholm & Fullerton	xii
	ONTARIO.	xn
BARRIE.	ONTARIO,	
McCarthy, Pep	oler & McCarthy	iv
BEAVERTON.		
Gordon T. Ern	lest	iv.
HAMILTON.		14
Crerar, Crerar	& Bankier	
MacKelcan, F.	, Q.C	···· iv
Walker, W. F.	H., Q.C.	v
LONDON.		v
McEvov & Pon	ie & Purdom	v
OTTAWA.	A A A A A A A A A A A A A A A A A A A	v
Gemmill & May MacCraken, He	hune t. y anderson & McGiverin or	···· v ··· vi
Mott, Wm	Gemmell	···· vi
O'Gara, Wyld &	& Gemmell	vi

178 THE CANADIAN LAW LIST-INDEX.

TORONTO.	
Arnoldi & Johnston Barwick, Aylesworth & Franks Beatty, Blackstock, Nesbitt, Chadwick Blake, Lash & Cassels Bristol, Cawthra & Barker Cameron & Lee Clarke, Bowes, Hilton & Swabey Delamere, Recsor, English & Ross Henderson, R. B. Kerr, Macdonald, Davidson & Paterson Kingsmill, Saunders & Torrance Laiclaw, Kappele & Bicknell Macdonald, Cartwright & Garvey Maclaren, Macdonaid, Merritt & Shepl McBrady & O'Connor. McCarthy, Osler, Hoskin & Creelman Reeve, James, M., Q. C. Thomson, Henderson & Bell Watson, Smoke & Masten WoODSTOCK.	vii vii vii vii vii vii vii vii vii vii
McKay & Bicknell	······
PRINCE EDWARD CHABLOTTETOWN. Smallwood, C. R.	ISLAND,
HULL. QUEBEC,	хи
Kenny, W. R. Wright, Geo. C.	xiii
MONTREAL.	XIII
Abbott, Campbell & Meredith Atwater, Duclos & Mackie Budden, H. A. Burroughs & Burroughs Busteed & Lane Carter and Goldstein. Demers & deLorimier Dunlop, Lymon & Macpherson Greenshields & Greenshields Hall, Cross, Brown & Sharp Jacobs S. W. Lafleur & Macdougall MoGibbon, Casgrain, Ryan & Mitchell Taylor, Buchan & Lamothe White, O'Halloran & Buchanan	xiii xiii xiv xiv xiv xiv xiv xiv xiv xi
QUEBEC CITY.	xv
Belleau, Stafford & Belleau Caron, Pentland & Stuart	xvi
ST. JOHN'S. NEWFOUNDLAN	VD.
Browning, D. M Morris, E. P., Q.C.	xii xii

FOREIGN LEGAL CARDS.

AUSTRALIA. PAGE

Westgarth &	Co xviii

ENGLAND.

LONDON.

Blake,	S	. 1	7												xxviii
Bantin	g.	E	dg	ar	١.										vyvii
Hales, Redder	A	F	A	ċ	ċ	•	*	*	•	•	*	•	•	•	XXVIII

FRANCE.

ARIS.									
Barclay,	Т		,	,					xxix
Barclay,	E.			١.					vviv

UNITED STATES.

ALBANY, N.Y.		
Mead, Hatt & Palmer	vviii	
DOSTON. MASS	AAIII	
Gaston & Snow	xx	
Lead, A. H.	XX	
GEDAR RAPIDS, IA.		1
Blake, U. C.	XX	
CHARLESTON, S. C.		1
Mordecia & Gadsden	xxvi	
CHICAGO, ILL.	22.22. 4 1	
Ferguson & Goodnow	xix	
CLEVELAND, O.		l
Everett, Weed & Meals	xxiv	ł
Grossman, L.	xxiv	ł
White, Johnson, McCaslin		l
& Cannon	XXV	l
COLUMBUS, O.		l
Arnold & Morton	XXV	l
DALLAS, TEX.		l
Starling, Irish & Sabin	xxvi	
DETROIT, MICH.		
Griffin, Clark & Russell	xxi	
r ARGO, N.D.	1000	
Newman & Spaulding	xxiv	
GRAND RAPIDS, MICH		
Wylie & Clapperton	xxi	1
CARTFORD, CONN.		
Carpenter & Williams	viii	
INDIANAPOLIS, IND.		
Chambers, Pickens & Moores	xix	1
Morris, Newberger & Curtis	xix	
e)	medi	

8	LOS ANGELES, CAL.	PAGE
	Emmons & Emmons Asso-	
1	clated Law Offices	www.
1	Mortimer & Harris	xvi
	Watts, W. W. & J. R	XX
	MILLWAUKEE, WIS	
	Underwood, H. G	vyvii
	WINNEAPOLIG MINN	
	Addison & Lamb	xvi
	Addison & Lamb Fifield, Fletcher & Fifield Woodward, Hartson F New York, N.Y.	xxi
	Woodward, Hartson F	vvii
1		
I	Dowe, Murray & Hartridge.	xiii
I	Gordon, W. Seaton	xxiii
ł		
	Blackburn & McKinney	x vii
l		
l	Fuller, H. C.	viv
ľ	I HILADELPHIA, PA.	
l	Bamberger, A. J. & L. J	XXV
	LITTSBURG, PA.	
	Way & Morris	XXV
	PORTLAND, OR	48.25.9
	Emmons Associated Law	
	Offices	VVV
	KOCHESTER N V	
	Brown & Poole	xiii
	Mitchell, H. C	xiii
	Wellington, E. F.	xiv
1		
	Abbott, A. L. Grant, Lee W	xxii
	Grant, Lee W	xxii
1	JI. I AUL, MINN.	
	Morphy, Ewing & Gilbert	xxii
k	JAN J BANCISCO, CAL.	
	Cormac & Donohue : Emmons Associated Law	xvii
	Emmons Associated Law	
	Offices	xvii
h		
	McClure & Bass x	xvi
2		
	Mendenhall, M. F xx ALLEY CITY, N.D. Young G. M.	cvii
١	ALLEY CITY, N.D.	
		xiv
V	VASHINGTON D C	
	Gooch, C. J	viii
	Kenyon, J. Miller x	viii
	Anghe Dros.	viii
V	VOLCESTER, MASS.	
	Rice, King & Rice	XX

INDEX TO ADVERTISEMENTS

Bank of Hamilton (Inside back	cov	or	PAGE.
Canadian Pacific Railway Company	001	er.	100
Clowes, Wm., & Son			. 100
Carswell Company			
Downey, Alexander	•••		184
Ede & Son	••••	• • •	182
Evans, O. N			
Hanson Bros			
London Guarantee and Accident Company	• • • •	•••	xvi
Marion & Marion Provincial Trust Company of Ontario			
Richer & Desjardins			
Ridgeway, T. R	• • •	•••	182
Ross, H. J.			
Spackman & Co			
Standard Life Assurance Co			
Temperance & General Life Insurance Co			
Pheoret, C			
Cownsend, S. E			
Frust Corporation of Ontario			ii



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184

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185

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LONDON GUARANTEE & ACCIDENT

OF LONDON, . . . ENGLAND.

N. E. Corner King and Yonge Streets, TORONTO.

A. I. HUBBARD, GENERAL MANAGER.

Total Assets, - \$2,000,000

GUARANTEE OF

The Company becomes surety on Bonds of Officers and Employees of Banks, Railways, Loan Companies, Express and Telegraph Companies, and for persons in every position of trust. The Bonds of this Company are accepted by the Governments of Great Britain, Canada and Australia.

THE ONTARIO GOVERNMENT will accept the bond of this Company as security to be given by Registrars of Surrogate Courts for the due performance of their duties under the Succession Duty Act, 1592.

INSURANCE. Individual Accident. Employers' Liability Workmen's Collective Elevator Insurance.

Double Liability Accident Policies Issued giving Double Benefits while Travelling on Steam or Electric Conveyances

The London Guarantee and Accident Company, Limited, is one of the oldest Companies in the world doing the above lines of business. In financial strength it is second to none.

FOR FULL INFORMATION APPLY TO

The London Guarantee & Accident Co. Limited, TORONTO, CAN.

186

DO YOU KNOW CANADA Its Vast Mineral Wealth

Its Towns and Cities

Its Farm and Ranching Lands

Its Magnificent Scenery-Health,

Pleasure and Sporting Resorts

Its Great Railway and

. . . Steamship Lines ?

IF NOT, READ-

"British Columbia"

"Gold Fields of Cariboo and Kootenay"

"Gold Fields of New Ontario"

"To the Gold Fields of the Klondike and Yukon"

"Annotated Time Table "

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"Banff the Beautiful"

"Fishing and Shooting"

"New Highway"

"Westward to the Far East"

"Across Canada to Australasia, by

Hawaiian and Fijian Islands"

"Climates and Health Resorts of Canada"

" East to the West "

ALL OF WHICH WILL BE SENT FREE ON APPLICATION TO

C. E. McPHERSON, Asst. Genl. Pass. Agt., 1 King St. E., Toronte.

A. H. NOTMAN, Dist. Pass. Agt., St. John, N.B.

A. E. Edmunds, City Pass. Agt., 11 Fort St. W., Detroit.

E. J. Coyle, Dist. Pass. Agt., Vancouver, B.C. ROBT. KERR, Traffic Manager Lines West of Lake Superior, Winnipeg.

C. E. E USSHER, Asst. Genl. Pass. Agt., Montreal.

D. McNICOLL, Passenger Traffic Manager, Montreal

187 THE

PROVINCIAL TRUST COMPANY

Of Ontario, Limited.

CAPITAL, \$1,000,000.

OFFICES :

McKINNON BUILDINGS, MELINDA STREET,

TORONTO.

SIR RICHARD J. CARTWRIGHT, G.C.M.G., P.C. S. F. McKinnon, Esq., - PRESIDENT. - 1ST VICE-PRESIDENT. 2ND VICE-PRESIDENT. J. SCOTT, Esq.

DIRECTORS :--J. R. Barber, Georgetown : Dr. G. Sterling Ryerson, M. P. P., Rev. Donald C. Hossack, J. H. Widdifield, Sheriff of York, H. Suth-erland, R. Millichamp, Alex. Fraser, Dr. J. Orlando Orr, Toronto ; John McLaren, Brockville ; Robert Beith, M.P., Bowmanville ; H. K. Egan, Ottawa ; D. B. Maclennan, Q.C., Cornwall.

Under the approval of the Lieut. Governor in Council, the Company is accepted as a Trust Company by the High Courts of Justice, and

Executor under Will and by transfer from retiring Executor ;

Administrator in case of Intestacy or Will annexed ;

Trustee under any Deed, Will or Settlement, by Substitution or by Original Appointment;

Committee of a Lunatic's Estate: Guardian of Minor's Estate.

The Company also acts as **Agent** for any of the above appoint-ments, and transacts financial business of all kinds, including the Issuing and Countersigning of Bonds, etc ; Collection of Rents, Income, ctc. Management of Estates and Investment of Monies, etc.

Solicitors placing Business with the Company are Retained in the Professional Care thereof.

WM. BEITH.

Manager,

CLUTE, MACDONALD, MACINTOSH & McCRIMMON, General Solicitors.

Standard Life Assurance Co.

OF EDINBURGH, SCOTLAND

ESTABLISHED 1825.

HEAD OFFICE IN CANADA: MONTREAL

Total Assurance	e	-	-	\$117,000,000
Total Funds	-	-	-	41,000,000
Investments in	Ca	inad	lα	13,500,000
Annual Income	-	-	-	5,500,000

Low Rates, Absolute Security Unconditional Policies.

Claims settled in Montreal IMMEDIATELY on satisfactory proof of death and title being given.

J. HUTTON BALFOUR, Superintendent.

W. M. RAMSAY, Manager for Canada.

188 **THE**

BANK OF HAMILTON,

HAMILTON, CANADA

CAPITAL, ALL PAID UP, \$1,250,000 - RESERVE, \$725,000.

BRANCHES :

Alliston, Berlin, Carman, Man., Chesley, Georgetown,

GRIMSBY,	LISTOWEL,
HAMILTON-	LUCKNOW,
Head Office,	MANITOU, MAN.
Barton St. Branch	MILTON.
East end "	ORANGEVILLE,
WINNIPE	G, MAN.

 DWEL,
 PORT ELGIN,

 NOW,
 SIMCOE,

 ITOU,
 MAN.
 OWEN SOUND,

 ON,
 TORONTO,

 GEVILLE,
 WINGHAM,

CORRESPONDENTS IN UNITED STATES :

NEW YORK — Fourth National Bank and Hanover National Bank BUFFALO—Marine Bank of Buffalo BOSTON—International Trust Company DETROIT—Detroit National Bank CHICAGO—Union National Bank KANSAS CITY—National Bank of Commerce MINNEAPOLIS—North-western National Bk

CORRESPONDENTS IN BRITAIN : National Provincial Bank of England, Ltd.

COLLECTIONS EFFECTED

At all parts of the Dominion of Canada at Lowest Rates. Careful Attention Given and Prompt Returns Made. Savings Banks at all Offices.

FINANCIAL BUSINESS ATTENDED TO - CORRESPONDENCE INVITED.

J. TURNBULL, CASHIER.

THE TRUSTS CORPORATION

OF ONTARIO

OFFICES AND SAFE DEPOSIT VAULTS TORONTO CAPITAL, - - - \$1,000,000

1.

President, Hon. J. C. AIKINS, P.C. Vice-President, - Non. S. C. WOOD. General Solicitors, BANWICK, AVLESWORTH & FRANKS.

Acts as Exocutor, Administrator, Tranton, Hito. (HERE PRONT INSIDE COVERE) A.E. PLEIMINGER, Manager.