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CONSOLIDATED REGULATIONS

OF

ONTARIO, 1950



A REVISION AND CONSOLIDATION OF REGULATIONS
PUBLISHED UNDER THE AUTHORITY OF
THE REGULATIONS CONSOLIDATION ACT, 1949

Volume 3



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VOLUME 3

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APPENDIX

BEING AN UNOFFICIAL CONSOLIDATION OF PUBLIC GENERAL REGULATIONS WHICH ARE NOT INCLUDED IN THE CONSOLIDATED REGULATIONS OF ONTARIO, 1950, AS CONTAINED IN VOLUMES 1 AND 2.

(Reference to the official publication in The Ontario Gazette is given at the commencement of each set of regulations.

For convenience of reference the regulations appearing in this unofficial consolidation are numbered in the same series as those in the official Consolidation.

Regulations revoked after December 31st, 1950, and prior to the publication of this volume are not included but reference is made thereto in the general index.)

Regulations 373

(Ontario Regulations 262/44)

RULES MADE BY THE RULES COMMITTEE UNDER THE ACTIVE SERVICE MORATORIUM ACT, 1943

APPLICATION UNDER THE ACTIVE SERVICE MORATORIUM ACT, 1943

IN THE MATTER OF an action or proceeding in the

Court of
BETWEEN:

(Mortgagee or Vendor)
and

(Mortgagor or Purchaser or Guarantor)

I, of the of in the County of apply for a stay (or a postponement) of the action or proceeding.

I am a member of (or, I am a dependent of)

(Give full name of member)

who is a member of)
Branch of Service of the Member of the Forces
Rank No.
Date of Enlistment
Address of member while on service

The following are the particulars:

1. Location of property in question
2. Nature of property (residential, business or farm)
3. Name of present owner of property
4. State whether the member of the Forces is liable as purchaser, mortgagor or guarantor
5. Date of purchase of property
6. Amount of purchase price \$
- Cash payment \$
7. Present value of property \$
8. If proceeding is on a mortgage, date of mortgage
9. Original amount of mortgage \$
- Rate of interest %
10. Amount or principal now outstanding \$
11. Amount of principal overdue \$
12. Amount of interest overdue \$
13. When was last payment made on either principal or interest ?
- Amount paid \$
14. Amount of yearly taxes on property \$
15. Arrears of taxes (if any) \$
16. Amount for which buildings insured \$
17. Are insurance premiums in arrears?
18. Particulars of any other mortgage, lien, charge, execution or other encumbrance

19. Is the mortgage or purchase agreement in question the first charge?
20. Who are the present occupants of the property?
21. Is this the ordinary residence of the member of the Forces?
22. If any business or trade or farming is carried on upon the premises, what is its nature, and by whom is it carried on?
23. Is the property, or any part of it, rented?
24. What is the rental?
25. Is rent in arrear, and if so, for how long?
26. What was the occupation of the member of the Forces prior to enlistment?
27. What was his income prior to enlistment, with particulars?
28. Rate of pay of the member of the Forces per month, including all allowances \$
29. Amount of pay assigned \$
30. Amount of separation or dependent's allowances, including children's allowances, per month \$
31. Other income, if any, of dependents, with particulars
32. Other income, if any, of the member of the Forces, with particulars
33. If applicant is a dependent, state relationship and occupation, if any, of dependent
34. Does applicant, if a dependent, actually reside upon the property in question?
35. If applicant is a guarantor, and not the person primarily liable, state nature of his interest and liability
36. What is the nature of the action or proceeding commenced or continued?
37. In what Court is the action or proceeding?
38. When was the action or proceeding commenced?
39. On what terms and conditions is relief asked?
40. Will periodical or other payment be made on account, and if so, how much \$
41. For what period is a stay or postponement of the action or proceeding requested?
42. If the applicant is a dependent, give address
43. Statement of Assets—(This shall include chattels of all kinds, cash in bank, securities and any property of any kind):
 (a) Of the member of the forces

(b) Of dependent
.....
.....

Dated at this
day of A.D. 194.....

Signature of Applicant.

AFFIDAVIT VERIFYING APPLICATION

I,
(Name of applicant)
named in the within application, make oath and say:—

That the facts set out herein are to the best of my
knowledge and belief, true.

Sworn before me at the..... }
of..... in the }
..... of..... }
this..... day of..... }
194... }

A Commissioner for taking affidavits.

This application should be presented to the judge
of the county or district court except in the Counties
of York and Carleton where it shall be presented to the
Master and local Master respectively.

Regulations 374

(Ontario Regulations 66/44)

REGULATIONS MADE UNDER THE AGRICULTURAL SOCIETIES ACT, 1939

CONDUCT OF EXHIBITION

1. When any society permits during the holding of its annual exhibition on the lands on which such exhibition is held any of the following,—

- (a) any gypsy to operate;
- (b) fortune-telling or palmistry reading except when the moneys obtained for such fortune-telling or palmistry reading are for charitable or philanthropic purposes;
- (c) any kind of slot machine;
- (d) "high pitch men" who operate "jam auctions";
- (e) any of the following games:
 - dice, crown and anchor, shell roll-downs, bucket, three-card monty, disc, swing ball, punch board, coin table, money wheels, nail games, or any game which involves the tossing of coins;
- (f) any game for which no prize is given;
- (g) doubling or pyramiding of prizes won at any game;
- (h) a charge of over twenty-five cents for any game;
- (i) the operator of any game to re-purchase any prize won by a player at such a game;
- (j) indecent burlesque shows including muscular dancing;
- (k) any newspaper or magazine subscription agents except local persons known to the officers of the society;

such society may have its claim to receive a grant under the provisions of section 24 of *The Agricultural Societies Act, 1939*, forfeited for the next ensuing year.

RENTAL OF SPACE

2. Every society that during the holding of the annual exhibition of the society rents space on its lands and premises for circus, theatrical and acrobatic performances, shows and exhibitions and for other similar forms of attraction and, subject to the provisions of section 1 of these regulations, for any game of chance shall collect the amount charged for such space before the space is occupied by any lessee provided that the provisions of this section shall not apply when a society rents its space to a lessee that has five or more separate attractions, including at least one mechanical ride.

PRIZE MONEYS

3. Every society that has awarded and paid in prize moneys for horse races, running races and trials of speed in any year an amount, less the entry fees for the same, greater than twenty-five per centum of the total amount of moneys awarded and paid in prize moneys for agricultural purposes in the same year by such society in connection with the holding of its annual exhibition, may have the amount of the grant it would otherwise be entitled to receive under the provisions of *The Agricultural Societies Act, 1939*, reduced by twenty per centum during the next ensuing year.

DUTIES OF SECRETARY

4. Every society shall cause the secretary or some other officer specially charged with such duty, to keep a book or books wherein shall be recorded,—

- (a) copy of the deed, if any, and other title papers to the lands and premises of such society;
- (b) copy of the minutes, resolutions and by-laws of such society;
- (c) statement of the receipts and expenditures of such society including the auditor's reports;
- (d) names and addresses of the directors and other officers of such society from year to year;
- (e) the names and addresses of the persons from year to year who have become members of such society for a period of at least five years from the year such persons became members of such society;
- (f) a list of the prize moneys awarded and paid by such society, including the names and addresses of the persons to whom the prize moneys were paid, for a period of at least five years from the date such prize moneys were awarded and paid.

DUTIES OF OFFICERS

5. It shall be the duty of the officers of every society to observe and carry out the provisions of the Act and these regulations.

COMMENCEMENT

6. Sections 1, 2, 4 and 5 of these regulations shall come into force on the day upon which these regulations are approved by Order-in-Council, and section 3 of these regulations shall come into force on the first day of July, 1940.

Regulations 375

(Ontario Regulations 285/44)

REGULATIONS MADE UPON THE RECOMMENDATION OF THE PROVINCIAL SECRETARY UNDER THE ANDREW MERCER REFORMATORY ACT

The following rules and regulations supersede all former rules and regulations governing the Andrew Mercer Reformatory and its industries.

INTERPRETATION

1. When the words following occur they shall be construed in the manner hereinafter mentioned unless a contrary intention appears.

- (a) "Institution" shall mean The Andrew Mercer Reformatory for Females, established under *The Andrew Mercer Reformatory Act*, Chapter 383, R.S.O. 1937.
- (b) "Minister" shall mean the member of the Executive Council in charge of the Reformatories and Industrial Farms.
- (c) "Deputy Minister" shall mean the official under the direction of and on behalf of the Minister in charge of Reformatories and Industrial Farms.
- (d) "Superintendent" shall mean the chief administrative officer of The Andrew Mercer Reformatory.
- (e) "Inmate" shall mean one who has been regularly committed to the Mercer Reformatory or transferred thereto on a warrant of an officer authorized by the Lieutenant-Governor in that behalf or the officer designated in accordance with section 10, subsection 1, of *The Public Institutions Inspection Act*, Chapter 380, 1937.
- (f) "Hospital" shall mean such portion or portions of the buildings as may be set apart for the care of those inmates who may be physically or mentally ill.
- (g) "Rules and regulations" shall mean the rules and regulations approved by the Lieutenant-Governor in Council.

APPOINTMENT OF OFFICERS AND EMPLOYEES

2. The Minister, subject to Statutes and regulations, pertaining to the Public Service, shall appoint such officers and employees as he may consider necessary.

OFFICES

3. The location of all offices and quarters for officers, employees and inmates in the various buildings of the institution shall be made subject to the direction of the Deputy Minister.

SUPERINTENDENT

4. The Superintendent shall be the chief administrative officer and as such is responsible for the detailed

management, custodial care, government and discipline of the inmates and the direction of all officers, and employees of the institution.

5. She shall be guided by the Statutes relating to the institution, the rules and regulations and such special instructions which may be prescribed by the Minister or Deputy Minister.

6. The Superintendent shall, subject to these rules and regulations, issue to the officers and employees such special directions as may be necessary for the governing and discipline of the institution; the assignment of attendants' and inmates' duties and hours of same; the procedure to be followed on the admission, parole or discharge of inmates; the care and distribution of inmates' clothing, bedding and effects, correspondence of inmates, the visiting of inmates by friends; the purchase of supplies and materials; the direction of all industrial operations and the keeping of such custodial records, garden and industrial accounts as directed from time to time by the Deputy Minister. When assigning attendants for duty the Superintendent shall take into consideration the previous experience of such attendants and their qualifications for the duty to which they may be assigned.

7. The Superintendent shall, with her family, be required to reside on the premises but shall not use the institution labour (except for purposes specified by the Deputy Minister) nor shall she use the services of any officer, employee or inmate of the institution for her private advantage.

8. The Superintendent is responsible for the custodial care of the inmates, that they are otherwise properly cared for, that good discipline is maintained, that all officers and employees properly carry out their duties and that all inmates perform the proper amount and quality of work.

9. The Superintendent is responsible for the exercising of strict economy in the purchase of supplies and materials and the use of such supplies and materials for the institution.

10. It is the duty of the Superintendent to see that all rules and regulations are firmly and impartially enforced. She shall grant no privileges to any inmate that cannot be earned by each and every inmate under like conditions.

11. The Superintendent shall not absent herself from the institution for more than twelve hours without giving notice to the Deputy Minister nor shall she be absent herself from duty for more than twenty-four hours without leave of absence or, in the case of sickness, reporting herself sick to the Deputy Minister. On all occasions of her absence she shall leave senior attendant or such other officer as may be designated by the Deputy Minister, in charge, who shall perform all her duties and be subject to her responsibilities, but

it will be the duty of such officer to reserve for the Superintendent's consideration all important matters that do not demand immediate settlement. Should an extraordinary emergency arise reference will at once be made to the Deputy Minister.

12. When a subordinate officer or employee of the institution is found by the Superintendent to be unfit for his or her duties or defective in moral character or who has been guilty of neglect of duty, disobedience of orders, or who has otherwise violated the rules and regulations, it shall be the duty of the Superintendent to report the case to the Deputy Minister, suspending such officer or employee from all duty pending the Deputy Minister's investigation into the case. The Superintendent shall not, however, summarily dismiss any officer or employee without such investigation. When an officer or employee is so suspended, from the date of such suspension no wages accruing or in arrears will be paid to him or her, as he is held liable to fine under the Deputy Minister's authority.

13. The Superintendent shall consider it her duty to make herself acquainted with the social habits and conduct of every officer and employee of the institution, particularly whether when off duty he or she is a frequenter of places of ill repute or associates with idle or loose characters, reporting the facts to the Deputy Minister. When such are known to be the habits of any officer or employee it shall in every case be sufficient grounds for suspension.

14. The Superintendent shall use every means in her power to forward the reclamation of the inmates under her charge. She shall see that they attend divine service regularly or such religious meetings as may be held for their benefit and instruction and that such as are deficient attend such classes as are provided and shall facilitate their communication with clergymen of their respective denomination for religious instruction. She shall see that the books of the library are regularly issued to those entitled to their use and that morality and decorum characterize their behaviour.

15. The Superintendent shall cause a complete inventory to be made of all property, clothing or money found on the person of an inmate in the Inmates Effects Book; on arrival the money, if any be found, and the effects to be handed to an officer designated for such duty for safe keeping and shall see that same, with the effects, is restored to the inmate on her discharge or parole.

16. Upon the serious illness of an inmate the Superintendent shall notify a clergyman, preferably of the denomination to which the inmate may belong, and shall consult the wishes of the inmate as to any particular person she may desire to see. Upon the death of an inmate she shall at once report to the Deputy Minister in writing, giving particulars as to name, sentence, where from, duration of illness, nature of disease, etc., and shall use all reasonable means to inform the nearest relations of the deceased and shall record the facts in the register. She shall notify the coroner and facilitate any investigation or inquest the coroner may wish to hold, sending a copy of the verdict of the coroner's jury to the Deputy Minister. In the case of the escape of an inmate she shall immediately give information to the Deputy Minister, to the Provincial Police and to the chief constables of the neighbouring cities and towns, giving a full description of the escaped

person and shall take such other steps as may be necessary to effect her recapture.

17. When an inmate's term of sentence expires the Superintendent, with the approval of the Deputy Minister, may give instructions for transportation to be provided for her to enable her to return to her home.

18. The Superintendent may at the time of the parole or discharge of an inmate, give such inmate a gratuity to assist in her re-establishment as a good citizen. Such gratuity shall not exceed \$2.00 for each month of imprisonment of the inmate in the institution and not in any case to exceed a total of \$20.00.

19. The Superintendent shall cause to be kept the following records:

- (1) A Register, containing the names and descriptive details relating to the inmate, nature of offence, term of sentence, etc.
- (2) A Punishment Book, showing the nature of offence and extent of the punishment awarded.
- (3) An Inmates' Effects Book.
- (4) An Inmates' Labour Distribution Record.
- (5) An Officers' Misconduct Book.
- (6) A record containing every complaint made by an inmate of alleged cruel or unjust treatment by an officer or employee.
- (7) An Inmates' Visiting Book.
- (8) An Inmates' Correspondence Book.
- (9) Such other records as may from time to time be directed by the Deputy Minister.

20. The Superintendent shall make the following returns to the Deputy Minister, namely:

(1) A daily return which shall be known as the "Prisoners' Daily Log" containing the names and register numbers of all prisoners admitted, paroled, transferred or discharged, also serious illness or accident, deaths, punishments, escapes, transfers and all other occurrences of importance concerning the inmates of the institution.

(2) An annual report for the year ending the 31st of March showing the operations and workings of the institution for the year and containing such statistical tables and other information as may be required by the Deputy Minister.

(3) Such other returns as may be directed from time to time by the Deputy Minister.

21. The Superintendent is responsible for the uniform clothing supplied to the officers. Upon her order, with the approval of the Deputy Minister, each officer required to wear the official uniform shall receive the official uniform and such other outer clothing as the Superintendent considers necessary for the work to which that officer has been assigned. Such uniform and clothing is the property of the institution and the officer who receives it is required to pay a perquisite

charge as determined by the Civil Service Commissioner of Ontario. All uniforms shall be of such design and of such material as may be directed by the Deputy Minister. All repairing of such uniform and clothing is to be done at the institution and where necessary because of carelessness or wilful acts of any officer she shall pay the cost of the necessary repair or replacement. No civilian clothing shall be supplied under any condition.

22. Upon the admission of an inmate to the institution the Superintendent is responsible for having the inmate clothed as prescribed by the Deputy Minister. She is responsible for having the inmate's personal clothing cleaned and properly taken care of and restored to the inmate at the time of her parole or discharge from the institution. It is the duty of the inmate or her friends or relatives to see that she is properly clothed at the time of her discharge or parole from the institution, but if proper clothing is not provided the Superintendent may from the stores of the institution issue for the inmate's use such clothing as she may consider necessary.

23. In deciding punishment of inmates she shall take into consideration the age, previous condition, history, habits, environment, disposition, mental capacity and probable provocation for the offence and she shall take great care to deprive her recommendation of even the appearance of vindictiveness even though there may be great provocation.

24. The superintendent is responsible for the proper requisitioning from the institution stores of such material and supplies as are required by the various departments.

25. The Deputy Minister will issue instructions from time to time regarding the maintenance and accounting of the institution and more particularly with respect to the issuing of requisitions and the purchase of provisions, materials and supplies.

MEDICAL OFFICER

26. The medical officer who shall be a fully qualified medical practitioner, duly appointed, shall control and direct the medical and surgical treatment of all inmates.

27. He shall, subject to these rules and regulations and the instructions of the Superintendent, have full control of the hospital, and the officers and employees detailed to hospital duty.

28. He shall examine every inmate at the time of her admission and the findings of his physical examination shall be recorded on a prescribed form. A summary of these findings shall also be recorded on a prescribed form. He shall observe the mental condition and personality of the inmate and, where it is obvious that the inmate should receive mental examination, he shall refer the case to the visiting psychiatrist. In addition to filling in the data on the prescribed form, he shall confirm from the Clerk of Records the inmate's name, her parents and next of kin, date of entrance, nationality and race.

29. Wherever indicated as soon after the prisoner's admission as possible, the medical officer will undertake vaccination and immunization. These treatments, together with laboratory findings, will be recorded on the prescribed form.

30. He shall observe such special directions as may be issued from time to time by the Deputy Minister regarding the record to be kept relating to the mental and physical condition of the inmate and shall conduct or cause to be conducted such correspondence with respect thereto, as will enable him to compile a full and complete clinical history of such inmates.

31. He shall keep a record of all admissions to and discharges from the institution hospital or any other special hospital and of all cases treated by him with name, number and the diagnosis and treatment, with such observations as may assist in forming a perfect record of each patient. In the event of a patient being transferred to any other institution for treatment or observation the medical officer, on the patient's return, shall obtain a record covering the period of absence from the institution and see to it that it forms part of the institution records. It will also be the duty of the medical officer to see that the nurse or officer in charge of the hospital opens a clinical chart on each inmate who is placed in bed in the hospital wards, or in an emergency hospital ward.

32. He shall make a written report daily to the Superintendent of the attendance at the sick parade in the morning and of the disposition made of those reported sick. He shall also make a written report to the Superintendent of all admissions to and discharges from the hospital.

33. The medical officer shall at least once a week and also whenever requested by the Superintendent, inspect all the dormitories, cells, and other rooms used by the inmates as to their cleanliness and ventilation and sanitary condition and report their condition in writing to the Superintendent. Three copies of this report shall be made and once a month a copy of each of these reports shall be sent to the Department marked "Attention of the Medical Inspector."

34. He shall take the necessary action to insure a wholesome water supply, and proper disposal of sewage, so as not to endanger the health of the inmates.

35. He shall, at least once a week, and whenever requested by the Superintendent, examine the quality of the provisions and condition of the food provided for the inmates. He shall also examine the place or places of preparation and the place of storage of this food prior to its being served. Whenever he finds that any provisions are unwholesome or that the food is insufficient or, for any reason, prejudicial to health, he shall immediately make a report thereon in writing to the Superintendent.

36. In case an inmate claims to be unable to work by reason of sickness or other disability, the medical officer shall examine such inmate. If, in his opinion, such inmate is unfit to work or if her occupation should be changed, he shall immediately certify on the usual daily report or as indicated, the fact to the Superintendent. Such inmate shall thereupon be released from work or have her occupation changed or be admitted to the hospital or elsewhere for medical treatment, as the medical officer shall direct, having due regard for the safekeeping of such inmate. When he certifies that such inmate has sufficiently recovered to be able to work, the inmate may be required to do so. The medical officer shall indicate which type of work, in his opinion, the inmate is fit to do and will consult

with the officer in charge of allotting work concerning the precise nature of the intended work.

37. Whenever an inmate is injured, whatever may have been the cause, it shall be the duty of the medical officer to examine her injuries carefully, prescribe whatever treatment is deemed advisable, including hospitalization if necessary. He shall immediately report the nature of the injury and its cause in writing on the prescribed form directly to the Superintendent and in her absence to the officer in charge.

38. He shall whenever requested to do so by the Superintendent make a careful examination of any inmate and make a written report of her physical and mental condition.

39. Whenever an inmate, in the opinion of the medical officer, becomes mentally ill, he shall certify the fact to the Superintendent and make a full statement of the mental and physical condition of the inmate, together with his opinion as to what disposition should be made of her case.

40. Should the medical officer observe that an inmate is seriously ill, he shall notify the Superintendent or the officer in charge in order that the inmate's relatives may be notified.

41. Whenever an inmate dies, the medical officer shall record the cause of death and all circumstances connected therewith forwarding together with all medical documents, to the Superintendent for her permanent record.

42. In cases where an inmate attempts suicide, it shall be the duty of the medical officer to notify the Superintendent and arrange for this inmate to receive a mental examination by the consulting psychiatrist prior to any criminal charges being laid.

43. In the event of the death of an inmate, the medical officer shall call the coroner of the county or district and discuss the circumstances of the case with him, recording and carrying out the instructions of such coroner.

44. The medical officer shall be assigned such officers, including a qualified nurse, for hospital duty as may be necessary to care properly for the sick and he shall also be assigned such clerical help as may be necessary to assist him in performing the duties herein prescribed.

45. He shall keep such books and clinical records and in such form as may be ordered by the Deputy Minister. Such books and records shall be at all times subject to examination by the Deputy Minister and the Superintendent.

46. He shall report in writing to the Superintendent for the information of the Deputy Minister the names of the inmates received into the hospital or treated in the cells or elsewhere during the preceding month, stating their respective ages, diseases, previous occupations in the institution, the time they remained in the hospital, cells, or dormitories, the date of commencement and termination of treatment, and number of days during which such patients, in consequence of sickness, have been relieved from work. Also the deaths and cause thereof, transfers to Ontario mental

hospitals and such other facts with any recommendations he desires to submit.

47. At the close of each year the medical officer shall make a report to the Deputy Minister in which he shall present, in summarized form, a complete history of the operations of his office during the year and such other information as may be required of him.

48. It will be the duty of the medical officer to keep a record showing the amount of opium or its derivatives delivered to his department and the dates of such deliveries; the amounts prescribed from time to time and the person for whom it is prescribed by his written order. It will also be his duty to check this record monthly, reporting any irregularities to the Superintendent.

SENIOR ATTENDANT

49. The senior attendant is the assistant and agent of the Superintendent in the governing and management of the institution, more particularly in securing compliance with its rules and regulations by the subordinate officers, employees and inmates.

50. She shall be present from the hour of unlocking in the morning until after the inmates have been locked up at night, unless leave of absence has been granted by the Superintendent.

51. She shall, unless otherwise arranged by the Deputy Minister, in the absence of the Superintendent, perform her duties.

52. She shall carry out all special instructions issued by the Superintendent for the government and discipline of the inmates and the officials in charge, and, subject to the directions of the Superintendent, and to these rules and regulations, shall have special control and direction of the disciplinary officers, guards and other employees and shall be held responsible for the manner in which each performs her respective duties. It shall be her duty to enforce obedience to the rules and regulations, and she shall report to the Superintendent strictly and promptly every neglect of duty, impropriety and misconduct or violation of the rules on the part of every officer, employee or inmate.

53. The senior attendant is responsible that the working gangs are paraded at proper hours and marched off to their various places of employment; that the gangs are mustered and counted at each meal and before locking up at night, so that each inmate may be accounted for properly. In enforcing the provisions of this section the senior attendant, with the approval of the Superintendent, may exempt therefrom any inmate for the use of whose services on special work outside of the regular working hours a permit has been issued by the Superintendent or senior attendant.

54. She shall furnish a report to the cook daily showing the number of officers, employees and inmates of the institution to whom meals have to be served.

55. She is responsible for the preservation of cleanliness and order in every part of the buildings, and shall see that the persons of the inmates, their clothing, bedding, dormitories and cells are clean and well kept. She shall see that no cutting, writing or mark of any kind (except the necessary institution marks) is allowed

to remain on the furniture or walls or on anything belonging to the institution buildings.

56. The senior attendant is responsible for the security of the buildings and shall see that the following rules are observed:

(1) That the locks are secure and in good order.

(2) That the entrance doors shall never be left open or a key in any lock, and that the keys are in the custody of the person in charge at all times.

(3) That before an attendant enters a cell or dormitory while any inmate is in the corridors the bolt shall be shot and the keys shall be removed, so that the door cannot be closed upon her.

(4) That she or any officer deputed by her shall once a day at least examine all doors, corridor grilles and each window grating.

(5) That all implements, ladders or materials of work calculated to facilitate escape shall be carefully collected and placed so that any inmate may not use them to escape or for other improper purposes.

(6) That all dormitories, cells, furniture and bedding therein shall be carefully searched at irregular intervals to see that no improper articles are concealed.

(7) That all orders issued by the Superintendent regarding the custody of keys shall be observed.

57. In assigning an inmate to work she shall be guided by the physical and mental condition, previous occupation, skill and criminal record of the inmate, and the requirements of the institution.

58. She shall every evening before relieving the attendants from duty verify by actual count the written daily count report furnished her by the officer in charge of custodial records.

59. Since the law gives to inmates the privilege of earning diminution of their sentences for good behaviour, it is necessary for all officers of the institution to observe closely the behaviour of every inmate under their charge, and it is especially necessary for the senior attendant to so inform herself as to the industry and behaviour of every inmate that she can, when called upon by the Superintendent to do so, make a full and correct report of the same. For the purpose of obtaining this information she should communicate freely with every officer and employee in charge of inmates at such times as she may think proper.

60. The senior attendant shall carefully investigate all reports of offences committed by inmates and in making these investigations she shall earnestly endeavour to ascertain all the facts. She shall make a report daily or more often, if necessary, to the Superintendent of all inmates so reported to her, the nature of the offence and the result of her investigation.

61. She shall not entertain a complaint made by one officer against another, or by an officer against an inmate, unless the complaint is stated in writing. She shall make an exhaustive investigation of every such complaint and report the facts, together with all evidence relating thereto to the Superintendent for con-

sideration and disposition. Where the complaint is made against the senior attendant, the Superintendent shall make the investigation and direct the disposition of the complaint.

62. When an inmate is taken ill or is injured, the officer in charge shall report at once to the senior attendant. She shall advise the medical officer and nurse, and in all cases of illness or injury, she shall make written reports on the progress of the patient to the Superintendent.

63. Officers and members of the staff who are taken ill or are injured shall report or be reported to the senior attendant. She shall call the medical officer and nurse, or, if requested by the patient, her own physician, and report the case to the Superintendent. On the patient's return to duty, she shall see that a certificate is provided in accordance with the regulations of the Civil Service Commissioner.

64. She shall supervise and direct the bathing and dressing of each inmate upon admission, and shall, with the approval of the Superintendent, assign her to a place in a dormitory or corridor.

NIGHT ATTENDANT

65. She shall, under the direction of the Superintendent or senior attendant, have control of the night staff and the supervision of the institution during her hours of duty.

66. She shall lose no time in communicating to the Superintendent, senior attendant, or medical officer every circumstance which may come to her knowledge affecting the custody, safety and health of the inmates or of the officers and staff who may require attention.

67. She shall on reporting for duty, at all times during the night and before going off duty, ascertain by actual observation that all inmates are present according to the official count.

68. The watchman's clock shall be checked at such times as may be directed by the Superintendent. Any tampering with the watchman's clock by an attendant to prevent its recording her inattention to duty shall be deemed good cause for her dismissal.

69. It shall be the duty of each night attendant, immediately on coming on duty, to carefully examine the door of each cell or dormitory to see that it is secure and not tampered with.

70. It shall be the duty of the night attendants in corridors during the night to keep patrolling in such manner as to have every portion of the cells or dormitory under observation. They shall move noiselessly, closely observing the doors on passing, stopping frequently and listening in the event of any noise such as filing bars or other indications of attempt to escape, betraying themselves. Upon the inspection of the doors on a night attendant coming on duty, she shall see that the inmate is in the cell or that the required number of inmates are in the dormitories, assuring herself by what she sees that they are real living persons.

71. The hours of night duty shall be such as are fixed from time to time by the Superintendent.

CLERK OF RECORDS AND STENOGRAPHER

72. The clerk of records and stenographer shall, under the direction of the Superintendent, have charge of all official correspondence.

73. She shall be responsible for the safe keeping and orderly arrangement of all documents of every kind that may be confided to her care.

74. She shall keep all books and records pertaining to the admission, custody and discharge of inmates, and all correspondence in connection therewith, and of all correspondence relating to inmates.

75. She shall supervise the filing of all records pertaining to the inmates, and give due attention to any other matters relating especially to inmates.

76. She is also required to prepare, under the supervision of the Superintendent, the statistics concerning the inmates required for the annual report to the Deputy Minister.

77. She shall furnish or cause to be furnished, as specified by the Superintendent, a daily count report, which shall accurately show the number of inmates that must be accounted for at the evening count.

THE STEWARD

78. Under the direction of the Superintendent the steward shall be responsible for the proper keeping of all accounts of the maintenance, construction, industrial operations and all other accounts of the institution; of the receipt and expenditure of money in any way whatsoever pertaining to the institution and he shall prepare such statements, balance sheets, cost reports, etc., and carry on such system of accounting as may be directed by the Deputy Minister.

79. He shall be responsible for the general efficiency of the clerks assigned to assist him.

80. He shall perform such other duties as designated by the Superintendent.

81. In all cases the books, accounts, statements, balance sheets, cost reports, etc., of the institution shall be open to inspection at the institution by an officer designated by the Minister under *The Public Institutions Inspection Act*, Chapter 380, R.S.O. 1937.

STOREKEEPER

82. The storekeeper shall be responsible to the Superintendent for the general condition of the store rooms and the stocks under his charge.

83. He shall, under the direction of the Superintendent, have charge of all merchandise purchased, also raw materials and finished products pertaining to any industry of the institution.

84. He shall keep a stock card or record as approved by the Deputy Minister and Audit Office, of each item of merchandise or products. He shall enter on this record form all receipts and withdrawals, the source of supply and the authority for withdrawal.

85. He shall from time to time, as required by the Deputy Minister or Superintendent, compile detailed

stock sheets or data, and he shall periodically check his stocks to see that they agree with his stock record.

86. He shall see that a requisition is received, approved by the Superintendent, or other official authorized by the Superintendent, for every item issued from the stores.

87. He shall check and certify quantities on all invoices, and return same promptly to the steward.

88. He may at times be called upon to perform other duties of a special or temporary nature. At such times he will be advised by the Superintendent regarding the nature and duration of such duty.

89. The storekeeper shall be given such assistance in his duties as the Superintendent considers necessary. Whenever it is necessary to assign another officer to duty in the stores he shall be under the direction of the storekeeper, shall familiarize himself with all the duties and responsibilities of the storekeeper and as approved by the Superintendent assume these duties and responsibilities in the absence of the storekeeper.

CHIEF ENGINEER

90. The chief engineer shall have charge, under the direction of the Superintendent, of all boilers, heaters, engines, pumps, motors, generators, pipes, wires and all other equipment belonging to the heating, water supply, steam, gas, electric and telephone systems of the institutions and he shall be held strictly responsible for the proper care and condition of all equipment and supplies pertaining thereto, under his charge. He shall also be responsible for the serviceable state of all fire fighting equipment, hoses, hydrants, extinguishers, hose reels, ladders, tools, etc.

91. He shall also have, under the direction of the Superintendent, general charge of the sewage system, and shall see that it is maintained in a sanitary condition. To this end he shall personally inspect, or cause to be inspected, the various cells, dormitories, residences and places where urinals, closet bowls or other sanitary fixtures are placed and see that the flushing system operates properly and that there is no waste of water by leaking valves or fittings.

92. He shall also be held responsible for the proper condition and operation of all faucets, wash basins, slop sinks, etc. He shall personally inspect the engines and boilers at least once every month, or oftener if necessary, to satisfy himself that they are in good condition. If any defects or cracks are found, he shall report the matter to the Superintendent and shall make the necessary repairs.

93. He shall see that there are no leaking valves or fittings, and shall see that all steam traps, pressure reducing valves, indicating and recording meters, by-passes, etc., are kept in good working order.

94. He shall keep account of all consumption of fuel and shall make entries daily in a log book, giving a detailed record of work and duties performed by the various members of his staff, and keep such records connected with his department as shall be required by the Deputy Minister.

95. He shall report promptly to the Superintendent any neglect of duty on the part of any employee in his department, or any infraction of the rules and regulations coming under his notice.

96. He shall, with the approval of the Superintendent, make requisition on the storekeeper for any supplies or material required for use in his department, furnishing therewith a full and sufficient description of the same. He shall promptly return to the stores all unused material requisitioned for his department, and shall note the return of same on his daily report.

97. He shall see that all machinery and tools under his charge are kept in good and serviceable condition, and that all tools, implements and materials are kept securely locked up when not in actual use. He shall, when directed, make an inventory of the tools, appliances (not fixtures), materials and supplies under his charge and shall return the same to the storekeeper duly certified as to its correctness.

98. He shall, subject to the approval of the Superintendent, control and direct the work of all employees under his charge, and shall be responsible to the Superintendent for the proper performance of their duties.

99. The chief engineer will also be responsible for the cleanliness and orderly arrangement of all equipment in all places in the institution under his control.

100. His hours of duty shall be such as may be necessary to fully perform all the duties assigned to him.

101. All engineers, firemen, mechanics and utility men shall be subject to supervision and direction of the chief engineer, subject to the approval of the Superintendent.

COOK

102. The cook shall superintend the preparation of the foods used in the inmates' and officers' mess, and shall be held responsible for all the work in and the cleanliness of the kitchen and dining room buildings, officers' dining room and servories, and all equipment and utensils used therein. She shall be held responsible for any fault with the cooked provisions, and in case she is in doubt as to the proper course for her to take, she shall apply to the Superintendent or senior attendant for instructions.

103. She shall make requisition daily upon the officer in charge of stores for the supply of rations for the use of the inmates' and officers' mess, and such requisition shall be approved of by the Superintendent or in her absence by the senior attendant.

104. She shall be exact in measuring or weighing the provisions to be served out to the inmates' and officers' mess at each meal, and it shall be her duty to see that due economy is observed in the management thereof, and that no waste takes place in her department.

105. She shall each morning receive from the senior attendant a list of the number of inmates, officers and employees of the institution to be fed, and shall keep such account of the number of inmates and the quantity of food received into the kitchen as may be required by the Superintendent.

106. She shall take care that the prescribed dietary for the inmates is faithfully followed with respect to both quantity and quality of food, and must give close attention to the proper cooking, seasoning and serving of all articles of food issued to officers, employees and inmates.

107. She shall be responsible for the good conduct and obedience to the rules and regulations and discipline of all inmates employed under her charge, and she shall immediately report to the senior attendant any infringement of the rules and regulations on the part of any inmates detailed as her staff.

108. She shall conform to the rules and regulations, and such orders as shall be issued from time to time, in the same manner as any other attendant, and report the number of her squad to the senior attendant when required.

109. She shall observe such instructions as may be issued by the Deputy Minister from time to time regarding daily reports on per capita costs of meals, requisitions on officer in charge of stores, care and distribution of kitchen and dining room equipment.

110. Her hours of duty will be such as are necessary to do the work assigned to her.

INDUSTRIAL OFFICERS

111. An industrial officer or forelady shall have charge, under the direction of the Superintendent, of all work in her shop or department. If no custodial officer is assigned to her department, she shall be responsible for the conduct and discipline of the inmates under her control. If a custodial officer is assigned to her department, the industrial officer will co-operate with her in maintaining discipline and will report to her any misconduct.

112. It shall be her duty to instruct the inmates in the work of the department, and to see that they carry out this work faithfully, reporting to the custodial officer any inmate who fails in this respect.

113. She shall be responsible for the cleanliness and general condition of her department, also for all machinery and tools, and that all articles and materials are properly accounted for and arranged in an orderly manner. She shall see that all discarded or waste material is properly disposed of.

114. During the hours of duty, which will be specified by the Superintendent, she will be required to devote all of her time to the work of the institution. She shall at all times be subject to general rules and regulations for the guidance of officers and employees.

115. She shall, with the approval of the Superintendent, make requisitions on the storekeeper for materials, machinery, tools, etc., required in her department, and will be held responsible for the use of such articles and materials.

116. All records, concerning the work of her department, must be forwarded promptly as directed by the Superintendent.

117. No articles may be manufactured without an order properly approved, and no articles may be removed from the premises without proper authority.

118. All industrial work shall be carried out by the Superintendent under the direction of the Deputy Minister or such other Departmental authorized official.

RULES FOR ATTENDANTS

119. Attendants shall discharge all such duties as are presented by these rules and regulations, or as may be from time to time ordered by the Superintendent.

120. Attendants shall be on duty such hours every day as may be fixed by the Superintendent, and they shall not absent themselves from duty on any pretext without the permission of the Superintendent or the senior attendant. When desiring to leave the Service, they shall give thirty days' notice of their intention to do so, otherwise all pay due may be forfeited.

121. Attendants shall be respectful in their manner and courteous in their language to all officers and to all persons visiting the institution under proper authority.

122. Attendants when on duty shall wear the prescribed uniforms and preserve the proper cleanliness in their person and habits. Attendants off duty will not be permitted to wear their uniform, but will wear plain clothes. The uniform is not to be property of the attendants at any time, but merely is for her official use whilst an officer of the institution. The uniform clothing is to be kept in good repair.

123. Attendants in charge of inmates assigned to any branch of the institution shall, when on duty, be responsible to the head of that branch for the proper observance of the instructions given by such head as to the performance of the work, and must spare no effort to see that the inmates in their charge render a full day's service, and in a proper and workmanlike manner. When an inmate refuses to work or disobeys the rules, the attendant in charge must forthwith report the matter to the senior attendant or the Superintendent.

124. The efficiency of an attendant, and her value to the institution shall be measured in part by the volume of work performed by the inmates under her control and the quality of same, but she must not be harsh or unreasonable in her orders to inmates. Attendants must also distinctly understand that it does not enhance their standing to refrain from reporting an inmate for disobedience or improper conduct.

125. When an inmate makes complaint against an attendant or employee on account of any order given her, or on account of any action toward her by which she considers herself aggrieved, it shall be the duty of the attendant or employee to permit the inmate to produce her complaint to the Superintendent or senior attendant for consideration and action.

126. When an inmate is obliged to retire for necessary purposes, the attendant in charge shall take care that the place is so situated and so conspicuous that the inmate cannot leave it without coming into plain sight, and not more than one inmate shall be allowed in the place at the same time. Where the inmate remains in such a place for an unreasonable time, the attendant must make certain that nothing is wrong and that the inmate is in the place where she is supposed to be.

127. Where an inmate is taken sick or is injured the attendant shall at once report the fact to the senior attendant or the Superintendent. In case of serious or fatal injury, the attendant shall make a complete written report of the matter to the senior attendant.

128. In forming their opinion in respect to the diligence and industry of an inmate, attendants will bear in mind that as one inmate may be able to do more and better work in a given time than another so their reports under this head shall have regard more to the continuous labour and the care of the inmate, as an evidence of her desire to be faithful, than to the amount of work she actually does as compared with others. The inmate who does her best should be given full credit for her efforts.

129. Whenever an inmate desires to make a complaint against another inmate, the attendant shall bring the matter to the attention of the Superintendent or senior attendant.

130. When an inmate desires an interview with the Superintendent or senior attendant, the attendant shall report the request to the Superintendent or senior attendant before going off duty.

131. Attendants shall not indulge in any familiarity toward inmates, nor will they permit inmates to act familiarly towards them. Violations of this rule will be followed by instant dismissal.

132. Attendants are forbidden to frequent gambling houses or other disreputable places when off duty, and must never come on the premises while in the slightest degree under the influence of liquor. Nor shall an attendant or any other officer be permitted to use morphine, chloral, cocaine, or any similar drug generally classed under the title of "dope". Violations of this rule will be cause for instant dismissal.

133. When an attendant, officer, or other employee desires to make a request or to submit some grievance against another attendant, officer or employee, it shall be submitted to the Superintendent or senior attendant in writing.

RULES GOVERNING ALL OFFICERS AND EMPLOYEES OF THE INSTITUTION

134. No official, attendant or other employee shall at any time make the affairs of the institution, or any branch thereof, or any occurrence therein, or any matter relating to an inmate or the conduct of any other official, attendant or employee, the subject of conversation or gossip and no official, attendant or other employee shall impart to any person any information as to the matters above mentioned, except when required so to do in the discharge of her duty by the Minister, the Deputy Minister or any superior officer in the institution. A violation of this rule will subject the offender to instant dismissal.

135. Every person who enters the service of the institution must constantly keep in mind the nature of the institution and the peculiarity of the duties she will, as an officer, have to perform, as well as her unusual relations to the institution, its officers and the inmates.

136. She must understand at the outset that the institution is designated, not only as a place of safe custody for those who have violated the law, but also as a means of reformation, if possible. This means that the rules and regulations are to be so construed and enforced as to develop that which is good in the inmates and guide them into habits of industry and to willing obedience to lawful authority. A person who is by nature incompetent to do this is not suitable for institution service.

137. Officers and employees shall direct and employ to the best of their ability and skill the physical, mental and moral capacity of persons under their charge, and shall endeavour to develop their powers, their womanhood and their self respect so that they may improve and progress as much as possible during their residence in the Reformatory.

138. The official relations between officers of the institution must be cordially maintained. Under no circumstances must the personal relations between officers be allowed to interfere with their official duties. Whenever an officer finds that she cannot bring herself to converse freely with another officer on official matters, it is time for her to sever her official relations with the institution. Failing in this the Superintendent will take peremptory action.

139. It shall be the duty of every person who enters the institution service to make herself thoroughly familiar with all the rules and regulations governing it, as well as with the bulletins and orders which may be issued from time to time. Ignorance of these will not be accepted as an excuse for neglect of duty, or disobedience.

140. All persons accepting and retaining any position in the institution must do so with the full understanding that they are to devote their best energies and abilities faithfully and industriously to the performance of the duties to which they may be assigned, and those who cannot do this cheerfully must not accept or expect to retain a position in the institution.

141. The use of foul, indecent, vulgar or profane language is positively forbidden anywhere in the institution, either in the presence of inmates or officers, and any officer or employee violating this rule will be dismissed from the service of the institution.

142. Upon the return to duty of an officer or employee of the institution who has been absent for more than one day on account of sickness, she must furnish to the Superintendent a certificate from a reputable practicing physician showing the dates upon which he treated the patient professionally, the nature of the disease, and the entire time during which the officer or employee was incapacitated from duty. Medical certificates which do not conform to this requirement will not be accepted.

143. Leave of absence because of sickness or for other good reasons and vacation leave may be granted in accordance with the regulations governing the Public Service of Ontario.

144. While it is desirable that the general public shall know that the institution affairs are being honestly administered and the rules humanely enforced, in order that this branch of the public service shall receive that

degree of public confidence which is necessary to obtain the best results, all information concerning the administration of affairs and discipline of the institution should reach the public through the Minister. Addresses by officers and employees upon subjects relating to the institution or to the inmates confined in it or furnishing information for newspapers or magazines for publication concerning institution affairs, or any inmate that has been, is or may hereafter be confined therein, is strictly forbidden, excepting upon authority of the Minister.

145. Officers and employees will not be permitted to exchange duties with another, excepting by first obtaining permission from the Superintendent or senior attendant, or in the case of serious sickness or other emergency.

146. All applications of inmates for executive clemency or for writs of habeas corpus shall be referred to the proper official through the Superintendent. All applications for parole shall be referred to the Parole Office through the Superintendent.

147. It is subversive to the discipline for any officer or employee to reply in like terms to what she might consider impudent or insulting language on the part of an inmate. Her plain duty is to report the case to the proper authorities.

148. Matters pertaining to the discipline of the institution or which might reflect upon the actions of an officer or employee, and all criminal matters, must not be discussed in the presence or within the hearing of inmates. Nor will the inmates be allowed by any officer or employee to discuss such subject at any time.

149. Whether herein specifically provided or not, every officer and employee of the institution shall make to the Superintendent such oral and written reports of matters concerning the institution, its officers, employees or inmates as may from time to time be directed.

150. Officers and employees will not be permitted to receive visits from any person during the hours of duty, nor shall any officer or employee be relieved from duty to answer telephone calls on private business unless the business is of the utmost importance to the officer or employee.

151. The general public may be admitted to the institution only at such times and with such restrictions as shall be fixed from time to time by the Minister. Book agents, insurance agents, solicitors for subscriptions to books and papers, and other who wish to ply their business in the institution will not be admitted. Ex-inmates from the institution or any similar institution will not be admitted without specific instructions from the Superintendent in each case.

152. Officers, attendants and employees are prohibited from selling to or buying anything from an inmate; or giving to or receiving from them anything in the nature of a present, or conveying to or from them any message either written or verbal, excepting such as are necessary in the transaction of the business of the institution. Any ministers or other religious instructors or other persons permitted to attend the institution shall not receive from or confer any present upon the inmates, or become the medium of communication between them and their friends or others, except

when such is obviously proper in the best interest of their families and will assist in their reformation, and they shall conform to the rules and regulations. Any infringement or departure from such rules shall debar them from further contact with the inmates.

153. The Superintendent may issue a ration of tobacco and cigarette papers to deserving inmates, and she shall specify when and where smoking will be permitted. Only a sufficient quantity for immediate use shall be issued. Matches or lighters must not be given to inmates but suitable lighters may be carried by attendants during smoking periods. No tobacco nor cigarettes other than the official issue will be permitted. She shall issue instructions regarding smoking by officers and employees and in no case shall officers and employees smoke when and where it is forbidden to inmates.

154. Departmental officials shall not nor shall the Superintendent, or other officer, employee of the Reformatory, either in his own name, or in the name of or in connection with or as the agent of any other person, provide, furnish or supply any materials, goods, or provisions for use of the Reformatory; or be concerned, directly or indirectly, in furnishing or supplying the same, or in any contract relating thereto.

155. No male employee of the institution shall at any time have a key to any part of the institution where inmates are confined or at work. He shall not have access to any part of the building where inmates are confined or at work, except when necessary in the discharge of his official duties, and then must at all such times be accompanied by a female officer.

156. Mail and articles of all kinds sent to and from inmates shall be censored by an officer designated by the Superintendent and the Superintendent is hereby empowered and instructed to reject that which she considers improper to be sent or received except that inmates shall be always permitted to send proper letters to their solicitors or the Minister or the Deputy Minister or the Attorney-General.

157. Any officer, attendant or employee who shall knowingly bring in or carry out, or endeavour to bring in or carry out, or knowingly allow to be brought in or carried out, to or from any inmate, any money, clothing, provisions, tobacco, letters, papers, or other articles whatsoever except as specifically permitted by these regulations, shall be subject to instant dismissal.

158. When any officer, attendant or employee is suspended from duty for any cause whatsoever, she shall forthwith leave the institution pending the Deputy Minister's investigation into the case and shall not be permitted to return thereto until the Deputy Minister's decision has been given.

159. Officers, attendants and employees are absolutely prohibited from leaving any civilian clothing in any place in the institution where an inmate may readily have access to same and they must at all times see that such clothing is kept securely under lock or in accordance with the instructions of the Superintendent.

160. No person shall within the limits of the institution give to any other person any intoxicating liquor, nor keep, consume, nor have in her possession within such limits, any intoxicating liquor. Intoxicating li-

quor within the meaning of this regulations shall be "liquor" as defined by *The Liquor Control Act*.

161. Because of the great variation in activities in such institutions it cannot be expected that these rules and regulations will cover all situations. They are a general guide for officers and employees and are specific instructions, where they are applicable. When officers and employees are faced with situations not covered by these rules and regulations they must act in accordance with good judgment and common sense. If they do not use these qualities in the course of their official responsibilities they cannot expect to remain in the institution service.

162. Finally, the institution has been established to keep in safe custody those who have been legally committed there and to give them such training, advice and care that they will become good and useful citizens. All activities of the institution must serve these important purposes to fullest extent and this fact must constantly be kept in mind and govern the actions of all officers and employees.

PUNISHMENT OF INMATES

163.—(1) No punishment or deprivations of any kind shall be awarded to inmates except by the Superintendent, or, in her absence from duty, such other officer duly authorized by the Deputy Minister to act in place of the Superintendent.

(2) The deprivations or punishments that may be awarded shall be as follows:

- (a) Books from library, or of some other such privilege ordinarily enjoyed by all well-behaved inmates.
- (b) Confinement in cell with or without reduced rations. In such case, the cell must be maintained at a comfortable temperature. In case of reduced rations, the minimum food allowance shall be 5 oz. of wholesome bread for each of three meals per day and an abundant supply of proper drinking water shall be available to the prisoner at all times. Such reduction of rations shall not at any one time exceed a period of three days, at which time one full meal will be given before continuing with the reduced rations.
- (c) Forfeiture of a portion or of all the good conduct remission of sentence earned.
- (d) Punishment by the infliction of the strap.
- (e) The infliction of punishment by the "lash" shall only be in execution of the sentence of the Court.
- (f) Punishment by the "strap" may be inflicted if specified by the Court and may also be inflicted by order of the Superintendent, or other official designated by the Minister or Deputy Minister.
- (g) Punishment by strap shall only be inflicted in extreme cases and for the following offences:
 - (1) Assault with violence on officers.
 - (2) Assault with violence on other inmates.

- (3) Continued course of bad conduct.
- (4) Escape or attempted escape.
- (5) Malicious destruction of or injury to machinery or other property.
- (6) Malingering to evade work.
- (7) Mutinous conduct.
- (8) Repeated fighting after warning.
- (9) Refusal to work after warning.
- (10) Repeated insolence to officers.
- (11) Riotous conduct in dormitories, cells, working gangs or elsewhere.
- (12) Committing or attempt to commit immoral or indecent acts.

(k) No inmate shall be punished by infliction of the strap until the medical officer has certified that the inmate is mentally responsible for her actions, and physically fit to endure the punishment.

(i) The Superintendent or senior attendant and the medical officer shall be present throughout the time the inmate is receiving such punishment.

(j) The number of strokes with the strap shall be in proportion to the offence committed, and in no case shall exceed ten at any one application.

(k) The strap is not to be used except when it is clearly necessary to achieve the reformation of the inmate and enforce proper discipline.

(l) The strap used for such punishment shall be similar to that used in public schools. It shall be canvas belting with rounded edges fourteen inches long, one and one-half inches wide, and one-eighth inch thick. It shall be applied in a manner specified by the Superintendent, and great care must be exercised to prevent hurting the prisoner elsewhere.

(m) The application of the strap shall be by an officer designated by the Superintendent.

(3) The Superintendent shall cause to be kept a book, to be styled the "Punishment Record", which book shall provide columns for the following records and information in respect to offences committed, and the punishment inflicted therefor:

1st. The date on which the offence was committed;

2nd. Name and number of the inmate who committed the offence.

3rd. Nature of the offence or misconduct committed.

4th. Name of the officer making complaint.

5th. Nature of punishment inflicted.

6th. Date of punishment or deprivation.

7th. Signature of the Superintendent or senior attendant (and the medical officer in cases of infliction of the strap).

8th. Remission granted and reasons for same.

(4) When an officer has reported an inmate for misconduct, the Superintendent shall properly investigate and take into consideration all the circumstances and evidence, giving the inmate an opportunity to state her case. Pending the investigation by the Superintendent into the charges contained in the report, and if circumstances will not permit of the examination being at once proceeded with, the inmate against whom the complaint is made shall be locked up in one of the cells, and during such temporary confinement she shall not be deprived of any other privileges.

(5) Complaints by officers or employees against an inmate must be submitted in writing, giving all possible details.

(6) When the Superintendent has decided on the necessary punishment, she shall inform the inmate of her decision and immediately upon the infliction of the punishment shall have the necessary entries made in the "Punishment Record".

(7) Should the Superintendent, for good and sufficient reasons, decide to remit a portion of any such punishment so ordered, or restore the privileges withdrawn, she shall enter such remission or restoration in the column of the "Punishment Record" provided therefor, and duly date and sign the same, thereupon the portion of the punishment, deprivation, or withdrawal of privilege shall immediately be effected.

(8) No punishment of an inmate of any kind shall be ordered except by the Superintendent, or in her absence, by the senior attendant or other officer designated by the Deputy Minister.

(9) The Superintendent shall cause an exact copy of the "Punishment Record" to be inserted in the Log which is forwarded daily to the Deputy Minister.

(10) When an inmate is under punishment in a cell, she shall be visited by an officer or attendant at least once every hour and by the medical officer at his daily visits.

Regulations 376

(Ontario Regulations 296/44; 27/48)

REGULATIONS MADE BY THE PROVINCIAL ADVISORY COMMITTEE UNDER THE APPRENTICESHIP ACT

REGISTRATION

1.—(1) Every proprietor of a barber or hairdressing shop and every barber and every hairdresser other than a barber or a hairdresser who is an employee of another barber or hairdresser shall register with the Board on forms provided by the Board.

(2) The proprietor of every barber shop and hairdressing shop and the employees of every barber shop and hairdressing shop shall complete and forward to the Director all questionnaires and other forms submitted by him.

CONTRACT OF APPRENTICESHIP

2. Every person who enters the barbering or hairdressing trade shall enter into a contract of apprenticeship.

EMPLOYMENT OF APPRENTICES

3. Subject to the approval of the Board, the proprietor of a barber or hairdressing shop who is or who employs the holder of a certificate of qualification may employ one apprentice and an additional apprentice for each additional five barbers or hairdressers employed.

TERM OF APPRENTICESHIP

4.—(1) The term of apprenticeship shall be three years, including the probationary period, provided that persons who have received training in a school or elsewhere before commencing apprenticeship may be given credit of such portion of the apprenticeship period as the Director may determine.

(2) The Director may require any such person to take an examination to determine the allowance to be made as provided for in subsection (1) and the fee payable for such examination shall be the same as that prescribed under regulation 6.

APPOINTMENT OF EXAMINERS, EXAMINATIONS, AND CERTIFICATES OF QUALIFICATION

5.—(1) The Board may appoint examiners who, subject to the approval of the Board, shall conduct examinations and may recommend the issue of certificates of qualification to the provincial advisory committee.

(2) Every certificate of qualification and every renewal thereof shall expire on the 31st day of May.

(3) The fee for a certificate and for a renewal thereof and for a duplicate certificate shall be one dollar but where application for a renewal is not made on or before the 31st day of May next after the expiration thereof the fee shall be two dollars.

(4) Application forms for certificates of qualification and renewals thereof may be obtained from the Director of Apprenticeship, Parliament Buildings, Toronto.

(5) Every certificate of qualification or the current renewal thereof as the case may be shall be kept posted in a conspicuous place in the barber shop or hairdressing shop in which the holder thereof is employed.

6.—(1) Subject to the approval of the Board, examinations shall be held as directed by the Director.

(2) The fee payable by a candidate upon every such examination shall be not less than one dollar nor more than five dollars, as the Board may determine.

(3) The provincial advisory committee may permit any person who is the holder of a certificate of qualification in either the barbering or hairdressing trade to be a candidate at an examination in order to qualify for a certificate of qualification in the other trade without serving as an indentured apprentice.

7. Certificates of qualification shall be issued annually to barbers and hairdressers by the Board, on the recommendation of the provincial advisory committee.

8.—(1) Any person who on the 17th day of June, 1936, had been actively engaged as a barber or hairdresser for a period of three years or more and whose qualifications are satisfactory to the provincial advisory committee may be granted a certificate of qualification on payment of the prescribed fee.

(2) Any person who on the 17th day of June, 1936 had been actively engaged as a barber or hairdresser for a period of three years or more and whose qualifications are not satisfactory to the provincial advisory committee shall try such examination as may be prescribed by the provincial advisory committee at such time as the Director may determine.

9. Where a certificate of qualification is not renewed for three consecutive years the holder shall be placed in good standing again only after he has successfully completed an examination.

CANCELLATION OF CERTIFICATES OF QUALIFICATION

10.—(1) The Board may cancel any certificate of qualification which has been issued if the Board is of the opinion that such certificate has been obtained by fraud or that the holder of such certificate has become incompetent or has failed to comply with the Act or regulations or with such sanitary regulations as may be in force in the locality in which he is employed or carries on business.

(2) No such cancellation shall take effect until ten days after a notification of such cancellation has been sent by prepaid registered mail to the last known address of the holder of such certificate.

(3) Every such person may apply to the Board for a review of its decision by delivering a written request thereof to the Director at any time before the cancellation become effective.

(4) Upon the review the Board may confirm such cancellation or direct that the certificate remain in good standing upon such terms as it deems proper and every such certificate shall continue in good standing until the decision of the Board is delivered following the review.

SCHEDULE OF WAGES

11.—(1) In no case shall the wages set forth in a contract of apprenticeship in the barbering trade be less than the following rates:

First three months (probation).....	no wages
Second three months.....	10c per hour
Second six months.....	15c per hour
Third six months.....	19c per hour
Fourth six months.....	22c per hour
Third year.....	50% of the total receipts taken in by the apprentice barber, but not less than 25c per hour.

(2) The minimum rates of wages for an apprentice in the designated trade of hairdresser shall be,—

- (a) 40 per cent of the certificated journeyman-hairdresser's rate for the 1st year;
- (b) 70 per cent of the certificated journeyman-hairdresser's rate for the 2nd year; and
- (c) 90 per cent of the certificated journeyman-hairdresser's rate for the 3rd year.

MEMBERS OF THE FORCES

12. In the case of any person who having served as a member of any of the forces of His Majesty or any ally thereof is undertaking a course of training under any plan of rehabilitation approved by the Director, the Director may exempt him from any of the provisions of these regulations or make such variation therein as he deems warranted.

REVOCAION

13. All regulations heretofore made under *The Apprenticeship Act* relating to the trade of barber or hairdresser, except regulations relating to barber and hairdresser schools, are revoked.

Regulations 377

(Ontario Regulations 294/44)

REGULATIONS MADE BY THE PROVINCIAL ADVISORY COMMITTEE UNDER THE APPRENTICESHIP ACT

INTERPRETATION

1. In these regulations "barber school" shall mean any school, college, business institution or establishment which trains or professes to train persons for the barbering trade but shall not include,—

- (i) a barber shop in which apprentices are employed pursuant to *The Apprenticeship Act*; or
- (ii) a school or college which is subject to the jurisdiction of the Department of Education.

LICENSES

2. Every barber school shall be operated pursuant to these regulations and no barber school shall operate unless licensed by the Board.

3. The Board may issue a licence for the establishment and operation of a barber school and such licence and every renewal thereof shall be for the calendar year only.

4. Applications for renewals shall be made at least one month before the date of expiration of a licence.

5. The fee for a licence and for every renewal thereof shall be five dollars.

6. Application for a licence or renewal thereof shall be made upon forms prescribed and furnished by the Board.

7. The Director shall investigate every application for a licence and shall make recommendations to the Board accordingly.

8. Where the Board refuses to grant a licence, the applicant may apply to the Board for a reconsideration of his application within thirty days of the receipt of notice that his application has been refused or within such further time as the Board may allow.

CANCELLATION OF LICENCE

9. A licence issued to a barber school may be cancelled at any time by the Board if the Board is satisfied that the school is not being operated in accordance with the regulations or is not being operated so as to provide reasonable and adequate training for the students taught therein.

INSTRUCTORS

10. A barber school shall employ at least one instructor for each ten students enrolled and in attendance at the school.

11. Every instructor shall be a qualified barber and shall be paid a salary of not less than twenty dollars per week and he shall devote his full time to the in-

struction of the students of the school and shall not perform any barbering services for any customer of the school except while he is actually demonstrating to a student.

HOURS

12. Students may perform barbering services for customers of the barber school only between the hours of nine o'clock in the forenoon and six o'clock in the afternoon except on Wednesdays when the school shall be closed at twelve o'clock noon and every student shall be given one hour off for lunch and the school shall be closed to the public at all other times.

CONTRACTS WITH STUDENTS

13. Every contract for instruction between the school and the student shall be in a form approved by the Board.

REPRESENTATIONS

14. No person shall give any assurance that upon completion of a course at a barber school any person is likely to obtain employment in the barbering trade.

CHARGES

15. Customers of a barber school shall be charged such prices as the Board may approve.

CERTIFICATE OF QUALIFICATION

16. Where a student has completed the period of training for which he has contracted with the school, he shall submit himself to a board of examiners appointed by the provincial advisory committee and the board of examiners shall examine the student and certify as to his qualifications and recommend to the provincial advisory committee the period of time to be allowed to such student as a credit in respect of the apprenticeship period.

ADVERTISING

17. No signs, placards or other advertising matter shall be used in connection with a barber school until submitted to the Director and approved by him.

SCHOOL PREMISES

18. Premises used as a barber school shall be designated as such with a sign visible from the street and where a school and a shop are operated on the same premises the school shall have a separate entrance and the school and shop shall be separated by a solid partition reaching from the floor to the ceiling.

SANITATION

19.—(1) All combs, clippers, scissors, razors, tweezers, blackhead removers, finger bowls, files, pushers,

buffers and all massage and scalp applicators and other instruments shall be thoroughly cleansed and sterilized by immersion in boiling water, or in a solution of a suitable and efficacious germicide, immediately before each using and no implements that cannot be so treated shall be used.

(2) All hair brushes shall be immersed in a strong solution of germicide, rinsed in clear water and dried with a clean towel or by heat, before being used on any customer.

(3) All shaving brushes shall be rinsed in boiling water, otherwise sterilized.

20. For shampooing and shaving purposes, the lather shall be made only from powdered or liquid soap or from shaving cream or other preparations contained in tubes, and if the lather is prepared in a shaving mug, the mug shall be thoroughly cleansed before each using.

21.—(1) On the back of every chair used for the purpose of barbering there shall be placed a clean towel in such a way as to provide a cover for the headrest and a fresh, clean towel shall be used for each customer.

(2) Fresh, separate individual clean neck bands or towels shall be placed around the neck of each customer immediately under the hair cloth.

(3) Each towel or steamer used shall be individual, fresh and clean.

22. Hair cloths and all other linen used in the barber school shall be kept clean and freshly laundered.

23. No caustic or styptic pencil shall be used and alum or other astringent may be applied only in powder or liquid form.

24. No powder puff or sponge shall be used, but sterilized cotton wadding shall be used in lieu thereof, each wad to be used for one customer only.

25. No person shall be served when the surface which is to be treated is inflamed or broken out with a rash.

26.—(1) No barber school shall be used for living, dining or sleeping purposes.

(2) No sink or basin used for domestic purposes shall be used in conjunction with any barber school.

27. No food or soft drink, except small wrapped articles of confectionery, such as chocolate bars, chewing gum and articles of a similar nature shall be offered for sale or sold on the premises.

28. The premises of the barber school shall,—

(a) be properly painted or papered;

(b) be properly lighted and ventilated;

(c) have a proper and ample supply of running hot and cold water;

(d) be provided with ample sanitary conveniences for the purposes of the students and instructors; and

(e) be kept in a clean and sanitary condition.

29. Each student and instructor shall wear a light-coloured coat or smock of washable material, which shall be kept clean and worn only in the school.

30. Each student and instructor shall thoroughly cleanse his hands immediately before attending to each customer.

MEDICAL CERTIFICATE

31.—(1) Every person, before being enrolled as a student in a barber school, shall furnish to the Board a certificate from a duly qualified medical practitioner, stating that he is not suffering from any communicable disease or transmissible condition.

(2) Every instructor shall furnish a certificate from a duly qualified medical practitioner at least once a year, and at such other times as the Board may require, stating that he is not suffering from any communicable disease or transmissible condition.

REVOCATION

32. All regulations heretofore made relating to barber schools under *The Apprenticeship Act* are revoked.

Regulations 378

(Ontario Regulations 220/44)

REGULATIONS MADE BY THE PROVINCIAL ADVISORY COMMITTEE UNDER THE APPRENTICESHIP ACT

INTERPRETATION

1. In these regulations,—

- (a) "district" shall mean,—
 - (i) district within the meaning of a trade agreement recognized by the Director,
 - (ii) where there is no such agreement, a district as prescribed by these regulations, and
 - (iii) where a district within the meaning of a trade agreement comprises only part of a district as prescribed by these regulations, the remaining part of the district as prescribed by these regulations; and
- (b) "inspector" shall mean an inspector appointed under the Act.

DISTRICTS

2. For the purposes of these regulations the Province shall be divided into the following districts:

- District No. 1:
The counties of Essex, Kent and Lambton;
- District No. 2:
The counties of Elgin, Huron, Middlesex, Oxford and Perth;
- District No. 3:
The counties of Brant, Haldimand, Lincoln, Norfolk, Waterloo, Welland and Wentworth;
- District No. 4:
The counties of Bruce, Dufferin, Durham, Grey, Halton, Northumberland, Ontario, Peel, Peterborough, Victoria and York, the provisional county of Haliburton and the District of Muskoka, except the area included in District No. 5;
- District No. 5:
The City of Toronto and the area surrounding the city within ten miles of the city limits and including Lorne Park, Malton, Woodbridge on the west, Richmond Hill on the north and Unionville and Highland Creek on the east;
- District No. 6:
The counties of Carleton, Dundas, Frontenac, Glengarry, Grenville, Hastings, Lanark, Leeds, Lennox and Addington, Prescott, Prince Edward, Renfrew, Russell and Stormont;

District No. 7:
All that part of Ontario not included in Districts Nos. 1-6.

MINIMUM WAGES

3. Rates of wages payable to apprentices in the building trades shall be not less than the following scale:

- (a) For the first year.....\$ 6.00 per week
- (b) For the second year..... 8.00 per week
- (c) For the third year..... 12.00 per week
- (d) For the fourth year..... 16.00 per week

MEMBERS OF THE FORCES

4. In the case of any person who having served as a member of any of the forces of His Majesty or any ally thereof is undertaking a course of training under any plan of rehabilitation approved by the Director, the Director may exempt him from any of the provisions of these regulations or make such variation therein as he deems warranted.

OPERATION

5. These regulations shall apply to the "building trades" which shall mean the following designated trades or branches thereof,—

- (a) bricklayer;
- (b) carpenter;
- (c) the electric wiring and installation branch of the trade of electrician;
- (d) mason;
- (e) painter and decorator;
- (f) plasterer;
- (g) plumber;
- (h) sheet metal worker; and
- (i) steamfitter.

NUMBER OF JOURNEYMEN

6. For the purpose of ascertaining the number of apprentices to be trained in each trade or group of trades the inspectors shall ascertain the number of journeymen in each district and shall include all journeymen regardless of their affiliations.

BRICKLAYING AND MASONRY

NUMBER OF APPRENTICES

7. The ratio of apprentices to journeymen in the trades of bricklayer and mason in each district shall not exceed one to eight.

8.—(1) An employer who is or who employs a journeyman may have one apprentice and one additional apprentice in respect of each additional eight journeymen employed, provided the number of apprentices in the district does not exceed the ratio of one to eight.

(2) In no case shall more than three apprentices be under contract to one employer.

(3) This regulation shall not apply to the temporary transfer of an apprentice to any employer.

TERM OF APPRENTICESHIP

9. The term of apprenticeship shall be four years, including the probationary period.

AGE OF ADMISSION

10. Except by special permission of the Board, no person shall enter the trade of bricklayer or mason before his sixteenth or after his eighteenth birthday.

CARPENTRY

NUMBER OF APPRENTICES

11.—(1) The ratio of apprentices to journeymen in the trade of carpenter in each district shall not exceed one to eight.

(2) Provision shall be made to accept first-year apprentices each year, so that the first, second, third and fourth year apprentices computed, shall complete the ratio quota.

12.—(1) An employer who is or who employs a journeyman may have one apprentice and one additional apprentice in respect of each additional eight journeymen employed, providing the number of apprentices in the district does not exceed the ratio of one to eight.

(2) This regulation shall not apply to the temporary transfer of an apprentice to any employer.

TERM OF APPRENTICESHIP

13. The term of apprenticeship shall be four years, including the probationary period.

ELECTRIC WIRING AND INSTALLATION

NUMBER OF APPRENTICES

14. The ratio of apprentices to journeymen in the electric wiring and installation branch of the trade of electrician in each district shall not exceed one to three.

15.—(1) An employer who is or who employs a journeyman may have one apprentice and one additional apprentice for each additional three journeymen regularly employed, provided the number of apprentices in the district does not exceed the ratio of one to three.

(2) This regulation shall not apply to the temporary transfer of an apprentice to any employer.

TERM OF APPRENTICESHIP

16. The term of apprenticeship shall be four years, including the probationary period.

PAINTING AND DECORATING

NUMBER OF APPRENTICES

17. The ratio of apprentices to journeymen in the trade of painter and decorator in each district shall not exceed one to five.

18.—(1) An employer who is or who employs a journeyman may have one apprentice and one additional apprentice for each additional five journeymen regularly employed, provided the ratio of apprentices in the district does not exceed one to five.

(2) This regulation shall not apply to the temporary transfer of an apprentice to any employer.

TERM OF APPRENTICESHIP

19. The term of apprenticeship shall be four years, including the probationary period.

PLASTERING

NUMBER OF APPRENTICES

20. The ratio of apprentices to journeymen in the trade of plasterer in each district shall not exceed one to eight.

21.—(1) An employer who is or who employs a journeyman may have one apprentice and one additional apprentice for each additional eight journeymen regularly employed, provided the number of apprentices in the district does not exceed the ratio of one to eight.

(2) In no case shall more than three apprentices be under contract to one employer.

(3) This regulation shall not apply to the temporary transfer of an apprentice to any employer.

TERM OF APPRENTICESHIP

22. The term of apprenticeship shall be four years, including the probationary period.

AGE OF ADMISSION

23. Except by special permission of the Board, no person shall enter the trade of plasterer before his sixteenth or after his eighteenth birthday.

PLUMBING AND STEAMFITTING

NUMBER OF APPRENTICES

24. The ratio of apprentices to journeymen in the trades of plumber and steamfitter in each district shall not exceed one to five.

25.—(1) An employer who is or who employs a journeyman may have one apprentice and one additional apprentice for each additional five journeymen regularly employed provided the number of apprentices in the district does not exceed the ratio of one to five.

(2) This regulation shall not apply to the temporary transfer of an apprentice to any employer.

TERM OF APPRENTICESHIP

26.—(1) The term of apprenticeship shall be five years, including the probationary period.

(2) The first four years shall be served under contract with an employer in accordance with the provisions of the Act.

(3) The fifth year shall be served as a junior mechanic, subject to the regulations governing apprentices except that,—

- (a) the employer shall not be obliged to keep the junior mechanic employed during slack periods;
- (b) the junior mechanic shall not be obliged to remain with the employer during a strike or lockout, but under other conditions shall continue to serve the employer with whom he was last indentured; and
- (c) where a trade agreement exists between employers and the local union, the conditions of employment for the junior mechanic shall be those set forth in the agreement.

SHEET METAL WORK

NUMBER OF APPRENTICES

27. The ratio of apprentices to journeymen in sheet metal work in each district shall not exceed one to four.

28.—(1) An employer who is or who employs a journeyman may have one apprentice and one additional apprentice for each additional four journeymen regularly employed provided the number of apprentices in the district does not exceed the ratio of one to four.

(2) This regulation shall not apply to the temporary transfer of an apprentice to any employer.

TERM OF APPRENTICESHIP

29. The term of apprenticeship shall be four years, including the probationary period.

REVOCATION

30. All regulations heretofore made under *The Apprenticeship Act* relating to apprentices in the building trades are revoked.

Regulations 379

(Ontario Regulations 11/44)

REGULATIONS MADE BY THE BOARD UNDER THE APPRENTICESHIP ACT

DEFINITIONS

1. In the following regulations,—

- (a) "apprenticeship" shall mean the relationship between the employer and the apprentice by which the apprentice, in accordance with *The Apprenticeship Act*, engages himself for a certain minimum period to the employer for the purpose of learning a trade;
- (b) "district inspector" shall mean a person appointed by the Lieutenant-Governor in Council under subsection 1 of section 4 of the Act to assist and act for the Director in a district allotted by him;
- (c) "district" shall mean the area or territory assigned to a district inspector;
- (d) "temporary transfer" shall mean the transfer of an apprentice from one employer to another without relieving the first employer of his obligations under the contract of apprenticeship;
- (e) "permanent transfer" shall mean the transfer of an apprentice from one employer to another where such transfer involves the transfer of the employer's obligations under the contract of apprenticeship;
- (f) "journeyman" shall include any person, male or female, who is employed as a mechanic, artisan, or skilled operator in a designated trade.

OBLIGATIONS OF AN APPRENTICE

2. Every apprentice shall:

- (a) render faithful service during the period of apprenticeship;
- (b) show due regard for the tools and goods of the employer and avoid damage and waste of such tools and goods;
- (c) furnish to his employer satisfactory reasons for any absence from his employment;
- (d) attend regularly such classes in trade training and related subjects as may be prescribed by the Board;
- (e) suffer loss of wages for non-attendance at prescribed day classes, and incur the cancellation of the apprenticeship contract for wilful failure to attend day or evening classes, where such failure could reasonably have been avoided;
- (f) notify the director or district inspector immediately when, for any reason, he ceases to be employed with the employer to whom he is indentured.

OBLIGATIONS OF AN EMPLOYER

3. Every employer shall:

- (a) immediately notify the director or district inspector when employing a minor or apprentice in any designated trade;
- (b) provide adequate training for the apprentice in all branches of the trade insofar as his facilities and the character of his work will permit;
- (c) keep the apprentice employed so long as work is available;
- (d) refrain from employing any person in a designated trade except a journeyman when one or more of his indentured apprentices in such trade is idle;
- (e) pay the wages set forth in the apprenticeship contract;
- (f) co-operate with the director or district inspector in the transfer of an apprentice;
- (g) notify the director or district inspector before making any change affecting the contract of apprenticeship, provided that every such change shall be approved by the Board;
- (h) submit to the Board an annual report on the form furnished by the Board regarding the progress and conduct of the apprentice.

ENTRANCE REQUIREMENTS

4.—(1) No person shall commence apprenticeship until he has passed his sixteenth birthday.

(2) Every application for registration as an apprentice shall be on a form to be supplied by the Board.

(3) Every person entering apprenticeship shall have completed the work of the senior fourth book of an elementary school, or its equivalent.

NOTE.—It is suggested that, wherever possible, employers select their apprentices from students who have at least two years' training in a vocational school.

(4) Applications shall be forwarded to the director or to a local inspector of the Department of Labour.

(5) The director may require any person who applies for registration as an apprentice to furnish proof of age and to produce a medical certificate or pass a medical examination showing that he is in good health and possesses the physical requirements to successfully carry on the work of a journeyman.

(6) The first three months of employment shall be regarded as a probationary period during which either the apprentice or the employer may terminate employment at will.

REGISTRATION

5.—(1) No minor may be employed in any designated trade under Schedule "A" or no person may be employed in any designated trade under Schedule "B" for a longer period than three months without entering into a contract of apprenticeship in accordance with the provisions of the Act; provided that those minors who have previously served three months at the trade and whose employment record is satisfactory to the director shall be placed under contract within one month after the date of commencement.

(2) Triplicate copies of each apprenticeship contract shall be forwarded by the employer to the director for the approval of the Board and registration immediately after being executed and one copy shall be retained by the director, one copy returned to the employer and the other sent to the apprentice.

(3) Every apprentice shall be furnished with an identification card by the Board, and such card shall be carried by the apprentice at all times.

(4) When an apprentice is permanently transferred from one employer to another, the form of permanent transfer attached to the contract of apprenticeship shall be executed in triplicate by the parties concerned and the transfer shall be registered in the same manner as a new contract.

PERIOD OF APPRENTICESHIP

6.—(1) The period of apprenticeship shall be set forth in the contract of apprenticeship.

(2) Where an apprentice has had previous experience in the trade, the employer may, subject to the approval of the Board, grant him an allowance of time on the term of the contract.

(3) Where an employer fails to provide an apprentice with at least thirty-two weeks employment in each year of the apprenticeship period, inclusive of the time spent in day classes, the apprentice shall be required to complete such period of employment before being advanced to the next year, or where, in the opinion of the Board, an apprentice has not made sufficient progress, the Board may require that the period of apprenticeship be extended until such time as evidence of competency is adduced, or may terminate the contract without granting a certificate.

HOURS OF EMPLOYMENT

7.—(1) The hours of employment for apprentices shall be the same as those of journeymen engaged in the trade.

(2) An apprentice may work over-time, but such time shall not reduce the period of apprenticeship.

WAGES

8.—(1) Subject to the approval of the Board, the minimum rates of wages to be paid to apprentices shall be determined by the provincial advisory committee on the recommendation of the local trade apprenticeship committees, and shall be set forth in the trade regulations, provided that in localities where no local apprenticeship committee has been established, the employer shall consult directly with the Board and obtain its approval of the rates of wages to be paid by him.

(2) The rate of wages provided in the contract of apprenticeship shall remain fixed for the term of the contract, except that where the rate of wages is shown as a percentage of a journeyman's rate of wages the wage of the apprentice shall be increased or may be decreased in the same degree as the prevailing wage paid to a journeyman, provided, however, that any party to the contract may make application in writing to the director for a revision of the rate of wages.

(3) Upon receipt of such application, the director shall forthwith give notice thereof by personal service or by prepaid post to all parties to the contract and any such notice shall appoint a time and place for hearing of the representations of such parties.

(4) Upon hearing the representations of such of the parties as are present at the hearing and, subject to the approval of the Board, the director may alter or amend the rates of wages provided for by the contract of apprenticeship and such alteration or amendment shall be final, binding, and conclusive and the contract shall be read and construed accordingly.

(5) Every apprentice shall be paid on an hourly basis according to the terms of the contract of apprenticeship.

SUPERVISION OF TRAINING

9.—(1) The director and every local apprenticeship committee shall have authority to negotiate for the settlement of any dispute of a minor nature which may arise between an apprentice and his employer but where a settlement cannot be effected or where a dispute is not of a minor nature or involves a matter of policy such dispute shall be referred to the Board for determination.

(2) A transfer from one employer to another may be arranged by the local apprenticeship committee or the director but every permanent transfer shall be approved by the Board.

CERTIFICATE OF APPRENTICESHIP

10. Every apprentice who serves the prescribed term of apprenticeship and completes the school training to the satisfaction of the Board will be granted a Certificate of Apprenticeship.

Regulations 380

(Ontario Regulations 295/44)

REGULATIONS MADE BY THE PROVINCIAL ADVISORY COMMITTEE UNDER THE APPRENTICESHIP ACT

INTERPRETATION

1. In these regulations "hairdresser school" shall mean any school, college, business institution or establishment which trains or professes to train persons for the hairdressing trade, but shall not include,—

- (a) a hairdressing shop in which apprentices are employed pursuant to *The Apprenticeship Act*; or
- (b) a school or college which is subject to the jurisdiction of the Department of Education.

LICENSES

2. Every hairdresser school shall be operated pursuant to these regulations and no hairdresser school shall be operated unless licensed by the Board.

3. The Board may issue a license for the establishment and operation of a hairdresser school and such license and every renewal thereof shall be for the calendar year only.

4. Application for renewal shall be made at least one month before the date of expiration of a license.

5. The fee for a license and for every renewal thereof shall be five dollars.

6. Applications for a license or renewal thereof shall be made upon forms prescribed and furnished by the Board.

7. The Director shall investigate every application for a license and shall make recommendations to the Board accordingly.

8. Where the Board refuses to grant a license, the applicant may apply to the Board for a reconsideration of his application within thirty days of the receipt of notice that his application has been refused or within such further time as the Board may allow.

CANCELLATION OF LICENSE

9. A license issued to a hairdresser school may be cancelled at any time by the Board if the Board is satisfied that the school is not being operated in accordance with these regulations or is not being operated so as to provide reasonable and adequate training for the students taught therein.

INSTRUCTORS

10. A hairdresser school shall employ at least one instructor for each ten students enrolled and in attendance at the school.

11. Every instructor shall be a qualified hairdresser and shall devote his full time to the instruction of the

students of the school and shall not perform any hairdressing services for any customer of the school except while actually demonstrating to a student.

HOURS

12. Students may perform hairdressing services for customers of the hairdresser school only between the hours of nine o'clock in the forenoon and six o'clock in the afternoon and every student shall be given one hour off for lunch and the school shall be closed to the public at all other times, but the Board may grant a special permit to a licensed hairdresser school to operate also during other hours of the day for the convenience of students who can attend evening classes only.

CONTRACTS WITH STUDENTS

13. Every contract for instruction between the school and the student shall be in a form approved by the Board.

REPRESENTATIONS

14. No person shall give any assurance that upon completion of a course at a hairdresser school any person is likely to obtain employment in the hairdressing trade.

CHARGES

15. Customers of a hairdresser school may be charged only for the cost of materials used and such charges shall not exceed,—

for hair dye.....	\$1.25
for permanent wave.....	1.00
for cold wave permanent.....	2.65
for shampoo.....	.10
for facial.....	.15
for scalp treatment.....	.15
for manicure.....	.10
for rinses.....	.10
for marcel.....	.10
for finger wave.....	.10
for any other service.....	.05

CERTIFICATE OF QUALIFICATION

16. Where a student has completed the period of training for which he has contracted with the school, he shall submit himself to a board of examiners appointed by the provincial advisory committee and the board of examiners shall examine the student and certify as to his qualifications and may recommend to the Board that a certificate of qualification be granted or may recommend the period of time to be allowed to such student as a credit in respect of the apprenticeship period.

ADVERTISING

17. No signs, placards or other advertising matter shall be used in connection with a hairdresser school until submitted to the Director and approved by him.

SCHOOL PREMISES

18. Premises used as a hairdresser school shall be designated as such with a sign visible from the street and where a school and a shop are operated on the same premises the school shall have a separate entrance and the school and shop shall be separated by a solid partition reaching from the floor to the ceiling.

SANITATION

19.—(1) All combs, clippers, scissors, razors, tweezers, blackhead removers, finger bowls, files, pushers, buffers and all massage and scalp applicators and other instruments shall be thoroughly cleansed and sterilized by immersion in boiling water, or in a solution of a suitable and efficacious germicide, immediately before each using and no implements that cannot be so treated shall be used.

(2) All hair brushes shall be immersed in a strong solution of germicide, rinsed in clear water and dried with a clean towel or by heat, before being used on any customer.

(3) All shaving brushes shall be rinsed in boiling water or otherwise sterilized.

20. For shampooing and shaving purposes, the lather shall be made only from powdered or liquid soap or from shaving cream or other preparations contained in tubes, and if the lather is prepared in a shaving mug, the mug shall be thoroughly cleansed before each using.

21.—(1) On the back of every chair used for the purpose of hairdressing there shall be placed a clean towel in such a way as to provide a cover for the headrest and a fresh, clean towel shall be used for each customer.

(2) Fresh, separate individual clean neck bands or towels shall be placed around the neck of each customer immediately under the hair cloth.

(3) Each towel or steamer used shall be individual, fresh and clean.

22. Hair cloths and all other linen used in the hairdresser school shall be kept clean and freshly laundered.

23. No caustic or styptic pencil shall be used and alum or other astringent may be applied only in powder or liquid form.

24. No powder puff or sponge shall be used, but sterilized cotton wadding shall be used in lieu thereof, each wad to be used for one customer only.

25. No person shall be served when the surface which is to be treated is inflamed or broken out with a rash.

26.—(1) No hairdresser school shall be used for living, dining or sleeping purposes.

(2) No sink or basin used for domestic purposes shall be used in conjunction with any hairdresser school.

27. No food or soft drink, except small wrapped articles or confectionery, such as chocolate bars, chewing gum and articles of a similar nature shall be offered for sale or sold on the premises.

28.—The premises of the hairdresser school shall,—

- (a) be properly painted or papered;
- (b) be properly lighted and ventilated;
- (c) have a proper and ample supply of running hot and cold water;
- (d) be provided with ample sanitary conveniences for the purposes of the students and instructors; and
- (e) be kept in a clean and sanitary condition.

29. Each student and instructor shall wear a light-coloured coat or smock of washable material, which shall be kept clean and worn only in the school.

30. Each student and instructor shall thoroughly cleanse his hands immediately before attending to each customer.

MEDICAL CERTIFICATE

31.—(1) Every person, before being enrolled as a student in a hairdresser school, shall furnish to the Board a certificate from a duly qualified medical practitioner, stating that he is not suffering from any communicable disease or transmissible condition.

(2) Every instructor shall furnish a certificate from a duly qualified medical practitioner at least once a year, and at such other times as the Board may require, stating that he is not suffering from any communicable disease or transmissible condition.

REVOCATION

32. All regulations heretofore made relating to hairdresser schools under *The Apprenticeship Act* are revoked.

Regulations 381

(Ontario Regulations 55/44)

REGULATIONS MADE BY THE PROVINCIAL ADVISORY COMMITTEE UNDER THE APPRENTICESHIP ACT

INTERPRETATION

1. In these regulations,—

- (a) "certificate" shall mean a certificate of qualification issued pursuant to these regulations;
- (b) "mechanic" shall mean a person engaged in the motor vehicle repair trade who has in his possession a current certificate of qualification other than a person engaged in gasoline and oil dispensing, lubrication, washing, polishing, cleaning, storage services, tire repairs other than vulcanizing and rebuilding, installing anti-freeze, installing hose connections, installing or adjusting fan belts, changing or removing thermostats, replacing light bulbs, lenses and fuses, cleaning and replacing spark plugs, re-charging batteries, installing new rental batteries and battery cables, installing windshield wiper blades and arms and such other services as may be determined by the provincial advisory committee;
- (c) "motor vehicle" shall mean any car, truck, bus or any other self-propelled vehicle licensed by the Department of Highways, or whose license is recognized by the Department of Highways; and
- (d) "motor vehicle repair trade" shall mean that branch of the automotive industry engaged in the repair, improvement and maintenance of motor vehicles.

SECTIONS OF MOTOR VEHICLE REPAIR TRADE

2. For the purpose of the Act and these regulations the motor vehicle repair trade shall be divided into the following sections:

- (a) "mechanical" which shall mean the repair, improvement and maintenance of all parts of the motor vehicle except the body, interior and exterior, including fenders, radiator, upholstery, trimming, painting, refinishing and such other services and parts of the motor vehicle as are related to the body;
- (b) "body" which shall mean the repair, improvement and maintenance of the body, interior and exterior, of the motor vehicle including the fenders, radiator, upholstery, trimming, painting, refinishing and such other services and parts of the motor vehicle as are related to the body; and
- (c) "specialized service" which shall mean any special service established in the motor vehicle repair trade and approved by the provincial advisory committee.

CONTRACT OF APPRENTICESHIP

3. Every person between the ages of sixteen and twenty-one years who enters the motor vehicle repair trade shall enter into a contract of apprenticeship.

EMPLOYMENT OF APPRENTICE

4.—(1) Subject to the approval of the Board, the proprietor of a garage or other place of business engaged in the repair of motor vehicles may employ one apprentice where the employer is a mechanic or where he employs a mechanic, and may employ an additional apprentice for each additional five mechanics employed.

(2) For the purpose of this regulation, apprentice shall include all those engaged in motor vehicle repair other than mechanics but shall not include an apprentice who is the subject of a temporary transfer.

TERM OF APPRENTICESHIP

5.—(1) The term of apprenticeship shall be five years, including the probationary period, provided that where a person has attended a technical or vocational school, approved by the Board, and has specialized in a course of motor mechanics for at least two years and is certified by the school to that effect, he shall be given credit for serving two years as an apprentice.

(2) For the purpose of determining the age of commencement of apprenticeship, the age of a person over twenty-one years of age who proposes to become an apprentice may, in the discretion of the Director, be reduced by a period of not greater than any period so spent in a technical or vocational school.

RATE OF WAGES

6. In no case shall a contract of apprenticeship be approved in which an apprentice shall receive wages at a rate less than the following rates:

For the 1st year—	30 per centum	of the mechanic's rate.
" 2nd "	40	" " " "
" 3rd "	50	" " " "
" 4th "	60	" " " "
" 5th "	70	" " " "

WHO MAY ENGAGE IN TRADE

7.—(1) Every person engaged in the motor vehicle repair trade, other than a registered apprentice, shall hold a current certificate.

(2) No person other than a registered apprentice or the holder of a current certificate shall be employed in the motor vehicle repair trade.

(3) Subregulations 1 and 2 shall not apply to a person who within two years of the coming into force

of this regulation, satisfies the provincial advisory committee that at the date of the coming into force of this regulation he had been engaged in the motor vehicle repair trade for a period of five years.

EXAMINATIONS

8.—(1) Subject to the approval of the Board, examinations shall be held as directed by the provincial advisory committee.

(2) Examiners shall be appointed by the Board and shall conduct examinations and recommend to the provincial advisory committee the issue of certificates.

(3) A candidate who fails to pass such examination may try such further examination as may be prescribed by the provincial advisory committee.

(4) The fee for an examination or a re-examination shall be \$1.

CERTIFICATE OF QUALIFICATION AND RENEWAL

9. A certificate shall be issued by the Board on the recommendation of the provincial advisory committee and the fee, upon the issue of such certificate, shall be \$1.

10. A certificate shall clearly designate the section of the motor vehicle repair trade in which a mechanic is qualified.

11. Every certificate and renewal thereof shall expire on the 31st day of October next following, provided that certificates and renewals thereof issued in the year 1944, before the 31st day of October, shall continue in force until the 31st day of January, 1945.

12.—(1) A form of application for renewal shall be attached to the certificate and an applicant for renewal of the certificate shall forward the completed form with the prescribed fee to the Director.

(2) A certificate which is not renewed for three consecutive years may be renewed only after the applicant has successfully completed an examination prescribed by the Board, provided that, until the two years after the coming into force of these regulations, any such certificate may be renewed without examination.

13.—(1) Subject to subregulation 2 the fee for the renewal of a certificate shall be \$1.

(2) The fee for the renewal of a certificate after the expiration thereof shall be \$2, and such fee shall be increased by \$1 for every year during which failure to renew continues but this subregulation shall not come into force until two years after the coming into force of these regulations.

(3) The fee for issuing a duplicate certificate shall be \$1.

CANCELLATION OF CERTIFICATE

14.—(1) A certificate may be cancelled by the Board on the recommendation of the Provincial advisory committee where the provincial advisory committee finds that the holder of such certificate has impersonated another person at any examination held under the regulations or has been impersonated by another person at any such examination or has been guilty of improper practice in connection with the trade and is so certified to the Board.

(2) No such cancellation shall take effect until ten days after a notification of such cancellation has been sent by prepaid registered mail to such person at his last known address.

(3) Every such person may appeal to the Board by delivering a notice of appeal to the Director at any time before the cancellation becomes effective.

(4) Upon the hearing of the appeal the Board may confirm such cancellation or direct that such certificate remain in good standing upon such terms as it deems proper, and every such certificate shall be deemed to continue in good standing until the decision of the Board is delivered.

POSTING OF CERTIFICATE

15. Every certificate shall at all times be conspicuously posted in the garage or workshop in which the holder thereof is employed.

FORMS FOR DIRECTOR

16. The proprietary of every garage or business engaged in the motor vehicle repair trade shall complete and forward to the Director such forms as the Director may prescribe.

MEMBERS OF THE FORCES

17. In the case of any person who having served as a member of any of the forces of His Majesty or any ally thereof is undertaking a course of training under any plan of rehabilitation approved by the Director, the Director may exempt him from any of the provisions of these regulations or make such variation therein as he deems warranted.

REVOCATION

18. All regulations heretofore made under section 15 of *The Apprenticeship Act* relating to the motor vehicle repair trade are revoked.

Regulations 382

(Ontario Regulations 29/45)

REGULATIONS MADE BY THE DEPARTMENT UNDER THE ASSESSMENT ACT

ABATEMENT AND REFUNDS OF TAXES

The Department of Municipal Affairs, under the authority of subsection 4 of section 125 of *The Assessment Act*, as re-enacted by section 15 of *The Assessment Amendment Act, 1944*, with respect to the abatement or refund of taxes, hereby prescribes the following:

1. The amount of the abatement or refund of taxes under the said section 125 shall, in respect of applications made under clauses *b*, *c*, *d*, or *e* of subsection 1 thereof, be subject to no restrictions and no limitations and shall be applicable to all classes of properties.

2.—(1) The amount of the abatement or refund of taxes under the said section 125 shall, in respect of applications made under clause *a*, subsection 1 thereof, be subject to the restrictions and limitations contained in subsection *a* and be applicable to all classes of properties except,—

- (a) unimproved land;
- (b) land which has a fixed assessment;
- (c) buildings which are partially exempt;
- (d) a building intended for use during a part of the year only;
- (e) a building vacant where the rent asked is unreasonable, where the building is not suitable for occupation by a tenant or where the applicant has not continuously endeavoured to have the same occupied;
- (f) a part of a building unless such part is separately assessed;
- (g) a building or part of a building unless it remained unfurnished during the period in respect of which the application is made;

(h) a building equipped and adapted for use for a limited and special class of occupancy only.

(2) An abatement or refund under the said clause *a* shall be made only in respect of taxes levied on the assessed value of the building in accordance with the following:

- (a) Where the period of vacancy is not less than three months and not more than four months, the amount of the abatement or refund shall not exceed ten per centum of the amount of the tax in respect of which an abatement or refund may be made.
- (b) Where the period of vacancy is more than three months, an additional abatement or refund may be made not exceeding five per centum of the amount of the tax, in respect of which an abatement or refund may be made, for each additional complete month over and above the three months which the building is vacant.

(3) No abatement or refund under the said clause *a* shall be made in respect of taxes levied for local improvement or as a special area rate.

3. Nothing contained herein shall restrict or limit the court of revision in abating or refunding taxes under clause *a* of subsection 1 of the said section 125 in respect of land made vacant in the preceding year, by the razing by fire, demolition or otherwise of a building formerly thereon, provided that the abatement or refund shall be the proportionate part of the taxes levied on the building assessment, for the part of the year during which it remained vacant.

Dated at Toronto this
10th day of April, 1945.

G. H. DUNBAR,
Minister, Department of
Municipal Affairs.

Regulations 383

(Ontario Regulations 63/44)

REGULATIONS MADE UNDER THE CEMETERY ACT

DEFINITIONS

1. In these regulations,—
 - (a) "Department" shall mean Department of Health;
 - (b) "lot" shall include plot, grave and burial site, but shall not include vault; and
 - (c) "Minister" shall mean the Minister of Health.

PLANS

2. Every owner of a cemetery shall submit for the approval of the Minister a general plan of the cemetery, drawn to scale and showing,—
 - (a) every lot, walk, fence, road, watercourse and building in the cemetery; and
 - (b) the dimensions of every such lot, walk, fence' road, watercourse and building.
3. Every such plan for a cemetery that contains ten or more acres of land or for any part of which a perpetual care contract or condition is in force, shall be prepared and the land shall be surveyed by an Ontario land surveyor or a professional engineer.

4. Every plan of a cemetery operated for gain or profit approved by the Minister shall be deposited, under *The Custody of Documents Act*, by the owner in the registry office for the registry division in which the cemetery is situate and in the case of a cemetery comprising land under *The Land Titles Act*, the plan shall be filed in the appropriate land titles office.

5. No alteration of the location, layout or dimensions of any lot in a cemetery shall be made until a detailed plan of such proposed alteration has been approved by the Minister, and in the case of a cemetery which is operated for gain or profit, the detailed plan of the proposed alteration shall be deposited or filed in accordance with regulation 4.

6. Where a plan is approved by the Minister pursuant to regulation 2 or 5, such approval shall be endorsed upon the plan.

INTERMENT IN LOTS

7. No body of a deceased person who had attained the age of sixteen years shall be buried in a grave that is less than eight feet in length and three feet in width, exclusive of space for monuments.

8. Every interment in a cemetery shall be made in a lot that is shown on a plan approved by the Minister.

9. No interment shall be made without the written consent of the owner of the lot or of a person who satisfies the owner of the cemetery that such person represents the owner of the lot.

WALKS AND ROADS

10. Public walks in every cemetery shall be so arranged as to give access to every plot therein and roads shall be provided to give access to all parts of the cemetery.

INSPECTION OF PLAN

11. Every owner shall keep available for public inspection during reasonable hours a copy of every plan of the cemetery that has been approved and deposited in accordance with these regulations.

SALE OF LOTS

12. Every owner shall at the time of every sale by him of a lot deliver to the purchaser thereof a deed or certificate showing,—

- (a) the name of the purchaser;
- (b) the location and area or dimensions of the lot purchased;
- (c) the date of the purchase; and
- (d) the amount of the sale price.

REGISTERS

13. Every owner shall keep a register for public inspection in which shall be entered,—

- (a) the name and address of every owner of a lot in the cemetery; and
- (b) every transfer of the ownership of a lot in the cemetery.

14. Every owner shall keep a separate register for public inspection in which shall be entered,—

- (a) the name of every deceased person whose body is interred in the cemetery;
- (b) the location of every dead body interred in the cemetery;
- (c) the date of the burial of every such body; and
- (d) the particulars of every disinterment or removal of any such body.

15.—(1) Every transfer of the ownership of a cemetery lot subsequent to the original sale thereof shall be made by the registered owner thereof or his legal representative giving to the owner of the cemetery a written notice containing a description of the lot, the date of the sale and the name and address of the transferee.

(2) Upon receipt of such notice and payment of a fee not exceeding two dollars, the owner shall forth-

with enter in the register kept in accordance with regulation 13 the date of the transfer and the name and address of the transferee.

DISINTERMENT

16. No dead body shall be disinterred or removed from a place of burial in a cemetery without the written consent of the local medical officer of health and the owner of the lot or place of burial, provided that the consent of the owner of the lot or place of burial shall not be requisite,—

- (a) where the owner of the lot or place of burial cannot conveniently be reached or the place of his residence is unknown to the owner of the cemetery, and the written consent of the Minister has been obtained; or
- (b) where the cemetery has been closed by proclamation of the Lieutenant-Governor in Council.

CREMATION

17. Where a dead body has been cremated the ashes remaining therefrom shall not be kept longer than 60 days thereafter in a crematorium or upon the premises of an embalmer or funeral director or in any place that is not designated as a proper place for the final disposition of such ashes.

SALE AND CARE CHARGES

18. Every owner of a cemetery shall file with the Department a list of the prices or rates charged for the sale and care of lots in the cemetery, the opening of graves and other services, and as penalties.

19. No charge other than those specified in the rules or by-laws for a cemetery shall be made for the erection, placing, arrangement or removal of tombs, vaults, monuments, gravestones, markers, corner posts and copings therein, the opening of graves and other services and as penalties.

20. No new prices or rates and no alteration in existing prices or rates for a cemetery shall be put into effect until a list thereof has been filed with the Department; provided that, where the Minister disallows any such new price or rate or alteration, such new price or rate or alteration shall not be put into effect.

CHANGE OF OWNERSHIP OF CEMETERY

21. No change in the ownership of a cemetery shall become effective until written notice thereof has been given to the Department and such change has been approved by the Minister.

CEMETERY BY-LAWS

22. No cemetery by-law, rule or regulation or any amendment thereof, shall have any force or effect unless approved by the Minister.

23. The Minister may revoke any approval given by him under these regulations.

MARKERS

24. The owner of a cemetery shall not require any lot owner to provide any marker, corner post, monument, coping, gravestone or fence other than those specified in the by-laws, rules or regulations for such cemetery.

25.—(1) Every owner who holds or receives any money for the purpose of perpetual preservation and maintenance of a lot, tomb, monument or enclosure pursuant to section 15 of *The Cemetery Act*, shall forthwith invest such money either with the Public Trustee or in securities in which a trustee may invest under *The Trustee Act*.

(2) Where a lot is sold under an agreement that perpetual care will be provided, the part of the sale price to be invested in the perpetual care fund shall be shown on the deed or receipt given.

(3) Any surplus income from the investment of such money shall be invested in accordance with subregulation 1 of this regulation.

(4) No income from the investment of such money shall be expended for the enlargement of the cemetery.

26.—(1) Every owner of a cemetery operated for gain or profit shall provide perpetual care and maintenance for the entire cemetery.

(2) Every such owner shall appropriate for the purpose of providing money for such perpetual care and maintenance an amount equal to at least fifteen per centum of the sale price or ten cents for every square foot of surface area, whichever is the greater, of every cemetery lot sold by such owner, and shall invest such money in accordance with subsection 5 of section 15 of *The Cemetery Act* and regulation 25, but the Minister may require an owner to increase the amount of such appropriation.

FINANCIAL STATEMENT

27. Every owner of a cemetery operated for gain or profit shall file annually with the Department an audited financial statement in respect of the operation of the cemetery during the preceding financial year.

28. Every owner shall, at the request of the Minister, forthwith furnish the Minister with such information as the Minister may require in respect of the cemetery and the care and management thereof.

LAST POST FUND

29. In the case of any burial where the Last Post Fund arranges and pays for the burial, the Last Post Fund shall have the power and authority to provide and erect a monument, gravestone or other memorial, and in any such case no other monument, gravestone or other memorial shall be placed upon the grave unless the owner obtains the consent in writing thereto of the Last Post Fund.

REVOCAION

30. All general regulations heretofore made under *The Cemetery Act* are revoked.

Regulations 384

(Ontario Regulations 50/44)

REGULATIONS MADE UNDER THE CHILDREN OF UNMARRIED PARENTS ACT

APPLICATION

1. Any application to a judge under this Act, or under these regulations, shall be entitled in the county or district court.

2. Any application and all material in connection therewith shall be filed with the clerk of the county or district court, who shall obtain the appointment from the judge.

3. An application for an order of affiliation (save and except where such application is on default in payment under an agreement with the Provincial Officer) shall be by way of a petition, and such petition shall set forth the allegations made as to the time and place when and where the intercourse charged took place.

4. A copy of such petition shall be served on the person said to be the father of the child, with the appointment for hearing.

ADJOURNMENTS

5. Upon satisfactory evidence that service has not been effected, or for any other good and sufficient reason, the judge may from time to time *ex parte* and without a formal hearing in chambers or in court grant an adjournment, or adjournments, to a definite date or *sine die* and notice of such adjournment, or adjournments, shall be given by the applicant to the county or district court clerk who shall not be required to attend.

DUTIES OF CLERK

6. Save as hereinbefore provided, the clerk of the county or district court shall attend on the hearing of every application under the Act and keep a proper minute of the proceedings.

COSTS

7. The judge in directing payment of costs under the provisions of the said Act against either or both of the parties to any application, shall fix the same in an amount based on the items relative to such proceedings under regulation 12 in addition to the fees paid or payable in the first instance under regulations 8, 11 and 13.

CLERK'S FEES

8. The county or district court Clerk shall be entitled to the following fees, for which he shall render accounts to the Provincial Officer where the application is at the instance of the Provincial Officer either directly or through the local officers:

- (1) Filing each petition (including all other papers)..... \$1.00
- (2) Each subpoena..... 1.00
- (3) Sitting as registrar at hearing of each application for affiliation order..... 2.00
- (4) Sitting as registrar at hearing of any other application under the Act..... 1.00
- (5) Fee on each adjourned hearing..... 1.00
- (6) Entry of affiliation order (including all necessary copies)..... 1.50
- (7) Entry of varied order..... 1.00
- (8) Search of proceedings..... .30
- (9) Copies of papers, per folio..... .10

INDEX

9. A proper index of all matters shall be kept by the clerk and all orders shall be entered in full in a book to be kept solely for that purpose and a copy of every order, certified by the clerk, shall be forwarded to the Provincial Officer.

COURT REPORTER

10. The judge shall be entitled to the services of the reporter of the local courts upon the hearing before him, in the same manner as if such hearing were a sitting of the county or district court, and such reporter shall be entitled to the same fees payable in the same manner as if such hearing were a sitting of such court.

WITNESS FEES

11. Witnesses shall be entitled to the same allowances as under the county court tariff. Interpreters' fees for each day attending the hearing, \$2.50.

SOLICITORS FEES

12. The fees to be allowed to solicitors and counsel for proceedings under this Act shall be as follows:

- (1) Fee attending hearing of each application for affiliation order,—
 - (a) where such application is contested \$15.00
 - (b) where such application is not contested..... 10.00
- (2) Fee on consent order..... 5.00
- (3) Fee on application to vary order..... 5.00
- (4) Fee attending on application for affiliation order where default has been made in any agreement..... 5.00
- (5) Fee attending on application made to enforce any order..... 5.00
- (6) Fee attending on each adjournment arising out of some requirement at previous hearing, at which evidence is taken.... 5.00
- (7) Fee attending on each such adjournment, at which no evidence is taken..... 2.00

CONSTABLES' FEES

13. The fees payable to constables or other persons making service of papers shall be as follows:

- (1) Service of any appointment, subpoena or summons..... \$.50
- (2) Execution of warrants or orders of imprisonment..... 1.50
- (3) Mileage one way, per mile (Items 1 and 2)..... .15
- (4) Affidavit of service, if any fee paid..... .25

OTHER EXPENSES

14. The Department shall be authorized to pay such reasonable travelling, hotel and other expenses as may, in its opinion, be necessary in the proper enforcement of the Act and of these regulations.

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Regulations 385

(Ontario Regulations 222/44)

REGULATIONS MADE BY THE BOARD UNDER THE CHIROPODY ACT, 1944

APPLICATIONS

1.—(1) An applicant for examination and registration as a chiropodist shall make application to the Board upon a form prescribed and supplied by the Board and shall furnish,—

- (a) proof that he is of the full age of twenty-one years;
- (b) proof of good moral character;
- (c) proof of having passed junior matriculation or equivalent examinations;
- (d) proof of,—
 - (i) graduation from a college or school of chiropody approved by the Board, having a course of instruction requiring a minimum of forty-five hundred hours of instruction; or
 - (ii) graduation from a college or school of chiropody approved by the board, having a course of instruction which does not require a minimum of forty-five hundred hours of instruction and five years practical experience after graduation; and
- (e) such further information as the application form may require.

(2) An applicant who was registered as a chiropodist under *The Drugless Practitioners Act*,—

- (a) as of the 1st day of January, 1944; or
- (b) who, having entered any of the armed forces of His Majesty, was so registered as of the date of such entry,

shall apply for registration only and shall not be required to furnish the proof mentioned in clauses (a) to (d) of subregulation 1 or to be examined.

(3) The application, together with the prescribed fee, shall be lodged with the secretary-treasurer at least two weeks before the date set for the meeting of the Board for examination of candidates and the consideration of exemptions.

EXAMINATIONS

2.—(1) Examinations shall be written, oral, or clinical, or a combination of two or more of such methods, as the Board may determine.

(2) Examinations shall embrace the following subjects,—

- (a) anatomy and histology;
- (b) dermatology and syphilology;

(c) chemistry, materia medica and therapeutics;

(d) clinical chiropody and technic;

(e) orthopaedics;

(f) x-ray and diagnosis;

(g) physiology;

(h) pathology; and

(i) bacteriology.

(3) Examinations shall be so limited in their scope as to cover only the requirements for chiropody education and shall require only such medical and surgical knowledge as may be necessary for the practice of chiropody.

3.—(1) The Board shall appoint two or more qualified chiropodists, of whom at least one shall be a member of the Board, to prepare the examination papers and such examination papers shall be submitted to the Board for approval.

(2) The persons appointed to prepare the examination papers shall, after their approval by the Board, examine the applicants in respect thereto and shall mark the papers, but the Board shall review and finally pass upon all examinations tried and marked.

(3) The examinations shall be held at such time and place as the Board may determine.

(No reg. 4 filed.)

5.—(1) A candidate shall obtain at least sixty per centum of the total marks on each subject and an average of at least seventy-five per centum on all examinations.

(2) Where a candidate fails in not more than three subjects he may try supplemental examinations therein upon payment of the prescribed fee and the results thereof shall be used in computing the average on all examinations.

REGISTRATION

6.—(1) Registration or renewal of registration shall be granted to every person entitled thereto upon payment of the prescribed fee and a certificate of registration or renewal of registration signed by the chairman and the secretary-treasurer shall thereupon be issued to such person.

(2) Every registration and renewal thereof shall expire at the end of the calendar year, subject to renewal thereof either before or after such date.

7. Every registered chiropodist shall display his certificate of registration or of renewal of registration, as the case may be, in a prominent position at his place of business.

MEETINGS OF BOARD AND DUTIES OF OFFICERS

8.—(1) The Chairman shall call and preside at all meetings of the Board, sign the minutes of each meeting when approved by the Board and act generally in accordance with the requirements of his office for the proper carrying out of the duties of the Board.

(2) The chairman may call such meetings of the Board as he may deem expedient and shall call a meeting upon the written request of any two members of the Board.

9. Notice of a meeting of the Board shall be in writing delivered or mailed to each member of the Board not less than one week before the time set for the meeting

10. In the absence of the chairman the vice-chairman shall act in his stead.

11. Three members of the Board shall constitute a quorum at any meeting of the Board.

12. The order of business of the Board shall be,—

- (a) roll call;
- (b) reading of minutes of the previous meeting;
- (c) business arising out of minutes;
- (d) correspondence;
- (e) reports of committees;
- (f) unfinished business;
- (g) new business; and
- (h) accounts.

13. The secretary-treasurer shall,—

- (a) conduct the correspondence of the Board;
- (b) keep a true record of all its proceedings;
- (c) send notice of meetings to members of the Board;
- (d) keep an annual register of all persons granted registration or renewal thereof, together with their addresses and qualifications, and furnish a copy thereof to any member of the Board upon request;
- (e) keep such books of record and account as the Board shall determine and permit any member of the Board to make an inspection thereof at any time;
- (f) receive all moneys payable to the Board and place them to the credit of the Board in a chartered bank approved by the Board;
- (g) keep a record of the results of all examinations; and
- (h) under the direction of the Board, take all necessary steps and proceedings to enforce the provisions of the Act and these regulations.

14. On the 1st day of March of each year the secretary-treasurer shall prepare and shall certify, under his hand and the hand of the chairman, an alphabetical list of all chiropodists registered under the Act, together with their business addresses, and he shall forthwith mail a copy thereof to each registered chiropodist.

FEES

15.—(1) Fees in the following amounts shall be paid to the Board upon application,—

- (a) for examination and registration, \$100.00;
- (b) for supplemental examinations, \$10.00 for each examination;
- (c) for examination and registration by a person who has failed previously, \$75.00;
- (d) for registration by a person mentioned in subregulation 2 of regulation 1, \$25.00; and
- (e) for renewal of registration, \$20.00.

(2) In the event of failure by an applicant on his examinations, neither the whole or any portion of the fees payable under clauses (a) and (c) of subregulation 1 shall be refunded.

(3) Fees payable under clause (d) of subregulation 1 shall become due on the day upon which these regulations come into force except in the case of an applicant who entered any of the armed forces of His Majesty, in which case the fee shall become due on the 1st day of January next following the year in which he was discharged from such forces.

(4) Renewal fees shall become due on the 1st day of January in each year.

(5) A person who has not paid a prescribed fee within one month of the date upon which it became due shall be deemed to be in default in the payment of his fees and shall be granted registration or renewal of registration only upon payment of all arrears of fees and an additional fee of \$20.00.

(6) Where a person who is,—

- (a) entitled to registration fails to register upon becoming so entitled within the time prescribed; or
- (b) registered as a chiropodist fails to renew his registration,

and in the opinion of the Board special circumstances exist, the Board may remit such portion of the fees payable under these regulations as it deems proper.

EXPENSES

16. There shall be paid by the Board,—

- (a) to each member of the Board a fee of \$10.00 for each day or portion of a day while engaged in attending a meeting of the Board, and his reasonable travelling and hotel expenses;
- (b) to any member of the Board or any qualified chiropodist appointed to investigate any com-

plaint or assist in the conducting of any prosecution, his reasonable travelling and hotel expenses, and such fee as may be reasonable, but which in no case shall exceed \$50.00;

- (c) to the examiners appointed under regulation 3, a total fee of \$50.00 for each set of examinations to be apportioned between the examiners in equal amounts;
- (d) to the secretary-treasurer in lieu of all other fees provided for members of the Board, such compensation for his services as the Board may determine; and
- (e) such other reasonable and proper expense as may be incurred with the approval of the Board for the purpose of carrying out the provisions of the Act and these regulations.

DISCIPLINE

17. No chiropodist, either in his own name or in the name of anyone associated with him, shall advertise charges or fees in respect to the practice of chiropody in any newspaper, sign, circular, card, booklet or other publication.

18. No chiropodist shall offer any cash or other consideration for the procuring of patients through third parties.

19. No chiropodist shall offer to guarantee a cure, either verbally or in writing, or by advertisement or otherwise.

20. No chiropodist shall, in the practice of chiropody, use any trade name or designation, or corporate name, or any distinguishing name which does not include the name of such chiropodist, for premises in which he carries on the practice of chiropody, but every chiropodist shall, for all purposes in connection with his profession, use his own name.

21. Every chiropodist shall display conspicuously a sign bearing his name at his place of business.

22. Nothing herein contained shall prevent,—

- (a) a partnership between two or more registered chiropodists; or
- (b) a registered chiropodist from entering the employ of any other registered chiropodist.

23.—(1) Where the Board receives a complaint in writing that any registered chiropodist has been guilty of misconduct or displayed such ignorance or incompetence as to render it desirable in the public interest that his registration should be cancelled or suspended, the Board may cause such investigation to be made as it deems expedient or may fix a time and place at which it shall meet and hear and determine such complaint, or both.

(2) Notice in writing of any hearing under sub-regulation 1 shall be given to the person against whom the complaint has been made by delivering or mailing a copy thereof to such person at least one week before such hearing and such notice shall be accompanied by a copy of the complaint.

(3) The person against whom the complaint has been made shall be entitled to attend and to be represented by counsel at the hearing of the Board, but where he does not attend, the Board may proceed in his absence.

(4) The Board may employ such legal and other assistance as it deems necessary for the purpose of any investigation or hearing.

24. The Board may cancel or may suspend for such time and upon such terms and conditions as it deems proper the registration of any person whom upon any hearing it finds to be guilty of misconduct or to be ignorant or incompetent.

25. The Board may order to be paid out of the funds at their disposal such costs as to them seem just, to any person against whom any complaint has been made which when formally determined is found to be frivolous and vexatious.

DESIGNATION

26. Every registered chiropodist shall describe his qualifications and occupation only by the use, as an affix, of his degree or degrees and the word "chiropodist" or "podiatrist" and shall not use any title, affix, or prefix which in the opinion of the Board is calculated to mislead the public as to the qualification or occupation of such person.

COMMENCEMENT

27. These regulations shall come into force on the 1st day of January, 1945.

Regulations 386

(Ontario Regulations 263/44)

GENERAL RULES AND ORDERS MADE BY THE COURT OF APPEAL FOR ONTARIO UNDER THE ONTARIO CONTROVERTED ELECTIONS ACT (R.S.O. 1897, c. 11, amended to 23rd December, 1903)

I

PRESENTATION OF PETITION

1. The Presentation of an Election Petition complaining of the undue election or return of a member of the Legislative Assembly, or complaining of any unlawful and corrupt act of any candidate at such election who was not returned, shall be made as follows:

- (a) in cases arising in the County of York or City of Toronto by delivering it to the Registrar of the Court of Appeal;
- (b) in cases arising in an Electoral District situated or partly situated in a Provisional Judicial District by delivering it to the Local Registrar of the High Court for the Provisional Judicial District in which the Electoral District or any part thereof is situated.
- (c) in cases other than the above by delivering it to the Local Registrar of the High Court for the County in which the Electoral District or any part thereof is situated.

2. In case there is no Local Registrar of the High Court for a County or Provisional Judicial District, presentation of the Petition may be made by delivering it to the Deputy Clerk of the Crown for such County or provisional Judicial District.

3. In any case not otherwise prescribed presentation of the Petition may be made by delivering it to the Registrar of the Court of Appeal.

4. With every petition delivered as aforesaid there shall also be delivered the affidavit prescribed by *The Ontario Controverted Elections Act*, and no Petition shall be received unless accompanied by such affidavit.

5. With the Petition shall also be left a copy thereof to be sent by the said Registrar, Local Registrar or other officer to the Returning Officer pursuant to section 12 of the said Act.

6. The Registrar of the Court of Appeal, Local Registrar or other officer, or the Clerk of such Registrar, Local Registrar or other officer shall (if required) give a receipt which may be in the following form:

Received on the _____ day of _____, A.D. _____ at the office of the Registrar of the Court of Appeal (or of the Local Registrar of the High Court for the County of _____ or as the case may be), a Petition (*here state the purport of the said petition*) for the Electoral District of the (*state the place*) purporting to be signed by (*insert the names of Petitioners*) and the affidavit of the said Petitioners annexed thereto.

Registrar, or Local Registrar,
or as the case may be.

7. On receipt of a Petition by a Local Registrar or other officer he shall forthwith send notice thereof, by registered letter, to the Registrar of the Court of Appeal.

II

CONTENTS OF PETITION

1. An Election Petition shall contain the following statements:

- (a) The right of the Petitioners to petition as defined by the said Act;
- (b) The holding and result of the Election, and a brief statement of the grounds relied on; and shall conclude with a prayer, stating the relief claimed.

2. Evidence is not to be stated in the Petition.

III

DIVISION OF PETITION

The Petition shall be divided into paragraphs, each of which, as nearly as may be, shall be confined to a distinct portion of the subject, and every paragraph shall be numbered consecutively, and no costs shall be allowed of drawing or copying any Petition not substantially in compliance with this Rule, unless otherwise ordered by the Court or a Judge.

IV

FORM OF PETITION

The following form of a Petition, or one to the like effect, shall be sufficient:

IN THE COURT OF APPEAL

The Ontario Controverted Elections Act. Election for the Electoral District of the (*state the place*) holden on the _____ day of _____, A.D. _____

The Petition of _____ whose names, or name are or is subscribed.

1. Your Petitioners are persons who voted, or had a right to vote (*as the case may be*) at the above Election, or your Petitioner was a candidate at the above Election; or (*in case of a cross petition*) is the Respondent in the Petition presented by A., or are persons who voted, or had the right to vote (*as the case may be*), at the above Election.

2. And your Petitioners state that the Election was holden on the _____ day of _____, A.D. _____, when A.B., C.D. and E.F. were candidates, and the Returning Officer has returned A.B. as being duly elected.

3. And your Petitioners say that [here state briefly and concisely the grounds on which the Petitioners rely, e.g., That the Respondent by himself and by his agents was guilty of bribery, treating and undue influence and of other corrupt and illegal practices at the said Election as defined by The Ontario Election Act and The Ontario Controverted Elections Act. And on the ground that—state briefly and concisely any other ground that may be relied upon.]

Wherefore your Petitioners pray that it may be determined that the said A.B. was not duly elected or returned, and that the Election was void, or that the said E.F. was duly elected and ought to have been returned, (or as the case may be); or (in the case of a cross petition), that the said C.D. or E.F. (or as the case may be) may be declared guilty of the unlawful and corrupt practices and acts alleged.

(Signature of Petitioner or Petitioners.)

V

AGENTS

With the Petition, the Petitioner shall leave at the office where the Petition is filed a writing, signed by him or on his behalf, giving the name of some person entitled to practise as a Solicitor, whom he authorizes to act as his Agent, or stating that he acts for himself, as the case may be; and in either case giving an address, within the City, Town or place where the Petition is filed, at which notices addressed to him may be left; and if no such writing be left or address given, then all notices and proceedings may be given to and served on the Petitioner by the Respondent by sticking up the same at the office where the Petition is filed.

VI

Any person returned as a Member, and any person who may be a Respondent under sections 4, 5 or 7 of the said Act, may at any time after the election, send to or leave at the office where a Petition should properly be filed, a writing signed by him or on his behalf, appointing a person entitled to practise as a Solicitor, to act as his Agent in case there should be a Petition against him, or stating that he intends to act for himself; and in either case giving an address within the City, Town or place where a Petition should be filed at which notices may be left, and in default of such writing being left within a week after service of the Petition, notices and proceedings may be given and served respectively on any such Respondent by sticking up the same at the office where the Petition is filed.

VII

An Agent employed for the Petitioner or Respondent shall forthwith leave written notice at the office where the Petition is filed of his appointment to act as such agent, and service of notices and proceedings upon such agent shall be sufficient service thereof on his principal for all purposes.

VIII

1. The Registrar of the Court of Appeal, Local Registrar or other officer, as the case may be, shall keep a book or books at his office in which he shall enter the names of such agents, and of all addresses given under either of the preceding Rules, which book shall be open to inspection by any person during office hours, without payment of any fee.

2. Every Local Registrar or other officer in whose office a Petition is filed shall forthwith send to the Registrar of the Court of Appeal the names and addresses of the agents as appearing in the book kept under this Rule by such Local Registrar or other officer.

IX

DUTIES OF LOCAL REGISTRAR

1. The Registrar of the Court of Appeal, Local Registrar or other officer as the case may be, shall, upon the presentation of the Petition, and notice of the deposit of money, forthwith send the copy of the Petition left with him for that purpose to the Returning Officer pursuant to the said Act, and shall therewith send the name of the Petitioner's agent, if any, and of the Respondent's agent, if any, and the Returning Officer shall forthwith publish those particulars along with the notice prescribed by the said Act.

2. Every Local Registrar or other officer shall, forthwith after receipt of notice of the deposit and transmission by him of the copy of the Petition to the Returning officer, forward the original Petition by registered letter to the Registrar of the Court of Appeal, first endorsing thereon the date of the receipt of the notice of deposit.

X

SERVICE OF PETITION

Where the Respondent has named an agent or given an address, at which notices addressed to him may be left, the service of an Election Petition may be made by delivery of it to the Agent, or by posting it in a registered letter to the address given at such a time that, in the ordinary course of post, it would be delivered within the prescribed time.

In other cases the service must be personal on the Respondent, unless the Court or a Judge, on an application made not later than five days after security is given, on affidavit showing what has been done, shall be satisfied that all reasonable effort has been made to effect personal service, and to cause the matter to come to the knowledge of the Respondent, including, when practicable, service upon his agent for Election expenses, in which case the Court or a Judge may order that what has been done shall be considered sufficient service, subject to such conditions as may be reasonable.

XI

POSTING OF NOTICE

In case of evasion of service, the sticking up in the office where the Petition is filed of a notice of the Petition having been presented, stating the name of the Petitioner, and the relief prayed, shall be deemed equivalent to personal service, if so ordered by the Court or a Judge.

XII

DEPOSITS

The deposit of money by way of security for payment of costs, charges and expenses payable by the

Petitioner, shall be made by payment into the Canadian Bank of Commerce in Toronto, to an account to be opened there as directed by the said Act; and the Bank on receiving the said deposit of money shall give a receipt or certificate for the same in duplicate, one copy to be given to the party making the deposit, and the other to be forthwith left at the office of, or posted to, the Accountant of the Supreme Court of Judicature for Ontario.

XIII

CLAIMS TO DEPOSITS

All claims to the money deposited in the Bank for payment of costs, charges and expenses payable by the Petitioner, pursuant to the said Act, shall be disposed of by order of the Court or a Judge.

XIV

ORDER FOR RETURN OR DISPOSAL OF DEPOSITS

Money so deposited shall, if and when the same is no longer needed for securing payment of such costs, charges and expenses, be returned or otherwise disposed of as justice may require, by order of the Court or a Judge.

XV

Such order may be made after such notice of intention to apply, and proof that all just claims have been satisfied, or otherwise sufficiently provided for, as the Court or a Judge may require.

XVI

The order may direct payment either to the party by whom the same was deposited, or to any person entitled to receive the same.

XVII

FILING OF BANK RECEIPTS, ETC.

The Accountant shall file the Bank receipt or certificate, and keep a book open to inspection of all parties concerned, in which shall be entered from time to time a memorandum of all such Bank receipts or certificates and the amounts thereof, and the Petitions to which they are respectively applicable, which book may be inspected without payment of any fee.

XVIII

PETITION AT ISSUE

Ten days after the service of the said Petition on the Respondent or his agent, or in the manner prescribed by the said Act or these Rules, the Petition shall be at issue, unless otherwise ordered by the Court or a Judge.

XIX

PRODUCTION AND INSPECTION OF BOOKS, LISTS, COMMISSIONS, ETC.

At any time after the Election Petition is at issue, either party, by order of the Court or a Judge, may have production and inspection of all books, lists, com-

missions, ballots, certificates, statements, papers, documents and returns whatsoever, relating to the Election, returned to, or in possession of the Clerk of the Crown in Chancery, at such place and in such manner, and upon such terms as the Court or a Judge shall direct. And for the purpose of such production and inspection, and for the purposes of the trial of the Election Petition, the Clerk of the Crown in Chancery shall deliver or transmit the said books, lists, commissions, ballots, certificates, statements, documents, papers and returns in such manner and to such officer as by order of the Court or a Judge shall be directed.

The said books, lists, commissions, ballots, certificates, statements, documents, papers and returns shall be returned to the custody of the Clerk of the Crown in Chancery after the trial of the Petition, or after the purpose has been served for which their delivery or transmission was required.

XX

PARTICULARS OF VOTES

When a Petitioner claims the seat for an unsuccessful candidate, alleging that he had a majority of lawful votes, the party complaining of, and the party defending, the Election or return, shall, fourteen days before the day appointed for the trial, give to the respective agents, or leave at the respective addresses, if any, given by the Petitioner and Respondent (*as the case may be*), particulars of the votes intended to be objected to, and of the heads of objection to each vote, verified by affidavit as prescribed by the said Act, and shall also file with the Registrar of the Court of Appeal one copy of such particulars and leave with him two additional copies for the use of the Judges at the trial.

XXI

CORRUPT PRACTICES

When a Petition alleges corrupt practices against a Respondent or his agents, the Petitioner shall, fourteen days before the day appointed for the trial, give to the Respondent, or his agent, particulars in writing of the specific corrupt practices charged, specifying the persons alleged to have been guilty of the same, together with their addresses, as far as known, and also specifying the times and places when the specific corrupt practices were committed by or between the persons charged, and also of any illegal practices intended to be relied upon, as may, in connection with the said alleged corrupt practices, affect the result of the election, verified by affidavit as prescribed by the said Act, and shall also file with the Registrar of the Court of Appeal one copy of such particulars and leave with him two additional copies for the use of the Judges at the trial.

XXII

PARTICULARS OF OBJECTIONS TO ELECTION OR RETURN

When at the trial of a Petition, complaining of an undue election or return, and claiming the seat for some person, the Respondent intends to give evidence to prove that the election of such person was undue, such Respondent shall, fourteen days before the day appointed for the trial, give to the Petitioner or his

agent, particulars of the objections to the election or return of such person upon which he intends to rely, verified by affidavit, as prescribed by the said Act, and shall also file with the Registrar of the Court of Appeal one copy of such particulars and leave with him two additional copies for the use of the Judges at the trial.

XXIII

UNLAWFUL AND CORRUPT ACTS

When a Petitioner, in a cross Petition under section 7 of the Act, alleges that unlawful and corrupt acts were committed by any candidate at the same election, who was not returned, he shall, fourteen days before the day appointed for trial, give to the Respondent, or his agent, particulars in writing of the alleged unlawful and corrupt acts of the said candidate, verified by affidavit as prescribed by the said Act, and shall also file with the Registrar of the Court of Appeal one copy of such particulars and leave with him two additional copies for the use of the Judges at the trial.

XXIV

FURTHER PARTICULARS

The Court or a Judge may at any time order such further particulars as may be necessary to prevent surprise and unnecessary expense, and to ensure a fair and effectual trial, in the same manner as in ordinary proceedings in the High Court of Justice, and as prescribed by the said Act, and upon such terms as may be ordered.

XXV

FURNISHING PARTICULARS

The Registrar of the Court of Appeal shall allow inspection and, on request, shall furnish office copies of the particulars specified in the five preceding rules, to all parties concerned; and no evidence shall be given against the validity of any vote, nor upon any head of objection, or corrupt or illegal practice, not specified in the particulars, except by leave of the Court or a Judge upon such terms as may be ordered.

XXVI

LIST OF PETITIONS AND CROSS PETITIONS

The Registrar of the Court of Appeal shall make out a list of all the Petitions and cross Petitions filed in his office, or of which he shall have received notice, and the dates of filing the same respectively. In it he shall insert the names of the Agents of the Petitioner and Respondent, and the addresses to which notices may be sent, if any. The list may be inspected at the office of the Registrar of the Court of Appeal at any time during office hours, and shall be put up for that purpose upon a notice board appropriated to proceedings under the said Act, and headed "The Ontario Controverted Elections Act."

XXVII

TIME AND PLACE OF TRIAL

The time and place of the trial of each Election Petition shall be fixed by the Judges on the rota, and

notice thereof shall be given in writing by the Registrar of the Court of Appeal, by sticking notice up in his office, sending by post one copy to the address given by the Petitioner, another to the address given by the Respondent, if any, another to the Clerk of the Crown in Chancery, and another to the Sheriff, fifteen days before the day appointed for the trial. The Sheriff shall forthwith publish the same in the Electoral District. Either party may apply under this Rule to a Judge on the rota.

XXVIII

NOTICE OF TRIAL

The sticking up of the notice of trial at the office of the Registrar of the Court of Appeal shall be deemed and taken to be notice in the prescribed manner within the meaning of the said Act, and such notice shall not be vitiated by any miscarriage of, or relating to, the copy or copies thereof to be sent as hereinbefore directed.

XXIX

The notice of trial may be in the following form:

THE ONTARIO CONTROVERTED ELECTIONS ACT

Election Petition for the Electoral District of the (*state the place*). Take notice that the above Petition (*or Petitions*) will be tried at _____ on the _____ day of _____, A.D. _____, and on such other subsequent days as may be useful.

Dated the _____ day of _____, A.D. _____

By order

Registrar of the Court of Appeal.

XXX

TITLE OF COURT OF RECORD

The title of the Court of Record for the trial of an Election Petition may be as follows:

Court for the trial of the Election Petition for the Electoral District of the (*state the place*) between _____, Petitioner, and _____, Respondent. And it shall be sufficient so to entitle all the proceedings in that Court.

XXXI

OFFICER OF COURT

An officer shall be appointed for each Court to be holden for the trial of an Election Petition, by the Judge or Judges assigned to hold the same, who shall attend at the trial in like manner as the Clerks of Assize attend at the sittings of the High Court.

Such officer may be called the Registrar of that Election Court. He, or in case of need his sufficient Deputy, shall perform all the functions incident to the officer of a Court of Record, and also such duties as may be prescribed to him, or directed by the said Judge or Judges.

XXXII

DELIVERY OF POLL BOOKS, ETC.

The Clerk of the Crown in Chancery shall, on or before the day fixed for the trial, deliver, or cause to be delivered, to the Registrar of the Election Court for the trial of the Petition, or his Deputy, the Poll Books, and other documents relating to the said Election, for which the said Registrar, or his Deputy, shall give, if required, a receipt; and the said Registrar, or his Deputy, shall keep in safe custody the said Poll Books and other documents until the trial is over, and then return the same to the proper officer.

XXXIII

COPIES OF PETITION

At the time appointed for the trial of the Election Petition, the Petitioner shall leave with the Registrar of the Election Court for the use of the Judge or Judges at the trial, fairly written on one side of the paper only, a copy or copies of the Petition and of all the proceedings thereon which show the several matters to be tried, including the copies of the particulars of objections or corrupt practices or illegal acts on either side left with the Registrar as directed by Rules 20, 21, 22 and 23, and correctness of which copy or copies, in so far as proceedings are filed or deposited with the Registrar of the Court of Appeal, shall be certified by the said Registrar. The Judge or Judges may allow amendment of the said copy or copies. In default of such copy or copies being delivered, the Judge or Judges may refuse to try the Petition or may allow a further time for delivery, or may adjourn the trial, in every case upon such terms, as to costs and otherwise, as the Judge or Judges shall see fit to impose.

XXXIV

POSTPONEMENT OF TRIAL

The Judge or Judges assigned to try the Election Petition may from time to time, by order made upon the application of a party to the Petition, or by notice to be sent to the Sheriff, in such form as may be directed, postpone the beginning of the trial to such day as may be named, and such notice, when received, shall be forthwith made public by the Sheriff.

XXXV

ADJOURNMENT OF TRIAL

In the event of the Judge or Judges not having arrived at the time appointed for the trial, or to which the trial is postponed, the commencement of the trial shall, *ipso facto*, stand adjourned to the ensuing day, and so from day to day.

XXXVI

No formal adjournment of the Court for the trial of an Election Petition shall be necessary, but the trial is to be deemed adjourned, and may be continued from day to day until the inquiry is concluded; and in the event of the Judge or Judges who begin the trial being disabled by illness or otherwise, it may be recommenced and concluded by another Judge or Judges.

XXXVII

STATEMENT OF SPECIAL CASE

The application to state a special case may be made to the Court of Appeal when sitting, or by motion before a Judge at Chambers.

XXXVIII

WITNESS COSTS

The reasonable costs of any witness shall be ascertained by the Registrar of the Election Court, and the certificate allowing them shall be under his hand, subject to an appeal to the trial Judge or Judges.

XXXIX

ORDER FOR ATTENDANCE OF WITNESS

The order of the Election Court or a Judge to compel the attendance of a person as a witness may be in the following form:

Court for trial of the Election Petition for the Electoral District of the (*state the place*). The day of _____, A.D.

To A:B. (*describe the person*). You are hereby required to attend before the above Court at (*place*), on the _____ day of _____, at the hour of _____ or forthwith (*as the case may be*), to be examined as a witness in the matter of the said Petition, and to attend the said Court until your examination shall have been completed.

As witness my hand,

A.B.,
Judge of the said Court.

XL

CONTEMPT OF COURT

In the event of its being necessary to commit any person for contempt, the warrant may be as follows:

At a Court holden on _____ at _____ for the trial of the Election Petition for the Electoral District of the (*state the place*) before The Honourable _____, one of the Judges (*or before The Honourable _____ and The Honourable _____*, the Judges) on the rota for the trial of Election Petitions, pursuant to *The Ontario Controverted Elections Act*.

Whereas, A.B., has this day been guilty, and is by the said Court adjudged to be guilty, of a contempt thereof; the said Court does, therefore, sentence the said A.B. for his said contempt to be imprisoned in the common gaol of the County or City (*as the case may be*) of _____, for the space of _____ calendar months, and to pay to our Lord The King a fine of \$ _____, and to be further imprisoned in the said gaol until the said fine be paid. And the Court further orders that the Sheriff of the said County (*or as the case may be*) and all constables and officers of the Peace of any County or place where the said A.B. may be found, shall take the said A.B. into custody, and con-

vey him to the said gaol, and there deliver him into the custody of the gaoler thereof to undergo his said sentence. And the Court further orders the said gaoler to receive the said A.B. into his custody, and that he shall be detained in the said gaol in pursuance of the said sentence.

Dated the _____ day of _____, A.D.

(To be signed by the Judge or Judges.)

XXI

Such warrant may be made out and directed to the Sheriff or other person having the execution of process of the High Court, as the case may be, and to all constables and officers of the Peace of the County or place where the person adjudged guilty of contempt may be found; and such warrant shall be sufficient without any further particularity, and shall and may be executed by the persons to whom it is directed, or any or either of them.

XLII

RETURN OF FINDING ON PETITION

After the trial of any Election Petition, the Judge or Judges shall return to the Registrar of the Court of Appeal the evidence and proceedings before the Election Court and the finding on the said Petition.

XLIII

WITHDRAWAL OF PETITION

Notice of an Application for leave to withdraw a Petition shall be in writing and signed by the Petitioner or his agent. It shall state the ground on which the application is intended to be supported. The following form shall be sufficient:

The Ontario Controverted Elections Act. The Electoral District of the (*state the place*). Petition of (*state petitioner*), against (*state respondent*), presented day of _____, A.D.

The Petitioner proposes to apply to withdraw his Petition upon the following ground (*here state the ground*), and prays that a day may be appointed for hearing his application.

Dated this _____ day of _____, A.D.

(*Signature of Applicant.*)

XLIV

1. The notice of application for leave to withdraw shall be delivered to the Registrar of the Court of Appeal.

2. Such proof of bona fides of the application to withdraw shall be given by affidavit or otherwise as the Court or a Judge shall require or direct.

XLV

A copy of such notice of the intention of the Petitioner to apply for leave to withdraw his Petition shall be given by the Petitioner to the Respondent, and to the Returning Officer, who shall make it public in the

Electoral District to which it relates, and it shall also be forthwith published by the Petitioner in at least one newspaper published or circulating in the Electoral District, if any.

The following may be the form of such notice:

The Ontario Controverted Elections Act. Election Petition for the Electoral District of the (*state the place*) in which _____ is Petitioner, and _____ Respondent. Notice is hereby given that the above Petitioner has on the _____ day of _____ lodged at the office of the Registrar of the Court of Appeal, notice of an application to withdraw the Petition, on the following ground (*set it out*). And take notice that any person who might have been a Petitioner in respect of the said Election may, within ten days after the publication of this notice, give notice to the Registrar of the Court of Appeal in writing, of his intention on the hearing to apply for leave to be substituted as a Petitioner.

A. B.,
Returning Officer.

XLVI

SUBSTITUTE FOR PETITIONER

Any person who might have been a Petitioner in respect of the Election to which the Petition relates, may, within ten days after such notice is published by the Returning Officer, give notice, in writing, signed by him or on his behalf, to the Registrar of the Court of Appeal of his intention to apply at the hearing of the application to withdraw, to be substituted for the Petitioner, but the want of such notice shall not defeat such application, if in fact made at the hearing of the application to withdraw the said Petition.

XLVII

TIME AND PLACE OF APPLICATION

The time and place for hearing the application shall be fixed by a Judge of the Court of Appeal, and either before the Court of Appeal or before a Judge, as he may deem advisable, but such time shall not be less than a week after the notice of the intention to apply to be substituted for the Petitioner has been given to the Registrar of the Court of Appeal as hereinbefore provided; and notice of the time and place appointed for the hearing of such application shall be given to such person, if any, as shall have given notice to the Registrar of the Court of Appeal of such intention to apply to be substituted as the Petitioner, and otherwise in such manner and at such time as the Court or a Judge may direct.

XLVIII

ABATEMENT OF PETITION

Notice of the abatement of a Petition, by death of the Petitioner or surviving Petitioner, under the said Act, shall be given by the party or person interested, and shall be published in the same manner as notice of an application to withdraw a Petition; and the time within which application may be made thereafter by any other person to the Court or a Judge, to be substituted as a Petitioner, shall be fourteen days after

the notice of such abatement is published by the Returning Officer, or such other time as upon consideration of any special circumstances, the Court or a Judge may allow.

XLIX

DEATH OF RESPONDENT OR VACANCY IN SEAT

If the Respondent dies or if the Legislative Assembly have resolved that his seat is vacant, or if he gives notice that he does not intend to oppose the Petition, any person entitled to be a Petitioner under the said Act in respect of the Election to which the Petition relates, may give notice of the fact in the Electoral District by causing such notice to be published in at least one newspaper published or circulating therein, if any, and by leaving a copy of such notice signed by him or on his behalf with the Returning Officer, and a like copy with the Registrar of the Court of Appeal.

L

NOTICE OF INTENTION NOT TO OPPOSE PETITION

The manner and time of the Respondent giving notice to the Court that he does not intend to oppose the Petition, shall be by leaving notice thereof, in writing, at the office of the Registrar of the Court of Appeal, signed by the Respondent, or his agent, at any time before the Judges on the rota fix the day for the trial of the Election Petition. Such notice shall be in triplicate.

LI

PUBLICATION OF NOTICE

Upon such notice being left at the office of the Registrar of the Court of Appeal, he shall forthwith send one of the copies thereof by the post to the Petitioner or his agent, and another to the Returning Officer who shall cause the same to be published in the Electoral District.

LII

TIME FOR APPLYING TO BE ADMITTED AS RESPONDENT

The time for applying to be admitted as a Respondent in either of the events provided for in the 99th section of the said Act and Rule 49, shall be within ten days after such notice is given as hereinbefore directed, or such other time as the Court or a Judge may allow.

LIII

PUBLICATION

One publication of any matter required to be published by the Returning Officer or Sheriff under these Rules shall be deemed sufficient and shall be paid for by the Petitioner or person moving in the matter (not by any officer of the Court) and the costs of such publication shall form part of the general costs of the Petition, unless otherwise ordered.

LIV

APPLICATION FOR LEAVE TO WITHDRAW AFTER NOTICE OF TRIAL

If notice of the Petitioner's intention to apply for leave to withdraw, or of the abatement of the said Petition by the death of the Petitioner or survivor of several Petitioners, or of the happening of any of the events mentioned in the 99th section of the said Act, be received after notice of trial shall have been given, and before the trial has commenced, the Court or a Judge may order a countermand of the notice of trial and a postponement of the case as prescribed by section 47 of the said Act.

LV

COSTS

The order of the Court or a Judge for the payment of costs shall have the same force as an order made by the High Court of Justice or a Judge thereof, and shall be enforced in like manner.

LVI

TAXING OF COSTS

Costs shall be taxed by one of the Taxing Officers upon the order of the Court or a Judge by which the costs are directed to be paid, and, when taxed, may be recovered by execution in the ordinary way, or in case there be money in the Bank available for such purpose, it may be applied *pro tanto* by order of the Court or a Judge, and execution shall only issue for the deficiency.

LVII

FEES

The fees payable in stamps for proceedings under the Act, and these Rules, shall be the same as those payable, if any, for like proceedings according to the present practice of the Court of Appeal or of the High Court of Justice.

LVIII

INTERLOCUTORY QUESTIONS

All interlocutory questions and matters shall be heard and disposed of before a Judge of the Court of appeal at Chambers, or before one of the Judges on the rota, who shall have the same jurisdiction over the proceedings under *The Ontario Controverted Elections Act*, as a Judge at Chambers, in the ordinary proceedings of the Court of Appeal or the High Court.

LIX

TIME

The Court or a Judge shall have power to increase, enlarge, or abridge the time appointed by these Rules, or any Rules relating to time, or fixed by any order enlarging time, for doing any act, or taking any proceedings, upon such terms, if any, as the justice of the case may require; and such enlargement may be ordered or relief given, although the application for the same is not made until after the expiration of the time appointed or allowed, or until the same has begun to run.

LX

Any order or decision of a single Judge under the two last preceding Rules shall be subject to appeal to the full Court.

LXI

SINGULAR TO INCLUDE PLURAL

In these Rules words importing the singular number only shall include more persons or parties than one.

LXII

FORMAL OBJECTION NOT TO DEFEAT PROCEEDINGS

No proceeding under *The Ontario Controverted Elections Act* shall be defeated by any formal objection.

LXIII

POSTING OF RULES IN OFFICE OF REGISTRAR

Any Rule made or to be made in pursuance of the said Act shall be published by being put up in the office of the Registrar of the Court of Appeal.

LXIV

APPLICATION OF CONSOLIDATED RULES

So far as conveniently may be and so far as they are not inconsistent with these Rules, the Consolidated Rules of Practice of the Supreme Court of Judicature for Ontario shall apply to all proceedings upon an Election Petition under *The Controverted Elections Act*.

LXV

FORMER RULES RESCINDED

All Rules heretofore in force respecting the trial of Controverted Elections in the Province of Ontario are rescinded.

Regulations 387

(Ontario Regulations 245/44)

TARIFF OF FEES AND COSTS PRESCRIBED BY ORDER IN COUNCIL THE 10TH OF OCTOBER, 1941, UNDER THE COSTS OF DISTRESS ACT

<p>1. Levying distress up to and including \$100... \$1.00 Where claim exceeds \$100, 50c additional for each succeeding \$100, the maximum charge to be \$3.00.</p> <p>2. Possession charges per diem per man 3.00 (This item not to be allowed except where close possession is actually necessary.)</p> <p>3. If Bond taken in lieu of possession 1.00</p> <p>4. Enforcing of warrant up to and including \$100 1.00 Where claim exceeds \$100, 50c additional for each succeeding \$100.</p> <p>5. Every mile or fraction of a mile necessarily travelled to serve warrant20 (Mileage one way only to be allowed.)</p> <p>6. Where the amount due is satisfied in whole or in part after seizure and before sale, 5% of the amount directed to be levied.</p>	<p>7. Appraisalment by two appraisers, 2c on the \$1.00 on the value of the goods.</p> <p>8. Advertising, when reasonably published in a newspaper, not to exceed 6.00</p> <p>9. If any printed advertising otherwise than in newspaper, the actual outlay not to exceed . . 4.00</p> <p>10. Every necessary notice of Sale25</p> <p>11. The actual expenses reasonably incurred in removing and handling the goods distrained when such removal is necessary.</p> <p>12. Listing and arranging and delivering of goods and commission on sale, 5% on the net proceeds of the sale.</p>
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Regulations 388

(Ontario Regulations 58/44; 68/50; 261/50)

REGULATIONS MADE UNDER THE CROWN TIMBER ACT

SURVEY

1. The Minister of Lands and Forests may, at his discretion, cause the limit lines of any timber berths under license, which have not been already surveyed, to be properly surveyed and run, the costs of such survey to be paid by the holder of the license; and where two or more licensees are interested in the survey, the Minister shall determine what portion of the costs of the survey shall be paid by each, and such costs of survey shall be a charge upon the timber berth, to be paid with the ground rent before renewal of the license.

TIMBER BERTHS

2. The Minister of Lands and Forests, before granting any licenses for new timber berths in the unsurveyed territory, shall, as far as practicable, cause the section of country where it is intended to allot such berths, to be run out into areas or limits, and each such area or limit, when so surveyed, shall constitute a timber berth. In the case of surveyed townships the Minister of Lands and Forests may divide such townships into as many berths as he may deem expedient.

SALE OF BERTHS

3. The berths or limits when so surveyed and set off, and all new berths or limits in surveyed territory shall be explored and valued, and then offered for sale by public competition at the upset price fixed by such valuation, at such time and place and on such conditions as the Minister of Lands and Forests shall direct by public notice for that purpose, and shall be awarded to the highest bidder in accordance with the conditions of such sale.

4. All forfeited timber berths may be offered for sale by public competition at such time and place and at such upset price or other rate as the Minister of Lands and Forests may fix, and shall be awarded to the highest bidder making payment in accordance with the terms of sale, but should the said timber berth or berths be not then sold, the same may be granted to any applicant willing to pay the said upset price or other rate and ground rent, or on such other terms as the Minister of Lands and Forests may direct.

RENEWAL OF LICENSE

5. License holders who shall have complied with all existing regulations may be entitled to have their licenses renewed on application to the Minister of Lands and Forests, or to such local agent as he may appoint for that purpose.

REGISTER OF LICENSES

6. The Minister of Lands and Forests shall cause to be kept a register of licenses granted or renewed, and of all transfers of such licenses, and a copy of such register shall be open to public inspection.

TRANSFER OF BERTHS

7. All transfers of timber berths shall be made in writing and shall be subject to the approval of the Minister of Lands and Forests, to whom they shall be transmitted for approval or rejection, and they shall be valid only from the time of such approval to be expressed in writing. All such transfers, whether of a whole berth or separate interests therein, shall be subject to the payment of a transfer bonus per square mile on the whole berth or proportion thereof sought to be transferred, to be computed as follows:

1 to 10 sq. miles—	\$5.00	a sq. mile	(min. \$10.00)
11 to 50 "	\$2.00	"	"
51 to 100 "	\$1.00	"	"
101 to 500 "	.50	"	"
501 plus "	.25	"	"

such bonus shall be paid before approval of transfer. Licensees or owners of berths making transfers shall notify the Minister of Lands and Forests of the making of such transfer and submit the same for approval. Should licensees or owners of timber berths fail to notify the Minister of Lands and Forests of any transfer made, the Minister may declare forfeited the berth or limit so sought to be transferred without notice.

CONFLICT IN LICENSES

8. Timber berths are to be described in new licenses as "not to interfere with prior licenses existing or to be renewed in virtue of regulation." When the description of any berth or boundary as given by any license clashes with the description of any other licensed berth or territory, the license of more recent origin (tracing back only to the time when such license, or any previous license of which it is a renewal, was first granted), shall give way, and the Minister of Lands and Forests may amend or cancel such license wholly or in part and substitute another in place thereof, so as to correct the description of the berth or limit intended to be licensed; and in all cases where any license has issued in error or mistake or is found to be inconsistent with any other license or inconsistent or incompatible with the regulations under which it was granted, the Minister may cause it to be cancelled or amended, or he may refer all matters in dispute with reference to the boundaries and position of timber limits to arbitration, each of the contending parties to choose one arbitrator, and the Minister shall appoint an umpire, naming a day on or before which the award of such arbitrators or of such umpire shall be made and delivered to the parties, and such award shall be binding on them.

UNAUTHORIZED CUTTING

9. Timber cut on limits for which license has been suspended or held in abeyance shall be considered as having been cut without authority and may be treated accordingly.

10. Subject to the conditions contained in subsection 2 of section 50 of *The Public Lands Act*, occupants, locatees or purchasers of public lands shall not, unless under settlers' licenses or for clearing, fencing or building purposes on the said land, be permitted to cut any description of timber or logs thereon or to dispose of it to others until they have gone into actual *bona fide* occupation of the said land, have built a habitable house thereon 16 x 20 feet at least, have resided thereon actually continuously for at least six months, and cleared and put under cultivation two acres at least of the said land. Persons contravening this regulation shall be subject to the penalties established by law for cutting timber on the public lands without authority.

EXPIRATION OF LICENSE; WITHDRAWAL OF LOTS

11. All timber licenses are to expire on the 31st day of March next after the date thereof; but as to lots sold or located during the currency of any license, the same shall, immediately after sale or location, be withdrawn from the operation of such license so far as timber other than pine is concerned, and lots which have been located or sold and consequently withdrawn from timber license for anything but pine timber shall remain so withdrawn so far as timber other than pine is concerned, even if the sales or locations shall be subsequently cancelled for non-performance of settlement duties or any other cause.

RENEWAL OF LICENSE

12. No renewal of any license shall be granted unless or until the ground rent and all costs of survey and all dues to the Crown on timber, sawlogs or other lumber cut under and by virtue of any license, other than the last preceding, shall have been first paid.

GROUND RENT

13. All timber berths or limits shall be subject to an annual ground rent of \$5 per square mile, payable in advance before the issue of any original license or renewal, except where, by the conditions of any sale a different rate of ground rent is provided; and whenever such ground rent shall have remained unpaid for one year from the date of the expiry of the last license issued or renewed the Minister of Lands and Forests may declare such berth or berths forfeited, and thereupon the right to renewal of the license for same shall cease. Where the ground rent payable in reference to any licensed timber berth remains unpaid after the 1st day of May in any year, interest shall be charged thereon from the 1st day of May at the rate of six per cent. per annum until paid.

CROWN DUES

14. The dues payable to the Crown for timber cut on the ungranted public lands, and for timber cut on patented lands where the timber on them remains the property of the Crown, from and after the 1st of April, 1950 shall be as follows:

Square or Waney Timber:

Ash, Elm, Maple and Tamarac, per cubic foot.....	\$.06
Basswood, Birch, Cedar and Poplar, per cubic foot.....	.05
Black Walnut and Oak, per cubic foot..	.06
Red and White Pine, and Jackpine, per cubic foot.....	.07½
All other woods, per cubic foot.....	.03

Boom Timber:

All kinds, per thousand feet, B.M. 2.85

Sawlogs:

Ash, Basswood, Beech, Elm, Oak and White Birch, per thousand feet, B.M..	2.70
Balsam and Spruce, per thousand feet, B.M.....	2.25
Cedar, Hemlock and Tamarac, per thousand feet, B.M.....	1.70
Maple and Yellow Birch, per thousand feet, B.M.....	2.85
Pine, Jackpine, per thousand feet, B.M..	1.75
Pine, Red and White, per thousand feet, B.M.....	2.85
Poplar, per thousand feet, B.M.....	2.20
Other woods, per thousand feet, B.M....	1.70

Cords:

Cordwood (hard) per cord.....	.50
Cordwood (soft) per cord.....	.25
Balsam Pulpwood, per cord.....	.95
Jackpine Pulpwood, per cord.....	.70
Spruce Pulpwood, per cord.....	1.70
Other pulpwood, per cord.....	.40
Tan Bark, per cord.....	.60

Railway Ties:

Railway ties, per tie..... .10

Poles:

Cedar, 30 feet and less, each.....	.25
Cedar, 31 feet to 40 feet, each.....	.50
Cedar, 41 feet to 50 feet, each.....	.75
Cedar, 51 feet and over, each.....	1.00

Posts:

All kinds, each..... .02

14A. Notwithstanding the rates for Crown dues imposed by regulation 14, the Minister, in order to effect the salvage of diseased, insect-damaged, windthrown, fire-damaged and flooded timber, whether on licensed or unlicensed Crown lands, may set such rates as to him represent a fair value of the timber, having regard to its condition and accessibility, and permit the cutting of such timber upon such other terms as he may deem advisable.

PULPWOOD

14B. Pulpwood taken out in four-foot or eight-foot lengths shall be measured, returned and paid for on the basis of 128 cubic feet to each staked cord. Pulpwood taken out in lengths above eight feet shall be cubed, and shall be measured, returned and paid for on the basis of 100 cubic feet to a cord. With the consent of the Minister of Lands and Forests, pulpwood taken out in eight-foot lengths may be measured, returned and paid for on the same basis as pulpwood cut in lengths above eight feet.

SQUARE OR WANNEY TIMBER

15. Timber licensees and others making square or waney timber on lands of the Crown shall have the same counted, and measured in the forests by a duly qualified culler, who shall make a sworn return of such count and measurement. This sworn return shall show the number of pieces cut for any licensee or other operator, and the varieties of timber and contents of each piece in feet cubic. It shall also show the quantity cut on each lot, concession and township. This return shall be handed to the Crown Timber Agent in whose district the timber is cut. Dues and bonus, if any, shall be paid before the timber passes out of the agency in which it has been cut, or security given satisfactory to the Department of Lands and Forests for payment of the same.

DUTIES OF LICENSEES

16. All licensees or occupants of timber berths or parties cutting timber under authority from the Department of Lands and Forests shall cause to be kept in each camp, shanty or lumbering operation under their direction or control, a book of record to be supplied by the Department of Lands and Forests, and shall cause to be entered in such book each day the number of logs or pieces of timber cut, skidded or handled in the camp, shanty or operation. Such book shall be open for the inspection of the agent or officer of the Department having charge of lumbering operations upon the occasion of his visit or visits. The clerk or person who keeps such book shall verify the correctness of the entries therein by affidavit—form for which is contained in the book—and such book shall be handed to the Crown Timber Agent or his assistant, duly attested, along with the sworn returns of the culler, foreman, etc., of the operation in which it is kept. All licensees or occupants of timber berths shall also furnish, through themselves, their agents, cullers or foremen, to such agent or agents as the Minister of Lands and Forests may appoint for that purpose, and at such time and place as such agent or agents may require, satisfactory proof upon oath as to the exact locality where all the timber, sawlogs and other lumber in his or their possession were cut, giving the number of pieces and description of timber, saw logs and other lumber cut by themselves and others to their knowledge upon each of the timber berths held or occupied by him or them respectively, designating what quantity, if any, had been cut on settlers' lands, giving the names of such settlers, the name of the township, and the number of each lot and concession, exhibiting at the same time for the inspection of such agent or agents the books of count and measurement of such timber, saw logs and other lumber under his or their control respectively; and shall moreover furnish such agent or agents all required information and facilities to enable him or them to arrive at a satisfactory conclusion as to the quantity and description of timber, saw logs and other lumber made by him or them or held in his or their possession respectively; on which Government dues are chargeable; and in the event of such agent or agents deeming it expedient to cause such timber, sawlogs and other lumber to be counted or measured, the said licensee or occupier of such timber berth and his or their agents, cullers and foremen shall aid and assist in such count or measurement, but should such licensee or occupier or his or their agents fail to comply with these conditions, such licensee shall forfeit all right to a renewal of his license,

and the berth and limit shall become vacant. And to enable persons entitled to refunds to obtain the same, and to pass timber cut on patented lands duty free, it will be necessary for the parties interested to prove on oath taken before such agent or agents and to his or their satisfaction the number of pieces and description of timber and sawlogs cut on each lot respectively. And in the event of such proof being deemed unsatisfactory the said agent or agents may determine the same by causing a strict count of the stumps to be made, and then certifying according to such count. All timber cut on Crown lands shall be measured and returned for duty by licensed cullers as provided by *The Cullers Act*, except where the conditions of any sale provide otherwise.

ACCESS TO BOOKS

17. The Minister of Lands and Forests or any authorized agent shall at all times have free access to and be permitted to examine the books and memoranda kept by any licensee showing the quantity of lumber in board measure sawn by him from logs cut on his timber berth or berths and failing to produce such books and memoranda, when required so to do will subject such licensee to a forfeiture of his right to a renewal of his license.

DUES IN DEFAULT

18. When any license-holder is in default for, or has evaded the payment of dues to the Crown on any part of his timber or sawlogs, such dues may be levied on any other timber or sawlogs belonging to such defaulter cut under license, and all expenses in connection therewith, together with the dues thereon.

REFUSAL OF LICENSE; FORFEITURE OF BIRTH

19. Persons evading or refusing the payment of timber dues or the final settlement of bonds or promissory notes for the payment of such dues, or in default with the Crown timber office or agent; also persons taking forcible possession of disputed ground before obtaining decision in their favour, and persons refusing to comply with the decision of arbitrators or of the umpire as provided by regulation 8, or with the regulations established by Order-in-Council, or who forcibly interrupt surveyors in the discharge of their duty, shall be refused further licenses, and their berths shall be forfeited at the expiration of the then existing license.

OPERATING SEASON; PAYMENT OF ACCOUNTS

20. The operating season or year shall extend from April 1st to March 31st following. All charges in reference to the Crown timber, including Crown dues, bonus or bid prices or sealers' wages, shall become due and be payable when accounts therefor are rendered by the Departments of Lands and Forests. If such accounts remain unpaid on the 31st day of October next following the end of the operating season or year in which such timber was cut, or such charges incurred, interest shall be charged thereon at the rate of six per centum per annum until paid, computed from the 1st day of the said month of October.

FIRE PROTECTION CHARGE

21. The fire protection charge payable in respect of any timber berth or limit or concession area is increased

from \$6.40 a square mile to \$12.80 a square mile to take effect on the 1st of April, 1950.

PERMIT FOR SPECIAL CUTTING

22. The Minister of Lands and Forests may issue a permit in such form as he may prescribe for the cutting of timber required to be removed in order to permit the establishment of any power line, telephone line, or other development over public lands or over lands upon which the timber has been reserved to the Crown, upon such terms and conditions as he may deem proper.

PERMITS ISSUED BY LOCAL OFFICERS

23. Notwithstanding the provisions of regulation 3, the Minister of Lands and Forests shall be empowered to authorize any local officer of the Department of Lands and Forests to sell and to issue a permit to the buyer to cut Crown timber under the following circumstances:

- (a) that the value of the timber thus sold shall not exceed the sum of \$500; and
- (b) that as far as possible the timber to be disposed of under permit shall be,—
 - (i) timber damaged by fire, wind, insect or disease;
 - (ii) minor species of timber; or
 - (iii) segregated patches of mature timber for which a large-scale operation is not economically possible; or
 - (iv) timber on areas where good forestry requires that it should be cut and removed.

CUTTING OF OTHER SPECIES

24. Where timber has been sold under the provisions of the Act and these regulations, and in the course of operations species other than those included in the licence are encountered the Minister of Lands and

Forests may add such species to the license, or may authorize the issue of a permit to any person other than the licensee to cut and remove such species, upon such terms and conditions as the said Minister may prescribe.

SALE OF LOT COVERED BY LICENSE

25. Upon the sale or location of any lot included in a Crown timber license, such lot shall be excluded from the operation of such license for timber other than pine. In the event of such sale or location being cancelled for non-performance of settlement duties, the Minister of Lands and Forests may restore the said lot to the original license, or may authorize the issue of a permit to cut the timber thereon, or otherwise deal with the timber thereon, upon such terms and at such rates as he may deem advisable.

RULES RE PERMITS

26. Permits issued under regulations 23, 24 and 25 shall be in such form as the Minister of Lands and Forests may from time to time prescribe, shall expire on March 31st next following the date of issue, shall not be transferable or renewable, and shall be subject to the following conditions:

- (a) only one such permit shall be issued to the same person, firm or company during an operating season;
- (b) ground rent and fire protection charges shall be paid at the rates fixed by these regulations on the area involved in any permit;
- (c) security satisfactory to the Minister of Lands and Forests shall be given in respect of any operation to be carried on under permit;
- (d) the permittee shall pay the wages of any scaler engaged in scaling the timber produced in any operation carried on under a permit.

Regulations 389

(Ontario Regulations 233/44; 242/50)

REGULATIONS MADE UPON THE RECOMMENDATION OF THE MINISTER OF AGRICULTURE UNDER THE DAIRY PRODUCTS ACT

APPLICATIONS AND PLANS FOR CHEESE FACTORY AND CREAMERY SITES

1.—(1) Applications for the inspection of sites for new or reconstructed cheese factories, creameries, combined cheese factories and creameries, or milk separating plants, shall be made in writing to the Director of Dairying, Parliament Buildings, Toronto, Ontario, upon the forms prescribed by the Director of Dairying two months or more before commencing any building operations.

(2) Plans for a new or reconstructed cheese factory, creamery, combined cheese factory and creamery, or milk separating plant shall be submitted to the Director of Dairying, Parliament Buildings, Toronto, Ontario, for approval two months or more before commencing to build or reconstruct any such plant, except in the case of fire.

LICENSE TO OPERATE DAIRY PLANTS

2.—(1) An application for a license to operate a plant shall be made on the form prescribed by the Director and the license shall not be transferable.

(2) Licenses to operate plants shall be issued annually for a period from the 1st day of January in the year in which the license is issued to the 31st day of December in the same year and may be renewed for a similar period.

(2) The annual fee for a license to operate a plant shall be one dollar and shall be forwarded with the application for the license or the renewal.

(4) All moneys received for license fees shall be paid into the Consolidated Revenue Fund.

(5) No plant shall operate without a license after January 1st, 1939, unless by permission of the Director.

(6) The holder of a license who knowingly accepts or purchases milk which has been rejected by any license holder, certificate or permit holder for being tainted, above .22 per centum (.22%) of acid, or delivered in rusty or unclean cans, or who knowingly within thirty days after such rejection accepts milk or cream from a patron whose milk has been so rejected may have his license cancelled or suspended by the Minister upon the recommendation of the Director.

(7) The holder of a license who knowingly within thirty days from the date of grading accepts milk or cream from a patron who has refused to accept the grade of a holder of a butter-maker's or cream grader's certificate or permit or who knowingly accepts milk or cream from a patron whose milk has been rejected may have his license cancelled or suspended by the Minister upon the recommendation of the Director.

(8) No license holder shall knowingly purchase or accept milk or cream from a farm where any animal or

animals in the dairy herd are known to have infected udders or teats or where the premises, surroundings, utensils or equipment used in the production and care of milk or cream are not clean and sanitary and satisfactory to an inspector.

EQUIPMENT FOR CHEESE FACTORIES

3.—(1) No new or reconstructed building shall be used for the manufacture of cheese unless such building is equipped with a boiler of at least 10 h.p. capacity and at least two milk vats of 5,000-pound capacity each.

(2) A new or reconstructed cheese factory shall have a curing room constructed and equipped in such a manner that the temperature of the room may be maintained at 70 degrees Fahrenheit or less during the summer months and at least 66 degrees Fahrenheit during the fall and early spring months and it shall be equipped with sufficient shelving to hold at least eight days' make of cheese.

(3) Every cheese factory now in operation shall before the 1st day of March, 1939, be equipped with a curing room that has shelves to hold at least eight days' make of cheese and such curing room shall be equipped so that the temperature of the room may be maintained at 66 degrees Fahrenheit or more during the fall and early spring months.

(4) Every cheese in the curing room shall be turned daily until the cheese is at least eight days in the curing room and the marking or branding required on the cheese and boxes by the Regulations passed pursuant to the provisions of *The Farm Products Grades and Sales Act* respecting dairy products shall be distinct and legible and any maker neglecting to do this or who places improperly finished cheese on the shelves, or who is careless or indifferent about the temperature of his curing room shall have his workmanship score reduced to a permit basis—under 90 points.

(5) Every cheese factory shall install a hot water tank of sufficient capacity to provide an abundant supply of clean, hot or boiling water to cleanse and sterilize all equipment and utensils used, and the water outlet shall be placed at or in the bottom of the tank and it shall be elevated high enough to discharge the water into a wash sink or wash pail.

(6) Every cheese factory shall have a suitable tank and cans to heat, cool and hold cultures at proper temperatures.

(7) Every cheese factory shall be equipped with the necessary equipment and supplies to manufacture cheese clean and sanitary and in a manner satisfactory to a dairy inspector.

(8) No glass thermometers shall be used in the process of making cheese unless they are protected with a suitable case or manufactured in such a manner

that if the glass breaks it shall not fall into the dairy product being manufactured.

EQUIPMENT FOR CREAMERIES

4.—(1) No new or reconstructed building shall be used for the manufacture of creamery butter unless such building is equipped with one or more 300-gallon cream pasteurizers, one or more 1,000-pound capacity combined churn and worker, and if electric power is used, a boiler of at least 15 h.p., and where no electric power is used, a boiler of at least 20 h.p. and an engine of at least 10 h.p.

(2) Storage for 2,000 pounds or more of butter shall be provided in all new or reconstructed creameries where a temperature of 45 degrees Fahrenheit may be maintained.

(3) Every creamery now in operation shall provide storage for the maximum make of butter for one day where a temperature of 45 degrees Fahrenheit may be maintained.

(4) Every creamery shall install a hot water tank as described in subsection 5 of section 3 of these regulations.

(5) Every creamery shall provide the necessary equipment and supplies to manufacture butter in a clean and sanitary manner.

EQUIPMENT FOR COMBINED CHEESE FACTORIES AND CREAMERIES

5. The regulations respecting creameries shall in every case apply to the creamery department of a combined cheese factory and creamery and the regulations respecting cheese factories shall apply in every case to the cheese department of a combined cheese factory and creamery.

DUTIES OF CERTIFICATE AND PERMIT HOLDERS

6. At every plant the selecting, grading or rejecting of milk, the grading of cream, the weighing, sampling and testing of milk and cream, the manufacturing of cheese and butter shall be performed or supervised by the holder of a permit, licence or certificate of qualification granted under the provisions of section 7 of these regulations.

CERTIFICATES TO CHEESE AND BUTTERMAKERS

7.—(1) Certificates and permits to cheesemakers and buttermakers may be granted annually and may be renewed for a similar period by the Minister on the recommendation of the Director on the following standards:

- (a) First Class Cheesemakers' Certificates—To a person who made at least 95 per centum first grade cheese and who has a score of at least 95 points for workmanship and is qualified to operate the Babcock test accurately.
- (b) Second Class Cheesemakers' Certificates—To a person who made at least 90 per centum first grade cheese and who has a score of at least 90 points for workmanship.

- (c) Temporary Permits for Cheesemakers—To a maker who made less than 90 per centum first grade cheese the previous year, or who had a score of less than 90 points for workmanship, or to a former certificate or permit holder who has not had charge of a factory for five years or over, provided he has acted as an assistant cheesemaker for at least five months within two years previous to the application for such permit.
 - (d) Beginners' Permits for Cheesemakers—To a person who holds a dairy school diploma, the approval of a dairy instructor and the recommendation of a first class cheesemaker or to a former certificate or permit holder who has not had charge of a cheese factory for five years or over, provided he has acted as an assistant cheesemaker for at least five months within the two years previous to his application.
 - (e) First Class Certificates for Buttermakers—To a person who has at least 95 points for workmanship and is qualified to grade or supervise the grading of cream and to operate the Babcock test accurately.
 - (f) Second Class Certificates for Buttermakers—To a person who has at least 90 points for workmanship and is qualified to grade or supervise the grading of cream and to operate the Babcock test accurately.
 - (g) Temporary Permits for Buttermakers—To a person who made a score of less than 90 points for workmanship and is qualified to grade or supervise the grading of cream and to operate the Babcock test accurately, or to a former certificate or permit holder who has not had charge of a creamery for five years or over, provided he has acted as an assistant buttermaker for at least five months within the two years previous to the application for such permit.
 - (h) Beginners' Permits for Buttermakers—To a person who holds a dairy school diploma, the approval of a dairy inspector and the recommendation of a first class buttermaker or to a former certificate or permit holder who has not had charge of a creamery for five years or over; provided he has acted as an assistant buttermaker for at least five months within the two years previous to his application.
 - (i) Special Permits for Cheesemakers—Upon the recommendation of a cheese instructor, to any person subject to such terms and conditions as the Director may prescribe provided in any event every such permit shall remain in force only during the duration of the present war-time emergency.
 - (j) Special Permits for Buttermakers—Upon the recommendation of a creamery instructor, to any person subject to such terms and conditions as the Director may prescribe provided in any event every such permit shall remain in force only during the present war-time emergency.
- (2) The per centum of cheese shall be taken from the Dominion Graders' Report for the year previous

to the issuing of the certificate or permit and on the previous year's work of the applicant as reported by an instructor.

(3) No cheese or buttermaker shall be granted more than one permit, except where there is evidence presented to the Director that he was not responsible for the conditions which caused the second or third grade cheese or butter.

(4) No cheese or buttermaker shall be issued a certificate or permit if he makes less than 86 per centum first grade cheese or butter or has a score of less than 86 points for workmanship.

(5) If any cheese or buttermaker is a graduate of a dairy school he shall have such information stamped on his certificate or permit.

(6) The holder of a cheesemaker's certificate or permit shall be responsible for the proper selecting, grading or rejecting of milk delivered at a cheese factory, and the weighing, sampling, testing and recording of all weights and tests of milk and the manufacturing of the cheese and the sanitary condition of the factory and equipment but where the testing of the milk is done by an official of the Department of Agriculture, or a person approved by the Director, the certificate holder shall not be responsible for the testing of the milk.

(7) The holder of a buttermaker's certificate or permit shall be responsible for the proper grading of the cream, the weighing, sampling and testing and the recording of all weights and tests of the cream, the manufacturing of the butter and the sanitary condition of the creamery and equipment; except at a creamery where the appointment of a cream grader or cream tester has been approved by the Director and in such case the certificate or permit holder shall not be responsible for the grading or testing of the cream.

(8) The holder of a certificate or permit who knowingly accepts milk that has more than .22 per centum acid, is tainted or delivered in rusty or unclean cans may have his certificate or permit suspended or cancelled by the Minister upon the recommendation of the Director.

(9) The holder of a certificate or permit who knowingly accepts milk which has been rejected by any other holder of a certificate or permit for being above .22 per centum acid, is tainted, or delivered in rusty or unclean cans, or who knowingly within thirty days after such rejection accepts milk or cream from a patron whose milk has been so rejected may have his certificate or permit cancelled or suspended by the Minister upon the recommendation of the Director.

(10) The holder of a certificate who knowingly within thirty days from the date of grading accepts milk or cream from a patron who has refused to accept the grade of any other certificate holder may have his certificate or permit suspended or cancelled by the Minister upon the recommendation of the Director.

(11) The holder of a certificate or permit who knowingly purchases or accepts milk or cream from a farm where any animal in the dairy herd is known to have infected udders or teats, or where the premises, surroundings, utensils or equipment used in the production and care of milk or cream are not clean and sanitary

and satisfactory to an inspector may have his certificate suspended or cancelled by the Minister upon the recommendation of the Director.

(12) Before any license holder, permit or certificate holder is liable in respect of receiving milk or cream from a patron whose milk has been rejected or from a patron who has refused to accept the grade of his cream, he must be notified by an inspector or a certificate holder of such rejection or refusal.

(13) If the plant at which the milk or cream of any patron has been rejected, or where the grade placed on the milk or cream of any patron has been refused ceases to operate within thirty days after such rejection or refusal, the milk or cream of such patron may be accepted by any other plant without prejudice to any certificate, permit or license holder.

(14) Any license, certificate or permit granted under the provisions of these regulations may, upon the recommendation of the Director, be suspended or cancelled by the Minister.

7a.—(1) Milk brought to a plant shall be weighed, graded and sampled immediately upon delivery to the plant.

(2) Milk brought to a plant shall be tested in the manner prescribed in regulation 12a.

CERTIFICATES FOR MILK TESTERS

8. No person shall test or grade milk or cream except under a licence issued under these regulations.

9.—(1) A milk tester's licence shall be in Form 1.

FORM 1

The Dairy Products Act, 1938

MILK TESTER'S LICENCE

Under *The Dairy Products Act, 1938*, and the regulations, and subject to the limitations thereof this licence is issued to

.....
(Name)

.....
(Address)

to test milk.

Dated at Toronto this..... of..... 19....

.....
Director of Dairying.

.....
(2) A cream tester's licence shall be in Form 2.

FORM 2

The Dairy Products Act, 1938

CREAM TESTER'S LICENCE

Under The Dairy Products Act, 1938, and the regulations, and subject to the limitations thereof this licence is issued to

..... (Name)

..... (Address)

to test cream.

Dated at Toronto this of 19

..... Director of Dairying.

(3) A milk grader's licence shall be in Form 3.

FORM 3

The Dairy Products Act, 1938

MILK GRADER'S LICENCE

Under The Dairy Products Act, 1938, and the regulations, and subject to the limitations thereof this licence is issued to

..... (Name)

..... (Address)

to grade milk.

Dated at Toronto this of 19

..... Director of Dairying.

(4) A cream grader's licence shall be in Form 4.

FORM 4

The Dairy Products Act, 1938

CREAM GRADER'S LICENCE

Under The Dairy Products Act, 1938, and the regulations, and subject to the limitations thereof this licence is issued to

..... (Name)

..... (Address)

to grade cream.

Dated at Toronto this of 19

..... Director of Dairying.

[NOTE.—Regulation 10 was revoked by O. Reg. 242/50 (2).]

EQUIPMENT FOR TESTING MILK AND CREAM

11.—(1) Every plant shall provide a power driven Babcock tester of at least a 24-bottle capacity with all the necessary Government stamped glassware to make the test.

(2) No glassware shall be used in making the Babcock test unless it is marked according to The Dairy Industry Act (Canada) and regulations passed thereunder.

(3) Babcock sulphuric acid of correct specific gravity (1.82 or 1.83) shall be used in making the test of milk or cream.

(4) The operator of a plant shall provide two sets of containers with close-fitting tops or stoppers for composite samples of milk and each container shall have a capacity of not less than one-half pint.

(5) Every plant shall provide a small tank, preferably of galvanized iron, 30 inches long, 12 inches wide and 8 inches deep, inside measurements, to hold 24 one-pint composite sample bottles to be used as a tempering bath for the composite samples at the time of testing and a water bath in which to place the test bottles to ensure a uniform temperature when the per centum of fat is read.

WEIGHING, GRADING, SAMPLING AND TESTING OF MILK

12.—(1) [NOTE.—Subregulation 1 was revoked by O. Reg. 242/50 (4).]

(2) At every plant where fluid milk is purchased each patron's milk shall be emptied into a weighing can sitting on or hung from a suitable scale before being weighed or sampled, and to determine the fat content of the milk a representative quantity of one-half ounce or more shall be taken for a composite test while the milk is in motion from being poured into the weighing can or after being thoroughly mixed by stirring or dipping and the outlet of the weighing can shall not leak while the weighing and sampling is being performed.

(3) Every sample of milk shall be plainly labelled for identification by the name or number of the patron and shall be held in a container with a tight stopper and kept in a cool place where it will not be tampered with.

(4) In making the Babcock test of milk for the purpose of determining its value based on its fat content the samples to be tested shall be mixed by pouring from one vessel to another before being pipetted into the test bottle and the readings of the fat in the test bottle shall be made from the extreme points of the fat column at a temperature of 130 to 140 degrees Fahrenheit.

(5) and (6) [NOTE.—Subregulations 5 and 6 were revoked by O. Reg. 242/50 (4).]

(7) An approved preservative such as standard corrosive sublimate tablets or a mixture of three parts of powdered potassium bichromate with one part of cor-

rosive sublimate shall be used to preserve the composite samples.

(8) [NOTE.—*Subregulation 8 was revoked by O. Reg. 242/50 (6).*]

12a.—(1) The composite sample of milk shall be for a period not exceeding 16 days and it shall be tested for fat content within 5 days after the expiration of that period and kept for 12 days after the last sample is taken.

(2) No person shall tamper with or contaminate or cause to be contaminated, any sample of milk or cream selected for any testing under the Act or these regulations.

12b.—(1) A sediment test by the use of a sediment-tester shall be made by the milk grader once between the first and fifteenth day and once between the sixteenth and last day of each month of the milk of each patron brought to a plant.

(2) The sediment test shall be made, before agitating the milk, by taking a one-pint sample of the milk while moving the intake of the sediment-tester once across the bottom of a milk-can.

12c. Milk brought to plants shall be graded as

- (a) Grade A, consisting of clean milk,
- (b) Grade B, consisting of fairly clean milk, or
- (c) Grade C, consisting of dirty milk,

as determined by the sediment test.

12d.—(1) Grade A and Grade B milk that is not sweet and clean in flavour and Grade C milk shall be rejected.

(2) Subregulation 1 of regulation 15 of Ontario Regulations 233/44 is revoked.

12e. Where an inspector finds an error in the test of the samples of a patron's milk or cream and reports the error to the operator of the plant in writing, the operator shall correct the error and pay the patron in accordance with the inspector's test; but the inspector may order that a re-test of all the samples be made in the presence of the inspector and the operator shall pay the patrons in accordance with the re-test.

WEIGHING, GRADING, SAMPLING AND TESTING OF CREAM

13.—(1) All grading, weighing, sampling and testing of cream shall be done at the creamery where the cream is manufactured into butter, provided that the Director may grant permission for such grading, weighing, sampling and testing to be performed at some other place.

(2) Any person making a Babcock test for the purpose of determining the value of cream on its butter fat content shall observe every precaution in securing a representative sample of the cream delivered by each patron and in making the test of the cream the reading shall be taken from the lower edge of the miniscus to the bottom of the fat column and such readings shall be taken at a temperature between 130 and 140 degrees Fahrenheit.

(3) The cream of every patron shall be weighed, graded, sampled and tested for butter fat within 36 hours after delivery at a creamery and a sufficient quantity of cream shall be taken in such sample for a re-test and shall be kept in a container with a tight stopper until 2 p.m. on the day following the testing, provided that samples tested on Saturday shall be kept until 2 p.m. on the Monday following and all the samples shall be labelled so that the cream from each patron can be identified.

(4) [NOTE.—*Subregulation 4 was revoked by O. Reg. 242/50 (6).*]

BASIS FOR PRICES OF MILK PURCHASED BY DISTRIBUTING PLANTS

14.—(1) Milk received at a milk and cream distributing plant shall be purchased on the differential basis of 3.4 per centum butter fat as set forth in subsection 3, provided that milk that tests over 5 per centum butter fat shall be purchased at a price not less than the current price for milk testing 5 per centum butter fat.

(2) A differential for the price of milk received at a milk and cream distributing plant shall be allowed for each one-tenth per centum butter fat above or below a test of 3.4 per centum butter fat and such differential shall be based on the wholesale price of creamery butter in Montreal and Toronto during the first ten days of each calendar month as reported by the Director.

(3) (a) The increased differential for the price of milk received at a milk and cream distributing plant, testing 3.4 to 5 per centum butter fat inclusively, shall be on the following basis:

Average Price of Butter	Increased Differential in Price for Each One-tenth Per Centum Butter Fat
Under 25 cents	
per pound 3	cents per 100 pounds of milk
25 cents and	
under 30 cents 3½	" " 100 " "
30 cents and	
under 35 cents 4	" " 100 " "
35 cents and	
under 40 cents 4½	" " 100 " "
40 cents and	
over 40 cents 5	" " 100 " "

(b) The decreased differential for the price of milk received at a milk and cream distributing plant testing below 3.4 per centum butter fat shall be on the reduced basis set forth in clause (a).

(5) No change in the differential price of milk shall be made for a period of less than one month.

(6) For the purposes of this section "milk and cream distributing plant" shall mean any plant where milk or milk and cream is brought for the purpose of re-sale for human consumption in its natural state or pasteurized.

STANDARDS AND PREMIUMS FOR DIFFERENT GRADES OF MILK AND CREAM PURCHASED BY PLANTS

15.—(1) [NOTE.—*See subregulation 2 of regulation 12d.*]

- (2) (a) "Special Grade Cream" shall mean any lot of cream which is clean and untainted in flavour and of uniform consistency and its acidity shall be not more than twenty-five one-hundredths of one per centum (.25%) at the time of being graded, and the fat content shall be not less than twenty-eight per centum (28%).
- (b) The price for special-grade cream shall be at least one cent a pound of butter fat more than for first-grade cream.
- (3) (a) "First Grade Cream" shall mean any lot of cream which is not lumpy or curdy and is of uniform consistency and the acidity shall be not more than sixty one-hundredths of one per centum (.60%) at the time of being graded and the flavour shall be suitable for making first grade butter.
- (b) The price for first grade cream over second grade cream shall be three cents or more per pound of butter fat.
- (4) "Second Grade Cream" shall mean any cream that does not meet the requirements of first grade cream, and its acidity shall be not more than eighty one-hundredths of one per centum (.80%) at the time of being graded.
- (5) (a) "Off Grade Cream" shall mean any cream that has an acidity of more than eighty one-hundredths of one per centum (.80%) or cream that has a very objectionable flavour such as stale, musty, rancid, gasoline, turnips, rape, leeks, onions or kerosene, or cream in which any unsanitary or other foreign substance is found, and such cream shall not be used in the manufacture of creamery butter.
- (b) Off grade cream received at a plant shall be coloured distinctly with a harmless colouring and returned to the patron at his expense, or disposed of in some manner other than made into creamery butter.
- (6) For the purpose of designating any of the said grade descriptions upon the daily records of the patrons' statements the following abbreviations and no others shall be used, namely: "sp" for Special Grade, "1st" for First Grade, "2nd" for Second Grade, and "off" for Off Grade.
- (7) No cream under first grade shall be mixed with special or first grade cream for churning purposes.

RECORDS AND STATEMENTS

- 16.—(1) A daily record of all milk and cream purchased shall be kept in a suitable book or on a sheet showing the name or number of each patron, the pounds of milk or cream received from each patron, and at a creamery the grade of the cream.
- (2) A record of all Babcock tests of milk or cream shall be entered in a suitable book or on a sheet at the time of such testing.
- (3) Every original record shall be kept on file at the plant for at least two months after the date of its

entry and each record shall be signed by the person who is responsible for the testing.

(4) Counter check books or tags shall not be used for keeping the daily records.

(5) No person shall falsify any records or statements, over-read or under-read fat tests, over-grade or under-grade milk or cream, or make any incorrect determinations of the value of milk or cream purchased at a plant.

(6) Upon the request of a patron a plant shall at the time of delivery furnish such patron with a statement showing the weight of his milk or cream.

(7) Every patron of a plant shall be furnished with a statement for each payment period showing the total pounds of milk or cream he delivered, the butter fat test of his milk or cream, the grade of his cream and the price paid per pound of fat in each grade and the price paid per hundred pounds of milk or per pound of fat.

(8) Cream patrons' statements shall be issued from the creamery or branch creamery making the payment and shall bear the name of such creamery or branch creamery, and payment shall be made in accordance with such statements and such statements shall correspond with the plant records.

(9) Every creamery shall on or before the 10th day of each month forward to the Director a statement showing the number of cans of cream received, the pounds of butter fat received and the price paid to patrons per pound of butter fat for each grade of cream, the total pounds of fat received and the total pounds of butter manufactured in the previous month and these statements shall be made on forms supplied by the Director and each creamery shall make application for the forms and keep a copy of such statements on file at the creamery.

(10) Any change made on a patron's statement must be initialled by the secretary or manager of the plant issuing the statement.

FORWARDING CREAM, PLACE OF GRADING AND USE OF CANS

17.—(1) Every patron shall forward his cream to the creamery in an individual can or cans and the grading shall be performed while the cream remains in such can or cans.

(2) Every can used for the storing or shipping of milk or cream shall be marked, branded or labelled in such a manner that the owner of the milk or cream can be identified and such can shall be used only for the storing or shipping of milk or cream or returning properly pasteurized skim-milk or whey to the patron.

(3) Where a patron ceases to supply milk or cream to a plant the patron shall immediately return to the plant in a clean and sanitary condition the cans supplied to the patron by the plant and used for the delivery of milk or cream.

(4) A can supplied by a patron and used for transporting milk or cream to a plant shall be used for no

other purpose and shall be returned immediately after being emptied to the patron in a clean and sanitary condition.

(5) A can used for transporting milk or cream to a plant shall be clean and sanitary, in good condition and free from rust or corrosion.

(6) A can used for storing milk or cream for delivery to a plant shall be clean and sanitary, in good condition and free from rust or corrosion.

DELIVERY TO PLANTS

17a.—(1) No person shall deliver milk to or accept delivery of milk at a cheese factory after 10 A.M. on any day from the first of May to the fifteenth of October in any year.

(2) A transporter of milk or cream to a plant other than a cheese factory shall deliver the milk or cream to the plant without unreasonable delay and the operator of the plant shall take delivery of the milk or cream within 2 hours of the arrival of the transporter at the plant.

(3) A vehicle used for transporting milk or cream to a plant other than a cheese factory and arriving at the plant after 10 A.M. on any day shall be so constructed and maintained as to protect the milk or cream from freezing or excessive heating.

(4) A vehicle used for the transporting of milk or cream to a plant shall be kept clean and sanitary.

PASTEURIZATION OF CREAM, SKIM-MILK AND WHEY

18.—(1) "Properly Pasteurized" as applied to cream for butter making shall mean that all portions of the cream shall be heated to a temperature of at least 170 degrees Fahrenheit and held at that temperature for at least ten minutes and if a continuous pasteurizer is used the temperature of the cream shall be maintained continuously at at least 185 degrees Fahrenheit.

(2) The Storch test shall be considered a reliable test to determine proper pasteurization of cream and if a sample of butter shows no reaction to the Storch test the cream from which it was made shall be considered "properly pasteurized."

(3) "Properly Pasteurized" as applied to whey shall mean that the whey shall be heated to at least 155 degrees Fahrenheit for thirty minutes each day.

(4) "Properly Pasteurized" as applied to skim-milk shall mean that it shall be heated to 170 degrees Fahrenheit before it is returned to the farms.

(5) Where the whey is returned to the patrons in their milk cans it shall be properly pasteurized and in order that the pasteurization may be effective each patron shall remove his share of whey each day milk is delivered and in case of default he shall be liable for the expense incurred in removing it.

(6) The tanks at a plant which are used for whey shall be washed out each day.

SANITARY CONDITIONS AT FARMS AND DAIRY PLANTS

19.—(1) An inspector shall have authority to inspect all farm premises and their surroundings, all dairy utensils and equipment used on farms supplying milk or cream to plants and the utensils and equipment in such plants to determine their sanitary condition, and if such premises, utensils and equipment are found unsanitary, he may prohibit their use until they are replaced or repaired to his satisfaction.

(2) When an inspector finds any animal in a dairy herd showing symptoms of a diseased or abnormal condition of the udder or teats or when he finds the sanitary conditions of the premises, surroundings, utensils or equipment used in the production and care of milk or cream at a farm unsanitary, or when he finds the milk or cream delivered at a cheese factory, creamery or milk separating plant unsanitary and unsuitable for the manufacture of first grade cheese or at least second grade butter, he may prohibit the sale or delivery of such milk or cream from such farm until such conditions are remedied to his satisfaction.

SETTLEMENT OF DISPUTES

20. In the event of a dispute respecting the grading of cream, testing of milk or reading of the Babcock test the decision of an inspector shall be final and the milk and cream shall be paid for according to the inspector's grade or test.

21. These regulations shall come into force on the first day of September, 1938.

Regulations 390

(Ontario Regulations 30/44)

REGULATIONS MADE BY THE MINISTER UNDER THE DEPARTMENT OF EDUCATION ACT

Pursuant to section 4 of *The Department of Education Act*, Regulation 13 of General Regulations, Public and Separate Schools, 1939, made by the Minister of Education and approved by Order-in-Council dated October 20th, 1939, and amended by Order-in-Council dated February 2nd, 1944, is revoked and the following substituted therefor:

RELIGIOUS EXERCISES AND RELIGIOUS EDUCATION IN THE PUBLIC SCHOOLS

- 13.—(1) (a) Every public school shall be opened each school day with religious exercises consisting of the reading of the Scriptures and the repeating of the Lord's Prayer or other prayers approved for use in schools.
- (b) The Scripture passages, forming a part of the religious exercises referred to in 1 (a), shall be read daily and systematically at the opening of school and may be chosen from any list of selections adopted by the Department for use in schools, or from any other list approved by the Minister, as the Board by resolution may direct.
- (c) If the Board does not pass the resolution provided for in 1 (b) above, the principal shall make the selection after duly notifying the Board of his intention, but such selection shall be subject to revision by the Board at any time.
- (d) The religious exercises held at the daily opening of school may include the singing of one or more hymns authorized for use in schools.
- (2) (a) Subject to the regulations, two periods per week of one-half hour each, in addition to the time assigned to religious exercises at the opening of school, shall be devoted to Religious Education.
- (b) Religious Education shall be given immediately after the opening of school or immediately before the closing of school in either the morning or the afternoon session.
- (c) Instruction in Religious Education shall be given by the teacher in accordance with the course of study authorized for that purpose by the Department, and issues of controversial or sectarian nature shall be avoided.
- (d) By resolution of the School Board, a clergyman or clergymen of any denomination, or a lay person or lay persons selected by the clergyman or clergymen, shall have the right, subject to the regulations, to give Religious Instruction, in lieu of a teacher or teachers.
- (e) If two or more clergymen of different denominations, upon written application to the Board, secure permission to give Religious Instruction, the principal of the School, by resolution of the Board, shall arrange for such accommodation within the school and at such prescribed times within the periods denoted above as shall be agreeable to both the principal and the clergymen concerned.
- (f) Where the number of rooms in the school is insufficient to meet the needs of the groups organized for Religious Instruction under 2 (d) and (e) above, the principal of the school, by resolution of the Board, may arrange for additional accommodation elsewhere.
- (3) (a) No pupil shall be required to take part in any religious exercises or be subject to any instruction in Religious Education to which objection is raised by his parent or guardian.
- (b) In schools without suitable waiting-rooms or other similar accommodation, if the parent or guardian applies to the principal for the exemption of his child or ward from attendance while religious exercises are being held or Religious Education given, such request shall be granted.
- (c) If the parent or guardian objects to his child or ward taking part in religious exercises or being subject to instruction in Religious Education, but requests that he shall remain in the schoolroom during the time devoted to such education, the teacher shall permit him to do so provided he maintains decorous behaviour.
- (d) If by virtue of his right to be absent from religious exercises or instruction in Religious Education, any pupil is not present in the classroom during such specified periods, his absence shall not be considered a violation of the rules of the school.
- (4) A teacher claiming exemption from the teaching of Religious Education as prescribed by the regulations, shall notify the Board to that effect in writing; and it shall then be the duty of the Board to make such other provision as may be necessary to implement the regulations with respect to the teaching of the subject.

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- (5) The Minister may grant to a Board exemption from the teaching of Religious Education in any classroom or school provided the Board shall request in writing such exemption and shall submit reasons therefor.
- (6) The inspector shall each year bring to the attention of the boards of trustees of his inspectorate the foregoing regulations relating to religious exercises and Religious Education.

Regulations 391

(Ontario Regulations 211/44)

REGULATIONS MADE UNDER THE DEPARTMENT OF LABOUR ACT

PART I

PERSONS WORKING IN COMPRESSED AIR

GENERAL

1. Whenever work is in progress in the construction of which men are employed in compressed air, the person, firm or corporation carrying on the work or the contractor for any part-section or subdivision thereof shall be responsible in all respects for full compliance with all provisions of these regulations.

2. Every person, firm, corporation, municipal council or other public authority shall require, as a condition of any contract or subcontract awarded, accepted or executed in which work of any kind is done by men employed in compressed air, that these regulations be complied with.

3. Any person, firm, corporation, municipal council or other public authority, before commencing work in the construction of which men are employed in compressed air, shall notify in writing the inspector appointed to administer these regulations and shall forward to him the plan and specifications of the work to be done.

4. The inspector may at any hour by day or night enter upon any land or into any place or building where men are employed in compressed air; may make such examination and inquiry as may be necessary to ascertain whether these regulations are complied with by employers and employees, and may require the production of any record, register, notice, or document covered by these regulations.

5. The inspector whenever he deems it necessary may take with him into any place where work is in progress in the construction of which men are employed in compressed air, a legally qualified medical practitioner, medical officer of health or sanitary inspector.

6. The inspector may make such recommendations in writing as may be necessary for the proper and efficient carrying out of these regulations and the employer of men engaged in work in compressed air shall be responsible for the immediate and proper carrying out of any such recommendations made to him.

7. Air, electrical, hydraulic, mechanical, oil, steam and structural equipment, or any part thereof, whether portable or stationary, that functions in any way affecting the persons employed in compressed air shall in every respect be to the satisfaction of the inspector, and the inspector at any time by giving notice in writing to the contractor or subcontractor shall require that all such equipment in whole or in part be inspected, improved, renewed, repaired or otherwise dealt with for the better carrying out of these regulations.

8. The Minister of Labour may authorize any physician attached to the Industrial Hygiene Division, Provincial Department of Health, to undertake such medical examination or inquiry as may be necessary to safeguard and promote the health of persons employed in compressed air.

9. These regulations shall be effective on and from the 1st day of September, 1926, and thereafter, and subject to the approval of the Lieutenant-Governor in Council, the Minister of Labour may add, alter, amend, change, delete or otherwise deal with any regulation having for its object the better protection of persons employed in compressed air.

HOURS OF WORK—SHIFTS AND INTERVALS

10. The working time in any 24 hours shall be divided into two shifts in compressed air with an interval in open air.

The maximum number of hours of each shift and minimum open air interval between shifts during any 24 hours for any pressure as given in column 1 of the following table shall be as said opposite such pressures in columns 2, 3, 4 and 5, but in no case shall the rest interval taken in conjunction with a meal period be less than one hour.

Pressure (pounds)	Hours			
Column 1	Col. 2	Col. 3	Col. 4	Col. 5
	Maximum Total	Maximum First Shift in Compressed Air	Minimum Rest Interval in Open Air	Maximum Second Shift in Compressed Air
Greater than normal and up to 22 lbs..	8	4	½	4
Greater than 22 lbs. and up to 29 lbs..	6	3	1	3
Greater than 29 lbs. and up to 34 lbs..	4	2	2	2
Greater than 34 lbs. and up to 40 lbs..	3	1½	3	1½
Greater than 40 lbs. and up to 45 lbs..	2	1	4	1
Greater than 45 lbs. and up to 50 lbs..	1½	¾	5	¾

The limits of hours as herein specified shall apply according to the maximum pressure attained at any time during any shift.

11. Foremen and others specified by the superintendent of construction whose presence under air pressure is required for only short periods of time may enter the open air without the usual decompression, but no person shall remain under compressed air at pressures ranging from 15 lbs. to 27 lbs. for a longer period than 30 minutes, or for a greater length of time than 15 minutes at pressure exceeding 27 lbs. but less than 31 lbs., or leave pressures of 31 lbs. and over without being decompressed.

12. Additional hours of work required on any shift in cases of emergency, both as to the amount of extra time required under pressure and the rate of decompression thereafter, shall be at the discretion of the inspector enforcing these regulations.

DECOMPRESSION

13.—(a) Except as specified in regulation 11, no person employed in compressed air shall be permitted to pass from the place in which the work is being done to normal air except after decompression in the intermediate lock as follows:

(b) The stage decompression shall be used, in which a drop of half the maximum gauge pressure shall be at the rate of five pounds per minute. The remaining decompression shall be at a uniform rate and the total time of decompression shall equal the time specified for the original maximum pressure as follows:

(c) Where the pressure is greater than normal and less than fifteen pounds to the square inch, decompression shall be at the minimum rate of three pounds per minute.

(d) Where the air pressure is fifteen pounds or over and less than twenty pounds to the square inch decompression shall be at the minimum rate of two pounds per minute.

(e) Where the air pressure is twenty pounds or over and less than thirty pounds to the square inch decompression shall be at the minimum rate of three pounds every two minutes.

(f) Where the air pressure is thirty pounds or over to the square inch decompression shall be at the minimum rate of one pound per minute.

(g) After working in pressures of over twenty-two pounds per square inch each workman shall remain on the job for one hour after decompression.

(h) The schedule time of decompression shall be posted in each manlock.

14. The contractor or employer of men working in air chamber shall arrange to keep a record to show the period of staying in air chamber of each person; the time taken for decompression, also notes on any untoward symptoms exhibited or expressed by any man coming out from pressure.

LOCKS AND WORKING CHAMBER

15.—(a) Each lock door must be fitted with a glass "bull's eye." The valves and pipes in connection with the air supply and exhaust must be so arranged that the locks can be operated both from within and from

without. In caisson work at least two air pipe lines must be connected with each air lock and working compartment.

(b) Manlocks shall be large enough so that the men, in passing through are not compelled to be in cramped positions. Locks shall be at least five feet in height, and shall contain a timepiece, thermometer and pressure gauge which accurately show the time, temperature and pressure within the lock.

(c) In the working chamber there shall be installed a portable atmospheric pressure gauge and thermometer placed not more than ten (10) feet away from the working face, also a pressure gauge attached to working chamber side of lock to show pressure in the decompression compartment.

GAUGES

16. When the pressure exceeds seventeen pounds to the square inch, where practical to do so, a recording gauge to show the rate of decompression shall be attached to the exterior of each manlock and the dial shall be of such size that the amount of rise or fall in the air pressure within any five minutes shall be readily shown.

17. There shall be on the outer side of each working chamber at least one back pressure gauge which shall be accessible at all times and shall be kept in accurate working order. Additional fittings shall be provided so that test gauges may be attached at all necessary times. Back pressure gauges shall be tested every twenty-four hours and a record kept of such test.

18. A competent man shall be placed in charge of the valves and gauges which regulate and indicate the pressure in the working chamber. He shall not be employed more than nine hours in any twenty-four. In caisson work at no time shall he operate more than two separate air lines.

LIGHTING

19. All lighting in compressed air chambers shall be by electricity only. All locks, chambers and tunnels must in addition be equipped with emergency electric torches.

COMMUNICATION

20. Suitable means of communication shall be maintained at all times between the working chamber and the power-house and the surface, and wherever possible a telephone shall be installed.

SMOKING

21. Smoking shall not be permitted in the air locks or working chamber.

INTOXICATING LIQUOR PROHIBITED

22. No person shall, while under the influence of intoxicating liquor, enter any compressed air chamber of any building connected with the operation of the same where workmen are employed, nor shall intoxicating liquors be brought into such places.

23. Provided, however, that nothing herein contained shall prevent the carrying of alcoholic spirits or

other stimulants into such compressed air chamber or building for medical purposes in accordance with law.

WASH AND REST ROOM

24. Facilities shall be provided for washing and bathing with a supply of hot and cold water in a structure maintained at a minimum temperature of 70° F. The accommodation shall be sufficient to provide for changing clothes and to provide for the drying of work clothes.

A sufficient supply of hot coffee and sugar shall be supplied to men working in air pressure at the termination of shifts and during rest periods. The coffee must be heated by means other than direct steam. Coffee containers and cups shall be kept covered and in a clean and sanitary condition at all times.

SANITATION AND VENTILATION

25. No nuisance shall be tolerated in the air chamber.

Sanitary containers shall be provided for use when necessary.

The supply of fresh air to the working chamber shall be sufficient at all times to permit work to be done without danger or discomfort.

All air supply lines shall be supplied with check valves and carried as near the face as practicable. The air supply shall be free from objectionable material.

Suitable and sufficient cooling apparatus shall be used to keep the temperature of the air supply to tunnels and caissons moderate at all times and to the satisfaction of the inspector appointed to administer these regulations.

MEDICAL ATTENDANCE

26. Any person or corporation carrying on any work in the prosecution of which men are employed or permitted to work in compressed air, shall employ one or more suitable and duly licensed physicians whose duty it shall be to strictly enforce the following:

(a) No person shall be permitted to work in compressed air before he shall have been examined by the physician and reported to the person in charge thereof to be physically fit to engage in such work.

(b) In the event of absence from work of any employee for ten or more successive days for any cause, he shall not resume work until he shall have been re-examined by the physician and his physical condition reported to be such as to permit him to work in compressed air.

(c) No person not having previously worked in compressed air shall be permitted to work in a pressure exceeding seventeen pounds without having first been tested by the physician in the medical lock, nor shall any such person be permitted to work under any pressure for longer than one-half of a day period until he shall have been re-examined by the physician and found to be physically fit for such work.

(d) After any person has been employed continuously in compressed air for a period of two months, he shall be re-examined by the physician and he shall not be permitted to work until such re-examination has been made and he has been reported as physically qualified to engage in compressed air work.

(e) The employer shall at all times keep a complete and full record of examinations made by the physician, which record shall contain dates on which examinations were made and a clear and full description of the person examined, his age, and physical condition at the time examined, also a statement as to the time such person has been engaged in like employment. These records shall be open for inspection by the inspector charged with the enforcement of these regulations, or by any physician authorized by the Minister of Labour.

(f) A medical lock shall be established and maintained in connection with all work in compressed air when the maximum pressure exceeds seventeen pounds. Such lock shall be not less than five feet in height and shall be divided into two compartments. Each door shall be provided with a bull's eye and fitted with air valve so arranged as to be operated from within and without. Such lock shall be kept properly heated, lighted and ventilated, and shall contain a gauge, a telephone and cot. Such lock shall be under the control of the physician in charge and there shall be maintained in close proximity a first aid room, which shall contain a bath tub and all medical and surgical appliances necessary for first aid in case of accident, and an examining room for the physicians on the work. Where the inspector deems it necessary a separate and independent compressor system shall be maintained in order to ensure the proper use and operation of the medical lock.

(g) An identification badge shall be furnished by the contractor or employer to all employees advising police officials that the employee is a compressed air worker, stating location of medical lock, and stating that in case of emergency an ambulance driver shall remove the patient to the medical lock and not to the hospital.

(h) The records of the physicians on the work, the records of the men in the air chamber, of the time taken for decompression and of any untoward symptoms that have occurred, shall be kept in duplicate, and one copy of these records shall be supplied monthly to the Department of Health of Ontario.

(i) Adequate medical service shall be available at all times while work in air under pressure is in progress. This service shall be intensified as the pressure is increased.

HOISTING ENGINEER

27. It shall be the duty of every superintendent of every tunnel having a hoisting engine to appoint and designate one or more men as hoisting engineers. Such hoisting engineers shall be holder of a current hoisting engineer's certificate for the Province of Ontario, and, except in case of emergency, the superintendent shall not permit anyone other than such duly appointed hoisting engineers to run such engine or hoisting machinery.

Where the hoisting engineer is required to have charge and operate the hoist and adjacent air com-

pressors as a joint duty, it shall be the duty of the superintendent to provide an assistant to the hoisting engineer during all times of operation.

Where material is hoisted in caissons or tunnels where construction is done under compressed air, all hoisting, irrespective of horsepower, must be done by a hoisting engineer holding a current hoisting engineer's certificate for the Province of Ontario.

PART II

PROTECTION OF PERSONS WORKING IN TUNNELS, OPEN CAISSONS, COFFER DAMS AND CRIB WORK

APPLICATION

1. These rules shall apply to all tunnels and accessory shafts in the Province of Ontario while under construction, except tunnel construction in connection with mines; and also to all open caissons, coffer dams and crib work.

DEFINITION OF TERMS

2.—(a) "approved", unless otherwise specified, means approved by the Minister.

(b) "constructor or contractor" means the person, firm or body corporate in immediate control of the construction of any tunnel or its accessories, or of any open caisson, coffer dam or crib work, and as such responsible for the condition and management thereof.

(c) "employees" or "persons employed" means all persons receiving compensation from the constructor or others for labour or services performed on the work.

(d) "foreman" means a person in charge of a subdivision of the work or of the entire work at any one time and under the instruction of the superintendent.

(e) "inspector" means an inspector appointed to administer these regulations.

(f) "magazine" means any building or other structure or place in which explosives are stored or kept, whether above or below ground.

(g) "Minister" means the Minister of Labour.

(h) "open caisson or coffer dam" means a casing being sunk or constructed below ground or water level.

(i) "person" means a firm or body corporate as well as natural persons.

(j) "shaft" means an excavation made from the surface of the ground, the longer axis of which is steeper than forty-five (45) degrees.

(k) "superintendent" means the person resident on the work of the contractor having general supervision and responsibility.

(l) "tunnel" means a subterranean passage or chamber constructed without removing the superincumbent material.

(m) "underground" means within the limits of any shaft or tunnel.

(n) "works" means any or all parts of a tunnel excavated or being excavated as well as shafts and approaches, power houses, lumber yards, storage yards and structures of all kinds, which are in the immediate vicinity of, and used in connection with the excavation or the immediate disposal of excavated material or in connection with the construction of the tunnel lining; also any or all parts of open caissons, coffer dams or crib work.

GENERAL

3. Whenever work is in progress in the construction of which men are employed in tunnel, open caisson, coffer dam or crib work, the person, firm or corporation carrying on the work or the contractor for any part, section or subdivision thereof shall be responsible in all respects for full compliance with all provisions of these regulations.

4. Every person, firm, corporation, municipal council or other public authority shall require as a condition of any contract or subcontract awarded, accepted or executed in which work of any kind is done by men employed in tunnel, open caisson, coffer dam or crib work, that these regulations be complied with.

5. Any person, firm, corporation, municipal council or other public authority, before commencing work in the construction of which men are employed in tunnel, open caisson, coffer dam or crib work, shall notify in writing the inspector appointed to administer these regulations and shall forward to him the plan and specifications of the work to be done.

6. The inspector may at any hour by day or night enter upon any land or into any place or building where men are employed in tunnel, open caisson, coffer dam or crib work, may make such examination and inquiry as may be necessary to ascertain whether these regulations are complied with by employers and employees, and may require the production of any record, register, notice or document covered by these regulations.

7. The inspector whenever he deems it necessary may take with him into any place where work is in progress in the construction of which men are employed in tunnel, open caisson, coffer dam or crib work a legally qualified medical practitioner, medical officer of health or sanitary inspector.

8. The inspector may make such recommendations in writing as may be necessary for the proper and efficient carrying out of these regulations and the employer of men engaged in tunnel, open caisson, coffer dam or crib work shall be responsible for the immediate and proper carrying out of any such recommendations made to him.

9. Air, electrical, hydraulic, mechanical, oil, steam and structural equipment, or any part thereof, whether portable or stationary, that functions in any way affecting the persons employed in tunnel, open caisson, coffer dam or crib work, shall in every respect be to the satisfaction of the inspector, and the inspector at any time by giving notice in writing to the contractor or subcontractor shall require that all such equipment in whole or in part be inspected, improved, renewed, repaired or otherwise dealt with for the better carrying out of these regulations.

10. The Minister may authorize any physician attached to the Industrial Hygiene Division, Provincial Department of Health, to undertake such medical examination or inquiry as may be necessary to safeguard and promote the health of persons employed in tunnel, open caisson, coffer dam or crib work.

11. Subject to the approval of the Lieutenant-Governor in Council, the Minister may add, alter, amend, change, delete or otherwise deal with any regulation having for its object the better protection of persons employed in tunnel, open caisson, coffer dam or crib work.

12.—(a) The constructor and superintendent of every tunnel, open caisson, coffer dam or crib work shall use every reasonable precaution to the satisfaction of the inspector, in order to ensure the safety of the workmen on the works in all cases, whether provided for in these rules or not.

(b) Each workman employed on the works, when first engaged, shall have his attention directed to the provisions of these rules.

(c) Every employee shall be responsible for carrying out all rules which immediately concern or affect his conduct.

(d) Employees shall not remove or make ineffective any safeguards while the same are in use, except for the purpose of making repairs, and such safeguards so removed shall be replaced.

(e) All defects in or damage or injury to machinery or timbering or the apparatus and equipment on the works, all unsafe or dangerous conditions in any part of the works, and all accidents, occurring in the course of, or in connection with tunnelling operations, other than those of a purely minor character, even though not resulting in personal injury, shall be promptly reported to the tunnel foreman or superintendent by the person observing the same.

INTOXICATING LIQUOR PROHIBITED

13. No person shall, while under the influence of intoxicating liquor, enter any shaft or tunnel or any of the buildings connected with the operation of the same, or any open caisson, coffer dam or crib work, where workmen are employed, nor shall intoxicating liquor be brought into any such places.

Provided, however, that nothing herein contained shall prevent the carrying of any alcoholic spirits or other stimulants into any such places for medicinal purposes, in accordance with law.

SUPERINTENDENT

14. The constructor of every tunnel, open caisson, coffer dam or crib work shall appoint a man who shall be personally in charge of the works and the performance of the work done therein, who shall be designated as the "superintendent"; provided, however, that nothing herein contained shall prevent the owner or constructor of any such works from personally filling the office of superintendent.

The superintendent of every tunnel, open caisson, coffer dam or crib work shall inspect at least once a

week, or cause some competent person or persons appointed by him, to inspect all appliances, boilers, engines, magazines, shafts, shaft houses, underground workings, roof, pillars, timbers, explosives, bell ropes, speaking tubes, telephones, tracks, ladders, dry closets and all parts and appliances of such works in actual use, and any such person or persons appointed by the said superintendent shall at once report any defect therein to the superintendent. It shall be the duty of the superintendent upon ascertaining such defects to take immediate steps to remedy the same, so as to make the same comply with the provisions of these rules, and he shall forthwith notify the constructor of the said works of the existence of such defects. It shall be the duty of the superintendent to appoint a competent man to have full charge under the direction of the said superintendent of every magazine containing explosives situated on such works, and to make such other appointments and perform such other duties as are provided by these rules to be performed by such superintendent.

EXPLOSIVES

15. The handling and storing of dynamite and explosives shall be in compliance with the regulations of the Dominion Government and of *The Mining Act of Ontario*.

INFLAMMABLE MATERIAL

16.—(a) It shall be the duty of the constructor of every tunnel, open caisson, coffer dam and crib work in which oils, other than lubricating oils, and other dangerous inflammable materials are used, to store such materials, or cause them to be stored, in a covered building kept solely for such storage, which building shall be at least one hundred (100) feet from any shaft, tunnel, open caisson, coffer dam, crib work or approaches, or any building directly connected therewith or with a tunnel opening, and at least three hundred (300) feet from any powder magazine; provided that gasoline, naphtha, distillate and fuel oils may be stored in a tank or tanks buried in the ground, which tank or tanks shall be provided with proper vents and shall be placed at least fifty (50) feet from any shaft, tunnel, open caisson, coffer dam, crib work or approaches, or any building connected therewith, or with a tunnel opening, and at least three hundred (300) feet from any powder magazine; and provided further that lubricating oils may be stored in a well constructed covered building, which shall be at least fifty (50) feet from shaft, tunnel, open caisson, coffer dam, crib work or approaches, or any building directly connected therewith or with a tunnel opening. No tank shall be installed from which fuel oil is to be conducted by gravity to the point of combustion, unless such tank shall be so located that escaping oil cannot run to any building within one hundred (100) feet of any shaft, tunnel opening, open caisson, coffer dam or crib work.

(b) Oil for illumination or power and other inflammable material shall not be taken into the underground workings of any tunnel, open caisson, coffer dam or crib work or kept therein in quantities greater than necessary to afford one day's supply.

(c) Waste or decayed timber shall not be stored in a tunnel, open caisson, coffer dam or crib work, but shall be promptly removed therefrom. Empty boxes, wooden chips, paper and combustible rubbish of all kinds shall not be allowed to accumulate underground.

BLASTING, MISFIRES, ETC.

17.—(a) Only experienced men who have been selected and regularly designated by the superintendent in charge and whose names have been posted in the field office or at the magazines shall handle, transport, prepare or use dynamite or other high explosives.

(b) There shall be one blaster in charge of blasting in each section and he shall enforce his orders and directions and personally supervise the fixing of all charges and all other blasting operations and shall use every precaution to ensure safety.

(c) Every firing circuit shall be broken underground at a point and to the satisfaction of the inspector.

(d) No greater quantity of explosives than that which is required for immediate use shall be taken into the shaft or tunnel.

SCALING AND INSPECTION FOR LOOSE MATERIAL

18. In rock tunnels it shall be the duty of the superintendent of the tunnel to cause frequent inspection of the roof and sides to be made by a competent person detailed for such purpose, and to have all loose pieces of rock removed from the roof and sides of the excavation.

After a blast is fired loosened pieces of rock shall be scaled from the roof and sides of the excavation and after the blasting is completed, the entire locality shall be thoroughly scaled and all loose rock or ground shall be removed and the excavation made safe before proceeding with the work.

HOISTING ENGINEER

19. It shall be the duty of every superintendent of every tunnel, open caisson, coffer dam or crib work having a hoisting engine to appoint and designate one or more men as hoisting engineers. Such hoisting engineers shall be holders of a current hoisting engineer's certificate for the Province of Ontario, and, except in case of emergency, the superintendent shall not permit any one other than such duly appointed hoisting engineers to run such engine or hoisting machinery.

Where the hoisting engineer is required to have charge and operate the hoist and adjacent air compressors as a joint duty, it shall be the duty of the superintendent to provide an assistant to the hoisting engineer during all times of operation.

DUTIES OF HOISTING ENGINEER

20.—(a) It shall be the duty of every hoisting engineer to keep a careful watch over his engine and over all machinery under his charge.

(b) He shall, while on duty, be in immediate charge of his engine, and shall not at any time delegate any of his duties to any other person, except to apprentices duly designated, as provided in these rules.

(c) He shall familiarize himself with and use the signal code posted in the engine room, as hereinafter provided.

(d) He shall not run his engine unless the same is properly provided with brakes and distance marks on hoisting ropes or cables.

(e) It shall be the duty of the hoisting engineer to exclude every person from his engine room, except any person or persons whose duties require their presence therein.

(f) He shall hold no conversation with any one while his engine is in motion or while attending to signals.

(g) He shall not hoist men out of, or lower men into, any tunnel or shaft at a speed greater than the rate posted in the engine room.

(h) He shall inspect at least once a day all hoisting machinery and safety appliances connected therewith and shall immediately report any defects found therein.

(i) After any stoppage of hoisting, for repairs, he shall run a bucket, skip, cage or other conveyance, on which no men shall ride, up and down the working part of the shaft at least once, and shall not permit the bucket, skip, cage or other conveyance to be used for hoisting or lowering men until the hoisting machinery and shaft shall have been found to be in safe condition.

(j) He shall do no hoisting in any compartment of a shaft while repairs are being made in the said hoisting compartment except such hoisting as may be necessary to make such repair.

(k) He shall not turn over the charge of the engine to his relief at change of shift or at any other time while the bucket, skip, cage or other conveyance is in motion.

HOISTING

21.—(a) The superintendent of the tunnel, open caisson, coffer dam or crib work shall, subject to the approval of the inspector, establish for each shaft rates of speed for the cages, skips, buckets or other conveyances that shall not be exceeded in the hoisting or lowering of men, and shall post a notice of such limitation in a conspicuous place near each hoisting engine; such rates of speed shall not exceed those set forth in subsection (d) following.

(b) The superintendent of the tunnel, open caisson, coffer dam or crib work shall, subject to the approval of the inspector, determine the maximum number of men that in his judgment may safely ride on each cage, skip, bucket or other conveyance used in the tunnel, open caisson, coffer dam or crib work under his supervision, and shall post in a conspicuous place near each shaft a notice stating the maximum number of persons so permitted to ride and forbidding the carrying of any greater number.

(c) At all times when hoisting or lowering is being done, there shall be two signalmen on duty, one each at the top and bottom respectively of each shaft. Such signalmen shall be not less than twenty-one (21) years of age and shall be appointed and instructed in their duties by the superintendent. The signalman shall prevent overloading of men on cages, skips, buckets or other conveyances used in the shaft. No other persons but the signalmen shall give signals for starting or stopping such conveyances.

(d) In hoisting or lowering men with a bucket, the speed, except in the case of apprehended danger, shall not exceed one hundred (100) feet per minute when the bucket is within (50) feet of the top or bottom of the shaft, or five hundred (500) feet per minute in any other part of the shaft.

(e) No person shall ride upon any cage, skip or bucket that is conveying explosives other than man in charge of same.

(f) Where a tunnel or sewer over 5 feet in diameter is to be constructed or is in the course of construction over 40 feet underground, the means of transportation to such tunnel or sewer for men or material shall be cage or elevator moving in a vertical direction, and any such cage or elevator shall be constructed, installed and operated to the satisfaction of the inspector. Unless the inspector so directs in writing the use of buckets for vertical transportation of men and material to any such dimensioned tunnel or sewer shall not be permissible.

SIGNALS

22.—(a) Every shaft shall be provided with an efficient means of interchanging distinct and definite signals between the top of the shaft and the lowest level and the intermediate levels from which hoisting is being done. After sinking operations have been completed and before tunnelling operations are begun from any shaft, there shall be provided and maintained two (2) separate systems of signalling, which shall be either electrical, pneumatic or mechanical, or one such system supplemented by speaking tube or telephone.

(b) No person shall ride upon any bucket, cage, skip or other conveyance unless proper signals have been given.

(c) The signal to move the cage, skip or bucket shall be given only when the same is at the level from which the signal is to be given.

SIGNAL CODES

23.—(a) The following code of signals shall be used:

- 1 bell—Stop if in motion, or hoist if not in motion.
- 2 bells—Lower.
- 3 bells—Men on, run very carefully.

(b) An easily legible copy of the above code and of any special code adopted in any shaft or tunnel shall be printed in letters at least one-half ($\frac{1}{2}$) inch high, on a board or metal plate not less than eighteen by eighteen (18x18) inches, and shall be securely posted in the engine room, at the collar of the shaft and at each level or station.

HOISTING ROPES

24.—(a) No rope or cable shall be used for hoisting or lowering men when such hoisting or lowering is done by any means other than human or animal power, unless such rope or cable shall be composed of metal wires, with a factor of safety determined as hereinafter set forth; provided, however, that such metal wires may be laid around a hemp centre.

(b) There shall not be used any rope or cable for the raising or lowering of men, either when the number

of breaks in any consecutive ten (10) feet of said rope exceeds ten per cent (10%) of the total number of wires composing the rope, or when the wires on the crown of the strands are worn down to less than eighty per cent (80%) of their original area, or when they show marked signs of corrosion.

(c) All ropes used for hoisting or lowering men shall be thoroughly inspected once in every week by some competent person designated for the purpose by the superintendent. If upon any inspection such hoisting rope or cable shall be found to be below the requirements set forth in these rules, it shall be discontinued for such purpose forthwith.

(d) Every rope used for hoisting or lowering men shall be securely fastened at both ends, and when in use shall never be fully unwound; at least two (2) full turns shall remain always on the drum or reel. The end of the rope attached to the conveyance in the shaft shall be bound around an oval thimble and fastened to itself by the use of three or more clamps or shall be securely fastened within a tapered socket.

SAFEGUARDS AGAINST OVERWINDING

25.—(a) Approved means to prevent overwinding shall be provided.

(b) There shall be installed in every shaft where men are hoisted a device which shall indicate or give a warning signal in the engine room whenever the cage, skip or bucket in ascending or descending reaches a certain point below or above the limit of travel of the cage, skip or bucket, such point to be determined by local conditions.

CAGES FOR HOISTING

26. In all shafts where men are hoisted or lowered by means of a cage, an iron-bonneted cage shall be used for the conveyance of men, but this provision shall not apply to shafts in the process of sinking or during the dismantling of the shaft after work in the tunnel is substantially completed.

Cages shall be provided with bonnets consisting of two (2) steel plates not less than three-sixteenths ($\frac{3}{16}$) of an inch in thickness, sloping towards each side and so arranged that they may be readily pushed upward to afford egress to persons therein, and such bonnet shall cover the top of the cage in such manner as to protect persons in the cage from falling objects.

Cages shall be entirely enclosed on two sides with solid partitions or wire mesh not less than No. 8 U.S. standard gauge, no opening in which shall exceed two (2) inches.

Cages shall be provided with hanging chains or other similar devices for hand holds.

Every cage shall be provided with an approved safety catch of sufficient strength to hold the cage with its maximum load at any point in the shaft.

A safety device shall be provided for blocking cars while on cage.

All parts of the hoisting apparatus, cables, brakes, guides and fastening shall be of the most substantial

design and shall be arranged for convenient inspection. The efficiency of all safety devices shall be established by satisfactory tests before the cages are put into service and at least once every three months thereafter and a record thereof kept.

STAIRWAYS AND LADDERS IN SHAFTS

27. In each shaft except during the period of sinking there shall be a covered stairway at least two and one-half ($2\frac{1}{2}$) feet wide leading from the bottom of the shaft to the surface. In lieu of this, however, in case it is not practicable to construct such a stairway, a ladder shall be installed with landings at every twenty (20) feet of sufficient width to permit men to pass. All stairways and ladders shall be kept clear and in good condition at all times. The distance between the centres of the rungs of a ladder shall not exceed fourteen (14) inches and shall not vary more than one inch in any one ladderway. The length of the ladder rungs (width of ladder inside of stringers) shall not be less than twelve (12) inches. The rungs of a ladder shall in no case be less than four (4) inches from the wall or other obstruction in the shaft or opening in which the ladder is installed.

At all landings where it is necessary to cross from one side of the shaft to the other, passageways shall be provided and shall be kept free from all obstructions and properly lighted.

CLEANING OF LADDERWAYS AND STAIRWAYS

28. Timbers and projections on which debris may lodge in ladderways and stairways in daily use shall be kept cleaned of all loose rock and other debris.

SHAFT PROJECTION

29. During shaft sinking operations the tops of all shafts shall be guarded by a standard rail and standard toe-board, which may be provided with the necessary gates to give access to the shaft, but such gates shall be kept closed when access to the shaft is not necessary.

Means for blocking cars shall be provided at all landings and also for blocking cars on cage.

VENTILATION

30. The constructor of every shaft or tunnel shall provide and maintain for every such shaft or tunnel a good and sufficient amount of ventilation for such men as may be employed therein, and shall cause an adequate quantity of pure air to circulate throughout the working places of such shaft or tunnel.

SANITATION

31. The constructor of every tunnel, open caisson or coffer dam employing more than twenty-five (25) men shall provide a wash and change house, which shall be free of cost and open at all reasonable hours. Such wash and change house shall be adequately heated and lighted and shall contain a sufficient supply of warm and cold water available to the men.

TELEPHONE SYSTEM

32. Where tunnels are driven more than 250 feet in length from the shaft, a telephone system shall be established and maintained, communicating with the surface at each such shaft and with a station or stations readily and quickly accessible to the men at the working level.

LIGHTING

33.—(a) While work is in progress all tunnels, open caissons, coffer dams, stairways, ladderways and all places on the surface where work is being conducted, shall be properly lighted. In shafts more than one hundred (100) feet deep, artificial lighting shall be provided below that depth.

(b) All electric light wiring shall be installed to the satisfaction of the inspector.

(c) All places where hoisting, pumping or other machinery is installed and in the proximity of which persons are working or moving about, shall be so lighted when the machine is in operation that the moving parts of such machine can be clearly distinguished.

Regulations 392

(Ontario Regulations 256/50)

REGULATIONS MADE UNDER THE DIVISION COURTS ACT, 1950

RULES AND REGULATIONS

GENERAL

1. The judge may upon the application of a party to an action or matter pending in court and upon being satisfied that any property seized is of a perishable nature or that charges for food or keeping may be necessary, or for other good cause, make an order for the sale of the property or of any part thereof.

2. The plaintiff, at the time of entering his claim for suit, and the defendant or other party, at the time of giving notice of set-off, counter-claim or other defence, shall give the clerk his address or that of his solicitor or agent, and the delivery of any notice to such plaintiff, defendant or other party, his solicitors or agent, or the mailing thereof by the clerk to such address shall be sufficient service.

SUMMONS AND CLAIM

3. Where a claim is for an amount in excess of that authorized by the Act, the judge may permit abandonment of the excess at any time before judgment upon such terms as he deems proper.

4. A summons issued under section 65 shall be endorsed "Issued by leave of the judge".

5. A summons shall continue in force for a period of twelve months from the date of its issue but where a defendant has not been served a judge may renew it for a period of twelve months, prior to the expiration of the twelve months period or of the last renewal.

6. Where a summons has been renewed under rule 5, the clerk shall, upon delivery to him of the judge's order, endorse upon the summons "renewed by order of the judge for 12 months from the day of".

INTERPLEADER

7. (1) Where it is alleged that there is an encumbrance or lien, or when a claim is made in respect of any property which has been seized, the bailiff shall forthwith give notice thereof to the party who issues the execution.

(2) If the party so notified requires the seizure to be maintained, he shall within five days after such notice to him pay to the clerk a sum of money sufficient to secure to the clerk and bailiff their costs of an interpleader and an interpleader summons shall be issued.

(3) If the party so notified does not pay such sum the bailiff may abandon the seizure and such party shall pay to the bailiff his costs of the seizure and any damages that the bailiff may be subsequently directed to pay as a result of the seizure.

8. Where property is seized or attached while in the possession of the claimant, the case shall proceed with the attaching creditor as plaintiff and the claimant as defendant, and in all other cases it shall proceed

with the claimant as plaintiff and the execution or attaching creditor as defendant.

9. The claimant shall within five days after the day of service of the summons upon him deliver to the bailiff, or leave at the office of the clerk of the court, particulars of the property claimed by him and the grounds and particulars of his claim, or in case of a claim for rent, the amount and particulars thereof, provided that by consent of all parties, or without such consent if the judge shall so direct, an interpleader claim may be tried, although these rules may not have been complied with.

10. In case the claimant shall not have complied with the rule in respect of delivering particulars of his claim, the judge may, upon such terms as he may direct, allow him to deliver the same.

11. A claimant may deposit with the bailiff an amount equal to the value of the property seized or attached, or to the amount for which the seizure or attachment has been made, whichever shall be the lesser sum, to be by such bailiff paid into court to abide the decision of the judge upon such claim, and thereupon the bailiff shall redeliver the property to such claimant. In case of disagreement as to the value of the property seized or attached, the matter shall be decided by the clerk, subject to an appeal to the judge.

12. On dismissal of a claim to any property taken in execution or attached, the costs of the bailiff shall be allowed to him, unless the judge shall otherwise order, and payment thereof may be enforced in the same manner as a judgment of this court.

REPLEVIN

13. Where a person claims to be entitled to possession of personal property in the possession of another, he may, subject to the provisions of subsection 4 of section 54, enter a claim in replevin and cause to be issued a summons in replevin.

14. The claim in replevin shall specify and describe in detail the property claimed, the value thereof, and the facts upon which the claim is based, and the damages, if any, claimed and the particulars thereof.

15. At the time of entering the claim in replevin, there shall be filed with the clerk of the court, an affidavit of the person claiming the property or his solicitor or agent, deposing,

- (a) that the facts set out in the particulars of claim are true; and
- (b) that the deponent knows of no reason why the summons should not issue.

16.—(1) The bailiff shall before acting on the summons obtain from the plaintiff a bond with two or more sureties satisfactory to the bailiff or to the judge in double the value of the property to be replevied as stated in the summons, which bond shall be assignable to the defendant.

(2) Instead of furnishing a bond, the plaintiff may pay into court to the credit of the action an amount equal to double the value of the property to be replevied and such payment shall be in lieu of the bond and shall be subject to the same terms, conditions and disposition as a bond.

17.—(1) In accordance with the summons in replevin the bailiff shall take and detain the property until otherwise directed by the judge, or the judgment in the action.

(2) In case the property to be replevied or any part thereof,

- (a) is secured or concealed in any dwelling house or other building or enclosure of the defendant or of any other person holding it for him; and
- (b) is not delivered to the bailiff within six hours after demand,

the bailiff may and if necessary shall, but during daylight only, break open such house, building or enclosure for the purpose of replevying such property or any part thereof and shall make replevin according to the summons.

18. The copy of the summons shall not be served upon the defendant until the bailiff has replevied the property or some part of it if he cannot replevy the whole.

19.—(1) The bailiff shall with the return of the summons file with the clerk,

- (a) the bond filed by the plaintiff; and
- (b) a list of the property replevied.

(2) In case the bailiff replevies only a part of the property specified and described in the summons and is unable to replevy the balance, he shall state in his return the part of the property which he was unable to replevy and the reasons therefor.

20. Where a summons in replevin is issued, the defendant may at any time prior to judgment, on two days notice to the plaintiff, apply to the judge on affidavit, to discharge or vary the summons, or to stay proceedings thereunder, or for any other relief specified in the notice, and the judge may make such order as to him may seem meet.

21. Where the defendant has been duly served with a copy of the claim and summons in replevin, then, unless he has left with the clerk within the time prescribed in the summons a notice in writing that he intends to dispute the claim, the plaintiff may proceed with the action in the same manner as if the defendant had appeared and had admitted the plaintiff's right to the possession of the property, and final judgment may be entered by the clerk and the property shall then be delivered by the bailiff to the plaintiff and the plaintiff may proceed at the next sittings of this court as if the defendant had appeared and had admitted the plaintiff's right to the possession of the property.

22. Where the defendant succeeds, the judgment shall be for the return of the goods to him with such costs and damages as may be awarded.

COUNTERCLAIM

23. Where the action of the plaintiff is stayed, discontinued or dismissed, or where he does not appear, a counterclaim or set-off may nevertheless be proceeded with.

24. Where a counterclaim has been filed a notice of dispute may be filed as to a claim, but if the defendant to the counterclaim fails to file a notice of dispute, no final judgment on the counterclaim shall be signed by the clerk.

NOTICE OF TRIAL

25.—(1) The clerk shall be responsible for furnishing the parties to the action with written notice of the time, place and date of trial.

(2) Written notice of the time, place and date of trial may be furnished to any of the parties,

- (a) by handing the notice to the party or other person attending on his behalf at the clerk's office; or
- (b) by sending the notice by prepaid post to the party at the address furnished to the court as his address or appearing as his address upon any claim, notice of dispute or counterclaim filed by him; or
- (c) where such an address does not appear upon the claim, notice of dispute or counterclaim, as provided by clause *b*,
 - (i) by delivering the notice to the party personally, or
 - (ii) by sending the notice by prepaid post to the party at an address at which the clerk is satisfied the notice will reach the party, and so certified in writing upon a duplicate thereof which shall be filed with the papers in the action.

(3) The clerk shall keep a record in the procedure book of the giving of written notice of trial and the mode of giving such notice and other particulars thereof.

26. Where, upon an appeal, a new trial is ordered, the clerk shall, upon receipt of a copy of the order of the appellate court, place the case on the list for trial in accordance with rule 27 and furnish notice to the parties in accordance with rule 25.

TRIAL LIST

27. Except in the case of an action in which final judgment may be signed by the clerk under section 88, an action shall be placed on the list for trial for the first sittings of the court for which notice of trial may be given by the clerk and shall be there dealt with by the trial judge.

REVIVING JUDGMENT

28. No proceedings shall be taken to enforce payment of a judgment after ten years from the date thereof, except where, upon notice to the judgment

SECURITY FOR BAILIFF'S FEES

42. Where an attachment has issued against an absconding debtor or an execution issued against the property of a judgment debtor, and a plaintiff or defendant, judgment creditor or other person interested in the claim, judgment or execution, insists upon the bailiff making an attempt to find property, he shall deposit with the clerk the amount of bailiff's fees and mileage.

ABSCONDING DEBTORS

43. Where an attachment issues (whether the suit is commenced by attachment in the first instance or not), unless the defendant is personally served, the hearing or trial shall not take place until one month after the seizure under the attachment, unless the judge otherwise orders.

44. When several persons sue out warrants of attachment against an absconding, removing, or concealed debtor, each one of such attaching creditors may enter a defence, set-off or counter-claim, and call and examine, and cross-examine witnesses as to any debt or claim proved or attempted to be proved against the debtor, or as to such set-off or counterclaim in the same way and to the same extent as the debtor himself might do were he personally to appear and defend the suit on any ground whatever.

45. Before issuing an attachment against an absconding, removing or concealed debtor, it shall be the duty of the clerk to see that immediately following the statement in the affidavit of the amount due to the attaching creditor, the cause and subject of such indebtedness is properly set forth.

46. Where several judgments have been recovered against an absconding debtor, it shall not be necessary to issue execution upon each such judgment but one execution against the property seized upon the attachments shall issue for the sale thereof, to satisfy the judgments of those creditors, and so much of such property as shall be sufficient to satisfy the said judgments and costs, may be sold thereunder, or if the property has been previously sold as perishable, enough of the proceeds may be applied by the clerk to satisfy such judgments and costs, without execution.

CLERK'S DUTIES

47. The clerk shall maintain,
- (a) a "Procedure Book" with an alphabetical index thereto;
 - (b) a "Cash Book";
 - (c) a "Foreign Procedure Book";
 - (d) a "Fee Book";
 - (e) a "Judgment Debtor Index";
 - (f) a "Consolidation Order Book" with an alphabetical index thereto;

and may maintain,

an "Order Book".

48. All the papers in the cause received or filed by the clerk shall be kept by him, together with the original summons, and be produced at the hearing of the cause.

49. The clerk, upon being paid his proper fee and necessary postage, shall answer promptly all reasonable inquiries made touching suits by the parties thereto, their solicitors or agents.

50. The clerk shall not withhold any moneys received from the parties except for unpaid costs in the action in which such moneys are recovered.

51. Where money is received by the clerk on a suit entered by a solicitor or agent, who has paid the deposit or is responsible for the costs to the clerk, such money shall not without notice to such solicitor or agent be paid out to the person beneficially interested therein, unless upon the order of the judge.

52. On payment of a fee of twenty-five cents and necessary postage the clerk, when required by a party to the action, shall furnish an itemized statement in writing thereof including bailiffs' fees.

53.—(1) The clerk shall determine, subject to appeal to the judge, what witness fees shall be allowed on taxation of costs.

(2) Before allowing disbursements to witnesses, the clerk shall be satisfied that they attended and shall be furnished with an affidavit of disbursements.

54. In case of process received for service or execution from a foreign court, the clerk shall, upon returning them, give a statement in detail of the items of all charges made for fees and disbursements.

55. When a notice is mailed by the clerk by prepaid registered post, he shall obtain and preserve with the papers in the suit a certificate of such registration.

56. Where there are no cases to be tried at any sittings of a division court, the clerk of the division court shall so notify the judge by a letter or telegram which in the ordinary course of post or wire, as the case may be, will reach its destination at least twenty-four hours in the case of a county, and at least forty-eight hours in the case of a district, before the time set for the sittings of the court, and where the clerk is unable to notify the judge in accordance with the foregoing because of the settlement or adjournment by consent of any case or for any other reason, he shall nevertheless notify the judge with all diligence.

PROCEDURE BOOK

57. The entries of proceedings on a transcript under the Act shall be made in the Procedure Book of the court to which it has been sent in the form of an ordinary suit.

58. Where a plaintiff or defendant is substituted or added or there is a change of parties, the Procedure Book shall so indicate, and all subsequent proceedings shall be carried on under the altered title with the same year and number.

59. The clerk shall enter in the Procedure Book the full amount of moneys returned by the bailiff with

an execution and shall show therein the amount which he has taxed and paid the bailiff as his fees therefor.

60. Every judgment and order of the court shall be entered by the clerk in the Procedure Book, and when an order is made for the payment of any debt, damages, costs or other sum of money, it shall be payable at the office of the clerk.

BAILIFF'S DUTIES

61. The bailiff shall maintain a book of record.

62. The bailiff shall at all reasonable times furnish to a party in an action such reasonable information as may be required respecting any process in his hands.

63. The bailiff shall,

- (a) ensure that proper accommodation is available for each sittings of the court; and
- (b) attend every sittings of the court, where he shall make all proclamations, preserve order, call the parties and witnesses and perform such other duties as the judge requires.

64. The bailiff shall return an execution within the three months prescribed by the Act, unless it has been renewed, or unless the seizure has been so recent that he has been unable to realize thereon, in which latter case he shall report to the clerk, who shall notify the execution creditor thereof.

65.—(1) Where the bailiff has been unable to effect a sale for a reasonable amount, he shall return the execution "property on hand for want of buyers".

(2) Where an execution is returned "property on hand for want of buyers", the clerk shall, at the written request of the execution creditor, issue another execution directing the bailiff to sell the property on hand for what it will bring.

66. The whole of the money realized shall be paid over by the bailiff to the clerk, who shall forthwith after taxation pay the bailiff his proper fees and disbursements.

67. A bailiff receiving any money by virtue of his office shall promptly after the receipt thereof pay it over to the clerk.

68. A bailiff receiving an execution shall immediately endorse upon it a statement of the day and the hour when he received it, and in addition to the formal return in the prescribed form, on every execution returned he shall give a statement of the particulars of all his fees and disbursements in the execution thereof, and give a similar statement in making returns of summons of replevin and warrants of attachment.

69. Where the judge so directs, the bailiff shall deliver to the clerk of the court for submission to the judge a statement or return on oath of any or every warrant or writ of execution in his hands, and of what has been done thereunder.

70. A bailiff shall not take or receive money from

any person except as payment on an execution or warrant of commitment in his hands against such party.

FORMS

FORM 1

SUMMONS

(section 71)

In the Division Court of the of

SUMMONS

No. A.D. 19
 Claim \$.....
 Cost, Exclusive of Mileage \$.....
 Mileage \$.....

Between

PLAINTIFF

—and—

DEFENDANT

TO THE ABOVE-NAMED DEFENDANT

(SEAL) TAKE NOTICE that the above-named Plaintiff claims from you \$, particulars of which are attached hereto.

(The following paragraph to be printed in capital letters)

IF YOU DESIRE TO DISPUTE THIS CLAIM OR ANY PART THEREOF OR MAKE A COUNTERCLAIM, YOU MUST WITHIN TEN DAYS AFTER YOU HAVE RECEIVED THIS SUMMONS LEAVE WITH THE CLERK OF THE COURT, AT THE ADDRESS BELOW, A NOTICE IN WRITING IN DUPLICATE CONTAINING THE PARTICULARS OF YOUR DISPUTE OR COUNTERCLAIM.

(The following paragraph to be printed in red ink)

If you do not file a notice of dispute or counterclaim, judgment may be entered against you without further notice to you.

If your dispute or counterclaim is supported by witnesses, account books, receipts or other documents, you should produce them at the hearing.

If you file a notice of dispute or counterclaim, information as to the time and place of trial may be obtained from the Clerk of this Court.

If the amount of the claim together with lawful costs is paid to the Clerk of the Court

within ten days after service of this document upon you, no further proceedings will be taken.

Given under the seal of the Court this day of A.D. 19

Clerk, Division Court of the of (Address)

FORM 2

GENERAL FORM OF HEADING AND CONCLUSION OF AFFIDAVIT

(Except where otherwise given.)

In the Division Court of the of Between

PLAINTIFF

—and—

DEFENDANT

I, of the of in the of (occupation), make oath and say:

Sworn before me at the of in the of this day of , A.D. 19 (Signature)

Clerk (or A Commissioner for taking affidavits)

FORM 3

AFFIDAVIT OF SERVICE OF SUMMONS

(section 23)

I SWEAR that this summons and claim therewith were served by me on the day of , A.D. 19 , by delivering a true copy of both, personally to the defendant, (or to the wife or servant of the defendant, or to a grown-up inmate of the defendant's dwelling-house, or usual place of abode, or business), and that I necessarily travelled miles to do so.

Sworn, etc. (as in Form 2)

Bailiff

NOTE: This affidavit is to be endorsed on the summons

FORM 4

AFFIDAVIT FOR RENEWAL OF SUMMONS

(rule 6)

(Formal parts as in Form 2)

I, of the of in the of (occupation), make oath and say:

1. That I am the plaintiff herein (or the agent of the plaintiff herein and have a personal knowledge of the facts herein stated).

2. That a summons was issued herein, a true copy of which is attached and marked "Exhibit 1".

3. (State what efforts have been made to serve the defendant with the summons and the reasons why it has not been served).

FORM 5

ORDER FOR RENEWAL OF SUMMONS

(rule 6)

(Title of Court and style of cause as in Form 2)

Upon application of the plaintiff and upon reading the affidavit of , filed:

1. It is ordered that the summons in this action be renewed by the Clerk of the Court for twelve months from the date of this order.

Dated at this day of , A.D. 19 Judge.

FORM 6

SUMMONS TO THIRD PARTY

(section 86)

No. A.D. 19

In the Division Court of the of

SUMMONS TO THIRD PARTY

Between

PLAINTIFF

—and—

DEFENDANT

—and—

THIRD PARTY

(SEAL) TO THE ABOVE-NAMED THIRD PARTY

TAKE NOTICE that action has been brought by the above-named Plaintiff against the above-named Defendant for \$, particulars of which are attached hereto.

The Defendant claims to be entitled to contribution or indemnity from or other relief over against you for \$, particulars of which are attached hereto.

(The following paragraph to be printed in capital letters)

IF YOU DESIRE TO DISPUTE THIS CLAIM OR ANY PART THEREOF OR MAKE A COUNTERCLAIM, YOU MUST WITHIN TEN DAYS AFTER YOU HAVE RECEIVED THIS SUMMONS LEAVE WITH THE CLERK OF THE COURT, AT THE ADDRESS BELOW, A NOTICE IN WRITING IN DUPLICATE CONTAINING THE PARTICULARS OF YOUR DISPUTE OR COUNTERCLAIM.

(The following paragraph to be printed in red ink)

If you do not file a notice of dispute or counterclaim, judgment may be entered against you without further notice to you.

If your dispute or counterclaim is supported by witnesses, account books, receipts or other documents, you should produce them at the hearing.

If you file a notice of dispute or counterclaim, information as to the time and place of trial may be obtained from the Clerk of this Court. If the amount of the Defendant's claim together with lawful costs is paid to the Clerk of the Court within ten days after service of this document upon you, no further proceedings will be taken.

Given under the seal of the Court this day of 19 .

Clerk of the Division Court of the (Address)

FORM 7

UNDERTAKING BY NEXT FRIEND OF MINOR TO BE RESPONSIBLE FOR DEFENDANT'S COSTS

(section 58 and rule 31)

In the Division Court of the of

I, , being the next friend of , who is a minor, and who is desirous of entering an action in this Court against (naming him), of the of in the of hereby undertake to be responsible for the costs of the said minor in such action, and that if the said minor

fail to pay the said (name of intended defendant) all costs of the action as the judge shall direct him to pay to the said (name of intended defendant), I will forthwith pay the same to the clerk of the court.

Dated at this day of A.D. 19 .

Witness

(Signature of next friend)

FORM 8

AFFIDAVIT FOR SUBSTITUTIONAL SERVICE

(section 75)

(Formal parts as in Form 2)

I, of the of in the of , Bailiff of the above-mentioned Court, make oath and say:

- 1. That the Summons in the above action was handed to me for service and that in accordance with my duties in that respect I attended at the above address of the defendant, this being the usual place of abode or usual place of business of the defendant on the day of 19 , and was informed that the defendant was not in.
2. That I previously called at the said address of the defendant on other occasions but was unable to serve him with the Summons as I was informed by
3. That I believe if a copy of the Summons were sent by registered mail to the above address (or were left with a grown up person at the above address, or as the case may be), it would come to the knowledge of the defendant.

FORM 9

ORDER FOR SUBSTITUTIONAL SERVICE

(section 75)

(Title of Court and style of cause as in Form 2)

Upon the application of the Bailiff and having read the affidavit of , filed:

It is ordered that service of the copy of the Summons and particulars of claim, together with a copy of this order, by mailing the same by registered post addressed to the Defendant at (or by leaving the same with a grown up person residing or employed at the above-named address, or as the case may be), shall be good and sufficient service of the summons and particulars of claim upon the said Defendant.

Dated at this day of 19 .

Judge

FORM 10
SET-OFF
(section 81)

(Title of Court and style of cause as in Form 2)

Take notice that I intend to avail myself of the law of set-off, and at the hearing of this cause will claim a set-off against the plaintiff's demand, the particulars of which set-off are hereto annexed, (or hereunder written).

Dated at this day of A.D. 19 .

To the above named plaintiff and
to the clerk of the said court

Defendant.

FORM 11
ACCEPTANCE OF MONEY PAID INTO COURT
(section 82)

(Title of Court and style of cause as in Form 2)

Take notice that the plaintiff accepts the sum of \$ paid by the defendant into court in satisfaction of the claim in respect of which it is paid in.

Dated at this day of A.D. 19 .

To the said defendant

Clerk

FORM 12
CONFESSION OF DEBT, AFTER ACTION
COMMENCED
(section 84)

(Title of Court and style of cause as in Form 2)

I acknowledge that I am indebted to the plaintiff in the sum of \$ and consent that judgment for that amount and costs may be entered against me in this action, according to the practice of the Court.

Dated at this day of , A.D. 19 .

Witness , clerk Defendant
(or bailiff)

(Add affidavit of execution)

FORM 13
AFFIDAVIT OF EXECUTION OF CONFESSION
(section 84)

(Formal parts as in Form 2)

I, , clerk (or bailiff) of the
Division Court of the of (or of the
said Court) make oath and say, that I saw the above

(or annexed) confession duly executed by the defendant, and that I am a subscribing witness thereto, and that I have not received, and that I will not receive, anything from the plaintiff or defendant, or any other person, except my lawful fees, for taking such confession, and that I have no interest in the demand sought to be recovered in this action.

FORM 14
JUDGMENT ON CONFESSION AFTER ACTION
(section 84 (1))

The defendant having been served with summons and particulars of claim for a debt amounting to \$ (or the plaintiff having consented to take the defendant's acknowledgment for the sum of \$, part thereof, and abandoned the residue; or having allowed the defendant's set-off thereout; or made certain deductions claimed therefrom) and the defendant having confessed the same in writing before , clerk (or bailiff), and the confession being duly proved and produced, it is adjudged that the plaintiff, do recover against the defendant, the sum of \$ for debt, and \$ for costs.

FORM 15
AFFIDAVIT FOR SPEEDY JUDGMENT
(section 90 (1))
(Formal parts as in Form 2)

I, , of the of , in the
of (occupation), make oath and say:

1. That I am the (solicitor or agent for the) above-named Plaintiff, and have personal knowledge of the matters herein deposed to.

2. That the above-named Defendant is justly and truly indebted to me or to (as the case may be), the Plaintiff, in the sum of \$ (state the facts and verify the cause of action).

3. That in my belief there is no defence to this action. That immediate judgment should be granted for the following reasons, viz: (herein state the reasons fully).

FORM 16
NOTICE OF TRIAL
(rule 25)

In the Division Court of the of

NOTICE OF TRIAL

Between

PLAINTIFF

—and—

DEFENDANT

TAKE NOTICE of the trial of this action at the sittings of the court to be held in the at of commencing on the day of A.D. 19 , at o'clock m.

(The following paragraph to be printed in capital letters)

AND FURTHER TAKE NOTICE THAT IN THE EVENT OF AN ADJOURNMENT NO FURTHER NOTICE WILL BE SENT TO YOU.

Dated at this day of A.D. 19 .

Clerk of Division Court of the (Address)

To:

FORM 17

CLERK'S NOTICE UNDER THE ACT (WHERE CAUSE TRANSFERRED FROM ANOTHER COURT)

(section 70 and rule 25)

(Title of Court and style of cause as in Form 2)

TAKE NOTICE that the proceedings in this action having been duly transferred to this Court, trial of this action will take place at the sittings of the Court to be held in the at of commencing on day, the day of A.D. 19 , at o'clock m.

(The following paragraph to be printed in capital letters)

AND FURTHER TAKE NOTICE THAT IN THE EVENT OF AN ADJOURNMENT NO FURTHER NOTICE WILL BE SENT TO YOU.

Dated at this day of , A.D. 19 .

Clerk, of Division Court of the (Address)

To:

FORM 18

CLERK'S NOTICE OF TRIAL BY JURY AND NEW TRIAL

(section 106)

(Title of Court and style of cause as in Form 2)

TAKE NOTICE that this cause will be tried by a jury, the plaintiff (or defendant) having demanded a jury therein; or take notice that the judge has ordered a new trial upon payment of costs (or with cost to abide the event or as the case may be) and has ordered the next trial to be had before a jury (or as the case may be) and that such trial will be held at in on the day of , A.D. 19 , at the hour of o'clock m.

(The following paragraph to be printed in capital letters)

AND FURTHER TAKE NOTICE THAT IN THE EVENT OF AN ADJOURNMENT NO FURTHER NOTICE WILL BE SENT TO YOU.

Dated at this day of A.D. 19 .

Clerk of Division Court of the (Address)

To:

FORM 19

ORDER TRANSFERRING CAUSE WHEN ENTERED IN WRONG COURT

(section 70 (1))

(Title of Court and style of cause as in Form 2)

It appearing that the cause has been entered in the wrong Division Court, I hereby order that all papers and proceedings in this cause be transferred to the Division Court of the of in pursuance of The Division Courts Act, upon the terms (that the defendant shall in no case have taxed against him or pay more costs than if he had been originally sued in such last-mentioned Court, and that the plaintiff pay to the defendant forthwith the sum of \$, as fees for the attendance of himself and his witness at this Court, as the case may be, or any other terms that the judge may think proper to impose).

Dated at this day of , A.D. 19 .

..... Judge.

FORM 20

SUMMONS TO WITNESS

(section 95 (1))

(Title of Court and style of cause as in Form 2)

(Seal)

You are hereby required to attend at the sittings of the said Court, to be held at on the day of , A.D. 19 , at the hour of in the forenoon, to give evidence in the above cause, on behalf of the above-named (and then and there to have and produce (state particular documents required) and all other papers relating to the said action in your custody, possession or power.)

Given under the Seal of the Court this day of 19 .

Clerk.

To

FORM 21

AFFIDAVIT FOR COMMISSION TO EXAMINE WITNESSES

(section 97)

(Formal parts as in Form 2)

I, make oath and say:

- 1. That this action is brought for the recovery of (here state shortly the cause of action).
2. That the defendant has filed a notice of dispute herein.
3. That , is a material and necessary witness for me in the said cause, and I am advised, and verily believe, that I cannot safely proceed to the trial of it without his evidence.
4. That the said , is at present residing at , without the limits of the Province of Ontario.

(If made by the defendant, add the following:—)

- 5. That I have a good defence to this action on the merits, as I am advised, and verily believe (or if made by a solicitor or his clerk, say: The defendant has, as I am instructed, and verily believe a good defence, etc.)
6. This application for a commission is made bona fide for the purpose of procuring the evidence of the said , and not for delay.

FORM 22

ORDER FOR COMMISSION

(section 97)

(Title of Court and style of cause as in Form 2)

Upon hearing the solicitor for the plaintiff and defendant and upon reading the affidavit of filed, it is ordered as follows:—

- 1. A commission may issue directed to of for the examination viva voce of witnesses on behalf of the said plaintiff and defendant respectively at aforesaid before the said commissioner.
2. days previously to the sending out of the said commission the said , or his solicitor , shall give to or his solicitor, notice in writing of the mail or other conveyance by which the commission is to be sent out.
3. The costs of this order and of the commission to be issued, and all other matters which may be done in pursuance hereof, shall be costs in the cause.

Dated at this day of , A.D. 19 .

..... Judge.

FORM 23

AFFIDAVIT FOR ORDER TO EXAMINE A SICK, AGED, OR INFIRM WITNESS

(section 97)

(Formal parts as in Form 2)

- 1. This action is brought for (here state concisely the cause of action sued for).
2. The summons herein was served on or about the day of , A.D. 19 , and this action can be heard at the sittings of the court which will be held on the day of next (or instant).
3. The defendant has (or, if he makes an affidavit, I have) filed a notice disputing the plaintiff's claim herein.
4. That , of etc. (a person residing within the province), is a material and necessary witness on my behalf, as I am advised and verily believe, and I cannot safely proceed to the trial hereof without his evidence, and that materiality of his evidence consists in this (here in a general way describe it).
5. That said is sick, being dangerously ill with (here describe disease), and not expected to recover (or, as the case may be, or that he is aged, or infirm, being now years of age, or that he is about to leave the province, as the case may be), and that his attendance at court as a witness cannot by reason thereof be procured.

6. I am advised and believe that I have a good cause of action (or defence) herein on the merits, and that this application is made *bona fide* and not for the purpose of delay.

(The affidavit should clearly show that the person proposed to be examined is weak, aged, or infirm, or about to leave the province, and that his attendance at court as a witness cannot by reason thereof be procured. If possible, this should not be left to a general statement merely, but facts and circumstances should be given. If founded on sickness of the witness, an affidavit by or a verified certificate of the medical attendant should form part of the application, the former being preferable. The affidavit had better be made by the applicant, his solicitor, or agent. As a general rule, the materiality of the proposed evidence need not be given as appears in the 4th paragraph, but if the application is likely to be opposed, or there is anything exceptional in the circumstances, it had better be stated with particularity).

FORM 24

AFFIDAVIT OF DISBURSEMENTS TO SEVERAL WITNESSES

(Rule 53 (2))

(Formal parts as in Form 2)

I, _____, of _____, the above plaintiff (or _____, the above defendant, or agent, or solicitor for the above plaintiff or defendant) make oath and say:

1. That the several persons whose names are mentioned in the first column of the schedule at the foot hereof, were necessary and material witnesses on my behalf (or on behalf of the said plaintiff or defendant) and attended at the sittings of this Court on the day of _____, as witnesses on my behalf (or on behalf of the said defendant or plaintiff), and that they did not attend as witnesses in any other action; (*if otherwise, state the facts*).

2. That each of the said witnesses necessarily travelled in going to said Court and attending the said trial, the number of miles respectively, mentioned in figures in the second columns of the said schedule opposite to the names of each of the said witnesses, respectively.

3. That each of the said witnesses was necessarily absent from his (or her) home, in order so to attend the said trial, the number of days set forth in the third column of the said schedule opposite the names of them respectively.

4. That the several and respective sums of money mentioned in figures in the fourth column of the said schedule, opposite to the names of the said witnesses, respectively, have been paid by me (or by the plaintiff or defendant) to the said witnesses respectively, as in the said schedule set forth for their attendance and travel as witnesses in this action.

5. That I was a necessary and a material witness on my own behalf, and I would not have attended the

Court, except for the purpose of giving evidence in the action.

SCHEDULE REFERRED TO IN THE FOREGOING AFFIDAVIT

Names of Witnesses	Miles	Absent from home	Sums Paid

NOTE:—Where the party seeks to be allowed his own expenses for attendance, he must swear both that he was a necessary and material witness on his own behalf, and that he would not have attended the Court, except for the purpose of giving evidence in the case.

FORM 25

EXECUTION AGAINST GOODS

(section 115)

(Title of Court and style of cause as in Form 2)

Whereas on _____ day of _____ A.D. 19____, the _____ recovered in the said Court judgment against the _____ for \$ _____ for debt (or damages) and \$ _____ for costs which remains unsatisfied (*when the judgment has been revived, add, "and on the day of _____ A.D. 19____, the said judgment was duly revived."*) You are hereby required to levy of the goods and chattels of the _____ in the said County (or District) (not exempt from execution) the said moneys amounting together to the sum of \$ _____ and interest thereon at the rate of five percent per annum from the _____ day of A.D. 19____, and your lawful fees so that you may have the same immediately after the execution hereof and pay over to the Clerk of this Court for the

Given under seal of the Court, this _____ day of _____ A.D. 19____.

Clerk.

To

Bailiff of said Court,
 Judgment.....\$
 Interest.....\$
 Subsequent costs.....\$
 This execution.....\$

Levy the sum of.....\$ _____, and your lawful fees upon this precept.

FORM 26

EXECUTION AGAINST LANDS

(section 125)

(Title of Court and style of cause as in Form 2)

Whereas on the day of , A.D. 19 , the plaintiff recovered in the said Court judgment against the defendant for \$ for debt, and \$ for costs of action, which remain unsatisfied (when judgment has been revived add "and on the day of , A.D. 19 , the said judgment was duly revived.") You are hereby required to levy of the lands and tenements of the defendant in the of , the said moneys, amounting together to the sum of \$ and interest thereon at the rate of five per cent per annum, from the day of , A.D. 19 , together with your own fees, poundage and incidental expenses; so that you may have the same immediately after the execution hereof, and pay the same over to the Clerk of this Court for the plaintiff.

Given under the seal of the Court, this day of , A.D. 19 .

Clerk.

To Sheriff of the County (or District) of

FORM 27

BAILIFF'S BOND FOR SECURITY FOR PROPERTY SEIZED UNDER EXECUTION

KNOW ALL MEN BY THESE PRESENTS

That we, , and , are and each of us is jointly and severally held and firmly bound unto , Bailiff of the Division Court of the of , in the penal sum of \$200.00 to be paid to the said bailiff, his certain attorney, executors, administrators or assigns for which payment well and truly to be made we bind ourselves, our and each of our heirs, executors and administrators, and every of them firmly by these presents.

Sealed with seal dated this day of , A.D. 19 .

Whereas the above-named bailiff has taken under an execution issued out of the Division Court of the of , in the case of vs , certain property, to wit (specify property), belonging to the said execution debtor to the value of \$, and whereas the execution debtor has requested the bailiff to leave the said property in his possession pending a settlement of the claim.

Now the condition of this obligation is, that if the said execution debtor do pay to the said bailiff, his executors, administrators or assigns, the amount of the execution with his lawful costs, or pay the same to the

clerk of the court, or effect a settlement with the execution creditor, then this obligation shall be void.

Signed, sealed and delivered } (L.S.)
in the presence of } (L.S.)
} (L.S.)

FORM 28

NOTICE OF SALE

(section 173 (2))

By virtue of an execution issued out of the Division Court of the of , and to me directed, against the property of , at the suit of , I have seized and taken in execution, one bay horse, etc.

All which property will be sold at public auction at A.D. 19 , on the day of , at the hour of o'clock in the noon.

Dated at this day of , A.D. 19 .

Bailiff

FORM 29

NULLA BONA

The within defendant (or plaintiff) has no property in the said of , whereof I can make the moneys to be levied, or any part thereof as within commanded.

Dated at this day of , A.D. 19 .

Bailiff.

FORM 30

FECI

By virtue of the within execution, I have made of the property of the defendant (or plaintiff) the moneys within mentioned, and have paid the same to the said clerk as within commanded.

Dated at this day of , A.D. 19 .

Bailiff.

FORM 31

ANY PART MADE

By virtue of the within execution, I have made of the property of the defendant (or plaintiff) \$, and have paid the same to the said clerk, and the defendant (or plaintiff) has no more property in the of whereof I can make the residue of the said moneys, or part thereof.

Dated at this day of , A.D. 19 .

Bailiff.

FORM 32

WHEN RENT PAID BY BAILIFF

By virtue of the within execution, I have made of the property of the plaintiff (or defendant) \$ I have paid to , landlord of the said plaintiff (or defendant) for one quarter's rent in respect of premises when levy made; and further part, \$ I have retained as fees on execution. The residue \$, I have paid to the said clerk as within commanded.

Dated at this day of , A.D. 19 .

Bailiff.

FORM 33

AFFIDAVIT FOR REVIVAL OF JUDGMENT

(rule 28)

(Formal parts as in Form 2)

I, , of the of in the County of , (occupation), make oath and say:

- 1. On the day of , A.D. 19 , I recovered a judgment of this court against the above-named defendant for \$ debt (or damages), and \$, costs of action.
2. No part of the said moneys so recovered has been paid or satisfied, and the said judgment remains in full force (or, the sum of , part only of the said moneys has been paid, and the judgment remains in full force as to the residue of the said money so recovered thereby).
3. I am entitled to have execution of the said judgment and to issue execution thereupon for the sum of \$, as I verily believe.

FORM 34

AFFIDAVIT ON APPLICATION OF EXECUTOR OR ADMINISTRATOR TO REVIVE A JUDGMENT

(section 122)

(Formal parts as in Form 2)

I, , of the of in the of , (occupation), make oath and say:

- 1. On the day of A.D.19 , the plaintiff, now deceased, recovered a judgment of this Court against the above-named defendant for \$ debt, and \$, costs of action.
2. That no part of the said judgment so recovered has been paid or satisfied and the said judgment remains in full force (or the sum of \$, part only

of the said moneys, has been paid, and the said judgment remains in full force for the residue).

3. That I was (or , of the of in the of , (occupation), was on the day of , 19 , duly appointed the executor (or administrator) of the property of the deceased plaintiff).

4. That I am, as such executor (or administrator), entitled (or the said , as such executor or administrator is entitled) to have execution of the said judgment and to have execution issued thereupon, as I verily believe, for the sum of \$.

FORM 35

AFFIDAVIT FOR REVIVAL OF JUDGMENT AGAINST AN EXECUTOR OR ADMINISTRATOR

(section 122)

(Formal parts as in Form 2)

I, of the of in the of , (occupation), (if the affidavit be made by the plaintiff's solicitor or agent make the necessary alteration), make oath and say:

- 1. On the day of , A.D. 19 , I recovered a judgment of this Court against the above-named defendant, since deceased, for \$, debt, and \$, costs of action.
2. No part of the said moneys so recovered has been paid or satisfied, and the said judgment remains in full force (or "the sum of , part only of the said moneys, has been paid, and the judgment remains in full force as to the residue of the said moneys so recovered thereby").
3. That , of the of in the of , (occupation), was duly appointed the executor (or administrator) of the property of the deceased.
4. I, (or "the said plaintiff") am entitled to have execution of the said judgment, and to issue execution thereupon for the sum of \$, as I verily believe.

FORM 36

TRANSCRIPT OF JUDGMENT FROM ONE DIVISION COURT TO ANOTHER

(section 129 (1))

In the Division Court of the of

Transcript of the entry of a judgment recovered on the day of , A.D. 19 , in said Court, held in and for said division in an action numbered , A.D.

(Seal)

Between

Plaintiff

—and—

Defendant

Amount of judgment. \$
 Debt, \$
 Costs \$

Additional Costs \$

Total Amount paid \$

19
 Total paid \$

Amount due \$

Judgment for plaintiff for \$ debt, and \$ costs of action; execution issued on the day of , A.D. 19 , and returned on the day of , A.D. 19 , (here state the return). (If the judgment was revived, add the following words, "and on the day of , A.D. 19 , the said judgment was duly revived.") Pursuant to the provisions of the Act.

I, , Clerk of the said Division Court, do certify that the above transcript is correct, and duly taken from the Procedure Book of the said Court, and that judgment in the above action was recovered at the date above stated, viz:

Whereas on the day of , A.D. 19 , the plaintiff duly recovered judgment against you in the said Court for \$ for debt, and \$ for costs of action, which remains unsatisfied, you are therefore hereby summoned to appear at the next sittings of this Court, to be held at , in the said of , on the day of , A.D. 19 , at the hour of o'clock in the noon to be then and there examined touching your estate and effects, and the manner and circumstances under which you contracted the said debt (or incurred the damages or liability) which was the subject of the action in which the said judgment was obtained against you, and as to the means you still have, of discharging the said debt (or damages or liability), and as to the disposal you may have made of any of your property.

(The following paragraph to be printed in red ink)

And take notice, that if you do not appear in obedience to this summons, you may, by order of this court, be committed to the common jail of the county .

Given under the seal of the Court this day of A.D. 19 .

Clerk
 Division Court of the of
 (Address)

Amount of judgment unsatisfied.....\$
 Costs of this summons.....\$

the day of A.D. 19 , and further, that the amount unpaid on said judgment is \$, as stated in the margin hereof. The post-office address of the person applying for this transcript is as follows: (here set out name and post-office in full)

Given under the seal of the said Court this day of A.D. 19 .

Clerk.

To Clerk of the Division Court of the of

FORM 37

AFFIDAVIT FOR JUDGMENT SUMMONS

(section 130 (3) (a))

(Formal parts as in Form 2)

I, , of the of , in the of , (occupation), make oath and say:

1. That I am the above-named plaintiff (or "the solicitor or agent" for the above-named plaintiff or as the case may be) in this action.
2. That judgment was recovered in this action on the day of A.D. 19 , for the sum of \$ debt (or "damages" or "costs", as the case may be), and the sum of \$ for costs of action, and that the whole (or \$, "part") of the said judgment remains unsatisfied.

FORM 38

SUMMONS TO DEFENDANT AFTER JUDGMENT

(section 130 (1))

(Title of Court and style of cause as in Form 2)

To the above-named defendant

FORM 39

AFFIDAVIT FOR SECOND OR SUBSEQUENT JUDGMENT SUMMONS

(section 130 (3) (b))

(Formal parts as in Form 2)

I, , of the of , in the of , (occupation), make oath and say:

1. That I am the plaintiff (or the solicitor or agent of the plaintiff) in this action.
2. That judgment was recovered in this action on the day of A.D. 19 , for the sum of \$ for debt, and the sum of \$ for costs of action, and that the whole (or \$ "part") of the said judgment remains unsatisfied.

3. That I believe , the defendant sought to be examined herein, is able to pay the amount due in respect of the judgment or some part thereof (or has rendered himself liable to be committed to jail under *The Division Courts Act*).

FORM 40

AFFIDAVIT FOR SHOW CAUSE SUMMONS

(section 131 (1))

(Formal parts as in Form 2)

I, of the of in the of of (occupation), make oath and say:

- 1. That I am the plaintiff (or the solicitor or agent of the plaintiff) in this action, and have a personal knowledge of the facts hereinafter set forth.
2. That the plaintiff recovered judgment against the defendant in this action on the day of A.D. 19, for the sum of \$ which is still wholly (or partly) due and unpaid (state how much).
3. That the defendant was summoned and examined as a judgment debtor on the day of A.D. 19, and after his said examination it was ordered that the said defendant pay (here state terms of payment).
4. That the defendant is in default under the order in the amount of \$, for a period of (here state the period which must be not less than 14 days).

FORM 41

SHOW CAUSE SUMMONS

(section 131)

(Title of Court and style of cause as in Form 2)

To the above-named Defendant

Whereas at the sittings of the above court, held on the day of 19, the plaintiff recovered judgment against you for \$ debt, and \$ costs.

And whereas you were subsequently summoned to appear before the said court to be examined touching your ability to satisfy the said debt, and it appeared to the satisfaction of the judge that you had means and ability to satisfy the same, and you were then and there ordered to pay the said debt by instalments of \$ per month until the said debt was satisfied.

And whereas the plaintiff alleges that you have not made the said payments so ordered.

You are therefore hereby summoned to appear at the sittings of the said court to be held at the of in the of on the day of 19, at the hour of o'clock in the forenoon to show cause why you should not be committed to the common jail of the county for not complying with the said order of the court.

(The following paragraph to be printed in red ink)

And take notice, that if you do not appear in obedience to this summons, you may, by order of this Court, be committed to the common jail of the county.

Given under the seal of the Court this day of A.D. 19

Clerk of the Division Court of the (Address)

Amount of judgment unsatisfied.....
Costs of this summons.....

FORM 42

WARRANT OF COMMITMENT IN DEFAULT OF APPEARANCE

(section 136 (1))

(Title of Court and style of cause as in Form 2)

To, Bailiff of the said Court, and to all constables and peace officers of the of, and to the jailer of the common jail of the of

Whereas, at the sittings of this court, or of the Division Court of the of, held at on the day of 19, the plaintiff, by the judgment of the said Court, in a certain action wherein the Court has jurisdiction, recovered against the defendant, the sum of \$, for his debt (or damages) and costs of action, which were ordered to be paid at a day now past (or in case the judgment has been removed by transcript insert here "and whereas the said judgment has by transcript been duly removed from the Division Court of the of to this Court".) And whereas, the defendant not having made such payment, upon application of the plaintiff, a summons was duly issued from and out of this Court, against the defendant, by which summons the defendant was required to appear at the sittings of this Court, held at on etc., to answer such questions as might be put to him, touching (set out as in the summons):* And whereas, it was duly proved on oath, at the said last mentioned sittings of this Court, that the defendant was personally served with the said summons; and whereas, the defendant did not attend, as required by such summons, nor give sufficient reason for not so attending: And whereas it appeared to the satisfaction of the judge that such non-attendance was wilful:

And thereupon it was ordered by the judge of this Court that the defendant should be committed for the term of days, to the common jail of this County (or District) being the County (or District) in which he resides, according to the form of the statute in that behalf. These are therefore to require you, the said bailiff and others to take the defendant and to deliver him to the jailer of the common jail of this county: And you, the said jailer, are hereby required to receive the defendant, and him safely keep in the said common jail for the term of days from the arrest under

this warrant, or until he shall be sooner discharged by due course of law; for which this shall be your sufficient warrant.

Given under the Seal of the Court this day of A.D. 19 Clerk

Debt and costs up to the time of the delivering of this warrant for execution \$ Amount Clerk

FORM 43

WARRANT OF COMMITMENT AFTER EXAMINATION

(section 136 (1))

(Title of Court and style of cause as in Form 2)

(as in Form 42 down to the asterisk*, conclude as follows):

And whereas the defendant, having duly appeared at the said Court pursuant to the said summons, was examined touching the said matters: And whereas, it appeared, on such examination that (here insert the particular ground of commitment in the language used in the statute).

And thereupon it was ordered by the said Judge that the defendant should be committed for the term of days to the common jail of the said county (or district) according to the form of the statute in that behalf or until he should be discharged by due course of law.

These are therefore to require you, the said bailiff and others to take the said defendant, and to deliver him to the jailer of the common jail of the said county; and you, the said jailer, are hereby required to receive the defendant, and him safely keep in the said common jail, for the term of days from the arrest under this warrant, or until he shall be sooner discharged by due course of law, for which this shall be your sufficient warrant.

Given under the seal of the Court this day of A.D. 19 Clerk.

Debt and costs up to the time of the delivery of warrant of execution. \$

If default be in non-payment of the instalment ordered by the judge, then upon payment of this instalment not so paid and of the costs up to the time of the delivering of the warrant of execution.

FORM 44

ORDER FOR IMPOSITION OF FINE FOR CONTEMPT

(section 199)

It is adjudged that , at the sittings of this Court, now held, in open Court, is guilty of a contempt of the said Court, by wilfully insulting

judge (or deputy or acting judge) of the said Court (or "in view of the Court, by wilfully insulting clerk (or bailiff) of the said Court, during his attendance at such Court" (or by wilfully interrupting the proceedings of the said Court," or by creating a disturbance within the Court room or within hearing of the Court)); and it is ordered that the said , forthwith pay a fine of \$ for such offence, and, in default of immediate payment, be committed to the common jail of this county (or district) for days unless such fine, the costs herein, and the expense of attending the commitment be sooner paid.

FORM 45

WARRANT OF COMMITMENT FOR CONTEMPT IN OPEN COURT

(section 199)

In the Division Court of the of

To , bailiff of the said Court, and to all constables and peace officers in the of and to the jailer of the common jail of the said of

Whereas at the sittings of this Court held on at it was adjudged that did, then and there in open Court wilfully insult me , judge (or deputy or acting judge) of the said Court: (or did, in view of the Court, wilfully insult , clerk (or bailiff) of the said Court, during his attendance at such Court (or did unlawfully interrupt the proceedings of the said Court)), and it was ordered that the said , should forthwith pay a fine of \$, for such offence, and in default of immediate payment, be committed to the common jail of the of for days; and whereas the said , did not pay the said fine, in obedience to the said order. These are therefore to require you, the said bailiff and others, to take the said of , if he shall be found within the said of , and deliver him to the said jailer of the common jail of the of ; and you, the said jailer, are hereby required to receive the said , and him safely keep in the common jail aforesaid, for the term of days from the arrest under this warrant, unless the said fine and costs, the costs amounting to \$, and also the expenses attending the commitment, amounting to the sum of \$, be sooner paid.

Given under my hand and seal this day of A.D. 19 (LS) Judge.

Sealed with the seal of the Court, (L.S.)

Clerk.

FORM 46

AFFIDAVIT FOR DIRECTION TO GARNISHEE

(section 142 (1))

(Formal parts as in Form 2)

I, , of the of in the County of , the plaintiff in this action

(if the affidavit be made by the plaintiff's solicitor or agent, make the necessary alteration) make oath and say:

That judgment was recovered in this action against the above-named defendant on the day of A.D. 19 for the sum of \$ debt and costs (or according to the judgment in case the judgment has been transferred to another court, here state the facts). That the said judgment remains wholly unsatisfied (or that \$ part thereof, yet remains unsatisfied).

That I have reason to believe, and do believe that , who is residing at , within this province is indebted to the defendant in the sum of \$ (or if the amount is unknown, say "in an amount which I am unable to name").

If the plaintiff intends to effect service by prepaid registered post add:

That the defendant resides at in the of and the garnishee resides or carried on business at

If the plaintiff intends to garnishee in respect of wages and without exemption add:

That the debt due by the defendant to the plaintiff was incurred for board and lodging. or

That the defendant is an unmarried person having no one dependent upon him for support.

FORM 47

DIRECTION TO GARNISHEE

(section 142 (2))

In the Division Court of the of

DIRECTION TO GARNISHEE

Between

JUDGMENT CREDITOR } Judgment recovered on the day of A.D. 19 ,
-and- JUDGMENT DEBTOR } in the Division Court of the of
-and- GARNISHEE } Amount unsatisfied, \$

TO THE ABOVE-NAMED JUDGMENT DEBTOR AND GARNISHEE

TAKE NOTICE that all debts now owing or accruing due from the above-named garnishee to the above-named judgment debtor be and the same are hereby attached to satisfy the judgment in this cause.

Given under the seal of the Court this day of , A.D. 19

Clerk, Division Court of the of (Address)

A

NOTICE TO GARNISHEE

Within ten days after the mailing to you or personal service upon you of this direction you are required to either,

- (a) pay to the clerk of the court the amount owing or accruing from you to the judgment debtor or sufficient thereof to satisfy the judgment of the judgment creditor including costs; or
(b) file with the clerk of the court a statement signed by you stating,
(i) that at the time of the receipt by you of this direction to garnishee there was no money owing or accruing from you to the judgment debtor, and
(ii) where you rely upon a statutory or other defence or set-off, the particulars thereof.

Where an amount less than the amount of the judgment debt is paid to the clerk of the court, you are required to file with the clerk a statement signed by you in explanation thereof.

(The following paragraph to be printed in capital letters)

UPON YOUR DEFAULT IN COMPLYING WITH THE REQUIREMENT ABOVE SET OUT THE JUDGMENT CREDITOR MAY APPLY TO THE COURT FOR JUDGMENT AGAINST YOU, THE GARNISHEE, FOR AN AMOUNT EQUAL TO THE UNPAID PORTION OF HIS JUDGMENT AGAINST THE JUDGMENT DEBTOR AND FOR HIS COSTS.

Where the amount sought to be garnished is wages this notice shall be read subject to the provisions of The Wages Act.

B

NOTICE TO JUDGMENT DEBTOR

At any time within ten days after the mailing to or personal service upon you of this direction you may dispute this direction to garnishee or any of the statements therein contained by filing with the clerk of the court a notice setting out the particulars of your dispute.

C

NOTICE TO ALL PARTIES TO THIS PROCEEDING

Any of the parties to this proceeding, that is to say, any judgment creditor, judgment debtor or garnishee, may in writing request the clerk of the court to place it upon the trial list in order that the rights of any such party may be determined.

FORM 48

AFFIDAVIT OF SERVICE OF DIRECTION TO GARNISHEE UPON JUDGMENT DEBTOR

(section 146)

(Title of Court and style of cause as in Form 47)

I of the of in the of , (occupation), make oath and say:

That I did on the day of A.D. 19 duly serve the above-named judgment debtor with a true copy of the Direction to Garnishee *by delivering it personally to the said judgment debtor, and that I necessarily travelled miles to make such service.

Sworn, etc. (as in Form 2) Bailiff.

If by registered mail, say:

*by sending it by prepaid registered post to the said judgment debtor at , of which the certificate of such registration is attached hereto.

(or, this form may be used when the affidavit is endorsed on the Direction to Garnishee).

I SWEAR that this Direction to Garnishee was served by me on the day of A.D. 19 by delivering a true copy of it, personally, to the judgment debtor, and that I necessarily travelled miles to do so.

Sworn, etc. (as in Form 2) Bailiff.

I SWEAR that this Direction to Garnishee was served by me on the day of A.D. 19 by sending a true copy of it by prepaid registered post to the judgment debtor at , of which the certificate of such registration is attached hereto.

Sworn, etc. (as in Form 2) (Signature)

FORM 49

GARNISHEE SUMMONS

(section 152)

In the Division Court of the of

GARNISHEE SUMMONS

No. A.D. 19 Claim \$ Cost, Exclusive of Mileage \$ Mileage \$

Between

PLAINTIFF

—and—

DEFENDANT

—and—

GARNISHEE

(Seal) TO THE ABOVE-NAMED DEFENDANT AND GARNISHEE

TAKE NOTICE that the above-named Plaintiff claims from you, the above-named Defendant, \$, particulars of which are attached hereto.

(The following paragraph to be printed in capital letters)

IF YOU DESIRE TO DISPUTE THIS CLAIM OR ANY PART THEREOF OR MAKE A COUNTERCLAIM, YOU MUST WITHIN TEN DAYS AFTER YOU HAVE RECEIVED THIS SUMMONS LEAVE WITH THE CLERK OF THE COURT, AT THE ADDRESS BELOW, A NOTICE IN WRITING IN DUPLICATE CONTAINING THE PARTICULARS OF YOUR DISPUTE OR COUNTERCLAIM.

(The following paragraph to be printed in red ink)

If you do not file a notice of dispute or counterclaim, judgment may be entered against you without further notice to you.

If your dispute or counterclaim is supported by witnesses, account books, receipts or other documents, you should produce them at the hearing.

If you file a notice of dispute or counterclaim, information as to the time and place of trial may be obtained from the Clerk of this Court.

If the amount of the claim together with lawful costs is paid to the Clerk of the Court within ten days after service of this document upon you, no further proceedings will be taken.

Given under the seal of the Court this day of 19 .

Clerk, Division Court of the of (Address)

NOTICE TO GARNISHEE

Within ten days of the service upon you of this summons you are required to either,

(a) pay to the clerk of the court the amount owing or accruing from you to the defendant or sufficient thereof

to satisfy the claim of the plaintiff including costs; or

(b) file with the clerk of the court a statement signed by you stating,

(i) that at the time of the receipt by you of this summons there was no money owing or accruing from you to the defendant, and

(ii) where you rely upon a statutory or other defence or set-off, the particulars thereof.

Where an amount less than the amount of the judgment debt is paid to the clerk of the court, you are required to file with the clerk a statement signed by you in explanation thereof.

(The following paragraph to be printed in capital letters)

UPON YOUR DEFAULT IN COMPLYING WITH THE REQUIREMENTS ABOVE SET OUT THE PLAINTIFF MAY APPLY TO THE COURT FOR JUDGMENT AGAINST YOU, THE GARNISHEE, FOR AN AMOUNT EQUAL TO THE UNPAID PORTION OF ANY JUDGMENT HE MAY RECOVER IN THIS ACTION AGAINST THE DEFENDANT AND FOR HIS COSTS.

FORM 50

AFFIDAVIT IN SUPPORT OF APPLICATION FOR A CONSOLIDATION ORDER

(section 156 (2))

In the Division Court of the of

IN THE MATTER OF AN APPLICATION FOR A CONSOLIDATION ORDER, BY JOHN JONES OF IN THE CITY OF IN THE COUNTY OF

I, of the of in the of, (occupation), make oath and say:

1. That the following judgments have been recovered against me in the Division Court and the following amounts are still outstanding:

Date	Court	Judgment Creditor	Amount of Judgment	Amount Outstanding

(here list judgments under the above headings)

2. That my income from all sources is as follows:

3. That I am (occupation) presently employed by at in the of in the of .

4. That I am a married man having (a wife and two daughters aged 14 and 12 respectively) who are entirely dependent upon me, (or as the case may be).

or

That I am a single man (and support my mother who is entirely dependent upon me).

(here list any other relevant facts)

Sworn, etc. (as in Form 2)

FORM 51

NOTICE OF APPLICATION FOR CONSOLIDATION ORDER

(section 156 (3))

(Commence as in form 50)

TAKE NOTICE that an application will be made before His Honour Judge of the Division Court of the of at o'clock in the noon, on day, the day of A.D. 19 or so soon thereafter as the application may be heard, for an order consolidating the Division Court judgments against judgment debtor.

Dated at this day of A.D. 19 .

Judge.

To: A B Judgment Creditor CD etc.

NOTE: Copy of affidavit must accompany notice of application.

FORM 52

CONSOLIDATION ORDER

(section 156 (4))

(Commence as in form 50)

Upon application of , judgment debtor, and upon reading the affidavit of , filed, and upon hearing the solicitor(s) for the judgment debtor (and the judgment creditor or creditors):

IT IS ORDERED that the judgment debtor pay to the clerk of the Division Court of the County of on day of each and every week (or as the case may be), commencing day, the day of A.D.19 , the sum of \$ to be distributed by the clerk of the said court on a pro rata basis among the following judgment creditors of the above-named judgment debtor, and such other judgment creditors as may file notice of their judg-

FORM 57

DISTRIBUTION OF MONEYS UNDER CONSOLIDATION ORDER

(section 162)

In the Division Court of the of
 In the matter of , Judgment Debtor.
 To total amount paid into Court \$200.00
 By clerk's fees payable by debtor (5%) 10.00
 Amount for distribution 190.00

LIST OF CREDITORS ENTITLED TO SHARE UNDER CONSOLIDATION ORDER

Name of Creditor	Amount Unsatisfied at Date of Order	Pro rata Share % on to be Paid to Creditor	Less 5% and Postage Payable to Clerk	Payment to Creditor	Previous Payments to Creditors	Balance of Claim
A.B.	190.00	95.00	4.81	90.19	.....	95.00
C.D.	142.50	71.25	3.62	67.63	.....	71.25
E.F.	47.50	23.75	1.25	22.50	.....	23.75
		<u>190.00</u>				

Dated at this day of , 19 . Clerk.

FORM 58

AFFIDAVIT FOR ATTACHMENT AGAINST ABSCONDING DEBTOR

(if made after action commenced, insert Title of Court and style of cause as in Form 2)

I, of the of , in the of (or I, of, etc.), agent for the said , of etc.), make oath and say:

1. That (name of absconding debtor) of (or late of) , in the County of , is justly and truly indebted to me (or to the said) in the sum of \$ (the amount here stated must not exceed \$200, or be less than \$4. If the claim is for a sum in excess of \$200, such excess must be abandoned, unless the claim be for the recovery of a debt or money demand the amount or balance of which does not exceed \$400, and the amount or original amount of the claim is ascertained by the signature of the defendant), on a promissory note for the payment of \$, made by the said (name of absconding debtor), payable to me (or the said) at a day now past;

Or for goods sold and delivered
 Or for goods bargained and sold
 Or for crops bargained and sold
 Or for money lent

by me (or the said) to the said (name of absconding debtor)

2. That I have good reason to believe, and do verily believe that * the said , with intent and design to defraud me (or the said) of my (or his) said debt, has absconded from this province, leaving personal property liable to seizure under execution for debt in the of *

(Or instead of matter between the asterisks)

The said , is attempting to remove his personal property liable to seizure under execution for debt out of this Province, or from the of to the of in this Province; with intent and design to defraud me (or the said) of my (or his) said debt; (or the said , keeps concealed in the of in this Province to avoid service of process) with intent and design to defraud me (or the said) of my (or his) said debt.

3. That this affidavit is not made by me, nor the process thereon to be issued, from any vexatious or malicious motive whatever.

Sworn, etc. (as in Form 2)

(Signature of Deponent)

FORM 64

BOND FOR SECURITY FOR COSTS, WHERE PLAINTIFF OUT OF ONTARIO

(Title of Court and style of cause as in form 2)

Know all men by these presents—(proceed with penal part of bond as in ordinary cases).

Whereas, an action was upon the _____ day of _____, A.D. 19____, entered by the above-named plaintiff against the above-named defendant, in the Division Court of the _____ of _____.

And whereas, it was been made to appear that the said plaintiff does not reside in the Province, and it has been ordered that proceedings herein shall be stayed until security for costs of the defendant shall have been given to the satisfaction of the clerk of the said Court, or until deposit of a sufficient sum to meet and pay the said costs shall have been made with the clerk of the said Court; and no such deposit having been made.

And whereas, the said plaintiff and the above bounden _____, and _____, as sureties for the said plaintiff, have agreed to give such security pur-

suant to the said order by entering into this obligation with the condition hereunder written; and this security has been approved by the clerk of the said Court.

Now the condition of this obligation is such that if the said plaintiff, or any plaintiff substituted in his stead discontinues, becomes non-suit in the said action, or if the said defendant or any substituted defendant, obtain judgment or verdict therein, then or in either of the said cases, if the above bounden _____, or either of them, their or either of their heirs, executors or administrators, do pay or cause to be paid to the said defendant, his executors, administrators or assigns, his or their costs to be taxed in the said action, then this obligation to be void and of no effect, or otherwise to remain in full force and virtue.

Sealed with our Seals and dated this _____ day of _____, A.D. 19____.

Signed, sealed and delivered in presence of

(L.S.)
(L.S.)
(L.S.)

(Add affidavit of execution)

FORM 65

PLAN FOR DISTRIBUTION

(section 170)

In the _____ Division Court of the _____ of _____

In the matter of Albert Jones, absconding debtor.

Plan for distribution of the amount levied by the bailiff of the said court of the property of the said debtor.

To total amount levied by sale of property.....	\$175 80
By bailiff's fee.....	\$10.20
By taxed costs of attaching creditor under whose attachment the seizure was made, Smith v. Chapman.....	7.15
By costs of execution, Smith v. Chapman.....	0.65
	18 00
Total amount for distribution	157 80

List of attaching creditors entitled to share in moneys levied of the property of Albert Jones. Interest computed to February 15th, 1950.

No.	Creditor	Principal	Costs	Interest	Total Claim	Pro rata share 68½ on \$	Remarks
1	John Smith.....	\$110 00	....	\$0 52	\$110 52	75 70	
2	George Brown....	53 25	\$3 15	15	56 55	38 73	
3	Sarah Jones.....	60 00	3 07	23	63 30	43 37	
					230 37	157 80	

Dated at _____ this 15th day of February, 1950.

Clerk.

FORM 66

AFFIDAVIT OF SERVICE OF SUMMONS ON AN ABSCONDING DEBTOR BY LEAVING COPY, ETC., AT LAST PLACE OF ABODE OR DWELLING OF DEBTOR, NO PERSON BEING THERE FOUND

(Formal parts as in Form 2)

1. That I did on the day of A.D. 19 , serve (naming him) the above-named defendant in this cause with the within (or "annexed") Summons, and the particulars of claim therewith in this cause, by leaving a true copy of each at the last place of abode or business of the defendant in this Province, and that at the time of so leaving them there, no grown person could be there found, and that I necessarily travelled miles to make such service.

FORM 67

AFFIDAVIT OF SERVICE OF SUMMONS ON AN ABSCONDING DEBTOR BY LEAVING COPY, ETC., WITH PERSON DWELLING AT HIS LAST PLACE OF ABODE

(Formal parts as in Form 2)

1. That I did on the day of A.D. 19 , serve (naming him) the above-named defendant in this cause with the within (or "annexed") summons, and the particulars of claim therewith in this cause, by leaving a true copy of each at the last place of abode, or business, of the above-named defendant, with a grown person residing there, and that I necessarily travelled miles to make such service.

FORM 68

APPLICATION OF BAILIFF FOR INTERPLEADER

(section 179 (1))

(Title of Court and style of cause as in Form 2)

By virtue of a writ of execution (or "attachment") in this action, dated the day of , 19 , from this Court, I did, on the day of , 19 , seize and take in execution (specify property seized) as the property of the defendant. (Name of claimant), of the of , in the of , now claims the same as his property (or now claims the said and as his property) and that the value thereof is \$. You will therefore be pleased to issue an interpleader summons to the plaintiff and to the said claimant, according to the statute in that behalf.

Dated at this day of A.D. 19 .

Bailiff.

To the Clerk of the said Court.

FORM 69

SUMMONS IN INTERPLEADER

(section 179 (1))

In the Division Court of the of

No. , A.D. 19 .

(Seal) Between

PLAINTIFF

—and—

DEFENDANT

—and—

CLAIMANT

You, the above-named claimant, are hereby summoned to appear at the sitting of this Court to be held on , the day of , A.D. 19 , at the hour of o'clock in the forenoon, at , touching a claim made by you to certain property, viz.—(here specify property claimed), seized and taken in execution (or attached) under process issued out of this Court in this action (or by attachment issued by , a Justice of the Peace), at which time and place you will be required to maintain your claim to the said property, and in default of your then establishing such claim, the said property will be sold (or the said moneys be paid and delivered over) according to the urgency of the said process.

And take notice that you are required, within five days after the day of service hereof upon you, to deliver or leave at the clerk's office, particulars of the property (as the case may be) so claimed by you and the grounds of your claim.

And you, the above-named plaintiff, are also hereby summoned to appear at the said sitting of the said Court, and maintain your right to have the said property sold to satisfy your claim.

And all the said parties are required to take notice, that every claim will, at the said sitting of the said Court, be adjudicated upon.

Any application by the defendant to change the place of trial must be made within the time limited for disputing the plaintiff's claim.

Given under the seal of the Court this day of , A.D. 19 .

Clerk, Division Court of the of (Address)

FORM 70

PARTICULARS OF CLAIM IN INTERPLEADER

(rule 9)

In the Division Court of the of
 Between
 PLAINTIFF
 —and—
 DEFENDANT
 —and—
 CLAIMANT

To whom it may concern:

I of the of in the of claim as my property the following property or security, seized and taken in execution (or attached) as it is alleged, namely (specify the property or security claimed) and the grounds of claim are (set forth in ordinary language the particulars, on which the claim is grounded, as how acquired, from whom, when, and the consideration paid or to be paid and when).

Dated at this day of , 19 .
 (Signature of claimant)

NOTE—If any action for the seizure has been commenced, state in what Court and how the action stands.

FORM 71

CLAIM IN REPLEVIN

(rules 13 and 14)

(Title of Court and style of cause as in Form 2)

The above-named Plaintiff claims from the above-named Defendant the return of the following personal property, particulars of which are as follows:

(here describe in detail the property claimed, the value and the facts of the unlawful detention or unlawful taking and detention).

The Plaintiff further claims from the Defendant his costs of this action and damages in the sum of \$ for the wrongful detention thereof.

Dated at this day of A.D. 19 .
 (Signature of Plaintiff)

FORM 72

AFFIDAVIT IN SUPPORT OF CLAIM IN REPLEVIN

(Rule 15)

(Formal parts as in Form 2)

I, of the of in the of (occupation), make oath and say:

1. That I am the claimant in the above action (or that I am solicitor or agent for the claimant).
2. That the facts set out in the particulars of claim are true.
3. That I know of no reason why the Summons in Replevin should not issue.

FORM 73

SUMMONS IN REPLEVIN

(Rule 13)

In the Division Court of the of

SUMMONS IN REPLEVIN

No. A.D. 19

Claim for Return of Goods & Damages \$
 Costs, Exclusive of Mileage \$
 Mileage \$

Between
 PLAINTIFF
 —and—
 DEFENDANT

(SEAL)

TO THE BAILIFF OF THE SAID COURT, and TO THE ABOVE-NAMED DEFENDANT

You, the said Bailiff are commanded that without delay you do take the security required by law and cause to be replevied the personal property following, that is to say: (here set out the description of the property as in the claim in replevin) which the above-named Plaintiff alleges to be of the value of \$, (here set out the value as in the claim in replevin) in order that the above-named Plaintiff may have his just remedy in that behalf.

And you, the above-named Defendant, are hereby required to take notice that a statement of the claim of the above-named Plaintiff is hereto annexed, and that unless within

ten days after the service of this summons on you, you enter with the Clerk of this Court a notice in writing in duplicate that you dispute the claim giving particulars thereof, it will be considered that you have no defence, and the above-named Plaintiff may proceed with the action in the same manner as if you had appeared and had admitted the Plaintiff's right to the possession of the property, and final judgment may be entered against you by the clerk and the property shall then be delivered by the bailiff to the plaintiff.

If you file a notice of dispute, information as to the time and place of trial may be obtained from the Clerk of this Court.

Given under the seal of the Court this day of , A.D. 19 .

Clerk,
Division Court of the of .
(Address)

FORM 74

REPLEVIN BOND

(Rule 16)

Know all men by these presents that we, (*here give names, addresses and occupations of plaintiff and two sureties*) are jointly and severally held and bound to , bailiff of the Division Court of the of , in the sum of \$, to be paid to the said bailiff or his certain attorney, executors, administrators or assigns, for which payment, to be well and truly made we bind ourselves, and each and every of us in the whole, our and each, and every of our heirs, executors and administrators, firmly by these presents, sealed with our seals, and dated this day of , A.D. 19 .

The condition of this obligation is such that if the above bounden plaintiff do prosecute his action with effect, and without delay, against the defendant for the taking and unjustly detaining (*or unjustly detaining, as the case may be*), of his property, to wit: (*here set forth the property distrained, taken or detained*), and do pay such damages, as the said defendant shall sustain by reason of the issuing of the summons in replevin, if the said plaintiff fails to recover judgment in the action, and shall also indemnify and save harmless the said defendant from all loss and damages which he may sustain by reason of the seizure and of any deterioration of the property in the meantime, in event of its being returned, and all costs, charges and expenses which the said defendant may incur, and further do observe, keep and perform all orders made by the judge in the action; then this obligation shall be void, or else remain in full force and effect.

Signed, sealed and delivered } (L.S.)
in the presence of } (L.S.)
 } (L.S.)

FORM 75

FORM OF ASSIGNMENT TO BE ENDORSED, IF REQUIRED

(Rule 16)

Know all men by these presents, that I, bailiff of the Division Court of the of , do at the request of the within-named defendant, assign over this replevin bond unto the said defendant, pursuant to the Rule in such case made and provided.

In witness whereof I have hereunto set my hand and seal this day of A.D. 19 .

Signed, sealed and delivered }
in the presence of } (Seal)

FORM 76

INVENTORY OF PROPERTY REPLEVIED

(Rule 19)

(Title of Court and style of cause as in Form 2)

An inventory of property by me this day replevied in the of in the of , by virtue of a Summons in Replevin issued by Clerk of the Division Court of the of , on behalf of the Plaintiff against the Defendant: that is to say

(*here state all the articles replevied, and if part of the property specified in the summons is not replevied state the reasons therefor.*)

Dated at this day of , A.D. 19 .
Bailiff.

FORM 77

SUMMONS TO JURORS

(section 187)

(Seal)

In the Division Court of the of

You are hereby summoned to appear and serve as a juror in this Court, to be held at on the day of , A.D. 19 , at the hour of a.m.; herein fail not at your peril.

Given under the Seal of the Court this day of 19 .

To Clerk.

FORM 78

PAY LIST OF JURORS

(section 195 (2))

Summoned to attend at a sitting of Division Court of the
of , on the day of , A.D. 19, and Judge's Certificate to
County (or District) Treasurer.

No. on List	Name of Jurors	Date of Service	Attendance		Amount paid each Juror	Mileage	Signature of Juror acknowledging receipt of money
			1st day	2nd day			
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
Total amount paid by Clerk.....\$							

I, _____, presiding judge of the above-mentioned Court, do hereby, in pursuance of *The Division Courts Act*, certify to the Treasurer of the said _____ of _____, that the above is a true statement of the amount paid by the clerk of the said Court to each of the jurors mentioned in the above list, amounting in the whole to \$ _____.

Dated at _____ this _____ day of _____, 19 _____.

Judge

FORM 79
 No. 195
 PROCEDURE BOOK
 OF
 DIVISION COURT OF THE

SOLICITOR DATE		vs. vs. vs. PARTICULARS OF SUIT RECEIVED CLAIM FOR (\$) ISSUED SUMMONS TO SUMMONS RET'D SERVED THE DAY OF SUMMONS RET'D SERVED THE DAY OF SUMMONS RET'D NOT SERVED THE DAY OF THE DEFENDANT HAVING BEEN SERVED WITH SUMMONS AND PARTICULARS OF CLAIM AND NOT DISPUTING THE SAME, IT IS ADJUDGED THAT THE PLAINTIFF RECOVER \$ FOR DEBT, AND \$ FOR COSTS.				SIGNATURE OF CLERK	
		FEES LEVIED					
		CLERK'S FEES	BAILIFF'S FEES	TOTAL COST OF SUIT			
		FEES PAID					
		DATE	AMOUNT	TOTAL			

THIS SECTION TO BE USED FOR SUITORS MONEY ONLY.
 NO FEES TO BE ENTERED IN THIS SECTION.
 EVERY ITEM ENTERED MUST BE ON A SEPARATE LINE.

DATE	PARTICULARS OF PAYMENT	CASH BOOK FOLIO	NET AMOUNT RECEIVED	AMOUNT PAID OUT

FORM 80
CLERK'S CASH BOOK
(section 24)

Date Received	Style of Cause	No. of Action and year	Received From	Date paid out by Clerk	Signature or cheque No.	Amount Received	Amount Paid Out

FORM 82
JUDGMENT DEBTORS' INDEX

Name of Debtor (Surname first)	Date when the Examination took place	Number and the style of the Cause in which he was examined
Brown, Henry	16th January, 19	306, 19 , Hibbert v. Brown
Brawberg, Joseph	4th March 19	39, 19 , Filchett v. Brawberg
Benson, Patrick	16th February 19	41, 19 , Platt v. Benson

(NOTE—This Index to be bound up in the Home Procedure Book—at the back)

FORM 83
ORDER BOOK

Date 19	(If causes existing or Judgment signed). Style of Cause—	Process or proceeding to be issued or taken	Signature of Party or Solicitor
Jan. 12th, 19	Smith v. Jones, No. 76, 19	Issue execution	H. Smith
Feb. 6th, 19	Henry v. Jeffrey " 17, "	Issue subpoena	B. Henry
" 9th, 19	Jackson v. Jones " 29, "	Enter judgm't	B. Bell, Soli.
" 10th, "	Peter v. Bray " 14, "	Issue alias ex'n	Geo. James Agent

FORM 84
FOREIGN PROCEDURE BOOK
(section 20-21)

Division Court of the of

No. vs.
19

Received summons from	Division Court,
County of	Rec.
Issued summons to Bailiff	Aff.
Summons ret'd. Served the	day of
by	Post.
Ret'd to Clerk of	Division Court,
County of	
	Bailiff's Fees
	Miles
	Ser.
	Att.

FORM 86

CERTIFICATE OF ENTRIES IN
PROCEDURE BOOK

(section 20)

(Seal)

I, _____, clerk of the _____ Division Court of the _____ of _____, do hereby certify as follows:

That in the procedure book of the said Division Court, the following entries (and no others) appear in a certain action in the said Division Court, wherein _____, is plaintiff and _____, is defendant, which said entries are in the words and figures following, that is to say: (*here copy entries verbatim*).

And I further say that the page of the said procedure book, on which said entries are made is signed with the name of _____; and such signature is of the proper handwriting of me _____, as such clerk (or of _____, the then clerk) of the said Court.

Given under my hand and the seal of the said Court this _____ day of _____ A.D. 19 _____.

Clerk.

FORM 87

LIST OF UNCLAIMED MONEYS VERIFIED

(section 29)

List of unclaimed moneys paid into Court or to me as clerk thereof which remain unclaimed for six years ending on the 31st day of December last past.

For whom or on whose account money paid	When Paid	Style and No of action	Amount

I, _____, clerk of the _____ Division Court of the _____ of _____, make oath and say that * the foregoing return is full and correct in every particular * (*or if no moneys remain unclaimed, instead of the matter between the asterisks say, "no such moneys paid into Court, or to me as clerk therefore remain unclaimed for six years next before 31st day of December last past."*)

Sworn, etc. (as in Form 2)

Clerk.

FORM 88

CLERK'S CERTIFICATE OF PROCEEDINGS TO
APPELLATE COURT

(section 111)

(Title of Court and style of cause as in Form 2)

I, _____, clerk of the said Court, do hereby certify to the clerk of the Central Office, Osgoode Hall, Toronto, _____, that the annexed papers contain the summons in this action, the claim, and any notice or notices of defence and of the evidence and all objections and exceptions thereto, and of all motions or orders made, granted or refused herein ("together with such notices of the judge's charge as have been made, if the cause tried by a jury"), the judgment or decision in writing (or "the notes thereof") and all affidavits filed or used in the action, together with all other papers filed in the action affecting the questions raised by the appeal.

Given under my hand and the seal of the said Court this _____ day of _____, A.D. 19 _____.

(Seal of the Court)

Clerk.

FORM 89

FORMS OF OATHS, ETC.

(a) To a witness at the trial who swears upon the Bible:

"The evidence you shall give to the Court (and jury sworn) touching the matters in question between the parties, shall be the truth, the whole truth, and nothing but the truth. *So help you God.*"

(b) To a witness who swears with uplifted hand:

Add to the foregoing, after the last word "*truth*", "and this you do swear in the presence of the ever-living God, and as you shall answer to God at the great judgment day. *So help you God.*"

(c) To a Hebrew:

He is to be directed to cover his head, the Pentateuch is to be opened and placed before him, then proceed as in the first form, only make use of the name "*Jehovah*", instead of "*God*."

(d) To a Quaker, Mennonite or Tunker, or member of the church known as *Unitas Fratrum* or United Brethren, or other person allowed by law to affirm:

The witness is to be directed to repeat his name, after the clerk, and the following: "I, *K.L.*, do solemnly, sincerely and truly declare and affirm that I am one of the society called Quakers," (or Mennonite, Tunkers or *Unitas Fratrum* or Moravians as the case may be), after which, the affirmant, repeating his name, "I, *K.L.*, do solemnly, sincerely, and truly affirm and

declare that the evidence I shall give to this Court, touching the matters in question, etc."

(e) To any other person desiring to affirm:

I, M.N., do solemnly, sincerely and truly affirm and declare that the taking of an oath is, according to my religious belief, unlawful; and I do solemnly, sincerely, and truly affirm and declare, etc. (as in Form d above).

(f) To an interpreter (where witnesses cannot speak English, or are deaf or dumb).

"You shall truly interpret between the parties in this cause the evidence of, and the witness produced. So help you God."

(g) To jury called by parties:

"You and each of you shall well and truly try the matters in difference between the parties, do justice between them, and a true verdict give according to the evidence. So help you God".

(h) To jury called by the judge:

"You and each of you shall well and truly try the facts controverted in this cause between the parties, and a true verdict give according to the evidence. So help you God."

(i) To a defendant who appears upon a judgment summons:

"You shall true answers make to all such questions as shall be put to you touching the subject upon which you have been now summoned to appear for examination, and what you shall state respecting the same shall be the truth, the whole truth and nothing but the truth. So help you God."

(j) To the officer who conducts a retiring juror out of Court:

"You shall retire with such jurors as have leave of absence from this Court, you shall not speak to them yourself in relation to the subject of this trial, nor suffer any person to speak to them, and you shall return with them without unnecessary delay. So help you God."

(k) To the officer, when the jury retire to consider their verdict:

"You shall keep every person sworn on this jury in some private and convenient place; you shall not suffer any person to speak to them, or speak to them yourself, except to ask them whether they have agreed on their verdict. So help you God."

(l) To a deponent or affirmant making an affidavit or affirmation:

"You do swear (or affirm) that the contents of this affidavit (or affirmation) to which you have subscribed your name (or made your mark) are just and true. So help you God." (Or "and so you solemnly, sincerely and truly declare and affirm.")

(m) JURAT TO AFFIDAVIT BY ILLITERATE OR BLIND DEPONENT

Sworn by the above-named deponent, A.B., at , in the county of , on , and I certify that the affidavit was first read in my presence to said A.B., who seemed perfectly to understand the same, and wrote his signature (or made his mark) thereto in my presence.

Clerk, etc. Or as the case may be

(n) AFFIRMATION BY QUAKERS, ETC. AND JURAT THERETO (Title of Court and style of cause as in Form 2)

I, , of , etc., do solemnly, sincerely and truly declare and affirm that I am one of the society called Quakers (or Mennonites, Tunkers, Unitas Fratrum or Moravians, as the case may be), and I do also solemnly, sincerely and truly declare and affirm as follows, that is to say (state the facts).

Solemnly affirmed at , in the county of , on , before me. A. B.

Clerk, etc. Or as the case may be

FORM 90

SUMMONS FOR ASSAULTING A BAILIFF OF THE COURT WHILST IN THE EXECUTION OF HIS DUTY (section 200)

In the Division Court of the of . In the matter of a complaint made by Bailiff of the said Court,

To You are hereby summoned to appear at a sitting of the Division Court to be held at , on the day of , 19 , at o'clock in the forenoon, to answer a complaint made against you by , the Bailiff of the said Court, and to show cause why an order should not be made against you, under the Division Courts Act, for payment of a sum not exceeding \$20 for an assault committed by you on the day of upon the said Bailiff whilst in the execution of his duty as such Bailiff (and also for that you did on the same day rescue, or attempt to rescue, certain property levied by the said Bailiff under process of this Court).

Dated at this day of 19 . Judge.

(To be served personally ten clear days before the return day).

Regulations 393

(Ontario Regulations 270/50)

REGULATIONS MADE UNDER THE DIVISION COURTS ACT, 1950

FEES

CLERK'S FEES

All Clerk's fees shall be as follows:

<p>1. For summons and any counterclaim up to and including judgment (except in jury cases):</p> <p>Where claim is \$10 and under \$2.00</p> <p>Where claim exceeds \$10 and does not exceed \$20 2.65</p> <p>Where claim exceeds \$20 and does not exceed \$60 3.00</p> <p>Where claim exceeds \$60 and does not exceed \$100 3.75</p> <p>Where claim exceeds \$100 and does not exceed \$200 5.25</p> <p>Where claim exceeds \$200 7.50</p> <p style="text-align: center;">THERE WILL BE NO REBATES</p> <p>2. In all cases involving more than \$10.00 where there is more than one defendant, whether that defendant be a third party, a garnishee before judgment, or a defendant in an action of interpleader or replevin, for each extra defendant the sum of \$1.00.</p> <p>3. Certifying under the Seal of the Court and delivering to a judgment creditor a memorandum of the amount of the judgment and costs against a judgment debtor, or garnishee, under the Creditors' Relief, or for any other purpose25</p> <p>4. Furnishing duly certified copies of summons and notices and papers with all proceedings for purposes of appeal, as required by either party, per folio of 100 words05</p> <p>5. Certificate therewith25</p> <p>6. Summons to jury (including copy for each jurymen) when required by parties 2.00</p> <p>7. Calling and returning jury ordered by the Judge25</p> <p>8. Transcript to another Division Court:—</p> <p>Where claim does not exceed \$10050</p> <p>Where claim exceeds \$10075</p> <p>9. Every writ of execution, warrant of attachment or warrant of commitment and delivering same to Bailiff.</p> <p>Where claim does not exceed \$100 1.00</p> <p>Where claim exceeds \$100 1.50</p> <p>10. Summons for service outside the jurisdiction of the Court to cover the fees of the Clerk to whom it is sent for service75</p>	<p>11. Renewal of every summons or writ of execution when ordered by the judgment creditor or warrant of commitment when ordered by the Judge35</p> <p>12. Every bond when necessary, and prepared by the clerk (including affidavits of justification and of execution) 1.00</p> <p>13. (a) Receiving Transcript of Judgment50</p> <p>(b) Receiving execution50</p> <p>14. Every order after judgment requiring the signature of the Judge, and entering the same50</p> <p>15. Transmitting transcripts of judgment or transmitting papers for service to another Division Court or to the Judge on application to him, including necessary entries and mailing, but not including postage25</p> <p>16. Search by a person not a party to the suit or proceeding, to be paid by the applicant:—</p> <p style="padding-left: 20px;">1 to 25 searches each .15</p> <p style="padding-left: 20px;">In excess of 25 searches each .10</p> <p style="padding-left: 20px;">Search by a party to a suit or proceeding, where the suit or proceeding is over one year old10</p> <p style="padding-left: 20px;">(No fee is chargeable for search to a party to the suit or proceeding if same is not over one year old).</p> <p>17. Copies of papers, for which no fee is otherwise provided, necessarily required for service or transmission to the Judge, each10</p> <p>If exceeding two folios, per folio05</p> <p>18. Taxing bailiff's cost, under Section 128 of <i>The Division Courts Act</i>25</p> <p>19. Every necessary letter to any party to any cause, matter or proceeding in Court after judgment15</p> <p style="padding-left: 20px;">(A letter shall not be considered necessary when a notice contains the same information.)</p> <p>20. Fees payable to the clerk on judgment summons to include three adjournments shall be as follows:—</p> <p style="padding-left: 20px;">Where claim is less than \$60 2.50</p> <p style="padding-left: 20px;">Where claim is \$60 or over 4.00</p> <p style="padding-left: 20px;">Every subsequent adjournment50</p> <p style="text-align: center;">Direction to Garnishee</p> <p>21. Filing affidavit and issuing direction to garnishee 1.00</p>
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22. Where clerk prepares affidavit for direction to garnishee.	1.50
23. Claim other than by plaintiff (judgment creditor) or defendant (judgment debtor)	1.00
24. When required to be placed on list.	1.00
Consolidation of Accounts	
25. Debtor to file own affidavit. . . . .	.50
26. Original order to be filed with clerk. . . . .	.50
27. Issuing certified copies of order. each	.25
28. Plaintiff to obtain notice of judgment.	1.00
29. Filing notice of judgment. . . . .	.50
30. Issuing certificate of termination of consolidation order. . . . .	.50
31. Copy of certificate of termination to be filed with clerk of other court. . . . .	.50
32. All costs under consolidation of accounts shall be borne by the individual parties .	

THERE WILL BE NO REBATES

BAILIFF'S FEES

All Bailiff's fees up to and including judgment (except in jury cases) shall be as follows:—

1. Where claim is \$10 and under.	1.00
Where claim exceeds \$10 and does not exceed \$20.	1.35
Where claim exceeds \$20 and does not exceed \$60.	1.75
Where claim exceeds \$60 and does not exceed \$100.	2.25
Where claim exceeds \$100 and does not exceed \$200.	2.75
Where Claim exceeds \$200.	3.00

THERE WILL BE NO REBATES

2. The Bailiff shall receive in addition to the prescribed fee above, the sum of twenty cents per mile or any fraction thereof necessary to be travelled but mileage only one way shall be allowed, and in no case is it allowable for any unsuccessful attempt to serve a summons or any other paper.

In the following courts mileage shall be allowed to the bailiff only in excess of ten miles:

- 1st, 8th, and 9th of York at Toronto
- 1st and 7th of Carleton at Ottawa
- 1st and 9th of Wentworth at Hamilton
- London and Windsor.

3. Service of subpoena or summons to juryman	.50
Service of direction to garnishee	1.00
4. In all cases involving more than \$10.00 where there is more than one defendant, whether that defendant be a third party, a garnishee before judgment, or a defen-	

dant in an action of interpleader or replevin, for each extra defendant the sum of \$1.00.	
5. Enforcing writ of execution or any other process after judgment shall be on the same schedule of fees as set out in Item number 1.	
6. On every schedule of property seized, attached or replevied, including affidavit of appraisal when necessary, the same schedule of fees as set out in Item number 1, shall apply.	
7. Every bond when necessary, when prepared by the bailiff, including affidavit of justification and execution	1.00
8. Every notice of sale, not exceeding three, under execution, or under attachment, each. . . . .	.25
9. Reasonable allowances and disbursements, necessarily incurred in the care and removal of property:—	
(a) If a bailiff removes property seized, he is entitled to the necessary disbursements, in addition to the fees for seizure and mileage.	
(b) If he takes a bond, then to \$1.00 instead of disbursements for removal of property.	
(c) If assistance is necessary in the seizure, or securing, or retaining of property, the bailiff is entitled to the disbursements for such assistance.	
(d) All charges for disbursements are to be submitted to the clerk for taxation, subject to appeal to the Judge.	
(e) The bailiff must in all cases endorse a memorandum of all his charges on the back of the execution, or state them on a separate slip of paper, so that the clerk may conveniently tax the bailiff's charges for fees and disbursements.	
(f) The clerk in all cases to sign the memorandum of his taxation, and preserve it among the papers in the cause, together with the execution for future reference, and thereby enable the clerk to certify the bailiff's return properly.	
(g) If the execution or process in attachment in the nature of execution be satisfied in whole or in part, after seizure and before sale, whether by action of the parties or otherwise, the bailiff shall be entitled to charge and receive three per cent on the amount directed to be levied; or on the amount of the value of the property seized, whichever shall be the lesser amount.	
(h) Poundage on executions, and on attachments in the nature of executions, five	

per cent, exclusive of mileage, going to seize and sell, upon the amount realized from property necessarily sold.

10. Fees on judgment summons:—

Where the amount is under \$60..... \$1.50
 Where amount is \$60 or over..... 2.00

FEEES TO WITNESSES AND APPRAISERS

ALLOWANCES TO WITNESS

Attendance, per diem, to witnesses within three miles of the place where the Court is held... 1.00

Barristers and solicitors, physicians and surgeons, engineers and veterinary surgeons, other than parties to the cause, when called upon to give evidence of any professional service rendered by them, or to give professional opinions, per diem..... 4.00

(Note.—Disbursements to surveyors, architects and professional witnesses, such as are entitled to specific fees, by statute, are to be taxed, as authorized by such statute.)

If witnesses attend in one case only, they will be entitled to the full allowance.

If they attend in more than one case, they will be entitled to a proportional part in each case only.

The travelling expenses of witnesses, over three miles, shall be allowed according to the sums reasonably and actually paid, but in no case shall exceed 20 cents per mile, one way.

FEEES OF APPRAISERS

Fees to appraisers of goods, etc., seized under warrant of attachment. To each appraiser \$2.00 per day during the time actually employed in appraising goods — to be paid in the first instance by plaintiff and allowed as costs in the cause.

REGULATIONS MADE UNDER THE DIVISION COURTS ACT, 1950

TERRITORIAL LIMITS OF DIVISIONS

INDEX OF SCHEDULES OF DESCRIPTIONS OF DIVISION COURT BOUNDARIES

COUNTY OR DISTRICT	NUMBER OF COURT	SCHEDULE
Brant	1	1
"	2	2
"	3	3
"	4	4
"	5	5

COUNTY OR DISTRICT	NUMBER OF COURT	SCHEDULE
Bruce	1	6
"	2	7
"	3	8
"	4	9
"	5	10
"	7	11
"	8	12
"	11	13
"	12	14
Carleton	1	15
"	3	16
"	4	17
"	5	18
"	7	19
Dufferin	1	20
"	2	21
"	5	22
Elgin	1	23
"	3	24
"	4	25
Essex	2	26
"	3	27
"	5	28
"	6	29
"	7	30
"	8	31
"	9	32
Frontenac	1	33
"	4	34
"	6	35
Grey	1	36
"	2	37
"	3	38
"	4	39
"	5	40
"	6	41
"	7	42
"	8	43
Haldimand	1	44
"	2	45
"	3	46
Halton	1	47
"	2	48
"	3	49
"	4	50
"	6	51
Hastings	1	52
"	2	53
"	4	54
"	5	55
"	6	56
"	7	57
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COUNTY OR DISTRICT	NUMBER OF COURT	SCHEDULE	COUNTY OR DISTRICT	NUMBER OF COURT	SCHEDULE
Huron	1	63	Northumberland and Durham	1	120
"	2	64	" " "	2	121
"	3	65	" " "	3	122
"	4	66	" " "	5	123
"	5	67	" " "	8	124
"	8	68	" " "	9	125
"	9	69	" " "	10	126
"	10	70	" " "	11	127
"	11	71			
"	12	72	Ontario	1	128
			"	2	129
Kent	1	73	"	3	130
"	2	74	"	4	131
"	3	75	"	6	132
"	4	76	"	8	133
"	5	77	Oxford	1	134
"	6	78	"	2	135
"	7	79	"	3	136
			"	4	137
Lambton	1	80	"	5	138
"	2	81	"	6	139
"	3	82	"	7	140
"	5	83	Peel	1	141
"	6	84	"	2	142
"	8	85	"	3	143
"	9	86			
			Perth	1	144
Lanark	1	87	"	2	145
"	2	88	"	3	146
"	3	89	"	5	147
"	4	90	"	6	148
"	5	91			
			Peterborough	1	149
Leeds and Grenville	1	92	"	2	150
" " "	2	93			
" " "	3	94	Prescott and Russell	2	151
" " "	4	95	" " "	4	152
" " "	5	96	" " "	5	153
" " "	6	97	" " "	6	154
" " "	7	98	" " "	7	155
" " "	9	99	" " "	8	156
" " "	12	100	" " "	9	157
			" " "	10	158
Lennox and Addington	1	101	" " "	11	159
" " "	7	102			
" " "	8	103	Prince Edward	1	160
" " "	9	104	" "	5	161
Lincoln	2	105	Renfrew	1	162
"	5	106	"	3	163
			"	4	164
Middlesex	1	107	"	5	165
"	2	108	"	6	166
"	3	109	"	7	167
"	4	110			
"	5	111	Simcoe	1	168
"	6	112	"	2	169
"	7	113	"	3	170
			"	4	171
Norfolk	1	114	"	5	172
"	2	115	"	6	173
"	4	116	"	8	174
"	6	117	"	10	175
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"	8	119			

COUNTY OR DISTRICT	NUMBER OF COURT	SCHEDULE	COUNTY OR DISTRICT	NUMBER OF COURT	SCHEDULE
Stormont, Dundas and Glengarry	2	177	Haliburton	1	234
" " " "	3	178	"	2	235
" " " "	4	179	"	4	236
" " " "	5	180	Kenora	1	237
" " " "	6	181	"	3	238
" " " "	7	182	"	4	239
" " " "	8	183	Manitoulin	1	240
" " " "	10	184	"	2	241
" " " "	11	185	"	3	242
" " " "	12	186	Muskoka	1	243
Victoria	2	187	"	2	244
"	5	188	"	3	245
Waterloo	1	189	Nipissing	1	246
"	2	190	"	2	247
"	3	191	"	3	248
"	4	192	Parry Sound	1	249
"	5	193	" "	7	250
"	6	194	Rainy River	1	251
Welland	1	195	" "	3	252
"	3	196	" "	4	253
"	4	197	Sudbury	1	254
"	5	198	"	3	255
"	6	199	"	4	256
Wellington	1	200	"	5	257
"	2	201	Thunder Bay	1	258
"	4	202	" "	2	259
"	5	203	" "	3	260
"	7	204	" "	4	261
"	8	205	" "	5	262
"	10	206	Timiskaming	1	263
"	11	207	"	2	264
Wentworth	1	208	"	3	265
"	2	209	"	4	266
"	3	210	"	5	267
"	4	211			
"	9	212			
York	1	213			
"	2	214			
"	3	215			
"	4	216			
"	5	217			
"	6	218			
"	7	219			
"	8	220			
"	9	221			
"	11	222			
Algoma	1	223			
"	2	224			
"	3	225			
"	6	226			
"	7	227			
Cochrane	1	228			
"	2	229			
"	3	230			
"	4	231			
"	5	232			
"	6	233			

SCHEDULE 1

1. The City of Brantford.
2. The townships of
 - (a) Onondaga, and
 - (b) Tuscaroro.
3. That part of the Township of Brantford lying within a line described as follows:

Commencing at the most southerly angle of the township; thence north-westerly along the south-westerly boundary of the township to the westerly boundary of the township; thence northerly along the westerly boundary to the production westerly of the northerly limit of Concession 2; thence easterly along the production and the northerly limit to the north-easterly boundary of the township; thence south-easterly along the north-easterly boundary to the boundary between the townships of Brantford and Onondaga; thence westerly along that boundary to the boundary between the townships of Brantford and Tuscaroro; thence south-westerly along that boundary to the place of commencement; excepting therefrom the City of Brantford.

SCHEDULE 2

1. The Town of Paris.

2. That part of the townships of South Dumfries and Brantford lying within a line described as follows:

Commencing at the north-westerly angle of the Township of South Dumfries; thence easterly along the northerly boundary of the township to the production northerly of the westerly limit of lot 18 in Concession 6; thence southerly along the westerly limit of lot 18 across concessions 6 to 1, both inclusive, and its production to the boundary between the townships of South Dumfries and Brantford; thence westerly along that boundary to the production northerly of the westerly limit of lot 25 in Concession 1 of the Township of Brantford; thence southerly along the production and the westerly limit to the northerly limit of Concession 2 in the Township of Brantford; thence westerly along the northerly limit of Concession 2 and its production to the westerly boundary of the township; thence northerly along the westerly boundaries of the townships of Brantford and South Dumfries to the place of commencement; excepting therefrom the Town of Paris.

SCHEDULE 3

1. That part of the townships of South Dumfries and Brantford lying within a line described as follows:

Commencing at the north-easterly angle of the Township of South Dumfries; thence westerly along the northerly boundary of the township to the production northerly of the westerly limit of lot 18 in Concession 6; thence southerly along the production and the westerly limit of lot 18 across concessions 6 to 1, both inclusive, and its production to the boundary between the townships of South Dumfries and Brantford; thence westerly along that boundary to the production northerly of the westerly limit of lot 25 in Concession 1 of the Township of Brantford; thence southerly along the production and the westerly limit to the northerly limit of Concession 2 in the Township of Brantford;

thence easterly along the northerly limit of Concession 2 and its production to the north-easterly boundary of the Township of Brantford; thence north-westerly and northerly along the north-easterly and easterly boundary of the Township of Brantford to the easterly boundary of the Township of South Dumfries; thence northerly along the easterly boundary of the Township of South Dumfries to the place of commencement.

SCHEDULE 4

That part of the Township of Burford lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the westerly boundary of the township to the southerly limit of Concession 10; thence easterly along the southerly limit and its production easterly to the easterly boundary of the township; thence northerly along the easterly boundary to the northerly boundary of the township; thence westerly along the northerly boundary to the place of commencement.

SCHEDULE 5

1. The Township of Oakland.

2. That part of the Township of Burford lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the westerly boundary of the township to the southerly limit of Concession 10; thence easterly along the southerly limit and its production easterly to the easterly boundary of the township; thence southerly along the easterly boundary to the southerly boundary of the township; thence westerly along the southerly boundary to the place of commencement.

SCHEDULE 6

1. The Town of Walkerton.

2. The Village of Mildmay.

3. The townships of

(a) Carrick, and

(b) Brant.

SCHEDULE 7

1. The Village of Teeswater.

2. The Township of Culross.

3. That part of the Township of Greenock lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the boundary between the townships of Greenock and Kinloss to the boundary between the townships of Greenock and Kincardine; thence north-easterly along that boundary to the limit between concessions 11 and 12 in the Township of Greenock; thence easterly along that limit to the easterly limit of lot 1 in Concession 11; thence southerly along the easterly limit to the southerly limit of lot 26 in Range A West of the Saugeen Road; thence easterly along the southerly limit and its production to the boundary between the townships of Greenock and Brant; thence southerly along that boundary to the boundary between the townships of Greenock and Culross; thence westerly along that boundary to the place of commencement.

SCHEDULE 8

1. The Town of Kincardine.
2. The villages of
 - (a) Ripley, and
 - (b) Tiverton.
3. The townships of
 - (a) Huron, and
 - (b) Kincardine.
4. That part of the Township of Bruce lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence northerly along the boundary between the townships of Bruce and Greenock to the northerly limit of Concession 4 in the Township of Bruce; thence westerly along the northerly limit and its production to the northerly limit of lot 20 in the Lake Range; thence continuing westerly along the northerly limit of lot 20 to the shore of Lake Huron; thence southerly along the shore to the boundary between the townships of Bruce and Kincardine; thence easterly along that boundary to the place of commencement; excepting therefrom the Village of Tiverton.

SCHEDULE 9

1. The Village of Paisley.
2. That part of the Township of Greenock lying within a line described as follows:

Commencing at the south-easterly angle of lot 26 in Range A West of the Saugeen Road; thence easterly on the production of the southerly limit of lot 26 to the boundary between the townships of Brant and Greenock; thence northerly along that boundary to the boundary between the townships of Brant and Elderslie; thence continuing northerly along that boundary to the northerly limit of lot 58 in Range A West of the Saugeen Road; thence westerly along the northerly

limit to the westerly limit of lot 58; thence southerly along the westerly limit of lot 58 to the boundary between the townships of Bruce and Greenock; thence south-westerly along that boundary to the boundary between concessions 11 and 12 in the Township of Greenock; thence easterly along that boundary to the easterly limit of lot 1 in Concession 11; thence southerly along the easterly limit to the southerly limit of lot 26 in Range A West of the Saugeen Road; thence easterly along the southerly limit to the place of commencement.

3. The Township of Bruce, except that part of the township described in item 4 of Schedule 8.

SCHEDULE 10

1. The Towns of
 - (a) Port Elgin, and
 - (b) Southampton.
2. The Township of Saugeen.

SCHEDULE 11

1. The Village of Tara.
2. The Township of Arran.
3. That part of the Township of Amabel lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the southerly boundary of the township to the shore of Lake Huron; thence northerly along the shore of Lake Huron to the northerly limit of lot 20 in the Saugeen Indian Reserve; thence easterly along the northerly limit of lot 20 across the Reserve and concessions D and C in the township to the northerly limit of Concession 7; thence continuing easterly along the northerly limit of Concession 7 to the easterly boundary of the township; thence southerly along the easterly boundary to the place of commencement.

SCHEDULE 12

1. The Town of Wiaraton.
2. The villages of
 - (a) Hepworth, and
 - (b) Lion's Head.
3. The townships of
 - (a) Albemarle,
 - (b) Eastnor,
 - (c) Lindsay, and
 - (d) St. Edmunds.

4. The Township of Amabel, except that part of the township described in item 3 of schedule 11.

SCHEDULE 13

1. The Village of Lucknow.
2. The Township of Kinloss.

SCHEDULE 14

1. The Town of Chesley.
2. The Township of Elderslie.

SCHEDULE 15

1. The City of Ottawa.
2. The Town of Eastview.
3. The Village of Rockcliffe Park.
4. The Township of Gloucester, except that part of the township described in item 4 of schedule 18.

SCHEDULE 16

1. The townships of
 - (a) Huntley, and
 - (b) March.

SCHEDULE 17

1. The townships of
 - (a) Fitzroy, and
 - (b) Torbolton.

SCHEDULE 18

1. The Village of Richmond.
2. The townships of
 - (a) Goulbourn,
 - (b) Marlborough,
 - (c) North Gower, and
 - (d) Osgoode.
3. That part of the Township of Nepean lying within a line described as follows:

Commencing at the most southerly angle of the township; thence northerly along the boundary between the townships of Nepean and Goulbourn to the production westerly of the southerly limit of lot 21 in Concession 6 from the Rideau River; thence easterly along the production and the southerly limit across concessions 6, 5 and 4 to the production northerly of the easterly limit of lot 20 in Concession 4 From the Rideau River; thence southerly along the production and the easterly limit of lots 20 to 13, both inclusive, in Concession 4 to the northerly bank of Goodwood Creek; thence easterly along the northerly bank to

the boundary between the townships of Nepean and Gloucester; thence southerly along that boundary to the boundary between the townships of Nepean and North Gower; thence westerly along that boundary to the place of commencement.

4. That part of the Township of Gloucester lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence northerly along the easterly boundary of the township to the production easterly of the southerly limit of Concession 6 from the Ottawa River; thence westerly along the production and the southerly limit of Concession 6 and its production westerly to the easterly limit of lot 15 in Concession 6 from the Rideau River; thence southerly along the easterly limit of lot 15 to the southerly limit of the lot; thence westerly along the southerly limit of lot 15 across concessions 6 to 1, both inclusive, from the Rideau River to the boundary between the townships of Gloucester and Nepean; thence southerly along that boundary to the southerly boundary of the township; thence easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 19

1. The Township of Nepean, except that part of the township described in item 3 of schedule 18.

SCHEDULE 20

1. The Town of Orangeville.
2. The townships of
 - (a) East Garafraxa, and
 - (b) Mono.
3. That part of the Township of Amaranth lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the boundary between the townships of Amaranth and East Luther to the production westerly of the northerly limit of lot 25 in Concession 10 of the Township of Amaranth; thence easterly along the production and the northerly limit of lot 25 across concessions 10 to 1, both inclusive, and its production easterly to the boundary between the townships of Amaranth and Mono; thence southerly along that boundary to the southerly boundary of the township; thence westerly along the southerly boundary of the township to the point of commencement.

SCHEDULE 21

1. The Village of Shelburne.
2. The townships of
 - (a) Melancthon, and
 - (b) Mulmur.

3. That part of the Township of Amaranth lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the westerly boundary of the township of Amaranth to the production westerly of the northerly limit of lot 25 in Concession 10; thence easterly along the production and the northerly limit of lot 25 across concessions 10 to 1, both inclusive, and its production easterly to the boundary between the townships of Amaranth and Mono; thence northerly along that boundary to the northerly boundary of the township of Amaranth; thence westerly along that boundary to the place of commencement.

SCHEDULE 22

1. The Village of Grand Valley.
2. The Township of East Luther.

SCHEDULE 23

1. The Town of Aylmer.
2. The villages of
 - (a) Port Burwell,
 - (b) Springfield, and
 - (c) Vienna.
3. The townships of
 - (a) Bayham,
 - (b) Malahide, and
 - (c) South Dorchester.

SCHEDULE 24

1. The City of St. Thomas.
2. The Village of Port Stanley.
3. The townships of
 - (a) Southwold, and
 - (b) Yarmouth.

SCHEDULE 25

1. The villages of
 - (a) Dutton,
 - (b) Rodney, and
 - (c) West Lorne.
2. The townships of
 - (a) Aldborough, and
 - (b) Dunwich.

SCHEDULE 26

1. The Town of Amherstburg.
2. The townships of
 - (a) Anderdon, and
 - (b) Malden.

SCHEDULE 27

1. The towns of
 - (a) Harrow, and
 - (b) Kingsville.
2. The townships of
 - (a) Colchester South, and
 - (b) Gosfield South.

3. That part of the Township of Colchester North lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence northerly along the boundary between the townships of Gosfield South and Colchester North and Gosfield North and Colchester North to the production easterly of the southerly boundary of Concession 9 in the Township of Colchester North; thence westerly along the production and the southerly boundary and its production westerly to the southerly boundary of the Concession South of the Malden Road; thence south-westerly along the last-mentioned southerly boundary to the westerly limit of lot 1 in the Concession South of the Malden Road; thence northerly along the westerly limit and its production northerly to the westerly boundary of the township; thence southerly along that boundary to the southerly boundary of the township of Colchester North; thence easterly along the boundary between the townships of Colchester North and Colchester South to the place of commencement.

4. That part of the Township of Gosfield North lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence northerly along the boundary between the townships of Gosfield North and Mersea to the boundary between the townships of Gosfield North and Rochester; thence westerly along that boundary and the boundary between the townships of Gosfield North and Maidstone to the production north-westerly of the north-easterly limit of lot 281 in Concession North of the Talbot Road; thence south-easterly along the production to the north-easterly boundary of Concession North of the Talbot Road; thence south-easterly along the last-mentioned boundary to the line between lots 267 and 266; thence south-westerly along that line across concessions North and South of the Talbot Road and its production south-westerly to the north-easterly limit of lot 11 in Concession 6 in the Township of Gosfield North; thence south-easterly along that limit

and its production south-easterly to the boundary between the townships of Gosfield North and Gosfield South; thence easterly along that boundary to the place of commencement.

SCHEDULE 28

1. The Town of Leamington.
2. The townships of
 - (a) Mersea, and
 - (b) Pelee.

SCHEDULE 29

1. The villages of
 - (a) Belle River, and
 - (b) St. Clair Beach.
2. The Township of Rochester.
3. The Township of Maidstone, except that part of the township described in item 5 of schedule 31.

SCHEDULE 30

1. The City of Windsor.
2. The towns of
 - (a) La Salle,
 - (b) Ojibway,
 - (c) Riverside, and
 - (d) Tecumseh.
3. The townships of
 - (a) Sandwich East, and
 - (b) Sandwich West.

SCHEDULE 31

1. The Town of Essex.
2. The Township of Sandwich South.
3. That part of the Township of Colchester North lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence easterly along the boundary between the townships of Colchester North and Sandwich South and the boundary between the townships of Colchester North and Maidstone to the boundary between the Township of Colchester North and the Town of Essex; thence in a general southerly and easterly direction along the last-mentioned boundary to the boundary

between the townships of Colchester North and Gosfield North; thence southerly along the last-mentioned boundary to the production easterly of the southerly boundary of Concession 9 in the Township of Colchester North; thence westerly along the production and the southerly boundary and its production to the southerly boundary of the Concession South of the Malden Road; thence south-westerly along the southerly boundary to the westerly limit of lot 1 in the Concession South of the Malden Road; thence northerly along the westerly limit and its production to the boundary between the townships of Colchester North and Malden; thence northerly along that boundary to the place of commencement.

4. That part of the Township of Gosfield North lying within a line described as follows:

Commencing where the northerly boundary of the township meets the easterly boundary of the Town of Essex; thence easterly along the boundary between the townships of Gosfield North and Maidstone to the north-easterly boundary of lot 281 in Concession North of the Talbot Road in the Township of Gosfield North; thence south-easterly along the north-easterly boundary of Concession North of the Talbot Road to the line between lots 267 and 266; thence south-westerly along that line across Concession North of the Talbot Road and Concession South of the Talbot Road and its production south-westerly, to the north-easterly limit of lot 11 in Concession 6 in the Township of Gosfield North; thence south-easterly along that limit to the boundary between the townships of Gosfield North and Gosfield South; thence westerly along that boundary to the boundary between the townships of Gosfield North and Colchester North; thence northerly along that boundary to the boundary between the Township of Gosfield North and the Town of Essex; thence in a general easterly and northerly direction along that boundary to the place of commencement.

5. That part of the Township of Maidstone lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence easterly along the boundary between the townships of Maidstone and Colchester North to the boundary between the Township of Maidstone and the Town of Essex; thence in a general northerly and easterly direction along that boundary to the boundary between the townships of Maidstone and Gosfield North; thence easterly along that boundary to the production southerly of the easterly boundary of Concession 2 South of the Middle Road; thence northerly along the production and the easterly boundary of Concession 2 and its production northerly to the line between lots 19 and 20 in the Concession South of the Middle Road; thence northerly along that line to the southerly limit of the Middle Road; thence westerly along that limit and its production westerly to the westerly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement; excepting therefrom any part of the Town of Essex included therein.

SCHEDULE 32

1. The townships of

- (a) Tilbury North, and
- (b) Tilbury West.

SCHEDULE 33

1. The City of Kingston.
2. The Village of Portsmouth.
3. The townships of
 - (a) Howe Island,
 - (b) Kingston,
 - (c) Loughborough,
 - (d) Pittsburgh,
 - (e) Storrington, and
 - (f) Wolfe Island (including Garden Island, Simcoe Island, Horse Shoe Island and Mud Island).

SCHEDULE 34

1. The townships of
 - (a) Bedford,
 - (b) Hinchinbrooke, and
 - (c) Portland.

SCHEDULE 35

1. The townships of
 - (a) Barrie,
 - (b) Clarendon and Miller,
 - (c) Kennebec,
 - (d) Olden,
 - (e) Oso, and
 - (f) Palmerston and North and South Canonto.

SCHEDULE 36

1. The City of Owen Sound.
2. The Village of Shallow Lake.
3. The townships of
 - (a) Derby,
 - (b) Keppel,

- (c) Sarawak, and
- (d) Sydenham.

SCHEDULE 37

1. The Town of Durham.
2. The Township of Egremont.
3. That part of the Township of Normanby lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly, northerly and westerly along the boundary between the townships of Normanby and Minto to the production southerly of the easterly limit of lot 20 in Concession 4 in the Township of Normanby; thence northerly along the production and the easterly limit of lot 20 across concessions 4 to 13, both inclusive, and its production northerly to the boundary between the townships of Normanby and Bentinck; thence easterly along that boundary to the boundary between the townships of Normanby and Egremont; thence southerly along the last-mentioned boundary to the point of commencement.

4. That part of the Township of Bentinck lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the boundary between the townships of Bentinck and Normanby to the production southerly of the easterly limit of lot 30 in Concession 3 South of the Durham Road in the Township of Bentinck; thence northerly along the production and the easterly limit across concessions 1, 2 and 3 South and 1, 2 and 3 North of the Durham Road to the easterly limit of lot 15 in Concession 4; thence continuing northerly along the easterly limit of lot 15 across concession 4 to 15, both inclusive, and its production northerly to the boundary between the townships of Bentinck and Sullivan; thence easterly along that boundary to the boundary between the townships of Bentinck and Glenelg; thence southerly along that boundary to the northerly boundary of the Town of Durham; thence westerly, northerly and southerly along the boundary between the town and the Township of Bentinck to and extending southerly along the easterly boundary of the Township of Bentinck to the place of commencement.

5. That part of the Township of Glenelg lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence easterly along the boundary between the townships of Glenelg and Egremont to the boundary between the townships of Glenelg and Artemesia; thence northerly along that boundary to the production easterly of the southerly boundary of Concession 7 in the Township of Glenelg; thence westerly along the production and the southerly boundary to the easterly boundary of lot 10 in Concession 7; thence northerly along the easterly boundary of lot 10 across concessions 7 to 15, both inclusive, and its production northerly to the boundary between the townships of Glenelg and Holland; thence westerly along that boundary to the

boundary between the townships of Bentinck and Glenelg; thence southerly along that boundary to the northerly boundary of the Town of Durham; thence easterly, southerly and westerly along the boundary between the town and the Township of Glenelg to and extending southerly along the westerly boundary of the Township of Glenelg to the place of commencement.

SCHEDULE 38

1. The Town of Meaford.
2. The Township of Saint Vincent.
3. That part of the Township of Euphrasia lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the boundary between the townships of Euphrasia and Holland to the production westerly of the southerly limit of lot 16 in Concession 12 in the Township of Euphrasia; thence easterly along the production and the southerly limit across concessions 12 to 7, both inclusive, to the easterly limit of Concession 7; thence northerly along that limit and its production northerly to the boundary between the townships of Euphrasia and Saint Vincent; thence westerly along that boundary to the place of commencement.

SCHEDULE 39

1. The Town of Thornbury.
2. The Township of Collingwood.
3. That part of the Township of Euphrasia lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the boundary between the townships of Euphrasia and Artemesia to the production southerly of the easterly boundary of Concession 5 in the Township of Euphrasia; thence northerly along the production and the easterly boundary and its production northerly to the southerly limit of lot 16 in Concession 5; thence westerly along the southerly limit, across concession 5 and 6, to the easterly limit of Concession 7; thence northerly along the easterly limit of Concession 7 and its production to the boundary between the townships of Euphrasia and Saint Vincent; thence easterly along that boundary to the boundary between the townships of Euphrasia and Collingwood; thence southerly along that boundary to the place of commencement.

4. That part of the Township of Osprey lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence southerly along the easterly boundary of the township to the boundary between the townships of Osprey and Melancthon; thence westerly along that boundary to the production southerly of the easterly limit of lot 40 in Concession 3 South of the Durham Road; thence northerly along the production and the easterly limit of lot 40, across concessions 3, 2 and 1

S.D.R. and concessions 1, 2 and 3 N.D.R., to the easterly limit of lot 20 in Concession 4; thence continuing northerly along the easterly limit of lot 20 across concessions 4 to 14, both inclusive, and its production northerly to the boundary between the townships of Osprey and Collingwood; thence easterly along that boundary to the place of commencement.

SCHEDULE 40

1. The villages of
 - (a) Dundalk, and
 - (b) Flesherton.
2. The Township of Proton.
3. That part of the Township of Osprey lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly and south-easterly along the boundary between the townships of Osprey and Artemesia to the boundary between the townships of Osprey and Melancthon; thence easterly along that boundary to the production southerly and the easterly limit of lot 40 in Concession 3 South of the Durham Road; thence northerly along the production and the easterly limit of lot 40, across concessions 3, 2 and 1, S.D.R. and concessions 1, 2 and 3, N.D.R., to the easterly limit of lot 20 in Concession 4; thence continuing northerly along the easterly limit of lot 20 across concessions 4 to 14, both inclusive, and its production northerly to the boundary between the townships of Osprey and Collingwood; thence westerly along that boundary to the place of commencement.

4. That part of the Township of Artemesia lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence easterly, south-easterly, north-easterly and south-easterly along the boundary between the townships of Artemesia and Proton to the boundary between the townships of Artemesia and Osprey; thence northerly along that boundary to the boundary between the townships of Artemesia and Euphrasia; thence westerly along that boundary to the production northerly of the easterly limit of lot 26 in Concession 14 of the Township of Artemesia; thence southerly along the production and the easterly limit to the southerly boundary of Concession 10; thence westerly along that boundary to the easterly limit of lot 20; thence southerly along that limit to the north-easterly boundary of Concession 3 East of the Toronto-Sydenham Road; thence north-westerly along that boundary to the south-easterly limit of lot 130; thence south-westerly along the south-easterly limit of lot 130 across concessions 3, 2 and 1 East and concessions 1, 2 and 3 West of the Toronto-Sydenham Road to the south-westerly boundary of Concession 3 West; thence north-westerly along that boundary to the southerly boundary of Concession 7; thence westerly along that boundary and its production westerly to the boundary between the townships of Artemesia and Glenelg; thence southerly along that boundary to the place of commencement; excepting therefrom the Village of Flesherton.

SCHEDULE 41

1. The Village of Chatsworth.
2. The Township of Sullivan.

3. That part of the Township of Holland lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence southerly along the boundary between the townships of Holland and Euphrasia to the production easterly of the southerly limit of lot 15 in Concession 12; thence westerly along the production and the southerly limit across concessions 12, 11, 10 and 9 to the north-easterly boundary of Concession 4 East of the Toronto-Sydenham Road; thence south-easterly along that boundary to the south-easterly limit of lot 50; thence south-westerly along that limit across concessions 3, 2 and 1 East and 1 and 2 West of the Toronto-Sydenham Road, and its production south-westerly, to the north-easterly limit of lot 24 in Concession 6; thence south-easterly along that limit to the easterly boundary of Concession 6; thence southerly along that boundary and its production southerly to the boundary between the townships of Holland and Glenelg; thence westerly along that boundary to the boundary between the townships of Holland and Sullivan; thence northerly along the last-mentioned boundary to the boundary between the townships of Holland and Sydenham; thence easterly along that boundary to the place of commencement; excepting therefrom the Village of Chatsworth.

SCHEDULE 42

1. The Town of Hanover.
2. The Village of Neustadt.

3. That part of the Township of Normanby lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence easterly along the boundary between the townships of Normanby and Minto to the production southerly of the easterly limit of lot 20 in Concession 4 in the Township of Normanby; thence northerly along the production and the easterly limit of lot 20 across concessions 4 to 13, both inclusive, and its production northerly to the boundary between the townships of Normanby and Bentinck; thence westerly along that boundary to the westerly boundary of the Township of Normanby; thence southerly along that boundary to the place of commencement; excepting therefrom the Village of Neustadt.

4. That part of the Township of Bentinck lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence easterly along the boundary between the townships of Bentinck and Normanby to the production southerly of the easterly limit of lot 30 in Concession 3 South of the Durham Road in the Township of Bentinck; thence northerly along the production and the easterly limit across concessions 1, 2 and 3 South and 1, 2 and 3 North of the Durham Road to

the easterly limit of lot 15 in Concession 4; thence continuing northerly along the easterly limit of lot 15 across concessions 4 to 15, both inclusive, and its production northerly to the boundary between the townships of Bentinck and Sullivan; thence westerly along that boundary to the westerly boundary of the township; thence southerly along the westerly boundary to the northerly boundary of the Town Hanover; thence easterly, southerly and westerly along the boundary between the town and the Township of Bentinck to and extending southerly along the westerly boundary of the township to the place of commencement.

SCHEDULE 43

1. The Village of Markdale.

2. That part of the Township of Holland lying within a line described as follows:

Commencing at the most southerly angle of the township; thence north-easterly along the boundary between the townships of Holland and Artemesia to the boundary between the townships of Holland and Euphrasia; thence northerly along that boundary to the production easterly of the southerly limit of lot 15 in Concession 12; thence westerly along the production and the southerly limit across concessions 12, 11, 10 and 9 to the north-easterly boundary of Concession 4 East of the Toronto-Sydenham Road; thence south-easterly along that boundary to the south-easterly limit of lot 50; thence south-westerly along that limit across concessions 3, 2 and 1 East and 1 and 2 West of the Toronto-Sydenham Road and its production south-westerly to the north-easterly limit of lot 24 in Concession 6; thence south-easterly along that limit to the easterly boundary of Concession 6; thence southerly along that boundary and its production to the boundary between the townships of Holland and Glenelg; thence easterly, south-easterly, north-easterly and south-easterly along that boundary to the place of commencement.

3. That part of the Township of Glenelg lying within a line described as follows:

Commencing at the most northerly angle of the township; thence south-easterly along the boundary between the townships of Glenelg and Holland to the boundary between the townships of Glenelg and Artemesia; thence south-easterly along the boundary between the townships of Glenelg and Artemesia to the northerly boundary of the Village of Markdale; thence south-westerly, south-easterly and north-easterly along the boundary between the village and the Township of Glenelg to the boundary between the townships of Glenelg and Artemesia; thence south-westerly, south-easterly and southerly along the boundary between the townships of Glenelg and Artemesia to the production easterly of the southerly boundary of Concession 7 in the Township of Glenelg; thence westerly along the production and the southerly boundary to the easterly limit of lot 10 in Concession 7; thence northerly along the easterly limit of lot 10, across concessions 7 to 15, both inclusive, and its production northerly to the boundary between the townships of Glenelg and Holland; thence easterly, south-easterly and north-easterly along that boundary to the place of commencement.

4. That part of the Township of Artemesia lying within a line described as follows:

Commencing at the most westerly angle of the township; thence north-easterly along the boundary between the townships of Artemesia and Holland to the boundary between the townships of Artemesia and Euphrasia; thence easterly along the last-mentioned boundary to the production northerly of the easterly limit of lot 26 in Concession 14 of the Township of Artemesia; thence southerly along the production and the easterly limit to the southerly boundary of Concession 10; thence westerly along that boundary to the easterly limit of lot 20; thence southerly along that limit to the north-easterly boundary of Concession 3 East of the Toronto-Sydenham Road; thence north-westerly along that boundary to the south-easterly limit of lot 130; thence south-westerly along the south-easterly limit of lot 130 across concessions 3, 2 and 1 East and concessions 1, 2 and 3 West of the Toronto-Sydenham Road to the south-westerly boundary of Concession 3 West; thence north-westerly along that boundary to the southerly boundary of Concession 7; thence westerly along that boundary and its production westerly to the boundary between the townships of Artemesia and Glenelg; thence northerly, north-westerly, north-easterly and north-westerly along that boundary to the south-easterly boundary of the Village of Markdale; thence north-easterly, north-westerly and south-westerly along the boundary between the village and the Township of Artemesia to the boundary between the townships of Glenelg and Artemesia; thence easterly along the last-mentioned boundary to the place of commencement.

5. That part of the Township of Euphrasia lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence easterly along the boundary between the townships of Euphrasia and Artemesia to the production southerly of the easterly boundary of Concession 5 in the Township of Euphrasia; thence northerly along the production and the easterly boundary and its production northerly to the southerly limit of lot 16 in Concession 5; thence westerly along the southerly limit of lot 16 and its production westerly across concession 5 to 12, both inclusive, to the boundary between the townships of Euphrasia and Holland; thence southerly along that boundary to the place of commencement.

SCHEDULE 44

1. The Village of Caledonia.
2. The townships of
 - (a) Oneida, and
 - (b) Seneca.

SCHEDULE 45

1. The villages of
 - (a) Cayuga,

(b) Hagersville, and

(c) Jarvis.

2. The townships of

(a) North Cayuga,

(b) Rainham,

(c) South Cayuga, and

(d) Walpole.

SCHEDULE 46

1. The Town of Dunnville.

2. The townships of

(a) Canborough,

(b) Dunn,

(c) Moulton, and

(d) Sherbrooke.

SCHEDULE 47

1. The Town of Milton.

2. The Township of Nassagaweya.

3. That part of the Township of Esquesing lying within a line described as follows:

Commencing at the most easterly angle of the township; thence north-westerly along the north-easterly boundary of the township to the production north-easterly of the north-westerly limit of lot 5 in Concession 11; thence south-westerly along the production and the north-westerly limit across concessions 11 to 7, both inclusive, and its production south-westerly to the north-easterly boundary of Concession 6; thence north-westerly along that boundary and its production to the south-easterly limit of lot 11 in Concession 6; thence south-westerly along that limit across concessions 6 to 1, both inclusive, and its production south-westerly to the boundary between the townships of Esquesing and Nassagaweya; thence south-easterly along that boundary to the boundary between the townships of Esquesing and Trafalgar; thence north-easterly along that boundary to the place of commencement.

4. That part of the Township of Trafalgar lying within a line described as follows:

Commencing at the most northerly angle of the township; thence south-westerly along the boundary between the townships of Esquesing and Trafalgar to the boundary between the townships of Trafalgar and Nelson; thence south-easterly along that boundary to the production south-westerly of the north-westerly boundary of Concession 2 North of Dundas Street;

thence north-easterly along the production and the north-westerly boundary and its production north-easterly to the north-easterly boundary of the township; thence north-westerly along that boundary to the place of commencement; excepting therefrom the Town of Milton.

SCHEDULE 48

1. The Town of Oakville.

2. The Township of Trafalgar, except that part of the township described in item 4 of schedule 47.

SCHEDULE 49

1. The Town of Georgetown.

2. That part of the Township of Esquesing lying within a line described as follows:

Commencing at the most northerly angle of the township; thence south-easterly along the north-easterly boundary of the township to the production north-easterly of the north-westerly limit of lot 5 in Concession 11; thence south-westerly along the production and the north-westerly limit across concessions 11 to 7, both inclusive, and its production south-westerly to the north-easterly boundary of Concession 6; thence north-westerly along that boundary and its production north-westerly to the north-westerly boundary of the township; thence north-easterly along that boundary to the place of commencement; excepting therefrom the Town of Georgetown.

SCHEDULE 50

1. The Village of Acton.

2. That part of the Township of Esquesing lying within a line described as follows:

Commencing at the most westerly angle of the township; thence north-easterly along the north-westerly boundary of the township to the production north-westerly of the north-easterly boundary of Concession 6; thence south-easterly along the production and the north-easterly boundary to the south-easterly limit of lot 11; thence south-westerly along that limit across concessions 6 to 1, both inclusive, and its production south-westerly to the boundary between the townships of Esquesing and Nassagaweya; thence north-westerly along that boundary to the place of commencement; excepting therefrom the Village of Acton.

SCHEDULE 51

1. The Town of Burlington.

2. The Township of Nelson.

SCHEDULE 52

1. The City of Belleville.

2. The Township of Thurlow.

3. That part of the Township of Sidney lying within a line described as follows:

Commencing at the intersection of the easterly limit of lot 38 in Concession 1 of the Township of Sidney with the northerly shore of the Bay of Quinte; thence northerly along the easterly boundary of the township to the southerly boundary of the City of Belleville; thence westerly, northerly and easterly along the boundary between the City and the Township of Sidney to the boundary between the townships of Sidney and Thurlow; thence northerly along the last-mentioned boundary to the production easterly of the northerly boundary of Concession 7 in the Township of Sidney; thence westerly along the production and the northerly boundary to the westerly limit of lot 19; thence southerly along the westerly limit of lot 19 across concessions 7 to 1, both inclusive, to the northerly shore of the Bay Quinte; thence easterly along the shore of the Bay of Quinte to the place of commencement.

SCHEDULE 53

1. The townships of

(a) Limerick, and

(b) Wollaston.

2. Parts of the Township of Tudor and Cashel described as follows:

(a) the geographic Township of Cashel as it existed on the 31st of December, 1927, and

(b) part of the geographic Township of Tudor as it existed on the 31st of December, 1927, lying within a line described as follows:

Commencing at the north-westerly angle of the Township of Tudor; thence southerly along the westerly boundary of the township to the southerly limit of lot 72 on the easterly side of the Hastings Road; thence easterly along that limit to the easterly limit of the lot; thence northerly along that limit to the boundary between concessions 13 and 14; thence easterly along that boundary to the easterly boundary of the Township of Tudor; thence northerly along that boundary to the northerly boundary; thence westerly along that boundary to the place of commencement.

3. Part of the Township of Elzevir and Grimsthorpe described as follows:

Part of the geographic Township of Grimsthorpe as it existed on the 31st of December, 1927, lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence southerly along the easterly boundary of the township to the northerly boundary of Concession 14; thence westerly along that boundary to the westerly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence easterly along that boundary to the place of commencement.

4. Part of the Township of Marmora and Lake described as follows:

Part of the geographic Township of Lake as it existed on the 31st of December, 1927, lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence easterly along the northerly boundary to the easterly boundary; thence southerly along the easterly boundary to the southerly boundary of lot 72 on the west side of the Hastings Road; thence westerly along the southerly boundary of lot 72 to the southerly boundary of lot 22 in Concession 11; thence continuing westerly along the southerly boundary of lot 22 across concessions 11 to 1, both inclusive, to the westerly boundary of the township; thence northerly along that boundary to the place of commencement.

SCHEDULE 54

1. The Village of Tweed.
2. The Township of Hungerford.

SCHEDULE 55

1. The Village of Stirling.
2. That part of the Township of Sidney lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the westerly boundary of the township to the southerly bank of the Trent River in Concession 8; thence easterly and southerly thereon to the northerly boundary of Concession 7; thence easterly along that boundary and its production easterly to the easterly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence westerly along that boundary to the place of commencement; excepting therefrom any part of the Village of Stirling therein.

3. That part of the Township of Rawdon lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence northerly along the easterly boundary of the township to the production easterly of the northerly boundary of Concession 8; thence westerly along the production and the northerly boundary and its production westerly to the westerly boundary of the township; thence southerly along the westerly boundary to the southerly boundary of the township; thence easterly along the southerly boundary to the westerly boundary of the Village of Stirling; thence northerly, easterly and southerly along the boundary between the village and the Township of Rawdon to the boundary between the townships of Rawdon and Sidney; thence easterly along that boundary to the place of commencement.

4. That part of the Township of Huntingdon lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the westerly boundary of the township to the production westerly of the northerly boundary of Concession 5; thence easterly along the production and the northerly boundary and its production easterly to the easterly boundary of the township; thence southerly along that boundary to the southerly boundary of the township; thence westerly along that boundary to the place of commencement.

SCHEDULE 56

1. The Village of Madoc.
2. The Township of Madoc.
3. That part of the Township of Huntingdon lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the westerly boundary of the township to the production westerly of the northerly boundary of Concession 5; thence easterly along the production and the northerly boundary and its production easterly to the easterly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence westerly along that boundary to the boundary between the township and the Village of Madoc; thence southerly, westerly, northerly and westerly along the last-mentioned boundary to the boundary between the townships of Huntingdon and Madoc; thence westerly along the last-mentioned boundary to the place of commencement.

4. Part of the Township of Tudor and Cashel described as follows:

That part of the geographic Township of Tudor as it existed on the 31st of December, 1927, lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the westerly boundary of the township to the southerly limit of lot 72 on the easterly side of the Hastings Road; thence easterly along that limit to the easterly limit of the lot; thence northerly along that limit to the boundary between concessions 13 and 14; thence easterly along that boundary to the easterly boundary of the Township of Tudor; thence southerly along that boundary to the southerly boundary of the township; thence westerly along that boundary to the place of commencement.

5. Parts of the Township of Elzevir and Grims-
thorpe described as follows:

(a) the geographic Township of Elzevir as it existed on the 31st of December, 1927, and

(b) part of the geographic Township of Grims-
thorpe as it existed on the 31st of December, 1927, lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the westerly boundary of the township to the northerly boundary of Conces-

sion 14; thence easterly along that boundary to the easterly boundary of the township; thence southerly along that boundary to the southerly boundary of the township; thence westerly along that boundary to the place of commencement.

SCHEDULE 57

1. The Town of Deseronto.
2. The Township of Tyendinaga.

SCHEDULE 58

1. The Village of Frankford.
2. That part of the Township of Sidney lying within a line described as follows:

Commencing at the south-westerly angle of lot 10 in Concession 4; thence westerly along the southerly boundary of Concession 4 to the westerly boundary of the township; thence northerly along the westerly boundary to the southerly bank of the Trent River in Concession 8; thence easterly and southerly along the bank to the northerly boundary of Concession 7; thence easterly along that boundary to the westerly limit of lot 19; thence southerly along the westerly limit of lot 19 across concessions 7, 6, 5 and 4 to the place of commencement; excepting therefrom the Village of Frankford therein.

SCHEDULE 59

1. The separated Town of Trenton.
2. The Township of Sydney, except therefrom those parts of the township described in item 3 of schedule 52, item 2 of schedule 55 and item 2 of schedule 58.

SCHEDULE 60

1. The villages of
 - (a) Deloro, and
 - (b) Marmora.
2. That part of the Township of Rawdon lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence southerly along the easterly boundary of the township to the production easterly of the northerly boundary of Concession 8; thence westerly along the production and the northerly boundary and its production westerly to the westerly boundary of the township; thence northerly along the westerly boundary of the township to the northerly boundary of the township; thence easterly along that boundary to the place of commencement.

3. Parts of the Township of Marmora and Lake described as follows:

(a) the geographic Township of Marmora as it existed on the 31st of December, 1927, excepting therefrom the villages of Marmora and Deloro, and

(b) part of the geographic Township of Lake as it existed on the 31st of December, 1927, lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence easterly along the southerly boundary of the township to the easterly boundary of the township; thence northerly along the easterly boundary of the township to the southerly boundary of lot 72 on the west side of the Hastings Road; thence westerly along the southerly boundary of lot 72 to the southerly boundary of lot 22 in Concession 11; thence continuing westerly along the southerly boundary of lot 22 across concessions 11 to 1, both inclusive, to the westerly boundary of the township; thence southerly along that boundary to the place of commencement.

SCHEDULE 61

1. The townships of
 - (a) Carlow,
 - (b) Bangor, Wicklow and McClure, and
 - (c) Monteagle and Herschel.

SCHEDULE 62

1. The Village of Bancroft.
2. The townships of
 - (a) Dungannon,
 - (b) Faraday, and
 - (c) Mayo.

SCHEDULE 63

1. The Town of Goderich.
2. The townships of
 - (a) Ashfield,
 - (b) Colborne,
 - (c) Goderich, and
 - (d) West Wawanosh.

SCHEDULE 64

1. The Town of Seaforth.
2. The Township of McKillop.
3. That part of the Township of Hullett lying within a line described as follows:

Commencing at the most southerly angle of the township; thence northerly along the easterly boundary of the township to the production easterly of the line between concessions 7 and 8; thence westerly along the production and the line between concessions 7 and 8 and its production westerly to the westerly boundary of the township; thence southerly along that boundary to the northerly boundary of the Town of Clinton; thence easterly, northerly and easterly along the boundary between the township and the town to the southerly boundary of the township; thence easterly along that boundary to the place of commencement.

SCHEDULE 65

1. The Town of Clinton.
2. The townships of
 - (a) Stanley, and
 - (b) Tuckersmith.

SCHEDULE 66

1. The Village of Brussels.
2. The Township of Grey.
3. That part of the Township of Morris lying within a line described as follows:

Commencing at the most northerly angle of the township; thence southerly along the westerly boundary of the township to the production westerly of the northerly boundary of Concession 5; thence easterly along the production and the northerly boundary to the easterly limit of lot 10; thence southerly along that limit and its production to the northerly boundary of Concession 7; thence easterly along that boundary to the easterly limit of lot 15; thence southerly along that limit across concessions 7, 8, 9 and 10 and its production southerly to the southerly boundary of the township; thence easterly along that boundary to the easterly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence westerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 67

1. The Village of Exeter.
2. The Township of Usborne.

SCHEDULE 68

1. The Town of Wingham.
2. The Township of Turnberry.
3. That part of the Township of East Wawanosh lying within a line described as follows:

Commencing at the most northerly angle of the township; thence easterly along the northerly boundary of the township to the easterly boundary; thence southerly along that boundary to the production easterly of the northerly boundary of Concession 6; thence westerly along the production and the northerly boundary and its production westerly to the westerly boundary of the township; thence northerly along that boundary to the place of commencement.

SCHEDULE 69

1. The Township of Howick.

SCHEDULE 70

1. The Village of Hensall.
2. The Township of Hay.

SCHEDULE 71

1. The Township of Stephen.

SCHEDULE 72

1. The Village of Blyth.
2. That part of the Township of East Wawanosh lying within a line described as follows:

Commencing at the most southerly angle of the township; thence westerly along the southerly boundary of the township to the westerly boundary of the township; thence northerly along that boundary to the production westerly of the northerly boundary of Concession 6; thence easterly along the production and the northerly boundary and its production easterly to the easterly boundary of the township; thence southerly along the easterly boundary to the place of commencement.

3. That part of the Township of Morris lying within a line described as follows:

Commencing at the most westerly angle of the township; thence northerly along the westerly boundary to the production westerly of the northerly boundary of Concession 5; thence easterly along the production and the northerly boundary to the easterly limit of lot 10; thence southerly along that limit and its production to the northerly boundary of Concession 7; thence easterly along the northerly boundary to the easterly limit of lot 15; thence southerly along that limit across concessions 7, 8, 9 and 10 and its production southerly to the southerly boundary of the township; thence westerly along that boundary to the place of commencement; excepting therefrom the Village of Blyth.

4. That part of the Township of Hullett lying within a line described as follows:

Commencing at the most easterly angle of the township; thence southerly along the easterly boundary

of the township to the production easterly of the line between concessions 7 and 8; thence westerly along the production and the line between concessions 7 and 8 and its production westerly to the westerly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 73

1. The City of Chatham.
2. The Township of Raleigh, except that part of the township described in item 5 of Schedule 79.
3. That part of the Township of Dover lying within a line described as follows:

Commencing at the intersection of the north-easterly boundary of the township with the production north-easterly of the north-westerly boundary of Concession 12, Dover Centre; thence south-westerly along the production and the north-westerly boundary of Concession 12, Dover Centre, and its production south-westerly to the north-easterly limit of lot 19 in Concession 12, Dover East; thence north-westerly along that limit to the north-westerly boundary of Concession 12, Dover East; thence south-westerly along the last-mentioned boundary to the shore of Lake St. Clair; thence southerly along the shore of Lake St. Clair to the southerly boundary of the township; thence easterly along the southerly boundary of the township to the south-westerly boundary of the City of Chatham; thence north-westerly and north-easterly along the boundary between the city and the Township of Dover to and extending along the north-easterly boundary of the Township of Dover to the place of commencement.

4. That part of the Township of Tilbury East lying within a line described as follows:

Commencing at the intersection of the north-easterly boundary of the township with the production north-easterly of the north-westerly boundary of Concession 4; thence south-westerly along the production and the north-westerly boundary of Concession 4 and its production south-westerly to the westerly boundary of the township; thence northerly along the westerly boundary of the township to the northerly boundary of the township; thence easterly along that boundary to the easterly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement.

5. That part of the Township of Chatham lying within a line described as follows:

Commencing at the most easterly angle of the township; thence north-westerly along the north-easterly boundary of the township to the production north-easterly of the north-westerly boundary of Concession 5; thence south-westerly along the production and the north-westerly boundary of Concession 5 to the north-easterly limit of lot 12; thence north-westerly along that limit across concessions 6 to 12, both inclusive, to the north-westerly boundary of Concession

12; thence south-westerly along that boundary and its production south-westerly to the south-westerly boundary of the township; thence south-easterly along the last-mentioned boundary to the north-westerly boundary of the City of Chatham; thence north-easterly, south-easterly and north-easterly along the boundary between the city and the Township of Chatham to and extending along the south-easterly boundary of the township to the place of commencement.

SCHEDULE 74

1. The Town of Ridgetown.
2. The Village of Highgate.
3. The Township of Howard, except those parts of the township described in item 2 of schedule 75 and item 5 of schedule 78.
4. The Township of Orford, except that part of the township described in item 6 of schedule 78.

SCHEDULE 75

1. The Town of Dresden.
2. That part of the Township of Howard lying within a line described as follows:

Commencing at the most westerly angle of the township; thence easterly along the boundary between the townships of Camden and Howard to the south-westerly limit of lot 7 in Concession A; thence south-easterly along the south-westerly limit of lot 7 across concessions A, 1 and 2 and the Block Concession to the south-easterly boundary of the Block Concession; thence south-westerly along the last-mentioned boundary to the south-westerly limit of lot 3 in the Block Concession; thence north-westerly along the south-westerly limit of lot 3 to the south-easterly limit of lot 24 in the Range East of the Town Line; thence south-westerly along the south-easterly limit of lot 24 and its production south-westerly to the south-westerly boundary of the township; thence north-westerly along that boundary to the place of commencement.

3. That part of the Township of Camden lying within a line described as follows:

Commencing at the most southerly angle of the township; thence easterly along the boundary between the Township of Howard and the Township of Camden to the south-westerly limit of lot 7 in Concession A; thence north-westerly along the south-westerly limit of lot 7 across concessions A, 1, 2, 3 and 4 to the north-easterly limit of lot 7 in Concession 4; thence northerly along the production southerly of the easterly boundary of Concession 10 in the Gore of Camden to the southerly limit of lot 1 in Concession 10; thence continuing northerly along the easterly boundary of Concession 10 in the Gore of Camden and its production northerly to the northerly boundary of the Gore of Camden; thence westerly along that boundary to the westerly boundary of the Gore of Camden; thence southerly along that boundary to the southerly boundary of the

Gore of Camden; thence easterly along that boundary to the south-westerly boundary of the Township of Camden; thence south-easterly along the last-mentioned boundary to the place of commencement; excepting therefrom the Town of Dresden.

4. That part of the Township of Chatham lying within a line described as follows:

Commencing at the intersection of the production north-easterly of the north-westerly boundary of Concession 5 with the north-easterly boundary of the township; thence south-westerly along the production and the north-westerly boundary of Concession 5 to the north-easterly limit of lot 12; thence north-westerly along that limit across concessions 6 to 14, both inclusive, and its production to the southerly boundary of the Gore of Chatham; thence easterly along the southerly boundary of the Gore of Chatham and the southerly boundary of the Gore of Camden to the north-easterly boundary of the Township of Chatham; thence south-easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 76

1. The Town of Blenheim.
2. The villages of
 - (a) Erieau, and
 - (b) Erie Beach.
3. The Township of Harwich.

SCHEDULE 77

1. The Town of Wallaceburg.
2. The Township of Dover, except that part of the township described in item 3 of schedule 73.
3. The Township of Chatham, except those parts of the township described in item 5 of schedule 73 and item 4 of schedule 75.

SCHEDULE 78

1. The Town of Bothwell.
2. The Village of Thamesville.
3. The Township of Zone.
4. That part of the Township of Camden lying within a line described as follows:

Commencing at the most easterly angle of the township; thence westerly along the boundary between the Township of Camden and the Township of Howard to the south-westerly limit of lot 7 in Concession A; thence north-westerly along the south-westerly limit of lot 7 across concessions A, 1, 2, 3 and 4 to the northerly limit of lot 7 in Concession 4; thence

northerly along the production southerly of the easterly boundary of Concession 10 in the Gore of Camden to the southerly limit of lot 1 in Concession 10; thence continuing northerly along the easterly boundary of Concession 10 in the Gore of Camden and its production northerly to the northerly boundary of the Gore of Camden; thence easterly along that boundary to the boundary between the Gore of Camden and the Township of Zone; thence southerly along the last-mentioned boundary to the southerly boundary of the Township of Zone; thence easterly along the southerly boundary of the Township of Zone to the easterly boundary of the Township of Camden; thence southerly along the last-mentioned boundary to the place of commencement; excepting therefrom the Village of Thamesville.

5. That part of the Township of Howard lying within a line described as follows:

Commencing at the most northerly angle of the township; thence westerly along the boundary between the townships of Howard and Camden to the south-westerly limit of lot 7 in Concession A; thence south-easterly along the south-westerly limit of lot 7 across concessions A, 1, 2 and the Block Concession to the south-easterly boundary of the Block Concession; thence north-easterly along the last-mentioned boundary and its production north-easterly to the north-easterly boundary of the township; thence north-westerly along that boundary to the place of commencement.

6. That part of the Township of Orford lying within a line described as follows:

Commencing at the most northerly angle of the township; thence south-westerly along the boundary between the townships of Orford and Zone to the boundary between the townships of Orford and Howard; thence south-easterly along that boundary to the production south-westerly of the south-easterly boundary of Concession 11; thence north-easterly along the last-mentioned boundary and its production north-easterly to the north-easterly boundary of the Township of Orford; thence north-westerly along that boundary to the place of commencement.

SCHEDULE 79

1. The Town of Tilbury.
2. The Village of Wheatly.
3. The Township of Romney.
4. The Township of Tilbury East, except that part of the township described in item 4 of schedule 73.
5. That part of the Township of Raleigh lying within a line described as follows:

Commencing at the most northerly angle of lot 12 in Concession 7 in the Township of Raleigh; thence south-westerly along the north-westerly boundary of Concession 7 and its production south-westerly to the south-westerly boundary of the township; thence south-easterly along the south-westerly boundary of

the township to the shore of Lake Erie; thence north-easterly along the shore to the north-easterly limit of lot 147 in the Talbot Road Range; thence north-westerly along that limit to the southerly boundary of the Talbot Road; thence westerly along the last-mentioned boundary to its intersection with the production south-easterly of the north-easterly limit of lot 12 in Concession 15; thence north-westerly along the production and the north-easterly limit of lot 12 across concessions 15 to 7, both inclusive, to the place of commencement.

SCHEDULE 80

1. The City of Sarnia.
2. The villages of
 - (a) Courtright, and
 - (b) Point Edward.
3. The townships of
 - (a) Moore, and
 - (b) Sarnia.

SCHEDULE 81

1. The Village of Watford.
2. The Township of Warwick.

SCHEDULE 82

1. The townships of
 - (a) Dawn, and
 - (b) Euphemia.

SCHEDULE 83

1. The Town of Forest.
2. The Village of Wyoming.
3. The Township of Plympton.

SCHEDULE 84

1. The villages of
 - (a) Arkona, and
 - (b) Thedford.
2. The Township of Bosanquet.

SCHEDULE 85

1. The Town of Petrolia.

2. The Village of Oil Springs.

3. The townships of

- (a) Enniskillen, and
- (b) Sombra, including Walpole Island, St. Anne's Island and the other islands at the mouth of the St. Clair River.

SCHEDULE 86

1. The Village of Alvinston.
2. The Township of Brooke.

SCHEDULE 87

1. The Town of Perth.
2. The townships of
 - (a) Bathurst,
 - (b) Drummond,
 - (c) North Burgess, and
 - (d) South Sherbrooke.

3. The Township of North Elmsley, except that part of the township described in item 3 of schedule 90.

SCHEDULE 88

1. The Village of Lanark.
2. The townships of
 - (a) Dalhousie and North Sherbrooke,
 - (b) Darling,
 - (c) Lanark, and
 - (d) Lavant.

SCHEDULE 89

1. The Town of Carleton Place.
2. The Township of Beckwith.
3. That part of the Township of Ramsay lying within a line described as follows:

Commencing at the most southerly angle of the township; thence north-westerly along the south-westerly boundary of the township to the production south-westerly of the north-westerly limit of lot 6 in Concession 1; thence north-easterly along the production and the north-westerly limit of lot 6 across concessions 1 to 7, both inclusive, to the north-easterly boundary of Concession 7; thence south-easterly along the last-mentioned boundary to the south-easterly

boundary of the township; thence south-westerly along that boundary to the north-easterly boundary of the Town of Carleton Place; thence north-westerly, south-westerly, north-westerly, south-westerly and south-easterly along the boundary between the town and the Township of Ramsay to the south-easterly boundary of the township; thence south-westerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 90

1. The separated Town of Smith's Falls.
2. The Township of Montague.
3. That part of the Township of North Elmsley lying within a line described as follows:

Commencing at the most northerly angle of the township; thence south-easterly along the north-easterly boundary of the township to the north-westerly boundary of the separated Town of Smith's Falls; thence south-westerly and southerly along the boundary between the town and the Township of North Elmsley to the shore of the Rideau River; thence south-westerly along the shore of the Rideau River and Rideau Lake to the south-westerly limit of lot 12 in Concession 5; thence north-westerly along the last-mentioned limit across concessions 5 to 10, both inclusive, and its production north-westerly to the north-westerly boundary of the township; thence north-easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 91

1. The Town of Almonte.
2. The Township of Pakenham.
3. That part of the Township of Ramsay lying within a line described as follows:

Commencing at the most westerly angle of the township; thence south-easterly along the south-westerly boundary of the township to the production south-westerly of the north-westerly limit of lot 6 in Concession 1; thence north-easterly along the production and the north-westerly limit of lot 6 across concessions 1 to 7, both inclusive, to the north-easterly boundary of Concession 7; thence south-easterly along the last-mentioned boundary to the south-easterly boundary of the township; thence north-easterly along the last-mentioned boundary to the north-easterly boundary of the township; thence north-westerly along that boundary to the north-westerly boundary of the township; thence south-westerly along the last mentioned boundary to the place of commencement; excepting therefrom the Town of Almonte.

SCHEDULE 92

1. The separated Town of Brockville.
2. The Township of Elizabethtown, except that part of the township described in item 3 of schedule 99.

SCHEDULE 93

1. The separated Town of Prescott.
2. The Village of Cardinal.
3. The townships of
 - (a) Augusta, and
 - (b) Edwardsburgh.

SCHEDULE 94

1. The separated Town of Gananoque.
2. The Township of Front of Leeds and Lansdowne.

SCHEDULE 95

1. The Village of Kemptville.
2. The townships of
 - (a) Oxford (on Rideau), and
 - (b) South Gower.

SCHEDULE 96

1. The Village of Merrickville.
2. The Township of Wolford.

SCHEDULE 97

1. The villages of
 - (a) Newboro', and
 - (b) Westport.
2. The townships of
 - (a) Bastard and South Burgess,
 - (b) North Crosby,
 - (c) Rear of Leeds and Lansdowne, and
 - (d) South Crosby.

SCHEDULE 98

1. The townships of
 - (a) South Elmsley, and
 - (b) Kitley.

SCHEDULE 99

1. The Village of Athens.

2. The Township of Rear of Yonge and Escott.

3. That part of the Township of Elizabethtown lying within a line described as follows:

Commencing at the most northerly angle of the township; thence south-easterly along the north-easterly boundary of the township to the production north-easterly of the north-westerly boundary of Concession 7; thence south-westerly along the production and the north-westerly boundary of Concession 7 and its production south-westerly to the south-westerly boundary of the township; thence north-westerly along the last-mentioned boundary to the north-westerly boundary of the township; thence north-easterly along that boundary to the place of commencement.

SCHEDULE 100

1. The townships of
 - (a) Front of Yonge, and
 - (b) Front of Escott.

SCHEDULE 101

1. The Town of Napanee.
2. The Village of Bath.
3. The townships of
 - (a) Adolphustown,
 - (b) Amherst Island,
 - (c) Ernestown,
 - (d) North Fredericksburgh,
 - (e) Richmond, and
 - (f) South Fredericksburgh.

SCHEDULE 102

1. The Village of Newburgh.
2. The townships of
 - (a) Camden, and
 - (b) Sheffield.

SCHEDULE 103

1. The Township of Kaladar, Anglesea and Effingham.

SCHEDULE 104

1. The Township of Denbigh, Abinger and Ashby.

SCHEDULE 105

1. The City of St. Catharines.
2. The towns of
 - (a) Merritton,
 - (b) Niagara, and
 - (c) Port Dalhousie.
3. The townships of
 - (a) Grantham,
 - (b) Louth, and
 - (c) Niagara.

SCHEDULE 106

1. The Town of Grimsby.
2. The Village of Beamsville.
3. The townships of
 - (a) Caistor,
 - (b) Clinton,
 - (c) Gainsborough,
 - (d) North Grimsby, and
 - (e) South Grimsby.

SCHEDULE 107

1. The City of London.
2. The Township of London.
3. That part of the Township of Westminster lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence southerly along the easterly boundary of the township to the production easterly of the southerly boundary of Concession 1; thence westerly along the production and the southerly boundary of Concession 1 across lots 1 to 42, both inclusive, to the westerly limit of lot 42; thence northerly along that limit across concessions 1 and B and its production northerly to the northerly boundary of the township; thence easterly along the northerly boundary of the township to the westerly boundary of the City of London; thence southerly, easterly, southerly and northerly along the boundary of the city and the Township of Westminster to the northerly boundary of the Township of Westminster; thence easterly along the last-mentioned boundary to the place of commencement.

4. That part of the Township of Lobo lying within a line described as follows:

Commencing at the most southerly angle of lot 13 in Concession 7 of the Township of Lobo; thence north-easterly along the south-easterly boundary of Concession 7 and its production north-easterly to the easterly boundary of the township; thence northerly along the easterly boundary of the township to the production north-easterly of the south-easterly boundary of Concession 12; thence south-westerly along the production and the south-easterly boundary of Concession 12 to the south-westerly limit of lot 13; thence south-easterly along that limit across concessions 12 to 7, both inclusive, to the place of commencement.

5. That part of the Township of West Nissouri lying within a line described as follows:

Commencing at the most northerly angle of the township; thence southerly along the easterly boundary of the township to the production easterly of the southerly limit of lot 15 in Concession 7; thence westerly along the production and the southerly limit of lot 15 across concessions 7 to 1, both inclusive, and its production westerly to the westerly boundary of the township; thence northerly along the westerly boundary of the township to the northerly boundary of the township; thence easterly along the northerly boundary of the township to the place of commencement.

SCHEDULE 108

1. The Town of Parkhill.
2. The Village of Ailsa Craig.
3. The townships of
 - (a) East Williams, and
 - (b) West Williams.
4. That part of the Township of Lobo lying within a line described as follows:

Commencing at the most southerly angle of lot 13 in Concession 12; thence north-easterly along the south-easterly boundary of Concession 12 and its production north-easterly to the easterly boundary of the township; thence northerly along the easterly boundary of the township to the north-westerly boundary of the township; thence south-westerly along the last-mentioned boundary to the production north-westerly of the south-westerly limit of lot 13; thence south-easterly along the production and the south-westerly limit of lot 13 across concessions 13 and 12 to the place of commencement.

SCHEDULE 109

1. The Village of Lucan.
2. The townships of

- (a) Biddulph, and
- (b) McGillivray.

SCHEDULE 110

1. The Township of Delaware.
2. That part of the Township of Caradoc lying within a line described as follows:

Commencing at the most southerly angle of the township; thence north-westerly along the south-westerly boundary of the township to the production south-westerly of the north-westerly boundary of Range 5 North of the Longwoods Road; thence north-easterly along the production and the north-westerly boundary of Range 5 North of the Longwoods Road and its production north-easterly to the north-easterly boundary of the township; thence south-easterly along that boundary to the boundary between the townships of Caradoc and Delaware; thence in a general southerly direction along the boundary between the townships of Caradoc and Delaware to the boundary between the townships of Caradoc and Southwold; thence in a general westerly direction along the last-mentioned boundary to the place of commencement.

3. That part of the Township of Lobo lying within a line described as follows:

Commencing at the most southerly angle of the township; thence north-westerly along the south-westerly boundary of the township to the production south-westerly of the south-easterly boundary of Concession 7; thence north-easterly along the production and the south-easterly boundary of Concession 7 and its production north-easterly to the easterly boundary of the township; thence southerly along the easterly boundary of the township to the boundary between the townships of Lobo and Delaware; thence in a general south-westerly direction along the last-mentioned boundary to the place of commencement.

4. That part of the Township of Westminster lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence westerly along the southerly boundary of the township to the production southerly of the easterly limit of lot 21 in Concession 9; thence northerly along the production and the easterly limit of lot 21 across concessions 9 to 3, both inclusive, and its production northerly to the southerly boundary of Concession 2; thence easterly along that boundary to the easterly limit of lot 31; thence northerly along that limit across Concession 2 and the production northerly of the easterly limit of lot 31 to the southerly boundary of Concession 1; thence westerly along the southerly boundary of Concession 1 to the westerly limit of lot 42; thence northerly along that limit across concessions 1 and B and its production northerly to the boundary between the townships of Westminster and London; thence in a general westerly direction along the last-mentioned boundary to the westerly boundary of the township; thence southerly along that boundary to the place of commencement.

SCHEDULE 111

1. The villages of
 - (a) Glencoe,
 - (b) Newbury, and
 - (c) Wardsville.
2. The townships of
 - (a) Ekfrid, and
 - (b) Mosa.

SCHEDULE 112

1. The Town of Strathroy.
2. The townships of
 - (a) Adelaide, and
 - (b) Metcalfe.
3. That part of the Township of Caradoc lying within a line described as follows:

Commencing at the most northerly angle of the township; thence south-westerly along the north-westerly boundary of the township to the north-easterly boundary of the Town of Strathroy; thence south-easterly, south-westerly and north-westerly along the boundary between the town and the Township of Caradoc to and extending south-westerly along the north-westerly boundary of the township to the south-westerly boundary of the township; thence south-easterly along that boundary to the production south-westerly of the north-westerly boundary of Range 5 North of the Longwoods Road; thence north-easterly along the production and the north-westerly boundary of Range 5 North of the Longwoods Road and its production north-easterly to the north-easterly boundary of the township; thence north-westerly along the last-mentioned boundary to the place of commencement.

4. That part of the Township of Lobo lying within a line described as follows:

Commencing at the most westerly angle of the township; thence south-easterly along the south-westerly boundary of the township to the production south-westerly of the south-easterly boundary of Concession 7; thence north-easterly along the production and the south-easterly boundary of Concession 7 to the south-westerly limit of lot 13; thence north-westerly along the south-westerly limit of lot 13 across concessions 7 to 13, both inclusive, and its production north-westerly to the north-westerly boundary of the township; thence south-westerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 113

1. The Township of North Dorchester.

2. That part of the Township of West Nissouri lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence easterly along the southerly boundary of the township to the westerly boundary of the township; thence northerly along the easterly boundary of the township to the production easterly of the southerly limit of lot 15 in Concession 7; thence westerly along the production and the southerly limit of lot 15 across concession 7 to 1, both inclusive, and its production westerly to the westerly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement.

3. That part of the Township of Westminster lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the southerly boundary of the township to the production southerly of the easterly limit of lot 21 in Concession 9; thence northerly along the production and the easterly limit of lot 21 across concessions 9 to 3, both inclusive, and its production northerly to the southerly boundary of Concession 2; thence easterly along that boundary to the easterly limit of lot 31; thence northerly along that limit across Concession 2 and the production northerly of the easterly limit of lot 31 to the southerly boundary of Concession 1; thence easterly along the southerly boundary of Concession 1 and its production easterly to the easterly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 114

1. The Town of Simcoe.
2. The townships of
 - (a) Charlotteville, and
 - (b) Windham.
3. That part of the Township of Woodhouse lying within a line described as follows:

Commencing where the westerly boundary of the township meets the shore of Long Point Bay of Lake Erie; thence northerly along the westerly boundary of the township to the northerly boundary of the township; thence easterly along that boundary to the westerly boundary of the Town of Simcoe; thence southerly, easterly and northerly along the boundary between the town and the Township of Woodhouse to the northerly boundary of the Township of Woodhouse; thence easterly along the last-mentioned boundary to the production northerly of the easterly limit of lot 12; thence southerly along the production and the easterly limit of lot 12 across concessions 6, 5 and 4 to the southerly boundary of Concession 4; thence westerly along the southerly boundary of Concession 4 to the easterly limit of lot 6; thence southerly along that limit across concessions 3, 2, 1 and 1 Broken Front to the shore of Long Point Bay of Lake Erie; thence south-westerly along the shore to the place of commencement.

SCHEDULE 115

1. The Village of Waterford.
2. The Township of Townsend.

SCHEDULE 116

1. The Village of Delhi.
2. The Township of Middleton.

SCHEDULE 117

1. The Village of Port Rowan.
2. The townships of
 - (a) North Walsingham, and
 - (b) South Walsingham.

SCHEDULE 118

1. The Township of Houghton.

SCHEDULE 119

1. The Village of Port Dover.
2. The Township of Woodhouse, except that part of the township described in item 3 of schedule 114.

SCHEDULE 120

1. The Town of Bowmanville.
2. The townships of
 - (a) Cartwright, and
 - (b) Darlington.

SCHEDULE 121

1. The Village of Newcastle.
2. The Township of Clarke.

SCHEDULE 122

1. The Town of Port Hope.
2. The Village of Millbrook.
3. The townships of
 - (a) Caven,
 - (b) Hope,
 - (c) Manvers, and
 - (d) South Monaghan.

SCHEDULE 123

1. The Town of Cobourg.
2. The Village of Colborne.
3. The townships of
 - (a) Cramahe,
 - (b) Haldimand, and
 - (c) Hamilton.

SCHEDULE 124

1. The Village of Brighton.
2. The Township of Brighton.

SCHEDULE 125

1. The Village of Hastings.
2. The townships of
 - (a) Alnwick, and
 - (b) Percy.

SCHEDULE 126

1. The Township of Murray.

SCHEDULE 127

1. The Town of Campbellford.
2. The Township of Seymour.

SCHEDULE 128

1. The Town of Whitby.
2. The Township of Whitby.

SCHEDULE 129

1. The Township of Pickering.

SCHEDULE 130

1. The Village of Port Perry.
2. The townships of
 - (a) Reach, and
 - (b) Scugog.

SCHEDULE 131

1. The Town of Uxbridge.
2. The townships of
 - (a) Scott, and
 - (b) Uxbridge.

SCHEDULE 132

1. The villages of
 - (a) Beaverton, and
 - (b) Cannington.
2. The townships of
 - (a) Brook,
 - (b) Mara,
 - (c) Rama, and
 - (d) Thorah (including Canise or Thorah Island).

SCHEDULE 133

1. The City of Oshawa.
2. The Township of East Whitby.

SCHEDULE 134

1. The City of Woodstock.
2. The Township of East Oxford.
3. That part of the Township of Blandford lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence northerly along the easterly boundary of the township to the production easterly of the northerly boundary of Concession 10; thence westerly along that boundary to the boundary between the townships of Blandford and East Zorra; thence in a general southerly and south-westerly direction along that boundary to the northerly boundary of the City of Woodstock; thence easterly and southerly along the boundary between the city and the Township of Blandford to and extending easterly along the southerly boundary of the Township of Blandford to the place of commencement.

4. That part of the Township of East Zorra lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the westerly boundary of the township to the production westerly of the northerly limit of lot 25 in Concession 9; thence easterly along the production and the northerly limit of lot 25 across concessions 9 to 17, both inclusive, and its

production easterly to the boundary between the townships of East Zorra and Blandford; thence southerly and south-westerly along that boundary to the northerly boundary of the City of Woodstock; thence south-westerly along the boundary between the City and the Township of East Zorra to and extending westerly along the southerly boundary of the Township of East Zorra to the place of commencement.

5. That part of the Township of West Oxford lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence northerly along the boundary between the townships of West Oxford and East Oxford to the southerly boundary of the City of Woodstock; thence westerly, south-westerly and north-westerly along the boundary between the city and the Township of West Oxford to and extending westerly along the boundary between the townships of West Oxford and West Zorra to the production northerly of the westerly limit of lot 6 in the Broken Front Concession of the Township of West Oxford; thence southerly along the production and the westerly limit of lot 6 across the Broken Front Concession and concessions 1 to 6, both inclusive, and its production southerly to the southerly boundary of the township; thence easterly along the last-mentioned boundary to the place of commencement.

6. That part of the Township of North Oxford lying within a line described as follows:

Commencing at the most easterly angle of the township; thence westerly along the northerly boundary of the township to the production northerly of the easterly limit of lot 16 in Concession 1; thence southerly along the production and the easterly limit of lot 16 across concessions 1, 2 and 3 and its production southerly to the southerly boundary of the township; thence in a general north-easterly direction along the southerly boundary of the township to and extending north-easterly along the boundary between the township and the City of Woodstock to the place of commencement.

SCHEDULE 135

1. The Township of Blenheim.

SCHEDULE 136

1. The Village of Embro.
2. The townships of
 - (a) East Nissouri, and
 - (b) West Zorra.

SCHEDULE 137

1. The Village of Norwich.
2. The townships of
 - (a) North Norwich, and
 - (b) South Norwich.

SCHEDULE 138

1. The separated Town of Ingersoll.
2. That part of the Township of North Oxford lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence westerly along the northerly boundary of the township to the production northerly of the easterly limit of lot 16 in Concession 1; thence southerly along the production and the easterly limit of lot 16 across concessions 1, 2 and 3 and its production southerly to the southerly boundary of the township; thence in a general south-westerly direction along the southerly boundary of the township to the easterly boundary of the separated Town of Ingersoll; thence northerly, westerly and southerly along the boundary between the town and the Township of North Oxford to and extending westerly along the southerly boundary of the township to the westerly boundary of the township; thence northerly along the last-mentioned boundary to the place of commencement.

3. That part of the Township of West Oxford lying within a line described as follows:

Commencing at the most westerly angle of the township; thence southerly along the westerly boundary of the township to the southerly boundary of the township; thence easterly along the southerly boundary of the township to the production southerly of the westerly limit of lot 6 in Concession 6; thence northerly along the production and the westerly limit of lot 6 across concessions 6 to 1, both inclusive, and the Broken Front Concession and its production northerly to the boundary between the townships of West Oxford and North Oxford; thence in a general south-westerly direction along that boundary to the easterly boundary of the separated Town of Ingersoll; thence southerly, westerly and northerly along the boundary between the town and the Township of West Oxford to and extending south-westerly along the boundary between the townships of West Oxford and North Oxford to the place of commencement.

4. That part of the Township of Dereham lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the westerly boundary of the township to the production westerly of the southerly boundary of Concession 1; thence easterly along the production and the southerly boundary of Concession 1 across lots 28 to 15, both inclusive, to the easterly limit of lot 15; thence northerly along the last-mentioned limit and its production northerly to the northerly boundary of the township; thence westerly along that boundary to the place of commencement.

SCHEDULE 139

1. The Town of Tillsonburg.
2. That part of the Township of Dereham lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence southerly along the easterly boundary of the township to the southerly boundary of the township; thence westerly along that boundary to the easterly boundary of the Town of Tillsonburg; thence northerly, westerly, northerly, westerly, southerly, easterly and southerly along the boundary between the town and the Township of Dereham to and extending westerly along the southerly boundary of the township to the westerly boundary of the township; thence northerly along the last-mentioned boundary to the production westerly of the southerly boundary of Concession 1; thence easterly along the production and the southerly boundary of Concession 1 across lots 28 to 15, both inclusive, to the easterly limit of lot 15; thence northerly along the last-mentioned limit and its production northerly to the northerly boundary of the township; thence easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 140

1. The Village of Tavistock.
2. That part of the Township of East Zorra lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the westerly boundary of the township to the production westerly of the northerly limit of lot 25 in Concession 9; thence easterly along the production and the northerly limit of lot 25 across concessions 9 to 17, both inclusive, and its production easterly to the easterly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence westerly along that boundary to the easterly boundary of the Village of Tavistock; thence southerly, westerly and northerly along the boundary between the village and the Township of East Zorra to and extending westerly along the northerly boundary of the township to the place of commencement.

3. That part of the Township of Blandford lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence southerly along the easterly boundary of the township to the production easterly of the northerly boundary of Concession 10; thence westerly along that boundary to the boundary between the townships of Blandford and East Zorra; thence northerly along the last-mentioned boundary to the northerly boundary of the Township of Blandford; thence easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 141

1. The Town of Brampton.
2. The Village of Bolton.
3. The Township of Chinguacousy.
4. That part of the Township of Toronto Gore lying within a line described as follows:

Commencing at the most northerly angle of the township; thence southerly along the easterly boundary of the township to the production north-easterly of the north-westerly limit of lot 15 of the southern division of the township; thence south-westerly along the production and the north-westerly limit of lot 15 across concessions 9, 8 and 7 and its production south-westerly to the south-westerly boundary of the township; thence north-easterly along that boundary to the north-westerly boundary of the township; thence north-easterly along the last-mentioned boundary to the place of commencement.

5. That part of the Township of Albion lying within a line described as follows:

Commencing at the most southerly angle of the township; thence north-westerly along the south-westerly boundary of the township to the production south-westerly of the north-westerly limit of lot 15 in Concession 1; thence north-easterly along the production and the north-easterly limit of lot 15 across concessions 1 to 9, both inclusive, and its production north-easterly to the easterly boundary of the township; thence southerly along the easterly boundary of the township to the south-easterly boundary of the township; thence south-westerly along the last-mentioned boundary to the place of commencement; excepting therefrom the Village of Bolton.

SCHEDULE 142

1. The villages of

- (a) Port Credit, and
- (b) Streetsville.

2. The Township of Toronto.

3. That part of the Township of Toronto Gore lying within a line described as follows:

Commencing at the most southerly angle of the township; thence northerly along the easterly boundary of the township to the production north-easterly of the north-westerly limit of lot 15 of the southern division of the township; thence south-westerly along the production and the north-westerly limit of lot 15 across concessions 9, 8 and 7 and its production south-westerly to the south-westerly boundary of the township; thence south-easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 143

1. The Township of Caledon.

2. That part of the Township of Albion lying within a line described as follows:

Commencing at the most westerly angle of the township; thence south-easterly along the south-westerly boundary of the township to the production south-westerly of the north-westerly limit of lot 15 in Concession 1; thence north-easterly along the production and the north-easterly limit of lot 15 across

concessions 1 to 9, both inclusive, and its production north-easterly to the easterly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence westerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 144

1. The City of Stratford.

2. The townships of

- (a) Downie (including the Gore of Downie),
- (b) North Easthope, and
- (c) South Easthope.

3. That part of the Township of Ellice lying within a line described as follows:

Commencing at the most westerly angle of the township; thence north-easterly along the north-westerly boundary of the township to the production north-westerly of the north-easterly boundary of Concession 13; thence south-easterly along the production and the north-easterly boundary of Concession 13 and its production south-easterly to the south-easterly boundary of the township; thence south-westerly along that boundary to the north-easterly boundary of the City of Stratford; thence north-westerly and south-westerly along the boundary between the city and the Township of Ellice to and extending north-westerly along the south-westerly boundary of the township to the place of commencement.

SCHEDULE 145

1. The Town of Mitchell.

2. The townships of

- (a) Hibbert, and
- (b) Logan.

SCHEDULE 146

1. The separated Town of St. Mary's.

2. The townships of

- (a) Blanshard, and
- (b) Fullarton.

SCHEDULE 147

1. The Village of Milverton.

2. The Township of Mornington.

3. That part of the Township of Elma lying within a line described as follows:

Commencing at the most easterly angle of the township; thence south-westerly along the south-easterly boundary of the township to the south-westerly boundary of the township; thence north-westerly along that boundary to the production south-westerly of the south-easterly limit of lot 26; thence north-easterly along the production and the south-easterly limit of lot 26 across concessions 18 to 2, both inclusive, and its production north-easterly to the south-westerly boundary of Concession 1; thence south-easterly along the last-mentioned boundary to the south-easterly limit of lot 52; thence north-easterly along that limit and its production north-easterly to the north-easterly boundary of the township; thence south-easterly along the last-mentioned boundary to the place of commencement.

4. That part of the Township of Ellice lying within a line described as follows:

Commencing at the most northerly angle of the township; thence south-westerly along the north-westerly boundary of the township to the production north-westerly of the north-easterly boundary of Concession 13; thence south-easterly along the production and the north-easterly boundary of Concession 13 and its production south-easterly to the south-easterly boundary of the township; thence north-easterly along that boundary to the north-easterly boundary of the township; thence north-westerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 148

1. The Town of Listowel.

2. The Township of Wallace.

3. That part of the Township of Elma lying within a line described as follows:

Commencing at the most westerly angle of the township; thence south-easterly along the south-westerly boundary of the township to the production south-westerly of the south-easterly limit of lot 26; thence north-easterly along the production and the south-easterly limit of lot 26 across concessions 18 to 2, both inclusive, and its production north-easterly to the south-westerly boundary of Concession 1; thence south-easterly along the last-mentioned boundary to the south-easterly limit of lot 52; thence north-easterly along that limit and its production north-easterly to the north-easterly boundary of the township; thence north-westerly along the last-mentioned boundary to the south-easterly boundary of the Town of Listowel; thence south-westerly, north-westerly and north-easterly along the boundary between the town and the Township of Elma to the north-easterly boundary of the township; thence north-westerly along the last-mentioned boundary to the north-westerly boundary of the township; thence south-westerly along that boundary to the place of commencement.

SCHEDULE 149

1. The City of Peterborough.

2. The Village of Lakefield.

3. The townships of

(a) Burleigh and Anstruther,

(b) Chandos,

(c) Douro,

(d) Ennismore,

(e) Harvey,

(f) North Monaghan,

(g) Otonabee, and

(h) Smith.

4. Part of the Township of Galway and Cavendish described as follows:

The geographic Township of Cavendish as it existed on the 7th March, 1910.

SCHEDULE 150

1. The villages of

(a) Havelock, and

(b) Norwood.

2. The townships of

(a) Asphodel,

(b) Belmont and Methuen, and

(c) Dummer.

SCHEDULE 151

1. The Town of Vankleek Hill.

2. The Township of East Hawkesbury.

3. That part of the Township of West Hawkesbury lying within a line described as follows:

Commencing at the most southerly angle of the township; thence northerly along the westerly boundary of the township to the production westerly of the northerly boundary of Concession 3; thence easterly along the production and the northerly boundary of Concession 3 and its production easterly to the easterly boundary of the township; thence southerly along that boundary to the southerly boundary of the township; thence westerly along the last-mentioned boundary to the place of commencement; excepting therefrom the Town of Vankleek Hill.

SCHEDULE 152

1. The Township of North Plantagenet.

2. That part of the Township of South Plantagenet lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence easterly along the northerly boundary of the township to the easterly boundary of the township; thence southerly along that boundary to the northerly bank of the Nation River; thence in a general westerly direction along the northerly bank of the Nation River to the westerly boundary of the township; thence northerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 153

1. The Township of Cumberland.

SCHEDULE 154

1. The Township of Russell.

SCHEDULE 155

1. The Town of Hawkesbury.
2. The Village of L'Original.
3. The Township of Longueuil.
4. That part of the Township of Caledonia lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence southerly along the easterly boundary of the township to the production easterly of the southerly boundary of Concession 1; thence westerly along the production and the southerly boundary of Concession 1 and its production westerly to the westerly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence easterly along the last-mentioned boundary to the place of commencement.

5. The Township of West Hawkesbury, except that part of the township described in item 3 of schedule 151.

SCHEDULE 156

1. That part of the Township of Caledonia lying within a line described as follows:

Commencing at the most southerly angle of the township; thence easterly along the southerly boundary of the township to the easterly boundary of the township; thence northerly along that boundary to the production easterly of the southerly boundary of Concession 1; thence westerly along the production and the southerly boundary of Concession 1 and its production westerly to the westerly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement.

2. That part of the Township of South Plantagenet lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the westerly boundary of the Township to the northerly bank of the Nation River; thence in a general easterly direction along the northerly bank of the Nation River to the boundary between the townships of South Plantagenet and Alfred; thence southerly and easterly along that boundary to the boundary between the townships of South Plantagenet and Caledonia; thence southerly along that boundary to the boundary between the townships of South Plantagenet and Kenyon; thence southerly and westerly along that boundary to the boundary between the townships of South Plantagenet and Roxborough; thence northerly and westerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 157

1. The Township of Alfred.

SCHEDULE 158

1. The Town of Rockland.
2. The Township of Clarence.

SCHEDULE 159

1. The Village of Casselman.
2. The Township of Cambridge.

SCHEDULE 160

1. The Town of Picton.
2. The townships of
 - (a) Athol,
 - (b) North Marysburgh, and
 - (c) South Marysburgh.
3. The Township of Hallowell, except that part of the township described in item 3 of schedule 161.

SCHEDULE 161

1. The villages of
 - (a) Bloomfield, and
 - (b) Wellington.
2. The townships of
 - (a) Ameliasburgh,
 - (b) Hillier, and
 - (c) Sophiasburgh.
3. That part of the Township of Hallowell lying within a line described as follows:

Commencing at the intersection of the northerly boundary of the Village of Wellington with the boundary between the townships of Hallowell and Hillier; thence easterly, southerly, easterly, southerly, easterly and southerly along the boundary between the village and the Township of Hallowell to the northerly limit of the King's Highway Number 33; thence easterly along that limit to the westerly boundary of the Village of Bloomfield; thence northerly, easterly and southerly along the boundary between the village and the Township of Hallowell to the northerly limit of the King's Highway Number 33; thence easterly along that limit to the north-westerly boundary of the Town of Picton; thence north-easterly along the boundary between the Town of Picton and the Township of Hallowell to the north-westerly limit of the King's Highway Number 41; thence in a general north-easterly direction along the last-mentioned limit to the boundary between the townships of Hallowell and Sophiasburgh; thence north-westerly, westerly, northerly, westerly, northerly, westerly and northerly along the last-mentioned boundary to and extending westerly along the boundary between the townships of Hallowell and Hillier to the most westerly angle of the Township of Hallowell; thence southerly along the boundary between the townships of Hallowell and Hillier to the place of commencement.

SCHEDULE 162

1. The Town of Pembroke.
2. The townships of
 - (a) Alice and Fraser,
 - (b) Head, Clara and Maria,
 - (c) Pembroke,
 - (d) Petawawa,
 - (e) Rolph, Buchanan, Wylie and McKay,
 - (f) Stafford, and
 - (g) Westmeath.

SCHEDULE 163

1. The Town of Renfrew.
2. The townships of
 - (a) Admaston,
 - (b) Bagot and Blithfield,
 - (c) Brougham,
 - (d) Griffith and Matawatchan, and
 - (e) Horton.

SCHEDULE 164

1. The Town of Arnprior.

2. The Village of Braeside.
3. The Township of McNab.

SCHEDULE 165

1. The Village of Eganville.
2. The townships of
 - (a) Grattan,
 - (b) North Algona,
 - (c) Sebastopol,
 - (d) South Algona, and
 - (e) Wilberforce.

SCHEDULE 166

1. The Village of Cobden.
2. The townships of
 - (a) Bromley, and
 - (b) Ross.

SCHEDULE 167

1. The villages of
 - (a) Barry's Bay, and
 - (b) Killaloe Station.
2. The townships of
 - (a) Brudenell and Lyndoch,
 - (b) Hagarty and Richards,
 - (c) Radcliffe,
 - (d) Raglan, and
 - (e) Sherwood, Jones and Burns.

SCHEDULE 168

1. The Town of Barrie.
2. The Township of Vespra.
3. That part of the Township of Sinnidale lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the westerly boundary of the township to the production westerly of the northerly boundary of Concession 8; thence easterly

along the production and the northerly boundary of Concession 8 and its production easterly to the easterly boundary of the township; thence southerly along that boundary to the southerly boundary of the township; thence westerly along the last-mentioned boundary to the place of commencement.

4. That part of the Township Innisfil lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the westerly boundary of the township to the production westerly of the northerly boundary of Concession 6; thence easterly along the production and the northerly boundary of Concession 6 to the shore of Lake Simcoe; thence in a general northerly direction following the shore of Lake Simcoe to the easterly boundary of the Town of Barrie; thence southerly, westerly, southerly, south-westerly, northerly, westerly and northerly along the boundary between the town and the Township of Innisfil to the northerly boundary of the township; thence westerly along the last-mentioned boundary to the place of commencement.

5. The Township of Oro, except those parts of the township described in item 3 of schedule 172 and item 2 of schedule 173.

SCHEDULE 169

1. The Village of Bradford.
2. The Township of West Gwillimbury.
3. The Township of Innisfil, except that part of the township described in item 4 of schedule 168.

SCHEDULE 170

1. The villages of
 - (a) Beeton, and
 - (b) Tottenham.
2. The Township of Adjala.
3. That part of the Township of Tecumseth lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the westerly boundary of the township to the production westerly of the southerly boundary of Concession 12; thence easterly along the production and the southerly boundary of Concession 12 and its production easterly to the easterly boundary of the township; thence southerly along that boundary to the southerly boundary of the township; thence westerly along the last-mentioned boundary to the place of commencement; excepting therefrom the villages of Beeton and Tottenham.

SCHEDULE 171

1. The towns of
 - (a) Collingwood, and

(b) Stayner.

2. The villages of

(a) Creemore, and

(b) Wasaga Beach.

3. The Township of Nottawasaga.

4. The Township of Sunnidale, except that part of the township described in item 3 of schedule 168.

SCHEDULE 172

1. The Village of Elmvale.
2. The Township of Flos.
3. That part of the Township of Oro lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence easterly along the northerly boundary of the township to the production northerly of the westerly boundary of Concession 9; thence southerly along the production and the westerly boundary of Concession 9 to the line between lots 13 and 14; thence in a general westerly direction along the line between lots 13 and 14 across concessions 8 to 3, both inclusive, and its production westerly to the easterly boundary of Concession 2; thence southerly along that boundary to the southerly limit of lot 21 in Concession 2; thence westerly along the southerly limit of lot 21 across concessions 2 and 1 and its production westerly to the westerly boundary of the township; thence northerly along the last-mentioned boundary to the place of commencement.

4. That part of the Township of Medonte lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence easterly along the southerly boundary of the township to the production southerly of the easterly boundary of Concession 10; thence northerly along the production and the easterly boundary of Concession 10 across lots 1 to 10, both inclusive, to the northerly boundary of lot 10; thence in a general westerly direction along that boundary across concessions 10 and 9 to the easterly boundary of Concession 8; thence northerly along that boundary across lots 11 to 24, both inclusive, and its production northerly to the easterly boundary of the township; thence westerly along that boundary to the westerly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 173

1. The Town of Orillia.
2. That part of the Township of Oro lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence southerly along the easterly boundary of the township to the shore of Lake Simcoe; thence in a general south-westerly direction along the shore of Lake Simcoe to the westerly boundary of Concession 9; thence northerly along that boundary and its production northerly to the northerly boundary of the township; thence easterly along the last-mentioned boundary to the place of commencement.

3. That part of the Township of Medonte lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the southerly boundary of the township to the production southerly of the easterly boundary of Concession 10; thence northerly along the production and the easterly boundary of Concession 10 to the line between lots 6 and 7; thence in a general easterly direction along that line across concessions 11, 12, 13 and 14 and its production easterly to the easterly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement.

4. The Township of Orillia, except that part of the township described in item 3 of schedule 175.

SCHEDULE 174

1. The Town of Alliston.

2. The townships of

(a) Essa, and

(b) Tosorontio.

3. That part of the Township of Tecumseth lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence westerly along the northerly boundary of the township to the easterly boundary of the Town of Alliston; thence southerly, westerly, southerly and westerly along the boundary between the town and the Township of Tecumseth to the westerly boundary of the township; thence southerly along that boundary to the production westerly of the southerly boundary of Concession 12; thence easterly along the production and the southerly boundary of Concession 12 and its production easterly to the easterly boundary of the township; thence northerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 175

1. The Village of Coldwater.

2. The Township of Matchedash.

3. That part of the Township of Orillia lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the westerly boundary of the township to the production westerly of the

southerly limit of lot 16; thence in a general easterly direction along the production and the southerly limit of lot 16 to the easterly boundary of Concession 7; thence northerly along that boundary and its production northerly to the northerly boundary of the township; thence westerly along that boundary to the place of commencement.

4. That part of the Township of Medonte lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence southerly along the easterly boundary of the township to the production easterly of the line between lots 6 and 7; thence in a general westerly direction along that line across concessions 14, 13, 12 and 11 to the easterly boundary of Concession 10; thence northerly along that boundary across lots 7 to 10, both inclusive, to the northerly limit of lot 10; thence in a general westerly direction along that limit across concessions 10 and 9 to the easterly boundary of Concession 8; thence northerly along that boundary across lots 11 to 24, both inclusive, and its production northerly to the northerly boundary of the township; thence easterly along the last-mentioned boundary to the place of commencement; excepting therefrom the Village of Coldwater.

5. That part of the Township of Tay lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the southerly boundary of the township to the production southerly of the westerly boundary of Concession 9; thence northerly along the production and the westerly boundary of Concession 9 to the shore of Georgian Bay; thence in a general direction, easterly, north-easterly, easterly and south-easterly following along the shore of Georgian Bay to the easterly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 176

1. The towns of

(a) Midland, and

(b) Penetanguishene.

2. The villages of

(a) Port McNicholl, and

(b) Victoria Harbour.

3. The Township of Tiny.

4. The Township of Tay, except that part of the township described in item 5 of schedule 175.

SCHEDULE 177

1. The Town of Alexandria.

2. The Village of Lancaster.

3. The townships of
 - (a) Charlottenburgh,
 - (b) Lancaster, and
 - (c) Lochiel.

SCHEDULE 178

1. The City of Cornwall.
2. The Township of Cornwall.

SCHEDULE 179

1. The Township of Osnabruck.

SCHEDULE 180

1. The Village of Morrisburg.
2. The Township of Williamsburg.

SCHEDULE 181

1. The Village of Iroquois.
2. The Township of Mathilda.

SCHEDULE 182

1. The Township of Mountain.

SCHEDULE 183

1. The Village of Finch.
2. The Township of Finch.

SCHEDULE 184

1. The villages of
 - (a) Chesterville, and
 - (b) Winchester.
2. The Township of Winchester.

SCHEDULE 185

1. The Township of Roxborough.

SCHEDULE 186

1. The Village of Maxville.
2. The Township of Kenyon.

SCHEDULE 187

1. The villages of
 - (a) Bobcaygeon,
 - (b) Fenelon Falls, and
 - (c) Sturgeon Point.
2. The townships of
 - (a) Bexley,
 - (b) Carden,
 - (c) Dalton,
 - (d) Laxton, Digby and Longford,
 - (e) Somerville, and
 - (f) Verulam.

3. Part of the Township of Galway and Cavendish in the County of Peterborough described as follows:

The geographic Township of Galway as it existed on the 7th March, 1910.

4. The Township of Eldon, except that part of the township described in item 4 of schedule 188.

5. The Township of Fenelon, except that part of the township described in item 5 of schedule 188.

SCHEDULE 188

1. The Town of Lindsay.
2. The villages of
 - (a) Omemee, and
 - (b) Woodville.
3. The townships of
 - (a) Emily,
 - (b) Mariposa, and
 - (c) Ops.

4. That part of the Township of Eldon lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the westerly boundary of the township to the production westerly of the northerly limit of lot 21 in Concession 1; thence in a general easterly direction along the production and the northerly limit to and along the line between lots 21 and 22 across concessions 2 to 11, both inclusive, and its production easterly to the easterly boundary of the township; thence southerly along that boundary to the southerly boundary of the township; thence westerly along that boundary to the easterly boundary of the

Village of Woodville; thence northerly, westerly, southerly, westerly and southerly along the boundary between the village and the township of Eldon to the southerly boundary of the township; thence westerly along the last-mentioned boundary to the place of commencement.

5. That part of the Township of Fenelon lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the southerly boundary of the township to the south-easterly shore of Sturgeon Lake; thence north-easterly along the shore of Sturgeon Lake to the easterly boundary of the township; thence southerly along that boundary to the place of commencement.

SCHEDULE 189

1. The cities of
 - (a) Kitchener, and
 - (b) Waterloo.

2. That part of the Township of Waterloo lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence westerly along the northerly boundary of the township to the westerly boundary of the township; thence southerly along that boundary to the production westerly of the southerly limit of lot 46; thence easterly along the production and the southerly limits of lots 46, 47, 48, 50, 51 and 53 and the production easterly of the southerly limit of lot 53 to the easterly bank of the Grand River; thence in a general northerly direction along the easterly bank of the Grand River to the southerly limit of lot 114; thence easterly along the southerly limits of lots 114, 108, 105 and 85 to the easterly limit of lot 85; thence northerly along the easterly limit of lot 85 to the southerly limit of lot 96; thence easterly along the last-mentioned limit and its production easterly to the easterly boundary of the township; thence northerly along the last-mentioned boundary to the place of commencement; excepting therefrom the cities of Waterloo and Kitchener.

SCHEDULE 190

1. The towns of
 - (a) Hespeler, and
 - (b) Preston.
2. That part of the Township of Waterloo lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the southerly boundary of the township to the westerly boundary of the township; thence northerly along that boundary to the production westerly of the southerly limit of lot 46; thence easterly along the production and the southerly

limits of lots 46, 47, 48, 50, 51 and 53 and the production easterly of the southerly limit of lot 53 to the easterly bank of the Grand River; thence in a general northerly direction along the easterly bank of the Grand River to the southerly limit of lot 114; thence easterly along the southerly limits of lots 114, 108, 105 and 85 to the easterly limit of lot 85; thence northerly along the easterly limit of lot 85 to the southerly limit of lot 96; thence easterly along the last-mentioned limit and its production easterly to the easterly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement; excepting therefrom the villages of Hespeler and Preston.

SCHEDULE 191

1. The City of Galt.
2. The Village of Ayr.
3. The Township of North Dumfries.

SCHEDULE 192

1. The Village of New Hamburg.
2. The Township of Wilmot.

SCHEDULE 193

1. The Township of Wellesley.

SCHEDULE 194

1. The Town of Elmira.
2. The Township of Woolwich.

SCHEDULE 195

1. The City of Welland.
2. The Village of Fonthill.
3. That part of the Township of Thorold lying within a line described as follows:

Commencing at the most southerly angle of the township; thence northerly along the westerly boundary of the township to the boundary of the Village of Fonthill; thence easterly and northerly along the boundary between the village and the Township of Thorold and its production northerly to the southerly limit of lot 162; thence easterly along the production and the southerly limits of lots 162, 161, 160, 159, 158, 194, 193, 192, 191, 190, 189, 188, 187, 186, 185, 184, 183, 182, 181, 180, 179 and 178 and the production easterly of the southerly limit of lot 178 to the easterly boundary of the township; thence southerly along that boundary to the south-easterly boundary of the township; thence south-westerly along the boundary between the townships of Crowland and Thorold to the boundary of the City of Welland; thence westerly and southerly along

the boundary between the city and the Township of Thorold to the south-easterly boundary of the township; thence south-westerly along that boundary to the place of commencement.

4. That part of the Township of Pelham lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the westerly boundary of the township to the production westerly of the northerly boundary of Concession 5; thence easterly along the production and the northerly boundary of Concession 5 and its production easterly to the easterly boundary of the township; thence southerly along that boundary to the northerly boundary of the Village of Fonthill; thence westerly, southerly and easterly along the boundary between the village and the township to the boundary between the townships of Pelham and Thorold; thence southerly along that boundary to the southerly boundary of the Township of Pelham; thence in a general westerly direction along the boundary between the townships of Pelham and Wainfleet to the place of commencement.

5. That part of the Township of Humberstone lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the westerly boundary of the township to the production westerly of the northerly boundary of Concession 4; thence easterly along the production and the northerly boundary of Concession 4 across lots 33 to 1, both inclusive, and its production easterly to the easterly boundary of the township; thence northerly along the easterly boundary of the township to the northerly boundary of the township; thence westerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 196

1. The Town of Fort Erie.
2. The Village of Crystal Beach.
3. The Township of Bertie.
4. That part of the Township of Humberstone lying within a line described as follows:

Commencing at the intersection of the easterly boundary of the township with the production easterly of the northerly boundary of Concession 4; thence westerly along the production and the northerly boundary of Concession 4 across lots 1 to 9, both inclusive, to the line between lots 9 and 10, thence southerly along that line to the shore of Lake Erie; thence easterly along the shore of Lake Erie to the easterly boundary of the township; thence northerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 197

1. The City of Niagara Falls.

2. The Village of Chippawa.
3. The Township of Willoughby.

4. The Township of Stamford; excepting that part described in item 2 of schedule 198.

SCHEDULE 198

1. The Town of Thorold.
2. That part of the Township of Stamford lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the boundary between the Township of Stamford and the Town of Thorold to and extending southerly along the boundary between the Township of Stamford and the Township of Thorold to the production westerly of the southerly boundary of lot 136; thence easterly along the southerly boundaries of lots 136, 135, 134 and 133 to the easterly boundary of lot 133; thence northerly along the easterly boundaries of lots 133, 123, 116, 105, 98, 87, 80, 70, 63, 53, 46, 34, 27, 14, 7 and Gore Lot 7 to the northerly boundary of the township; thence westerly along the last-mentioned boundary to the place of commencement.

3. That part of the Township of Thorold lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the westerly boundary of the township to the boundary of the Village of Fonthill; thence easterly along that boundary to and extending along the southerly limits of lots 163, 162, 161, 160, 159, 158, 194, 193, 192, 191, 190, 189, 188, 187, 186, 185, 184, 183, 182, 181, 180, 179 and 178 and the production easterly of the southerly limit of lot 178 to the easterly boundary of the township; thence northerly along the easterly boundary of the township to the northerly boundary of the township; thence westerly along the last-mentioned boundary to the place of commencement; excepting therefrom the Town of Thorold.

4. That part of the Township of Pelham lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the westerly boundary of the township to the production westerly of the northerly boundary of Concession 5; thence easterly along the production and the northerly boundary of Concession 5 across lots 20 to 1, both inclusive, and its production easterly to the easterly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence westerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 199

1. The Town of Port Colborne.
2. The Village of Humberstone.

3. The Township of Wainfleet.

4. The Township of Humberstone, except those parts of the township described in item 5 of schedule 195 and item 4 of schedule 196.

SCHEDULE 200

1. The City of Guelph.

2. The townships of

(a) Eramosa, and

(b) Guelph.

SCHEDULE 201

1. The Township of Puslinch.

SCHEDULE 202

1. The villages of

(a) Elora, and

(b) Fergus.

2. The townships of

(a) Nichol,

(b) Pilkington, and

(c) West Garafraxa.

SCHEDULE 203

1. The Village of Erin.

2. The Township of Erin.

SCHEDULE 204

1. The Village of Drayton.

2. The townships of

(a) Maryborough, and

(b) Peel.

SCHEDULE 205

1. The Village of Arthur.

2. That part of the Township of Arthur lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the westerly boundary of the township to the production westerly of the southerly limit of lot 14; thence easterly along the

production and the southerly limit of lot 14 across concessions 12 to 8, both inclusive, to the south-westerly boundary of the Concession West of the Owen Sound Road; thence south-easterly along that boundary to the line between lots 15 and 16 in that concession; thence north-easterly along that line across Concession West and Concession East of the Owen Sound Road to the north-easterly boundary of Concession East of the Owen Sound Road; thence south-easterly along the last-mentioned boundary to the southerly boundary of lot 15 in Concession 5; thence easterly along the southerly boundary of lot 15 across concession 5 to 1, both inclusive, and its production easterly to the easterly boundary of the township; thence southerly along the easterly boundary of the township to the northerly boundary of the Village of Arthur; thence westerly and south-westerly along the boundary between the village and the Township of Arthur to the southerly boundary of the township; thence westerly along the last-mentioned boundary to the place of commencement.

3. That part of the Township of West Luther lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence northerly along the easterly boundary of the township to the production easterly of the southerly boundary of Concession 8; thence westerly along the production and the southerly boundary of Concession 8 and its production westerly to the westerly boundary of the township; thence southerly along that boundary to the northerly boundary of the Village of Arthur; thence easterly and southerly along the boundary between the village and the Township of West Luther to the southerly boundary of the township; thence easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 206

1. The towns of

(a) Harriston, and

(b) Palmerston.

2. The Village of Clifford.

3. The Township of Minto.

SCHEDULE 207

1. The Town of Mount Forest.

2. That part of the Township of Arthur lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence southerly along the westerly boundary of the township to the production westerly of the southerly limit of lot 14; thence easterly along the production and the southerly limit of lot 14 across concessions 12 to 8, both inclusive, to the south-westerly boundary of the Concession West of the Owen Sound Road; thence south-easterly along that boundary to the line between lots 15 and 16 in that concession; thence north-easterly along that line

across Concession West and Concession East of the Owen Sound Road to the north-easterly boundary of Concession East of the Owen Sound Road; thence south-easterly along the last-mentioned boundary to the southerly boundary of lot 15 in Concession 5; thence easterly along the southerly boundary of lot 15 across concessions 5 to 1, both inclusive, and its production easterly to the easterly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence westerly along that boundary to the easterly boundary of the Town of Mount Forest; thence southerly, westerly, southerly, westerly, northerly, westerly and northerly following along the boundary between the town and the Township of Arthur to the northerly boundary of the township; thence westerly along the last-mentioned boundary to the place of commencement.

3. That part of the Township of West Luther lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence southerly along the easterly boundary of the township to the production easterly of the southerly boundary of Concession 8; thence westerly along the production and the southerly boundary of Concession 8 and its production westerly to the westerly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 208

1. The Village of Stoney Creek.
2. The townships of
 - (a) Binbrook, and
 - (b) Saltfleet.
3. Burlington Beach.
4. That part of the Township of Barton lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the southerly boundary of the township to the production southerly of the westerly limit of lot 14; thence northerly along the production and the westerly limit of lot 14 across concessions 8, 7, 6 and 5 to the southerly boundary of the City of Hamilton; thence in a general easterly, northerly and southerly direction following along the boundary between the city and the township to the easterly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement.

5. All of the City of Hamilton lying east of the allowance for road between original township lots 14 and 15, now called James Street.

SCHEDULE 209

1. The Town of Dundas.

2. The Township of West Flamborough.

3. That part of the Township of Ancaster lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence northerly along the easterly boundary of the township to the southerly boundary of the City of Hamilton; thence westerly, northerly, easterly and northerly along the boundary between the city and the township to the northerly boundary of the township; thence westerly along the northerly boundary of the township to the easterly boundary of the Town of Dundas; thence southerly, westerly and northerly along the boundary between the town and the township to the boundary between the townships of Ancaster and West Flamborough; thence westerly along the last-mentioned boundary to the production northerly of the westerly limit of lot 37; thence southerly along the production and the westerly limit of lot 37 across concessions 1 to 7, both inclusive, and its production southerly to the southerly boundary of the township; thence easterly along the last mentioned boundary to the place of commencement.

SCHEDULE 210

1. The Village of Waterdown.
2. The Township of East Flamborough.

SCHEDULE 211

1. The Township of Beverly.
2. That part of the Township of Ancaster lying within a line described as follows:

Commencing at the most westerly angle of the township; thence easterly along the northerly boundary of the township to the production northerly of the westerly limit of lot 37; thence southerly along the production and the westerly boundary of lot 37 across concessions 1 to 7, both inclusive, and its production southerly to the southerly boundary of the township; thence westerly along that boundary to the westerly boundary of the township; thence northerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 212

1. The Township of Glanford.
2. The Township of Barton except that part of the township described in item 3 of schedule 208.
3. The City of Hamilton except that part of the city described in item 4 of schedule 208.

SCHEDULE 213

1. The City of Toronto.
2. The Town of Leaside.

3. The villages of
 - (a) Forest Hill, and
 - (b) Swansea.
4. The townships of
 - (a) East York, and
 - (b) York.

5. The Township of North York; excepting therefrom that part of the township lying west of the easterly boundary of Concession 5 West of Yonge Street and north of the northerly boundary of the Town of Weston.

6. The County of York not included in schedules 214, 215, 216, 217, 218, 219, 220, 221 and 222.

SCHEDULE 214

1. The villages of
 - (a) Markham, and
 - (b) Stouffville.

2. That part of the Township of Markham lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the southerly boundary of the township to the production southerly of the easterly boundary of Concession 5; thence northerly along the production and the easterly boundary of Concession 5 and its production northerly to the northerly boundary of the township; thence easterly along that boundary to the westerly boundary of the Village of Stouffville; thence southerly, easterly and northerly along the boundary between the village and the township to the northerly boundary of the township; thence easterly along that boundary to the easterly boundary of the township; thence southerly along that boundary to the place of commencement.

3. That part of the Township of Whitchurch lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the southerly boundary of the township to the easterly boundary of the Village of Stouffville; thence northerly, westerly, northerly, westerly, southerly, westerly and southerly along the boundary between the village and the township to the southerly boundary of the township; thence westerly along that boundary to the production southerly of the easterly boundary of Concession 5; thence northerly along the production and the easterly boundary of Concession 5 to the northerly limit of lot 10; thence easterly along that limit across concessions 4 to 1, both inclusive, to the easterly boundary of the township; thence southerly along that boundary to the place of commencement.

SCHEDULE 215

1. The Village of Richmond Hill.
2. That part of the Township of Markham lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence northerly along the westerly boundary of the township to the southerly boundary of the Village of Richmond Hill; thence easterly, northerly, and westerly along the boundary between the village and the township to the westerly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence easterly along that boundary to the production northerly of the easterly boundary of Concession 5; thence southerly along the production and the easterly boundary of Concession 5 and its production southerly to the southerly boundary of the township; thence westerly along that boundary to the place of commencement.

3. That part of the Township of Vaughan lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence northerly along the easterly boundary of the township to the southerly boundary of the Village of Richmond Hill; thence westerly, northerly, westerly, northerly, easterly, northerly and easterly along the boundary between the village and the township to the easterly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence westerly along that boundary to the production northerly of the westerly boundary of Concession 3; thence southerly along the production and the easterly boundary of Concession 3 and its production southerly to the southerly boundary of the township; thence easterly along that boundary to the place of commencement.

4. That part of the Township of Whitchurch lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence easterly along the southerly boundary of the township to the production southerly of the easterly boundary of Concession 5; thence northerly along the production and the easterly boundary of Concession 5 to the northerly limit of lot 10; thence westerly along that limit across concessions 5 to 1, both inclusive, to the westerly boundary of the township; thence southerly along that boundary to the place of commencement.

SCHEDULE 216

1. The Town of Newmarket.
2. The Township of East Gwillimbury.
3. That part of the Township of Whitchurch lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence westerly along the northerly boundary of the township to the easterly boundary of the Town of Newmarket; thence southerly, westerly,

northerly, westerly, northerly, easterly and northerly along the boundary between the town and the township to the northerly boundary of the township; thence westerly along that boundary to the westerly boundary of the township; thence southerly along that boundary to the northerly boundary of the Town of Aurora; thence easterly, southerly and westerly along the boundary between the town and the township to the westerly boundary of the township; thence southerly along that boundary to the production westerly of the northerly limit of lot 10; thence easterly along the production and the northerly limit of lot 10 and its production easterly to the easterly boundary of the township; thence northerly along that boundary to the place of commencement.

SCHEDULE 217

1. The Village of Sutton.
2. The townships of
 - (a) Georgina, and
 - (b) North Gwillimbury.

SCHEDULE 218

1. The Town of Aurora.
2. The Township of King.

SCHEDULE 219

1. The Village of Woodbridge.
2. That part of the Township of Vaughan lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence easterly along the southerly boundary of the township to the production southerly of the westerly boundary of Concession 3; thence northerly along the production and the westerly boundary of Concession 3 and its production northerly to the northerly boundary of the township; thence westerly along that boundary to the westerly boundary of the township; thence southerly along that boundary to the place of commencement.

SCHEDULE 220

1. The Town of Weston.
2. The villages of
 - (a) Forest Hill, and
 - (b) Swansea.
3. The Township of York.
4. That part of the Township of North York lying west of the westerly boundary of Yonge Street.

5. That part of the Township of Etobicoke lying north of the northerly boundary of King's Highway Number 5.

6. That part of the City of Toronto lying west of the westerly boundary of Yonge Street; excepting therefrom the several islands in Lake Ontario commonly known and described collectively as Toronto Island.

SCHEDULE 221

1. The Town of Leaside.
2. The townships of
 - (a) East York, and
 - (b) Scarborough.
3. That part of the Township of North York lying east of the westerly boundary of Yonge Street.
4. That part of the City of Toronto lying east of the westerly boundary of Yonge Street; excepting therefrom the several islands in Lake Ontario commonly known and described collectively as Toronto Island.

SCHEDULE 222

1. The towns of
 - (a) Mimico, and
 - (b) New Toronto
2. The village of Long Branch.
3. That part of the Township of Etobicoke lying south of the southerly boundary of the Malton Road.

SCHEDULE 223

1. That part of the Territorial District of Algoma lying within a line described as follows:

Commencing where the production westerly of the southerly boundary of the geographic Township of Macdonald meets the boundary between the Dominion of Canada and the United States of America; thence easterly along the production and the southerly boundary of the township to the easterly boundary of the township; thence northerly along the easterly boundary of the township to the southerly boundary of the geographic Township of Kehoe; thence easterly along that boundary to the easterly boundary of the Township of Kehoe; thence northerly along that boundary to the northerly boundary of the township; thence westerly along the last-mentioned boundary to the south-easterly angle of the geographic Township of Anderson; thence northerly along the easterly boundary of the geographic townships of Anderson, Hodgins, Gaudette, Tp. 24, ranges 11, 12, 13, 14 and 15, to the boundary between the territorial districts of Algoma and Sudbury; thence northerly, westerly, northerly and

easterly along the boundary between the territorial districts of Algoma and Sudbury to the boundary between the territorial districts of Algoma and Cochrane; thence northerly, westerly, northerly, westerly, northerly and westerly along the last-mentioned boundary to the boundary between the territorial districts of Algoma and Thunder Bay; thence southerly along the last-mentioned boundary to the boundary between the Dominion of Canada and the United States of America; thence south-easterly, easterly and southerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 224

1. That part of the Territorial District of Algoma lying within a line described as follows:

Commencing where the southerly boundary of the geographic Township of Macdonald meets the high-water mark of the easterly shore of Lake George; thence easterly along the southerly boundary of the township to the easterly boundary of the township; thence northerly along the easterly boundary of the township to the southerly boundary of the geographic Township of Kehoe; thence easterly along that boundary to the easterly boundary of the Township of Kehoe; thence northerly along that boundary to the northerly boundary of the township; thence westerly along the last-mentioned boundary to the south-easterly angle of the geographic Township of Anderson; thence northerly along the easterly boundary of the geographic townships of Anderson, Hodgins, Gaudette, Tp. 24, ranges 11, 12, 13, 14 and 15, to the boundary between the territorial districts of Algoma and Sudbury; thence easterly along the last-mentioned boundary to the north-easterly angle of geographic Tp. 7H in the Territorial District of Algoma; thence southerly along the easterly boundary of geographic townships 7H, 6H, 5H, 4H, 3H, 202, 201, to and along the easterly boundary of the geographic townships of Morin, Galbraith, Rose and Lefroy to the northerly boundary of the geographic Township of Thessalon; thence westerly and southerly along the boundary between the geographic townships of Lefroy and Thessalon to the high-water mark of the northerly shore of the North Channel of Lake Huron; thence westerly following along the high-water mark of the northerly shore of the North Channel to and extending northerly along the high-water mark on the northerly shore of St. Joseph Channel to and extending northerly along the high-water mark on the easterly shore of Lake George to the place of commencement.

SCHEDULE 225

1. That part of the Territorial District of Algoma lying within a line described as follows:

Commencing at the north-westerly angle of the geographic Township of Thompson; thence northerly along the westerly boundary of the geographic townships of Thompson, Patton, Montgomery, 175, 176, 1D, 2D, 3D, 4D, 5D, 6D and 7D to the boundary between the territorial districts of Algoma and Sudbury; thence westerly along that boundary to the easterly boundary of geographic Tp. 7H in the District

of Algoma; thence southerly along the easterly boundary of geographic townships 7H, 6H, 5H, 4H, 3H, 202, 201, Morin, Galbraith, Rose and Lefroy to the northerly boundary of the geographic Township of Thessalon; thence westerly and southerly along the boundary between the geographic townships of Lefroy and Thessalon to the northerly shore of the North Channel of Lake Huron; thence easterly along the northerly shore of the North Channel to the place of commencement.

SCHEDULE 226

1. The townships of

- (a) St. Joseph,
- (b) Jocelyn, and
- (c) Hilton.

2. All of the Territorial District of Algoma not included in schedules 223, 224, 225 and 227.

SCHEDULE 227

1. That part of the Territorial District of Algoma lying within a line described as follows:

Commencing at the south-westerly angle of the geographic Township of Thompson; thence northerly along the westerly boundary of the geographic townships of Thompson, Patton, Montgomery, 175, 176, 1D, 2D, 3D, 4D, 5D, 6D and 7D to the boundary between the territorial districts of Algoma and Sudbury; thence easterly, southerly, easterly, southerly, westerly, southerly, westerly, southerly, easterly and southerly along the boundary between the territorial districts of Algoma and Sudbury to the northerly shore of the north Channel of Lake Huron; thence westerly along the northerly shore of the North Channel to the place of commencement.

SCHEDULE 228

1. That part of the Territorial District of Cochrane lying within a line described as follows:

Commencing at the intersection of the northerly shore of Lake Abitibi with the easterly boundary of the district; thence in a general westerly direction following along the northerly shore of the lake to the southerly boundary of the geographic Township of Bowyer; thence westerly along the southerly boundary of the geographic townships of Bowyer, Marathon, Sherring, Mortimer, Pyne, St. John, Hanna, Reaume, Beck, Nesbitt, Aubin, Kingsmill and Kirkland to the westerly boundary of the Township of Kirkland; thence northerly along the westerly boundary of the geographic townships of Kirkland, Laidlaw, Syders, Haggart, Alexandra, Hurdman, Agate, Marceau, Sheldon, Traill, Hamlet, Kilmer and Hogg to the southerly boundary of the geographic Township of Pickett; thence westerly along the southerly boundary of the geographic townships of Pickett and Gentles to the

82nd meridian of Longitude; thence north along the meridian to the northerly boundary of the district; thence easterly along the northerly boundary to the easterly boundary of the district; thence southerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 229

1. That part of the Territorial District of Cochrane lying within a line described as follows:

Commencing at the south-easterly angle of the geographic Township of Thomas; thence northerly along the easterly boundaries of the geographic townships of Thomas, Macklem, German and Dundonald to the northerly boundary of the Township of Dundonald; thence westerly along the northerly boundary of the geographic townships of Dundonald and Evelyn to the easterly boundary of the geographic Township of Tully; thence northerly along the easterly boundary of the geographic townships of Tully and Duff to the southerly boundary of the geographic Township of Reaume; thence westerly along the southerly boundary of the geographic townships of Reaume, Beck, Nesbitt, Aubin, Kingsmill and Kirkland to the westerly boundary of the geographic Township of Wilhelmina; thence southerly along that boundary to the southerly boundary of the geographic Township of Oke; thence westerly along the southerly boundary of the geographic townships of Oke, Hicks, Griffin and Seaton to the boundary between the territorial districts of Cochrane and Algoma to and extending southerly along the boundary between the territorial districts of Cochrane and Sudbury to the south-easterly angle of the geographic Township of Ossin; thence easterly and southerly along the last-mentioned boundary to the boundary between the territorial districts of Cochrane and Timiskaming; thence easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 230

1. That part of the Territorial District of Cochrane lying within a line described as follows:

Commencing at the south-easterly angle of the geographic Township of Dokis; thence westerly along the boundary between the territorial districts of Cochrane and Timiskaming to the south-easterly angle of the geographic Township of Thomas; thence northerly along the easterly boundary of the geographic townships of Thomas, Macklem, German and Dundonald to the southerly boundary of the geographic Township of McCart; thence easterly along the southerly boundary of the geographic townships of McCart, Calvert, Teefy, Rickard, Knox and Kerrs to the easterly boundary of the Township of Kerrs; thence northerly along that boundary to the southerly shore of Lake Abitibi; thence in a general easterly direction following along the southerly shore of the lake to the easterly boundary of the Territorial District of Cochrane; thence southerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 231

1. That part of the Territorial District of Cochrane lying within a line described as follows:

Commencing at the south-easterly angle of the geographic Township of Oke; thence westerly along the southerly boundary of the geographic townships of Oke, Hicks, Griffin and Seaton to the boundary between the territorial districts of Cochrane and Algoma; thence northerly and westerly along that boundary to the easterly boundary of the geographic Township of Ecclestone; thence northerly along the easterly boundary of the geographic townships of Ecclestone, Parnell, McCrean, McCowan, Fleck, Sweet and McLeister to the northerly boundary of the Township of McLeister; thence westerly along the last mentioned boundary to the 83rd meridian of longitude; thence north along the meridian to the northerly boundary of the district; thence easterly along that boundary to the 82nd meridian of longitude; thence southerly along that meridian to the southerly boundary of the geographic Township of Gentles; thence easterly along the southerly boundary of the geographic townships of Gentles and Pickett to the westerly boundary of the geographic Township of Hogg; thence southerly along the westerly boundary of the geographic townships of Hogg, Kilmer, Hamlet, Traill, Sheldon, Marceau, Agate, Hurdman, Alexandra, Haggart, Sydere and Laidlaw to and extending southerly along the easterly boundary of the township of Oke to the place of commencement.

SCHEDULE 232

1. That part of the Territorial District of Cochrane lying within a line described as follows:

Commencing at the south-easterly angle of the geographic Township of Ecclestone; thence northerly along the easterly boundary of the geographic townships of Ecclestone, Parnell, McCrean, McCowan, Fleck, Sweet and McLeister to the northerly boundary of the Township of McLeister; thence westerly along the last-mentioned boundary to the 83rd meridian of longitude; thence north along the meridian to the boundary between the territorial districts of Cochrane and Kenora; thence in a general westerly direction along that boundary to the boundary between the territorial districts of Cochrane and Thunder Bay; thence southerly, easterly and southerly along the last-mentioned boundary to the boundary between the territorial districts of Cochrane and Algoma; thence easterly, southerly, easterly, southerly and easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 233

1. That part of the Territorial District of Cochrane lying within a line described as follows:

Commencing at the intersection of the northerly shore of Lake Abitibi with the easterly boundary of the district; thence in a general westerly direction following along the northerly shore of the lake to its intersection

with the southerly boundary of the geographic Township of Bowyer; thence westerly along the southerly boundary of the geographic townships of Bowyer, Marathon, Sherring, Mortimer, Pyne, St. John and Hanna to the easterly boundary of the geographic Township of Duff; thence southerly along the easterly boundary of the geographic townships of Duff and Tully to the south-easterly boundary of the Township of Tully; thence easterly along the southerly boundary of the geographic townships of Little, McCart, Calvert, Teefy, Rickard, Knox and Kerrs to the easterly boundary of the Township of Kerrs; thence northerly along that boundary to the southerly shore of Lake Abitibi; thence in a general easterly direction following along the southerly shore of the lake to the easterly boundary of the district; thence northerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 234

1. The townships of

- (a) Anson, Hindon and Minden,
- (b) Lutterworth,
- (c) Sherborne, McClintock, Livingstone, Lawrence and Nightingale, and
- (d) Stanhope.

2. Parts of the Township of Dysart, Bruton, Clyde, Dudley, Eyre, Guilford, Harburn, Harcourt and Havelock described as follows:

- (a) the geographic Township of Clyde as it existed on the 31st December, 1927, and
- (b) the geographic Township of Eyre as it existed on the 31st December, 1927, and
- (c) the geographic Township of Havelock as it existed on the 31st December, 1927.

3. That part of the Township of Snowdon lying within a line described as follows:

Commencing at the south-westerly angle of the township; thence easterly along the southerly boundary of the township to the production southerly of the westerly limit of lot 11; thence northerly along the production and the westerly limit of lot 11 across concessions 1 to 5, both inclusive, to the northerly boundary of Concession 5; thence easterly along that boundary to the westerly limit of lot 21; thence northerly along that limit across concessions 6 to 8, both inclusive, to the northerly boundary of Concession 8; thence easterly along that boundary and its production easterly to the easterly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence westerly along that boundary to the westerly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement.

4. That part of the Township of Glamorgan lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence southerly along the easterly boundary of the township to the production easterly of the northerly boundary of Concession 11; thence westerly along the production and the northerly boundary of Concession 11 and its production westerly to the westerly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 235

1. Parts of the Township of Dysart, Bruton, Clyde, Dudley, Eyre, Guilford, Harburn, Harcourt and Havelock described as follows:

- (a) the geographic Township of Dysart as it existed on the 31st December, 1927, and
- (b) the geographic Township of Dudley as it existed on the 31st December, 1927, and
- (c) the geographic Township of Guilford as it existed on the 31st December, 1927, and
- (d) the geographic Township of Harburn as it existed on the 31st December, 1927.

SCHEDULE 236

1. The Township of Cardiff.

2. Parts of the Township of Dysart, Bruton, Clyde, Dudley, Eyre, Guilford, Harburn, Harcourt and Havelock described as follows:

- (a) the geographic Township of Bruton as it existed on the 31st December, 1927, and
- (b) the geographic Township of Harcourt as it existed on the 31st December, 1927,

3. That part of the Township of Snowdon lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the southerly boundary to the production southerly of the westerly limit of lot 11; thence northerly along the production and the westerly limit of lot 11 across concessions 1 to 5, both inclusive, to the northerly boundary of Concession 5; thence easterly along that boundary to the westerly limit of lot 21; thence northerly along that limit across concessions 6 to 8, both inclusive, to the northerly boundary of Concession 8; thence easterly along that boundary and its production easterly to the easterly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement.

4. That part of the Township of Glamorgan lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence northerly along the easterly boundary of the township to the production easterly of the northerly boundary of Concession 11; thence westerly

along the production and the northerly boundary of Concession 11 and its production westerly to the westerly boundary of the township; thence southerly along that boundary to the southerly boundary of the township; thence easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 237

1. That part of the Territorial District of Kenora lying within a line described as follows:

Commencing at the intersection of the southerly boundary of the district with the 93rd meridian of longitude; thence north along the meridian to the southerly boundary of the geographic Township of Docker; thence in a general westerly direction along the southerly boundary of the township to the westerly boundary of the township; thence northerly along the westerly boundary of the townships of Docker and Smellie to the northerly boundary of the Township of Smellie; thence easterly along that boundary to the meridian of longitude 93 degrees 30 minutes; thence north along that meridian to the 7th Base Line; thence westerly along the Base Line to the westerly boundary of the District; thence southerly, easterly and southerly along the westerly boundary of the district to the southerly boundary of the district; thence in a general easterly direction along the southerly boundary of the district to the place of commencement.

SCHEDULE 238

1. That part of the Territorial District of Kenora lying within a line described as follows:

Commencing at the intersection of the southerly boundary of the district with the meridian of longitude 93 degrees 30 minutes west; thence north along the meridian to the southerly boundary of the geographic Township of Docker; thence in a general westerly direction along the southerly boundary of the township to the westerly boundary of the township; thence northerly along the westerly boundary of the geographic townships of Docker and Smellie to the northerly boundary of the Township of Smellie; thence easterly along that boundary to the meridian of longitude 93 degrees 30 minutes west; thence north along the meridian to the 7th Base Line; thence easterly along the Base Line to the 6th Meridian Line; thence southerly along the 6th Meridian Line to the northerly boundary of the geographic Township of Rowell; thence easterly along the northerly boundary of the township to the easterly boundary of the township; thence southerly along the easterly boundary of the geographic townships of Rowell and Britton to the northerly boundary of the geographic Township of Zealand; thence easterly along the northerly boundary of the geographic townships of Zealand and Brownridge to the easterly boundary of the Township of Brownridge; thence southerly along that boundary to the northerly boundary of the geographic Township of Hartman; thence easterly along the northerly boundary of the geographic townships of Hartman and MacFie to the easterly boundary of the Township of MacFie; thence southerly along the easterly boundary of the geographic townships of

MacFie and Avery to the northerly boundary of the geographic Township of Revell; thence easterly along the northerly boundary of the geographic townships of Revell and Hyndman to the easterly boundary of the Township of Hyndman; thence southerly along the last-mentioned boundary to the northerly boundary of the geographic Township of Ilsley; thence easterly along the northerly boundary of the geographic townships of Ilsley, Bradshaw and Gour to the easterly boundary of the Township of Gour; thence southerly along that boundary to the parallel of latitude 49 degrees 30 minutes; thence east along the parallel to the easterly boundary of the district; thence southerly along the easterly boundary to the southerly boundary of the district; thence westerly, northerly and westerly along the southerly boundary to the place of commencement.

SCHEDULE 239

1. The Territorial District of Kenora (including the Patricia Portion) except those parts of the district described in schedules 237 and 238.

SCHEDULE 240

1. The Town of Gore Bay.
2. The geographic townships of

- (a) Allan,
- (b) Barrie Island,
- (c) Billings,
- (d) Burpee,
- (e) Campbell,
- (f) Carnarvon,
- (g) Cockburn Island,
- (h) Dawson,
- (i) Gordon,
- (j) Mills, and
- (k) Robinson.

1. The islands named

- (a) Burnt,
- (b) Clapperton,
- (c) Crescent,
- (d) Duck,
- (e) Vankoughnet,
- (f) Vidal, and
- (g) Wall.

4. All the remaining territory lying west of a line described as follows:

Commencing at a point on the northerly boundary of the District of Manitoulin where it is intersected by a line drawn north astronomically from the north-westerly angle of the Township of Bidwell; thence south astronomically along the line so drawn to the north-westerly angle of the Township of Bidwell; thence southerly along the westerly boundaries of the townships of Bidwell, Sandfield and Tehkummah to the south-westerly angle of Tehkummah; thence south astronomically to the southerly boundary of the District of Manitoulin.

SCHEDULE 241

1. The Town of Little Current.
2. The geographic townships of
 - (a) Bidwell,
 - (b) Carlyle,
 - (c) Howland,
 - (d) Humboldt,
 - (e) Killarney,
 - (f) Rutherford, and
 - (g) Sheguiandah.
3. The island named
 - (a) Badgeley,
 - (b) Bedford,
 - (c) Centre,
 - (d) East Rous,
 - (e) George,
 - (f) Great Cloche,
 - (g) Green
 - (h) Heywood,
 - (i) Hog,
 - (j) Iroquois,
 - (k) Little Cloche,
 - (l) McGregor,
 - (m) Philip Edward,
 - (n) Sampson,
 - (o) Squaw,
 - (p) Strawberry,

- (q) Wardrope,
- (r) Wells, and
- (s) West Rous.

SCHEDULE 242

1. The geographic townships of
 - (a) Assiginack,
 - (b) Sandfield, and
 - (c) Tehkummah.
2. The islands named
 - (a) Club,
 - (b) Fitzwilliam,
 - (c) Lonely,
 - (d) Lucas,
 - (e) Rabbit, and
 - (f) Yeo.
3. The remaining territory of the District of Manitoulin, except those parts described in schedules 240 and 241.

SCHEDULE 243

1. The towns of
 - (a) Bala, and
 - (b) Bracebridge.
2. The villages of
 - (a) Port Carling,
 - (b) Port Sydney, and
 - (c) Windermere.
3. The geographic townships of
 - (a) Cardwell,
 - (b) Freeman,
 - (c) Gibson,
 - (d) Macaulay,
 - (e) McLean,
 - (f) Medora,
 - (g) Monck,
 - (h) Ridout, and
 - (i) Watt.

4. The geographic Township of Brunel, except that part of the township described in item 3 of schedule 245.

5. The geographic Township of Stephenson, except that part of the township described in item 4 of schedule 245.

6. The geographic Township of Draper, except that part of the township described in item 3 of schedule 244.

7. The geographic Township of Muskoka, except that part of the township described in item 4 of schedule 244.

SCHEDULE 244

1. The Town of Gravenhurst.
2. The geographic townships of

- (a) Baxter,
- (b) Morrison,
- (c) Oakley,
- (d) Ryde, and
- (e) Wood.

3. That part of the geographic Township of Draper lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the southerly boundary of the township to the westerly boundary of the township; thence northerly along that boundary to the production westerly of the northerly boundary of Concession 6; thence easterly along the production and the northerly boundary of Concession 6 and its production easterly to the easterly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement.

4. That part of the geographic Township of Muskoka lying within a line described as follows:

Commencing at the south-easterly angle of the township; thence westerly along the southerly boundary of the township to the westerly boundary of the township; thence northerly along that boundary to the production westerly of the northerly boundary of Concession 6; thence easterly along the production and the northerly boundary of Concession 6 and its production easterly to the easterly boundary of the township; thence southerly along the last-mentioned boundary to the place of commencement; excepting therefrom the Town of Gravenhurst.

5. The islands in the Georgian Bay lying west of the territory described in schedules 243 and 244 and adjacent thereto, and the islands in the Severn River lying northerly of the middle of the main channel of the Severn River and adjacent to the geographic townships of Baxter, Wood and Morrison.

SCHEDULE 245

1. The Town of Huntsville.
2. The geographic townships of
 - (a) Chaffey,
 - (b) Franklin,
 - (c) Sinclair, and
 - (d) Stisted.

3. That part of the geographic Township of Brunel lying within a line described as follows:

Commencing at the north-westerly angle of the township; thence easterly along the northerly boundary of the township to the easterly boundary of the township; thence southerly along that boundary to the production easterly of the northerly boundary of Concession 9; thence westerly along the production and the northerly boundary of Concession 9 and its production westerly to the westerly boundary of the township; thence northerly along that boundary to the place of commencement.

4. That part of the geographic Township of Stephenson lying within a line described as follows:

Commencing at the north-easterly angle of the township; thence southerly along the easterly boundary of the township to the production easterly of the northerly boundary of Concession 9; thence westerly along the production and the northerly boundary of Concession 9 and its production westerly to the westerly boundary of the township; thence northerly along that boundary to the northerly boundary of the township; thence easterly along the last-mentioned boundary of the township to the place of commencement.

SCHEDULE 246

1. The towns of
 - (a) Cache Bay, and
 - (b) Sturgeon Falls.

2. That part of the Territorial District of Nipissing lying within a line described as follows:

Commencing at the north-easterly angle of the Township of Gooderham; thence southerly along the easterly boundary of the townships of Gooderham, Hammell, Notman, Blyth and Commanda to the northerly shore of Lake Nipissing; thence south astronomically to the southerly boundary of the district; thence westerly along the southerly boundary of the district to the westerly boundary of the district; thence northerly along the westerly boundary of the district to the northerly boundary of the Township of Pardo thence easterly along the northerly boundary of the townships of Pardo, Hobbs, McCallum, Sisk, Kenny and Gooderham to the place of commencement; excepting therefrom the towns of Cache Bay and Sturgeon Falls.

SCHEDULE 247

1. The Town of Mattawa.

2. That part of the Territorial District of Nipissing lying within a line described as follows:

Commencing at the north-easterly angle of the geographic Township of Cameron; thence southerly along westerly boundary of the townships Cameron and Clara to the northerly boundary of the geographic Township of FitzGerald; thence easterly along that boundary to the easterly boundary of the township; thence southerly along that boundary to the northerly boundary of the geographic Township of Edgar; thence easterly along that boundary to the easterly boundary of the township; thence southerly along that boundary to the northerly boundary of the geographic Township of Bronson; thence easterly along that boundary to the easterly boundary of the township; thence southerly along the easterly boundary of the geographic townships of Bronson, Stratton and Master to the southerly boundary of the Township of Master; thence westerly along the southerly boundary of the geographic townships of Master and Guthrie to the easterly boundary of the geographic Township of Dickens; thence southerly along that boundary to the southerly boundary of the Township of Dickens; thence westerly along that boundary to the easterly boundary of the geographic Township of Lyell; thence southerly along that boundary to the southerly boundary of the Township of Lyell; thence westerly along the southerly boundary of the geographic townships of Lyell and Sabine to the south-westerly angle of the Township of Sabine; thence northerly along the westerly boundary of the geographic townships of Sabine and Airy to the southerly boundary of the geographic Township of Sproule; thence westerly along the southerly boundary of the geographic townships of Sproule and Canisbay to the westerly boundary of the Township of Canisbay; thence northerly along the westerly boundary of the geographic townships of Canisbay, McLaughlin, Bishop, Osler, Pentland, Lauder and Calvin to the northerly boundary of the Township of Calvin; thence north astronomically to the southerly boundary of the geographic Township of Orlig; thence westerly along that boundary to the westerly boundary of the Township of Orlig; thence northerly along that boundary to the southerly boundary of the geographic Township of Butler; thence westerly along that boundary to the westerly boundary of the geographic townships of Butler and Eddy to the northerly boundary of the Township of Eddy; thence easterly along that boundary and its production easterly to the boundary between the Province of Ontario and the Province of Quebec; thence southerly and easterly along that boundary to the production northerly of the easterly boundary of the geographical Township of Cameron; thence southerly along the production to the place of commencement; excepting therefrom the Town of Mattawa.

SCHEDULE 248

1. The City of North Bay.
2. The Town of Bonfield.

3. That part of the Territorial District of Nipissing lying within a line described as follows:

Commencing at the north-easterly angle of the geographic Township of Gooderham; thence southerly along the easterly boundary of the geographic townships of Gooderham, Hammell, Notman, Blyth and Commanda to the northerly shore of Lake Nipissing; thence south astronomically to the southerly boundary of the district; thence easterly in a straight line along the southerly boundary of the district to the southerly boundary of the geographic Township of West Ferris; thence easterly along that boundary to the westerly boundary of the geographic Township of East Ferris; thence southerly along the westerly boundary of the geographic townships of East Ferris and Chisholm to the northerly boundary of the geographic Township of Ballantyne; thence westerly along that boundary to the westerly boundary of the geographic Township of Ballantyne; thence southerly along the westerly boundary of the geographic townships of Ballantyne, Paxton, Butt, McCraney and Finlayson to the southerly boundary of the Township of Finlayson; thence easterly along the southerly boundary of the geographic townships of Finlayson and Peck to the westerly boundary of the geographic Township of Canisbay; thence northerly along the westerly boundary of the geographic townships of Canisbay, McLaughlin, Bishop, Osler, Pentland, Lauder and Calvin to the northerly boundary of the geographic Township of Calvin; thence north astronomically to the southerly boundary of the geographic Township of Orlig; thence westerly along that boundary to the westerly boundary of the geographic Township of Orlig; thence northerly along that boundary to the southerly boundary of the geographic Township of Butler; thence westerly along that boundary to the westerly boundary of the geographic Township of Butler; thence northerly along the westerly boundary of the geographic townships of Butler and Eddy to the northerly boundary of the geographic Township of Eddy; thence easterly along that boundary and its production easterly to the boundary between the Province of Ontario and the Province of Quebec; thence northerly along that boundary to the production easterly of the northerly boundary of the geographic Township of Hebert; thence westerly along the northerly boundary of the geographic townships of Hebert and Eldridge to the easterly boundary of the geographic Township of Cassels; thence northerly along the easterly boundary of the geographic townships of Cassels and Best to the northerly boundary of the Territorial District of Nipissing; thence westerly along that boundary to the westerly boundary of the district; thence southerly along the boundary between the territorial districts of Nipissing and Sudbury to the northerly boundary of the geographic Township of Pardo; thence easterly along the northerly boundary of the geographic townships of Pardo, Hobbs, McCallum, Sisk, Kenny and Gooderham to the place of commencement; excepting therefrom the City of North Bay and the Town of Bonfield.

SCHEDULE 249

1. The Town of Parry Sound.
2. The villages of

(a) Magnetawan, and

(b) Rosseau.

3. The geographic townships of

(a) Blair,

(b) Brown,

(c) Burpee,

(d) Burton,

(e) Carling,

(f) Christie,

(g) Conger,

(h) Cowper,

(i) Ferguson,

(j) Foley,

(k) Hagerman,

(l) Harrison,

(m) Henvey,

(n) Humphry,

(o) McDougall,

(p) McKellar,

(q) McKenzie,

(r) Monteith,

(s) Mowat,

(t) Shawanaga, and

(u) Wallbridge.

4. That part of the Territorial District of Parry Sound lying northerly of the northerly boundary of the geographic townships of Blair and Mowat and westerly and northerly of the westerly and northerly boundaries of the geographic townships of Mowat and Henvey together with the islands in the Georgian Bay lying westerly of the said territory and adjacent thereto.

SCHEDULE 250

1. The towns of

(a) Kearney,

(b) Powassan, and

(c) Trout Creek.

2. The villages of

(a) Burk's Falls,

(b) South River, and

(c) Sundridge.

3. The geographic townships of

(a) Armour,

(b) Bethune,

(c) Chapman,

(d) Croft,

(e) Ferrie,

(f) Gurd,

(g) Hardy,

(h) Joly,

(i) Laurier,

(j) Lount,

(k) Machar,

(l) McConkey,

(m) McMurrich,

(n) Mills,

(o) Nipissing,

(p) North Himsworth,

(q) Patterson,

(r) Perry,

(s) Pringle,

(t) Proudfoot,

(u) Ryerson,

(v) South Himsworth,

(w) Spence,

(x) Strong, and

(y) Wilson.

4. That part of the Territorial District of Parry Sound lying northerly of the northerly boundaries of the geographic townships of North Himsworth, Nipissing, Patterson, Hardy and McConkey.

SCHEDULE 251

1. That part of the Territorial District of Rainy River lying within a line described as follows:

Commencing where the production southerly of the westerly boundary of the geographic Township of Woodyatt meets the boundary between the Dominion of Canada and the United States of America; thence northerly along the westerly boundary of the geographic townships of Woodyatt, Devlin, Burriss and Dance to the northerly boundary of the Township of Dance; thence easterly along that boundary to the easterly boundary of the geographic Township of Fleming; thence northerly along that boundary to the northerly boundary of the Township of Fleming; thence westerly along the northerly boundary of the Township of Fleming to the easterly boundary of the geographic Township of Senn; thence northerly along the easterly boundary of the geographic townships of Senn and McLarty to the northerly boundary of the district; thence easterly, southerly and easterly along the northerly boundary of the district to the 5th Meridian Line; thence southerly along the 5th Meridian Line and its production southerly to the boundary between the Dominion of Canada and the United States of America; thence in a general westerly direction along the last-mentioned boundary to the place of commencement.

SCHEDULE 252

1. That part of the Territorial District of Rainy River lying within a line described as follows:

Commencing where the production southerly of the westerly boundary of the geographic Township of Woodyatt meets the boundary between the Dominion of Canada and the United States of America; thence northerly along the production and the westerly boundary of the geographic townships of Woodyatt, Devlin, Burriss and Dance to the northerly boundary of the Township of Dance; thence easterly along that boundary to the easterly boundary of the geographic Township of Fleming; thence northerly along that boundary to the northerly boundary of the Township of Fleming; thence westerly along the northerly boundary of the Township of Fleming to the easterly boundary of the geographic Township of Senn; thence northerly along the easterly boundary of the geographic townships of Senn and McLarty to the northerly boundary of the district; thence in a general westerly direction along the northerly boundary of the district to the boundary between the Dominion of Canada and the United States of America; thence southerly and easterly along the last-mentioned boundary to the place of commencement.

SCHEDULE 253

1. That part of the Territorial District of Rainy River lying within a line described as follows:

Commencing at the north-easterly angle of the district; thence westerly along the northerly boundary of the district to the 5th Meridian Line; thence southerly along the 5th Meridian Line and its production southerly to the boundary between the Dominion of Canada and the United States of America; thence easterly along that boundary to the easterly boundary of the district; thence northerly along the last-mentioned boundary to the place of commencement.

SCHEDULE 254

1. The City of Sudbury.

2. The towns of

(a) Capreol,

(b) Chelmsford,

(c) Coniston,

(d) Copper Cliff,

(e) Frood Mine, and

(f) Levack.

3. The Territorial District of Sudbury except those parts of the district described in schedules 255, 256 and 257.

SCHEDULE 255

1. That part of the Territorial District of Sudbury lying within a line described as follows:

Commencing at the south-westerly angle of the geographic Township of Harrow; thence northerly, westerly, northerly, easterly and northerly along the boundary between the territorial districts of Algoma and Sudbury to the north-westerly angle of geographic Township 119; thence easterly along the northerly boundary of the geographic townships of 119, Bigelow, Vernon, Totten and Trill to the north-easterly angle of the Township of Trill; thence southerly along the easterly boundary of the geographic townships of Trill, Drury, Lorne, Truman and Roosevelt to the southerly boundary of the district; thence westerly along that boundary to the place of commencement.

SCHEDULE 256

1. That part of the Territorial District of Sudbury lying within a line described as follows:

Commencing at the north-westerly angle of the geographic Township of Parker; thence easterly along the northerly boundary of the geographic townships of Parker, Selby and Sladen to the easterly boundary of the district; thence southerly along the easterly boundary of the district to the northerly boundary of the geographic Township of Scollard; thence easterly along the northerly boundary of the Township of Scollard and its production easterly to the southerly boundary of the district; thence westerly along the southerly boundary of the district to the production southerly of the westerly boundary of the geographic Township of Bigwood; thence northerly along the production and the westerly boundary of the geographic townships of Bigwood, Delamere, Hoskin, Hendrie, Hawley, Awrey, Street and Scadding to the southerly boundary of the geographic Township of Rathbun; thence easterly along that boundary to the easterly boundary of the Township of Rathbun; thence northerly along that boundary to the northerly boundary of the

township; thence westerly along that boundary to the westerly boundary of the geographic Township of Mackelcan; thence northerly along the westerly boundary of the geographic townships of Mackelcan, McConnell, DeMorest and Turner to the northerly boundary of the Township of Turner; thence easterly along that boundary to the westerly boundary of the geographic Township of Dundee; thence northerly along the westerly boundary of the geographic townships of Dundee and Parker to the place of commencement.

SCHEDULE 257

1. That part of the Territorial District of Sudbury lying within a line described as follows:

Commencing at the north-westerly angle of the geographic Township of Rennie; thence southerly, easterly and southerly along the boundary between the territorial districts of Algoma and Sudbury to the south-westerly angle of geographic Township 23, Range 15; thence easterly along the boundary between the territorial districts of Algoma and Sudbury to the south-easterly angle of geographic Township 8Z; thence northerly along the easterly boundary of geographic townships 8Z, 9Z, Singapore, 19, Blamey, Cunningham, Swayze, Rollo, Biggs, Pinogami, Carty and Lemoine to the north-easterly angle of the Township of Lemoine; thence westerly along the northerly boundary of the Township of Lemoine to the easterly boundary of the geographic Township of Sherlock; thence northerly along the last mentioned boundary to the northerly boundary of the District of Sudbury; thence westerly along the boundary between the territorial districts of Sudbury and Algoma to the place of commencement.

SCHEDULE 258

1. The City of Port Arthur.

2. That party of the Territorial District of Thunder Bay lying within a line described as follows:

Commencing at the intersection of the parallel of latitude 49 degrees 30 minutes with the meridian of longitude 89 degrees 30 minutes; thence south along the meridian to the northerly boundary of the geographic Township of Fowler; thence westerly along the northerly boundary of the township to the westerly boundary of the township; thence in a general southerly direction along the westerly boundary of the geographic townships of Fowler, Ware and Oliver to the southerly boundary of the Township of Oliver; thence easterly along the southerly boundary of the geographic townships of Oliver and McIntyre to the shore of Thunder Bay of Lake Superior; thence east astronomically to the 89th meridian of longitude; thence southerly along that meridian to the boundary between the Dominion of Canada and the United States of America; thence north-easterly along that boundary to the meridian of longitude 88 degrees 30 minutes; thence north along that meridian to the northerly shore of Black Bay of Lake Superior; thence easterly and northerly following along that shore to the northerly boundary of the geographic Township of Dorion; thence westerly

along that boundary to the westerly boundary of the geographic Township of Glen; thence northerly along the westerly boundaries of the geographic townships of Glen, McMaster, Cockeram, Adamson, Graydon and Innes to the southerly shore of Lake Nipigon; thence westerly and northerly along the shore of Lake Nipigon to the parallel of latitude 49 degrees 30 minutes; thence west along that parallel to the place of commencement; excepting therefrom the City of Port Arthur.

SCHEDULE 259

1. That part of the Territorial District of Thunder Bay lying within a line described as follows:

Commencing at the intersection of the parallel of latitude 49 degrees 30 minutes with the meridian of longitude 88 degrees; thence south along the meridian to the boundary between the Dominion of Canada and the United States of America; thence north-westerly and south westerly along that boundary to the meridian of longitude 88 degrees 30 minutes; thence north along that meridian to the northerly shore of Black Bay of Lake Superior; thence easterly and northerly following along that shore to the northerly boundary of the geographic Township of Dorion; thence westerly along that boundary to the westerly boundary of the geographic Township of Glen; thence northerly along the westerly boundary of the geographic townships of Glen, McMaster, Cockeram, Adamson, Graydon and Innes to the southerly shore of Lake Nipigon; thence in a general easterly and northerly direction following along the shore of Lake Nipigon to the parallel of latitude 49 degrees 30 minutes; thence east along that parallel to the place of commencement.

SCHEDULE 260

1. The City of Fort William.

2. That part of the Territorial District of Thunder Bay lying within a line described as follows:

Commencing at the intersection of the parallel of latitude 49 degrees 30 minutes with the meridian of longitude 89 degrees 30 minutes; thence south along the meridian to the northerly boundary of the geographic Township of Fowler; thence westerly along the northerly boundary of the township to the westerly boundary of the township; thence in a general southerly direction along the westerly boundary of the geographic townships of Fowler, Ware and Oliver to the southerly boundary of the Township of Oliver; thence easterly along the southerly boundary of the geographic townships of Oliver and McIntyre to the shore of Thunder Bay of Lake Superior; thence east astronomically to the meridian of longitude 89 degrees; thence south along that meridian to the boundary between the Dominion of Canada and the United States of America; thence south-westerly and westerly following along the last-mentioned boundary to the westerly boundary of the district; thence northerly along that boundary to the parallel of latitude 49 degrees 30 minutes; thence east along that parallel to the place of commencement; excepting therefrom the City of Fort William.

SCHEDULE 261

1. That part of the Territorial District of Thunder Bay lying within a line described as follows:

Commencing at the intersection of the parallel of latitude 49 degrees 30 minutes with the meridian of longitude 88 degrees; thence south along the meridian to the boundary between the Dominion of Canada and the United States of America; thence south-easterly along that boundary to the easterly boundary of the district; thence northerly along the easterly boundary of the district to the parallel of latitude 49 degrees 30 minutes; thence west along that parallel to the place of commencement.

SCHEDULE 262

1. The Town of Geraldton.
2. The improvement District of Beardmore.
3. The Territorial District of Thunder Bay; excepting those parts described in schedules 258, 259, 260 and 261.

SCHEDULE 263

1. That part of the Territorial District of Timiskaming lying within a line described as follows:

Commencing at the north-westerly angle of the geographic Township of van Nostrand; thence easterly along the northerly boundaries of the geographic townships of van Nostrand, Klock, Barr, Firstbrook and Bucke to the shore of Lake Timiskaming; thence east astronomically to the interprovincial boundary between Ontario and Quebec; thence southerly along the interprovincial boundary to the southerly boundary of the district; thence westerly, northerly and westerly along the boundary between the districts of Timiskaming and Nipissing to the westerly boundary of the geographic Township of Medina; thence northerly along the westerly boundary of the geographic townships of Medina, Leo and van Nostrand to the place of commencement.

SCHEDULE 264

1. That part of the Territorial District of Timiskaming lying within a line described as follows:

Commencing at the north-easterly angle of the geographic Township of Brethour; thence westerly along the northerly boundary of the geographic townships of Brethour and Hilliard to the north-westerly angle of the Township of Hilliard; thence southerly along the westerly boundary of the last-mentioned township to the northerly boundary of the geographic Township of Kerns; thence westerly along the northerly boundary of the geographic townships of Kerns, Henwood and Cane to the north-westerly angle of the Township of Cane; thence southerly along the westerly boundary of the geographic townships of Cane and Auld to the northerly boundary of the geographic Township of Klock; thence easterly along the northerly boundary of the townships of Klock, Barr, Firstbrook

and Bucke to the shore of Lake Timiskaming; thence east astronomically to the interprovincial boundary between Ontario and Quebec; thence along the last mentioned boundary to the place of commencement.

SCHEDULE 265

1. That part of the Territorial District of Timiskaming lying within a line described as follows:

Commencing at the north-easterly angle of the geographic Township of Brethour; thence westerly along the northerly boundary of the geographic townships of Brethour and Hilliard to the north-westerly angle of the Township of Hilliard; thence southerly along the westerly boundary of the last-mentioned township to the northerly boundary of the geographic Township of Kerns; thence westerly along the northerly boundaries of the geographic townships of Kerns, Henwood and Cane to the north-westerly angle of the Township of Cane; thence southerly along the westerly boundary of the geographic townships of Cane and Auld to the northerly boundary of the geographic Township of van Nostrand; thence westerly along the northerly boundary of that township to the north-westerly angle of the township; thence southerly along the westerly boundary of the geographic townships of van Nostrand and Leo to the southerly boundary of the district; thence westerly, northerly, westerly and northerly along the boundary between the territorial districts of Timiskaming and Sudbury to the northerly boundary of the Territorial District of Timiskaming; thence easterly along the last-mentioned boundary to the north-westerly angle of the geographic Township of McEvay; thence southerly along the westerly boundary of the geographic townships of McEvay, Nordica and Sheba to the south-westerly angle of the Township of Sheba; thence easterly along the southerly boundary of the geographic townships of Sheba and Dunmore to the north-westerly angle of the geographic Township of Burt; thence southerly along the westerly boundary of the Township of Burt to the south-westerly angle thereof; thence easterly along the southerly boundary of the geographic townships of Burt, Eby, Otto, Boston, McElroy, Hearst and McFadden to the interprovincial boundary between Ontario and Quebec; thence southerly along that boundary to the place of commencement.

SCHEDULE 266

1. That part of the Territorial District of Timiskaming lying within a line described as follows:

Commencing at the north-easterly angle of the geographic Township of Bisley; thence westerly along the northerly boundary of the district to the north-westerly angle of the geographic Township of McEvay; thence southerly along the westerly boundary of the geographic townships of McEvay, Nordica and Sheba to the south-westerly angle of the Township of Sheba; thence easterly along the southerly boundary of the geographic townships of Sheba and Dunmore to the north-westerly angle of the geographic Township of Burt; thence southerly along the westerly boundary of the Township of Burt to the south-westerly angle thereof; thence easterly along the southerly boundary

of the geographic townships of Burt, Eby, Otto and Boston to the south-easterly angle of the Township of Boston; thence northerly along the easterly boundary of the geographic townships of Boston, Lebel, Morrisette and Bisley to the place of commencement.

SCHEDULE 267

1. That part of the Territorial District of Timiskaming lying within a line described as follows:

Commencing at the north-easterly angle of the geographic Township of Pontiac; thence southerly along the interprovincial boundary between Ontario and Quebec to the south-easterly angle of the geographic Township of McFadden; thence westerly along the southerly boundary of the geographic townships of McFadden, Hearst and McElroy to the south-easterly angle of the geographic Township of Boston; thence northerly along the easterly boundary of the geographic townships of Boston, Lebel, Morrisette and Bisley to the northerly boundary of the district; thence easterly along the last-mentioned boundary to the place of commencement.

Regulations 394

(Ontario Regulations 214/44)

REGULATIONS MADE UPON THE RECOMMENDATION OF THE MINISTER OF HEALTH, UNDER THE DRUGLESS PRACTITIONERS ACT

INTERPRETATION

1. In these regulations,—

- (a) "chiropractor" shall mean any person who practices or advertises or holds himself out in any way as practicing the treatment, by diagnosis, including all diagnostic methods, spinal analysis, direction, advice, written or otherwise, of any ailment, disease, defect or disability of the human body, by methods of adjustment by hand of one or more of the several articulations of the human body, more especially those of the spinal column, taught in colleges of chiropractic and approved by the Board;
- (b) "drugless therapist" shall mean any person who practices or advertises or holds himself out in any way as practicing the treatment by diagnosis, including all diagnostic methods, direction, advice, written or otherwise, of any ailment, disease, defect or disability of the human body by methods taught in colleges of drugless therapy or naturopathy and approved by the Board;
- (c) "osteopath" shall mean any person who practices or advertises or holds himself out in any way as practicing the treatment by diagnosis, including all diagnostic methods, direction, advice, written or otherwise, of any ailment, disease, defect, or disability of the human body, by methods taught in colleges of osteopathy and approved by the Board;
- (d) "masseur" for the purpose of *The Drugless Practitioners Act*, shall mean any person, other than those persons coming within one or other of the classifications heretofore defined, who kneads, rubs or massages the human body, or who uses with or without kneading, rubbing or massaging, such apparatus as steam baths, vapour baths, fume baths, electric baths, electric light baths, or any other similar method, but who does not diagnose or prescribe; and
- (e) "physio-therapist" shall mean any person who practices therapy by means of manipulations, mechanistic, hydro, thermo, helio, or electrical methods, for the treatment of any ailment, disease, defect or disability of the human body, but who does not diagnose or prescribe.

REGISTRATION

2. Any person being 21 years of age may apply to the Board for registration under any of the following classifications:

- (a) chiropractor,
- (b) drugless therapist,
- (c) osteopath,
- (d) masseur,
- (e) physio-therapist.

CLASSIFICATIONS

3.—(1) The major classifications shall be chiropractor, drugless therapist and osteopath.

(2) The minor classifications shall be masseur and physio-therapist.

MAJOR CLASSIFICATIONS

QUALIFICATIONS

4. An applicant for registration as an osteopath shall,—

- (a) present evidence of
 - (i) good moral character;
 - (ii) having passed the junior matriculation examinations, or the equivalent thereof;
 - (iii) having successfully completed at least two years of college work which includes chemistry, biology, physics and English; and
 - (iv) having been graduated from a professional college approved by the Board; and
- (b) pass such examinations as the Board may prescribe.

5. An applicant for registration as a chiropractor or drugless therapist shall,—

- (a) present evidence of
 - (i) good moral character;
 - (ii) having passed the junior matriculation examinations or the equivalent thereof; and
 - (iii) having been graduated from a professional college approved by the Board; and
- (b) pass such examination as the Board may prescribe.

SCHOOLS AND COLLEGES

6. No school or college teaching osteopathy, chiropractic, or drugless therapy shall be approved by the Board, whose course of instruction is less than four years of nine months in each year and teaches a minimum course of at least forty-two hundred fifty-minute hours or its equivalent in the following subjects,—

Anatomy (including all branches, gross Anatomy, Dissection, etc.)
 Physiology
 Chemistry
 Medical Jurisprudence
 Pathology
 Psychology
 Eye, Ear, Nose and Throat
 Histology
 Dietetics
 Diagnosis
 First Aid and Minor Surgery
 Psychiatry
 Gynecology
 Bacteriology
 Hygiene and Sanitation
 Symptomatology
 Obstetrics
 Principles of Practice, Technique and Treatment

provided that the Board may during the duration of the present war approve of schools or colleges offering a course of instruction of less than four years in time where such course of instruction comprises not less than four terms of not less than nine months each.

FEEES

7.—(1) There shall be paid for the purposes of the Board,—

- (a) with each application for registration as a chiropractor, drugless therapist or osteopath, a fee of forty dollars; and
- (b) with each application for renewal of any such registration a fee of not less than ten dollars nor more than fifteen dollars as may be determined by resolution of the Board;

(2) An additional fee of ten dollars shall be paid with each application for renewal received after the 30th day of January in any year.

MINOR CLASSIFICATIONS

QUALIFICATIONS

8. An applicant for registration as physio-therapist shall,—

- (a) present evidence of
 - (i) good moral character;
 - (ii) having passed the junior matriculation examinations or the equivalent thereof; and
 - (iii) having been graduated from a professional college approved by the Board; and
- (b) pass such examination as the Board may prescribe.

9. An applicant for registration as a masseur shall,—

- (a) present evidence of

- (i) good moral character;
 - (ii) having passed the lower school examinations or the equivalent thereof; and
 - (iii) having been graduated by a professional college approved by the Board; or
 - (iv) having practised as a masseur in Ontario for a period of one year prior to the 1st day of January, 1936; and
- (b) pass such examination as the Board may prescribe,

or shall present evidence that he is a registered nurse under *The Nurses' Registration Act*.

SCHOOL AND COLLEGES

10. No school or college of massage shall be approved by the Board unless the course of instruction comprises not less than one year of nine months' instruction and includes the following subjects and respective hours:

Anatomy.....	180 hours
Physiology.....	120 hours
Histology and Pathology.....	60 hours
Hygiene and Sanitation.....	60 hours
Diagnosis (fundamental general diagnosis).....	60 hours
Principles, Ethics and Practice of Massage.....	60 hours
Treatment, Massage, Hydrotherapy, Steam Baths, Fume Baths, Electric Baths, Electric Light Baths, etc. (clinical practice).....	540 hours

11. No school or college of physio-therapy shall be approved by the Board unless the course of instruction comprises not less than two years of eight months' instruction in each year and includes the following subjects,—

- (a) one years' training in such foundational studies as elementary physics and chemistry, anatomy, physiology, personal and community hygiene, elementary nursing principles, elementary nursing methods, bandaging and first aid, rudiments of elementary psychology, ethics of nursing, foundational principles of preventive medicine (susceptibility, immunity protection), elementary general bacteriology (infection, inflammation), elementary pathology, diseases amenable to treatment by massage (passive, active controlled movements, gymnastic exercises), technique of massage, usage of assisting methods (baths, heat, light, electricity, instruments and mechanical appliances), special massage (medical, surgical, orthopedic, pediatric); and
- (b) one years' training in the special branches of massage and remedial gymnastics.

FEEES

12.—(1) There shall be paid for the purposes of the Board,—

- (a) with each application for registration as a physio-therapist, a fee of fifteen dollars;
- (b) with each application for renewal of any such registration, a fee of five dollars;
- (c) with each application for registration as a masseur, a fee of twelve dollars; and
- (d) with each application for renewal of any such registration, a fee of three dollars.

(2) An additional fee of ten dollars shall be paid with each application for renewal received after the 30th day of January in any year.

TRAINERS

13. These regulations shall not apply to or affect trainers for athletic or sporting clubs or associations so long as they shall confine their services to members of such clubs or associations during their training or playing season.

LIMITATIONS

14. No physio-therapist or masseur shall make or attempt to make any adjustment of any bony structure or structures of the human body.

PRESCRIPTIONS

15.—(1) No physio-therapist or masseur shall undertake the treatment of any ailment, disease, defect or disability of the human body except upon prescription of a legally qualified medical practitioner, osteopath, chiropractor or drugless therapist.

(2) Registered physio-therapists and masseurs shall keep the written prescriptions for each patient given physio-therapeutic or massage treatments for ailment, disease, defect or disability which prescriptions shall state the diagnosis and the type of treatment ordered and shall be open to the inspection of the Board at all times.

(3) This regulation shall not apply to physio-therapists or masseurs employed in offices of medical practitioners, osteopaths, chiropractors, drugless therapists, or in hospitals.

REGISTRATION

FIRST REGISTRATION

16.—(1) Every drugless practitioner shall register with the Board.

(2) Applications for registration shall be in writing on a form approved by the Board, verified by affidavit and shall set forth,—

- (a) classification under which registration is desired;
- (b) preliminary education of the applicant prior to admission to college or graduation;
- (c) name and post office address of the college of graduation;

- (d) actual time of attendance at lectures in college of graduation, subjects taught, and number of lecture hours devoted to each subject;
- (e) references to character, professional status and efficiency in practice; and
- (f) any other information required by the Board;

and every such application shall be accompanied by the prescribed fee.

(3) Every registration and renewal thereof shall remain in force until the end of the calendar year.

RENEWALS

17. A drugless practitioner shall be entitled to renewal of his registration upon making application therefor and paying of the prescribed fee.

CERTIFICATES

18. A certificate of registration and of every renewal thereof shall be issued to the applicant.

STUDENT REGISTRATION

19. Any person who is taking or hereafter commences a course of instruction for the purpose of qualifying to practice as a drugless practitioner shall within thirty days from the commencement of such a course, register in the office of the secretary of the Board stating what course he is taking; provided, however, that the Board may in any case extend the time for such registration.

MUTUAL RECOGNITION OF QUALIFICATIONS

20. The Board may make reciprocal arrangements with other bodies, councils or boards governing drugless practitioners in jurisdictions outside of Ontario, whereby the qualifications to practice in such jurisdiction may be recognized as qualifications to practice in Ontario, and qualifications to practice in Ontario may be recognized as qualifications to practice in such jurisdiction.

REMISSION OF FEES

21.—(1) The Board may, in its absolute discretion and in such circumstances and on such conditions as it deems advisable, remit all or part of the registration and renewal fees of any registrant who has lost eye sight.

(2) The Board may, in its absolute discretion, remit all or part of the renewal fees of any registrant who, by reason of physical disability, illness or absence from Ontario, discontinues practice in Ontario for a period of not less than one year.

EXAMINATIONS

TIME

22. There shall be one regular examination, and when necessary one supplemental examination in each year, on dates to be fixed by the Board.

SUPPLEMENTAL EXAMINATIONS

23.—(1) If an applicant fails on more than three subjects, he shall not be eligible for re-examination until the following year.

(2) An applicant for supplemental examination shall be allowed to write on only three subjects on such supplemental examinations, except by permission of the Board.

DIVISIONS

24. Examinations shall be divided into the following classifications,—

- (a) osteopath,
- (b) chiropractor, and
- (c) drugless therapist,

which shall be known as the major classifications, and

- (d) physio-therapist, and
- (e) masseur,

which shall be known as the minor classifications.

APPROVAL

25.—(1) No candidate shall be eligible to try any examination until his candidature has been approved by the Board.

(2) The approval may be given upon proof of the candidate having taken the proper course at any of the schools or colleges approved by the Board, or upon proof of such other course or courses of instruction, both in professional subjects and in academic or secondary subjects as in each case may be satisfactory to the Board.

FEES

26. There shall be paid with each application for examination a fee of ten dollars for each examination paper and with each application for supplemental examination the sum of twenty dollars for each supplemental examination paper, but the total examination fee for any regular or supplemental examination shall not exceed fifty dollars and for all examination papers for each physio-therapist or masseur the sum of twenty dollars.

REFEREES

27.—(1) The Board may appoint referees to enquire into the test by practical demonstration, and report upon such proposed candidates in the minor classifications as may be referred to them by the Board.

(2) For each applicant so referred to and reported upon by him, each referee shall be entitled to a fee of \$2.50.

SUBJECTS

28. The subjects of examination shall be,—

- (a) For the major classifications,—

- (i) foundational subjects: anatomy, histology, physiology, bacteriology, chemistry, hygiene and sanitation, diagnosis, symptomatology, pathology, gynecology, and

- (ii) subjects special to each classification: principles of practice, technique and treatment;

(b) for physio-therapists,—

- (i) anatomy (including physiology), pathology and symptomatology,

- (ii) principles of practice, technique and treatment; and

(c) for masseurs, principles of practice, technique and treatment.

WRITTEN AND ORAL

29. The examinations shall consist of,—

- (a) written; and

- (b) oral and clinical examinations;

in each subject.

PERIODS

30. There shall be two examination periods in each day from 9.00 a.m. to 11.30 a.m., and from 1.30 p.m. to 4.00 p.m., but the presiding examiner may extend any such period for a further half hour.

DATES

31.—(1) The Board shall arrange a period of three consecutive days in each year for the regular examinations, which three-day period may be extended in the discretion of the presiding examiner.

(2) The Board shall further arrange a similar period for supplemental examinations when necessary.

SUPPLEMENTAL EXAMINATIONS

32.—(1) Applicants for supplemental examinations shall be those who have failed in not more than three subjects and such other applicants as may be approved by the Board on the grounds of special necessity.

(2) Unless by special leave of the Board, no applicant shall take at the supplemental examinations any subject which he has not tried at the regular examinations.

ORAL AND CLINICAL EXAMINATIONS

33.—(1) Oral and clinical examinations may be arranged by the presiding examiner during and following the time period of the written examinations.

(2) The session for each individual for such oral and clinical examination shall not exceed thirty minutes and if taken during a written examination, time shall be so extended that the candidate shall have at least two and one-half hours for each written examination.

EXAMINERS

34.—(1) The Board shall at the regular March meeting appoint one of its members, preferably the secretary-treasurer, as presiding examiner for all examinations, and sufficient examiners, depending on the number of candidates for examination, to complete the examinations in a reasonable time, having due regard to expense, examination fees, and to the convenience of both candidates and examiners, and may at any time for similar reasons vary the number of examiners.

(2) Each examiner shall be notified of his appointment and shall forthwith notify the secretary-treasurer of his acceptance, whereupon his appointment shall be confirmed and he shall then receive a copy of the regulations affecting examinations, payment, rules for, and the time set for examinations and in default of immediate acceptance, another examiner shall be appointed.

(3) There shall be at least one examiner in each subject or group of subjects and he shall conduct the examinations, set and read the written papers, and allot marks thereon, and conduct the oral and clinical examinations with assistance therein if necessary and shall provide the clinical and other material necessary for the oral and clinical examinations.

FEES OF EXAMINERS

35.—(1) The presiding examiner shall be paid on the same basis as he is paid for attendance at regular meetings of the Board.

(2) Each examiner shall receive five dollars for each written subject set and twenty-five cents for each subject read and marked by him, and shall receive \$12.50 for each half day of three hours or part thereof for conducting oral and clinical examinations and in addition, he shall be reimbursed for railway fare and hotel expenses.

EXAMINERS MEETING

36.—(1) At the close of the examinations, regular or supplemental, the examiners shall meet and discuss results, finally adjust marks granted and make due recommendations to the Board regarding the candidates at the examinations and changes recommended regarding examinations.

(2) The presiding examiner shall act as secretary of such meeting and submit the official report to the Board.

WRITTEN PAPERS

37.—(1) In the major classifications each examination paper for each examination period shall comprise one subject and shall consist of one question which the candidate shall be required to answer and five other questions of which the candidate shall answer any four and the total marks for each examination paper shall be one hundred.

(2) In the minor classifications each examination paper for each examination period shall comprise a subject or group of subjects and shall consist of fifteen questions each of equal value divided into three groups of five questions each and the candidate shall

be required to answer only three of the questions in each group but in addition thereto there may be included on the paper three questions of a general nature all of which the candidate shall be required to answer and the total marks for each examination paper shall be one hundred.

STANDARD TO BE OBTAINED

38.—(1) A standard of one hundred marks for the written answers, and one hundred marks for orals and clinicals, shall be adopted by each examiner.

(2) Written examination and oral and clinical examination results in each subject or group of subjects may be grouped together by each examiner.

(3) At least fifty per centum on each individual subject or group of subjects and sixty per centum on the total of all examination returns is required for pass standing.

(4) Seventy-five per centum on all subjects shall constitute honour standing.

EXAMINATION HALL AND EQUIPMENT

39. The secretary-treasurer of the Board shall arrange for a suitable examination hall, furniture and equipment, pencils, stationery, blotters, examination books or paper and all other material or equipment necessary for the due carrying out of the examinations and the cost thereof and of any other material or thing necessary or incidental to the said examinations, shall be paid from the office of the secretary-treasurer on presentation of vouchers, such payments to be confirmed at the next regular meeting of the Board.

DISCIPLINE

SUSPENSION, CANCELLATION OF CERTIFICATE

40.—(1) Certificate of registration of any drugless practitioner may, after due enquiry by the Board, be either suspended or cancelled for incompetence, misconduct, or breach of these regulations.

(2) Any drugless practitioner against whom an allegation of misconduct, incompetence, or breach of these regulations is made, shall be notified by registered mail, addressed to the practitioner at the address under which such practitioner is registered, giving notice to such practitioner of the time and place at which the Board will convene for the purpose of determining whether or not he has been guilty of such alleged misconduct, incompetence or breach of these regulations.

DESIGNATIONS

41. No drugless practitioner registered under *The Drugless Practitioners Act* shall display any sign, bill, poster or placard holding himself out or advertising himself as an osteopath, a chiropractor, a drugless therapist, a physio-therapist or a masseur, unless the certificate of registration issued by the Board specifies that such person is registered as an osteopath, chiropractor, drugless therapist, physio-therapist or masseur, as the case may be.

42. No registrant shall use the words "drugless practitioner" as an occupational designation but may only describe himself in the terms of the classification in which he is registered.

ADVERTISING MATTER

43. No drugless practitioner shall publish or cause to be published in any newspaper, telephone directory, periodical, circular or in any other printed matter, any notice or advertisement containing anything other than his name, address, telephone number, office hours, professional titles and type of services rendered, without first submitting the proposed notice or advertisement to the Board, which may grant or refuse permission to publish such notice or advertisement.

44. A registrant using or causing to be used advertising matter which contains mis-statements, falsehoods, misrepresentations, distorted or fabulous statements as to cures by any method of treatment used by him or as to his training, qualifications or attainments, shall be deemed to be guilty of misconduct within the meaning of these regulations.

INTERNAL REGULATIONS OF THE BOARD

QUORUM

45. Three members of the Board shall form a quorum.

CHAIRMAN

46. The chairman, or in his absence, the vice-chairman, shall call and preside at all meetings of the Board and the presiding officer shall in the case of a tie vote have the casting vote.

MEETINGS

47. A meeting of the Board shall be called, upon the written request of any two members stating the reason for the calling of such meeting.

SECRETARY-TREASURER

48.—(1) The secretary-treasurer shall,—

- (a) conduct the correspondence of the Board;
- (b) keep a true and accurate record of the minutes of all meetings of the Board;
- (c) notify all members of the Board of all meetings of the Board, at least three days in advance;
- (d) subject to the direction of the Board, enforce the provisions of *The Drugless Practitioners Act*, and these regulations;
- (e) keep a register of all persons admitted to practice under the Act;

- (f) keep a register of all students applying for examination and the result of such examinations;
- (g) issue certificates to all students successfully passing examinations, and to all drugless practitioners registered under the Act;
- (h) keep a proper record of all business transactions of the Board, the receipt and expenditure of all money and securities, and forthwith deposit all money and securities received in a chartered bank or such Province of Ontario savings office as the Board may select; and
- (i) forward each year to each registered drugless practitioner and to any other person named by the Board a copy of the auditor's report.

INVESTIGATION OF COMPLAINTS

49.—(1) The Board may appoint an inspector for the purpose of investigating complaints registered against registrants under this Act or other persons not so registered.

(2) All complaints relative to registrants or un-registered persons shall be filed with the secretary-treasurer who shall make such further investigations as he deems necessary and report to the Board.

(3) The inspector shall be remunerated for his time and expenses as the Board may determine.

CHEQUES

50. All cheques of the Board shall be signed by the chairman or vice-chairman and secretary-treasurer.

SALARIES

51. Each member of the Board, other than the secretary-treasurer, shall receive for his services twenty-five dollars for each day or part of a day so engaged attending the meetings of the Board, and his travelling and hotel expenses to, from and at such meetings, but the maximum sum which any such member shall receive in any year, apart from travelling and hotel expenses, shall not exceed four hundred dollars, except with the approval of the Lieutenant-Governor in Council.

52. The secretary-treasurer shall receive such salary as the Board, with the approval of the Lieutenant-Governor in Council, may fix.

AUDITORS

53. The accounts of the Board shall be audited by a chartered accountant annually.

REVOCATION

54. All regulations heretofore made under *The Drugless Practitioners Act* are revoked.

Regulations 395

(Ontario Regulations 46/45; 80/46)

REGULATIONS MADE UNDER THE FACTORY, SHOP AND OFFICE BUILDING ACT

PART I

CONTROL OF DUST IN FACTORIES

APPLICATION

1. This Part shall apply to every factory within the meaning of the Act, except grain elevators.

REMOVAL OF DUST

2. Places where dust may accumulate shall be regularly cleaned by vacuum, wet sweeping, wet shovelling or other method approved by the inspector.

VENTILATION SYSTEMS

3. All ventilation systems used for the control of the dissemination of dust, including dust collecting systems, shall be designed and constructed in accordance with established engineering principles to effect the purpose for which they are to be used and shall be subject to the approval of the inspector.

DUST COLLECTORS

4. All dust collectors shall be air-tight and operated, including the emptying process, in a manner to prevent the dissemination of dust and shall be located outside the factory unless the inspector otherwise directs.

SILICA DUST

5. Air exhausted from any process where silica dust is present shall be discharged outside the factory in a manner not to create a health hazard and shall not be returned to the factory.

MAINTENANCE OF EQUIPMENT

6. All equipment used in processes involving the production of dust or used to control the dissemination of dust shall be maintained in good condition.

ABRASIVE BLASTING

7. All abrasive blasting and similar operations used for cleaning or processing of industrial materials inside a factory shall be conducted in an enclosure hereinafter called a "blasting enclosure" so enclosed and ventilated that no dust can escape into the surrounding atmosphere.

8. Ventilation for all equipment used for abrasive blasting and similar operations shall remain in operation as long as the blasting enclosure is occupied or in use.

9. All abrasive blasting and similar operations used for cleaning or processing of industrial materials where the workman is engaged in the operation inside the blasting enclosure shall be carried on in accordance with the following additional provisions:

- (a) A sufficient volume of air shall be drawn through the blasting enclosure to ensure a high rate of air exchange so that the dust shall be rapidly removed after the operation has ceased;
- (b) The employer shall supply every such workman for his individual use with a helmet of a type approved by the inspector and the helmet shall, whenever operations are being carried on, be worn and supplied with air taken from a clean source and not contaminated with oil or other materials;
- (c) The air supply to helmets shall be provided by an externally lubricated low-pressure air supply device used only for such purpose, or by such other means as the inspector may direct;
- (d) There shall be a sufficient volume of air supplied to the helmet to prevent the entrance of dust from the surrounding atmosphere; and
- (e) The air supplied to helmets shall be maintained at a satisfactory temperature.

FILTER MASK

10. Where the mechanical means of dust control prescribed by these regulations are unpractical in the opinion of the inspector, he may require the employer to provide, and the workman to wear a filter mask of such type as he may approve.

ADDITIONAL REQUIREMENTS

11. The inspector may require any employer to take such additional means to prevent the production or dissemination of dust as he deems expedient in the circumstances.

AUTHORITY OF INSPECTOR

12. All operations producing or disseminating dust shall be ventilated to the satisfaction of the inspector and these regulations shall be complied with to the satisfaction of the inspector. (Section 16a, cl. c; 1944, c. 19, s. 4.)

REVOCATION OF REGULATIONS

13. Ontario Regulations 23/44 are revoked.

PART II

USE OF BENZOL AND LEAD

LABELS—BENZOL

14. Manufacturers and distributors of substances containing benzol as an ingredient for use in any industrial process shall indicate the presence of benzol

by a label lettered in legible type with distinct visibility affixed to each package or container thereof.

LABELS—LEAD

15.—(1) Manufacturers and distributors of substances containing lead or its compounds as ingredients for use in any industrial process shall indicate the presence of lead or its compound by a label lettered in legible type with distinct visibility affixed to each package or container thereof.

(2) This regulation shall not apply in the case of lead compounds used only as dryers in the preparation of paint products or to paint products which are prepared for use by brush or by dipping process only.

IMPORTERS

16. Employers and other persons making importations of substances containing benzol or lead or its compounds for resale or for use in any industrial process shall comply with these regulations. (Section 55 (1), cl. a.)

NOTICE OF DANGEROUS SUBSTANCES

17. Manufacturers, distributors and employers using substances dangerous to health, when required by the Chief Inspector on advice of the Director of the Division of Industrial Hygiene, Department of Health, shall post in a conspicuous place printed forms to be approved by the said Director setting forth the dangers involved and indicating the precautions necessary for the protection of their employees. (Section 55 (1), cl. b.)

FURNISHING INFORMATION

18. Manufacturers, distributors and others offering for use in any industrial process substances which may contain ingredients harmful to health shall provide accurate information regarding the percentage of such ingredients when requested by the Chief Inspector or by the Director of the Division of Industrial Hygiene, Department of Health. (Section 55 (1), cl. c.)

EXAMINATION OF EMPLOYEES

19.—(1) The Chief Inspector on the advice of the Director of the Division of Industrial Hygiene, Department of Health, may require at specified intervals, by qualified physicians at the expense of employers, physical examinations of workmen employed at the time of inspection or within the previous six months, in any industrial process, which is considered to be detrimental to health and a report of every such examination in a form suitable to the said Director shall be forthwith sent to him. (Section 55 (1), cl. d.)

(2) The fees for such examinations, if conducted in groups of five or more from one factory, shall not be in excess of \$2 each for physical examination and report; \$3 per film for X-ray examination and report; \$2 each for blood count and report; \$2 each for blood smear examination and report and where less than five examinations are required by one factory at one time, such fees may be increased by not more than 50 cents each. (Section 55 (1), cl. e.)

REPORTS BY PHYSICIANS

20. All duly qualified physicians in the Province shall report forthwith to the Director of the Division of Industrial Hygiene, Department of Health, any case of specific industrial disease or of suspected specific industrial disease coming to their attention on report forms to be supplied by the said Director. (Section 55 (1), cl. f.)

REVOCATION OF REGULATIONS

21. Ontario Regulations 24/44 are revoked.

PART III

INSPECTION OF PRESSURE VESSELS

QUALIFICATION OF INSPECTORS

22. Every inspector of steam boilers appointed under *The Steam Boiler Act* shall be qualified to inspect uninsured boilers and other pressure vessels for the purposes of section 56 of *The Factory, Shop and Office Building Act*. (Section 56 (5), cl. a.)

REPORTS OF INSPECTIONS

23. Every such inspector shall send to the Chief Inspector, Department of Labour, Parliament Buildings, Toronto, a report of every inspection made by him under section 56 of the Act and a statement of the fee charged or received therefor. (Section 56 (5), cl. b.)

FEEs FOR INSPECTIONS

24.—(1) For every inspection made under subsection 5 of section 56 of the Act, the owner of the boiler or other pressure vessel shall pay to the inspector a fee according to the following tariff:

(a) For steel or iron boilers, other than cast iron, including piping and accessories, based on the total heating surface,—

(i) not exceeding 578 sq. ft.	\$ 3.00
(ii) over 578 sq. ft. and not exceeding 1,222 sq. ft.	5.00
(iii) over 1,222 sq. ft. and not exceeding 1,706 sq. ft.	8.00
(iv) over 1,706 sq. ft. and not exceeding 2,122 sq. ft.	10.00
(v) over 2,122 sq. ft. and not exceeding 3,345 sq. ft.	15.00
(vi) over 3,345 sq. ft.	20.00

(b) for cast iron boilers, including piping and accessories, based on the total grate area,—

(i) not exceeding 14 sq. ft.	\$ 3.00
(ii) over 14 sq. ft. and not exceeding 22 sq. ft.	5.00
(iii) over 22 sq. ft. and not exceeding 30 sq. ft.	8.00
(iv) over 30 sq. ft. and not exceeding 36 sq. ft.	10.00
(v) over 36 sq. ft. and not exceeding 58 sq. ft.	15.00
(vi) over 58 sq. ft.	20.00

(c) For refrigeration systems, including piping and accessories, based on the capacity of the plant in tons per twenty-four hour period,—

(i) over 3 tons and not exceeding 10 tons.....	\$ 3.00
(ii) over 10 tons and not exceeding 40 tons.....	6.00
(iii) over 40 tons.....	10.00

(d) For air and gas tanks, steam cookers, digesters, steam kettles and other pressure vessels,—

(i) not exceeding 2 feet in diameter and 6 feet in length.....	\$ 2.00
(ii) over 2 feet in diameter and 6 feet in length but not exceeding 4 feet in diameter and 10 feet in length..	3.00
(iii) over 4 feet in diameter and 10 feet in length but not exceeding 5 feet in diameter and 12 feet in length..	5.00
(iv) over 5 feet in diameter and 12 feet in length.....	7.50

(2) The fees prescribed by this regulation shall be subject to a reduction of fifty per centum in respect of the inspection of boilers and pressure vessels in religious or educational institutions and in hospitals, orphanages and similar institutions. (Section 56 (5), cl. f.)

REVOCATION OF REGULATIONS

25. Ontario Regulations 25/44 are revoked.

PART IV

EXTERIOR FIRE ESCAPES

APPLICATION

26. The regulations in this Part shall apply to all fire escapes designated in subclause ii of clause b of subsection 1 of section 58 of the Act.

DRAWINGS

27. Duplicate printed drawings showing the sizes and composition of all structural members shall be submitted by the owner to the Chief Inspector for approval before a fire escape is constructed or altered, and the drawings shall include,—

- (a) floor plans, elevations and sections of the fire escape drawn to a scale of not less than one quarter of an inch to the foot;
- (b) details drawn to a scale of one inch or more to the foot; and
- (c) a plan showing the location of the fire escape on the building with respect to other means of exit and egress to a yard or public street drawn to a scale of not less than one-sixteenth of an inch to the foot.

ACCESS TO FIRE ESCAPES

28.—(1) Exterior fire escapes shall be located as remotely as possible from interior stairways and the locations shall be subject to approval by the inspector.

(2) The dimensions of exit doors or windows and the width of the fire escape shall be those which, in the opinion of the inspector, are deemed to be suitable for the occupancy of the building.

(3) Access to fire escapes shall be through doors or casement windows at floor level, and the doors or casement windows shall open outwardly where more than fifteen persons are employed or when deemed necessary by the inspector.

(4) The doors and casement windows shall not swing so as to interfere with or reduce the width of exit passage, and they shall be thirty or more inches wide and have a minimum height of six feet six inches.

(5) Access to a fire escape on a building erected prior to the enactment of these regulations may be through suitable double-hung sash, on written permission of the Chief Inspector; to be suitable the lower section of such existing sash shall be counter-weighted, and open easily, have a minimum clear width of thirty inches, a minimum clear height of thirty-six inches and the top of the sill shall be not less than eighteen inches nor more than thirty inches above the building floor level; and a suitable horizontal bar shall be rigidly attached to the lower sash to provide a satisfactory method of lifting it.

(6) Where the sills of existing doors or casement windows are over twelve inches above the building floor level, one or more steps having an equal height of approximately seven and three-quarters inches shall be provided, and such steps shall be the full length of the door or window opening and not less than nine inches wide, exclusive of nosing, and have solid risers.

(7) Where doors and casement windows give access to fire escape balconies, the top of the balcony floors shall be approximately eight inches below the top of the sill; and where double-hung windows are used, the balcony floor shall be not more than eighteen inches below the top of the window sill.

PROTECTION FROM FIRE

29.—(1) Fire escapes on every building hereafter erected shall be protected against fire in that building by blank walls or fire-resistive closures on all openings vertically below, within fifteen feet horizontally and ten feet vertically above every landing, platform or stairway; and such fire-resistive closures shall be self-closing metal-clad doors and frames, or automatically closing or fixed metal sash with wired glass.

(2) Fire escapes on frame buildings shall be entirely supported from the ground but may be braced to the walls.

LANDINGS

30. The minimum width of every exit landing shall be not less than the width of the exit doors or windows opening thereto nor of the stairways leading thereto or therefrom; the minimum area of an exit landing shall be twelve square feet; and the minimum length of an intermediate landing shall be two feet six inches.

STAIRWAYS

31.—(1) Every stairway shall be twenty-two or more inches wide between the stringers.

(2) Stairways shall have a pitch not greater than forty-five degrees, and preferably of forty degrees, with the horizontal; the risers shall not exceed eight and three-eighths inches in height; the treads shall have a clear width of eight and three-quarters or more inches and the run shall not exceed the width of a tread; there shall be no variation in the width of treads or height of risers in any flight of stairs; and where storey heights vary, the heights of risers in different flights shall not vary more than three-sixteenths of an inch.

(3) Treads of stairways and other walking surfaces shall not have any openings with a width greater than five-eighths of an inch.

(4) Winding stair treads shall not be used.

(5) The maximum vertical distance between the finished grade and the finished floor of the second storey landing above a fixed stair to grade shall not exceed fourteen feet and the vertical distance between all other landings shall not exceed twelve feet.

(6) The minimum head-room shall be six feet nine inches when measured vertically above landings or the outer edges of stairway treads.

ACCESS TO GRADE

32.—(1) Access to grade shall be provided by a fixed stairway extending from the bottom landing to the finished grade.

(2) Where structural conditions necessitate locating the bottom flight of stairs over a passageway for vehicular or pedestrian traffic, and the Chief Inspector is fully satisfied that no other alternative is safe and practical, a counter-balanced stairway or vertical ladder may be substituted for the fixed stairway, but the vertical ladder may be substituted only where there is a low-hazard, low-occupancy of the building.

(3) A counter-balanced stairway shall fulfill the following requirements:

- (a) width of swinging section of stairs shall be at least equal to that of fixed stairs leading to it;
- (b) the balustrades and pitch of stairs, height of risers and tread dimensions shall be similar to the stair immediately above it;
- (c) a counter-weight shall be rigidly attached to an extension of the stair past the pivot; no cables shall be used to counter-weight the stairway; and counterbalancing shall be such that upon movement of the release mechanism, the stair will lower and remain the down position;
- (d) to prevent corrosion interfering with the easy operation, there shall be a bronze bushing for every pivot and one or more bronze plates to separate all movable and contacting steel surfaces of the swinging stairway and the release mechanism;
- (e) the stair release bar shall have a diameter of one inch or more and be properly designed and located to ensure satisfactory operation when required and to prevent the stairway from

lowering at other times; the upper end of the stair release mechanism shall be a horizontal bar extending across the path of travel, at a height of three feet on a landing immediately above the swinging stairway; there shall be securely attached to this bar a clearly visible and permanent sign with the word "PUSH" on it; and a pressure of twenty pounds or less on the release bar shall be sufficient to cause the swinging stairway to lower;

(f) the extension for counter-weight shall be designed to prevent any injury to persons about to use the swinging stairway;

(g) there shall be a minimum clearance of three inches between moving sections and the nearest edge of any handrail; and a short length of suitable steel chain may be used to provide a continuous handrail at the head of the swinging stairway; and

(h) swinging stairs shall be located sufficiently clear of all doors or other paths of exit travel and shall not be located where there is likely to be any permanent or temporary obstruction; and there shall be a minimum clearance of fourteen feet between grade and the lowest part of the bottom balcony of a counter-balanced stair over a vehicular passageway.

(4) A vertical ladder shall fulfill the following requirements:

- (a) the ladder rails and rungs shall extend four or more feet above the balcony floor and to within one foot of the finished grade;
- (b) the rails shall be at least one and three-quarters inches by three-eighths of an inch and be spaced sixteen inches apart with three-quarters inch or larger diameter rungs spaced twelve inches centre to centre; the rungs shall extend through the rails and one rung shall be approximately level with top of the balcony floor; and the minimum clearance between centres of rungs and any part of the building shall be six inches; and
- (c) all ladders shall be vertical and may be fixed or may have one telescoping section which shall be easily released by a safe and easily operated release mechanism installed three feet above the floor of the bottom balcony.

(5) When deemed necessary, a fixed ladder shall be installed from the top balcony to the roof for the use of the fire department; and the ladders shall have well anchored rails extending three feet above the coping and provide satisfactory handhold.

BALUSTRADES

33.—(1) Every stairway shall have two balustrades, each not less than two feet eight inches high when measured vertically above the tread nosing; but if one stair stringer is within two inches of a wall, the inner balustrade may be omitted unless the stairway is over thirty-six inches wide when a suitable metal handrail rigidly fastened to the wall shall be substituted.

(2) Every landing and runway shall have balustrades at least three feet high, except where they abut walls or where stairs lead thereto or therefrom.

(3) The exposed sides of every stairway, landing and runway above the third storey floor level shall be continuously enclosed by a screen composed of number twelve gauge or heavier galvanized wire having a chain link or diamond mesh of not over two inches; and the screen shall be fastened to a substantial metal frame extending up from two inches above the stringers and floors to a height of six feet or more vertically above the tread nosings and the landing floors.

(4) All balustrades and screen enclosures shall be so constructed that no obstruction will tend to interfere with full use of the handrails.

MATERIALS AND STRESSES

34.—(1) Every fire escape shall be entirely constructed of non-inflammable materials.

(2) It shall be designed to safely support a minimum live load of one hundred pounds per square foot on all landings, runways and stairways.

(3) Balustrades and enclosures shall be designed to withstand, without serious deflection, a horizontal pressure of fifty pounds per running foot of railing or enclosure.

(4) The ratio of the unbraced length of a steel compression member to the critical radius of gyration shall not exceed one hundred and fifty; and if the compression member is not loaded in excess of fifty per centum of its capacity, the ratio may be increased to two hundred.

(5) The maximum working stresses shall be those permitted by the building code of the municipality in which the fire escape is to be erected or, in its absence, by Part 3 of the National Building Code as published by the National Research Council, Ottawa, Ontario.

MINIMUM SPECIFICATIONS

35. The minimum specifications for steel fire escapes shall be as follows:

- (a) all steel shall be mild or medium grade;
- (b) the minimum thickness of steel shall be one-quarter of an inch for brackets, purlins, columns and stair hangers, and three-sixteenths of an inch for all other members;
- (c) minimum rivet sizes shall be as follows: Five-sixteenths of an inch in slats and railings, three-eighths of an inch in stringers and one-half of an inch in brackets and hangers; and if field bolts are used, their diameters shall be one-eighth of an inch greater than the above rivet sizes and they shall be burred or peened over to prevent loosening;
- (d) balustrades shall consist of one and one-half inch by one and one-half inch by three-sixteenths inch angle railings supported by one and one-quarter inch by one and one-quarter inch by three-sixteenths inch angles spaced at

maximum intervals of four feet; an intermediate railing of one and one-quarter inch by three-sixteenths inch flat bar shall be provided about halfway between the handrail and the stringers or landing floor; and the railings shall be riveted to all angle supports and the angles shall be connected to the stringers and purlins with two three-eighths inch diameter bolts;

- (e) if the spacing of the vertical supports for landing balustrades exceeds two feet, an intermediate vertical support not less than one and one-quarter inch by three-sixteenths inch flat bar shall be provided; adjoining vertical supports on landings shall be diagonally braced to one another by one and one-quarter inch by three-sixteenths inch flat bars; and where the balustrades are not well anchored to the building walls or otherwise, one and one-half inch by one-quarter inch braces shall be bolted, using three-eighths inch bolts, to eight inch or longer extensions of the bracket top chords and to the vertical supports at points two or more feet above the brackets;
- (f) balcony brackets shall preferably be spaced not more than four feet apart and shall consist of a horizontal top chord, a vertical strut against the wall and a brace making an angle of approximately forty-five degrees, but not more than sixty degrees, with the wall; gusset plates at each corner of the brackets shall have the same thickness as the bracket members; for brackets projecting thirty-six inches or less from the wall, the members shall be not less than two inch by two inch by one-quarter inch angles and for brackets projecting not more than forty-eight inches from the wall, angles not less than two and one-half inches by two and one-half inches by one-quarter of an inch shall be used; and heavier members shall be used to support stairways, and where deemed necessary.
- (g) the top chord of the bracket shall be riveted to the flattened end of a one and one-quarter inch or larger diameter through-bolt with not less than three five-eighths inch rivets; the bolt shall pass through the building wall and be secure fastened with a nut and a six inch by eight inch by one-quarter inch steel plate washer inside the wall or to the framework of the building; a bracket shall not project more than four and one-half times the thickness of the masonry wall to which it is attached unless special interior anchorage is provided; through-bolts shall be installed nine or more inches outside the outer edge of any adjacent wall opening; the bottom end of the angle brace of the bracket shall be turned into the wall at least three inches; and all metal members which enter walls shall be effectively protected against corrosion and all holes in masonry walls shall be thoroughly built up to provide solid support for the brackets;
- (h) floors of landings and platforms shall consist of one and one-quarter inch by three-sixteenths inch flat bars, spaced not more than five-eighths of an inch apart and be riveted with five-sixteenths inch rivets to two inch by

two inch by one-quarter inch purlins where the bracket spacing does not exceed four feet; the purlins shall not be spaced more than one foot four inches centre to centre and shall preferably have their horizontal leg on top; and the purlins shall be connected to the brackets with three-eighths inch bolts;

- (i) treads for stairways up to thirty-six inches wide shall have one and one-quarter inch by one and one-quarter inch by three-sixteenths inch angles at each side and each end, and have slats of one and one-quarter inch by three sixteenths inch flats spaced not more than five-eighths of an inch apart; similar flats or angles shall be provided at the centres of treads up to twenty-four inches wide and for wider treads, at centre to centre distances not exceeding twelve inches from each other or the ends of the treads; the slats shall be riveted to the tread frame with five-sixteenths inch rivets; and the treads shall be connected to the stringers with two three-eighths inch rivets or one-half inch bolts;
- (j) columns for landings and runways shall consist of two and one-half inch by two and one-half inch by one-quarter inch angles having a maximum unbraced length of eight feet; where two inch by two inch by one-quarter inch angles can be used, the maximum unsupported length shall be six feet; the horizontal bracing shall consist of one and one-quarter inch by one and one-quarter inch by three-sixteenths inch struts up to a length of four feet and of diagonal cross-braces of one and one-quarter inch by three-sixteenths inch flats; all bracing and struts shall have three-eighths inch riveted or bolted connections; the struts shall be connected to the wall by one-half inch diameter by four inch long bolts with suitable wall anchorage devices; the balcony purlins shall rest on two and one-half inch by two and one-half inch by one-quarter inch angles with three-quarters inch bolts through the masonry walls; splices in columns shall be made only with angles equal to those in the columns and be eighteen inches or more in length; eight three-eighths inch diameter bolts shall be used; and each column shall have a six inch by six inch by three-eighths inch base-plate with a three-quarters inch by ten inch anchor bolt imbedded eight inches in the concrete footing which shall be not less than ten inches by ten inches carried four feet or more below grade to prevent frost action;
- (k) the stair stringers shall consist of four-inch channels weighing five decimal four pounds per foot for stairways up to three feet wide, provided that their horizontal projection does not exceed twelve feet; for stairs from three to four feet wide and having a horizontal projection up to twelve feet, five-inch channels weighing six decimal seven pounds per foot shall be used; and the stringers shall be securely hooked over or riveted to the top chord of the balcony bracket, and the bottom end of each stringer shall be connected to and bear upon a purlin, bracket or member of equal strength; and

- (l) welding may be substituted for riveting provided that all specified requirements relating to design of joints, qualification of welders, welding procedure, use of approved rods and inspection of work have been fulfilled to the satisfaction of the Chief Inspector.

PAINTING AND MAINTENANCE

36.—(1) All parts of metal fire escapes shall be thoroughly scraped and cleaned of rust, dirt, oil, etc., before being given one shop coat of good quality paint and one field coat of a different colour immediately after erection; and all surfaces that may be inaccessible after erection shall be given two shop coats of different colours.

(2) Outside fire escapes shall be competently inspected at least annually by the owner, and shall be scraped and painted as often as necessary to maintain them in a safe condition.

(3) Fire escapes and all passageways leading thereto or therefrom shall be maintained in a safe condition and free at all times from ice, snow or any other obstruction.

SIGNS AND ILLUMINATION

37.—(1) The location of every exit opening shall be clearly indicated by suitable signs on which the word "EXIT" in distinct letters, not less than six inches high, shall be printed; the signs shall be sufficiently illuminated to be readily discerned whenever the building is occupied; and there shall be one such sign over each door or window giving access to a fire escape together with sufficient directional signs to readily indicate their locations from every part of the building.

(2) Artificial illumination for outside fire escapes and passageways to streets shall be provided where deemed necessary by the inspector.

MUNICIPAL BY-LAWS

38. Nothing in these regulations shall be interpreted as permitting any design of fire escape specifically prohibited by a municipal building by-law.

SUBSTITUTIONS

39. When approved in writing by the Chief Inspector, other designs providing equivalent strength and safety may be substituted for those herein specified. (Section 58 (5).)

PART V

GRAIN ELEVATORS

APPLICATION

40. This Part shall apply to grain elevators only.

INTERPRETATION

41. In this Part,—

- (a) "elevator" shall mean any premises or structure used for the storage or handling of bulk

grain and which has a total storage capacity of not less than 125,000 bushels;

- (b) "gallery" shall mean that portion of an elevator above ground level, which connects two or more buildings;
- (c) "marine tower" shall mean that portion of an elevator, either stationary or portable used for the receiving of grain;
- (d) "storage building" shall mean that portion of an elevator used for the storage of grain;
- (e) "suitable" shall mean suitable to the Chief Inspector;
- (f) "tunnel" shall mean that portion of an elevator, at or below ground level, which connects two or more buildings; and
- (g) "work-house" shall mean that portion of an elevator used for the receiving, weighing, cleaning and shipping of grain.

APPLICATION OF REGULATIONS

42.—(1) Regulations 43 to 50, 52 (1) and (2), 57, 58, 59 (1) and (2), 61 and 66 shall not apply to an elevator heretofore erected.

(2) Regulations 53 (3), 59 (4), 84, 88, 89 (2), 90 (4), 91 to 99, 101, 102 and 103 shall not apply to an owner who is not an employer.

DESIGN OF STRUCTURE

CONSTRUCTION

43.—(1) Elevators shall be constructed of non-combustible materials.

(2) Where combustible materials other than grain, belts or railway cars are present in the building in quantity sufficient to produce a serious fire, and where sprinklers are not installed, all structural steel shall be encased in non-combustible materials.

SURFACES AND LEDGES

44.—(1) Interior surfaces, including the inside of bins and garners, shall be as smooth as practicable.

(2) Surfaces inaccessible to cleaning, and pockets and ledges shall be minimized.

(3) Such surfaces as must necessarily exist shall be inclined from the horizontal as steeply as practicable.

WALLS

45.—(1) Exterior walls above or below the bins or tanks in the work-house or storage buildings, and the walls of belt-conveyor galleries and track sheds shall be so designed and constructed as to provide explosion venting-areas either through the use of large window areas or other suitable means.

(2) A minimum of one square foot of explosion venting-area shall be provided for every 80 cubic feet of air volume of working floors.

(3) The explosion venting-area for basements shall be that set out in subregulation 2 unless the structural stability of the elevator would be endangered thereby, in which case the explosion venting-area shall be the maximum that is practicable.

(4) Wired glass may be used only as protection against exposure, and, in such cases where it is included in explosion venting-areas, explosion type hardware shall be used.

TRACK SHED

46.—(1) Track shed for loading or un-loading of cars shall be separated from the elevator by a tight non-combustible partition or by sufficient clear space to exclude dust from elevator.

(2) Windows in the partition shall be stationary and doors self-closing.

LOCATIONS

47. The various buildings and sections of the elevator shall be as distantly separated from one another as practicable and the distances shall be subject to the approval of the Chief Inspector.

COMMUNICATIONS

48.—(1) Where belt-conveyor galleries or tunnels connect main sections of the elevator, a tight non-combustible partition shall be provided.

(2) Belt openings in the partitions shall be as small as practicable and shall be equipped with a vertical automatic fire-door with roller at bottom, closing down on belt.

(3) Doors in the partitions shall be self-closing hinged fire-doors.

BINS AND TANKS

49.—(1) Bins, tanks and interspaces shall be covered with a bin floor of non-combustible construction.

(2) Man-holes in storage-building bin floors for access to bins shall be not less than 24 inches in least dimension.

BASEMENTS, TUNNELS AND GALLERIES

50.—(1) Exterior walls of basements and tunnels shall have as much provision for natural light and ventilation as practicable.

(2) Tunnels and galleries shall be of such width and height as to afford easy access for sweeping on both sides of and under each belt.

SHAFTWAYS AND EXITS

51.—(1) Stairways required for exit purposes and passenger elevators shall be in shaftways enclosed with non-combustible materials.

(2) Stairways and passenger elevators in marine towers need not be enclosed between the dock and bin floor levels.

(3) Openings to stairways shall have self-closing fire-doors hinged to open in the direction of exit travel.

(4) Openings in elevator shaftways shall be protected by self-closing fire-doors.

(5) Where practicable, the stairs from basement to the working or first floor shall not be continuous with the stairs from the first floor to the floors above.

(6) At least two means of direct exit, as remote from one another as practicable, shall be provided from every working floor and the basement.

(7) More than two means of exit shall be provided,—

(a) where the maximum distance to reach an exit from any point in,—

(i) a work-house; or

(ii) an unsprinklered storage building of combustible construction

is greater than 100 feet; and

(b) where the maximum distance to reach an exit from any point in any other storage building is greater than 200 feet.

(8) The means of exit from the work-house shall consist of at least one tower-stairway enclosed with non-combustible materials and,—

(a) at least one additional tower-stairway;

(b) at least one steel fire-escape on the exterior wall of the building; or

(c) horizontal passage-ways equipped with fire-doors leading to adjoining buildings.

VENTILATION

WINDOWS

52.—(1) Buildings and operating rooms shall be provided with window-ventilating area in the ratio of one or more square feet for every 160 cubic feet of room volume, except in basements where the window-ventilating area shall be 50 or more per cent of the explosion venting-area.

(2) Window ventilators shall be,—

(a) easily accessible for operation;

(b) arranged to provide for maximum ventilation when open; and

(c) of the pivoted or projected type.

(3) Ventilation by mechanical means shall be used in elevator buildings heretofore erected which do not conform to requirements of subregulations 1 and 2.

BASEMENTS

53.—(1) Rooms and areas in basements, tunnels and space around track hoppers shall be well ventilated by windows, louvers or mechanical means.

(2) Permanent openings in basements for admission of air from the outside to supply mechanical means of ventilation shall be provided.

(3) During periods of operation sufficient windows and exterior doors shall be open to provide adequate ventilation.

ROOFS

54. Where no mechanical means of ventilation is used, the roofs of track sheds, cupolas, galleries and tunnels shall be provided with monitors or other ventilators which, in conjunction with windows, provide frequent change of air.

VENTING OF BINS AND TANKS

55.—(1) Each bin or tank and interspace, enclosed at the top, shall be provided with adequate positive air-aspiration or shall be separately vented to the outdoors.

(2) Where vents are used, each vent shall be equivalent in area to a round opening not less than 12 inches in diameter, and the stack shall be equipped with a suitable outside ventilator.

(3) Stacks shall be vertical where practicable, but may be inclined not more than 45 degrees from the vertical, and two or more stacks may be connected to a common header stack.

EQUIPMENT

ELEVATOR LEGS

56.—(1) Elevator legs shall be enclosed in separate casings for both up- and down-legs, except where running through a beltway between bins.

(2) The beltway shall be tightly closed at the top and bottom and shall be hopped to prevent accumulation of dust.

(3) Heads shall be hopped to the down- or up-leg but not to both.

(4) Leg casings and connecting spouts and doors or other openings into them shall be dust-tight.

(5) No wood or wood-rim pulleys shall be used.

(6) Boots shall be above the floor; but where now in pits they shall be accessible by a permanent iron-ladder and be well-lighted without the use of extension lamps, and ample room shall be provided for cleaning and oiling.

(7) Boots shall be so constructed as to minimize the possibility of chokes.

(8) Where grain is delivered to a boot by a conveyor belt, the belt shall be equipped with an automatic mechanical or electrical device that will stop the belt or notify the operator when the leg stops.

POWER

57.—(1) Motors shall be large enough to elevate the maximum amount of grain that can be delivered by the largest tributary spout or conveyor.

(2) Motors shall be equipped with overload and no-voltage protective devices.

(3) Where grain is delivered to a boot by a conveyor belt, the conveyor-belt motor shall be interlocked with the leg motor in such a manner that the conveyor-belt motor shall be automatically stopped when the leg motor is stopped.

BACKSTOPS

58. Elevator legs shall be equipped with special automatic backstops.

INDIVIDUAL DRIVE

59.—(1) All elevator legs, conveyors, machines and carpullers shall have individual electric motor drives, except where batteries of cleaning machines or one or more conveyors are used at the same time.

(2) A single electric motor may be used to drive the machines with the line shaft or gear transmission.

(3) In elevator plants heretofore erected, conveyors, machines and carpullers shall have individual connections through clutches to lineshafts as far as practicable.

(4) Elevator machinery shall not be run idle.

CLEANERS

60. Cleaning or other grain-processing machinery hereafter installed in non-combustible elevators shall be of non-combustible construction.

SPACE UNDER MACHINES

61. Cleaners and similar machines shall be set at least 8 inches above the floor.

MAGNETIC OR PNEUMATIC SEPARATORS

62. Magnetic or pneumatic self-cleaning separators shall be provided ahead of all shellers, crackers, crushers and grinding machinery.

FRICTION CLUTCHES

63. Friction clutches hereafter installed shall be constructed entirely of non-combustible material.

SCREW CONVEYORS

64. Screw conveyors shall be fully enclosed in tight substantial metal housings, with free-lifting covers at discharge and over each shaft coupling.

BEARINGS

65.—(1) Bearings hereafter installed for shafts in elevator machinery running 250 revolutions or more per minute shall be equipped with ball- or roller-bearings.

(2) Bearings shall be provided with dust caps or other tight closure of all lubrication inlets.

SPACE UNDER CONVEYORS

66. There shall be at least 6 inches clear space under rollers supporting conveyor belts.

NON-CHOKING DEVICES

67. A garner shall be equipped with a reliable "tell-tale" or other device to guard against overfilling.

SPOUTS AND THROW OF GRAIN IN THE OPEN

68.—(1) Spouts shall be stationary where feasible.

(2) Portable and movable enclosed spouts are permitted in a working floor, bin- or distributing-floor.

(3) There shall be no throw of grain in the open for considerable distances not confined in spouts, except where grain is discharged inside bins or tanks.

GRAIN SPOUTS INTO BINS OR TANKS

69. Spouts introducing grain into a bin or tank shall be arranged to prevent the grain stream from striking the side of the bin or tank.

GRAIN DRIERS

LOCATION AND TYPE

70.—(1) Driers hereafter installed shall be separated from each other by dust-tight partitions located in a fire-resistive room or rooms as far removed from elevator or tanks as practicable.

(2) Driers hereafter installed shall be of the dust-collecting type with the dust removed by the elevator dust-collection system.

AIR INTAKES AND OUTLETS

71. Air intakes and outlets, where considered necessary by the Chief Inspector, shall be protected by substantial corrosion-resistive wire screens not exceeding one-third inch mesh.

GARNERS AND HOPPERS

72.—(1) Every garner, hopper or bin over drier or under cooling section shall be dust-tight and provided with adequate positive air-aspiration or effective vents to outside.

(2) Where grain is brought to a drier by a belt, the belt shall not enter the garner but shall discharge into spout or aperture in the closed top of the garner.

(3) No special ventilation is required for a hopper open to a cooler which is under suction.

TOP OF DRIER

73. The top of drier, where practicable, shall be open so that there is no surface on which dust may lodge, and to provide access for cleaning out refuse which may lodge on duct; but if closed, the top shall be inclined at a steep angle, or the hopper from the garner shall be the same size and shape as the top of the drier.

FLOORS

74.—(1) Where floors or runways around drier and cooler are necessary, gratings shall be used.

(2) Where air separation is necessary between drier and cooler, or elsewhere, dust hoppers shall be installed under the grating floor, and the hoppers shall be connected at bottom to dust-collecting system.

(3) Solid floors may be used if all air is drawn from drier and cooler through continuous ducts to fan and blown to dust-settling chamber with hopper bottom connected with dust-collecting system.

STEAM COILS

75.—(1) Steam coils shall be so designed, installed and arranged that dust does not lodge on coils, headers or elsewhere in casing containing them.

(2) Coil room shall be separated by dust-tight partitions and floors from drying section and all other parts of drier-house.

DIRECT HEAT DRIERS

76.—(1) The furnace shall be located in a fire-resistive room or division separated from drier and elevator by masonry walls with no communication to drier except duct for products of combustion.

(2) Driers shall be equipped with,—

- (a) a reliable automatic device for regulating temperature in them; and
- (b) a separate and independent automatic device which shall effectively and reliably prevent the temperature from rising to a dangerous point.

(3) Baffles or other effective device shall be provided to prevent sparks from entering the drier along with the products of combustion.

DUST CONTROL SYSTEMS

HEADS, BOOTS, GARNERS AND SCALES

77.—(1) Heads, boots and garners shall be dust-tight and provided with adequate positive air-aspiration or effective vents to outside.

(2) Scale hoppers shall be enclosed around the top between the scale hopper and the garner bottom, and shall be provided with effective vent to outside or into the garner.

BINS

78.—(1) Enclosed bins shall be provided with positive air-aspiration or effective vents to outside.

(2) Separate suction connections or vents on enclosed bins are not required where tripper discharge spout suction is so arranged as to provide relief for pressures developed in bins by discharge of grain.

BELT LOADERS

79. Places where grain is discharged onto belts shall be provided with adequate positive air-aspiration.

BELT DISCHARGES AND TRIPPERS

80.—(1) Places where belts discharge grain or re-load grain shall be provided with adequate positive air-aspiration above and below the grain stream.

(2) Trippers shall be equipped with adequate positive air-aspiration so arranged that connection can be made readily to trunk suction pipe.

MACHINES AND DISTRIBUTING SPOUTS

81. Cleaning and similar machines and distributing spouts which liberate an appreciable amount of dust shall be provided with adequate positive air-aspiration.

CONVEYOR GALLERIES

82. Where grain is discharged from a belt or is transferred from one belt to another in a conveyor gallery at a distance of 100 feet or more from any elevator building and where the gallery is adequately ventilated by windows, the provisions of regulations 79 and 80 shall not apply.

CAR LOADING AND UN-LOADING

83.—(1) The dust liberated by car loading shall be controlled by enclosing the car-door opening around the car spout with an adjustable hood, and by applying adequate positive air-aspiration to the hood, or by other as effective means.

(2) Dust liberated by car unloading, especially where car dumpers are used, shall be controlled by enclosing as much of the top and bottom of the track hoppers as practicable, and by applying adequate positive air-aspiration to the enclosures, or by other as effective means.

SWEEPING

84.—(1) Dust on floors, machinery and other surfaces, including all galleries and tunnels, shall be removed daily by sweeping with suitable hair or soft-fibre push-brooms or by vacuum sweeping equipment

(2) As many sweepers shall be so employed as are necessary to keep the building clean.

(3) Spills and chokes shall be cleaned up daily.

(4) General cleaning shall not be done with compressed air.

FLOOR SWEEPS

85. Floor sweeps connected to the dust-collecting system shall be located at convenient points throughout the building to facilitate the disposal of floor sweepings.

DUST CONTROL AND DISPOSAL

86.—(1) The entire dust control system shall be designed and installed in accordance with recognized engineering practice effectively to prevent dust from entering the atmosphere in the elevator and to avoid the pick-up of solid grain.

(2) Dust and air in the system shall be discharged to dust collectors and the discharge of air from the dust collectors shall be to the outdoors.

(3) Collected dust shall be removed from the dust collectors by suction and discharged through a dust collector to a suitable outside bin, to a boiler-room or to a suitable refuse-screening bin.

(4) No dust shall be returned to the grain stream from a dust collector except at the car loading spouts, and above the bottom of the track hoppers.

(5) There shall be no direct open connection between dust collectors and boiler-room or incinerators.

ELECTRIC EQUIPMENT

WIRING AND EQUIPMENT

87.—(1) Electric wiring, electric installation, electric apparatus, electric appliances and equipment shall conform to *The Power Commission Act* and the regulations made thereunder.

(2) Offices and similar locations, so segregated as to be deemed free from dust by an inspector of The Hydro-Electric Power Commission of Ontario, may be classed as non-hazardous under the regulations referred to in subregulation 1.

BIN LIGHTS

88. Portable spot lights of approved design shall be used for bin examination by directing the beam through the man-hole opening; but where it is not practicable to use the spot lights portable lamps provided with approved dust-tight globes properly protected against mechanical injury shall be used.

LIGHTING

89.—(1) Lighting installations shall be of types for use in atmospheres containing grain dust.

(2) A watchman shall use only an electric lantern or flash light where the general lighting system is not in use or where a separate lighting circuit on each floor is not provided for his use.

MISCELLANEOUS

HEATING

90.—(1) Every boiler-room shall be fully enclosed with suitable non-combustible materials.

(2) The boiler-room of an elevator hereafter erected shall have no openings between it and any working floor of the elevator, except those required for the transmission of power, electricity, heat, and water.

(3) Every boiler-room heretofore erected shall have a self-closing metal fire-door on every doorway opening into any working floor of the elevator.

(4) Radiators, steam-pipes and electric heating appliances shall be kept free from all combustible material.

STEAM LOCOMOTIVES

91. Steam locomotives shall not be permitted to enter elevator or track-sheds with receiving hoppers.

INSECT CONTROL

92. Processes and materials used for the control of mites or other insects or pests shall not endanger the safety of employees through fire hazard.

SMOKING

93.—(1) Smoking is prohibited in every elevator except in a designated fire-proof room having no direct inter-communication with any working floor in the elevator.

(2) The room shall be equipped with electric lighting devices.

(3) Signs prohibiting smoking shall be posed in conspicuous places throughout the elevator buildings.

(4) No person in an elevator shall carry or have upon his person matches, cigarette lighters, or contrivances or devices for lighting.

(5) Each elevator shall be provided at its employees' entrance with two covered fire-proof receptacles, one for matches and the other for cigar- and cigarette-butts and pipe contents.

(6) Each receptacle shall be plainly labelled to show the purpose for which it is provided.

(7) No person shall enter the elevator without first depositing in the receptacle all the materials mentioned in subregulation 5.

OPEN FLAMES

94. Open flames or welding operations are prohibited in an elevator unless all machinery is shut down and the atmosphere and all adjacent surfaces freed of combustible dust.

WASTE CANS

95. Metal waste cans with self-closing covers shall be provided on each floor of the elevator containing machinery for oily waste or other rubbish and the cans shall be emptied daily.

LOCKERS

96. Workmen's clothing shall be kept in suitable metal lockers in a fire-resistive room reasonably free from dust or in a separate building.

EATING ROOMS

97. An eating room shall be provided for the use of the employees and shall have a satisfactory dust-tight partition between it and the working areas or be in a separate building; but if located in the elevator, exits leading directly to the outdoors shall be provided.

OILS

98.—(1) Main storage of lubricating oil and grease shall be outside the elevator building.

(2) Storage of lubricating oil and grease in the building shall be limited to a maximum of 5 barrels and shall be in an oil room constructed of non-combustible materials.

MISCELLANEOUS STORAGE

99. There shall be no storage within the elevator of,—

- (a) sacks, sacked grain, sacked screenings or other combustible merchandise; or
- (b) materials, machinery, parts and supplies.

LIGHTNING PROTECTION

100. All combustible elevators shall be equipped with lightning protection in accordance with *The Lightning Rod Act*.

STATIC ELECTRICITY

101.—(1) Where tests indicate the presence of static electricity accumulations, the electricity shall be removed by permanent ground wires, metal combs and other effective means.

(2) The grounding circuit shall have a resistance of 25 ohms or less.

(3) Static grounds shall not be made to electric conduit systems, gas or steam pipes, dry-pipe sprinkler or steam-pipe systems or lightning rods.

FIRE PROTECTION

PORTABLE EXTINGUISHING EQUIPMENT

102.—(1) Five-gallon water-pump tank extinguishers shall be provided on each floor so that one is within 100 feet of every point of that floor.

(2) At least one of the extinguishers shall be in the track-shed and one in each of the main office and boiler-room.

(3) Extinguishers exposed to frost shall be protected against freezing and equipped with a special nozzle or other device to convert the discharge stream into fog or spray.

(4) One 1-quart vaporizing-liquid extinguisher or one carbon dioxide extinguisher shall be provided,—

- (a) in each room where electrical panel-boards, compensators, circuit-breakers, electric switches or motors are installed; and
- (b) within 50 feet of each motor or other electrical equipment installed elsewhere in the building.

(5) There shall be installed in each storage room or building,—

- (a) one 15-pound carbon dioxide extinguisher;

(b) one 2-quart pressure-type vaporizing-liquid extinguisher; or

(c) one 2½-gallon foam-type extinguisher protected against freezing.

(6) Extinguishers exposed to dusty atmospheres shall be enclosed in dust-tight cabinets with a glass front suitably marked or otherwise protected against dust or damage.

WATCHMAN

103. Every elevator shall be patrolled by a watchman and in combustible elevators he shall record his patrol by a time-recording device.

STAND-PIPES AND HOSE

104.—(1) Work-houses shall be provided with 4-inch stand-pipes in sufficient number and so distributed that any fire in the work-house can be effectively reached with water from 100-foot lays of 1½-inch rubber-lined hose which shall be attached to the stand-pipes on each floor and fitted with nozzles of a type that delivers a spray or fog.

(2) In combustible elevators the stand-pipe system shall be extended to give equivalent protection to all sections in addition to the work-house.

(3) Stand-pipes, unless protected from freezing, shall be of the dry type, and the main shut-off valve, if subject to water pressure on the supply side, shall be so installed that it can be opened quickly in an emergency.

(4) Provision shall be made whereby adequate pressure may be supplied to the stand-pipes by means of fire-department connections for pumpers or a stationary pump installed in a pump-house outside the main elevator building.

(5) Where more than one stand-pipe is supplied with pressure from the same booster connection, each stand-pipe shall be equipped with a separate shut-off valve, normally sealed open, on the discharge side of the interconnection and located where it permits the most convenient closing of the valve in the event of a rupture of the stand-pipe during a fire or explosion.

(6) Hose and nozzles shall be protected from dust and moisture.

GENERAL

105. Buildings, equipment and machinery shall be maintained in good working condition and repair.

Regulations 396

(Ontario Regulations 223/44)

REGULATIONS MADE BY THE MINISTER OF AGRICULTURE UNDER THE FARM PRODUCTS GRADES AND SALES ACT

DEFINITIONS

1. In these regulations,—

- (a) "Act" shall mean *The Farm Products Grades and Sales Act*;
- (b) "Butter" shall mean the food product, commonly known as butter, manufactured from milk or cream or both, with or without colouring matter, salt, or other harmless preservatives;
- (c) "Cheddar Cheese," "Canadian Cheese" and "Canadian Cheddar cheese" shall mean cheese made by the cheddar process from heated and pressed curd obtained by the action of rennet on whole milk;
- (d) "Cheese" shall mean the product made from curd obtained from milk, skim-milk, cream or any mixture of these by coagulating the casein thereof with rennet, lactic acid or any suitable enzyme or acid, and with or without further processing or the addition of other ingredients, such as fresh milk solids, ripening ferments, special moulds, emulsifying agents, seasoning or colouring matter and salt (sodium chloride);
- (e) "Cream Cheese" shall mean the soft uncured cheese made from curd obtained by the action of either lactic fermentation or rennet or both on cream or milk to which cream has been added, and when the curd, heated or unheated, salted or unsalted, is drained by gravity and light pressure;
- (f) "Process Cheese" or "Emulsified Cheese" shall mean the food product produced by comminuting and mixing one or more lots of cheese with or without the aid of heat into a homogeneous mass and may contain added water, solids derived from milk, with or without harmless emulsifying agents, harmless colouring matter, seasoning, relishes, condiments or other foods and milk fat;
- (g) "Skim-milk Cheese" shall mean cheese which is made from or by the use of milk commonly known as "skim-milk", milk from which any cream has been removed, milk to which skim-milk has been added or which contains in the water free substances less than 48 per centum of milk fat;
- (h) "Creamery" shall mean the building to which milk or cream from the cattle herds of five or more persons and from not less than fifty cows is brought for the purpose of being manufactured into butter;
- (i) "Creamery Butter" shall mean butter manufactured in a creamery;
- (j) "Dairy" shall mean any building where the milk or cream from less than fifty cows is manufactured into butter;
- (k) "Dairy Butter" shall mean butter manufactured in a dairy;
- (l) "Dairy Product" shall include milk, cream, condensed milk, evaporated milk, milk powder, butter, cheese, ice cream, sherbet and any other product manufactured from milk and all imitations thereof;
- (m) "Fat" shall mean any fat or oil whether of animal, vegetable or mineral origin;
- (n) "Foreign Substance" shall mean any substance incorporated or placed in any dairy product which is unnecessary or foreign to the manufacture of such dairy product;
- (o) "Ice Cream" shall mean the frozen product made from milk products with or without the addition of any of the following ingredients—eggs, water, sugar, harmless flavouring, harmless colouring and may contain stabilizer or edible material in the proportions mentioned in clause *a* of subsection 1 of section 6;
- (p) "Inspector" shall mean a dairy produce inspector appointed by the Minister pursuant to the provisions of the Act;
- (q) "Mark" and "Marking" shall include any trade mark, stencil, stamp, label, number, brand and writing placed on cheese or on any package containing any dairy product to identify it or designate the particular grade or classification or the place of manufacture;
- (r) "Milk Products" shall include milk fat, cream, butter, milk, evaporated milk, skim-milk, condensed milk, sweetened condensed milk, condensed skim-milk, sweetened condensed skim-milk, dried whole milk and dried skim-milk;
- (s) "Package" shall include any box, tub, crock, tin, crate, paper wrapper, carton and any other receptacle or covering used for the packing of any dairy product;
- (t) "Person" shall include association, corporation, firm, partnership and syndicate;
- (u) "Renovated Butter" or "Process Butter" shall mean any butter that has been melted, clarified, refined and re-churned;
- (v) "Sherbet" shall mean the frozen product, other than ice cream, made from milk products with the addition of any of the following ingredients—water, sugar, honey, fruit or fruit

juices, harmless colouring, harmless flavouring and stabilizer of edible material in the proportions mentioned in clause *b* of subsection 1 of Section 6;

- (w) "Whey" shall mean the product remaining after the removal of fat and casein from milk in the process of cheese manufacturing;
- (x) "Whey Butter" shall mean butter manufactured from whey;
- (y) "Whey Cream" shall mean cream separated from whey.

COMPULSORY MARKING FOR CHEESE AND BUTTER

2. (a) Except as hereinafter provided all branding marks placed on cheese or on packages containing cheese or butter as required by these regulations shall be legible and indelible and shall consist of letters not less than 48 point face extended capitals (preferably Gothic);
- (b) (i) All branding marks placed on packages containing cheese of a net weight not exceeding one pound and on cartons, packages and wrappers containing butter shall be legibly and indelibly placed upon the main panel of the carton, package or wrapper in letters not less than 24 point face extended capitals (preferably Gothic);
- (ii) All branding marks placed on the carton, package or wrapper containing butter of less than one pound in weight, cut or moulded into pats or prints, shall be in letters not less than 12 point face extended capitals (preferably Gothic);
- (c) All cheese shall be correctly marked within twenty-four hours after removal from the press with the date of manufacture in the same size numbers as required in clause *a*, and the date shall indicate the month of the year and the ²¹ day of the month in the following manner—

$$\frac{\quad}{1}$$
or 21/1, the upper or first numbers to indicate the day of the month and the lower or latter numbers the month of the year;
- (d) Every cheese and every package containing cheese or butter shall be marked at the factory with the vat or churning number in the same size numbers as required in clause *a* and such vat or churning numbers shall run consecutively throughout the calendar year commencing with number 1 on packages containing butter and with number 100 on cheese and packages containing cheese;
- (e) (i) Every manufacturer of cheese, creamery butter and whey butter, or any of them, shall mark each package containing cheese, creamery butter or whey butter with the registered number of such manufacturer in the same size as is required in clause *a*, and when creamery or whey butter is moulded or cut into prints, blocks, squares or pats and is wrapped in a wrapper or

carton such wrapper or carton shall bear the name and address of the manufacturer, cutter, jobber, or creamery or the registered number of the creamery, the branding mark or trade mark together with the name and address of the wholesale or retail dealer;

- (ii) Every stencil, rubber stamp or other device used to apply the registered number to packages containing cheese, creamery butter or whey butter shall be in the exact form as set forth in Schedule 1 and with letters as described in clause *a* (48 point face extended capitals, preferably Gothic);
 - (f) Every manufacturer of skim-milk cheese shall mark on the side of every cheese within twenty-four hours after its removal from the press, and upon every box or package containing such cheese before it leaves the factory, the words "Skim-milk Cheese";
 - (g) Every manufacturer of whey butter shall mark the package containing such whey butter at the time of packing with the words "Whey Butter";
 - (h) Every person who mixes whey butter with creamery butter or with dairy butter shall mark the packages containing such mixed butter at the time of packing with the words "Whey Butter";
 - (i) Every person who manufactures butter from a mixture of ordinary cream as separated from milk and cream which has been separated from whey shall mark the packages containing such butter at the time of packing with the words "Whey Butter";
 - (j) Every person who mixes dairy butter with creamery butter shall mark the packages containing such mixed butter at the time of packing with the words "Dairy Butter";
 - (k) Every person who packs dairy butter in packages similar to those used for the packing of creamery butter shall mark such packages at the time of packing with the words "Dairy Butter";
 - (l) Every person who cuts or packs dairy butter into blocks, squares or prints and wraps such butter in parchment paper shall mark such wrapped butter with the words "Dairy Butter";
 - (m) Every person who packs butter in tubs or boxes shall mark such tubs or boxes on the side.
- #### PROHIBITED MARKING FOR CHEESE AND BUTTER
3. (a) No person shall mark any package containing butter with the words "Creamery Butter" or with any combination of the word "Creamery" unless such butter is creamery butter within the meaning of these regulations;
 - (b) No person shall mark any cheese or mark any package containing cheese or butter in any

manner that shall give false information as to the country or province of origin, or as to the cheese factory or creamery in which it was manufactured;

- (c) No person shall mark any package containing butter with any fictitious creamery name or with any word which might be construed as a creamery name unless such name or word is followed by the word "brand";
- (d) No person shall mark any package containing butter in any manner whereby false or exaggerated claims are made as to the quality of the product contained therein;
- (e) No person except an inspector shall remove, alter, efface or obliterate, or cause to be removed, altered, effaced or obliterated any inspector's brand or mark on any dairy product or on any package containing such dairy product;
- (f) No person except an inspector shall brand or mark with an inspector's brand or mark any dairy product or package containing such dairy product.

SALE OF BUTTER

4. No person shall knowingly sell, offer for sale or have in his possession for sale,—

- (a) Any whey butter unless the package containing such product is marked with the words "Whey Butter";
- (b) Any butter which consists of a mixture of whey butter and creamery butter or whey butter and dairy butter unless such product is marked with the words "Whey Butter";
- (c) Any butter manufactured from a mixture of ordinary cream, separated from milk, and cream which has been separated from whey unless such product is marked with the words "Whey Butter";
- (d) Any mixture of dairy butter and creamery butter unless such product is marked with the words "Dairy Butter";
- (e) Any dairy butter packed in packages similar to those used for the packing of creamery butter unless such packages are marked with the words "Dairy Butter";
- (f) Any dairy butter packed, moulded or cut into blocks, squares or prints and wrapped in parchment paper unless such parchment paper is marked with the words "Dairy Butter";
- (g) Any butter marked with the words "Creamery Butter" or any combination of words which includes the word "Creamery" unless such butter is creamery butter as defined by these regulations;
- (h) Any butter which is contained in a package which is marked in such a manner as to give false information as to the country or province

or origin or as to the creamery in which it was manufactured;

- (i) Any butter contained in a package which is marked with any fictitious creamery name or with any word which might be construed as a creamery name unless such name or word is followed by the word "brand";
- (j) Any whey butter or any butter which consists of a mixture of whey butter and creamery butter, a mixture of whey butter and dairy butter or any butter manufactured from a mixture of ordinary cream as separated from milk and cream which has been separated from whey unless a placard bearing the words "Whey Butter" in letters at least 60 point face extended capitals (preferably Gothic) is displayed on the butter in such a manner as to be clearly visible to purchasers, except in cases where such butter is packed or cut into prints, blocks, squares or pats and wrapped in parchment paper which is printed or marked with the words "Whey Butter";
- (k) Any dairy butter or any butter which consists of a mixture of dairy butter and creamery butter, packed in boxes similar to those used for the packing of creamery butter, or which has been turned out of such boxes unless a placard bearing the words "Dairy Butter" in letters at least 60 point face extended capitals (preferably Gothic) is displayed on the butter in such manner as to be clearly visible to purchasers;
- (l) Any butter which contains over 16 per centum of water or less than 80 per centum of milk fat;
- (m) Any processed or renovated butter;
- (n) Any butter moulded or cut into prints, blocks, squares or pats unless such prints, blocks, squares or pats have a net weight of one-quarter pound, one-half pound, one pound or multiples thereof; provided that this clause shall not apply to butter made by individual farms and sold by them;
- (o) Any butter packed in tins or packages stated to contain a certain weight unless such weight is the net weight.

SALE OF CHEESE

5. No person shall knowingly sell, offer for sale or have in his possession for sale,—

- (a) Any cheese or skim-milk cheese which contains any preservative except salt (sodium chloride) and if processed with or without emulsifying agents which contain more than 43 per centum water;

- (b) Any cheese which is contained in a package which is marked in such a manner as to give false information as to the country or province of origin or as to the cheese factory in which it was manufactured;
- (c) Any cheese which contains any inferior curd or any fat except milk fat;
- (d) Any skim-milk cheese unless the words "Skim-milk Cheese" are marked upon the side of every cheese and also upon the outside of every box or package which contains such cheese and unless a placard bearing the words "Skim-milk Cheese" in letters at least 60 point face extended capitals (preferably Gothic) is displayed on such cheese in such a manner as to be clearly visible to purchasers;
- (e) Any cream cheese which contains more than 55 per centum water and in the water free substance less than 65 per centum of milk fat;
- (f) Any process cheese or emulsified cheese which contains any fats except milk fat;
- (g) Any process or emulsified cheese manufactured from a cheddar or hard cheese base which contains more than 43 per centum water and in the water free substance less than 48 per centum milk fat;
- (h) Any process or emulsified cheese manufactured from a cream cheese base without the addition of seasoning, relishes, condiments and other foods which contain more than 55 per centum water and in the water free substance less than 65 per centum milk fat;
- (i) Any process or emulsified cheese manufactured from a cream cheese base with the addition of seasoning, relishes, condiments and other foods which contain more than 60 per centum water and in the water free substance less than 50 per centum milk fat;
- (j) Any package which contains cheese unless such package has a net weight of one-quarter pound, one-half pound, one pound or a multiple thereof, provided that this clause shall not apply to cheese made by individual farmers and sold by them.
- (b) Any sherbet that contains more than three-fourths of 1 per centum by weight of edible stabilizer or more than 5 per centum by weight of milk solids including milk fat;
- (c) Any frozen or semi-frozen product containing milk fat which contains more than 5 per centum by weight of milk solids including milk fat unless such frozen or semi-frozen product complies with the standards of composition for ice cream as provided by these regulations.
- (2) No person shall sell, offer for sale or have in his possession for sale any ice cream or sherbet in a package unless,—
- (a) The package which contains such ice cream or sherbet bears a true and accurate statement of the net volume of the contents expressed in pints, quarts, gallons, or fractions thereof, provided that net contents of packages containing less than five fluid ounces may be expressed in terms of fluid ounces;
- (b) The package if prepared and packed by the manufacturer of the ice cream or sherbet bears the name and address of the manufacturer of such ice cream or sherbet;
- (c) Markings required by clauses *a* and *b* shall be plain, legible and indelible and shall be in type of not less than 12 point face extended capitals (preferably Gothic) on packages marked one pint or less, and in type of not less than 24 point face extended capitals (preferably Gothic) on packages marked more than one pint.
- (3) No person shall sell, offer for sale or have in possession for sale,—
- (a) Any ice cream or sherbet in bulk in any can, tank or other receptacle unless such can, tank or other receptacle is plainly, legibly and indelibly marked with the name of the manufacturer of such ice cream or sherbet in type of size consistent with the size of the can, tank, or other receptacle and no person other than the owner of such can, tank or other receptacle shall remove, cover or conceal such markings;
- (b) Any ice cream or sherbet contained in or dispensed from any can, tank or receptacle which is falsely marked as to the name of the manufacturer of such ice cream or sherbet.

SALE OF ICE CREAM AND SHERBET

6.—(1) No person shall sell, offer for sale or have in his possession for sale,—

- (a) Any ice cream that contains more than one-half of one per centum by weight of edible stabilizer, less than 35 per centum by weight of food solids, less than one and nine-tenths pounds of food solids per gallon, and less than 13 per centum by weight of milk fats; provided that when fruits, nuts, cakes or confections are used as ingredients for the purpose of flavouring the contents of milk fat may be proportionately less than 13 per centum, but in no event less than 11 per centum and shall contain no fat except milk fat;
- (4) (a) Any containers or cabinets used for the storage of ice cream or sherbet shall be plainly, legibly and indelibly marked in type of size consistent with the size of such container or cabinet with the name and address of the owner of such container or cabinet;
- (b) No container or cabinet used for the storage of ice cream or sherbet and which is the property of a manufacturer of ice cream or sherbet shall be used for the storage of any ice cream or sherbet manufactured by anyone other than the owner of such container or cabinet;

- (c) Any returnable can, tank or receptacle in which ice cream or sherbet has been packed by the manufacturer thereof and delivered to retailers for resale to consumers shall when empty be promptly returned to such manufacturer and shall not be refilled or otherwise used by such retailer.

BUTTER BOXES

7.—(1) Boxes used for packing creamery butter shall be boxes of either dovetail, lock-corner or rabbeted corner double nailed design and shall comply with the following specifications:

- (a) Boxes shall be 12½ inches by 12½ inches by 11¼ inches high, inside measurement;
- (b) Only well seasoned and sound spruce lumber free from bark, worm holes, knot holes and loose knots shall be used;
- (c) The covers of boxes shall be reinforced by means of two hardwood slip tongues of at least ⅝ inch thickness by ½ inch in width which shall be glued and driven into the ends of such covers;
- (d) Not more than 2 pieces shall be used in ends of boxes, not more than 3 pieces in sides of boxes and not more than 4 pieces in tops and bottoms of boxes; joints of pieces in sides, ends and bottoms shall be tongued, grooved and glued; joints of ends and sides shall be properly broken not less than 1 inch apart; joints of ends of boxes shall be strengthened by two steel corrugated fasteners applied on the inside of the box and driven at least 1/16 inch under the surface of the lumber, and where a Linderman joint is used the corrugated metal fasteners may be omitted;
- (e) Not less than 1 nail in each side and 6 nails in each end shall be used in fastening bottoms containing 3 pieces of lumber and not less than 1 nail in each side and 7 nails in each end shall be used in fastening bottoms containing 4 pieces of lumber and the nails shall be 1¼ inches long, 14 gauge and cement coated;
- (f) Covers shall be applied with the grain of the wood in the cover running in the same direction as in the bottom and no hook fasteners shall be used, covers shall be secured by not less than 4 nails in each end of covers, only blued box nails 1¾ inches long and of 14 gauge shall be used for this purpose;
- (g) The inside of the box and of the covers shall be well coated or treated with paraffin or some other preparation approved by an inspector.

(2) In addition to specifications contained in subsection 1, boxes of lock-corner and dove-tail designs used for packing creamery butter shall also comply with the following specifications:

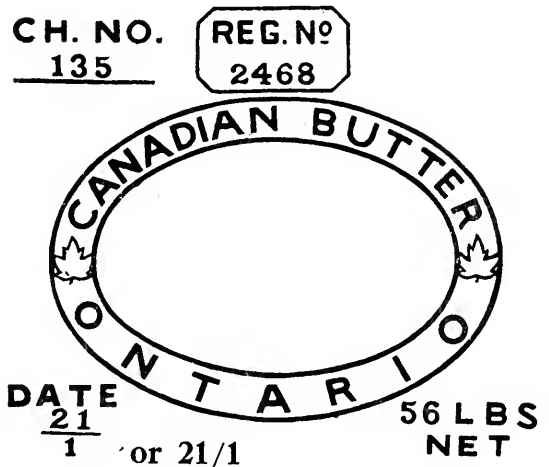
- (a) Boxes shall be lumber surface on two sides and the ends shall be not less than ½ inch in

thickness and the top, sides and bottom not less than ⅜ inch in thickness;

- (b) Tenons shall be cut smooth and insides of corners shall be free of slivers and corners shall be glued and well pressed into place;
- (c) The outer side of corners shall be dressed on a sand wheel and boxes shall be of good workmanship and finish.

(3) In addition to specifications contained in subsection 1, boxes of double-nailed rabbeted-corner design used for packing creamery butter shall also comply with the following specifications:

- (a) Boxes shall be of lumber surfaced on two sides and not less than 9/16 inch in thickness for the ends and not less than ⅜ inch in thickness for the sides, cover and bottom, after surfacing;
- (b) The ends of the box overlapping the sides shall be not less than 3/16 inch in thickness;
- (c) 1¾ inch cement coated 14 gauge nails shall be used with not less than 10 nails to each corner and the nails at the top of the corners shall be placed as close to the top of the wood as is practicable;
- (d) Corners shall be free of slivers and boxes shall be of good workmanship and finish.
- (4) (a) Boxes used for creamery butter as described in this section shall be marked on one end with the following design:



- (b) The churning number, the registered number, the date mark and the words "56 lbs. net" shall be placed exactly as shown in the design;

- (c) Every 56-pound box containing butter shall be branded at the time of packing with the date of manufacture in the same size numbers as required in clause a of Section 2 and the

date shall indicate the month of the year and day of the month in the following manner—
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— or 21/1, the upper or first numbers to represent the day of the month and the lower

or latter numbers to represent the month of the year and incorrect date marking will be an offence under these regulations;

- (d) The lines forming the ovals of the design shall be $\frac{1}{8}$ inch wide and $\frac{7}{8}$ inch apart and the inside of the outer oval shall measure 10 inches horizontally and $7\frac{1}{2}$ inches vertically;
- (e) The words "Canadian Butter" and the name of the province "Ontario" shall be in block letters $\frac{5}{8}$ inch high and no line in the design shall be less than $\frac{1}{16}$ inch in width;
- (f) The design shall be printed on the boxes with black ink only and shall in no case be stencilled or stamped;
- (g) The space within the oval may contain any name, trade-mark, design or wording which is not inconsistent with these regulations.

STANDARDS FOR GRADES OF CREAMERY BUTTER

8. In grading creamery butter inspectors shall be governed by the following standards and definitions:

(1) Scale of Points for Scoring Butter:

Flavour.....	45 points
Texture.....	15 points
Incorporation of Moisture...	10 points
Colour.....	10 points
Salting.....	10 points
Packing.....	10 points
Total.....	100 points

(2) Scores and Definitions for Grades of Butter:

(a) First Grade Butter.

*Total Score, 92 and over—
Minimum Score for Flavour 39*

Flavour—Clean or slight lack of flavour.
Texture—Slightly weak, slightly open, slightly sticky or slightly brittle.
Incorporation of Moisture—Some free clear moisture (not leaky).
Colour—Practically true and even and no objectionable defects.
Salting—Must be all dissolved and not over 2 per centum salt, unless the butter is destined for a purchaser who requests over 2 per centum salt, and first grade certificates issued for butter containing more than 2 per centum salt shall bear the following notation: "As the butter for which this certificate is issued contains more than 2 per centum salt and is represented as being for a trade requiring more than 2 per centum salt, a First Grade Certificate has been issued, and this certificate shall not be valid for sale

for domestic trade except to a purchaser requesting a salt content of more than 2 per centum".

Boxes and Packing—Clean new boxes and the insides of the boxes and covers shall be well coated or treated with paraffin or some other preparation approved by an inspector, and the boxes shall be double lined with parchment paper of good quality and of minimum weight of 40 pounds per ream or lined with some other wrapper approved by an inspector and the butter shall be solidly packed, full weight and neatly finished.

Marking—Registered number, churning number and date of manufacture shall be neatly and legibly marked on boxes.

(b) Second Grade Butter.

*Total Score, 87 and under 92—
Minimum Score for Flavour 37*

Flavour—Unclean, slightly weedy but excluding French Weed or other pronounced weedy flavours, slightly stale or stale, sour, pronounced woody or other objectionable flavours on the surface or in the butter.

Texture—weak, open, salvy, greasy, brittle or sticky.

Incorporation of Moisture—Leaky.
Colour—Slightly mottled or mottled, slightly streaky or streaky, uneven or objectionable shade.

Salting—Pronounced salty, bitter taste or undissolved salt, or over 2 per centum, excepting in cases as provided for under first grade standards.

Boxes and Packing—Second-hand boxes, or rough, poorly made or dirty boxes, with only one ply parchment paper, or two ply of parchment paper of inferior quality or of weight less than 40 pounds per ream, poorly finished or uneven in weight.

Marking—Registered number, churning number or date of manufacture carelessly or illegibly marked on boxes.

(c) Third Grade Butter.

Total Score, under 87—Score for Flavour, under 37, unless below Third Grade

Flavour—Very stale, very sour, fishy, very unclean, very metallic, very yeasty, very musty, very cheesy, very fruity, rancid or pronounced weedy flavours, but excluding French weed or similar types of flavours or other objectionable flavours on the surface or in the butter which are too pronounced for Second Grade Butter.

Texture—Very weak or anything inferior to Second Grade.

Incorporation of Moisture—Milky moisture.

Colour—Very mottled, very streaky or very uneven.

Salting—Exceedingly heavy.
Boxes and Packing—Very dirty boxes, no parchment paper, very poor finish or dirty unclean surface.

(d) Below Third Grade.

Score—No Score Given

Flavour—Any very objectionable flavour such as very rancid, surface taint, French weed or other strong weedy flavours which are comparable with French weed, garlic, onions, gasoline or kerosene.

General—"Below Third Grade" shall also mean and include any butter where dirt or foreign matter of any kind is found in or on the butter and any butter on which mould has appeared either on the butter itself or on the parchment paper lining of the package and any butter otherwise inferior to Third Grade.

9.—(1) The inspector shall issue a certificate for each lot of butter which has been graded, in the following form:

ONTARIO DEPARTMENT OF AGRICULTURE

Certificate of Grading

CREAMERY BUTTER FOR DOMESTIC CONSUMPTION

Sample No.....

Covering

..... Packages of.....
Marking on Package.....

Grade Marked on Package.....

OFFICIAL GRADE.....

Score for Flavour..... Points

Total Score..... Points

Grade at.....

Date.....

.....
Inspector.

GENERAL

10. No person except the last purchaser or consumer shall remove, obliterate, erase or cause to be removed, obliterated or erased, any marking, brand, churning number, registered number, vat number or date mark placed upon any cheese or upon any package containing cheese or butter as required by these regulations.

11. No person shall place any cheese manufactured in Ontario in boxes within eight days from the date of manufacture.

12. No person shall change the package on any cheese or butter after it has been graded without the knowledge and consent of an inspector.

13. After any cheese or butter has been graded no person shall mark or brand the packages in any manner

that is inconsistent with the grade of said cheese or butter.

14. An inspector may change any incorrect grade, brand or mark on any package containing cheese or butter.

15.—(1) Except as provided in clause *b* of section 2 any person marking or stamping any package containing butter so as to describe the grade or quality of butter shall use one of the following terms: "First Grade," "Second Grade," "Third Grade," or "Below Third Grade."

(2) The grade marking shall be such as will give a true and accurate description of the quality of butter contained in the package and such marking shall be legible and indelible and consist of letters of not less than 24 point face extended capitals (preferably Gothic) and in the case of prints or pats shall be placed on the main panel of the wrapper and carton and no other terms descriptive of quality shall be used.

16. Any package containing creamery butter for sale, offered for sale or had in possession for sale to consumers or to any person representing a consumer shall be marked so as to give a true and accurate description of the quality of the butter in accordance with the provisions of section 15.

17.—(1) No person shall make any false, misleading or exaggerated claim in respect of any dairy product in any advertisement or upon the package containing such produce and no person shall sell, offer for sale or have for sale or have in possession for sale any dairy product in respect of which any false, misleading or exaggerated claim is made either in any advertisement or upon the package containing such product.

(2) Any person advertising or placarding creamery butter in Ontario shall include in each advertisement or placard an indication of the grade of butter advertised or placarded and such indication shall conform in phraseology with the grade terms as set out in these regulations and be shown in type of size consistent with the type used in other parts of the advertisement or placard.

SCHEDULE 1

Referred to in Section 2 (e) (ii)



Regulations 397

(Ontario Regulations 303/44)

REGULATIONS MADE BY THE MINISTER OF AGRICULTURE UNDER THE FARM PRODUCTS GRADES AND SALES ACT

INTERPRETATION

1.—(a) “Canadian Egg Standards” means the standards with respect to Grades, Packing Materials, Grade Markings and Grading Premises and Equipment for eggs, as established by the Live Stock and Live Stock Products Act, 1939 (Canada), and regulations thereunder.

(b) “Delivery” means the physical transfer of eggs from one premises to another premises, whether or not any change in the ownership of the eggs is involved.

(c) “Department” means the Department of Agriculture.

(d) “Eggs” means eggs of the domestic hen in the shell, excepting only those intended for incubation.

(e) “First Receiver” means any person other than a Registered Egg Grading Station who purchases or receives on consignment or on account, ungraded eggs from producers.

(f) “Graded Eggs” means eggs in containers which are marked with the name of a Canadian Standard Egg Grade.

(g) “Minister” means the Minister of Agriculture.

(h) “Producer” means a person who ships, transports or sells only eggs produced on his own farm.

(i) “Registered Egg Grading Station” means premises with respect to which a Certificate of Registration has been issued by the Federal Department of Agriculture, authorizing the grading, packing and marking of eggs according to the Canadian Egg Standards in such premises.

(j) “Retailer” means any person who offers, has in possession for sale or sells eggs to a consumer.

(k) “Ship” or “Shipping” means the overt act of any person leading to the movement, by common carrier or other means of public conveyance, of any eggs from or to a point within the Province of Ontario.

(l) “Transport” or “Transporting” means the overt act of any person leading to the movement, otherwise than by shipping, of any eggs from or to a point within the Province of Ontario.

(m) “Ungraded Eggs” means eggs in containers which are not marked with the name of a Canadian Standard Egg Grade.

(n) “Wholesaler” means any person who sells eggs to a retailer, or to any restaurant, hospital, hotel, boarding house, bakery, logging, mining or construction camp, transportation company or other organization or its use in baking or cooking or for serving to in-

mates, guests, patrons or employees; or who sells eggs for conversion into frozen or dried eggs or other egg products.

GRADES AND STANDARDS

2. The grades for eggs under these regulations shall be the Canadian Standard Egg Grades and the packages, packing and marking shall be as defined in the Canadian Egg Standards.

WHOLESALE AND RETAIL DISTRIBUTION

3. Eggs shall not be sold, shipped, transported, delivered or kept in a warehouse ready for delivery by a wholesaler, unless they have been graded, packed and the containers thereof marked in accordance with the Canadian Egg Standards and with the identification of a Registered Egg Grading Station as prescribed thereby; provided that—

When the wholesaler is a producer and is not a Registered Egg Grading Station the container shall bear the name and address of the producer in letters not less than one-quarter inch high applied in the same manner as and below the grade mark.

4.—(a) Eggs shall not be sold, offered or kept in possession for sale by a retailer unless they have been graded and the containers thereof marked in accordance with the Canadian Egg Standards.

(b) Containers in which eggs are received by a retailer shall be marked with the grade of the eggs contained therein in accordance with the Canadian Egg Standards, the number of the Registered Egg Grading Station or the name and address of the producer.

(c) All eggs in retail store premises, whether or not in view of the public, shall be deemed to be kept for sale.

5. Eggs below the minimum grade, as defined in the Canadian Egg Standards, shall not be sold, offered or kept in possession for sale for human consumption.

6. Any person who, with respect to eggs, publishes an untrue, deceptive or misleading advertisement, handbill, poster or statement shall be guilty of an offence under these regulations.

7. Any advertisement in which eggs are offered for sale or distribution shall be deemed to be untrue, deceptive or misleading,

(a) if it fails to include prominently the grade designation according to the Canadian Egg Standards, or

(b) if it includes any implication, representation or assertion that the eggs advertised are superior in condition or quality to that required, under

the Canadian Egg Standards, for that particular grade, or

(c) if any word or phrase denoting freshness of production is used as descriptive of eggs except those graded as Grade A or Grade A1, or

(d) if the words "New Laid" are used as descriptive of eggs other than those graded as Grade A1.

8. Any carton or card displayed in connection with eggs in a retail store shall be deemed to be an advertisement.

9. Any person who,

(a) as a wholesaler sells, ships, transports, delivers or keeps eggs in a warehouse ready for delivery, or

(b) as a retailer sells, offers or keeps eggs in his possession for sale or receives eggs

shall, if the provisions of these regulations have not been complied with in every respect, be guilty of an offence under these regulations.

SHIPMENT AND PURCHASE OF UNGRADED EGGS

10. Containers in which ungraded eggs are shipped or transported by producers or first receivers shall be marked on at least one end in block letters not less than three-quarters of an inch high with the words "Ungraded eggs—For Shipment Only."

11. Registered Egg Grading Stations shall pay on a graded basis for all ungraded eggs purchased or received on consignment by them.

12. Eggs shall be deemed to have been purchased on a graded basis only if they are graded in accordance with the Canadian Standard Egg Grades and if a different price is paid for eggs graded into any of the compulsory or corresponding optional grades.

13. Operators of Registered Egg Grading Stations shall be responsible that Bench Reports in a satisfactory form, in English or French, are completed by the grade with respect to each lot of eggs graded by him.

14.—(a) Operators of Registered Egg Grading Stations shall furnish to each seller or shipper of ungraded eggs, within seven days after receipt of such eggs, a Grading Report, in English or French, and containing the following information on a printed form provided by them for the purpose:—

- Name and address of the operator of the Registered Egg Grading Station.....
- Registered Egg Grading Station Number.....
- Date of statement.....
- Name and address of seller.....
- Date of delivery.....
- Number of dozens of eggs delivered.....

Amount and rate per dozen of any advance payment, whether in cash or other negotiable instrument, in merchandise or on account.....

Number of eggs graded into each grade.....

Price to be paid for each grade.....

(b) When any shipment of ungraded eggs received by a Registered Egg Grading Station is made up of eggs from more than one producer, suitably identified, the Grading Report furnished by the Registered Egg Grading Station to the shipper shall include details of the grading of the eggs from each individual producer.

(c) One copy of each Grading Report required by paragraphs (a) and (b) shall be retained by the Registered Egg Grading Station.

15.—(a) First receivers shall pay or settle on a graded basis for all ungraded eggs received by them and shall furnish to the producer, within fourteen days after receipt of such eggs, a Grading Report, in English or French, showing the following information:—

- Name and address of first receiver.....
- Date of statement.....
- Name and address of producer.....
- Number of dozens of eggs delivered.....
- Date of delivery.....
- Amount and rate per dozen of any advance payment, whether in cash, merchandise or on account.....
- Number of eggs graded into each grade.....
- Price to be paid for each grade.....

(b) One copy of each such Grading Report shall be retained by the First Receiver.

16. First Receivers who ship or deliver ungraded eggs to a Registered Egg Grading Station shall clearly identify the eggs from each individual producer in the shipment, either by packing them in separate containers or by placing each producer's eggs in a separate end of a case or in separate fillers or by packing and identifying them in some other satisfactory manner.

17. First Receivers shall sell, ship or transport ungraded eggs only to a Registered Egg Grading Station.

18. Only Registered Egg Grading Stations may buy or receive ungraded eggs from a first receiver.

19. Advance payments in excess of eighty per centum of the total value of ungraded eggs computed at the price per dozen for Grade B eggs shown on the Grading Report shall not be made prior to final settlement by a first receiver or Registered Egg Grading Station.

20. Registered Egg Grading Stations and first receivers shall retain for a period of ninety days all forms and statements required to be made out by or furnished to them under these regulations.

21. Any person who buys or receives ungraded eggs shall, unless the requirements of these regulations have been complied with in every respect, be guilty of an offence under these regulations.

INSPECTION

22. Upon the application of the operators of Registered Egg Grading Stations or wholesalers in any area representing more than fifty per centum of the eggs shipped or transported out of or sold in a wholesale way in that area, the Minister may, if satisfied that the public interests would best be served thereby, designate such area as an Inspection Area under these regulations.

23. Graded eggs shall not be shipped or transported out of any Inspection Area designated by the Minister nor, if so prescribed by him, sold wholesale within that Area, except by a producer, unless such eggs have been inspected, the cases or boxes marked with the Government Mark and a Certificate of Inspection thereof has been issued by an inspector.

24. Inspections as required in regulation 23 shall be subject to such fees as may be prescribed.

25. Eggs out of storage may be shipped or transported to a Registered Egg Grading Station without grading or inspection, but the containers thereof shall bear the words "Ungraded out of storage" in letters not less than one-quarter inch high, stamped or stencilled over existing grade marks, or, if they bear no grade marks, on the ends of the containers.

26. Any person who ships or transports eggs out of an Inspection Area designated by the Minister or, if so prescribed by him, sells eggs wholesale within that Area, shall, if the requirements of these regulations have not been complied with in every respect, be guilty of an offence under these regulations.

27. The Minister is hereby empowered to issue permits and renewals thereof to persons who buy, receive, ship or transport eggs below the minimum grade as defined in the Canadian Egg Standards, and may refuse to issue or renew a permit to any person and may suspend or cancel any permit or renewal thereof.

28. No person shall purchase, receive, ship or transport eggs below the minimum grade except under the authority of a permit or renewal thereof.

29. No person shall sell, ship, transport or deliver eggs below the minimum grade to any other person unless such other person has been issued a permit in accordance with these Regulations.

30. Every person requiring a permit or renewal thereof shall make application therefor in writing upon and according to the form presented by the Department.

31. Permits and renewals thereof shall be issued annually for the period from the first day of January in the year in which the permit or renewal is issued to the thirty-first day of December in the same year.

32. Persons issued permits or renewals thereof shall furnish monthly statements to the Department showing the receipts and disposition of eggs below the minimum grade and shall retain such documents and other records as the Department may require for a period of ninety days.

33. Every person who sells, ships or delivers eggs below the minimum grade shall retain all documents and records pertaining to the sale of such eggs for a period of ninety days.

34. Containers in which eggs below the minimum grade are shipped or transported shall be marked on both ends with the word "REJECTS" in letters at least three-quarters ($\frac{3}{4}$) of an inch in height.

35. Every first receiver of eggs and every operator or person in charge of a Registered Egg Grading Station shall upon the request of an inspector produce his records and documents pertaining to the purchase of eggs for the inspection of such inspector.

Regulations 398

(Ontario Regulations 304/44)

REGULATIONS MADE BY THE MINISTER OF AGRICULTURE UNDER THE FARM PRODUCTS GRADES AND SALES ACT

INTERPRETATION

1. In these Regulations,—

- (a) "Act" shall mean *The Farm Products Grades and Sales Act* and amendments thereto;
- (b) "Canadian Standards for Dressed Poultry" shall mean the kinds, sub-kinds and grades of dressed poultry provided for in these regulations;
- (c) "Crooked Breast Bone" shall mean a breast bone which interferes with the amount and arrangement of the meat;
- (d) "Director" shall mean the Director of the Fruit Branch of the Department of Agriculture for the Province of Ontario;
- (e) "Dressed Poultry" shall include chickens, fowl, turkeys, ducks, geese, pigeons and guineas;
- (f) "Inspector" shall mean an inspector appointed under the provisions of the Act;
- (g) "Minister" shall mean Minister of Agriculture for the Province of Ontario;
- (h) "Pin Feather" shall mean a miniature feather so protruding through the skin that it can be extracted;
- (i) "Person" shall include association, corporation, firm, partnership and syndicate;
- (j) "Producer" shall mean a person engaged in the raising of chickens, fowl, turkeys, ducks, geese, pigeons and guineas.

APPLICATION OF REGULATIONS

2. The provisions of these regulations shall apply to the City of Toronto and municipalities adjoining thereto and to the City of Ottawa and municipalities adjoining thereto.

3. The provisions of these regulations shall not apply to a producer who sells, transports or delivers direct to a consumer dressed poultry produced on his own farm.

SALES OF DRESSED POULTRY

4. Dressed poultry offered for sale to consumers in retail stores, public markets or otherwise, except as provided for in section 3, shall be tagged on the wing or stamped on the breast with a tag or mark approved by the Director for the purpose of identifying the grade of the dressed poultry and the registered number of the registered poultry packing station at which the dressed poultry was graded.

5. Tags or marks shall be coloured purple, red, blue or yellow brown and shall relate to the grades "Special", "A", "B" and "C" respectively, and in the case of any grade "D" the tags or marks shall be coloured yellow brown.

6. The shape, colour, lettering, place and method of attachment of tags shall be in such form as may be prescribed by the Director.

7. In the case of old turkeys, the tag or grade mark shall bear the word "Old".

8. Dressed poultry in retail stores, premises, whether or not in view to the public, shall be deemed to be kept for sale and grade marks shall be clear and legible.

9. Every advertisement relating to dressed poultry shall state the kind, and in the case of roosters and stags the sub-kind, and the grade of the dressed poultry offered for sale and every advertisement relating to turkeys shall state whether they are old or young.

10. No person shall sell, offer for sale or have in his possession for sale or deliver dressed poultry marked, labelled, tagged or described on the containers or otherwise with or by the name of any grade, tag or mark, specified in these regulations unless the dressed poultry conforms to the grade specified in these regulations.

11. No person shall publish or display any untrue, deceptive or misleading advertisement or statement in respect to any dressed poultry offered for sale or held in possession for sale or distribution.

STANDARDS

12. The kinds, sub-kinds and grades for Dressed Poultry shall be as follows:

Kinds	Sub-Kinds
Chickens	Squab Broilers, Broilers, Fryers, Roasters, Poulards, Capons, Stags.
Fowl	Hens, Roosters.
Turkeys	Young Turkey Hens, Young Turkey Toms, Old Turkey Hens, Old Turkey Toms.
Ducks	Ducklings, Old Ducks.
Geese	Goslings, Old Geese.
Pigeons	Squab Pigeons, Pigeons.
Guineas	Guinea Chickens, Guinea Fowl.

KINDS AND SUB-KINDS

13. The kinds of poultry shall include both sexes but shall make no distinction between the breeds.

14. Squab Broilers, Broilers, Fryers, Roasters, Poulards, Capons, Ducklings, Goslings, Young Turkeys, Guinea Chickens, and Stags are young birds with soft flexible cartilage at the posterior end of the breast bone or keel. They are birds that are prepared for market and killed at or before maturity and before they are used for breeding purposes.

15.—(1) Squab Broilers are young chickens weighing not more than 19 pounds to the dozen.

(2) Broilers are young chickens weighing not more than 28 pounds to the dozen.

(3) Fryers are chickens weighing from 29 to 42 pounds to the dozen.

(4) Roasters are chickens weighing from 43 pounds or more to the dozen.

(5) Capons are unsexed male chickens.

(6) Poulards are unsexed female chickens.

(7) Stags are male chickens showing hard spurs and general characteristics approaching the stage of maturity.

(8) Squab Pigeons are young pigeons that have never flown.

(9) Hens, Roosters, Ducks, Geese, Old Turkey Hens, Old Turkey Toms, and Guinea Fowl are mature birds that have no soft flexible cartilage at the end of the breastbone or keel.

Pigeons are old birds that have flown and developed hard muscle.

GRADES

16. In grading dressed poultry under these regulations the following factors shall be considered: condition, conformation, flesh, fat and dressing.

17. To qualify for any grade under these regulations, poultry must have all plumage feathers plucked from the body, wings, hocks and the neck to within one inch of the head, vent flushed, feet and mouth cleaned.

GRADES FOR DRESSED POULTRY

18. The following shall be the grade names under these regulations:

Grade Special Milkfed
Grade A Milkfed
Grade B Milkfed
Grade Special
Grade A
Grade B
Grade C
Grade D

(1) Grade Special—To qualify for this grade poultry must:

- (a) be of normal physical conformation with no deformities;
- (b) be well fleshed, breast full and well fleshed in relation to length and depth of body;

(c) have breast, back, hips and pin bones well covered with fat;

(d) have not more than five pin feathers on the breast or more than ten elsewhere on the body;

(e) have no discoloration from any cause;

(f) have no tears on the breast.

Tears elsewhere on the body of the bird must not exceed two and,

(i) with broilers and pigeons must not be over one-quarter inch in length;

(ii) with other chickens, fowl, ducks and guinea must not be over one-half inch in length;

(iii) with turkeys and geese must not be over three-quarters inch in length.

(2) Grade A—To qualify for this grade poultry must:

(a) be of normal physical conformation with no deformities;

(b) be relatively well fleshed in relation to length and depth of body. Slightly prominent keel bones will not disqualify;

(c) chickens shall have the breast, back, hips and pin bones showing fat and all other poultry shall be well covered with fat;

(d) have not more than six pin feathers on the breast or more than twelve elsewhere on the body;

(e) have no prominent discoloration from any cause exceeding one-half inch square on the breast or one inch square elsewhere on the body; and

(f) not have on the breast more than one tear exceeding one-quarter inch in length or more than three small tears.

Tears elsewhere on the body of the bird must not exceed two in number and,

(i) with chickens, fowl, ducks, pigeons and guineas must not be over one-half inch in length;

(ii) with turkeys and geese must not be over three-quarters inch in length.

(3) Grade B—To qualify for this grade poultry must:

(a) be of normal physical conformation but slightly crooked keel bones will not disqualify;

(b) be reasonably well fleshed having insufficient flesh to meet the requirements of Grade A;

- (c) have sufficient fat to prevent a dark red appearance;
- (d) be sufficiently well-plucked that any remaining pin feathers will not detract from the appearance of the bird;
- (e) have no pronounced discoloration from any cause; and
- (f) not have more than two tears exceeding one-half inch in length on the breast.

Tears elsewhere on the body must not exceed three in number and,

- (i) with chickens, fowl, ducks, pigeons and guineas must not be over one-half inch in length;
 - (ii) with turkeys and geese must not be over one inch in length.
- (4) Grade C—To qualify for this grade poultry must be fairly well fleshed, not badly dis-

coloured from any cause, not have tears exceeding four inches in length nor extremely crooked keel bones nor pin feathers that seriously detract from the appearance of the bird.

- (5) Grade D—Shall include all birds that do not qualify for any of the higher grades but which are fit for human consumption.

MILKFED POULTRY

19. Ducklings and chickens of the grades "Special", "A" or "B" which show fat on the breast, back, hips and pin bones of a white or creamy-white colour with skin and flesh soft in texture may be, and in the case of chickens shall be, described as Milkfed and designated as Grade Special Milkfed, Grade A Milkfed or Grade B Milkfed, as the case may be.

20. These Regulations shall come into force on the day upon which they are approved by order-in-council.

(NOTE: *These regulations were approved the 19th of October, 1943.*)

Regulations 399

(Ontario Regulations 271/50)

REGULATIONS MADE UNDER THE FARM PRODUCTS MARKETING ACT, 1946

1. The scheme in Schedule 1 is approved and declared to be in force in Ontario.

SCHEDULE 1

THE FARM PRODUCTS MARKETING ACT, 1946

SCHEME

1. This scheme may be cited as "The Southern Ontario Honey Producers' Marketing Scheme".

LOCAL BOARD

2. There shall be a local board to be known as "The Southern Ontario Honey Producers' Marketing Board".

3. The local board shall consist of 6 members.

MEMBERS OF THE LOCAL BOARD

4. The members of the local board who shall hold office until their successors are elected shall be

- (a) Cecil Henderson, Carleton Place, for District 1,
- (b) H. C. Allen, Marlbank, for District 2,
- (c) F. Alvin Anderson, R.R. 2, Georgetown, for District 3,
- (d) J. N. Dymont, Smithville, for District 4,
- (e) J. W. Haberer, Zurich, for District 5, and
- (f) W. A. Munro, Alvinston, for District 6.

DISTRICTS

5. Producers of honey in southern Ontario shall be divided into 6 districts as follows:

- (a) District 1, comprising the counties of Carleton, Dundas, Glengarry, Grenville, Lanark, Leeds, Prescott, Renfrew, Russell and Stormont,
- (b) District 2, comprising the counties of Lennox and Addington, Durham, Frontenac, Hastings, Northumberland, Peterborough, Prince Edward and Victoria, and the Provisional County of Haliburton,

(c) District 3, comprising the counties of Dufferin, Halton, Ontario, Peel, Simcoe and York,

(d) District 4, comprising the counties of Brant, Haldimand, Lincoln, Norfolk, Waterloo, Welland, Wellington and Wentworth,

(e) District 5, comprising the counties of Bruce, Grey, Huron and Perth, and

(f) District 6, comprising the counties of Elgin, Essex, Kent, Lambton, Middlesex and Oxford.

COUNTY GROUPS

6. Producers of honey in each of the districts named in section 5 shall form a district group.

COMMITTEES

7. There shall be a committee in each district to be known as "The District Honey Producers' Committee".

8. Each district group shall on or before the 15th of December in each year elect a producer of honey representative to The District Honey Producers' Committee for the district on the basis of one producer representative from each county or provisional county in each district.

ELECTION OF LOCAL BOARD

9. Each District Honey Producers' Committee shall on or before the 31st of December in each year elect a member to the local board.

POWERS AND DUTIES OF LOCAL BOARD

10. The local board shall have power

- (a) to control the marketing of honey produced in Ontario and to regulate its sale in accordance with the provisions of the Act and regulations made thereunder, and
- (b) to stimulate, increase and improve the marketing of honey produced in Ontario by appointing such persons and doing such acts as it deems advisable.

Regulations 400

(Ontario Regulations 272/50)

REGULATIONS MADE BY THE BOARD UNDER THE FARM PRODUCTS MARKETING ACT, 1946

MARKETING OF HONEY

INTERPRETATION

1. In these regulations and in any order, direction or determination made by the Board or the local board

- (a) "area" means that part of Ontario comprising all the counties and the Provisional County of Haliburton;
- (b) "dealer" means a person operating an establishment who buys honey for reselling or processing;
- (c) "establishment" includes any plant, factory, warehouse or premises where honey is marketed;
- (d) "honey" means honey produced in the area for marketing purposes;
- (e) "producer" means a person engaged in the production of honey in the area;
- (f) "local board" means The Southern Ontario Honey Producers' Marketing Board.

APPLICATION

2. These regulations shall not apply to honey

- (a) sold by a producer to a consumer,
- (b) produced and sold by a producer to a retailer, or
- (c) produced and sold by a producer maintaining fewer than 10 colonies of bees.

LICENCES FOR DEALERS

3.—(1) No person shall buy honey for resale, except for resale by retail, without a dealer's licence from the Board in form 1 obtained, without charge, upon application therefor.

(2) An application for a dealer's licence shall be in form 2.

(3) A dealer's licence shall expire on the 31st of March next following the date of issue.

PROHIBITION

4. Except to a licensed dealer no producer in the area shall sell or deliver honey.

MARKETING

5.—(1) There shall be a committee of six persons to be known as "The Negotiating Committee", three of whom shall be appointed annually by the local board, and three of whom shall be appointed annually by the processors.

(2) The Negotiating Committee may negotiate and settle agreements respecting

- (a) minimum prices,
- (b) form of contract,
- (c) conditions of sale,
- (d) grades and price differentials between grades, and
- (e) fulfilment of contracts.

6. Where The Negotiating Committee fails to arrive at an agreement the matters in dispute shall be referred to a negotiating board.

7.—(1) The negotiating board shall consist of 3 members.

(2) One member may be appointed by the three members of The Negotiating Committee appointed by the local board, and another member may be appointed by the three members of The Negotiating Committee appointed by the processors.

(3) Where two members are appointed to the negotiating board in accordance with subregulation 2, the two members so appointed may appoint a third member to the negotiating board but where the two appointed members fail to agree on the third member within 7 days, the Board may appoint a third member.

(4) Where the three members of The Negotiating Committee appointed by the local board or the three members of The Negotiating Committee appointed by the processors fail to appoint a member to the negotiating board within 7 days, the Board may appoint a negotiating board.

(5) The negotiating board shall meet within 14 days of the appointment of the third member thereof.

(6) The negotiating board may negotiate and settle agreements respecting any matters referred to it.

8.—(1) Any agreements approved by The Negotiating Committee or the negotiating board shall be submitted to the Board.

(2) Where the Board approves an agreement submitted to it the Board may declare the agreement to be in force.

9. The Board authorizes the local board to require persons engaged in the producing or marketing of honey to register their names, addresses and occupations with the local board, to require such persons to furnish such information in regard to honey as the local board may determine, and to inspect the books and premises of such persons.

(Seal)

G. F. PERKIN
Chairman.

F. K. B. STEWART
Secretary.

Regulations 401

(Ontario Regulations 283/44)

REGULATIONS MADE UPON THE RECOMMENDATION OF THE PROVINCIAL SECRETARY, UNDER THE FEMALE REFUGES ACT

COST OF MAINTENANCE REPORT

1. The superintendent of every female refuge shall immediately after the 31st day of March and the 30th day of September in each year, send to the Inspector a report, showing the name and the last known address of every person committed to such female refuge together with the date of admission and discharge, the offence and the municipality to which such person belongs for the purposes of this Act and the per capita cost for maintenance of such female refuge.

COST TO MUNICIPALITIES

2. Upon the certificate of the Inspector the municipality to which a person committed to a female refuge belongs, shall pay to the female refuge the sum of 50 cents per diem, towards the expense of maintenance.

RESIDENCE

3. Subject to the provisions of regulation 4 and 5, for the purposes of these regulations a person shall be deemed to belong to the municipality in which such person has last resided for the period of one year; but, subject as aforesaid, in the absence of evidence to the contrary, residence for one year in the municipality in which the person was taken into custody shall be presumed.

MINORS

4. If such person is under the age of twenty-one years and has not resided in any municipality in Ontario

for one year, the municipality in which such person's mother has last resided for one year at any time since the birth of such person or during the period of five years before the birth of such person shall be deemed to be the municipality to which such person belongs.

5.—(1) In the computation of the time in regulations 3 and 4, the time during which such person or the mother of such person was an inmate of a children's, infants', maternity or other boarding home, a correctional or charitable institution, a hospital or any home or institution for custodial, medical or other care or supervision, shall not be regarded, and the time during which the mother has resided in a municipality while her child was an inmate in any such home or institution shall likewise be disregarded.

(2) For the purposes of this regulation "boarding home" shall include any home or dwelling in which a child is placed or kept upon payment of compensation, whether such home or dwelling is privately occupied or forms part of, or is connected with a hospital or a correctional, custodial, charitable or any other institution.

6. In all other cases the child shall be deemed to belong to the municipality in which it was taken into custody.

EFFECTIVE

7. These regulations shall come into force and have effect from the 1st day of May, 1937.

Regulations 402

(Ontario Regulations 51/44)

REGULATIONS MADE UNDER THE FIRE MARSHALS ACT

DUTIES

1. It shall be the duty of the Fire Marshal, with the assistance of the Deputy Fire Marshal, district deputy fire marshals, inspectors, officers, clerks and servants of the Fire Marshal's Office, to carry out the provisions of the Act and these regulations, and the Deputy Fire Marshal, district deputy fire marshals, inspectors, officers, clerks and servants shall, under the direction of the Fire Marshal, carry out such duties in the enforcement of the Act and these regulations as may be assigned to them from time to time by the Fire Marshal.

ADVISORY COMMITTEE

2.—(1) There shall be an advisory committee consisting of the Deputy Attorney-General, the Superintendent of Insurance, and three other members who shall be appointed by the Lieutenant-Governor in Council and shall hold office during pleasure.

(2) Of the members to be appointed by the Lieutenant-Governor in Council one shall be a member of the Legislative Assembly, one shall be a representative of insurance companies which are members of the Dominion Board of Insurance Underwriters, and one shall be a representative of insurance companies which are not members of the Dominion Board of Insurance Underwriters.

(3) The advisory committee shall advise the Minister and the Fire Marshal with respect to the policies and conduct of the Fire Marshal's Office.

REGISTERS, RECORDS, REPORTS AND RETURNS

3.—(1) The Fire Marshal shall keep such registers, books and records as may be required by the Minister.

(2) The Fire Marshal shall submit an annual report to the Minister and shall furnish or make such other reports and findings as the Minister shall from time to time require or direct.

(3) Information and returns required by the Act or these regulations to be furnished or made to the Fire Marshal shall, unless the Fire Marshal otherwise directs, be on forms provided by the Fire Marshal and shall contain such information as may be required by the Fire Marshal.

STATISTICAL INFORMATION

4. All assistants to the Fire Marshal under section 9 of the Act and insurance companies and insurance adjusters and others required under section 10 of the Act, shall forward to the Fire Marshal such statistical information with respect to fires, with regard to property destroyed, damaged, or endangered by fire, and with respect to fire insurance, as may be required from time to time by the Fire Marshal.

WITNESS FEES AND EXPENSES

5.—(1) Every person attending to give evidence under section 15 of the Act shall be paid witness fees and expenses in accordance with the following rates:

(a) Witness fees,—

(i) for persons summoned who reside within three miles of the premises where the inquiry is held, the sum of one dollar for each day in attendance;

(ii) for persons residing more than three miles from the premises where the inquiry is held, the sum of one dollar and fifty cents for each day in attendance;

(iii) barristers, solicitors, legally qualified medical practitioners, professional engineers, chemists, analysts, Ontario land surveyors, architects, chartered accountants, certified public accountants, fire chiefs and deputy fire chiefs when called upon to give evidence in consequence of any professional service rendered by them or to give evidence depending upon their skill or judgment shall be paid witness fees at the rate of five dollars for each day in attendance.

(b) Expenses—each witness attending from a distance of over three miles shall be paid the actual travelling expenses in coming from and returning to his or her place of residence or place of service, whichever may be closer, but in no case shall the amount paid exceed railway fare or mileage at eight cents a mile attending and returning.

(2) Where any question arises as to the amount of witness fees or expenses to which a witness is entitled, or as to the right of any person to receive witness fees at the rate prescribed by subclause (iii) of clause (a) the decision of the Fire Marshal shall be final.

(3) The witness fees and expenses prescribed by this regulations shall be paid out of such monies as may be voted by the Assembly and appropriated by the Legislature for such purpose.

ORDERS UNDER SECTION 20

6. The officer, other than the Fire Marshal, making an inspection under section 20 of the Act, in any case in which he proposes to make an order against any property owned or leased by any municipality which has become subject to Part III of *The Department of Municipal Affairs Act*, shall notify the Fire Marshal of his intention so to do at least five days before making such order.

7. A copy of any order made under section 20 of the Act shall be filed by the officer making such order with the Fire Marshal within five days of the service of such order upon the party named therein.

REGULATIONS UNDER GASOLINE HANDLING ACT

8. The Fire Marshal, and under his direction the Deputy Fire Marshal, district deputy fire marshals, inspectors and assistants to the Fire Marshal may, under the provisions of sections 20 and 23 of the Act,

enforce Parts II, III, IV and V of the regulations under *The Gasoline Handling Act*.

DRY CLEANING PLANTS

9. Without limiting the right to inspect and to issue orders under section 20 of the Act, the Fire Marshal may advise and consult with municipal authorities in the drafting and enforcement of by-laws under the authority of *The Municipal Act* with regard to establishments for dry cleaning and dry dyeing purposes as provided in section 21 of the Act.

high-water mark along the northerly and north-easterly shore of Manitoulin Island to a point on the production of the southerly limit of the Township of Howland; thence easterly in a straight line to the northerly extremity of Bold Point on the Manitoulin Island Indian Reserve; thence due east to a point on the southerly production of the boundary between the territorial districts of Manitoulin and Sudbury.

3. The Township of Matchedash and lots 19 to 24 in concessions VII to XIV, inclusive, of the Township of Orillia in the County of Simcoe.

4. The townships of Longford, Dalton and Digby, in the County of Victoria.

5. The Provisional County of Haliburton.

6. All that part of the County of Peterborough lying north-west of a line described as follows:

COMMENCING at the intersection of the west boundary of the Township of Harvey with the north shore of the north channel between Sturgeon and Pigeon Lakes; thence easterly along the said shore and along the north shores of Pigeon and Bald Lakes to the road allowance between the east halves of lots 15 and 16 in Concession X in the Township of Harvey; thence easterly along the said road allowance between said lots 15 and 16 to the road allowance between concessions VIII and IX in the said Township; thence southerly along the said road allowance between concessions VIII and IX to the south boundary of the Township of Harvey; thence easterly along the south boundaries of the townships of Harvey and Burleigh to the west boundary of the Township of Methuen; thence southerly along the said west boundary of the Township of Methuen to the south-west angle of the Township of Methuen; thence easterly along the south boundary of the Township of Methuen to the south-east angle thereof.

7. All that part of the County of Hastings lying north-west of the southerly boundaries of the townships of Lake, Tudor and Grimsthorpe.

8. All that part of the County of Lennox and Addington lying north-west of the south boundary of the Township of Anglesea.

9. All that part of the County of Frontenac lying north-west of the south boundaries of the townships of Barrie, Clarendon and Palmerston.

10. The townships of Lavant and Darling in the County of Lanark.

11. All that part of the County of Renfrew lying south-west of the following boundaries:

COMMENCING at the south-east angle of the Township of Bagot; thence north-westerly along the north-easterly boundary of the Township of Bagot to the north-east angle of the said Township of Bagot; thence south-westerly along the north-westerly boundaries of the township of Bagot and Blithfield to the easterly boundary of the Township of Brougham; thence north-westerly along the easterly boundaries of the townships of Brougham and Grattan to the southerly boundary of the 13th Concession of the Township of Grattan; thence westerly along the

southerly boundary of the said 13th Concession to the easterly boundary of the Township of Sebastopol; thence north-westerly along the easterly boundary of the Township of Sebastopol to the south-easterly angle of the Township of Algona, South; thence westerly along the southerly boundary of the Township of Algona, South, to the south-westerly angle of the said township; thence northerly along the westerly boundary of the said township to the north-westerly angle thereof; thence easterly along the northerly boundary of the said Township of Algona, South, to the south-easterly angle of the Township of Algona, North; thence north-westerly along the easterly boundaries of the townships of Algona, North, and Fraser to the south-westerly angle of the Township of Petawawa; thence easterly along the southerly boundary of the Township of Petawawa and the extension easterly thereof to the waters of upper Allumette Lake and the interprovincial boundary between Quebec and Ontario; thence north-westerly along the said interprovincial boundary to the intersection with the south-westerly boundary of Lot 43, Concession A, of the Township of Clara, produced north-westerly.

SCHEDULE 2

1. All those areas within the following boundaries which are within the territorial districts of Algoma, Cochrane, Nipissing, Sudbury, Thunder Bay and Timiskaming:

COMMENCING at the south-east corner of the Township of Ganong; thence westerly to the south-east corner of the Township of Pitt; thence northerly to the north-east corner of the said township; thence westerly to the intersection of the west bank of Opazatika River with the north boundary of the Township of Acres; thence in a general southerly direction following the said west bank of Opazatika River to the beginning of Oxbow Rapids; thence south astronomically to the intersection with the north boundary of the Township of Weichel; thence westerly to the south-east corner of the Township of Ritchie; thence northerly to the north-east corner of the said township; thence westerly to the south-east corner of the Township of Burrell; thence northerly to the north-east corner of the said township; thence westerly to the north-west corner of the Township of Bicknell; thence southerly to the intersection of the southerly boundary of the right-of-way of The King's Highway No. 11 with the west boundary of the Township of Clavet; thence in a general westerly direction following the said southerly boundary of The King's Highway No. 11 to the intersection with the east boundary of the Nipigon Provincial Forest; thence southerly along the said east boundary of the Nipigon Provincial Forest and its southerly production to the intersection with the north boundary of Township 87; thence westerly to the north-west corner of Township 89; thence southerly to the northerly boundary of the right-of-way of The King's Highway No. 17; thence in a general easterly direction following the northerly boundary of The King's Highway No. 17 to the intersection with a line drawn north astronomically from Angler Station on the Canadian Pacific Railway; thence south astronomically to the intersection with the high-water mark of Lake Superior; thence in a general south-easterly, easterly and southerly direction following the said high-water mark of Lake Superior to the intersection with the north boundary of the Township of Haviland; thence easterly to the north-west corner of the Township of Tupper; thence south-

erly to the north-west corner of the Township of Vankoughnet; thence easterly to the north-east corner of the said township; thence southerly to the north-west corner of the Township of Deroche; thence easterly to the north-east corner of the Township of Hodgins; thence southerly to the south-east corner of the Township of Anderson; thence easterly to the north-east corner of the Township of Kehoe; thence southerly to the north-west corner of the Township of Chesley Additional; thence easterly to the north-east corner of the said township; thence southerly to the south-west corner of the Township of McMahan; thence easterly to the north-east corner of the Township of Galbraith; thence southerly to the line between the 1st and 2nd concessions in the Township of Bridgland; thence easterly along the said concession line to the west boundary of the Township of Wells; thence northerly to the north-west corner of the said township; thence easterly to the north-east corner of the Township of Parkinson; thence southerly to the south-east corner of the said township; thence easterly to the north-east corner of the Township of Patton; thence southerly to the north-west corner of the Township of Cobden; thence easterly to the north-east corner of the Township of Striker; thence southerly to the line between the 3rd and 4th concessions in the Township of Long; thence easterly along the said concession line to the west boundary of the Township of Spragge; thence southerly to the northerly limit of the right-of-way of The King's Highway No. 17; thence easterly along the said northerly limit to the east boundary of the Serpent River Indian Reserve; thence southerly to the high-water mark on the North Channel of Lake Huron; thence in a general south-westerly, northerly and westerly direction following the said high-water mark to the intersection with longitude $82^{\circ} 30'$; thence southerly to the boundary line between the territorial districts of Algoma and Manitoulin; thence south-easterly in a straight line to the northerly extremity of Maple Point in Concession A, Township of Allan; thence south-easterly in a straight line to the westerly extremity of Freer Point in Concession 7, Township of Howland; thence in a general north-easterly and southerly direction following the high-water mark on the northerly and north-easterly shore of Manitoulin Island to a point on the production of the southerly limit of the Township of Howland; thence easterly in a straight line to the northerly extremity of Bold Point on the Manitoulin Indian Reserve; thence east astronomically in a straight line to the southerly production of the boundary between the territorial districts of Manitoulin and Sudbury; thence north-easterly in a straight line to a point on the northerly shore at the mouth of Voyageur Channel of the French River; thence in a general easterly and north-easterly direction following the said northerly shore of the French River to the intersection with the easterly limit of the right-of-way of the Canadian National Railways; thence southerly along the said easterly limit to the southerly shore of the French River; thence in a general easterly and north-easterly direction following the said southerly shore to Lake Nipissing; thence northerly to the boundary between the territorial districts of Parry Sound and Nipissing; thence easterly along the said boundary to the easterly shore of Lake Nipissing; thence north-westerly following the said easterly shore to the north-west corner of the Township of Ferris, West; thence north-easterly to Trout Lake; thence in a general easterly direction following the southerly shore of Trout Lake, Lake Talon and the Mattawa River to the interprovincial

boundary between Ontario and Quebec on the Ottawa River; thence north-westerly following the said interprovincial boundary on the Ottawa River and Lake Timiskaming to the northerly shore of the said lake; thence northerly along the aforesaid interprovincial boundary to the intersection with a line drawn east astronomically from the south-east corner of the Township of Ganong; thence west astronomically 69 miles, more or less, to the point of commencement;

SAVING AND EXCEPTING the following townships or parts of townships and Indian reserves:

- (a) McFadden, Hearst, McElroy, Boston, Otto, Eby, Grenfell, Teck, Lebel, Gauthier, McVittie, McGarry, Maisonneville, Benoit, Cook, Playfair, Hislop, Bowman, Currie, Bond, Cody, Shaw, Whitney, Tisdale, Mountjoy, Matheson, German, Stock, Taylor, Carr, Beatty, Clergue, Walker, Dundonald, Calvert, McCart, Newmarket, Aurora, Pyne, St. John, Hanna, Fournier, Lemarche, Brower, Fox, Kennedy, Glackmeyer, Clute, Calder, Blount, Leitch, Colquhoun, Kendry, Haggart, Fauquier, Idington, Kendall; lots 19 to 28, concessions 1 and 2, in Alexander; concessions 7 to 12, inclusive, in Shackleton; concessions 10 to 12, inclusive, in Nansen; concessions 1 to 5, inclusive, in Machin; concession 6 to 18, inclusive, in O'Brien; concessions 9 to 18, inclusive, in Owens; concessions 1 to 6, inclusive, in Williamson; concessions 5 to 12, inclusive, in McCrea; concessions 1 to 3, inclusive, in McCowan; concessions 10 to 12, inclusive, in Barker; concessions 1 to 8, inclusive, in Eilber; concessions 1 to 8, inclusive, in Devitt; concessions 1 to 8, inclusive, in Casgrain; concessions 1 to 8, inclusive, in Hanlan; East Half of Way; concessions 5 to 12, inclusive, in Lowther; Pays Plat Indian Reserve;
- (b) All that part of Township 86, in the Territorial District of Thunder Bay, lying west of a line drawn north astronomically from a point distant 3 miles measured west astronomically from the south-east corner of the said township; and
- (c) All those portions of townships 84 and 85, in the Territorial District of Thunder Bay, bounded as follows:

Bounded on the east and west by lines drawn north astronomically from the shore of Lake Superior and distant 3 miles measured on opposite sides of the boundary between the said townships;

Bounded on the north by a line drawn east and west astronomically from a point in the boundary between the said townships distant 4 miles measured northerly thereon from the shore of Lake Superior.

2. All that area within the boundaries of the townships of Laval and Brownridge, in the Territorial district of Kenora.

3. All that area lying within the following-described boundaries, situate in the Territorial District of Kenora:

COMMENCING at the point of intersection of the Trans-Canada Highway with the Heenan Highway at the easterly end of Long Lake; thence easterly along the southerly boundary of the Trans-Canada Highway to its intersection with the Canadian Pacific Railway at a point west of Hawk Lake Station; thence easterly along the southerly boundary of the said railroad to the point of intersection with Eagle Lake in the Township of Langton on Lot 6, on the IVth Concession; thence in a southerly and easterly direction along the southerly mainland shore of the said lake to the south-east corner of Indian Reserve 27, south of Aubrey Township; thence east astronomically to the point of intersection with the 6th Meridian; thence north to the south-west angle of the Township of Van Horne; thence east along the southerly boundary of the said township to the point of intersection with the shore of Wabigoon Lake; thence easterly and southerly along the southerly mainland shore of the said lake to the point of intersection with the boundary of Indian Reserve 27, south of the Township of Southworth; thence along the westerly, southerly and easterly boundaries of the said reserve to the point of intersection with the southerly boundary of the Township of Southworth; thence east to the north-west angle of the Township of Melgund; thence south to the south-west angle of the said township; thence east to the south-east angle of the Township of Revell; thence north to the north-east angle of the Township of Revell; thence west to the north-west angle of the Township of Melgund; thence north to the point of intersection with the shore of Sandy Lake; thence east astronomically to the point of intersection with the 5th Meridian at the 69th Mile Post; thence south three miles to the 66th Mile Post; thence east astronomically six miles; thence south astronomically three miles; thence east astronomically six miles; thence south astronomically fifteen miles; thence west astronomically six miles; thence south astronomically six miles; thence west astronomically six miles to the point of intersection on the 5th Meridian; thence south along the 5th Meridian to its intersection with the Kenora-Rainy River boundary; thence west along the said Boundary to its intersection with the Heenan Highway; thence northerly along the Heenan Highway to the point of commencement at the junction of the Trans-Canada Highway;

SAVING AND EXCEPTING, nevertheless, from the above-described area all Indian reserves and all lands patented or leased.

4. All that area lying within the following-described boundaries, in the Territorial District of Thunder Bay:

COMMENCING at a point where the boundary between the townships of Robbins and Hartington produced southward intersects the International Boundary Line in North Fowl Lake; thence north along the west boundaries of the townships of Hartington, Lismore and Strange to the north-west angle of the Township of Strange; thence west along the 1st Base Line to the boundary between the territorial districts of Thunder Bay and Rainy River; thence south along the boundary between the said territorial districts of Thunder Bay and Rainy River to intersect the International Boundary Line in Saganaga Lake; thence easterly along the International Boundary Line to the point of commencement.

5. All that area lying within the Territorial District of Nipissing, the Provincial County of Haliburton, and the County of Renfrew, and being:

All that area within the boundaries of Algonquin Provincial Park, excepting the townships of Peck and Canisbay;

And all lands vested in the Crown within the following townships and part-townships,—

Boyd—Concessions XI to XVIII, inclusive;

Cameron—Concessions I to XIV, inclusive;

Clara—Concessions I to VI, inclusive, and lots 1 to 15, inclusive, in concessions VII to X, inclusive;

Maria—Concessions A to IX, inclusive;

Head—Lots 16 to 40, inclusive, in concessions I to VII, inclusive;

Nightingale—All that part of the township which is not included within the boundaries of Algonquin Park; and

Lawrence—All that part of concessions VII to XIV, inclusive, which is not included within the boundaries of Algonquin Park.

6. All of the area in the Territorial District of Thunder Bay within the townships of Aldina, Saskiville and Adrian, and lots 9 to 12, inclusive, concessions II and III, and lots 4 to 12, inclusive, concessions IV to VII, in the Township of Marks.

7. All that area in the Territorial District of Thunder Bay described as follows:

COMMENCING at a point in the high-water mark of Thunder Bay of Lake Superior where it is intersected by the north boundary of the Township of Sibley; thence easterly along the northerly boundary of the said township to the north-east corner of Mining Location V. 13, and which point forms the north-west corner of Broken Lot 1, Concession 6, in the said township; thence southerly along the westerly limit of the said lot to the dividing line between the north and south halves of the said lot; thence easterly along the said line between the north and south halves of the said lot to the line between concessions 5 and 6; thence southerly along the line between concessions 5 and 6 to the south-east corner of Lot 10; thence easterly along the northerly limit of Lot 11 across concessions 5 and 4 to the intersection with the high-water mark of Black Bay of Lake Superior; thence in a general southerly direction following the said high-water mark to its intersection with the line between Mining Locations A and B lying south of concessions 6 and 7 in the said township; thence northerly along the said line to the southerly limit of Lot 27 in the 7th Concession of the said township; thence westerly along the southerly limit of Lot 27, across concessions 7 and 8 to the intersection with the easterly limit of Mining Location T lying at the east limit of the Woods location; thence northerly along the easterly limit of Mining Location T to the north-east corner thereof; thence south-westerly following the northerly limit of the Woods location to the intersection with the westerly limit of Mining Location D fronting on Sawyer Bay of Lake Superior; thence northerly following the said westerly limit of Mining Location D to the intersection with the high-water mark of Lake Superior; thence in a general north-easterly direction following the said high-water mark to the point of commencement.

8. All that area within the boundaries of the townships of Eva and Summers, in the Territorial District of Thunder Bay.

9. All that area within the boundaries of the townships of Rickaby, Lapierre, Hipel, Kirby, Fulford and McQueen, in the Territorial District of Thunder Bay.

10. All that area in the Territorial District of Thunder Bay lying within the following-described boundaries:

COMMENCING at the north-west corner of the Township of Purdom; thence southerly to the south-west corner of the Township of Nipigon; thence westerly to the north-west corner of the Township of Sterling; thence southerly to the south-west corner of the Township of Sterling; thence westerly to the north-west corner of the Township of Dorion; thence westerly in a straight line 39 miles, more or less, to the south-east corner of Grand Trunk Pacific Block No. 3; thence northerly to the north-east corner of said Grand Trunk Pacific Block, No. 3; thence northerly in a straight line to a point where the base line surveyed by Phillips and Benner, Ontario Land Surveyors, in 1921 is intersected by a meridian line surveyed by Phillips and Benner in the same year; thence northerly along the last-mentioned meridian line 12 miles, more or less, to the intersection with the second base line surveyed by the said Phillips and Benner in 1921; thence westerly along the last-mentioned base line 12.68 chains to the intersection with a meridian line surveyed by the said Phillips and Benner in 1922; thence northerly along the said meridian line, surveyed in 1922, a distance of 12 miles, more or less, to the intersection with a base line surveyed by the said Phillips and Benner in 1922; thence westerly along the last-mentioned base line 20 miles, more or less, to the 4-mile post planted therein; thence north astronomically 44 miles; thence east astronomically 38 miles, more or less, to the westerly boundary of the Nipigon Provincial Forest; thence northerly along the said westerly boundary of the Nipigon Provincial Forest 11 miles; thence east astronomically 19 miles, more or less, to a point on the high-water mark on the westerly shore of Lake Nipigon; thence in a general southerly and south-easterly direction following the said high-water mark along the westerly and south-westerly shore to a point in South Bay of the said Lake Nipigon, said point being at the intersection with a line drawn north astronomically from the north-west corner of the said Township of Purdom; thence south astronomically 8 miles, more or less, to the point of commencement.

11. All that area in the Territorial District of Rainy River lying within the following-described boundaries:

Firstly:

COMMENCING at a point on the International Boundary Line between Canada and the United States of America, in Saganaga Lake, where the same is intersected by the boundary line between the territorial districts of Thunder Bay and Rainy River; thence north astronomically along the said boundary between the territorial districts of Thunder Bay and Rainy River, 33 miles, more or less, to the southerly shore of Windigoostigwan Lake; thence in a general south-westerly direction following the left bank downstream to the French Portage; thence westerly across said

portage to French Lake; thence in a general south-westerly direction following the left bank downstream of said lake to the river flowing into Pickerel Lake; thence in a general westerly direction following the left bank downstream of said river to Pickerel Lake; thence in a general south-westerly direction following the left bank downstream of Pickerel Lake and crossing the narrows opposite Pickerel River, north of Bisk Lake; and thence continuing in a north-westerly direction following the left bank upstream of Pickerel Lake to Pickerel Narrows; thence in a general westerly direction following the left bank upstream of said Narrows to Batchewaung Lake; thence in a general north-westerly direction following the left bank upstream of Batchewaung Lake and Batchewaung Bay to the westerly extremity thereof; thence west astronomically 20 chains, more or less, to the easterly shore of a small lake; thence following the easterly, southerly and westerly shore of said Lake to the westerly extremity thereof; thence west astronomically 40 chains, more or less, to a stream flowing westerly; thence in a general westerly direction following said stream to a small lake east of Smudge Lake; thence following the easterly, southerly and westerly shore of said small lake to a stream flowing into Smudge Lake; thence westerly following said stream to Smudge Lake; thence following the southerly shore of Smudge Lake to a stream flowing into Soho Lake; thence westerly following said stream to Soho Lake; thence westerly along the left bank downstream of Soho Lake to Cirrus Lake; thence in a general south-westerly direction following the left bank downstream of Cirrus Lake to a small stream between Cirrus and Beaverhouse Lakes; thence in a south-westerly direction following said stream to Beaverhouse Lake; thence in a general south-westerly direction following the left bank downstream of said Beaverhouse Lake to the Quetico River; thence in a general south-westerly direction following the left bank of the Quetico River to the junction of the Quetico and Namakan rivers; thence in a general south-easterly direction following the left bank of said Namakan River to Lac la Croix; thence south astronomically to the International Boundary Line between Canada and the United States of America; thence in a general south-easterly, easterly and north-easterly direction, following said International Boundary Line to the place of commencement;

RESERVING AND EXCLUDING from the hereinafore-described area the land covered by the Neguaguon Lake Indian Reserve No. 25 D on Lac la Croix and all mining or other lands granted or leased prior to 1st of April, 1909.

Secondly:

COMMENCING at a point on the Canadian National Railway at Kawene Station where it is intersected by the portage extending southerly to Eva Lake; thence southerly following the said portage one mile, more or less, to the north shore of Eva Lake; thence in a general westerly, southerly and easterly direction following the northerly, westerly and southerly shores of Eva Lake to the portage extending southerly to a small lake situate south and about opposite the centre of the main body of water of Eva Lake; thence southerly following the last-mentioned portage 6 chains, more or less, to the northerly shore of the small lake mentioned aforesaid; thence in a general westerly and south-easterly direction following the northerly and westerly shore of the said small lake, one-half mile, more or less, to the stream connecting the said small lake and

French Lake; thence in a general southerly and easterly direction following the centre line of the said stream to the westerly shore of French Lake; thence in a general south-westerly direction following the westerly shore of French Lake to the easterly end of the connecting stream between French and Pickerel Lakes; thence south across the said connecting stream to the south shore of French Lake and continuing north-easterly thereon to the French Portage; thence easterly across the French Portage to Windigoostigwan Lake and continuing in a general easterly and north-easterly direction following the southerly and south-easterly shores of Windigoostigwan Lake to the intersection with the line between the territorial districts of Rainy River and Thunder Bay; thence north astronomically thereon to the Candian National Railway; thence in a general westerly direction following the said railway to the point of commencement;

RESERVING AND EXCLUDING from the here-inbefore-described area all mining or other lands granted or leased prior to November 24th, 1941.

12. All that area in the Territorial District of Thunder Bay within the following-described boundaries:

COMMENCING at the intersection of the southerly boundary of the Township of Dorothea with the high-water mark on the easterly shore of Lake Nipigon; thence easterly along the southerly boundary of the townships of Dorothea, Sandra, Irwin and Walters to the intersection with Highway No. 17 crossing the said Township of Walters; thence in a general easterly direction following the said Highway No. 17 to the intersection with the easterly boundary of the Township of Walters; thence northerly along the easterly boundary of the townships of Walters and Elmhirst and its continuation northerly to its intersection with the Canadian National Railway; thence in a general westerly direction following the said Canadian National Railway to its intersection with Minatree Creek flowing into Ombabika Bay of Lake Nipigon; thence in a general south-westerly direction following the said creek to the high-water mark on the north-easterly shore of Ombabika Bay; thence in a general southerly direction following the north-easterly and easterly shores of Ombabika Bay and Lake Nipigon to the point of commencement.

Regulations 404

(Ontario Regulations 164/49; 88/50)

REGULATIONS MADE UNDER THE GAME AND FISHERIES ACT

WATERS SET APART

1. The several waters described in the schedules in Appendix A and known by the name appearing as a heading of a schedule are set apart for the conservation or propagation of fish.

(NOTE.—*Regulations 2, 2a, 2b, 3, 4, 5, 6, 7, 7a, 7b revoked by Ontario Regulations 80/51.*)

8. Ontario Regulations 243/48 and 30/49 are revoked.

APPENDIX A

SCHEDULE 1

ADDISON LAKE FISH SANCTUARY

The waters known as "Addison Lake" lying within lots 16 and 17 in Concession VII and lots 16 and 17 in Concession VIII in the Township of Sibley in the Territorial District of Thunder Bay.

SCHEDULE 2

BAYFIELD FISH SANCTUARY

Commencing at the intersection of the high-water mark of Georgian Bay with the centre line of the road allowance between concessions VIII and IX in the Township of Harrison as shown on a plan of the islands in Georgian Bay of Lake Huron in front of the Township of Harrison in the Territorial District of Parry Sound, surveyed by A. G. Ardagh, O.L.S., in 1910; thence in a general westerly direction along the high-water mark of Georgian Bay to the intersection with a line drawn easterly parallel to the road allowance between concessions VIII and IX in the Township of Harrison from the high-water mark on the easterly extremity of Island 632A; thence south-westerly along that line to the high-water mark on the easterly extremity of Island 632A; thence in a general south-westerly direction along the high-water mark on the south-easterly shore of Island 632A to the southerly extremity thereof; thence westerly in a straight line to the high-water mark on the south-westerly extremity of Island 1107A; thence in a general westerly, north-easterly and south-westerly direction along the high-water mark on the southerly shore of Island 1107A and the easterly shore of Island 1106A to the southerly extremity of Island 1106A; thence south-westerly in a straight line to the high-water mark on the north-westerly extremity of Island 620A; thence south-westerly in a straight line to the high-water mark on the north-westerly extremity of Island 618A; thence in a general south-easterly and westerly direction along the high-water mark on the westerly shore of Island 618A to the south-westerly extremity thereof; thence south-easterly in a straight line to the high-water mark on the westerly extremity of Island 603A; thence in a general south-easterly direction along the high-water mark on the south-westerly shore of Island

603A to the southerly extremity thereof; thence easterly parallel to the centre line of the road allowance between concessions VIII and IX in the Township of Harrison to the high-water mark of Georgian Bay; thence in a general northerly, easterly and westerly direction along the high-water mark of Georgian Bay to the point of commencement.

SCHEDULE 3

BEAVER CREEK AND DICKEY CREEK FISH SANCTUARY

That part of Beaver Creek and Dickey Creek in the Township of Marmorata and Lake in the County of Hastings lying within lots 29 to 32, both inclusive, in Concession VII, lots 1 to 6, both inclusive, and lots 10 to 14, both inclusive, in Concession VII, lot 4 and lots 6 to 10, both inclusive, in Concession VIII, and lots 14 and 15 in Concession VI.

SCHEDULE 3A

BLACK DUCK FISH SANCTUARY

The waters in the Township of Harvey in the County of Peterborough within a line described as follows:

Commencing at a point in the high-water mark on the northerly shore of Deer Bay Creek at the intersection of the westerly limit of the road allowance between concessions III and IV; thence in a general south-westerly direction following the high-water mark of that creek and the high-water mark of Deer Bay Reach to the intersection with the line between the east half and the west half of lot 8 in Concession IV; thence south 16° east astronomically 70 chains, more or less, to a point on Dinnertime Island at the intersection with a line drawn on a course of south 74° west astronomically from the south-east angle of lot 6 in Concession II; thence north 74° east astronomically to the high-water mark of Deer Bay Reach on the westerly shore of Wolf Island; thence in a general northerly, easterly, westerly and north-westerly direction following that high-water mark to a point in the vicinity of the South Black Duck Dam, which is in a line drawn parallel to the east limit of lot 7 in Concession III and distant 20 chains measured on a course of south 74° west astronomically therefrom; thence north 16° west astronomically across a small channel to the high-water mark on the south shore of an island immediately north of Wolf Island; thence in a general northerly, westerly and easterly direction following the high-water mark of Deer Bay Reach along the westerly and northerly shore of that island to a point in the vicinity of the North Black Duck Dam which is in a line drawn parallel to the east limit of lot 7 in Concession III and distant 20 chains measured on a course of south 74° west astronomically therefrom; thence north 16° astronomically across a small channel to the high-water mark on the northerly shore of Deer Bay Reach; thence in a general westerly, northerly, westerly and north-easterly direction following the high-water mark

of Deer Bay Reach and Deer Bay Creek to the westerly limit of the road allowance between concessions III and IV; thence northerly along that limit to the point of commencement.

SCHEDULE 4

BRONTE CREEK FISH SANCTUARY

That part of Bronte Creek, also known as "Twelve-mile Creek", in the townships of Nelson and Trafalgar in the County of Halton and described as follows:

Commencing in the Township of Nelson where Bronte Creek is intersected by the allowance for road between Concessions I, N.D.S. and I, S.D.S. being the King's Highway Number 5; thence in a general easterly and south-easterly direction through lots 3, 2 and 1 in Concession I, S.D.S. in the Township of Nelson, lots 35 and 34 in Concession I, S.D.S., lots 34, 33, 32 and 31 in Concession II, S.D.S. and lot 31 in Concession III, S.D.S. in the Township of Trafalgar, to the right-of-way of the Canadian National Railway.

SCHEDULE 5

CLEAR BAY FISH SANCTUARY

Commencing at the westerly extremity of Island B307 as shown on a plan of the islands in front of the townships of Conger and Cowper in the Territorial District of Parry Sound, surveyed by D. Beatty, O.L.S., in 1911; thence north 20° 5' 40" west to the high-water mark of Georgian Bay; thence in a general north-westerly, north-easterly, south-westerly, westerly, easterly, southerly, northerly and easterly direction along that high-water mark to the easterly extremity of lot 22, Concession A, in the Township of Cowper; thence north-easterly in a straight line to the point of commencement.

SCHEDULE 6

COGNASHENE FISH SANCTUARY

Commencing at the intersection of the high-water mark on the shore of Georgian Bay with the production westerly of the line between concessions VII and VIII in the Township of Gibson in the Territorial District of Muskoka; thence south-westerly along that production 50 chains; thence south-easterly in a straight line to the high-water mark on the westerly extremity of Island 103 as shown on a plan of the islands south of Moose Deer Point, Georgian Bay; thence south-westerly in a straight line to the high-water mark on the northerly extremity of Island 17 known also as "Townsend Island"; thence in a general southerly and south-easterly direction along the high-water mark on the easterly shore of that island to the southerly extremity thereof; thence south-easterly in a straight line to the high-water mark on the north-westerly extremity of Island 91; thence in a general south-westerly and south-easterly direction along the high-water mark on the south-westerly shore of Island 91 to the southerly extremity thereof; thence easterly parallel to the line between concessions VII and VIII in the Township of Gibson to the high-water mark on the shore of Georgian Bay; thence in a general northerly direction along that high-water mark to the north-westerly extremity thereof adjacent to lot 50, Concession V, in the Township of Gibson; thence northerly

in a straight line to the high-water mark on the westerly extremity of Island 101; thence in a general northerly direction along the high-water mark on the north-westerly shore of Island 101 to the most northerly extremity thereof; thence northerly in a straight line to the high-water mark on the easterly extremity of Island 104A; thence continuing on that line north-easterly to the high-water mark of Georgian Bay; thence in a general north-westerly, westerly, easterly and northerly direction along that high-water mark to the point of commencement.

SCHEDULE 7

DEAD CREEK FISH SANCTUARY

That part of Dead Creek in the Township of North Crosby in the County of Leeds lying within lots 2 and 3 in Concession IX and lots 2 and 3 in Concession X.

SCHEDULE 8

DEVIL LAKE FISH SANCTUARY

That part of Devil Lake in the Township of Bedford in the County of Frontenac north-east of Jones' Bridge lying within lots 8 and 9 in Concession XIII and lots 9 and 10 in Concession XIV.

SCHEDULE 9

ELECTRIC ISLAND FISH SANCTUARY

Commencing at the high-water mark on the westerly extremity of Electric Island, known also as "Island 272A", as shown on a plan of the islands in Georgian Bay of Lake Huron in front of the Township of Harrison in the Territorial District of Parry Sound, surveyed by A. G. Ardagh, O.L.S., in 1910; thence north-westerly in a straight line to the high-water mark on the south-easterly extremity of Island 247A; thence in a general north-westerly direction along the high-water mark on the north-easterly shore of Island 247A to the north-easterly extremity thereof; thence north-westerly in a straight line to the high-water mark on the easterly extremity of Island 243A; thence north-westerly in a straight line to the high-water mark on the easterly extremity of Island 218A; thence in a general westerly direction along the high-water mark on the northerly shore of Island 218A to the north-westerly extremity thereof; thence south-westerly in a straight line to the high-water mark on the northerly extremity of Island 222A; thence in a general south-westerly direction along the high-water mark on the north-westerly shore of Island 222A to the south-westerly extremity thereof; thence south-westerly in a straight line to the high-water mark on the northerly extremity of Island 224A; thence in a general south-westerly direction along the high-water mark on the north-westerly shore of Island 224A to the south-westerly extremity thereof; thence south-westerly in a straight line to the high-water mark on the northerly extremity of Island 225A; thence easterly in a straight line to the high-water mark on the southerly extremity of Island 285A; thence easterly in a straight line to the high-water mark on the westerly extremity of Island 296A; thence in a general easterly direction along the high-water mark on the southerly shore of Island 296A to the easterly extremity thereof; thence easterly in a straight line to the high-water mark on the southerly extremity of Island 278A; thence north-easterly in a straight line to the high-water mark

on the southerly extremity of Electric Island; thence in a general north-westerly and northerly direction along the high-water mark on the westerly shore of Electric Island to the point of commencement.

SCHEDULE 9A

FOX ISLAND FISH SANCTUARY

The waters within a line described with reference to a plan of islands of Georgian Bay between Coponaning and Key Inlet in the Territorial District of Parry Sound, surveyed by Lang and Ross, O.L.S., in 1917, as follows:

Commencing at a point in the high-water mark on the north-westerly extremity of lot 3 of Island 8464; thence south-westerly in a straight line to the high-water mark on the easterly extremity of Island 8354; thence in a general south-westerly and westerly direction along the high-water mark on the south-easterly and southerly shores of Island 8354 to the westerly extremity thereof; thence south-westerly in a straight line to the high-water mark on the north-easterly extremity of Island 8231; thence in a general westerly and south-westerly direction along the high-water mark on the northerly and westerly shores of Island 8231 to the south-westerly extremity thereof; thence south-westerly in a straight line to the high-water mark on the south-easterly extremity of Island 8219; thence in a general westerly and north-westerly direction along the high-water mark on the southerly and westerly shores of Island 8219 to the north-westerly extremity thereof; thence south-westerly in a straight line to the high-water mark on the northerly extremity of Island 8248; thence in a general south-westerly direction along the high-water mark on the north-westerly shore of Island 8248 to the south-westerly extremity thereof; thence south-westerly in a straight line to the high-water mark on the north-easterly extremity of Island 8270; thence in a general south-westerly direction along the high-water mark on the south-easterly shore of Island 8270 to the southerly extremity thereof; thence southerly in a straight line to the high-water mark on the south-westerly extremity of Island 8280; thence south-easterly in a straight line to the high-water mark on the northerly extremity of Island 8421; thence easterly in a straight line to the high-water mark on the southerly extremity of Island 8449; thence easterly in a straight line to the high-water mark on the southerly extremity of Island 8469; thence in a general north-easterly and northerly direction along the high-water mark on the south-easterly and easterly shores of Island 8469 to the northerly extremity thereof; thence northerly in a straight line to the high-water mark on the southerly extremity of Island 8629; thence in a general northerly direction along the high-water mark on the easterly shore of Island 8629 to the northerly extremity thereof; thence north-westerly in a straight line to the high-water mark on the southerly extremity of lot 2 of Island 8464; thence in a general north-easterly and northerly direction along the high-water mark on the easterly shore of Island 8464 to the north-easterly extremity thereof; thence north-westerly, south-westerly and north-westerly along the high-water mark on the northerly shore thereof to the point of commencement.

SCHEDULE 10

FRANKLIN ISLAND FISH SANCTUARY

Commencing at the intersection of the high-water mark on the westerly shore of Island 300C, known also as "Franklin Island," as shown on a plan of the islands in Georgian Bay in front of the townships of McDougall and Carling, in the Territorial District of Parry Sound, surveyed by J. H. Burd, O.L.S., in 1910, with the production westerly of the line between concessions III and IV in the Township of Carling; thence westerly along that production 40 chains; thence southerly at right angles to the last-mentioned line to the intersection of the westerly production of the southerly limit of the Township of Carling; thence easterly along the westerly production of the southerly limit of the Township of Carling 80 chains; thence northerly at right angles to the last-mentioned line to the high-water mark on the southerly shore of Island 300C; thence in a general north-westerly, northerly, north-easterly, south-easterly north-westerly and northerly direction along the high-water mark on the southerly and westerly shore of Island 300C to the point of commencement.

SCHEDULE 10A

GOOSE LAKE FISH SANCTUARY

Goose Lake in the townships of Fenelon and Somerville in the County of Victoria.

SCHEDULE 11

HANGDOG FISH SANCTUARY

Commencing at the intersection of the high-water mark on the south-westerly shore of Island D30 as shown on a plan of the islands in Georgian Bay of Lake Huron in front of the Township of Harrison in the Territorial District of Parry Sound, surveyed by A. G. Ardagh, O.L.S., in 1910, with a production westerly of the centre line of the allowance for road between concessions XII and XIII in the Township of Harrison; thence north-westerly in a straight line to the high-water mark on the southerly extremity of Island 920A; thence in a general north-westerly direction along the high-water mark on the south-westerly shore of Island 920A to the westerly extremity thereof; thence north-westerly in a straight line to the high-water mark on the northerly extremity of Island LS84, known also as "Island 1000A"; thence north-westerly in a straight line to the high-water mark on the north-easterly extremity of Island 1080A; thence in a general westerly direction along the high-water mark on the northerly shore of Island 1080A to the north-westerly extremity thereof; thence westerly in a straight line to the high-water mark on the northerly extremity of Island 1072A; thence north-westerly in a straight line to the high-water mark on the southerly extremity of Island 1063A; thence in a general northerly and north-easterly direction along the high-water mark on the north-westerly shore of Island 1063A to the north-easterly extremity thereof; thence north-easterly in a straight line to the westerly extremity of Island 1051A; thence in a general easterly and north-easterly direction along the high-water mark on the easterly shore of Island 1051A to the easterly extremity thereof; thence east astronomically to the high-water mark on the

westerly shore of Island D30; thence in a general southerly, easterly, westerly, south-westerly, southerly and south-easterly direction along the high-water mark on the westerly and south-westerly shore of Island D30 to the point of commencement.

SCHEDULE 12

HERONRY LAKE FISH SANCTUARY

Heronry Lake in the Territorial District of Kenora.

SCHEDULE 12A

JERRY LAKE FISH SANCTUARY

Jerry Lake in the geographic townships of Corley and Gamble in the Territorial District of Timiskaming.

SCHEDULE 12B

LAKE ON THE MOUNTAIN FISH SANCTUARY

Lake on the Mountain in the Township of North Marysburgh in the County of Prince Edward.

SCHEDULE 13

LITTLE GULL LAKE FISH SANCTUARY

The waters known as "Little Gull Lake" in the Township of Lutterworth in the Provisional County of Haliburton and lying within lots 20, 21 and 22 in Concession X and lot 22 in Concession IX.

SCHEDULE 14

LITTLE MUD LAKE FISH SANCTUARY

That part of Little Mud Lake in the Township of Smith in the County of Peterborough lying within lots 27, 28 and 29 in Concession XIV and lots 27, 28 and 29 in Concession XV.

SCHEDULE 15

MANITOU FISH SANCTUARY

Commencing at the high-water mark on the south-westerly extremity of Island 412, as shown on a plan of the islands south of Moose Deer Point in Georgian Bay; thence north-westerly in a straight line to the high-water mark on the northerly extremity of the most northerly island in group 438A; thence north-westerly in a straight line to the high-water mark on the easterly extremity of Island 438; thence in a general north-westerly direction along the high-water mark on the north-easterly shore of Island 438 to the northerly extremity thereof; thence north-westerly in a straight line to the high-water mark on the westerly extremity of Island 436; thence north-westerly in a straight line to the high-water mark on the southerly extremity of Island 465A; thence north-westerly in a straight line to the high-water mark on the southerly extremity of Island 467; thence in a north-westerly direction along the high-water mark on the south-westerly shore of Island 467 to the westerly extremity thereof; thence north-westerly in a straight line to the high-water mark on the southerly extremity of Island 472; thence in a general north-easterly and north-westerly direction along the high-water mark on the south-easterly and north-easterly shore of Island 472 to the northerly

extremity thereof; thence north astronomically to the high-water mark on the southerly shore of Island B90; thence in a general easterly, north-westerly and south-easterly direction along the high-water mark on the south-westerly shore of Island B90 to the southerly extremity thereof; thence easterly in a straight line to the high-water mark on the south-westerly extremity of Island 421; thence in a general easterly direction along the high-water mark on the southerly shore of Island 421 to the south-easterly extremity thereof; thence southerly in a straight line to the high-water mark on the easterly extremity of Island 423; thence south-easterly in a straight line to the high-water mark on the northerly extremity of Island 415; thence in a general south-easterly direction along the high-water mark on the north-easterly shore of Island 415 to the easterly extremity thereof; thence southerly in a straight line to the high-water mark on the easterly extremity of Island 408; thence in a general south-easterly direction along the high-water mark on the south-easterly shore of Island 408 to the southerly extremity thereof; thence westerly in a straight line to the high-water mark on the easterly extremity of Island 412; thence in a general westerly direction along the high-water mark on the southerly shore of Island 412 to the point of commencement.

SCHEDULE 16

MARIE LOUISE LAKE FISH SANCTUARY

Marie Louise Lake in the Territorial District of Thunder Bay.

SCHEDULE 17

MASKINONGE LAKE FISH SANCTUARY

In the townships of Echo, Lomond, Pickerel and Vermilion, in the Territorial District of Kenora, and being the waters known as Maskinonge, Hooch and Cloudlet lakes; the stream flowing easterly into Cloudlet Lake from the westerly boundary of the Township of Echo; the stream between Cloudlet and Hooch Lakes; the stream between Hooch and Maskinonge lakes, and the stream flowing easterly out of Maskinonge Lake to its mouth in Little Vermilion Lake.

SCHEDULE 17A

MCDONALD BAY FISH SANCTUARY

McDonald Bay in the geographic townships of Baxter and Gibson in the Territorial District of Muskoka and lying within lots 26 to 30, both inclusive, in concessions XV and XVI in the Township of Baxter, and lots 27 to 33, both inclusive, in concessions I and II in the Township of Gibson.

SCHEDULE 18

MCLAREN CREEK FISH SANCTUARY

That part of McLaren Creek in the Township of Fenelon in the County of Victoria east of the King's Highway Number 35 lying within lots 1 and 2 in Concession IV and lots 2 to 5, both inclusive, in Concession V.

SCHEDULE 19

MILKSHAKE LAKE FISH SANCTUARY

The waters known as "Milkshake Lake" in the Township of Sibley in the Territorial District of Thunder Bay lying within lot 8 in Concession VII.

SCHEDULE 20

NOGIES CREEK FISH SANCTUARY

That part of the waters known as "Nogies Creek" in the Township of Galway and Cavendish and the Township of Harvey in the County of Peterborough south of the dam at the southerly end of Bass Lake, lying within lots 27 to 30, both inclusive, in Concession XVII, lots 27, 28, 30, 31 and 32 in Concession XVI, in the Township of Harvey, and lots 9 and 10 in Concession I and lot 9 in Concession II in the Township of Galway and Cavendish.

SCHEDULE 21

OMAR ISLAND FISH SANCTUARY

Commencing at the high-water mark on the westerly extremity of Island B34 as shown on a plan of the islands in front of the townships of Conger and Cowper in the Territorial District of Parry Sound, surveyed by D. Beatty, O.L.S., in 1911; thence north-westerly in a straight line to the high-water mark on the easterly extremity of Island B25; thence in a general north-westerly direction along the high-water mark on the north-easterly shore of Island B25 to the northerly extremity thereof; thence north-westerly in a straight line to the high-water mark on the southerly extremity of Island B21; thence in a general north-westerly direction along the high-water mark on the south-westerly shore of Island B21 to the westerly extremity thereof; thence north-westerly in a straight line to the high-water mark on the north-westerly extremity of Island B94; thence northerly in a straight line to the high-water mark on the north-westerly extremity of Island B95; thence northerly in a straight line to the high-water mark on the westerly extremity of Island B146; thence in a general easterly and northerly direction along the high-water mark on the north-westerly shore of Island B146 to the northerly extremity thereof; thence north-easterly in a straight line to the high-water mark on the westerly extremity of Island B10; thence in a general north-easterly and south-easterly direction along the high-water mark on the northerly shore of Island B10 to the easterly extremity thereof; thence north-easterly in a straight line to the westerly extremity of Island B44; thence south-easterly and easterly along the high-water mark on the south-westerly shore of Island B44 to the intersection with a line drawn north astronomically from the most northerly extremity of Island B35; thence south astronomically along that line to the high-water mark on the most northerly extremity of Island B35; thence south-westerly, southerly and south-easterly along the high-water mark on the westerly shore of Island B35 to the southerly extremity thereof; thence south-westerly in a straight line to the high-water mark on the northerly extremity of Island B37; thence south-easterly and south-westerly along the high-water mark on the easterly and southerly shore of Island B37 to the southerly extremity thereof; thence south-westerly in a straight line to the high-water mark

on the easterly extremity of Island B13; thence in a general south-westerly direction along the high-water mark on the southerly shore of Island B13 to the south-westerly extremity thereof; thence north-westerly in a straight line to the high-water mark on the south-easterly extremity of Island B34; thence in a general westerly and north-westerly direction along the high-water mark on the southerly shore of Island B34 to the point of commencement.

SCHEDULE 22

PIERCE'S FLOW FISH SANCTUARY

The waters known as "Pierce's Flow" in the Township of Rear of Leeds and Lansdowne in the County of Leeds lying within lots 8 and 9 in Concession IX.

SCHEDULE 23

QUARRY ISLAND FISH SANCTUARY

Commencing at the high-water mark on the westerly extremity of lot A of Island 95 as shown on a plan of the islands south of Moose Deer Point, Georgian Bay; thence westerly in a straight line to the high-water mark on the northerly extremity of Island 102; thence in a general south-westerly direction along the high-water mark on the north-westerly shore of Island 102 to the westerly extremity thereof; thence westerly in a straight line to the high-water mark on the northerly extremity of Island 103; thence in a general south-westerly direction along the high-water mark on the north-westerly shore of Island 103 to the westerly extremity thereof; thence south-easterly in a straight line to the high-water mark on the northerly extremity of lot A of Quarry Island, known also as "Island 96"; thence in a general south-westerly and south-easterly direction along the high-water mark on the westerly and south-westerly shores of Quarry Island to the south-east extremity thereof; thence north-easterly in a straight line to the high-water mark on the southerly extremity of Island 92; thence in a general northerly direction along the high-water mark on the westerly shore of Island 92 to the north-westerly extremity thereof; thence south-westerly in a straight line to the high-water mark on the southerly extremity of lot E of Island 95; thence in a general north-westerly, southerly, westerly, north-easterly, westerly, northerly, north-easterly and westerly direction along the high-water mark of Island 95 to the point of commencement.

SCHEDULE 24

SANDY ISLAND FISH SANCTUARY

Commencing at the high-water mark on the north-easterly extremity of Island 243C, known also as "Sandy Island", south of the easterly extremity of Allen Island, as shown on a plan of the islands in Georgian Bay in front of the townships of McDougall and Carling, surveyed by J. H. Burd, O.L.S., in 1910; thence north-westerly in a straight line to the high-water mark on the easterly extremity of Island 132C; thence northerly and north-westerly along the high-water mark on the easterly and north-easterly shore of Island 132C to the northerly extremity thereof; thence westerly in a straight line to the high-water mark on the northerly extremity of Island 133C and continuing westerly in a straight line to the high-water mark on the southerly extremity of Island 140C; thence

westerly in a straight line to the high-water mark on the southerly extremity of Island 213C; thence south-westerly in a straight line to the high-water mark on the northerly extremity of Island 178C; thence in a general southerly direction along the high-water mark on the easterly shore of Island 178C to the southerly extremity thereof; thence south-easterly in a straight line to the high-water mark on the south-westerly extremity of Island 183C; thence south-easterly in a straight line to the high-water mark on the south-westerly extremity of Island 194C; thence south-easterly in a straight line to the high-water mark on the southerly extremity of Island 176C; thence south astronomically to the high-water mark on the westerly shore of Island 243C; thence in a general easterly, north-easterly, south-easterly and easterly direction along the high-water mark on the westerly and northerly shore of Island 243C to the point of commencement.

SCHEDULE 25

SANS SOUCI FISH SANCTUARY

Commencing at the high-water mark on the southerly extremity of Sans Souci Island as shown on a plan of the islands in front of the townships of Conger and Cowper in the Territorial District of Parry Sound, surveyed by D. Beatty, O.L.S., in 1911; thence north-easterly in a straight line to the high-water mark on the southerly extremity of Island B230; thence easterly in a straight line to the high-water mark on the southerly extremity of Island B233; thence north-easterly in a straight line to the high-water mark on the south-westerly extremity of lot 23, Concession A, in the Township of Cowper; thence in a general north-westerly, north-easterly, south-westerly, northerly and westerly direction along the high-water mark of Georgian Bay to the westerly extremity of lot 26, Concession A, in the Township of Cowper; thence west astronomically to the high-water mark of Sans Souci Island; thence in a general westerly, south-easterly, southerly and south-westerly direction along that high-water mark to the point of commencement.

SCHEDULE 26

SLIM BAY FISH SANCTUARY

Slim Bay of Charleston Lake in the Township of Rear of Leeds and Lansdowne in the County of Leeds, lying within lots 16, 17 and 18 in Concession VIII and lots 17, 18 and 19 in Concession IX.

SCHEDULE 27

SPLIT ROCK FISH SANCTUARY

Commencing at the intersection of the high-water mark on the shore of Georgian Bay with a production westerly of the centre line of the allowance for road between the townships of Gibson and Freeman, as shown on a plan of the islands south of Moose Deer Point, Georgian Bay; thence westerly along that production to the high-water mark on the south-easterly shore of Island 210; thence south-westerly along the high-water mark on the south-easterly shore of Island 210 to the most southerly extremity thereof; thence westerly in a straight line to the high-water mark on the southerly extremity of Island 216; thence in a general north-westerly direction along the high-water mark on the south-westerly shore of Island 216 to the

westerly extremity thereof; thence westerly in a straight line to the high-water mark on the northerly extremity of Island 219; thence in a general southerly and south-easterly direction along the high-water mark on the westerly shore of Island 219 to the southerly extremity thereof; thence south-westerly in a straight line to the high-water mark on the westerly extremity of Island 204; thence south-easterly in a straight line to the high-water mark on the westerly extremity of Island 205; thence south-easterly in a straight line to the high-water mark on the westerly extremity of Island 192; thence south-easterly in a straight line to the high-water mark on the westerly extremity of Island 186; thence south-westerly in a straight line to the high-water mark on the northerly extremity of Island 181; thence in a general south-easterly and south-westerly direction along the high-water mark on the easterly shore of Island 181 to the southerly extremity thereof; thence south-easterly in a straight line to the high-water mark on the northerly extremity of Island 180; thence in a general southerly and south-easterly direction along the high-water mark on the westerly and south-westerly shore of Island 180 to the southerly extremity thereof; thence south-easterly in a straight line to the high-water mark on the southerly extremity of Island 180B; thence north-easterly in a straight line to the high-water mark on the southerly extremity of Island 176; thence in a general northerly direction along the high-water mark on the easterly shore of Island 176 to the easterly extremity thereof; thence north-easterly in a straight line to the high-water mark on the south-easterly extremity of Island 158; thence in a general north-easterly direction along the high-water mark on the easterly shore of Island 158 to the north-easterly extremity thereof; thence north-easterly in a straight line to the high-water mark on the most southerly extremity of land lying immediately south of lot 50, Concession XIV, in the Township of Gibson; thence in a general westerly, north-westerly, north-easterly and north-westerly direction along that high-water mark to the point of commencement.

SCHEDULE 28

SUCCOR BROOK FISH SANCTUARY

The waters known as "Succor Brook," being a bay of Cranberry Lake and lying within lots 32, 33 and 34 in Concession XI in the Township of Storrington in the County of Frontenac.

SCHEDULE 29

WEST BAY FISH SANCTUARY

West Bay of Sparrow Lake, in the Township of Matchedash in the County of Simcoe, lying within lots 2, 3 and 4 in Concession XIV and lot 2 in Concession XV.

SCHEDULE 30

WESTPORT POND FISH SANCTUARY

In the Township of North Crosby in the County of Leeds and being the water known as "Westport Pond" connecting Upper Rideau Lake and Sand Lake.

SCHEDULE 30A

WHIRLIGIG LAKE FISH SANCTUARY

The waters known as "Whirligig Lake" in the geographic townships of Corley and Gamble in the Territorial District of Timiskaming.

SCHEDULE 30B

WHISTLER BAY FISH SANCTUARY

The waters within a line described with reference to a plan of Islands of Georgian Bay between Copanang and Key Inlet in the Territorial District of Parry Sound, surveyed by Lang and Ross, O.L.S., in 1917, as follows:

Commencing at the intersection of the high-water mark of Georgian Bay with the northerly boundary of Parcel number 1 surveyed for Canadian National Railways at Key Harbour of Georgian Bay, and shown on the plan; thence west astronomically to the high-water mark on the easterly shore of Island 9276; thence in a general south-westerly, northerly, southerly, north-westerly, north-easterly and south-westerly direction along the high-water mark on the southerly shore of Island 9276 to the westerly extremity thereof; thence north-westerly in a straight line to the high-water mark on the southerly extremity of Island 9315; thence in a general northerly direction along the high-water mark on the westerly shore of Island 9315 to the northerly extremity thereof; thence northerly in a straight line to the high-water mark on the south-westerly extremity of Island 9311; thence in a general northerly direction along the high-water mark on the

westerly shore of Island 9311 to the northerly extremity thereof; thence westerly in a straight line to the high-water mark on the southerly extremity of Island 9325; thence in a general northerly direction along the high-water mark on the westerly shore of Island 9325 to the northerly extremity thereof; thence north astronomically to the high-water mark on the shore of Georgian Bay of Lake Huron; thence in a general easterly, south-easterly, south-westerly, south-easterly, south-westerly and southerly direction along that high-water mark to the point of commencement.

SCHEDULE 30C

WHITE LAKE FISH SANCTUARY

White Lake in the Township of Olden in the County of Frontenac.

SCHEDULE 30D

WHITE PINE LAKE FISH SANCTUARY

White Pine Lake in the geographic Township of Gamble in the Territorial District of Timiskaming.

SCHEDULE 31

WILTSE CREEK FISH SANCTUARY

Wiltse Creek between Gananoque Lake and Charleston Lake in the Township of Front of Leeds and Lansdowne in the County of Leeds lying within lots 19 to 24, both inclusive, in Concession V, lot A and lots 1 to 7, both inclusive, in Concession V, lots 7 to 14, both inclusive, in Concession VI.

Regulations 405

(Ontario Regulations 270/44 and 61/45)

REGULATIONS MADE UNDER THE GASOLINE HANDLING ACT

INTERPRETATION

1. In these regulations,—

“Approved” shall mean approved by the Minister.

“Petroleum products” shall include gasoline, kerosene and distillate.

“Flammable”, when used in conjunction with “petroleum products” herein, shall mean those having a flashpoint below 175 degrees Fahrenheit according to the Tagliabue Open Tester.

“Vehicle” shall mean tank truck, stake truck, trailer, semi-trailer, tractor and other conveyance used for the transportation of petroleum products except the railway cars of steam and electric railways.

“Tank truck” shall include motorized vehicle, tank trailer, tank semi-trailer, tank wagon and other highway vehicle used for the transportation of flammable petroleum products, and provided with a tank or tanks mounted on the frame or chassis of such vehicle.

“Stake truck” shall mean any highway vehicle, whether motorized or not, equipped with a platform.

“Tractor” shall mean motorized vehicle used for the purpose of drawing a semi-trailer.

“Trailer” shall mean vehicle without motive power, designed for carrying persons or property and for being drawn by another vehicle and so constructed that no part of its weight rests upon the towing vehicle.

“Semi-trailer” shall mean vehicle without motive power, designed for carrying persons or property and for being drawn by another vehicle and so constructed that some part of its weight and that of its load rests upon and is carried by another vehicle.

“Service station” shall include any building or other premises where petroleum products are delivered direct to the fuel tanks of automobiles, trucks, motor boats, aeroplanes or other vehicles.

“Store” shall mean any building or other premises, other than a service station, where petroleum products are kept for sale or delivery to the public.

“Fire-proof” shall mean of incombustible materials.

“Marked gasoline” shall mean gasoline which has been marked in accordance with the directions and specifications of the Oil Controller of Canada, Number Oil 12, 1945, with respect to Ontario, 1943, c. 8.

“Motor vehicle” shall include automobile, motor bicycle and any other vehicle propelled or driven otherwise than by muscular power; but shall not include the car of an electric or steam railway or any other motor vehicle running only upon rails or any steam traction engine.

“Vital industries or premises or essential services” shall mean any plant holding a contract of at least \$5,000 with the Supply Board (Canada) or premises which are “protected areas or places” within the meaning of the Defence of Canada Regulations or public works within the meaning of *The Public Works Protection Act*.

FLAMMABLE PETROLEUM PRODUCTS

2. Flammable petroleum products shall be classified as follows:

Class 1—All petroleum products having a flashpoint at or below 80 degrees Fahrenheit according to the Tagliabue Open Tester.

Class 2—All petroleum products having a flashpoint above 80 degrees Fahrenheit and below 175 degrees Fahrenheit according to the Tagliabue Open Tester.

PART I

REGULATIONS AS TO LICENSING

FORM FOR LICENSE AND APPLICATION

3.—(1) Every application for a license and every license shall be in the form prescribed by the Minister.

(2) Licenses shall not be transferred or assigned and shall be valid only in respect of the premises for which they are issued.

(3) A person transporting gasoline, kerosene or distillate in a quantity not exceeding fifty Imperial gallons of a total load shall be exempt from the licensing provisions of the Act providing such gasoline, kerosene or distillate is to be used by himself or his employer and not offered for sale.

CLASSES AND FEES OF LICENSES

4.—(1) Licenses to offer for sale and sell gasoline, kerosene or distillate, may be issued by the Minister to the following classes of persons:

(a) Importers;

(b) Refiners;

(c) Distributors, jobbers and wholesalers;

(d) Retailers;

(e) Persons within Ontario acting as agents for persons engaged in the business of handling gasoline without Ontario.

(f) Vendors of marked gasoline. S. 12 (b).

(2) The fee payable for every license issued under the provisions of clauses (a), (b) or (c) of subsection 1 shall be one dollar in respect of every tank or reservoir having a capacity in excess of fifty Imperial gallons in which gasoline, kerosene or distillate, is stored by the licensee provided that the minimum fee in respect of any such license shall be one dollar.

(3) There shall be no fee payable in respect of licenses issued under the provisions of clause (d) of subsection 1.

(4) The fee payable for every license issued under the provisions of clause (e) of subsection 1 shall be twenty-five dollars.

4a.—(1) A permit for the purchase of marked gasoline free from the tax imposed by *The Gasoline Tax Act* may be issued by the Minister to,—

- (a) a person engaged in fishing or guiding as a means of livelihood; or
- (b) a person engaged in farming.

(2) A permit shall remain in force during the pleasure of the Minister, but may be revoked by the Minister at any time by delivering or sending by prepaid registered mail to the holder of the permit a notice of revocation to his address on the permit.

(3) The holder of a permit shall report in writing to the Minister every change in his address or occupation.

(4) No permit shall be transferred or sold.

(5) No fee shall be payable in respect of the issue of the permit.

(6) Every application for a permit shall be in the form prescribed by the Minister. 1943, c. 8, s. 1.

(7) Permits for the purchase of marked gasoline shall be in the following form:

FORM 1—PERMIT TO PURCHASE MARKED GASOLINE (FISHING OR GUIDING)

ONTARIO DEPARTMENT OF HIGHWAYS TAX FREE GASOLINE PURCHASE PERMIT

19..... No. 00000000

Signature of Purchaser	Permission is hereby granted under the provisions of <i>The Gasoline Handling Act</i> to the undermentioned.....
Signature of Authorized Agent	.....
	and to.....
	his duly authorized agent, whose signature(s) is (are) appended hereto, to purchase gasoline marked in accordance with the provisions of <i>The Gasoline Handling Act</i> and Regulations made thereunder, free from the Ontario Gasoline Tax, as imposed by <i>The Gasoline Tax Act</i> , for the occupation herein stated.
	Location of Occupation.....
	County
	Township
	Concession Lot

THIS PERMIT IS NOT TRANSFERABLE

Minister of Highways.
Chief Inspector, Gasoline Handling Act.

FORM 2—PERMIT TO PURCHASE MARKED GASOLINE (FARMING)

ONTARIO DEPARTMENT OF HIGHWAYS TAX FREE GASOLINE PURCHASE PERMIT

19..... No. 00000000

Signature of Purchaser	Permission is hereby granted under the provisions of <i>The Gasoline Handling Act</i> to the undermentioned farmer:
Signature of Authorized Agent	.....
Signature of Authorized Agent	.....
	and to.....
	and to.....
	his duly authorized agent(s), whose signature(s) is (are) appended hereto, to purchase gasoline marked in accordance with the provisions of <i>The Gasoline Handling Act</i> and Regulations made thereunder, free from the Ontario Gasoline Tax, as imposed by <i>The Gasoline Tax Act</i> , for purposes of farming only.
	Location of farm.....
	County
	Township
	Concession Lot

THIS PERMIT IS NOT TRANSFERABLE

Minister of Highways.
Chief Inspector, Gasoline Handling Act.

5.—(1) The fee payable for a license to transport gasoline, kerosene or distillate shall be one dollar in respect of every conveyance used for such purpose.

(2) The fee payable for a license to mix, combine or compound any constituent of gasoline with any other substance or material, whether a constituent or not, shall be one dollar, but no such license shall be issued to any person who is not the holder of a license issued under the provisions of clause (b) of subsection 1 of section 4, unless the Minister otherwise specifically directs.

LICENSE TO BE POSTED

6.—(1) Every license issued under the provisions of clauses (a), (b), (c) and (d) of subsection 1 of section 4 shall be posted in a conspicuous place on the tank, reservoir, or retail service pump for which it is issued or in a conspicuous place upon the premises where such tank, reservoir or retail service pump is located.

(2) Every license issued under the provisions of clause (e) of subsection 1 of section 4 and of subsection 2 of section 5 shall be posted in a conspicuous place at the head or principal office within Ontario of the licensee.

(3) Every license issued under the provisions of subsection 1 of section 5 shall be posted upon the conveyance in respect of which it is issued.

TERM OF LICENSE

7. Every license issued under the provisions of these regulations shall be in force for the calendar year indicated upon the face of such license, and every license shall be effective only in respect of such tanks, reservoir, pump or conveyance in respect of which it is issued.

HANDLERS TO KEEP RECORDS AND FURNISH INFORMATION

8. Every importer, refiner, distributor, jobber, wholesaler, retailer and transporter of gasoline, kerosene or distillate, and every person who acts as an agent for a person engaged in the business of handling gasoline without Ontario and every person who mixes, combines or compounds gasoline, shall,—

- (a) keep records satisfactory to the Minister showing all gasoline, kerosene or distillate coming into his possession or ownership or under his control as well as the disposition thereof;
- (b) retain in his possession all vouchers and records of every kind in any way relating to such gasoline, kerosene or distillate received by him;
- (c) cause a physical inventory of all gasoline, kerosene and distillate to be made at the close of business on the last business day of each calendar month;
- (d) furnish the Minister with such information as the Minister may from time to time require.

INVESTIGATION INTO VIOLATION OF ACT

9.—(1) Where in the opinion of the Minister there is reason to believe that any person has violated or failed to observe any of the provisions of the Act or of these regulations, or has made any false statement in any return or statement required to be made by the Act or by these regulations, or that any other matter arising in the administration of the Act requires investigation, the Lieutenant-Governor in Council may appoint any person to hold an inquiry into such matter, and such person shall have all the powers of a commissioner appointed under *The Public Inquiries Act*, including the power to take evidence under oath.

(2) For the purposes of the administration of the Act there shall be a Chief Inspector and such inspectors and other employees as the Minister may deem necessary.

PART II

TRANSPORTATION AND HANDLING ON PUBLIC HIGHWAYS AND CONSTRUCTION AND OPERATION OF CONVEYANCES

LIMIT OF REGULATIONS

10. The provisions of this Part shall apply only to the transportation of flammable petroleum products on any highway within the meaning of *The Highway Traffic Act* and shall not apply to the regular fuel tanks used in the operation of motor vehicles.

SCOPE OF REGULATIONS

11. These regulations shall apply to the transportation of petroleum products in Class I and II, by means of any vehicle.

PACKAGE TRANSPORTATION

12. No person shall transport Class I flammable petroleum products in drums or other containers having a capacity of 50 gallons or less except in containers complying with Shipping Container Specification No. 5 or any modification thereof, of the Board of Transport Commissioners for Canada or the Interstate Commerce Commission of the United States, and no person shall transport flammable petroleum products in containers of over 50 Imperial gallons capacity, except in containers fabricated in accordance with the regulations for tank trucks, trailers and semi-trailers.

STAKE TRUCKS

13.—(1) In transporting containers of flammable petroleum products by stake-truck or any vehicle where such containers are not permanently attached to the chassis there shall be only a single tier of containers, provided that this subsection shall not apply to the transportation of cases of containers where not more than 10 Imperial gallons is contained in each case.

(2) No container which leaks, or is otherwise defective, shall be used.

(3) No portable tank not permanently attached to the chassis of a vehicle shall be capable of containing more than 200 Imperial gallons.

SMOKING PROHIBITED

14. No person driving, loading, unloading or riding upon or being about a vehicle shall smoke or have in his possession any lighted pipe, cigar, cigarette or lighted match.

TANK TRUCKS MUST BE SAFE AND IN GOOD REPAIR

15.—(1) No tank truck shall be operated unless it is in good repair, free from leaks, equipped with rubber tires, and designed so as not to be easily overturned.

(2) Tanks shall be so supported and attached to the chassis of the vehicle that they will remain fixed in place.

MINIMUM NUMBER OF WHEELS

16. Every tank truck and tank trailer shall operate upon not less than four wheels and every tank semi-trailer shall operate upon not less than two wheels.

LIMITATIONS FOR PRODUCTS OF HIGH VAPOUR PRESSURE

17. No vehicle shall transport, or carry any petroleum product having a Reid Vapour Pressure of over 16 pounds per square inch except in vehicles or containers specially approved by the Minister. The vapour pressure shall be determined by Procedure D. 323-32T of the American Society for Testing Materials.

ELECTRICITY ONLY TO BE USED FOR LIGHTING

18.—(1) No vehicle shall be equipped with any artificial light except electricity.

(2) Lighting circuits shall be equipped with fuses, automatic circuit breakers or other suitable over-current protection and all wiring shall have sufficient carrying capacity and mechanical strength, and shall be properly secured, insulated and protected against physical damage.

FIRE EXTINGUISHERS REQUIRED

19.—(1) Every motorized vehicle shall be equipped with at least one approved hand fire extinguisher of a non-freezing type suitable for extinguishing flammable liquid fires.

(2) Every fire extinguisher shall be maintained in good operating condition and shall be located in an accessible place on the motorized vehicle or on an attached trailer or semi-trailer.

19a. The front of every motor vehicle used in the transportation of petroleum products shall be equipped with a heavy duty steel bumper of a standard design.

VALVES AND FAUCETS TO BE PROTECTED

20.—(1) Every valve and faucet upon a tank truck shall be protected from possible injury and every such faucet shall be equipped with a lock or be so constructed that the handle may be removed only when the faucet is tightly closed and shall be of the self-closing anti-drip type.

(2) Every valve shall be equipped with a ground seat or other device affording protection against leakage.

(3) Every faucet upon a tank truck shall be kept locked or the handle thereof detached therefrom when such faucet is not in actual use.

(4) Every driver or other person in charge of a tank truck shall remain at the faucets of such tank truck when discharging the contents of the tank.

MATERIAL CAPACITY GAUGE

21. Every tank truck and tank trailer shall comply with the following specifications:

- (a) Tanks shall be constructed throughout of open hearth steel of a thickness and gauge in accordance with the following tables, or of other material in thicknesses which will afford equivalent strength:

Minimum Thickness of Material

Aggregate Capacity of Tank	Shell	Head
Up to 1,000 Imperial gallons..	12 gauge U.S. Standard	12 gauge U.S. Standard if bilged or corrugated, otherwise 10 gauge
Over 1,000 Imperial gallons..	10 gauge U.S. Standard	8 gauge U.S. Standard

- (b) Tanks, exceeding 1,000 Imperial gallons in capacity, may be constructed with 12 gauge shells and 10 gauge heads provided they are subdivided into compartments of not more than 600 Imperial gallons and are mounted on chassis equipped with pneumatic tires.

- (c) Shell and head joints shall be made tight by an approved process and shall be tested at five pounds minimum pressure applied for a period of one hour.

- (d) Outlets shall be substantially made and attached to the tank so as to prevent breakage at outlet point.

- (e) Tanks with compartments shall be provided with an air space between the compartments and such air space shall have drainage facilities.

- (f) (i) Tanks for Class I petroleum products in excess of 500 Imperial gallons capacity shall be divided into compartments and every compartment in excess of 500 Imperial gallons shall be divided into two sections by lateral bulkheads but in no case shall a single compartment exceed a capacity of 600 Imperial gallons.

(ii) A tolerance of ten per cent shall be allowed for individual compartment capacities.

- (g) (i) Every compartment shall be provided with an approved vacuum and pressure operating vent with a minimum effective opening of 0.44 square inches.

(ii) Every compartment carrying Class I petroleum products shall be provided with additional venting facilities so constructed as to provide a minimum free opening equivalent to a circular hole 1 and 29/32 inches in diameter for the purpose of relieving such internal pressure as may be created by exposure fires, and where a fusible element is incorporated, the fusing temperature of such element shall not exceed 200 degrees Fahrenheit.

- (h) (i) Every draw-off valve and faucet shall have the discharge end threaded or shall be so designed as to permit being tightly connected to hose extending to fill-pipe.

(ii) Every draw-off valve and faucet projecting beyond the frame of the vehicle shall be adequately protected against collision, by steel bumpers or other means of equal protection.

- (i) The tank and chassis of every vehicle shall be metallically interconnected by copper straps or by welding and tank trucks and tank trailers must be equipped with drag chains or some other flexible metallic device long enough to reach the ground and capable of grounding such static charges as may be present and spare links for every such drag chain shall be carried on the vehicle.

- (j) (i) Before removing covers on the gauge or fill openings all static electricity which may have been generated in the tank during transit shall be discharged by means of a attaching a grounded

wire to an unpainted portion of the tank, or tank fittings, or by means of an electrical connection between the filler-pipe and an unpainted portion of the tank.

(ii) Rubber tubes, or hose used in loading and unloading shall be anti-static with metallic connection between the inlet and outlet of the tube or hose and the nozzle of the hose pipe shall be placed in contact with the filling pipe of the storage tank before the cover on such filling pipe is opened.

- (k) Can or bucket boxes on vehicles used for the transportation of Class I petroleum products shall be so constructed or lined as to prevent sparking.
- (l) The provisions of sections 21 (except for subsections (h), (i), (j) and (k)) and 22 shall not apply to any vehicle which is in use at the date of the coming into force of these regulations as long as such vehicle continues to be operated by the same owner, but every such vehicle shall be reported to and registered with the Minister.

FUEL SYSTEM

22. The main fuel tank for a vehicle shall not be placed over or adjacent to the engine and shall be arranged to vent during filling operations.

EXHAUST SYSTEM

23. The exhaust system including muffler and exhaust line shall have ample clearance from the fuel system and combustible materials and shall not be exposed to accumulations of grease, oil or gasoline and shall be carried off to the side or back of vehicle in such manner as to avoid all outlets.

23a.—(1) Every outlet faucet on a tank truck shall be tagged with an enamelled metal, substantial fibre or other approved tag designating the class of the contents in the tank or compartment from which such faucet leads.

(2) The tag used to designate gasoline and other Class 1 liquids shall be coloured red and the tag used in the case of Class 2 liquids shall be some other colour or colours.

PART III

HANDLING AND STORAGE IN BULK

SCOPE

24. The provisions of this part shall apply to the construction and installation of plants for the handling and storage of flammable petroleum products, but not the construction and installation of refinery plant equipment, except in so far as the bulk storage of such products is concerned.

24a. There shall be an operator, driver, or other competent person in immediate and constant attendance at all loading and unloading of flammable petroleum products at bulk storage plants.

LOCATION

25. Except as otherwise permitted in these regulations, the storage of flammable petroleum products shall be outside of buildings, in underground tanks or above-ground tanks, provided that storage in tanks above ground shall be prohibited within mercantile, or other congested districts, or where tanks cannot be diked to prevent petroleum products from flowing or being carried by waterways into congested districts.

ABOVE-GROUND TANKS

26.—(1) No tank used for the storage of flammable petroleum products shall be located closer to any property not occupied by the operator of the tank than the distance shown in Table 1 provided that where any such tank is used for the storage of crude petroleum the distance shall be twice that shown in the table.

TABLE 1

Capacity of Tank (Imp. Gals.)	Minimum Distance
0- 15,000	5 ft.
15,001- 24,000	10 ft.
24,001- 50,000	15 ft.
50,001-100,000	25 ft.
100,001 and over	½ Tank Diameter but not less than 25 feet.

(2) No tank used for the storage of flammable petroleum products shall be located closer to any other such tank than the distance shown on Table 2 provided that where either of such tanks is used for the storage of crude petroleum the distance shall be twice that shown in the table.

TABLE 2

Capacity of Tank (Imp. Gals.)	Minimum Distance
0- 15,000	3 ft.
15,001- 24,000	5 ft.
24,001- 50,000	10 ft.
50,001-100,000	15 ft.
100,001 and over	½ Tank Diameter but not less than 15 feet.

27.—(1) Vertical and horizontal above-ground tanks used as either filling or loading tanks for Class 1 and 2 products may be installed in batteries of not more than six tanks, with a combined capacity not exceeding 100,000 Imperial gallons.

(2) The maximum capacity of each tank shall not exceed 20,000 Imperial gallons.

(3) The distance between tanks in any one battery shall not be less than 12 inches.

(4) In the spacing and locating of batteries a battery of tanks shall be considered the equivalent of a single vertical or horizontal tank of equal total capacity.

28.—(1) (a) Every above-ground tank containing flammable petroleum products shall be adequately vented and equipped with an approved screen, or other protective device to prevent entrance of flame.

(b) Every manhole frame shall be constructed of steel or equivalent material, and be securely fastened to the tank.

(c) Shell manhole covers shall be made of steel and shall be securely bolted in place and fitted with suitable gaskets or otherwise made liquid-tight.

(2) Roof manhole and gauge hatch covers, which are of the self-closing type, shall be fitted with non-sparking metal where they join on to their seats, and all roof manholes and gauge hatches shall be flame-proof and gas-tight.

(3) (a) Every tank containing flammable petroleum products shall be equipped with properly designed and constructed vacuum and pressure valves and in no case shall the combined area of such devices be less than the area of the delivery inlet pipe to the tank.

(b) Every tank shall be grounded through direct contact with the earth, by connecting pipe lines or suitable grounding cables and plates buried in the earth.

29. Every horizontal above-ground tank shall be vented in accordance with Table 3.

TABLE 3

Emergency Relief of Excessive Internal Pressures in Above-ground Horizontal Tanks

Capacity of Tank (Imp. Gals)	Relief Valve Diameter
0- 1,000.....	1½"
1,001- 4,000.....	2½"
4,001-15,000.....	4"

DIKES

30.—(1) When an escape of flammable petroleum products from above-ground tanks may, in the opinion of a duly authorized official, flow into industrial, mercantile or other congested districts or into waters adjacent thereto, dikes approved by such official shall be constructed.

(2) Every such dike shall have a capacity of at least equal to that of the largest tank contained therein.

(3) Every tank containing crude petroleum shall be enclosed in a separate dike with no other tank contained therein.

(4) Dikes shall consist of masonry, concrete or earthwork and shall be impervious to seepage of the enclosed liquids and every earthen dike shall have a flat section at the top of not less than 2 feet sodded or otherwise treated to prevent erosion and shall have a slope on each side consistent with the angle of repose of the materials of which it is composed.

(5) Dikes shall be continuous without openings for piping or roadway. Piping may be laid over or under dikes or may be passed through dikes if flanges or other means approved by a duly authorized official are provided to guard against seepage of liquids through the areas surrounding the piping.

(6) The space enclosed by every dike shall be kept clear of combustible material and grass and weeds shall be kept cut.

(7) When the storage capacity of any storage plant exceeds 20,000 gallons of Class I flammable petroleum products in any one tank, 50,000 gallons of Class I flammable petroleum products in total capacity or 100,000 gallons of Class I and Class II flammable petroleum products in total capacity, and an escape of flammable petroleum products or a fire occurring therein or therefrom may in the opinion of a duly authorized official endanger any vital industry or premises or essential services, the capacity of the dikes to be required, including the tank area, shall be the total capacity of all the tanks enclosed, provided that this subsection shall only apply for the duration of the war in which Canada became involved on the 10th day of September, 1939.

FENCES

30a.—(1) When the storage capacity of any storage plant exceeds 20,000 gallons of Class I flammable petroleum products in any one tank, 50,000 gallons of Class I flammable petroleum products in total capacity or 100,000 gallons of Class I and Class II flammable petroleum products in total capacity, the tank or tanks together with any dike or dikes required by regulation 30 shall be surrounded by a substantial fence of at least 6 feet in height constructed of woven steel wire of not smaller than No. 9 gauge having no open space or mesh more than six inches in height or length.

(2) Every such fence shall be supported by substantial steel posts securely embedded in the ground to a depth of not less than three feet and extending above the ground to a height of not less than six feet.

(3) Any gate forming a part of the enclosure shall conform to the requirements for the fence.

(4) Every fence and gate shall be surmounted by three strands of barbed wire spaced at not less than four inches and not more than six inches between strands supported on projections from the tops of the posts and inclined inward at an angle of about 45 degrees with the horizontal and when no person is in attendance all gates shall be surely locked.

FLOODLIGHTS

30b. When any storage of flammable petroleum products described in regulation 30a may, in the event of an escape of flammable petroleum products or a fire occurring therein or therefrom, in the opinion of a duly authorized official, endanger any vital industry or premises or essential service, such official may require the said storage plant and the dikes and fences and the area immediately adjacent thereto to be illuminated with floodlights with moonlight intensity from sunset to sunrise each day for the duration of the war in which Canada became involved on the 10th day of September, 1939, provided that floodlighting shall not be required when the premises are protected by an armed guard or where the storage plant is situated at a border point and the Minister of National Defence for Canada indicates that floodlighting is inadvisable.

UNDERGROUND STORAGE TANKS

31.—(1) The top of every underground tank shall be not less than 3 feet below the surface of the ground, and shall be below the level of any piping connected to the tank.

(2) No underground tanks shall be installed under a Public Highway.

(3) Where a tank cannot be entirely buried, it shall be covered over with earth to a depth of at least 2 feet with a slope on all sides not steeper than one and one-half feet horizontal to one foot vertical.

(5) No such tank shall be less than 3 feet from a building, basement wall, or property line.

(6) Every tank located beneath a building shall be located below any portion of such building which is within 10 feet thereof.

(7) Tanks shall be constructed of open hearth steel, or of wrought iron of a thickness not less than that specified in Table 4, and seconds shall not be used.

TABLE 4

(Capacity (Imp. Gals.)	Minimum Thickness of Material	
	Gauge U.S. Standard	Lbs. Sq. Ft.
1- 250	16	2.50
251- 500	14	3.125
501-1,000	12	4.375
Above 1,000	7	7.50

(8) Tanks shall be tight, and sufficiently strong to bear without injury the most severe strains to which they may be subjected in use.

(9) Shells of tanks shall be properly reinforced where connections are made, and all connections made through the top of the tank above the liquid level.

(10) No person shall subject any tanks to pressure by compressed air, water, gas or other means to dislodge or deliver the contents of such tank.

(11) Every iron and steel tank shall be thoroughly coated on the outside with suitable rust-resisting material.

(12) Every iron or steel sheet less than No. 7 U.S. Standard gauge in thickness used the construction of underground tanks shall be galvanized in addition to the requirements of clause 11.

31a.—(1) No underground or above ground tank for flammable petroleum products, with more than one compartment shall be installed, unless the compartments are separated by double bulkheads with a suitably drained air space between, or by a single bulkhead of flange construction so that all seams or joints will communicate directly to the outside of the tank and not between compartments.

(2) Tanks installed prior to the first day of January, 1940, with more than one compartment and not conforming to the requirements of subsection (1) shall not be used at the same time for the storage of both Class I and Class II flammable petroleum products.

PIPING AND OTHER APPURTENANCES

32.—(1) Every tank which may contain flammable vapour shall be vented and the lower end of the vent pipe shall not extend through the top into the tank for a distance of more than one inch.

(2) Vent openings shall be of sufficient area to permit escape of air or vapour during the filling operation and except those automatically operated, shall be not less than one inch in diameter.

(3) Vent pipes shall be provided with weather-proof hoods and flame arresters, and shall terminate outside of building 12 feet above the general grade level and not less than 2 feet from any window or other building opening.

(4) Individual vent pipes shall be provided for each tank or each compartment thereof.

(5) Every line carrying flammable petroleum products underground shall pitch toward the tank and shall be without traps or pockets, and shall enter the tank at the top.

(6) The end of the filling pipe for underground storage tanks shall be carried to a suitable location outside of any building, but not within five feet of any entrance, door or cellar opening, and shall be kept locked except during filling operations and the top of every fill-pipe which is at or below grade level shall be set in a metal box with cover.

ENGINES, MOTORS AND PUMPS

33. Equipment used in the operation of bulk storage plants shall comply with the following specifications:

(a) Every exhaust pipe from an internal combustion engine shall be carried to a point outside of the building sufficiently to a distance satisfactory to the authorized official.

(b) Every electric motor, unless of a non-explosive type, shall be installed in a room separate from any pump with a gas proof partition between such rooms and every opening in the walls where shafting passes through such partition shall be protected with a stuffing box or other suitable method, and similar provision shall be made where pumps are operated by internal combustion engines.

(c) Every switch shall be of the oil immersed or other approved explosion-proof type, where there is a possibility of exposure to inflammable gases; and

(d) No electric motor or internal combustion engine shall be placed beneath a tank or elsewhere within the line of vapour travel.

PART IV

STORAGE AT, AND DELIVERY FROM
RETAIL OUTLETS

UNDERGROUND TANKS

34.—(1) Flammable petroleum products at service stations shall be stored in underground tanks except as hereinafter provided and shall be drawn from such tanks and delivered by means of pumps, provided however that at airports portable gasoline tanks and pumps may be used.

(2) All service stations shall be subject to the provisions of regulations 21 (j) (ii), 31, 32 and 33.

(3) No such tank shall have a capacity exceeding 2,000 gallons and the total capacity of the tanks at any individual service station shall not exceed 5,000 gallons.

CURTAILMENT OF VISIBLE TYPE PUMPS

35.—(1) No pump, or measuring device in which flammable petroleum products are displayed in a visible-type container in a quantity exceeding one Imperial gallon shall be installed at any service station after the first day of January, 1947, and every such pump shall be taken out of service before the first day of January, 1952.

(2) No pump or measuring device for the retail delivery of flammable petroleum products shall be erected or installed on any public street, lane or highway, or within eight feet of the limits thereof; and no pump or measuring device shall be used to deliver flammable petroleum products to any vehicle or motor vehicle while the vehicle or motor vehicle is standing on any public street, lane or highway.

(3) Every pump now erected or installed on a public street, lane or highway, or within eight feet of the limits thereof shall be removed before the first day of January, 1952.

(4) Notwithstanding the provisions of this section, the Minister may consent in writing to the replacement of any pump or measuring device which is now installed on a public street, lane or highway, or within eight feet of the limits thereof, but the replacement shall be removed in accordance with the provisions of sub-regulation 3.

SHUT OFF ENGINE

36. No owner or operator of a motor vehicle shall permit the engine to run while any flammable petroleum product is being delivered to the fuel tank and no person shall deliver any flammable petroleum product to the fuel tank of a motor vehicle while its engine is running.

SHUT OFF NOZZLES

37. The nozzle on every hose through which flammable petroleum products are delivered by gravity or electric power from pumps shall be of non-magnetic material and equipped with valves which cannot be held open except by the hand and which will close automatically when the hand pressure is released, and every such hose shall be anti-static with metallic connection between the inlet and outlet of the hose.

STORAGE ABOVE GROUND

38.—(1) Flammable petroleum products may be stored or kept at a service station or store in quantities not exceeding 50 gallons in all of Class I, and 1,000 gallons in all of Class II in a building of fire-resistive construction located at least 50 feet from any other building and used only for such purpose.

(2) Petroleum products may be stored or kept at a service station or store in quantities not exceeding

5 gallons in all of Class I and 150 gallons in all of Class II in a building of fire-resistive construction at least 10 feet from any other building or in a fireproof room with automatic fire doors, such building or room to be subject to the approval of an authorized official as to construction and location and to be used only for such purpose.

(3) A quantity of petroleum products not exceeding 5 gallons in all of Class II may be stored or kept in tightly closed metal containers at a service station or store.

SALE IN PORTABLE CONTAINERS

39. Portable containers in which Class I liquids are sold or delivered to the public shall be of an approved metal safety type and a label shall be attached by the vendor in each case on which shall be printed in bold type a warning that the contents are dangerous and should not be exposed to fire or flame and should not be used for cleaning purposes in any building, provided that this regulation shall not apply to,—

- (a) the bulk sale or delivery of gasoline in quantities, five gallons or over, in regular gasoline drums, half drums, quarter drums or sealed containers complying with the specifications of the Board of Transport Commissioners for Canada or the Interstate Commerce Commission of the United States, or
- (b) the delivery in a metal container of gasoline required to refuel a motor vehicle to permit of its being moved;
- (c) the taking of samples for test purposes, by oil company representatives or by officials appointed under the Act or these regulations, in metal containers sealed on the premises of the service station.

OPEN FLAME PROHIBITED

40. Flammable petroleum products shall not be drawn off from containers nor handled nor used in the presence of any flame or fire, nor in any location where flammable vapours from such petroleum products may be communicated to any open flame or fire.

NO SELF-SERVICE

41. No person shall provide for or permit the supplying of Class I liquids to the public by any self-serve method in any quantities whatever.

EMPTY DRUMS

42. All drums and barrels used for flammable petroleum products shall, when emptied, be tightly closed and an authorized official may prohibit, or limit the storage of such empty drums or barrels in any place where he deems it advisable.

43. No flammable petroleum products or crank-case oil shall be permitted to enter any sewer or subsurface drainage system but suitable liquid collectors shall be provided.

FIRE PROTECTION

44.—(1) Approved fire extinguishing devices and materials shall be provided and maintained in good condition at service stations and at stores where petroleum products are kept or stored.

(2) An easily accessible remote-control switch shall be provided for electrically-operated pumps.

PART V

45. These regulations shall be enforced by inspectors appointed under the Act, and Parts II, III and IV may be enforced also by the Fire Marshal, the Deputy Fire Marshal, District Deputy Fire Marshals, Inspectors and Assistants to the Fire Marshal under

The Fire Marshals Act, who shall be duly authorized officials within the meaning of these regulations.

46. Any person who deems himself aggrieved by any order made by a duly authorized official under sections 30, 30a, 30b, 33 (a), 38 (2) and 42, may appeal in writing within 10 days from the service of the order to the Fire Marshal who shall examine such order and affirm, modify or revoke the same and cause a copy of his decision to be served upon the party appealing.

47. These regulations shall come into force and have effect from the 1st day of February, 1937, provided that sections 25 to 29 inclusive, and 31 and 32 shall apply only to plants and equipment constructed or installed after such date.

Regulations 406

(Ontario Regulations 39/45; 63/46)

REGULATIONS MADE UNDER THE HIGHWAY IMPROVEMENT ACT UPON THE RECOMMENDATION OF THE MINISTER

CONTROLLED ACCESS HIGHWAY

1. Those portions of the King's Highway described in the annexed schedule are designated as controlled access highways. (Sec. 79a (1).)

SCHEDULE

1. The King's Highway between the City of Brockville and the Town of Ganoque. Commencing at the west limit of the City of Brockville where the same is intersected by King's Highway Number 2 assumed by Deposited Plan Number 13; thence westerly along King's Highway Number 2 to Lot 31, Concession 1, in the Township of Elizabethtown; thence southerly and westerly across the Township of Elizabethtown along the Highway right of way acquired by Deposited Plans Numbered 482, 483, 495, 503, 520 and 576, the Township of Yonge along the Highway right of way acquired by Deposited Plans Numbered 527, 531, 539 and 575, the Township of Escott along the Highway right of way acquired by Deposited Plans Numbered 501 and 577, the Township of Lansdowne along the Highway right of way acquired by Deposited Plans 501, 532 and 563, and the Township of Leeds along the Highway right of way acquired by Deposited Plan 533 to its intersection with the King's Highway Number 2 again at the easterly limit of the Town of Ganoque in Lot 17, Concession 1, in the Township of Leeds, including all grade separations, cloverleaves or traffic circles constructed or to be constructed. . . . 29.44 miles

(NOTE: *Item 2 was revoked by O. Reg. 121/50.*)

(NOTE: *Item 3 was struck out by O. Reg. 184/50.*)

(NOTE: *Item 4 was struck out by O. Reg. 110/51.*)

(NOTE: *Item 5 was revoked by O. Reg. 121/50.*)

6. Part of the King's Highway Number 2, assumed by Deposited Plan Number 38. Commencing at its intersection with the southwesterly limit of the City of Chatham; thence southwesterly along King's Highway Number 2 to Lot 7 in the Township of Raleigh. Including all grade separations, cloverleaves or traffic circles constructed or to be constructed. . . . 6.19 miles

7. Part of King's Highway Number 3, assumed by Deposited Plans Numbered 732 and 3133, between the Village of Maidstone and the City of Windsor. Commencing at its intersection with the Road Allowance between Talbot Road Lots Numbered 293 and 294 in the Village of Maidstone; thence northwesterly along King's Highway Number 3, known as the Talbot Road, across the Township of Sandwich South and part of the Township of Sandwich West, to its intersection with Huron Church Line Road; thence continuing northwesterly along King's Highway Number 3, known as the Huron Church Line Road, across the Township of Sandwich West to its intersection with Tecumseth Street at the southerly limit of the City of Windsor.

Including all grade separations, cloverleaves or traffic circles constructed or to be constructed. . . . 11.10 miles

8. Part of King's Highway Number 27 assumed by Deposited Plan Number 2809. Commencing at its intersection with the Queen Elizabeth Way in the Township of Etobicoke; thence northerly along King's Highway Number 27 across the Township of Etobicoke to its intersection with the Malton Road in Lot 30, Concessions II and III, fronting the Humber in the Township of Etobicoke. Including all grade separations, cloverleaves or traffic circles constructed or to be constructed. . . . 7.56 miles

9. The King's Highway (known as the Kingston Road) as assumed by Deposited Plan Number 2840. Commencing at its intersection with Birchmount Road, thence northeasterly along the Kingston Road to its intersection with Danforth Avenue in Lot 28, Concession B, in the Township of Scarborough. Including all grade separations, cloverleaves or traffic circles constructed or to be constructed. . . . 0.8 miles

10. All those portions of lots 15, 16, 17, 18, 19, 20, 21 and 22 in the Seventh Concession of the Township of Sarnia, lots 6, 7, 8 and 9 in Registered Plan Number 5; lots 32, 33, 34, 35, 36, 37, 52, 53, 54, 55 and 56 in Registered Plan Number 257; lots 3 and 4 in Registered Plan Number 2 for the Township of Sarnia, and lot 23 in the Seventh Concession in the Village of Point Edward, in the Township of Sarnia, in the County of Lambton, in the Province of Ontario, contained in a strip of land 200 feet wide lying between two lines drawn parallel to, on opposite sides of and distant 100 feet measured perpendicularly from a centre line and centre line produced and which centre line may be located as follows:—Commencing at the intersection of the said centre line with the eastern boundary of the right-of-way of the Canadian National Railways and which point of intersection is distant the following courses from the southwestern angle of lot 1, Registered Plan Number 2 for the Township of Sarnia; BEGINNING at the said southwestern angle of lot 1, Registered Plan Number 2 for the Township of Sarnia; thence south 88° 11' 30" east along the southern boundary of said lot 1 a distance of 150.00 feet to the eastern boundary of the Canadian National Railway right-of-way; thence north 1° 48' 30" east along the last mentioned boundary 876.60 feet to its intersection with the hereinbefore mentioned centre line and point of commencement. Thence easterly along the said centre line and being on a curve to the left having a radius of 2292.01 feet an arc distance of 161.41 feet the chord equivalent being 161.38 feet and having a bearing of south 85° 09' 47" east to the end of said curve; thence south 87° 10' 50" east, tangent to the last mentioned curve 3644.36 feet to its intersection with the western limit of the allowance for road between lots 21 and 22 in Concession VII of the said Township of Sarnia, and which point of intersection is distant 799.70 feet measured north 1° 49' 10" east along the said western limit from its intersection with the northern limit of

the allowance for road between Concessions VI and VII; thence continuing south $87^{\circ} 10' 50''$ east along the said centre line 6009.02 feet to its intersection with the eastern limit of the allowance for road between lots 18 and 19 in Concession VII aforesaid, and which point of intersection is distant 700.05 feet measured north $1^{\circ} 56' 10''$ east along the said eastern limit from the southwestern angle of said lot 18; thence continuing south $87^{\circ} 10' 50''$ east along the said centre line 2536.44 feet to the beginning of a curve to the right having a radius of 11459.20 feet; thence continuing along the said centre line and along the arc of said curve to the right 1634.45 feet, the chord equivalent being 1633.06 feet and having a bearing of south $83^{\circ} 05' 40''$ east to the end thereof; thence continuing along the said centre line south $79^{\circ} 00' 30''$ east 1803.27 feet to its intersection with the western limit of the allowance for road between lots 15 and 16 in said Concession VII

and which point of intersection is distant 213.81 feet measured north $1^{\circ} 45' 30''$ east along the said western limit from the southeastern angle of said lot 16; thence continuing south $79^{\circ} 00' 30''$ east along the said centre line 1517.26 feet to the beginning of a curve to the left having a radius of 3819.83 feet; thence continuing along the said centre line and along the arc of said curve to the left 552.66 feet the chord equivalent being 552.18 feet and having a bearing of south $83^{\circ} 09' 11''$ east to its intersection with the production southerly of the eastern boundary of lot 15, Concession VII and which said intersection is distant 81.10 feet measured south $1^{\circ} 53' 20''$ west along the said production from the southeastern angle of said lot 15; EXCEPTING thereout and therefrom any part of the Canadian National Railway right-of-way situate in lot 17 Concession VII which may be included in the above described lands.

Regulations 407

(Ontario Regulations 264/44; 33/46; 17/47; 13/48; 4/49; 37/49; 188/49; 219/49; 273/50)

REGULATIONS MADE UNDER THE HIGHWAY TRAFFIC ACT

PART I

FEES

1. The following registration fees shall be paid to the Motor Vehicles Branch, Department of Highways:

1. (a) for motor vehicles, except as hereinafter specified, having

- (i) 4 cylinders, if motor vehicle manufactured in or before 1933..... \$2.00
- (ii) 4 cylinders, if motor vehicle manufactured after 1933..... 5.00
- (iii) 6 cylinders, up to and including 28 horse-power..... 7.00
- (iv) 6 cylinders, over 28 horse-power..... 10.00
- (v) 8 cylinders, up to and including 35 horse-power..... 10.00
- (vi) 8 cylinders, over 35 horse-power..... 15.00
- (vii) 12 cylinders..... 25.00
- (viii) 16 cylinders..... 35.00

according to S.A.E. rating where horse-power is in this item prescribed.

(b) for a motor vehicle, other than one commonly known as a passenger car, designed by the manufacturer for the transportation of persons and goods, and for a passenger car which by a temporary change of body may be used as a commercial motor-vehicle classed for registration purposes as a "dual purpose" vehicle, the fees prescribed in clause a of item 4.

2. For motor vehicles driven by electricity stored in the vehicles, except commercial motor vehicles.....\$15.00

3. For motor vehicles driven by steam, except commercial motor vehicles..... 15.00

4. (a) For commercial motor vehicles, except motor buses, having a combined weight and carrying capacity,—

If equipped wholly or in part with solid tires
If equipped wholly with pneumatic tires or operated by electricity from overhead wires

Of not more than 2 tons.....	\$ 7.50	\$12.00
More than 2 tons and up to 2½ tons....	12.50	18.00
More than 2½ tons and up to 3 tons..	18.00	24.50
More than 3 tons and up to 3½ tons....	27.00	36.00
More than 3½ tons and up to 4 tons..	36.00	45.00
More than 4 tons and up to 5 tons.....	48.50	60.00
More than 5 tons and up to 6 tons.....	63.00	76.50
More than 6 tons and up to 7 tons.....	73.50	89.00
More than 7 tons and up to 8 tons.....	84.00	102.00
More than 8 tons and up to 9 tons.....	108.00	128.00
More than 9 tons and up to 10 tons....	127.50	150.00
More than 10 tons and up to 11 tons.	148.50	173.00
More than 11 tons and up to 12 tons.	171.00	198.00
More than 12 tons and up to 13 tons.	195.00	224.00
More than 13 tons and up to 14 tons.	220.50	252.00
More than 14 tons and up to 15 tons.	247.50	281.00
More than 15 tons and up to 16 tons.	264.00	300.00
More than 16 tons and up to 17 tons.	280.50	318.50

(b) The minimum carrying capacity for which a permit will be issued under clause a is 1,000 pounds except where the Department is satisfied that by reason of the design or construction of the vehicle or the nature of the load carried thereon the vehicle is incapable of carrying a load of such weight.

6. For trailers and semi-trailers having a combined weight and carrying capacity,—

Of 1 ton or less.....	\$ 2.00	
More than 1 ton and up to 2 tons.....	7.50	
More than 2 tons and up to 3 tons....	15.50	
More than 3 tons and up to 4 tons.....	24.00	
More than 4 tons and up to 5 tons.....	37.50	

More than 5 tons and up to 6 tons	49.50
More than 6 tons and up to 7 tons	57.50
More than 7 tons and up to 8 tons	66.00
More than 8 tons and up to 9 tons	81.00
More than 9 tons and up to 10 tons	90.00
More than 10 tons and up to 11 tons	115.50
More than 11 tons and up to 12 tons	126.00
More than 12 tons and up to 13 tons	136.50
More than 13 tons and up to 14 tons	147.00
More than 14 tons and up to 15 tons	157.50
More than 15 tons and up to 16 tons	168.00
More than 16 tons and up to 17 tons	178.50

7. For commercial motor vehicles, trailers or semi-trailers designed for or used exclusively for the transportation of road-building machinery which is the property of the owner of the vehicle or trailer, one-half the fees set out in clause a of item 4 of regulation 1 or one-half the fees set out in item 6 of regulation 1 as the case may be.
8. For motor buses, i.e., motor vehicles designed and used exclusively for the transportation of passengers, having a seating capacity for ten or more passengers and having a combined weight and carrying capacity,—

	If equipped wholly with pneumatic tires	If equipped wholly or in part with solid tires or operated by electric- ity from overhead wires
Of less than 2 tons	\$ 7.50	\$12.00
Of not more than 2 tons.	7.50	12.00
More than 2 tons and up to 2½ tons	12.50	18.00
More than 2½ tons and up to 3 tons	18.00	24.50
More than 3 tons and up to 4 tons	27.00	36.00
More than 4 tons and up to 5 tons	41.00	52.50
More than 5 tons and up to 6 tons	54.00	67.50
More than 6 tons and up to 7 tons	63.00	78.50
More than 7 tons and up to 8 tons	72.00	90.00
More than 8 tons and up to 9 tons	87.50	108.00
More than 9 tons and up to 10 tons	97.50	120.00
More than 10 tons and up to 11 tons	123.50	148.50
More than 11 tons and up to 12 tons	135.00	162.00
More than 12 tons and up to 13 tons	146.00	175.50
More than 13 tons and up to 14 tons	157.50	189.00
More than 14 tons and up to 15 tons	168.50	202.50
More than 15 tons and up to 16 tons	180.00	216.00
More than 16 tons and up to 17 tons	191.00	229.50

9. For municipally owned commercial motor vehicles and trailers and all commercial motor vehicles, other than buses, operated by a commission on behalf of a municipality \$2.00
- 9a. For a trolley bus operated solely within the limits of an urban municipality \$2.00
10. For a commercial motor vehicle having a machine or apparatus mounted upon the chassis thereof which is not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over the highways if the gross weight of the vehicle does not exceed 3 tons \$7.50 but where the gross weight of the vehicle exceeds three tons . . . one-half the fees set out in clause a of item 4 of regulation 1.
11. For a motorcycle \$2.00

1a. In these regulations "trolley bus" means a vehicle propelled by electric power obtained from overhead wires but not operated upon rails.

2. The following fees shall be paid to the Motor Vehicles Branch, Department of Highways,—

1. For a permit and set of motor vehicle or trailer manufacturers' or dealers' number plates \$20.00
2. For a permit and set of motorcycle manufacturers' or dealers' number plates 3.00
3. For a set of motor vehicle number plates in case of loss or conversion of car 1.00
4. For a trailer number-plate in case of loss 1.00
5. For a set of motor-cycle number plates in case of loss 1.00
6. For the transfer of a passenger car, two-purpose vehicle, commercial vehicle or trailer permit 1.00
7. For the transfer of a motor-cycle permit 1.00
8. For an "In Transit" marker50
9. For a duplicate permit in case of the loss or destruction of the original50

3.—(1) Where registration is applied for from the 1st of September to the 31st of December in any year, one-half of the fees prescribed in regulations 1 and 2 shall be paid.

(2) Subregulation 1 shall not apply to fees payable under item 9 of regulation 1 and items 3 to 9, both inclusive, of regulation 2 as amended by regulation 3 of Ontario Regulations 219/49.

4.—(1) Where a motor vehicle is registered in the name of His Excellency the Governor-General, His Honour the Lieutenant-Governor, a department of a Provincial or the Dominion Government or any foreign government, or a representative of a foreign government located in Ontario in the capacity of ambassador, career consul or career vice-consul, career trade commissioner or assistant career trade commissioner, commercial attache or assistant commercial attache, no registration fee shall be paid.

(2) Where a commercial motor vehicle is owned by and registered in the name of The Canadian Red Cross Society or any branch thereof, no registration fee shall be paid.

NUMBER PLATES

5.—(1) A number plate shall be exposed only upon the motor vehicle in respect of which it was issued and only while the vehicle is equipped with the style of body described in the application for the permit.

(2) Where during the currency of a permit a vehicle is converted from a passenger car to a commercial motor vehicle or *vice versa*, the number plates issued with the permit shall be returned immediately to the Motor Vehicles Branch, Department of Highways, and a new application describing the converted vehicle shall be made, whereupon a new set of number plates of the proper class shall be issued upon payment of the fee set out in item 3 of regulation 2, provided that where the class to which the vehicle has been converted has a higher registration fee than that of the first registration, the difference in such fee shall be paid.

6.—(1) Upon payment of the prescribed fees "In Transit" markers may be issued to a manufacturer of or dealer in motor vehicles.

(2) An "In Transit" marker shall be used only on the original trip of the vehicle for which it was issued to the place of business of the dealer and shall be pasted on the windshield of the vehicle and immediately destroyed on completion of the trip.

CHANGE OF OWNERSHIP

7. Where a change of ownership of a motor vehicle is made, the number plates therefor shall remain with the vehicle and the permit issued therefor with the application for transfer thereon properly completed and the prescribed transfer fee, shall be sent immediately to the Motor Vehicles Branch, Department of Highways, provided that this regulation shall not apply to permits issued under item 9 of regulation 1 or regulation 4, and in no case shall a fee be paid for the transfer of a permit to a person licensed to deal in motor vehicles where the vehicle for which the permit was issued is held for re-sale.

PERMITS

8.—(1) (*Revoked by Ontario Regulations 23/48.*)

(2) Every permit issued under these regulations shall expire on the 31st day of December of the calendar year for which it was issued.

9. Upon the filing of satisfactory evidence as to the need therefor and payment of the prescribed fee, a permit may be issued to a manufacturer of or dealer in motor vehicles which permit shall apply only to vehicles that the manufacturer or dealer has in his possession for sale or repair, but not for hire.

10. A permit shall not be issued for a commercial motor vehicle having a gross weight in excess of the limits provided in section 33 of the Act until there is filed in the Department by the owner of the vehicle a copy of the permit issued under section 34 of the Act certified by an officer of the municipal corporation or other authority having jurisdiction over the highways upon which the vehicle is to be operated.

WEIGHTS AND CARRYING CAPACITY

11.—(1) The carrying capacity in pounds of a motor bus other than a school bus shall be determined by multiplying the seating capacity by 135.

(2) The carrying capacity in pounds of a school bus shall be determined by multiplying the seating capacity by 90.

12. The application for a permit for a tractor shall be accompanied by a certificate showing the weight of the tractor while it has attached to it the heaviest semi-trailer with which it is used.

13. The carrying capacity of a tractor shall be the gross weight of the semi-trailer resting on the tractor.

14. The weight of a semi-trailer shall be the weight resting on its wheels when empty and attached to the tractor.

15. The carrying capacity of a semi-trailer shall be the difference between its gross weight and the weight resting on its wheels when empty and attached to the tractor.

PART II

CHAUFFEURS' AND OPERATORS' LICENSES

16. In this Part "driver's license" means an operator's licence or a chauffeur's license.

17. The following license fees shall be paid to the Motor Vehicles Branch, Department of Highways:

1. For an original chauffeur's license	\$2.00
During the period from the 1st day of September to the 31st day of December, the fee shall be.	1.00
For annual renewal	1.00
2. For a motor vehicle operator's license	1.00
For annual renewal	1.00
3. For a motorcycle operator's license	1.00
For annual renewal	1.00
4. For a temporary instruction permit . . . . .	.50
5. For a duplicate driver's license in case of the loss or destruction of the original. . . . .	.50

18.—(1) Every person applying for a license under this Part shall do so in writing on the form prescribed by the Department for the class of license required by him.

(2) Every applicant for a driver's license who has attained the age of fifteen years but has not attained the age of sixteen years shall file with the Department in the form prescribed by the Department for that purpose,—

- (a) the consent of his parent or guardian, provided that where the applicant is residing with both parents the consents of both parents shall be filed;
- (b) the consent of the registered owner of every vehicle to be operated by the applicant;
- (c) the certificate of the chief constable of the municipality in which the applicant resides; and
- (d) the certificate of the examiner appointed for the purpose of examining applicants for drivers' licenses in the municipality in which the applicant resides.

(3) Every applicant for a temporary instruction permit who has attained the age of fifteen years but has not attained the age of sixteen years shall file with the Department in the form prescribed by the Department for that purpose,—

- (a) the consent of his parent or guardian, provided that where the applicant is residing with both parents the consent of both parents shall be filed; and
- (b) the consent of the registered owner of every vehicle to be operated by the applicant.

(4) The driver's license or temporary instruction permit issued to a person who has attained the age of fifteen years but has not attained the age of sixteen years shall restrict such person to operating the vehicles owned by the person named in such license or permit.

19.—(1) Every driver's license, other than one issued under regulation 20, shall expire on the 31st day of December of the calendar year for which it was issued and shall be renewed annually thereafter.

(2) A license which is not renewed for two consecutive calendar years shall not thereafter be renewed, provided that a person to whom a driver's license has been issued pursuant to these regulations who may have been domiciled in another province or country for not more than two years and who produces proof that during such period he held a driver's license issued in that province or country may renew his Ontario license upon return to this province without payment of the fees for licenses for the years that he was absent from the province, and without re-examination, and further provided that a person to whom a driver's license has been issued pursuant to these regulations, who has not, by reason of enlistment for active service in His Majesty's Forces (Naval, Military or Air Forces), renewed his license annually, may renew the same upon production of his discharge papers or other papers proving service and upon payment of the fee for the year in which the application is made, without payment of the fee, for a license for the year or years he was in the service, provided he is not otherwise prohibited from holding a driver's license.

20.—(1) A person who, except for lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a driver's license may apply for a driver's license known as a temporary instruction permit and the Department may issue such permit, entitling the applicant, while having such permit in his immediate possession, to drive a motor vehicle upon the highways for a period of sixty days from the date of issue, and, except when operating a motorcycle, such person shall be accompanied by a licensed operator or chauffeur occupying a seat beside him.

(2) The Department may issue a temporary driver's license to an applicant for a chauffeur's or operator's license permitting him to operate a motor vehicle while the Department is completing its investigation and determination of all facts relative to such applicant's right to receive a chauffeur's or operator's license and such temporary license shall be invalid when the applicant has been issued or refused a chauffeur's or operator's license.

21.—(1) The Department may impose restrictions suitable to the licensee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle which the licensee may operate or such other restrictions applicable to the licensee as the Department may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

(2) No person shall operate a motor vehicle in violation of the restrictions imposed in a restricted license issued to him.

22. Where a person, after applying for or receiving a driver's license, moves from the address named in the application or in the license issued to him or where the name of a licensee is changed by marriage or otherwise, such person shall within ten days thereafter notify the Department in writing of his old and new addresses or of such former and new names and of the number of the license then held by him.

23. No person shall,—

- (a) display or cause or permit to be displayed or have in his possession any cancelled, revoked, suspended, fictitious or fraudulently obtained or altered driver's license;
- (b) lend his driver's license to any other person or knowingly permit the use thereof by another person;
- (c) display or represent as his own any driver's license not issued to him;
- (d) fail or refuse to surrender to the Department upon its demand any driver's license which has been suspended, revoked or cancelled;
- (e) apply for, secure or retain in his possession more than one driver's license, provided that the holder of an operator's license may, after surrender of such license to the Department, apply for and procure a chauffeur's license; or
- (f) after having secured a duplicate driver's license, retain the original license if it is later found or recovered in which case such recovered license shall be immediately surrendered to the Department and the licensee shall not be entitled to a refund of the fee paid for the duplicate.

24. A person whose license or privilege to operate a motor vehicle in Ontario has been suspended or revoked shall not operate a motor vehicle in Ontario under a license, permit or registration certificate issued by any other jurisdiction or otherwise during such suspension or after such revocation nor until a new license is obtained when and as permitted under the Act or, in the case of a non-resident, the privilege to operate a motor vehicle in Ontario is restored.

25. The Department shall not issue a license,—

- (a) to a person who is an habitual drunkard or is addicted to the use of narcotic drugs;
- (b) to a person afflicted with or suffering from any mental disability or disease;

- (c) to a person until he has successfully passed an examination as to his knowledge of the rules of the road and his ability to operate a motor vehicle safely and has filed a certificate furnished by an examiner duly appointed for that purpose; or
- (d) to a person where the Department has good cause to believe that such person by reason of physical or mental disability would not be able to operate a motor vehicle safely.

25a. Where the applicant for an operator's licence is,—

- (a) His Excellency the Governor-General;
- (b) His Honour the Lieutenant-Governor; or
- (c) a representative of a foreign government located in Ontario in the capacity of,—
 - (i) ambassador;
 - (ii) career consul or career vice-consul;
 - (iii) career trade-commissioner or assistant career trade-commissioner; or
 - (iv) commercial attaché or assistant commercial attaché,

regulation 17 and clause c of regulation 25 shall not apply.

UNSATISFIED JUDGMENT FUND

25b. Under section 93a of the Act, the Unsatisfied Judgment Fund fee shall be 50 cents.

PART III

HEADLAMPS

26. In this Part "beam" means the light projected from a pair of headlamps operating simultaneously.

MULTIPLE BEAM HEADLAMPS

27. Except as hereinafter provided, the headlamps on a motor vehicle shall provide at least two beams, either of which may be selected by the driver according to the requirements of traffic, subject to the following requirements and limitations:

- (a) There shall be an upper or main beam, so aimed and of such intensity as to reveal persons or vehicles at a distance of at least 200 feet ahead for all conditions of loading; the maximum intensity of this beam at points one degree or more above the horizontal level of the headlamps shall not exceed 8,000 candle power, and at no other point in the beam shall the intensity exceed 75,000 candle power.
- (b) There shall be a lower or passing beam so aimed that,—
 - (i) when the vehicle is not loaded, none of the high intensity portion of this beam which is directed to the left of the vehicle shall

rise higher than a level of eight inches below the horizontal centre of the headlamp from which it comes, at a distance of twenty-five feet ahead of it;

- (ii) when the vehicle is not loaded, none of the high intensity portion of this beam which is directed to the right of the vehicle shall rise higher than a level of three inches below the horizontal centre of the headlamp from which it comes, at a distance of twenty-five feet ahead of it; and
- (iii) in no event shall any high intensity light of this beam rise higher than forty-two inches above the level on which the vehicle stands, at a distance of seventy-five feet ahead of it.

USE OF PASSING BEAM: MULTIPLE BEAM HEADLAMPS

28. Whenever on a highway after dusk and before dawn the driver or operator of a motor vehicle approaches an oncoming vehicle within 500 feet he shall use the lower or passing beam.

SINGLE BEAM HEADLAMPS

29. Headlamps arranged to provide a single beam of light shall be permitted on motor vehicles manufactured and sold prior to the 1st day of August, 1939, in lieu of the multiple beam headlamps, if the single beam complies with the following requirements and limitations:

- (a) The headlamps shall be so aimed that when the vehicle is not loaded, none of the high intensity portion of the light shall, at a distance of twenty-five feet ahead of the vehicle, rise higher than a level of five inches below the horizontal centre of the headlamp from which it comes, and in no case at a distance of seventy-five feet ahead, rise higher than forty-two inches above the level on which the vehicle stands.
- (b) It shall be unlawful to use in a single beam headlamp any lighting device of more than thirty-two mean spherical candle power.

LIGHTING DEVICES

30. It shall be unlawful to carry on a motor vehicle any lighting device of over four mean spherical candle power, unless it is equipped with a device for the elimination of glare approved by the Minister.

PART IV

WIDTH OF TIRES

31.—(1) Except as provided in subregulation 2, commercial motor vehicles with rear tires of less than the widths prescribed in the following table shall not be operated upon a highway:

	Tires
Those having a gross weight of 4,600 lbs. or less	3½"
Those having a gross weight of more than 4,600 lbs. but not more than 5,300 lbs.	4"
Those having a gross weight of more than 5,300 lbs. but not more than 6,000 lbs.	4½"
Those having a gross weight of more than 6,000 lbs. but not more than 6,700 lbs.	5"
Those having a gross weight of more than 6,700 lbs. but not more than 9,600 lbs.	6"
Those having a gross weight of more than 9,600 lbs. but not more than 11,200 lbs.	7"
Those having a gross weight of more than 11,200 lbs. but not more than 12,800 lbs.	8"
Those having a gross weight of more than 12,800 lbs. but not more than 16,000 lbs.	10"
Those having a gross weight of more than 16,000 lbs. but not more than 18,000 lbs.	12"
Those having a gross weight of more than 18,000 lbs. but not more than 22,000 lbs.	14"

(2) In the case of a trailer, a four-wheeled commercial motor vehicle which has its gross weight distributed approximately evenly on all wheels and a commercial motor vehicle which has more than four wheels, the Minister may authorize tires of less width than is prescribed in subregulation 1.

PART V

TRANSPORTATION OF EXPLOSIVES

32. In this Part,—

- (a) "explosives" mean class A explosives or class B explosives;
- (b) "class A" explosives mean gunpowder, blasting powder, nitroglycerine, gun cotton, dynamite, blasting gelatine, gelignite, fulminates of mercury or other metals, detonators and every other substance whether a mechanical mixture or chemical compound used or manufactured to produce a violent effect by explosion; and
- (c) "class B" explosives mean coloured fires, fireworks, fuses, rockets, percussion caps, cartridges, ammunition of all descriptions, fog and other signals and every other substance whether a chemical compound or mechanical mixture used or manufactured with a view to producing a pyrotechnic effect.

33. This Part shall apply to every person operating or in control of a vehicle while such vehicle is being used for the transportation of explosives upon any highway in Ontario, except the transportation of not more than 300 pounds of class B explosives at one time.

34.—(1) Every vehicle transporting explosives shall be conspicuously marked by at least two red flags not less than twenty-four inches in length and twenty-four inches in width, which shall be displayed at both the front and rear of the vehicle.

(2) The flags prescribed by subregulation 1 shall be removed or covered when the vehicle is not transporting explosives.

35. Every commercial motor vehicle while being used for the transportation of explosives shall be equipped with a fire extinguisher of the liquid non-freezing type of at least one quart capacity.

36. Explosives shall not be transported in or upon any public vehicle licenced under *The Public Vehicle Act* or any commercial motor vehicle while passengers are carried therein.

37. Explosives transported in or upon a vehicle shall be secured so as to prevent any part of the load from becoming dislodged while the vehicle is in motion and reasonable precaution shall be used to prevent the explosives from coming into contact with any other combustible material or metal.

(NOTE: Regulation 38 revoked by Ontario Regulations 3/49.)

39. Explosives transported in or upon a vehicle shall, unless carried in a vehicle having a closed body, be fully covered by a tarpaulin so as to protect them from sparks or moisture.

40.—(1) Detonators shall not be transported in or upon a vehicle with any other explosive unless adequately separated therefrom so as to prevent the detonation or firing of the other explosive as a result of the accidental detonation or firing of the detonators, but in no case shall more than 5,000 No. 6 detonators or 2,500 No. 8 detonators be transported in or upon a vehicle with any other explosive.

(2) For the purposes of this regulation, the following shall be deemed adequate separation:

- (a) Where not more than 150 pounds of explosives and only sufficient detonators to fire the explosives are transported, the detonators and explosives shall be placed in separate compartments in the vehicle.
- (b) Where more than 150 pounds of explosives and sufficient detonators to fire the explosives are transported the explosives and detonators shall be separated by a solid partition of 6" x 6" British Columbia fir or like material.

41. No person in control of or operating a vehicle transporting explosives shall permit the vehicle to stand at any time upon a highway unless it is attended by at least one adult male person.

42. No person when driving or riding upon a vehicle transporting explosives shall smoke or have in his possession a lighted pipe, cigar, cigarette or lighted match.

43.—(1) Not more than 4,000 pounds of explosives shall be transported in or upon a vehicle at one time.

(2) A vehicle transporting explosives shall not be loaded in excess of eighty per centum of its registered carrying capacity.

PART VI

OPERATION IN ONTARIO OF COMMERCIAL MOTOR VEHICLES FROM OTHER PROVINCES AND STATES

44.—(1) Except as provided in subregulation 2, the provisions of sections 3 and 5 and subsection 1 of section 7 of the Act and the regulations made pursuant thereto

shall not apply to residents of other provinces of Canada with respect to commercial motor vehicles owned by such residents while such commercial motor vehicles are duly registered under the laws of the province in which the owner thereof resides.

(2) The provisions of subregulation 1 shall not apply to the following commercial motor vehicles:

- (a) commercial motor vehicles operating under any form of contract made in Ontario;
- (b) motor buses operating on regular routes or schedules between a place in Ontario and a place in any other province; and
- (c) commercial motor vehicles required to be licensed under *The Commercial Vehicle Act*, other than commercial motor vehicles used exclusively for the transportation of household goods or furniture or for the transportation of natural products of the farm or the products of a dairy, creamery or cheese factory.

45. The provisions of sections 3 and 5 and subsection 1 of section 7 of the Act and the regulations made pursuant thereto shall not apply to residents of any state of the United States with respect to the following commercial motor vehicles owned by such residents while the commercial motor vehicles are duly registered under the laws of the state in which the owner thereof resides:

- (a) hearses, ambulances or undertakers' casket-vehicles,
- (b) public vehicles operated in a scheduled service in Ontario within 10 miles of the international boundary line between Canada and the United States or operated on chartered trips originating outside Ontario, and
- (c) trailers and semi-trailers when drawn by commercial motor vehicles registered in Ontario and operated within 10 miles of the international boundary line between Canada and the United States.

46. Regulations 44 and 45 shall be effective only where the province or state in which the owner of the commercial motor vehicle resides grants similar exemptions with respect to commercial motor vehicles owned by residents of Ontario.

PART VII

GARAGES, PARKING STATIONS, PARKING LOTS AND USED CAR LOTS

47.—(1) The following fees shall be paid to the Department:

- 1. For a license to store motor vehicles, deal in motor vehicles and conduct a garage business, parking station, parking lot and used car lot, for each separate premises. . \$10.00
 - 2. For a license to buy and wreck motor vehicles..... 10.00
 - 3. For a license to service and repair motor vehicles..... 5.00
- Where the business under item 1, 2 or 3 is commenced on or after the 1st day of September in any year, one-half only of the fee shall be paid.
- 4. For the transfer of a license issued under this regulation, to be paid by the transferee..... 1.00

(2) A license shall remain in force only during the calendar year in which it is issued.

(3) Where the ownership of premises in respect of which a license under this regulation has been issued is transferred, the license shall remain with the premises and a notice of the change of ownership containing the full name and address of the purchaser shall be sent immediately to the Department by the person to whom the license was issued.

48. Every licensee under regulation 47 shall keep the records prescribed by subsection 1 of section 25 of the Act in the book supplied by the Department for that purpose.

49. Where a motor vehicle is wrecked or destroyed, the permit and number plates thereof, together with the form prescribed by the Department, shall be sent immediately to the Motor Vehicles Branch, Department of Highways, by the licensee under regulation 47.

50. Every licensee under regulation 47 shall in writing notify the Motor Vehicles Branch, Department of Highways, of every motor vehicle repaired by him by the installation of a new engine or cylinder block and shall state the number of the engine or cylinder block removed and the number of the engine or cylinder block installed.

EXISTING REGULATIONS REVOKED

All regulations under *The Highway Traffic Act* in force at the date of the coming into force of these regulations are revoked.

Regulations 408

(Ontario Regulations 265/44; 18/47; 202/47; 124/49)

REGULATIONS MADE BY THE DEPARTMENT UNDER THE HIGHWAY TRAFFIC ACT

PART I

REFLECTORS

Under the authority of subsection 5 of section 10 of *The Highway Traffic Act* the Department hereby makes the following regulation:

1. A motor vehicle or trailer having a width in excess of eighty inches may display a reflector approved by the Department in lieu of a clearance lamp on the rear of the vehicle.

Under the authority of clause *b* of subsection 21 of section 10 of *The Highway Traffic Act* the Department hereby makes the following regulation:

1. A vehicle, other than a motor vehicle, commonly used for conveying inflammable materials or structurally unsuitable for carrying lighted lamps may display a reflector approved by the Department in lieu of a lighted lamp.

PART II

BRAKES

Under the authority of clause *d* of subsection 1 of section 11 of *The Highway Traffic Act* the Department hereby makes the following regulations:

1. In making a brake test a Bear Hydraulic Brake Tester, Cowdrey Dynamic Brake Tester, James Decelerometer, Muether Stopmeter, Tapley Brake Testing Meter, or such other instrument as may be approved by the Minister, shall be used.
2. The brake test may be made with the vehicle loaded or otherwise in the discretion of the person making the test.
- 3.—(1) Where the vehicle has a clutch, the brake test shall be made with the clutch disengaged.
- (2) Where the vehicle has not a clutch, the brake test shall be made without motive power being applied to the driving wheels, except in the case of electrical brakes.
- 4.—(1) The service brakes of a motor vehicle or motor vehicle and trailer shall be adequate to stop the vehicle or vehicles within forty feet when travelling at the rate of twenty miles an hour on a dry asphalt or concrete pavement free from loose material and having not more than a one per cent grade.
- (2) The hand brakes of a motor vehicle or motor vehicle and trailer shall be adequate to stop the vehicle or vehicles within sixty feet when travelling at the rate of twenty miles an hour on a dry

asphalt or concrete pavement free from loose material and having not more than a one per cent grade and to hold the vehicle or vehicles stationary at any place on any highway.

5. Brakes shall be adjusted so that the braking power is applied as equally as possible to the wheels on opposite sides of the vehicle.

PART III

SIGNS AT BUILT-UP AREAS

SPECIFICATIONS FOR SIGNS

1.—(1) Signs displayed at built-up areas shall not be less than 18 inches in width and 30 inches in height.

(2) The wording and design of signs to be placed,—

(a) at the entrance to a built-up area or within the area shall be:

SPEED LIMIT	or	SPEED LIMIT
30		30
MILES		

and

(b) at the end of a built-up area shall be:

END 30 MILE LIMIT	or	SPEED LIMIT 50 MILES	or	SPEED LIMIT 50 MILES
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(3) The letters on signs shall not be less than 4 inches in height and the figures not less than 6 inches in height, painted black on a white or yellow background.

LOCATION OF SIGNS

2.—(1) One sign shall be erected and maintained on the right-hand side of the highway facing approaching traffic at the beginning of the built-up area and one at the end of the built-up area.

(2) Where the built-up area extends for a distance of more than 1,000 feet, additional signs shall be erected and maintained so that the distance between signs shall not be more than 1,000 feet.

(3) Signs shall be placed not more than 15 feet from the kerb or edge of the travelled portion of the highway and the bottom edges of the signs shall not be more than 7 feet above the level of the travelled portion of the highway.

ERECTION AND MAINTENANCE OF SIGNS

3. No person other than a municipal corporation or other authority having jurisdiction over the highway may erect or maintain signs prescribed in this Part.

PART IV

EXEMPTION FROM DISPLAYING OWNER'S NAME

1. Subsection 1 of section 38 of the Act shall not apply to,—

- (a) a vehicle registered in the name of or operated under any form of contract on behalf of,—
 - (i) a department of a provincial government;
 - (ii) a department of the government of Canada;
 - (iii) a board or commission the members of which are appointed by the Governor-General in Council or a Lieutenant-Governor in Council;
 - (iv) a municipality;
 - (v) a board or commission the members of which are appointed by a municipality; or
 - (vi) a public service corporation, board or commission; or
- (b) a station-wagon other than one licensed as a public vehicle or public commercial vehicle; or
- (c) a vehicle operated under a written lease or a written agreement for the exclusive use of a person other than the owner.

PART V

MARKING OF THROUGH HIGHWAYS

Under the authority of clause *b* of subsection 3 of section 39 of *The Highway Traffic Act* the Department hereby makes the following regulations:

LOCATION

- 1.—(1) Signs shall be erected and maintained at the approaches to every intersection of a through highway, except intersections where signal light traffic control systems are maintained.
- (2) A sign in a built-up area shall be placed not more than six feet from the curb or travelled portion of the intersecting highway and on the right hand side thereof facing traffic approaching the through highway and not less than fifteen feet nor more than fifty feet from the curb or travelled portion of the through high-

way and its bottom edge shall not be less than six feet nor more than eight feet above the level of the travelled portion of the highway.

- (3) A sign in the open country shall be placed not more than ten feet from the curb or travelled portion of the intersecting highway and on the right hand side thereof facing traffic approaching the through highway and not less than fifteen feet nor more than fifty feet from the curb or travelled portion of the through highway and its bottom edge shall not be less than two feet nor more than four feet above the travelled portion of the intersecting highway.
- (4) Where conditions at an intersection make the placing of signs in accordance with subregulations 2 and 3 impractical, signs shall be placed so as to comply as nearly as possible with such subregulations.

MUNICIPAL SIGNS

- 2.—(1) Signs erected at approaches to through highways designated as such by municipal by-law shall be placed so as to be visible at all times for a distance of at least 200 feet.
- (2) Signs shall be 2 feet in height and 2 feet in width and may be square or octagonal in shape.
- (3) Signs shall display the words "Stop" and "Through Street" or "Through Highway".
- (4) The letters of the word "STOP" shall not be less than eight inches in height and one and one-quarter inches in width painted in black block letters on a white or yellow background outlined or delineated by reflecting materials on a black background.
- (5) The letters of the words "THROUGH HIGHWAY" or "THROUGH STREET" shall not be less than three and one-half inches in height and one-half inch in width painted in black block letters on a white or yellow background.

THE KING'S HIGHWAY

- 3. Signs erected by the Department at intersections of the King's Highway shall comply with these regulations or such other standards with respect to size, shape, wording, colour and position as may from time to time be approved by the Chief Engineer of the Department.

EXISTING DEPARTMENTAL REGULATIONS REVOKED

All regulations heretofore made under the authority of the above mentioned provisions of *The Highway Traffic Act* in force at the date of the coming into force of these regulations are revoked.

Regulations 409**(Ontario Regulations 266/44)**

REGULATIONS MADE BY THE MINISTER UNDER THE HIGHWAY TRAFFIC ACT

CLASS "A" HIGHWAY

Under the authority of clause *a* of subsection 1 of section 33 of *The Highway Traffic Act* the Minister hereby designates the following highways as Class "A" highways:

1. The King's Highway.
2. Every highway within a city, town or incorporated village, except those on which heavy traffic is prohibited by by-law approved by the Department of Highways.
3. Every hard surfaced county and township highway with the exception of those designated by by-law of a county or township approved by the Minister.

THROUGH HIGHWAY

Under the authority of clause *b* of subsection 3 of section 39 of *The Highway Traffic Act* the Minister hereby designates The King's Highway as a through highway.

Regulations 410

(Ontario Regulations 282/44)

RULES AND REGULATIONS MADE UPON THE RECOMMENDATION OF THE PROVINCIAL SECRETARY UNDER THE REFORMATORY ACT AND THE INDUSTRIAL FARMS ACT

The following rules and regulations supersede all former rules and regulations governing Ontario reformatories and industrial farms for male prisoners in Ontario.

INTERPRETATION

1. When the words following occur they shall be construed in the manner hereinafter mentioned unless a contrary intention appears.

- (a) "Institution" shall mean a reformatory established under *The Reformatory Act of Ontario* or an industrial farm for male prisoners established under *The Industrial Farms Act of Ontario*, as the case may be.
- (b) "Minister" shall mean the member of the Executive Council in charge of the reformatories and industrial farms.
- (c) "Deputy Minister" shall mean the official under the direction of and on behalf of the Minister in charge of reformatories and industrial farms.
- (d) "Superintendent" shall mean the chief administrative officer of the reformatory or industrial farm.
- (e) "Inmate" shall mean one who has been regularly committed to the reformatory or industrial farm or transferred thereto on a warrant of an officer authorized by the Lieutenant-Governor in that behalf or the officer designated in accordance with section 10, subsection 1, of *The Public Institutions Inspection Act*.
- (f) "Hospital" shall mean such portion or portions of the buildings as may be set apart for the care of those inmates who may be physically or mentally ill.
- (g) "Rules and regulations" shall mean the rules and regulations approved by the Lieutenant-Governor in Council.

APPOINTMENT OF OFFICERS AND EMPLOYEES

2. The Minister, subject to Statutes and regulations, pertaining to the public service, shall appoint such officers and employees as he may consider necessary.

OFFICES

3. The location of all offices and quarters for officers, employees and inmates in the various buildings of the institution shall be made subject to the direction of the Deputy Minister.

SUPERINTENDENT

4. The Superintendent shall be the chief administrative officer and as such is responsible for the detailed management, custodial care, government and discipline of the inmates and the direction of all officers and employees of the institution.

5. He shall be guided by the Statutes relating to the institution, the rules and regulations and such special instructions which may from time to time be prescribed by the Minister or the Deputy Minister.

6. The Superintendent shall, subject to these rules and regulations, issue to the officers and employees such special directions as may be necessary for the governing and discipline of the institution; the assignment of guards and inmates' duties and hours of same; the procedure to be followed on the admission, parole or discharge of inmates; the care and distribution of inmates' clothing, bedding and effects, correspondence of inmates, the visiting of inmates by friends; the purchase of supplies and materials; the direction of all industrial operations and the keeping of such custodial records, farm and industrial accounts as directed from time to time by the Deputy Minister. When assigning guards for duty the Superintendent shall take into consideration the previous experience of such guards and their qualifications for the duty to which they may be assigned.

7. The Superintendent shall, with his family, be required to reside on the premises but shall not use the institution labour (except for purposes specified by the Deputy Minister) nor shall he use the services of any officer, employee or inmate of the institution for his private advantage.

8. The Superintendent is responsible for the custodial care of the inmates, that they are otherwise properly cared for, that good discipline is maintained, that all the officers and employees properly carry out their duties and that all inmates perform the proper amount and quality of work.

9. The Superintendent is responsible for the exercising of strict economy in the purchase of supplies and materials and the use of such supplies and materials for the institution.

10. It is the duty of the Superintendent to see that all rules and regulations are firmly and impartially enforced. He shall grant no privileges to any inmate that cannot be earned by each and every inmate under like conditions.

11. The Superintendent shall not absent himself from the institution for more than twelve hours without giving notice to the Deputy Minister nor shall he absent himself from duty for more than twenty-four hours

without leave of absence or, in the case of sickness, reporting himself sick to the Deputy Minister. On all occasions of his absence he shall leave the sergeant or such other officer as may be designated by the Deputy Minister, in charge, who shall perform all his duties and be subject to his responsibilities, but it will be the duty of such officer to reserve for the Superintendent's consideration all important matters that do not demand immediate settlement. Should an extraordinary emergency arise reference will at once be made to the Deputy Minister.

12. When any subordinate officer or employee of the institution is found by the Superintendent to be unfit for his duties or defective in moral character or who has been guilty of neglect of duty, disobedience of orders, or who has otherwise violated the rules and regulations, it shall be the duty of the Superintendent to report the case to the Deputy Minister, suspending such officer or employee from all duty pending the Deputy Minister's investigation into the case. The Superintendent shall not, however, summarily dismiss any officer without such investigation. When any officer or employee is so suspended from the date of such suspension no wages accruing or in arrears will be paid to him, as he is held liable to fine under the Deputy Minister's authority.

13. The Superintendent shall consider it his duty to make himself acquainted with the social habits and conduct of every officer and employee of the institution, particularly whether when off duty he is a frequenter of places of ill repute or associates with idle or loose characters, reporting the facts to the Deputy Minister. When such are known to be the habits of any officer or employee it shall in every case be sufficient grounds for his suspension.

14. The Superintendent shall use every means in his power to forward the reclamation of the inmates under his charge. He shall see that they attend divine service regularly or such religious meetings as may be held for their benefit and instruction and that such as are deficient attend such classes as are provided and shall facilitate their communication with clergymen of their respective denominations for religious instruction. He shall see that the books of the library are regularly issued to those entitled to their use and that morality and decorum characterize their behaviour.

15. The Superintendent shall cause a complete inventory to be made of all property, clothing or money found on the person of an inmate in the "Inmates' Effects Book"; on arrival the money, if any be found, and the effects to be handed to an officer designated for such duty for safe keeping and shall see that the same, with all effects, is restored to the inmate on his discharge or parole.

16. Upon the serious illness of an inmate the Superintendent shall notify a clergyman, preferably of the denomination to which the inmate may belong, and shall consult the wishes of the inmate as to any particular person he may desire to see. Upon the death of an inmate he shall at once report to the Deputy Minister in writing, giving particulars as to name, sentence, where from, duration of illness, nature of disease, etc., and shall use all reasonable means to inform the nearest relations of the deceased and shall record the facts in the register. He shall also notify the coroner and facilitate any investigation or inquest

the coroner may wish to hold, sending a copy of the verdict of the coroner's jury to the Deputy Minister. In the case of the escape of an inmate he shall immediately give information to the Deputy Minister, to the Provincial Police and to the Chief Constables of the neighbouring cities and towns, giving a full description of the escaped person and shall take such other steps as may be necessary to effect his recapture.

17. When an inmate's term of sentence expires the Superintendent, with the approval of the Deputy Minister, may give instructions for transportation to be provided for him to enable him to return to his home.

18. The Superintendent may, at the time of the parole or discharge of an inmate, give such inmate a gratuity to assist in his re-establishment as a good citizen. Such gratuity shall not exceed \$2.00 for each month of imprisonment of the inmate in the institution and not in any case to exceed a total of \$20.00.

19. The Superintendent shall cause to be kept the following records:

- (1) A Register, containing the names and descriptive details relating to the inmate, nature of offence, term of sentence, etc.
- (2) A Punishment Book, showing the nature and offence and extent of punishment awarded.
- (3) An Inmates' Effects Book.
- (4) An Inmates' Labour Distribution Record.
- (5) An Officers' Misconduct Book.
- (6) A record containing every complaint made by an inmate of alleged cruel or unjust treatment by an officer or employee.
- (7) An Inmates' Visiting Book.
- (8) An Inmates' Correspondence Book.
- (9) Such other records as may from time to time be directed to the Deputy Minister.

20. The Superintendent shall make the following returns to the Deputy Minister, namely:

- (1) A daily return which shall be known as the "Prisoners' Daily Log", containing the names and register numbers of all prisoners admitted, paroled, transferred or discharged, also serious illness or accident, deaths, punishments, escapes, transfers and all other occurrences of importance concerning the inmates of the institution.
- (2) An annual report for the year ending the 31st of March, showing the operations and workings of the institution for the year and containing such statistical tables and other information as may be required by the Deputy Minister.
- (3) Such other returns as may be directed from time to time by the Deputy Minister.

21. The Superintendent is responsible for the uniform clothing supplied to the officers. Upon his order,

with the approval of the Deputy Minister, each officer required to wear the official uniform shall receive an official uniform and such other outer clothing as the Superintendent considers necessary for the work to which that officer has been assigned. Such uniform and clothing is the property of the institution and the officer who receives it is required to pay a perquisite charge as determined by the Civil Service Commission of Ontario. All uniforms shall be such design and of such material as may be directed by the Deputy Minister. All repairing of such uniforms and clothing is to be done at the institution and where such is necessary because of the carelessness or wilful acts of any officer he shall pay the cost of the necessary repair or replacement. No civilian clothing shall be supplied under any conditions.

22. Upon the admission of an inmate to the institution the Superintendent is responsible for having the inmate clothed as prescribed by the Deputy Minister. He is responsible for having the inmate's personal clothing cleaned and properly taken care of and restored to the inmate at the time of his parole or discharge from the institution. It is the duty of the inmate or his friends or relatives to see that he is properly clothed at the time of his discharge or parole from the institution, but if proper clothing is not provided the Superintendent may from the stores of the institution issue for the inmate's use such clothing as he may consider necessary.

23. In deciding punishment of inmates he shall take into consideration the age, previous condition, history, habits, environment, disposition, mental capacity and probable provocation for the offence and he shall take great care to deprive his recommendation of even the appearance of vindictiveness even though there may be great provocation.

24. The Superintendent is responsible for the proper requisitioning from the institution stores of such materials and supplies as are required by the various departments.

25. The Deputy Minister will issue instructions from time to time regarding the maintenance and accounting of the institution and more particularly with respect to the issuing of requisitions and the purchasing or provisions, materials and supplies.

MEDICAL OFFICER

26. The Medical Officer who shall be a fully qualified medical practitioner, duly appointed, shall control and direct the medical and surgical treatment of all inmates.

27. He shall, subject to these rules and regulations and the instructions of the Superintendent, have full control of the hospital, the officers and employees detailed to hospital duty.

28. He shall examine every inmate at the time of his admission and the findings of his physical examination shall be recorded on a prescribed form. A summary of these findings shall also be recorded on a prescribed form. He shall observe the mental condition and personality of the inmate, and, where it is obvious that the inmate should receive mental examination, he shall refer the case to the visiting psychiatrist. In addition to filling in the data on the prescribed form,

he shall confirm from the Clerk of Records the inmate's name, his parents and next of kin, date of entrance, nationality and race.

29. Wherever indicated as soon after the prisoner's admission as possible, the Medical Officer will undertake vaccination and immunization. These treatments, together with laboratory findings, will be recorded on the prescribed form.

30. He shall observe such special directions as may be issued from time to time by the Deputy Minister regarding the record to be kept relating to the mental and physical condition of the inmate and shall conduct or cause to be conducted such correspondence with respect thereto, as will enable him to compile a full and complete clinical history of such inmates.

31. He shall keep a record of all admissions to and discharges from the institution hospital or any other special hospital and of all cases treated by him with name, number and the diagnosis and treatment, with such observations as may assist in forming a perfect record of each patient. In event of a patient being transferred to any other institution for treatment or observation the Medical Officer, on the patient's return, shall obtain a record covering the period of absence from the institution and see to it that it forms part of the institution records. It will also be the duty of the Medical Officer to see that the nurse or officer in charge of the hospital opens a clinical chart on each inmate who is placed in bed in the hospital ward, or in an emergency hospital ward.

32. He shall make a written report daily to the Superintendent of the attendance at the sick parade in the morning and of the disposition made of those reported sick. He shall also make a written report to the Superintendent of all admissions to and discharges from the hospital.

33. The physician shall at least once a week and also whenever requested by the Superintendent, inspect all the dormitories, cells, and other rooms used by the inmates as to their cleanliness and ventilation and sanitary condition and report their condition in writing to the Superintendent. Three copies of this report shall be made and once a month a copy of each of these reports shall be sent to the Department marked "Attention of the Medical Inspector."

34. He shall take the necessary action to insure a wholesome water supply and proper disposal of sewage so as not to endanger the health of the inmates.

35. He shall, at least once a week, and whenever requested by the Superintendent examine the quality of the provisions and condition of the food provided for the inmates. He shall also examine the place of storage and the place or places of preparation of this food prior to its being served. Whenever he finds that any provisions are unwholesome or that the food is insufficient or, for any reason, prejudicial to health, he shall immediately make a report thereon in writing to the Superintendent.

36. In case an inmate claims to be unable to work by reason of sickness or other disability, the Medical Officer shall examine such inmate. If, in his opinion, such inmate is unfit to work or if his occupation should be changed, he shall immediately certify on the usual

daily report or as indicated, the fact to the Superintendent. Such inmate shall thereupon be released from work or have his occupation changed or be admitted to the hospital or elsewhere for medical treatment, as the Medical Officer shall direct, having due regard for the safekeeping of such inmate. When he certifies that such inmate has sufficiently recovered to be able to work, the inmate may be required to do so. The Medical Officer shall indicate which type of work, in his opinion, the inmate is fit to do and will consult with the Sergeant or other officer in charge of allotting the work concerning the precise nature of the intended work.

37. Whenever an inmate is injured, whatever may have been the cause, it shall be the duty of the Medical Officer to examine his injuries carefully, prescribe whatever treatment is deemed advisable, including hospitalization if necessary. He shall immediately report the nature of the injury and its cause in writing on the prescribed form directly to the Superintendent and in his absence to the Officer-in-Charge.

38. He shall, whenever requested to do so by the Superintendent, make a careful examination of any inmate and make a written report of his physical and mental condition.

39. Whenever an inmate, in the opinion of the Medical Officer, becomes mentally ill he shall certify the fact to the Superintendent and make a full statement of the mental and physical condition of the inmate, together with his opinion as to what disposition should be made of his case.

40. Should the Medical Officer observe that an inmate is seriously ill, he shall notify the Superintendent or the officer in charge in order that the inmate's relatives may be notified.

41. Whenever an inmate dies, the Medical Officer shall record the cause of death and all circumstances connected therewith, forwarding this together with all medical documents, to the Superintendent for his permanent record.

42. In cases where an inmate attempts suicide, it shall be the duty of the Medical Officer to notify the Superintendent and arrange for this inmate to receive a mental examination by the consulting psychiatrist prior to any criminal charges being laid.

43. In the event of the death of an inmate, the Medical Officer shall call the Coroner of the County or District and discuss the circumstances of the case with him, recording and carrying out the instructions of such Coroner.

44. The Medical Officer shall be assigned such officers and guards for hospital duty as may be necessary to care properly for the sick and he shall also be assigned such clerical help as may be necessary to assist him in performing the duties herein prescribed.

45. He shall keep such books and clinical records and in such form as may be ordered by the Deputy Minister. Such books and records shall be at all times subject to examination by the Deputy Minister and the Superintendent.

46. He shall report in writing to the Superintendent for the information of the Deputy Minister the names

of the inmates received into the hospital or treated in the cells or elsewhere during the preceding month, stating their respective ages, diseases, previous occupations in the institution, the time they have remained in the hospital, cells, or dormitories, the date of commencement and termination of treatment, and number of days during which such patients, in consequence of sickness, have been relieved from work. Also the deaths and cause thereof, transfers to hospitals for the insane and such other facts with any recommendations he desires to submit.

47. At the close of each year the Medical Officer shall make a report to the Deputy Minister in which he shall present, in summarized form, a complete history of the operations of his office during the year and such other information as may be required of him.

48. It will be the duty of the Medical Officer to keep a record showing the amount of opium or its derivatives delivered to his department and the dates of such deliveries; the amounts prescribed from time to time and the persons for whom it is prescribed by his written order. It will also be his duty to check this record monthly, reporting any irregularities to the Superintendent.

SERGEANT

49. The Sergeant is the assistant and agent of the Superintendent in the governing and management of the institution, more particularly in securing compliance with its rules and regulations by the subordinate officers, employees and inmates.

50. He shall, under the direction of the Superintendent, have charge of the assigning of dormitories and cells to inmates.

51. He shall be present from the hour of unlocking in the morning until after the inmates have been locked up at night, unless leave of absence has been granted by the Superintendent.

52. He shall, unless otherwise arranged by the Deputy Minister, in the absence of the Superintendent, perform his duties.

53. He shall carry out all special instructions issued by the Superintendent for the government and discipline of the inmates and the officials in charge, and, subject to the directions of the Superintendent, and to these rules and regulations, shall have special control and direction of the disciplinary officers, guards and other employees and shall be held responsible for the manner in which each performs his respective duties. It shall be his duty to enforce obedience to the rules and regulations, and he shall report to the Superintendent strictly and promptly every neglect of duty, impropriety and misconduct or violation of the rules on the part of every officer, employee or inmate,

54. The Sergeant is responsible that the working gangs are paraded at proper hours and marched off to their various places of employment; that the gangs are mustered and counted at each meal and before locking up at night, so that each inmate may be accounted for properly. In enforcing the provisions of this section the Sergeant, with the approval of the Superintendent, may exempt therefrom any inmate for the use of whose

services on special work outside of the regular working hours a permit has been issued by the Superintendent or Sergeant.

55. He shall furnish a report to the cook daily showing the number of officers, employees and inmates of the institution to whom meals have to be served.

56. The Sergeant is responsible that any inmate who is reported sick shall be placed in hospital, or as the Medical Officer shall direct.

57. The Sergeant is responsible for the preservation of cleanliness and order in every part of the buildings, and shall see that the persons of the inmates, their clothing, bedding, dormitories and cells are clean and well kept. He shall see that no cutting, writing or mark of any kind (except the necessary institution marks) is allowed to remain on the furniture or walls or on anything belonging to the institution buildings.

58. The Sergeant is responsible for the security of the buildings and shall see that the following rules are observed:

- (1) That the locks are secure and in good order.
- (2) That the entrance doors shall never be left open or a key in any lock, and that the keys are in the custody of the person in charge at all times.
- (3) That before a guard enters a cell or dormitory while any inmate is in the corridors the bolt shall be shot and the keys shall be removed, so that the door cannot be closed upon him.
- (4) That he or any officer deputed by him shall once a day at least examine all doors, corridors grilles and each window grating.
- (5) That all implements, ladders or materials of work calculated to facilitate escape shall be carefully collected and placed so that any inmate may not use them to escape or for other improper purposes.
- (6) That all dormitories, cells, furniture and bedding therein shall be carefully searched at irregular intervals to see that no improper articles are concealed.
- (7) That all orders issued by the Superintendent regarding the custody of keys shall be observed.

59. In assigning an inmate to work he shall be guided by the physical and mental condition, previous occupation, skill and criminal record of the inmate, and the requirements of the institution.

60. He shall every evening before relieving the guards from duty verify by actual count the written daily count report furnished him by the officer in charge of custodial records.

61. Since the law gives to inmates the privilege of earning diminution of their sentences for good behaviour, it is necessary for all officers of the institution to observe closely the behaviour of every inmate under their charge, and it is especially necessary for the Sergeant to so inform himself as to the industry and behaviour of every inmate that he can, when called

upon by the Superintendent to do so, make a full and correct report of the same. For the purpose of obtaining this information he should communicate freely with every officer and employee in charge of inmates at such times as he may think proper.

62. The Sergeant shall carefully investigate all reports of offences committed by inmates and in making these investigations he shall earnestly endeavour to ascertain all the facts. He shall make a report daily or more often, if necessary, to the Superintendent of all inmates so reported to him, the nature of the offence and the result of his investigation.

63. The Sergeant shall not entertain a complaint made by one officer against another, or by an officer against an inmate, unless the complaint is stated in writing. He shall make an exhaustive investigation of every such complaint and report the facts, together with all evidence relating thereto to the Superintendent for consideration and disposition. Where the complaint is made against the Sergeant, the Superintendent shall make the investigation and direct the disposition of the complaint.

ASSISTANT SERGEANTS

64. When Assistant Sergeants are appointed they shall be assigned by the Superintendent or Sergeant to such duties as may seem advisable.

65. They shall, whenever required, take the places of any guards who may be absent.

66. In the absence of the Sergeant the duties of that officer shall devolve upon an Assistant Sergeant or guard as the Superintendent may direct.

NIGHT SERGEANT

67. An Assistant Sergeant may be designated as a Night Sergeant.

68. He shall, under the direction of the Sergeant, have control of the night staff and the supervision of the institution during his hours of duty.

69. He shall lose no time in communicating to the Sergeant every circumstance which may come to his knowledge affecting the safety and health of the inmates and the efficiency of the officers or in any other way requiring the Sergeant's attention.

RULES FOR GUARDS

70. Guards shall discharge all such duties as are presented by these rules and regulations or as may be from time to time ordered by the Superintendent.

71. Guards shall be on duty such hours every day as may be fixed by the Superintendent, and they shall not absent themselves from duty on any pretext without the permission of the Superintendent or Sergeant. When desiring to leave the Service, they shall give thirty day's notice of their intention to do so, otherwise all pay due may be forfeited.

72. Guards shall be respectful in their manners and courteous in their language to all officers and to all persons visiting the institution under proper authority.

73. Guards when on duty shall wear the prescribed uniforms and preserve the proper cleanliness in their person and habits. Guards off duty will not be permitted to wear their uniform, but will wear plain clothes. The uniform is not to be the property of the Guards at any time, but merely is for his official use whilst an officer of the institution. The uniform clothing is to be kept in good repair.

74. Guards taken ill and unable to continue, or go on duty shall immediately report this to the Sergeant who shall notify the Superintendent. When the Superintendent considers it advisable to do so, he shall have the Medical Officer attend the Guard's residence, ascertain the cause of his illness and report his case to the Superintendent.

75. Guards in charge of inmates assigned to any branch of the institution shall, when on duty, be responsible to the head of that branch for the proper observance of the instructions given by such head as to the performance of the work, and must spare no effort to see that the inmates in their charge render a full day's service, and in a proper and workmanlike manner. When an inmate refuses to work or disobeys the rules, the Guard in charge must forthwith report the matter to the Sergeant.

76. The efficiency of a Guard, and his value to the institution shall be measured in part by the volume of work performed by his men and the quality of same, but he must not be harsh or unreasonable in his orders to inmates. Guards must also distinctly understand that it does not enhance their standing to refrain from reporting an inmate for disobedience or improper conduct.

77. When an inmate makes complaint against a Guard, Foreman, or employee on account of any order given him or on account of any action toward him by which he considers himself aggrieved, it shall be the duty of the Guard, employee or foreman to permit the inmate to produce his complaint to the Superintendent or Sergeant for consideration and action.

78. When an inmate is obliged to retire for necessary purposes, the Guard in charge shall take care that the place is so situated and so conspicuous that the inmate cannot leave it without coming into plain sight, and not more than one inmate shall be allowed in the place at the same time. Where the inmate remains in such a place for an unreasonable time, the Guard must make certain that nothing is wrong and that the inmate is in the place where he is supposed to be.

79. Where an inmate is taken sick or is injured the Guard shall at once report the fact to the Sergeant; in case of serious or fatal injury, the Guard shall make a complete written report of the matter to the Sergeant.

80. In forming their opinion in respect to the diligence and industry of an inmate, Guards will bear in mind that as one inmate may be able to do more and better work in a given time than another so their reports under this head shall have regard more to the continuous labour and the care of the inmate, as an evidence of his desire to be faithful, than to the amount of work he actually does as compared with others. The inmate who does the best should be given full credit for his efforts.

81. Whenever an inmate desires to make a complaint against another inmate, the Guard shall bring the matter to the attention of the Superintendent or Sergeant.

82. When an inmate desires an interview with the Superintendent or Sergeant, the Guard shall report the request to the Superintendent or Sergeant before going off duty.

83. Guards shall not indulge in any familiarity toward inmates, nor will they permit inmates to act familiarly toward them. Violations of this rule will be followed by instant dismissal.

84. Guards are forbidden to frequent gambling houses or other disreputable places when off duty, and must never come on the premises while in the slightest degree under the influence of liquor. Nor shall a Guard or any other officer be permitted to use morphine, chloral, cocaine, or any similar drug generally classed under the title of "dope". Violations of this rule will be cause for instant dismissal.

85. When a Guard, officer, or other employee desires to make a request or to submit some grievance against another Guard, officer, or employee, it should be submitted to the Superintendent or Sergeant in writing.

86. The watchman's clock shall be checked at such time as may be directed by the Superintendent. Any tampering with the watchman's clock by a Guard to prevent its recording his inattention to duty shall be deemed good cause for his dismissal.

87. It shall be the duty of each Night Guard, immediately on coming on duty, to carefully examine the door of each cell or dormitory to see that it is secure and not tampered with.

88. It shall be the duty of the Night Guards in corridors during the night to keep patrolling in such a manner as to have every portion of the cells or dormitory under observation. They shall move noiselessly, closely observing the doors on passing, stopping frequently and listening in the event of any noise such as filing bars or other indications of attempt to escape, betraying themselves. Upon the inspection of the doors on a Night Guard coming on duty he shall see that the inmate is in the cell or that the required number of inmates are in the dormitories, assuring himself by what he sees that they are real living persons.

89. A book shall be kept on each corridor during the night time to be designated the "Night Patrol Report Book", in which the Night Guards shall register incidents that occur during their part of the night duty, the time they entered on duty, and the hour they are relieved, and the hours that they are visited, this book to be left in the Sergeant's office every morning for his inspection.

90. The hours of night duty shall be such as are fixed from time to time by the Superintendent.

91. While the duties of a foreman or employee are somewhat distinct from those of Guards, nevertheless they must regard themselves as disciplinary officers and responsible for the conduct and safe custody of the inmates.

CHEF

92. The Chef shall superintend the preparation of the food used in the inmates', guards' and officers' mess, and shall be held responsible for all the work in and the cleanliness of the kitchen and dining room buildings, officers' and guards' dining room and servories and all equipment and utensils used therein. He shall be held responsible for any fault with the cooked provisions, and in case he is in doubt as to the proper course for him to take he shall apply to the Superintendent or Sergeant for instructions.

93. He shall make requisition daily upon the officer in charge of stores for the supply of rations for the use of the inmates', guards', and officers' mess and such requisitions shall be approved of by the Superintendent or in his absence by the Sergeant.

94. He shall be exact in measuring or weighing the provisions to be served out to the inmates', guards', and officers' mess at each meal, and it shall be his duty to see that due economy is observed in the management thereof, and that no waste takes place in his department.

95. He shall each morning receive from the Sergeant a list of the number of inmates, officers and guards and employees of the institution to be fed, and shall keep such account of the number of inmates and the quantity of food received into the kitchen as may be required by the Superintendent.

96. He shall take care that the prescribed dietary for the inmates is faithfully followed with respect to both quantity and quality of food, and must give close attention to the proper cooking, seasoning and serving of all articles of food issued to officers, employees, and inmates.

97. He shall be responsible for the good conduct and obedience to the rules and regulations and discipline of all inmates employed under his charge, and he shall immediately report to the Sergeant any infringement of the rules and regulations on the part of any inmates detailed as his staff.

98. He shall conform to the rules and regulations, and such orders as shall be issued from time to time in the same manner as any other guard and report the number of his squad to the Sergeant when required.

99. He shall observe such instructions as may be issued by the Deputy Minister from time to time regarding daily reports on per capita costs of meals, requisitions on officer in charge of stores, care and distribution of kitchen and dining room equipment.

100. His hours of duty will be such as are necessary to do the work assigned to him.

CLERK OF RECORDS

101. The Clerk of Records shall be responsible for the safe keeping and orderly arrangement of all documents of every kind that may be confided to his care.

102. He shall keep all books and records pertaining to the admission, custody and discharge of inmates, and all correspondence in connection therewith, and of all correspondence relating to inmates.

103. He shall supervise the filing of all records pertaining to the inmates, and give due attention to any other matters relating especially to inmates.

104. He is also required to prepare, under the supervision of the Superintendent, the statistics concerning the inmates required for the annual report to the Deputy Minister.

105. He shall furnish, or cause to be furnished, to the Sergeant, as specified by the Superintendent, a daily count report, which shall accurately show the number of inmates that must be accounted for at the evening count.

PUNISHMENT OF INMATES

106.—(1) No punishments or deprivations of any kind shall be awarded to inmates except by the Superintendent, or, in his absence from duty, the Sergeant or other officer duly authorized by the Deputy Minister to act in place of the Superintendent.

(2) The deprivations or punishments that may be awarded shall be as follows:

- (a) Books from library, or of some other such privilege ordinarily enjoyed by all well-behaved inmates.
- (b) Confinement in cell with or without reduced rations. In such case, the cell must be maintained at a comfortable temperature. In case of reduced rations, the minimum food allowance shall be 5 oz. of wholesome bread for each of three meals per day and an abundant supply of proper drinking water shall be available to the prisoner at all times. Such reduction of rations shall not at any one time exceed a period of three days.
- (c) Forfeiture of a portion or of all the good conduct remission of sentence earned.
- (d) Punishment by the infliction of the strap.

(3) The infliction of punishment by the lash shall only be in execution of the sentence of the Court, and punishment by the strap shall only be inflicted in extreme cases and for the following offences:

- (a) Assault with violence on officers.
- (b) Assault with violence on other inmates.
- (c) Continued course of bad conduct.
- (d) Escape or attempted escape.
- (e) Malicious destruction of or injury to machinery or other property.
- (f) Malingering to evade work.
- (g) Mutinous conduct.
- (h) Repeated fighting after warning.
- (i) Refusal to work after warning.
- (j) Repeated insolence to officers.

- (k) Riotous conduct in dormitories, cells, working gangs or elsewhere.
- (l) Attempting to commit sodomy and other unmentionable crimes of like character.
- (4) No inmate shall be punished by infliction of the strap until the Medical Officer has certified that the inmate is mentally responsible for his actions, and physically fit to endure the punishment.
- (5) The Superintendent or Sergeant, and the Medical Officer shall be present throughout the time the inmate is receiving such punishment.
- (6) The number of blows with the strap shall be in proportion to the offence committed, and in no case shall exceed ten at any one application.
- (7) The strap is not to be used except when it is clearly necessary to achieve the reformation of the inmate and enforce proper discipline.
- (8) The strap used for such punishment shall be a plain leather strap not less than three inches in width and shall not contain perforations of any kind. It shall be applied across the bare buttocks and great care shall be exercised to prevent hurting the prisoner elsewhere.
- (9) The application of the strap shall be by an officer designated by the Superintendent.
- (10) The Superintendent shall cause to be kept a book, to be styled the "Punishment Record", which book shall provide columns for the following records and information in respect to offences committed, and the punishments inflicted therefor:
- 1st. The date on which the offence was committed.
 - 2nd. Name and number of the inmate who committed the offence.
 - 3rd. Nature of the offence or misconduct committed.
 - 4th. Name of the officer making complaint.
 - 5th. Nature of punishment inflicted.
 - 6th. Date of punishment or deprivation.
 - 7th. Signature of the Superintendent or Sergeant (and the Medical Officer in case of infliction of the strap).
 - 8th. Remission granted and reasons for same.
- (11) When an officer has reported an inmate for misconduct, the Superintendent shall properly investigate and take into consideration all the circumstances and evidence, giving the inmate an opportunity to state his case. Pending the investigation by the Superintendent into the charge contained in the report, and if circumstances will not permit of the examination being at once proceeded with, the inmate against whom the complaint is made, shall be locked up in one of the cells, and during such temporary confinement he shall not be deprived of any other privileges.

(12) When the Superintendent has decided on the necessary punishment, he shall inform the inmate of his decision and immediately upon the infliction of the punishment shall have the necessary entries made in the "Punishment Record".

(13) Should the Superintendent, for good and sufficient reasons, decide to remit a portion of any such punishment so ordered, or restore the privileges withdrawn, he shall enter such remission or restoration in the column of the "Punishment Record" provided therefor, and duly date and sign the same, thereupon the portion of the punishment, deprivation, or withdrawal of privilege shall immediately be effected.

(14) No punishment of an inmate of any kind shall be ordered except by the Superintendent, or in his absence, by the Sergeant or other officer designated by the Deputy Minister.

(15) The Superintendent shall cause an exact copy of the "Punishment Record" to be inserted in the Log which is forwarded daily to the Deputy Minister.

(16) Should it be necessary, in the opinion of the Superintendent, to place handcuffs or leg-irons on an inmate for refractory conduct, such handcuffs or leg-irons shall be removed during the night, from 5 p.m. until 7 a.m., and for one hour during each meal.

(17) When an inmate is under punishment in a cell in irons, he shall be visited by an officer or guard at least once every hour and by the Medical Officer at his daily visits.

107. Corporal punishment ordered by the sentence of the Court shall not be inflicted until the Medical Officer shall have certified under his signature, in the "Punishment Record", to the physical and mental fitness of the inmate to undergo such corporal punishment, and no such punishment shall be carried out except in the presence of the Superintendent or Sergeant and the Medical Officer, and in no case shall more than ten lashes or straps be administered at one time.

108. If the Medical Officer decides in such case that the inmate is not mentally responsible for his actions, or physically unfit to receive such corporal punishment, the Superintendent shall immediately forward a written report to the Chief of the Remission Branch of the Department of Justice of Canada, and shall not impose the corporal punishment ordered by the Court until the Department of Justice has instructed the Superintendent respecting the matter.

ACCOUNTING

109. Under the direction of the Superintendent the Accounts Clerk shall be responsible for the proper keeping of all accounts of the maintenance, construction, industrial operations and all other accounts of the Institution, of the receipt and expenditure of money in any way whatsoever pertaining to the institution and he shall prepare such statements, balance sheets, cost reports, etc., and carry on such a system of accounting as may be directed by the Deputy Minister.

110. He shall be responsible for the general efficiency of the clerks and inmates assigned to assist him.

111. He shall perform such other duties as designated by the Superintendent.

112. In all cases the books, accounts, statements, balance sheets, cost reports, etc., of the institution shall be open to inspection at the institution by an officer designated by the Minister under *The Public Institutions Inspection Act*.

113. In the case of an industrial farm established by a municipality or municipalities, he shall keep such records as are ordered by the agent of the Municipality or municipalities and as approved by the Minister.

114. In the case of an industrial farm for male prisoners established and equipped by the corporation of a city of over 100,000 persons the corporation of the said city may appoint one engineer and one steward, but if such appointments are made the said engineer and the said steward shall be subject to the same discipline and the same rules and regulations as any other officer or employee of such institution.

STOREKEEPER

115. The storekeeper shall be responsible to the Superintendent for the general condition of the store rooms and stocks under his charge.

116. He shall, under the direction of the Superintendent, have charge of all merchandise purchased, also raw materials and finished products pertaining to any industry of the institution.

117. He shall keep a stock card or record as approved by the Deputy Minister and Audit Office, of each item of merchandise or products. He shall enter on this record form all receipts and withdrawals, the source of supply and the authority for withdrawal.

118. He shall from time to time, as required by the Deputy Minister or Superintendent, compile detailed stock sheets or data, and he shall periodically check his stocks to see that they agree with his stock record.

119. He shall see that a requisition is received, approved by the Superintendent or other official authorized by the Superintendent, for every item issued from the stores.

120. He shall check and certify quantities on all invoices and return same promptly to the Accounts Clerk.

121. He may at times be called upon to perform other duties of a special or temporary nature. At such times he will be advised by the Superintendent regarding the nature and duration of such duty.

122. The Storekeeper shall be given such assistance in his duties as the Superintendent considers necessary. Whenever it is necessary to assign another officer to duty in the stores he shall be under the direction of the Storekeeper, shall familiarize himself with all the duties and responsibilities of the Storekeeper and as approved by the Superintendent assume these duties and responsibilities in the absence of the Storekeeper.

123. In the case of industrial farms established by a municipality of municipalities, he shall keep such records as ordered by the agent of the municipality or municipalities and as approved by the Minister.

INDUSTRIAL OFFICERS

124. An Industrial Officer or Foreman shall have charge, under the direction of the Superintendent, of all work in his shop or department. If no custodial officer is assigned to his department, he shall be responsible for the conduct and discipline of the inmates under his control. If a custodial officer is assigned to his department, the Industrial Officer will co-operate with him in maintaining discipline and will report to him any misconduct.

125. It shall be his duty to instruct the inmates in the work of the department, and to see that they carry out this work faithfully, reporting to the custodial officer any inmate who fails in this respect.

126. He shall be responsible for the cleanliness and general condition of his department, also for all machinery and tools, and that all articles and materials are properly accounted for and arranged in an orderly manner. He shall see that all discarded or waste material is properly disposed of.

127. During the hours of duty which will be specified by the Superintendent, he will be required to devote all of his time to the work of the institution. He shall at all times be subject to general rules and regulations for the guidance of officers and employees.

128. He shall with the approval of the Superintendent, make requisitions on the Storekeeper for materials, machinery, tools, etc., required in his department, and will be held responsible for the use of such articles and materials.

129. He shall keep close contact with the Storekeeper and must know at all times what reserve stocks the Storekeeper has for his department. He shall periodically consult the Storekeeper regarding stocks and orders on hand, and shall advise him in writing when orders for materials, etc., should be placed. He shall be held responsible for any delay due to neglect in this respect.

130. All records, concerning the work of his department, must be forwarded promptly as directed by the Superintendent.

131. No articles may be manufactured without an order properly approved, and no articles may be removed from the premises without proper authority.

132. All industrial work shall be carried out by the Superintendent under the direction of the Deputy Minister or such other departmental authorized official.

CHIEF ENGINEER

133. The Chief Engineer shall have charge, under the direction of the Superintendent, of all boilers, heaters, engines, pumps, motors, generators, pipes, wires and all other equipment belonging to the heating, water supply, steam, gas, electric and telephone systems of the institution and he shall be held strictly responsible for the proper care and condition of all equipment and supplies pertaining thereto, under his charge. He shall also be responsible for the serviceable state of all fire fighting equipment, hoses, hydrants, extinguishers, hose reels, ladders, tools, etc.

134. He shall also have, under the direction of the Superintendent, general charge of the sewage system, and shall see that it is maintained in a sanitary condition. To this end he shall personally inspect, or cause to be inspected, the various cells, dormitories, residences and places where urinals, closet bowls or other sanitary fixtures are placed and see that the flushing system operates properly and that there is no waste of water by leaking valves or fittings.

135. He shall also be held responsible for the proper condition and operation of all faucets, wash basins, slop sinks, etc. He shall personally inspect the engines and boilers at least once every month, or oftener if necessary, to satisfy himself that they are in good and safe condition. If any defects or cracks are found, he shall report the matter to the Superintendent and shall make the necessary repairs.

136. He shall see that there are no leaking valves or fittings, and shall see that all steam traps, pressure reducing valves, indicating and recording meters, by-passes, etc., are kept in good working order.

137. He shall keep account of all consumption of fuel and shall make entries daily in a log book, giving a detailed record of work and duties performed by the various members of his staff, and keep such records connected with his department as shall be required by the Deputy Minister.

138. He shall see that the inmates under his care are well conducted and shall report promptly to the Superintendent any neglect of duty on the part of any employee or inmate in his department or any infraction of the rules and regulations coming under his notice.

139. He shall, with the approval of the Superintendent, make requisition on the Storekeeper for any supplies or material required for use in his department, furnishing therewith a full and sufficient description of the same. He shall promptly return to the stores all unused materials requisitioned for his Department and shall note the return of same on his daily report.

140. He shall see that all machinery and tools under his charge are kept in good and serviceable condition, and that all tools, implements and materials are kept securely locked up when not in actual use. He shall, when directed, make an inventory of the tools, appliances (not fixtures), materials and supplies under his charge and shall return the same to the Storekeeper duly certified as to its correctness.

141. He shall, subject to the approval of the Superintendent, control and direct the work of all employees and inmates under his charge and shall be responsible to the Superintendent for the proper performance of their duties and for the inmates placed under his charge when they are not in charge of a guard.

142. The Chief Engineer will also be responsible for the cleanliness and orderly arrangement of all equipment in pump-house, workshops, heater and boiler rooms under his charge.

143. His hours of duty shall be such as may be necessary to fully perform all the duties assigned to him.

144. The electrician, plumber and steamfitter shall be subject to the supervision and direction of the Chief

Engineer and shall perform such duties as may be assigned to them.

FARMER

145. The Farmer shall have general supervision of the farm, dairy and horse stables, and other farm buildings, including greenhouses, the grounds, garden, farm stock, horses and crops. He shall, with the approval of the Superintendent, direct all the work on the farm, grounds and garden, and shall control and direct the work of all the employees, guards and inmates under his charge, including the gardener, and shall be responsible to the Superintendent for the proper performance of their duties and for the inmates placed under his charge when such are not in charge of a guard.

146. He shall make such daily or other reports and keep such records connected with his Department as shall be required by the Deputy Minister.

147. He shall, with the approval of the Superintendent, make requisition on the Storekeeper for any supplies or materials required for use in his department, furnishing therewith a full and sufficient description of the same. He shall promptly return to the stores all unused material requisitioned for his department.

148. He shall, when directed, make an inventory of all the live stock, hay, grain, feed, agricultural implements and appliances and shall return the same to the Superintendent duly certified as to its correctness.

149. He shall faithfully observe all instructions that may be issued from time to time by the Superintendent as to the manner in which the products of the farm are to be disposed of.

150. He shall keep in a highly presentable condition all the institution property under his control and in all phases of his work shall follow the best approved agricultural methods.

RULES GOVERNING ALL OFFICERS AND EMPLOYEES OF THE INSTITUTION

151. No official, guard or other employee shall at any time make the affairs of the institution, or any branch thereof, or any occurrence therein, or any matter relating to an inmate or the conduct of any other official, guard or employee, the subject of conversation or gossip and no official, guard or other employee shall impart to any person any information as to the matters above mentioned, except when required so to do in the discharge of his duty by the Minister, the Deputy Minister or any superior officer in the institution. A violation of this rule will subject the offender to instant dismissal.

152. Every man who enters the service of the institution must constantly keep in mind the nature of the institution and the peculiarity of the duties he will, as an officer, have to perform, as well as his unusual relations to the institution, its officers and the inmates.

153. He must understand at the outset that the institution is designed, not only as a place of safe custody for those who have violated the law, but also as a means of reformation, if possible. This means that the rules and regulations are to be so construed and enforced as to develop that which is good in the

inmates and guide them into habits of industry and to willing obedience to lawful authority. A man who is by nature incompetent to do this is not a suitable person for institution service.

154. The official relations between officers of the institution must be cordially maintained. Under no circumstances must the personal relations between officers be allowed to interfere with their official duties. Whenever an officer finds that he cannot bring himself to converse freely with another officer on official matters, it is time for him to sever his official relations with the institution. Failing in this the Superintendent will take preemptory action.

155. It shall be the duty of every person who enters the institution service to make himself thoroughly familiar with all the rules and regulations governing it, as well as with the bulletins and orders which may be issued from time to time. Ignorance of these will not be accepted as an excuse for neglect of duty or disobedience.

156. All persons accepting and retaining any position in the institution must do so with the full understanding that they are to devote their best energies and abilities faithfully and industriously to the performance of the duties to which they may be assigned, and those who cannot do this cheerfully must not accept or expect to retain a position in the institution.

157. The use of foul, indecent, vulgar or profane language is positively forbidden anywhere in the institution, either in the presence of inmates or officers, and any officer or employee violating this rule will be dismissed from the service of the institution. COMMIT THIS RULE TO MEMORY.

158. Upon the return to duty of an officer or employee of the institution who has been absent for more than one day on account of sickness, he must furnish to the Superintendent a certificate from a reputable practising physician showing the dates upon which he treated the patient professionally, the nature of the disease, and the entire time during which the officer or employee was incapacitated from duty. Medical certificates which do not conform to this requirement will not be accepted.

159. Leave of absence because of sickness or for other good reasons and vacation leave may be granted in accordance with the regulations governing the Public Service of Ontario.

160. While it is desirable that the general public shall know that the institution affairs are being honestly administered and the rules humanely enforced, in order that this branch of the public service shall receive that degree of public confidence which is necessary to obtain the best results, all information concerning the administration of affairs and discipline of the institution should reach the public through the Minister. Addresses by officers and employees upon subjects relating to the institution or to the inmates confined in it or furnishing information for newspapers or magazines for publication concerning institution affairs, or any inmate that has been, is or may hereafter be confined therein, is strictly forbidden, excepting upon authority of the Minister.

161. Officers and employees will not be permitted to exchange duties with another, excepting by first obtaining permission from the Superintendent or Sergeant, or in the case of serious sickness or other emergency.

162. All applications of inmates for executive clemency or for writs of *habeus corpus* shall be referred to the proper official through the Superintendent. All applications for parole shall be referred to the Parole Office through the Superintendent.

163. It is subversive to the discipline for any officer or employee to reply in like terms to what he might consider impudent or insulting language on the part of an inmate. His plain duty is to report the case to the proper authorities.

164. Matters pertaining to the discipline of the institution or which might reflect upon the actions of an officer or employee, and all criminal matters, must not be discussed in the presence or within the hearing of inmates. Nor will the inmates be allowed by any officer or employee to discuss such subject at any time.

165. Whether herein specifically provided or not, every officer and employee of the institution shall make to the Superintendent such oral and written reports of matters concerning the institution, its officers, employees or inmates as may from time to time be directed.

166. Officers and employees will not be permitted to receive any visits from any person during the hours of duty, nor shall any officer or employee be relieved from duty to answer telephone calls on private business unless the business is of the utmost importance to the officer or employee.

167. The general public may be admitted to the institution only at such times and with such restrictions as shall be fixed from time to time by the Minister. Book agents, insurance agents, solicitors for subscriptions to books and papers, and others who wish to ply their business in the institution will not be admitted. Ex-inmates from the institution or any similar institution will not be admitted without specific instructions from the Superintendent in each case.

168. Officers, guards, foremen and employees are prohibited from selling to or buying anything from an inmate, or giving to or receiving from them anything in the nature of a present, or conveying to or from them any message either written or verbal excepting such as are necessary in the transaction of the business of the institution. Any ministers or other religious instructors or other persons permitted to attend the institution shall not receive from or confer any present upon the inmates, or become the medium of communication between them and their friends or others, except when such is obviously proper in the best interests of their families and will assist in their reformation and they shall conform to the rules and regulations. Any infringement or departure from such rules shall debar them from future intercourse with the inmates.

169. The Superintendent may issue a ration of tobacco to inmates and in such case he shall designate the hours and places smoking in permitted. He shall issue similar instruction regarding smoking by officers and employees and in no case shall any officer or employee smoke when and where it is forbidden to inmates.

170. Mail and articles of all kinds sent to and from inmates shall be censored by an officer designated by the Superintendent and the Superintendent is hereby empowered and instructed to reject that which he considers improper to be sent or received except that inmates shall be always permitted to send proper letters to their solicitors or Minister or Deputy Minister or the Attorney-General.

171. Any officer, guard or employee who shall knowingly bring in or carry out, or endeavour to bring in or carry out, or knowingly allow to be brought in or carried out, to or from any inmate, and money, clothing, provisions, tobacco, letters, papers, or other articles whatsoever except as specifically permitted by these regulations, shall be subject to instant dismissal.

172. When any officer, guard or employee is suspended from duty for any cause whatsoever he shall forthwith leave the institution pending the Deputy Minister's investigation into the case and shall not be permitted to return thereto until the Deputy Minister's decision has been given.

173. Officers, guards and employees are absolutely prohibited from leaving any civilian clothing in any place in the institution where an inmate may readily have access to same and they must at all times see that

such clothing is kept securely under lock or in accordance with the instructions of the Superintendent.

174. No person shall within the limits of the institution give to any other person any intoxicating liquor, nor keep, consume, nor have in his possession within such limits, any intoxicating liquor. Intoxicating liquor within the meaning of this regulation shall be "liquor" as defined by *The Liquor Control Act*.

175. Because of the great variation in activities in such institutions it cannot be expected that these rules and regulations will cover all situations. They are a general guide for officers and employees and are specific instructions, where they are applicable. When officers and employees are faced with situations not covered by these rules and regulations they must act in accordance with good judgment and common sense. If they do not use these qualities in the course of their official responsibilities they cannot expect to remain in the institution service.

176. Finally, the institution has been established to keep in safe custody those who have been legally committed there and to give them such training, advice and care that they will become good and useful citizens. All activities of the institution must serve these important purposes to the fullest extent and this fact must constantly be kept in mind and govern the actions of all officers and employees.

Regulations 411

(Ontario Regulations 93/44)

REGULATIONS MADE UNDER THE INDUSTRIAL STANDARDS ACT, 1935

SHORT TITLE

1. These regulations may be cited as "The Industrial Standards Regulations."

INTERPRETATION

2. In these regulations "employer" shall mean an employer as defined by sections 2 (c) and 12 of *The Industrial Standards Act*, as amended by 1936, chapter 29, and 1937, chapter 32, who either habitually or in the ordinary course of his business, employs a person or persons to do any kind of work which is governed by the provisions of any schedule of wages and hours and days of labour.

RECORDS OF EMPLOYERS

3. Every employer shall, with respect to his employees whose work is governed by the provisions of any schedule of wages and hours and days of labour, keep complete and accurate records showing:

- (a) The name and address of each employee;
- (b) The total number of hours in each day and in each week during which each employee worked or was on duty;
- (c) The total number of hours in each day and in each week during which each employee was engaged in overtime work or work of any kind performed at any time except during a regular working day as defined in the schedule applicable to such employee;
- (d) The exact amount of the wages received by each employee on each pay day or other occasion of payment and the rate of remuneration upon which such wages were calculated;
- (e) Full particulars of the nature of the work performed by each employee and the location where such work was performed;
- (f) In the case of piece workers, in addition to the above records, a complete and accurate record of the quantity of each kind of work which each employee performed and the rate of remuneration per piece or per unit;
- (g) In the case of commission workers, in addition to the above records, a complete and accurate record of the amount of money received by each employee and the rate of the commission upon which each employee was paid;
- (h) Such further information respecting any or all of the above matters as the Board may require.

RECORDS OF OTHER PERSONS

4. Every person, who personally performs work governed by the provisions of any schedule and who

with respect to such work has no employer who is obliged to keep the records and supply the information required by section 3 hereof, shall personally keep such records and supply such information in the same manner as if such person were his own employer; but where two or more persons are engaged in partnership, it shall be sufficient if one of such persons keeps such records and supplies such information on behalf of all the partners.

RETENTION AND INSPECTION OF RECORDS

5. All such records shall be retained for a period of at least one year and shall be available for inspection at any time by any person acting under the authority of the Act or of any schedule thereto.

ACCESS TO PREMISES

6. For the purpose of obtaining any information required for the proper enforcement of any schedule or for the purpose of verifying any such records, any person acting under the authority of the Act or of any schedule thereto shall have access at all reasonable times to the premises of any employer or other person who is obliged to keep such records and to any place where work is being, or has been performed, which is governed by the provisions of any schedule.

PRODUCTION OF RECORDS

7. Every employer or other person who is obliged to keep such records shall produce such records and such further information as the Board may require and lodge the same with the Board on being requested in writing to do so.

FURNISHING OF INFORMATION

8. The Board may require any employer or other person who is obliged to keep such records to submit to the Board on a form or forms prescribed by it and at such time or times as the Board may require, such part or all of the above information as the Board may determine.

ARREARS OF WAGES; FORFEITURE

9. The Board may require any employer to pay to the Board the arrears of wages owing to any employee or employees according to the provisions of any schedule and the Board may in its discretion direct that the whole or any part of such wages be either forfeited to the Crown or paid out to the employees entitled thereto.

MINUTES OF ADVISORY COMMITTEE

10. Each Advisory Committee shall keep minutes of its meetings and shall furnish to the Board a copy of such minutes.

APPEALS FROM ADVISORY COMMITTEE

11. Whenever any Advisory Committee makes any decision from which an appeal lies to the Board, it shall forthwith communicate such decision to the employer and employees concerned by registered mail.

12. Any person, who desires to appeal to the Board from the decision of any Advisory Committee, shall give written notice to the Board of his intention so to do within ten (10) days after the date of the decision from which he is appealing or within such further time, not exceeding thirty (30) days, after such decision, as the Board may on special application allow.

13. The Board shall fix the time and place for the hearing of such appeal and shall give reasonable notice to all parties concerned as the Board may direct. Such appeal may be prosecuted in person or by the representative of the appellant and the Board shall have jurisdiction and authority to examine all the facts and circumstances of the matter and to take such evidence and to hear such representations as the Board may deem necessary.

14. After hearing such appeal, the Board may affirm, reverse, or alter the decision of the Advisory Committee and the decision of such Advisory Commit-

tee shall thereupon be amended and revised accordingly without any formal order being made or entered.

15. The Board shall forthwith transmit to the Advisory Committee a copy of the decision of the Board with such reasons or explanations as the Board may deem necessary.

COLLECTION OF ASSESSMENTS

16. Whenever any schedule requires the employees in any industry to pay an assessment on their wages to the Advisory Committee appointed to administer such schedule, every employer of any such employee shall collect the amount of such assessment, as the agent of such Advisory Committee, by deducting or retaining it from the wages of each of such employees on each occasion on which he pays wages to such employees.

17. Every such employer shall remit the amount so collected to the Advisory Committee before the 10th day of each calendar month and shall also forward with such remittance a return showing the amount of the assessment and of the wages paid to each employee for work performed in the said industry during the previous calendar month and the method of calculating the said wages and assessment.

Regulations 412

(Ontario Regulations 94/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT, 1935

Baking Industry,—“all work usually done in connection with the manufacture, preparation, sale, and delivery of bread, rolls, cake, pie, pastry, and confectionery (except candy) and excepting the work done (1) when such articles are not made or prepared for the purpose of selling the same; and (2) when such articles are made or prepared in hotels, restaurants, or cafeterias for consumption therein; and (3) the sale and delivery of such articles by or in retail stores which are not owned or controlled by the manufacturer of such articles.”

Ottawa Zone,—“the City of Ottawa and the suburban area adjacent thereto and being that part of the Township of Gloucester in the County of Carleton lying north of the Walkley Road and its production easterly and westerly through the said Township and that part of the Township of Nepean in the said County lying north of the road between Lots 30 and 31 of the said Township, which is the production westerly of the Walkley Road and lying east of the road between the 4th and 5th Concessions in the said Township and its production northerly to the Ottawa River, and all separate municipalities within the said parts of the said Townships.”

SCHEDULE

1. This schedule of wages and hours and days of labour shall be binding upon all employers and employees engaged in the Baking Industry as defined by the Minister of Labour.

2. The regular working hours for all employers and employees engaged in the Baking Industry shall be 56 hours per week.

3. The minimum rates of wages for work performed during the regular hours of labour shall be the rates respectively appearing opposite the respective classifications or operations hereinafter enumerated, such

operations and classifications and the rates applicable thereto being as follows:

CLASS A—Consisting of cake-makers, dough-makers, machine operators, bench-hands and oven-men, \$23.00 per week.

CLASS B—Consisting of bread salesmen, wagon drivers, truck drivers and breadroom checkers, \$20.00 per week.

CLASS C—Consisting of helpers who have had more than three years experience in the industry, \$20.00 per week.

CLASS D—Consisting of helpers who have had more than two years and less than three years experience in the industry, \$18.00 per week.

CLASS E—Consisting of helpers who have had more than one year's experience and less than two years' experience in the industry, \$16.00 per week.

CLASS F—Consisting of helpers who have had less than one year's experience in the industry, \$14.00 per week.

3 (a). In the event that the Baking Industry becomes designated as a trade under *The Ontario Apprenticeship Act*, the clauses C, D, E and F become inoperative in so far as they apply to employees who are eligible to become apprentices under the apprenticeship regulations for the trade.

4. The advisory committee is authorized to exercise all the powers that may be conferred on an Advisory Committee by the conference, pursuant to the provisions of subsection "K" of section 8 of *The Industrial Standards Act*, as amended to date.

Regulations 413

(Ontario Regulations 102/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Barbering Industry,—“all work usually done by barbers.”

Campbellford Zone,—“the Town of Campbellford.”

SCHEDULE

1. This schedule of wages and hours and days of labour shall apply to the Barbering Industry and all employers and employees engaged therein.

(a) Barbering Industry shall include the following operations:

Haircutting,
Shaving,
Singeing,
Shampoos,
Application of hair tonics, stimulants, and scalp treatments,
Massaging of the face,
Honing and sharpening of razors,
All other work usually done by barbers.

“whenever the said operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except when performed in barber schools which are licensed by the Industry and Labour Board under *The Apprenticeship Act.*”

2. Work may be performed in the Barbering Industry on any day in the week except Sundays and holidays.

(a) For the purposes of this section holidays shall mean: New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, and Christmas Day, and every Wednesday (after 12.30 p.m. during the months of May to October, inclusive), except the Wednesday in a week in which one of the above named holidays occurs.

3. The regular working period for all employers and employees in the Barbering Industry shall be the hours during which barber shops are permitted to be open pursuant to the provisions of the municipal by-laws of the Town of Campbellford.

4. The following classifications of employees working in the Barbering Industry are hereby established:

CLASS A—Any person who is given full time employment on a straight salary basis;

CLASS B—Any person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS C—Any person who is given part time work or casual employment only on either a salary or commission basis or a combination of the same.

5. The minimum rates of wages for employees in the Barbering Industry shall be the rates set opposite the respective classifications as hereinafter set out:

CLASS A—\$18.00 per week.

CLASS B—\$12.50 per week plus 65% of the proceeds in excess of \$20.00 from the work performed by the employee.

CLASS C—(1) Nights and Saturday employees, that is, persons who work four hours per day or less from Monday to Fridays, inclusive, and all day or less on Saturday, \$7.50 per week plus 65% of the proceeds in excess of \$12.50 from the work performed by the employee;

(2) Persons working on Saturdays or the day before a holiday and on the previous evening only, \$5.00 per week, plus 65% of the proceeds in excess of \$7.50 from the work performed by the employee;

(3) Persons employed only for Saturday or the day before a holiday, \$4.00 per day or part thereof, plus 65% of the proceeds in excess of \$6.00 from the work performed by the employee;

(4) Persons working on days other than (1) Saturdays, or (2) the day before a holiday, \$2.50 per day or part thereof, plus 65% of the proceeds in excess of \$4.00 from the work performed by the employee.

6. No deduction of any kind shall be made from the wages established herein for materials supplied, laundry service or operating expenses of any kind.

7. The minimum charge for each operation in the Barbering Industry shall be as follows:

Haircut or trim (adult).....	35c
Haircut (children).....	25c
Shave.....	15c
Singe.....	15c
Hair tonics.....	15c
Shampoos, plain.....	25c
Facial massage, plain.....	25c
Razor honing.....	35c
Ladies' neck clip.....	15c

No employer or employee may contract for or accept any lower prices than those above set out, or

combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of such article or premium.

8. The Advisory Committee to be appointed pursuant to *The Industrial Standards Act* is authorized to exercise all the powers that may be conferred upon an Advisory Committee for the Barbering Industry.

Regulations 414

(Ontario Regulations 150/46)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated all work usually done by barbers as the BARBERING INDUSTRY for the purposes of the Act;

AND WHEREAS the Minister has designated the City of Chatham as a zone for the industry to be known hereafter as the CHATHAM ZONE;

AND WHEREAS a petition from representatives of employers and employees in the industry within the Chatham Zone was received by the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in the industry in accordance with and for the purposes of section 6 of the Act;

AND WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule under section 7 of the Act;

AND WHEREAS the schedule has been approved by The Industry and Labour Board in writing;

AND WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry within the zone.

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare the schedule, appended hereto, shall be in force during pleasure within the zone and shall be binding upon the employers and employees in the industry referred to in the schedule.

SCHEDULE FOR THE BARBERING INDUSTRY IN THE CHATHAM ZONE

1. No work shall be performed in the barbering industry except in accordance with this schedule.

2. The barbering industry shall include the following operations:

- (a) hair cutting;
- (b) shaving;
- (c) singeing;
- (d) shampooing;
- (e) application of hair tonics, stimulants and scalp treatment;
- (f) massaging the face;
- (g) honing or stropping of razors; and
- (h) all other work usually done by barbers

where the operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except where performed in barber schools licenced by The Industry and Labour Board under *The Apprenticeship Act*. (S. 7, cl. h.)

3.—(1) Work may be performed in the barbering industry on any day in the week except Sunday and holidays.

(2) For the purposes of this section holidays shall mean New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day, and every Thursday after 12 o'clock noon except Thursday in a week in which one of the other holidays occurs and Thursday preceding Christmas Day. (S. 7, cls. d and g.)

4.—(1) The regular hours during which employers and employees may work in the barbering industry shall be as follows:

- on Monday, Tuesday, Wednesday and Friday.....from 8 a.m. to 6 p.m.
on Saturday.....from 8 a.m. to 9 p.m.
(a) on Thursday.....from 8 a.m. to 12 noon
(b) on Thursday in a week in which a holiday occurs and on the Thursday preceding Christmas Day.....from 8 a.m. to 6 p.m.

(2) No work may be performed in the industry except during the regular working periods. (S. 7, cl. a.)

5. The following classification of employees working in the barbering industry is established:

Class A—A person who is given full-time employment on a straight salary basis;

Class B—A person who is given full-time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

Class C—A person who is given part-time work or casual employment only on either a salary or commission basis or a combination of salary and commission.

(S. 7, cl. f.)

6. The minimum rates of wages for employees in the barbering industry shall be the rates set opposite the respective classes as follows:

Class A—\$27 per week;

Class B—\$17 per week plus 60 per cent of the proceeds in excess of \$24 from the work performed by the employee;

Class C—(i) night and Saturday employees, being persons who work four hours per day or less from Monday to Friday inclusive, and all day or less on Saturday, \$12 per week plus 60 per cent of

the proceeds in excess of \$17 from the work performed by the employee;

(ii) persons working on Saturday or the day before a holiday and on the previous evening only, \$8 per week plus 60 per cent of the proceeds in excess of \$11 from the work performed by the employee;

(iii) persons working on Saturday only or the day before a holiday, \$5.50 per day or part thereof plus 60 per cent of the proceeds in excess of \$7.50 from the work performed by the employee; and

(iv) persons working on days other than Saturday or the day before a holiday, \$3 per day or part thereof plus 60 per cent of the proceeds in excess of \$4.50 from the work performed by the employee.

(S. 7, cls. c and f.)

7. No deductions shall be made from the wages established herein for materials supplied, laundry service or operating expenses. (S. 7, cl. c.)

8. The minimum charge for each operation in the barbering industry shall be as follows:

- (a) haircut or trim, adults..... 45 cents
- (b) haircut, children..... 30 cents
- (c) shave..... 30 cents
- (d) singe..... 15 cents
- (e) shampoo, plain..... 35 cents
- (f) hair tonics..... 15 cents
- (g) facial massage, plain..... 35 cents
- (h) razor-honing..... 40 cents
- (i) ladies' neck clip..... 15 cents

and no employer or employee may contract for or accept any lower prices than those set out in this section or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of the article or premium. (S. 7, cl. j.)

9. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944*.

10. Ontario Regulations 103/44 are revoked.

11. This schedule shall come into force on the tenth day after the publication thereof in THE ONTARIO GAZETTE under *The Regulations Act, 1944*.

Regulations 415

(Ontario Regulations 109/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Barbering Industry,—“all work usually done by barbers.”

Fort Frances Zone,—“the Town of Fort Frances and two miles surrounding the said Town.”

SCHEDULE

1. This schedule of wages and hours and days of labour shall apply to the Barbering Industry and all employers and employees engaged therein.

(a) Barbering Industry shall include the following operations:

Haircutting,
Shaving,
Singeing,
Shampoos,
Application of hair tonics, stimulants, and scalp treatments,
Massaging of the face,
Honing and sharpening of razors,
All other work usually done by barbers.

“whenever the said operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except when performed in barber schools which are licensed by the Industry and Labour Board under *The Apprenticeship Act*.”

2. Work may be performed in the Barbering Industry on any day in the week except Sundays and holidays.

(a) For the purposes of this section holidays shall mean: New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, and Christmas Day.

3. The regular working period for all employers and employees in the Barbering Industry shall be the hours during which barber shops are permitted to be open pursuant to the provisions of the municipal by-laws of the Town of Fort Frances.

4. The following classifications of employees working in the Barbering Industry are hereby established:

CLASS A—Any person who is given full time employment on a straight salary basis;

CLASS B—Any person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS C—Any person who is given part time work or casual employment only on either a salary or commission basis or a combination of the same.

5. The minimum rates of wages for employees in the Barbering Industry shall be the rates set opposite the respective classifications as hereinafter set out:

CLASS A—\$27.50 per week;

CLASS B—\$15.00 per week plus 70% of the proceeds in excess of \$25.00 from the work performed by the employee;

CLASS C—(1) Nights and Saturday employees, that is, persons who work four hours per day or less from Monday to Fridays, inclusive, and all day or less on Saturday, \$11.00 per week plus 70% of the proceeds in excess of \$16.00 from the work performed by the employee;

(2) Persons working on Saturdays or the day before a holiday and on the previous evening only, \$8.00 per week, plus 70% of the proceeds in excess of \$11.00 from the work performed by the employee;

(3) Persons employed only for Saturday or the day before a holiday, \$6.00 per day or part thereof plus 70% of the proceeds in excess of \$8.00 from the work performed by the employee;

(4) Persons working on days other than (1) Saturdays, or (2) the day before a holiday, \$3.00 per day or part thereof plus 70% of the proceeds in excess of \$4.50 from the work performed by the employee.

6. No deduction of any kind shall be made from the wages established herein for materials supplied, laundry services or operating expenses of any kind.

7. The minimum charge for each operation in the Barbering Industry shall be as follows:

Haircut or trim (adults).....	50c
Haircut (children).....	35c
Shave.....	25c
Singe.....	35c
Hair tonics.....	25c
Shampoos, plain.....	50c
Facial massage plain.....	50c
Razor honing.....	50c
Ladies' neck clip.....	15c
Neck shave.....	15c

No employer or employee may contract for or accept any lower prices than those above set out, or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of such article or premium.

8. The Advisory Committee to be appointed pursuant to *The Industrial Standards Act* is authorized to exercise all the powers that may be conferred upon an Advisory Committee for the Barbering Industry.

Regulations 416

(Ontario Regulations 81/46)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated all work usually done by barbers as the BARBERING INDUSTRY for the purposes of the Act:

AND WHEREAS the Minister has designated the Town of Gananoque as a zone for the industry to be known hereafter as the GANANOQUE ZONE:

AND WHEREAS a petition from representatives of employers and employees in the industry within the Gananoque Zone was received by the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in the industry in accordance with and for the purposes of section 6 of the Act:

AND WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule under section 7 of the Act:

AND WHEREAS the schedule has been approved by The Industry and Labour Board in writing:

AND WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry, within the zone:

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare the schedule, appended hereto shall be in force during pleasure within the zone and shall be binding upon the employers and employees in the industry referred to in the schedule.

SCHEDULE FOR THE BARBERING INDUSTRY IN THE GANANOQUE ZONE

1. No work shall be performed in the barbering industry except in accordance with this schedule.

2. The barbering industry shall include the following operations:

- (a) haircutting;
- (b) shaving;
- (c) singeing;
- (d) shampooing;
- (e) application of hair tonics, stimulants and scalp treatment;
- (f) massaging the face;
- (g) honing or stropping of razors; and
- (h) all other work usually done by barbers

where the operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except where performed in barber schools licensed by The Industry and Labour Board under *The Apprenticeship Act*. (S. 7, cl. h)

3.—(1) Work may be performed in the barbering industry on any day in the week except Sunday and holidays.

(2) For the purposes of this section "holidays" shall mean New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day, and every Monday after 12 o'clock noon except in a week in which one of the other holidays occurs on Tuesday. (S. 7, cls. d and g)

4. The regular hours during which employers and employees may work in the barbering industry shall be as follows:

- (a) on Monday from 9 a.m. to 12 noon
 - (b) on Monday in a week in which a holiday occurs on Tuesday from 9 a.m. to 8 p.m.
 - on Tuesday and Thursday from 9 a.m. to 8 p.m.
 - on Wednesday and Friday from 9 a.m. to 6 p.m.
 - on Saturday from 9 a.m. to 10 p.m.
- (S. 7, cl. a)

5. The following classification of employees working in the barbering industry is established:

CLASS A—A person who is given full time employment on a straight salary basis;

CLASS B—A person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS C—A person who is given part-time work or casual employment only on either a salary or commission basis or a combination of salary and commission.

(S. 7, cl. f)

6. The minimum rates of wages for employees in the barbering industry shall be the rates set opposite the respective classes as follows:

CLASS A—\$20.00 per week;

CLASS B—\$13.50 per week plus 60 per cent of the proceeds in excess of \$20.00 from the work performed by the employee;

CLASS C—(i) Night and Saturday employees, being persons who work four hours per day or less from Monday to Friday inclusive, and all day or less on Saturday, \$8.50 per week plus 60 per cent of the proceeds in excess of \$13.50 from the work performed by the employee;

(ii) Persons working on Saturday or the day before a holiday and on the previous evening only, \$6.00 per week plus 60 per cent of the proceeds in excess of \$8.50 from the work performed by the employee;

(iii) Persons working on Saturday only or the day before a holiday, \$4.50 per day or part thereof plus 60 per cent of the proceeds in excess of \$6.50 from the work performed by the employee;

(iv) Persons working on days other than Saturday or the day before a holiday, \$3.00 per day or part thereof plus 60 per cent of the proceeds in excess of \$4.50 from the work performed by the employee.

(S. 7, cls. c and f)

7. No deductions shall be made from the wages established herein for materials supplied, laundry service or operating expenses. (S. 7, cl. c)

8. The minimum charge for each operation in the barbering industry shall be as follows:

- (a) haircut or trim, adults..... 40 cents
- (b) haircut, children..... 25 cents
- (c) shave..... 20 cents
- (d) singe..... 15 cents
- (e) shampoo, plain..... 40 cents
- (f) hair tonics..... 20 cents
- (g) facial massage, plain..... 40 cents
- (h) razor honing..... 35 cents
- (i) ladies' neck clip..... 15 cents

and no employer or employee may contract for or accept any lower prices than those set out in this section or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of the article or premium. (S. 7, cl. j)

9. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944.*

10. Ontario Regulations 111/44 are revoked.

11. This schedule shall come into force on the tenth day after the publication thereof in THE ONTARIO GAZETTE under *The Regulations Act, 1944.*

Regulations 417

(Ontario Regulations 115/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Barbering Industry,—“all work usually done by barbers.”

Kenora-Keewatin Zone,—“the Towns of Kenora and Keewatin in the District of Kenora and the territory lying within two miles from any point in the boundaries of either of the said towns.”

SCHEDULE

1. This schedule of wages and hours and days of labour shall apply to the Barbering Industry and all employers and employees engaged therein.

(a) Barbering Industry shall include the following operations:

Haircutting,
Shaving,
Singeing,
Shampoos,
Application of hair tonics, stimulants, and scalp treatments,
Massaging of the face,
Honing and sharpening of razors,
All other work usually done by barbers,

“whenever the said operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except when performed in barber schools which are licensed by the Industry and Labour Board under *The Apprenticeship Act*.”

2. No work shall be performed in the Barbering Industry outside of the regular working periods as hereinafter fixed or on Sundays or on the following public holidays: New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, and Christmas Day; and in the Town of Kenora no work shall be performed on Wednesdays after 1.00 p.m., except during a week in which one of the above-named public holidays occurs, and in the Town of Keewatin only, no work shall be performed on Thursdays after 1.00 p.m., except during a week in which one of the above-named public holidays occurs.

3. The regular working hours for all employers and employees in the Barbering Industry shall be: in the Town of Keewatin only, between the hours of 8 a.m. and 7 p.m., except on Saturdays or the day before a public holiday when the hours shall be between 8 a.m. and 10 p.m., and in the Town of Kenora the regular working hours shall be the hours during which barber shops are permitted to be open pursuant to the provisions of the municipal by-laws of the Town of Kenora.

4. The following classifications of employees working in the Barbering Industry are hereby established:

CLASS A—Any person who is given full time employment on a straight salary basis;

CLASS B—Any person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS C—Any person who is given part time work or casual employment only on either a salary or commission basis or a combination of the same.

5. The minimum rates of wages for employees in the Barbering Industry shall be the rates set opposite the respective classifications as hereinafter set out:

CLASS A—\$25.00 per week.

CLASS B—\$15.00 per week plus 60% of the proceeds in excess of \$25.00 from the work performed by the employee.

CLASS C—(1) Nights and Saturday employees, that is, persons who work four hours per day or less from Monday to Fridays, inclusive, and all day or less on Saturday, \$7.50 per week plus 60% of the proceeds in excess of \$12.50 from the work performed by the employee;

(2) Persons working on Saturdays or the day before a holiday and on the previous evening only, \$5.00 per week plus 60% of the proceeds in excess of \$7.50 from the work performed by the employee.

(3) Persons employed only for Saturday or the day before a holiday, \$4.00 per day or part thereof plus 60% of the proceeds in excess of \$6.00 from the work performed by the employee.

(4) Persons working on days other than (1) Saturdays, or (2) the day before a holiday, \$2.50 per day or part thereof plus 60% of the proceeds in excess of \$4.00 from the work performed by the employee.

6. No deduction of any kind shall be made from the wages established herein for materials supplied, laundry service or operating expenses of any kind.

7. The minimum charge for each operation in the Barbering Industry shall be as follows:

Haircut or trim (adults).....	45c
Haircut (children).....	30c
Shave.....	25c
Singe.....	25c
Hair tonics.....	15c
Shampoos, plain.....	50c
Razor Honing.....	50c
Ladies' neck Clip.....	15c

No employer or employee may contract for or accept any lower prices than those above set out, or combine

any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of such article or premium.

8. The Advisory Committee to be appointed pursuant to *The Industrial Standards Act* is authorized to exercise all the powers that may be conferred upon an Advisory Committee for the Barbering Industry.

Regulations 418

(Ontario Regulations 132/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Barbering industry,—“all work usually done by barbers.”

Petrolia and Forest Zone,—“the Towns of Petrolia and Forest.”

SCHEDULE

1. This schedule of wages and hours and days of labour shall apply to the Barbering Industry and all employers and employees engaged therein.

(a) Barbering Industry shall include the following operations:

- Haircutting,
- Shaving,
- Singeing,
- Shampoos,
- Application of hair tonics, stimulants, and scalp treatments,
- Massaging of the face,
- Honing and sharpening of razors,
- All other work usually done by barbers,

“whenever the said operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except when performed in barber schools which are licensed by the Industry and Labour Board under *The Apprenticeship Act*.”

2. Work may be performed in the Barbering Industry on any day in the week except Sundays and holidays.

(a) For the purposes of this section holidays shall mean: New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, and Christmas Day, and every Wednesday (after 12.30 p.m.) except the Wednesday in a week in which one of the above named holidays occurs.

3. The regular working period for all employers and employees in the Barbering Industry shall be the hours during which barber shops are permitted to be open pursuant to the provisions of the municipal by-laws of the municipality in which the barber shop is situated.

4. The following classifications of employees working in the Barbering Industry are hereby established:

CLASS A—Any person who is given full time employment on a straight salary basis;

CLASS B—Any person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS C—Any person who is given part time work or casual employment only on either a salary or commission basis or a combination of the same.

5. The minimum rates of wages for employees in the Barbering Industry shall be the rates set opposite the respective classifications as hereinafter set out:

CLASS A—\$18.00 per week;

CLASS B—\$13.00 per week, plus 60% of the proceeds in excess of \$19.00 from the work performed by the employee;

CLASS C—(1) Nights and Saturday employees, that is, persons who work four hours per day or less from Monday to Fridays, inclusive, and all day or less on Saturday, \$7.50 per week plus 60% of the proceeds in excess of \$12.50 from the work performed by the employee;

(2) Persons working on Saturdays or the day before a holiday and on the previous evening only, \$5.00 per week plus 60% of the proceeds in excess of \$7.50 from the work performed by the employee;

(3) Persons employed only for Saturday or the day before a holiday, \$3.50 per day or part thereof plus 60% of the proceeds in excess of \$5.50 from the work performed by the employee;

(4) Persons working on days other than (1) Saturdays, or (2) the day before a holiday, \$2.50 per day or part thereof plus 60% of the proceeds in excess of \$4.00 from the work performed by the employee.

6. No deduction of any kind shall be made from the wages established herein for materials supplied, laundry service or operating expenses of any kind.

7. The minimum charge for each operation in the Barbering Industry shall be as follows:

Haircut or trim (adults)	35c
Haircut (children)	25c
Shave	15c
Singe	25c
Hair tonics	15c
Shampoos, plain	35c
Facial massage, plain	35c
Razor honing	25c
Ladies' neck clip	15c

No employer or employee may contract for or accept any lower prices than those above set out, or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of such article or premium.

8. The Advisory Committee to be appointed pursuant to *The Industrial Standards Act* is authorized to exercise all the powers that may be conferred upon an Advisory Committee for the Barbering Industry.

Regulations 419

(Ontario Regulations 134/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Barbering Industry,—“all work usually done by barbers.”

Port Colborne-Humberstone Zone,—“the Town of Port Colborne and the Village of Humberstone, both in the County of Welland.”

SCHEDULE

1. This schedule of wages and hours and days of labour shall apply to the Barbering Industry and all employers and employees engaged therein.

(a) Barbering Industry shall include the following operations:

- Haircutting,
- Shaving,
- Singeing,
- Shampoos,
- Application of hair tonics, stimulants, and scalp treatments,
- Massaging of the face,
- Honing and sharpening of razors,
- All other work usually done by barbers,

“whenever the said operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except when performed in barber schools which are licensed by the Industry and Labour Board under *The Apprenticeship Act.*”

2. Work may be performed in the Barbering Industry on any day in the week except Sundays and holidays.

(a) For the purposes of this section holidays shall mean: New Year’s Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, and Christmas Day, and every Wednesday (after 12.30 p.m.) except the Wednesday in a week in which one of the above named holidays occurs.

3. The regular working period for all employers and employees in the Barbering Industry shall be the hours during which barber shops are permitted to be open pursuant to the provisions of the municipal by-law of the Town of Port Colborne.

4. The following classifications of employees working in the Barbering Industry are hereby established:

CLASS A—Any person who is given full time employment on a straight salary basis.

CLASS B—Any person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS C—Any person who is given part time work or casual employment only on either a salary or commission basis or a combination of the same.

5. The minimum rates of wages for employees in the Barbering Industry shall be the rates set opposite the respective classifications as hereinafter set out:

CLASS A—\$25.00 per week;

CLASS B—\$15.00 per week plus 50% of the proceeds in excess of \$22.00 plus an additional 10% over \$30.00 from the work performed by the employee.

CLASS C—(1) Nights and Saturday employees, that is, persons who work four hours per day or less from Monday to Fridays, inclusive, and all day or less on Saturday, \$7.50 per week plus 60% of the proceeds in excess of \$12.50 from the work performed by the employee;

(2) Persons working on Saturdays or the day before a holiday and on the previous evening only, \$5.00 per week plus 60% of the proceeds in excess of \$7.50 from the work performed by the employee;

(3) Persons employed only for Saturday or the day before a holiday, \$4.00 per day or part thereof plus 60% of the proceeds in excess of \$6.00 from the work performed by the employee;

(4) Persons working on days other than (1) Saturdays, or (2) the day before a holiday, \$2.50 per day or part thereof plus 60% of the proceeds in excess of \$4.00 from the work performed by the employee.

6. No deduction of any kind shall be made from the wages established herein for materials supplied, laundry service or operating expenses of any kind.

7. The minimum charge for each operation in the Barbering Industry shall be as follows:

Haircut or trim (adults).....	40c
Haircut (children), under 14 years of age..	25c
Shave.....	25c
Singe.....	25c
Hair tonics.....	15c
Shampoos, plain.....	40c
Facial massage, plain.....	40c
Razor honing.....	40c
Ladies’ neck clip.....	10c

No employer or employee may contract for or accept any lower prices than those above set out, or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of such article or premium.

8. The Advisory Committee to be appointed pursuant to *The Industrial Standards Act* is authorized to exercise all the powers that may be conferred upon an Advisory Committee for the Barbering Industry.

Regulations 420

(Ontario Regulations 151/46)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated all work usually done by barbers as the BARBERING INDUSTRY for the purposes of the Act:

AND WHEREAS the Minister has designated the Town of Prescott and the villages of Cardinal, Iroquois and Morrisburg as a zone to be known hereafter as the PRESCOTT-CARDINAL-IROQUOIS-MORRISBURG ZONE:

AND WHEREAS a petition from representatives of employers and employees in the industry within the Prescott-Cardinal-Iroquois-Morrisburg Zone was received by the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in the industry in accordance with and for the purposes of section 6 of the Act:

AND WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule under section 7 of the Act:

AND WHEREAS the schedule has been approved by The Industry and Labour Board in writing:

AND WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry within the zone:

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare the schedule, appended hereto, shall be in force during pleasure within the zone and shall be binding upon the employers and employees in the industry referred to in the schedule.

SCHEDULE FOR THE BARBERING INDUSTRY IN THE PRESCOTT-CARDINAL-IROQUOIS AND MORRISBURG ZONE

1. No work shall be performed in the barbering industry except in accordance with this schedule.

2. The barbering industry shall include the following operations:

- (a) haircutting;
- (b) shaving;
- (c) singeing;
- (d) shampooing;
- (e) application of hair tonics, stimulants and scalp treatment;
- (f) massaging the face;
- (g) honing or stropping of razors; and
- (h) all other work usually done by barbers

where the operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except where performed in barber schools

licensed by The Industry and Labour Board under *The Apprenticeship Act*. (S. 7, cl. h.)

3.—(1) Work may be performed in the barbering industry on any day in the week except Sundays and holidays.

(2) In this schedule "holidays" shall mean New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day and every Wednesday. (S. 7, cls. d and g.)

4.—(1) The regular hours during which employers and employees may work in the barbering industry shall be as follows:

- on Monday, Tuesday, Thursday and Friday.....from 8 a.m. to 6 p.m.
- on Saturday.....from 8 a.m. to 10 p.m.

(2) No work may be performed in the industry except during the regular working periods. (S. 7, cl. a.)

5. The following classification of employees working in the barbering industry is established:

CLASS A—A person who is given full-time employment on a straight salary basis;

CLASS B—A person who is given full-time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS C—A person who is given part-time work or casual employment only on either a salary or commission basis or a combination of salary and commission.

(S. 7, cl. f.)

6. The minimum rates of wages for employees in the barbering industry shall be the rates set opposite the respective classes as follows:

CLASS A—\$23 per week;

CLASS B—\$15 per week plus 60 per cent of the proceeds in excess of \$21 from the work performed by the employer;

CLASS C—(i) night and Saturday employees, being persons who work four hours per day or less from Monday to Friday inclusive, and all day or less on Saturday, \$9 per week plus 60 per cent of the proceeds in excess of \$14 from the work performed by the employee;

(ii) persons working on Saturday or the day before a holiday and on the previous evening only, \$6 per week plus 60 per

cent of the proceeds in excess of \$8.50 from the work performed by the employee;

(iii) persons working on Saturday only or the day before a holiday, \$5 per day or part thereof plus 60 per cent of the proceeds in excess of \$7 from the work performed by the employee;

(iv) persons working on days other than Saturday or the day before a holiday, \$3 per day or part thereof plus 60 per cent of the proceeds in excess of \$5 from the work performed by the employee.

(S. 7, cls. c and f.)

7. No deductions shall be made from the wages established herein for materials supplied, laundry service or operating expenses. (S. 7, cl. c.)

8. The minimum charge for each operation in the barbering industry shall be as follows:

(a) haircut or trim, adults.....	40 cents
(b) haircut, children.....	30 cents
(c) haircut, children, on Saturday..	40 cents
(d) shave.....	20 cents
(e) singe.....	15 cents
(f) hair tonics.....	15 cents
(g) shampoo, plain.....	35 cents
(h) facial massage, plain.....	35 cents
(i) razor-honing.....	35 cents
(j) ladies' neck clip.....	15 cents

and no employer or employee may contract for or accept any lower prices than those set out in this section or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of the article or premium. (S. 7, cl. j.)

9. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944.*

10. Ontario Regulations 136/44 are revoked.

11. This schedule shall come into force on the tenth day after the publication thereof in THE ONTARIO GAZETTE under *The Regulations Act, 1944.*

Regulations 421

(Ontario Regulations 141/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Barbering Industry,—“all work usually done by barbers.”

Sault Ste. Marie Zone,—“the City of Sault Ste. Marie and that part of the Province of Ontario lying within five miles from any point on the boundary of the said City.”

SCHEDULE

1. This schedule of wages and hours and days of labour shall apply to the Barbering Industry and all employers and employees engaged therein.

(a) Barbering Industry shall include the following operations:

- Haircutting,
- Shaving,
- Singeing,
- Shampoos,
- Application of hair tonics, stimulants, and scalp treatments,
- Massaging of the face,
- Honing and sharpening of razors,
- All other work usually done by barbers,

“whenever the said operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except when performed in barber schools which are licensed by the Industry and Labour Board under *The Apprenticeship Act.*”

2. Work may be performed in the Barbering Industry on any day in the week except Sundays and holidays.

(a) For the purposes of this section holidays shall mean: New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, and Christmas Day, and every Wednesday (after 12 o'clock noon) except the Wednesday in a week in which one of the above named holidays occurs.

3. The regular working period for all employers and employees in the Barbering Industry shall be the hours during which barber shops are permitted to be open pursuant to the provisions of the municipal by-laws of the City of Sault Ste. Marie.

4. The following classifications of employees working in the Barbering Industry are hereby established:

CLASS A—Any person who is given full time employment on a straight salary basis;

CLASS B—Any person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS C—Any person who is given part time work or casual employment only on either a salary or commission basis or a combination of the same.

5. The minimum rates of wages for employees in the Barbering Industry shall be the rates set opposite the respective classifications as hereinafter set out:

CLASS A—\$25.00 per week;

CLASS B—\$18.00 per week plus 50% of the proceeds in excess of \$28.00 from the work performed by the employee plus 10% of such proceeds in excess of \$30.00.

CLASS C—(1) Nights and Saturday employees, that is, persons who work four hours per day or less from Monday to Fridays, inclusive, and all day or less on Saturday, \$10.00 per week plus 50% of the proceeds in excess of \$15.00 from the work performed by the employee;

(2) Persons working on Saturdays or the day before a holiday and on the previous evening only, \$7.00 per week plus 50% of the proceeds in excess of \$10.00 from the work performed by the employee;

(3) Persons employed only for Saturday or the day before a holiday, \$5.00 per day or part thereof plus 50% of the proceeds in excess of \$7.00 from the work performed by the employee;

(4) Persons working on days other than (1) Saturdays, or (2) the day before a holiday, \$2.50 per day or part thereof plus 50% of the proceeds in excess of \$4.00 from the work performed by the employee.

6. No deduction of any kind shall be made from the wages established herein for materials supplied, laundry service or operating expenses of any kind.

7. The minimum charge for each operation in the Barbering Industry shall be as follows:

Haircut or trim (adults)	45c
Haircut (children)	30c
Shave	25c
Singe	15c
Hair tonics	15c
Shampoos, plain	50c
Facial massage, plain	50c
Razor honing	50c
Ladies' neck clip	15c
Neck shave	10c

No employer or employee may contract for or accept any lower prices than those above set out, or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of such article or premium.

8. The Advisory Committee to be appointed pursuant to *The Industrial Standards Act* is authorized to exercise all the powers that may be conferred upon an Advisory Committee for the Barbering Industry.

Regulations 422

(Ontario Regulations 123/46)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated all work usually done by barbers as the BARBERING INDUSTRY for the purposes of the Act:

AND WHEREAS the Minister has designated the Town of Simcoe and the villages of Hagersville, Jarvis, Waterford, Port Dover, Delhi, Port Rowan, South Walsingham and St. Williams as a zone for the industry to be known hereafter as the SIMCOE-HAGERSVILLE-JARVIS-WATERFORD-PORT DOVER DELHI-PORT ROWAN-SOUTH WALSINGHAM-ST. WILLIAMS ZONE:

AND WHEREAS a petition from representatives of employers and employees in the industry within the Simcoe-Hagersville-Jarvis-Waterford-Port Dover-Delhi-Port Rowan-South Walsingham-St. Williams Zone was received by the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in the industry in accordance with and for the purposes of section 6 of the Act:

AND WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule under section 7 of the Act:

AND WHEREAS the schedule has been approved by The Industry and Labour Board in writing:

AND WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry, within the zone:

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that Your Honour declare the schedule, appended hereto shall be in force during pleasure within the zone and shall be binding upon the employers and employees in the industry referred to in the schedule.

SCHEDULE FOR THE BARBERING INDUSTRY IN THE SIMCOE-HAGERSVILLE-JARVIS-WATERFORD-PORT DOVER-DELHI-PORT ROWAN-SOUTH WALSINGHAM-ST. WILLIAMS ZONE

1. No work shall be performed in the barbering industry except in accordance with this schedule.

2. The barbering industry shall include the following operations:

- (a) haircutting;
- (b) shaving;
- (c) singeing;
- (d) shampooing;
- (e) application of hair tonics, stimulants and scalp treatment;
- (f) massaging the face;

- (g) honing or stropping of razors; and
- (h) all other work usually done by barbers

where the operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except where performed in barber schools licensed by The Industry and Labour Board under *The Apprenticeship Act*. (S. 7, cl. h)

3.—(1) Work may be performed in the barbering industry on any day in the week except Sunday and holidays.

(2) For the purposes of this section holidays shall mean;—

(a) New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day;

(b) every Wednesday after 12 o'clock noon except in a week in which one of the other holidays occurs on any other day in that week—in the Town of Simcoe and the villages of Waterford, Port Dover, Delhi, Port Rowan, South Walsingham and St. Williams; and

(c) every Thursday after 12 o'clock noon except in a week in which one of the other holidays occurs on any other day in that week—in the villages of Hagersville and Jarvis.

(S. 7, cls. d and g)

4. The regular hours during which employers and employees may work in the barbering industry shall be as follows;—

(a) in the Town of Simcoe and the villages of Delhi, Port Rowan, South Walsingham and St. Williams,—

on Monday, Tuesday, Thursday and Friday from 8.30 a.m. to 7.00 p.m.
on Saturday from 8.30 a.m. to 9.00 p.m.
(i) on Wednesday from 8.30 a.m. to 12.00 noon
(ii) on Wednesday in a week in which a holiday occurs from 8.30 a.m. to 7.00 p.m.

(b) in the villages of Hagersville and Jarvis,—

on Monday, Tuesday and Friday . . . from 8.30 a.m. to 6.30 p.m.
on Wednesday and Saturday from 8.30 a.m. to 10.00 p.m.
(i) on Thursday . . . from 8.30 a.m. to 12.00 noon
(ii) on Thursday in a week in which a holiday occurs from 8.30 a.m. to 6.30 p.m.

(c) in the Village of Waterford,—
 on Monday, Tuesday, Thursday and Friday from 9.00 a.m. to 8.00 p.m.
 on Saturday from 9.00 a.m. to 10.00 p.m.
 (i) on Wednesday from 9.00 a.m. to 12.00 noon
 (ii) on Wednesday in a week in which a holiday occurs from 9.00 a.m. to 8.00 p.m.

(d) in the Village of Port Dover,—
 on Monday, Tuesday, Thursday and Friday from 9.00 a.m. to 7.00 p.m.
 on Saturday from 9.00 a.m. to 9.00 p.m.
 (i) on Wednesday from 9.00 a.m. to 12.00 noon
 (ii) on Wednesday in a week in which a holiday occurs from 9.00 a.m. to 7.00 p.m.

(S. 7, cl. a)

5. The following classification of employees working in the barbering industry is established:

- CLASS A—A person who is given full time employment on a straight salary basis;
- CLASS B—A person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;
- CLASS C—A person who is given part time work or casual employment only on either a salary or commission basis or a combination of salary and commission.

(S. 7, cl. f)

6. The minimum rates of wages for employees in the barbering industry shall be the rates set opposite the respective classes as follows:

- CLASS A—\$20.00 per week;
- CLASS B—\$15.00 per week plus 65 per cent of the proceeds in excess of \$22.00 from the work performed by the employee;
- CLASS C—(i) Night and Saturday employees, being persons who work four hours per day or less from Monday to Friday inclusive, and all day or less on Saturday, \$8.50 per week plus 65 per cent of the proceeds

in excess of \$13.50 from the work performed by the employee;

(ii) Persons working on Saturday or the day before a holiday and on the previous evening only \$5.75 per week plus 65 per cent of the proceeds in excess of \$8.25 from the work performed by the employee;

(iii) Persons working on Saturday only or the day before a holiday, \$4.00 per day or part thereof plus 65 per cent of the proceeds in excess of \$6.00 from the work performed by the employee;

(iv) Persons working on days other than Saturday or the day before a holiday, \$3.00 per day or part thereof plus 65 per cent of the proceeds in excess of \$5.00 from the work performed by the employee.

(S. 7, cls. c and f)

7. No deductions shall be made from the wages established herein for materials supplied, laundry service or operating expenses. (S. 7, cl. c)

8. The minimum charge for each operation in the barbering industry shall be as follows:

- (a) haircut or trim, adults 40 cents
- (b) haircut, children 25 cents
- (c) shave 20 cents
- (d) singe 15 cents
- (e) shampoo, plain 35 cents
- (f) hair tonics 15 cents
- (g) facial massage, plain 35 cents
- (h) razor honing 35 cents
- (i) ladies' neck clip 10 cents

and no employer or employee may contract for or accept any lower prices than those set out in this section or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of the article or premium. (S. 7, cl. j)

9. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944*.

10. Ontario Regulations 142/44 are revoked.

11. This schedule shall come into force on the tenth day after the publication thereof in THE ONTARIO GAZETTE under *The Regulations Act, 1944*.

Regulations 423

(Ontario Regulations 145/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Barbering Industry,—“all work usually performed by barbers.”

Sudbury Zone,—“the City of Sudbury and the Town of Copper Cliff and those parts of the Township of McKim described as follows: Lots 8 and 9 and the north half of Lots 5 and 6 in the 2nd Concession, Lot 3 in the 4th Concession, Lots 4 and 5 in the 5th Concession and Lots 4 and 5 in the 6th Concession.”

SCHEDULE

1. This schedule of wages and hours and days of labour shall apply to the Barbering Industry and all employers and employees engaged therein.

(a) Barbering Industry shall include the following operations:

Haircutting,
Shaving,
Singeing,
Shampoos,
Application of hair tonics, stimulants, and scalp treatments,
Massaging of the face,
Honing and sharpening of razors,
All other work usually done by barbers,

“whenever the said operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except when performed in barber schools which are licenced by the Industry and Labour Board under *The Apprenticeship Act*.”

2. Work may be performed in the Barbering Industry on any day in the week except Sundays and holidays.

(a) For the purposes of this section holidays shall mean: New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, and Christmas Day, and every Wednesday (after 12.30 p.m.) except the Wednesday in a week in which one of the above named holidays occurs.

3. The regular working period for all employers and employees in the Barbering Industry shall be the hours during which barber shops are permitted to be open pursuant to the provisions of the municipal by-laws of the City of Sudbury.

4. The following classifications of employees working in the Barbering Industry are hereby established:

CLASS A—Any person who is given full time employment on a straight salary basis;

CLASS B—Any person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS C—Any person who is given part time work or casual employment only on either a salary or commission basis or a combination of the same.

5. The minimum rates of wages for employees in the Barbering Industry shall be the rates set opposite the respective classifications as hereinafter set out:

CLASS A—\$28.00 per week;

CLASS B—\$18.00 per week, plus 65% of the proceeds in excess of \$27.00 from the work performed by the employee;

CLASS C—(1) Nights and Saturday employees, that is, persons who work four hours per day or less from Monday to Fridays, inclusive, and all day or less on Saturday, \$10.00 per week plus 65% of the proceeds in excess of \$15.00 from the work performed by the employee;

(2) Persons working on Saturdays or the day before a holiday and on the previous evening only, \$7.00 per week, plus 65% of the proceeds in excess of \$11.00 from the work performed by the employee;

(3) Persons employed only for Saturday or the day before a holiday, \$5.00 per day or part thereof, plus 65% of the proceeds in excess of \$8.00 from the work performed by the employee;

(4) Persons working on days other than (1) Saturdays, or (2) the day before a holiday, \$3.00 per day or part thereof plus 65% of the proceeds in excess of \$5.00 from the work performed by the employee.

6. No deduction of any kind shall be made from the wages established herein for materials supplied, laundry service or operating expenses of any kind.

7. The minimum charge for each operation in the Barbering Industry shall be as follows:

Haircut or trim (adults)	50c
Haircut (children)	25c
Shave	25c
Singe	25c
Hair tonics	25c
Shampoos, plain	50c
Facial massage, plain	50c
Razor honing	50c
Ladies' neck clip	25c

No employer or employee may contract for or accept any lower prices than those above set out, or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of such article or premium.

8. The Advisory Committee to be appointed pursuant to *The Industrial Standards Act* is authorized to exercise all the powers that may be conferred upon an Advisory Committee for the Barbering Industry.

Regulations 424

(Ontario Regulations 122/46)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated all work usually done by barbers as the BARBERING INDUSTRY for the purposes of the Act:

AND WHEREAS the Minister has designated the Town of Tillsonburg and the villages of Eden, Straffordville, Vienna, Port Burwell, Brownsville and Courtland as a zone for the industry to be known hereafter as the TILLSONBURG-EDEN-STRAFFORDVILLE-VIENNA-PORT BURWELL-BROWNSVILLE-COURTLAND ZONE:

AND WHEREAS a petition from representatives of employers and employees in the industry within the Tillsonburg-Eden-Straffordville-Vienna-Port Burwell-Brownsville-Courtland Zone was received by the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in the industry in accordance with and for the purposes of section 6 of the Act:

AND WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule under section 7 of the Act:

AND WHEREAS the schedule has been approved by The Industry and Labour Board in writing:

AND WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry, within the zone:

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that Your Honour declare the schedule, appended hereto shall be in force during pleasure within the zone and shall be binding upon the employers and employees in the industry referred to in the schedule.

SCHEDULE FOR THE BARBERING INDUSTRY IN THE TILLSONBURG-EDEN-STRAFFORDVILLE-VIENNA-PORT BURWELL-BROWNSVILLE-COURTLAND ZONE

1. No work shall be performed in the barbering industry except in accordance with this schedule.

2. The barbering industry shall include the following operations:

- (a) haircutting;
- (b) shaving;
- (c) singeing;
- (d) shampooing;
- (e) application of hair tonics, stimulants and scalp treatment;
- (f) massaging the face;
- (g) honing or stropping of razors; and
- (h) all other work usually done by barbers

where the operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except where performed in barber schools licensed by The Industry and Labour Board under *The Apprenticeship Act*. (S. 7, cl. h)

3.—(1) Work may be performed in the barbering industry on any day in the week except Sunday and holidays.

(2) For the purposes of this section holidays shall mean;—

- (a) New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day;
- (b) Wednesday in the Town of Tillsonburg and the Village of Courtland; and
- (c) Wednesday after 12 o'clock noon in the villages of Eden, Straffordville, Vienna, Port Burwell and Brownsville.

(S. 7, cls. d and g)

4. The regular hours during which employers and employees may work in the barbering industry shall be as follows;—

- (a) in the Town of Tillsonburg,—
on Monday, Tuesday,
Thursday and Friday .from 9 a.m. to 6 p.m.
on Saturday from 9 a.m. to 9 p.m.
- (b) in the Village of Courtland,—
on Monday and Friday .from 9 a.m. to 6 p.m.
on Tuesday and Thursday from 9 a.m. to 9 p.m.
on Saturday from 9 a.m. to 10 p.m.
- (c) in the villages of Eden, Straffordville, Vienna and Port Burwell,—
on Monday and Friday .from 9 a.m. to 6 p.m.
on Tuesday and Thursday from 9 a.m. to 8 p.m.
on Wednesday from 9 a.m. to 12 noon
on Saturday from 9 a.m. to 10 p.m.
- (d) in the Village of Brownsville,—
on Monday, Tuesday,
Thursday and Friday .from 9 a.m. to 8 p.m.
on Wednesday from 9 a.m. to 12 noon
on Saturday from 9 a.m. to 10 p.m.

(S. 7, cl. a)

5. The following classification of employees working in the barbering industry is established:

CLASS A—A person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS B—A person who is given part time work or casual employment only on either a salary or commission basis or a combination of salary and commission.

(S. 7, cl. f)

6. The minimum rates of wages for employees in the barbering industry shall be the rates set opposite the respective classes as follows:

CLASS A—\$18.00 per week plus 60 per cent of the proceeds in excess of \$28.00 from the work performed by the employee;

CLASS B—(i) Night and Saturday employees, being persons who work four hours per day or less from Monday to Friday inclusive, and all day or less on Saturday, \$10.75 per week plus 60 per cent of the proceeds in excess of \$18.25 from the work performed by the employee;

(ii) Persons working on Saturday or the day before a holiday and on the previous evening only \$7.00 per week plus 60 per cent of the proceeds in excess of \$11.00 from the work performed by the employee;

(iii) Persons working on Saturday only or the day before a holiday, \$5.75 per day or part thereof plus 60 per cent of the proceeds in excess of \$8.75 from the work performed by the employee;

(iv) Persons working on days other than Saturday or the day before a holiday,

\$3.50 per day or part thereof plus 60 per cent of the proceeds in excess of \$6.00 from the work performed by the employee.

(S. 7, cls. c and f)

7. No deductions shall be made from the wages established herein for materials supplied, laundry service or operating expenses. (S. 7, cl. c)

8. The minimum charge for each operation in the barbering industry shall be as follows:

- (a) haircut or trim, adults..... 40 cents
- (b) haircut, children..... 25 cents
- (c) shave..... 20 cents
- (d) singe..... 25 cents
- (e) shampoo, plain..... 35 cents
- (f) hair tonics..... 15 cents
- (g) facial massage, plain..... 35 cents
- (h) razor honing..... 35 cents
- (i) ladies' neck clip..... 15 cents

and no employer or employee may contract for or accept any lower price than those set out in this section or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of the article or premium. (S. 7, cl. j)

9. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944.*

10. This schedule shall come into force on the tenth day after the publication thereof in THE ONTARIO GAZETTE under *The Regulations Act, 1944.*

Regulations 425

(Ontario Regulations 147/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Barbering Industry,—“all work usually done by barbers.”

Timmins, Schumacher and South Porcupine Zone,—“The Town of Timmins and that part of the Province of Ontario known as Lots No. 1 and No. 9, in Concession No. 2, in the Township of Tisdale, to be called the Timmins, Schumacher and South Porcupine Zone.”

SCHEDULE

1. This schedule of wages and hours and days of labour shall apply to the Barbering Industry and all employers and employees engaged therein.

(a) Barbering Industry shall include the following operations:

Haircutting,
Shaving,
Singeing,
Shampoos,
Application of hair tonics, stimulants, and scalp treatments,
Massaging of the face,
Honing and sharpening of razors,
All other work usually done by barbers,

“whenever the said operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except when performed in barber schools which are licensed by the Industry and Labour Board under *The Apprenticeship Act.*”

2. Work may be performed in the Barbering Industry on any day in the week except Sundays and holidays.

(a) For the purposes of this section holidays shall mean: New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, and Christmas Day, and every Wednesday (after 12 o'clock noon) except the Wednesday in a week in which one of the above named holidays occurs.

3. The regular working period for all employers and employees in the Barbering Industry shall be the hours during which barber shops are permitted to be open pursuant to the provisions of the municipal by-laws of the place in which the barber shop is located.

4. The following classifications of employees working in the Barbering Industry are hereby established:

CLASS A—Any person who is given full time employment on a straight salary basis;

CLASS B—Any person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS C—Any person who is given part time work or casual employment only on either a salary or commission basis or a combination of the same.

5. The minimum rates of wages for employees in the Barbering Industry shall be the rates set opposite the respective classifications as hereinafter set out:

CLASS A—\$25.00 per week;

CLASS B—\$20.00 per week plus 50% of the proceeds in excess of \$30.00 from the work performed by the employee;

CLASS C—(1) Nights and Saturday employees, that is, persons who work four hours per day or less from Monday to Fridays, inclusive, and all day or less on Saturday, \$12.00 per week plus 50% of the proceeds in excess of \$16.00 from the work performed by the employee;

(2) Persons working on Saturdays or the day before a holiday and on the previous evening only, \$9.00 per week, plus 50% of the proceeds in excess of \$11.00 from the work performed by the employee;

(3) Persons employed only for Saturday or the day before a holiday, \$6.00 per day or part thereof plus 50% of the proceeds in excess of \$8.00 from the work performed by the employee;

(4) Persons working on days other than (1) Saturdays, or (2) the day before a holiday, \$4.00 per day or part thereof plus 50% of the proceeds in excess of \$5.00 from the work performed by the employee.

6. No deduction of any kind shall be made from the wages established herein for materials supplied, laundry service or operating expenses of any kind.

7. The minimum charge for each operation in the Barbering Industry shall be as follows:

Haircut or trim (adults).....	50c
Haircut (children).....	25c
Shave.....	25c
Singe.....	25c
Hair tonics.....	15c
Shampoos, plain.....	50c
Facial massage, plain.....	50c
Razor honing.....	50c
Ladies' neck clip.....	25c

No employer or employee may contract for or accept any lower prices than those above set out, or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of such article or premium.

8. The Advisory Committee to be appointed pursuant to *The Industrial Standards Act* is authorized to exercise all the powers that may be conferred upon an Advisory Committee for the Barbering Industry.

Regulations 426

(Ontario Regulations 146/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION
OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Barbering Industry,—“all work usually done by barbers.”

Township of Teck Zone,—“the Township of Teck.”

SCHEDULE

1. This schedule of wages and hours and days of labour shall apply to the Barbering Industry and all employers and employees engaged therein.

(a) Barbering Industry shall include the following operations:

- Haircutting,
- Shaving,
- Singeing,
- Shampoos,
- Application of hair tonics, stimulants, and scalp treatments,
- Massaging of the face,
- Honing and sharpening of razors,
- All other work usually done by barbers.

“whenever the said operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except when performed in barber schools which are licensed by the Industry and Labour Board under *The Apprenticeship Act.*”

2. Work may be performed in the Barbering Industry on such days and at such times of days as barber shops are permitted to be open pursuant to the provisions of By-law No. 641 of the Municipal Corporation of the Township of Teck.

3. No work shall be performed in the Barbering Industry on Sundays and holidays. For the purpose of this section holidays shall mean: New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, and Christmas Day.

4. The following classifications of employees working in the Barbering Industry are hereby established:

CLASS A—Any person who is given full time employment on a straight salary basis;

CLASS B—Any person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS C—Any person who is given part time work or casual employment only on either a salary or commission basis or a combination of the same.

5. The minimum rates of wages for employees in the Barbering Industry shall be the rates set opposite the respective classifications as hereinafter set out:

CLASS A—\$25.00 per week;

CLASS B—\$20.00 per week plus 65% of the proceeds in excess of \$30.00 from the work performed by the employee;

CLASS C—(1) Nights and Saturday employees, that is, persons who work four hours per day or less from Monday to Fridays, inclusive, and all day or less on Saturday, \$11.00 per week plus 65% of the proceeds in excess of \$15.00 from the work performed by the employee.

(2) Persons working on Saturdays or the day before a holiday and on the previous evening only, \$8.00 per week, plus 65% of the proceeds in excess of \$11.00 from the work performed by the employee;

(3) Persons employed only for Saturday or the day before a holiday, \$6.00 per day or part thereof plus 65% of the proceeds in excess of \$8.00 from the work performed by the employee;

(4) Persons working on days other than (1) Saturdays, or (2) the day before a holiday, \$4.00 per day or part thereof plus 65% of the proceeds in excess of \$6.00 from the work performed by the employee.

6. No deduction of any kind shall be made from the wages established herein for materials supplied, laundry service or operating expenses of any kind.

7. The minimum charge for each operation in the Barbering Industry shall be as follows:

Haircut or trim (adults).....	50c
Haircut (children).....	35c
Shave.....	25c
Singe.....	25c
Hair tonics.....	25c
Shampoos, plain.....	50c
Facial massage, plain.....	50c
Razor honing.....	50c
Ladies neck clip.....	25c

No employer or employee may contract for or accept any lower prices than those above set out, or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of such article or premium.

8. The Advisory Committee to be appointed pursuant to *The Industrial Standards Act* is authorized to exercise all the powers that may be conferred upon an Advisory Committee for the Barbering Industry.

Regulations 427

(Ontario Regulations 27/46)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated all work usually done by barbers as the Barbering Industry for the purposes of the Act:

AND WHEREAS the Minister has designated the Town of Trenton and the area within a line commencing at the water's edge of the Bay of Quinte at a point between lots 8 and 9 of concession B, Murray Township; thence north on this line to the King's Highway 33; thence northerly and westerly following the forced road through lots 9 and 10 in concession B and continuing north between lots 10 and 11 through concessions A and 1 to the road between concessions 1 and 2; thence easterly on the road between concessions 1 and 2 to the line between lots 7 and 8 in concession 2; thence north between lots 7 and 8 to the concession road between concessions 2 and 3; thence east between concessions 2 and 3 to the road between lots 7 and 8 in concession 3; thence following the road through concession 3 and part of concession 4, and its deviations across lots 7 and 6 inclusive; thence north between lots 5 and 6 to the concession road between concessions 4 and 5; thence easterly on the concession road between concessions 4 and 5 to the easterly boundary of Durham and Northumberland Counties. Continuing on the same road in a northeasterly direction across lots A and 1 in concession 4, Sydney Township, Hastings County; thence on a line in a southeasterly direction across the Trent Canal to the Road in the middle of concession 4, Sydney Township; thence east on this road to the road between lots 3 and 4; thence following this road and its deviations crossing lots 3 and part of 2 in concession 4 and to the middle of concession 3; thence easterly on the road in the middle of concession 3 to the lot line between lots 3 and 4 in concession 3; thence south on this line through concessions 3, 2 and 1 to the water's edge of the Bay of Quinte; thence following the water's edge of the Bay of Quinte southerly and westerly to the point of commencement as a zone for the industry to be known hereafter as the Trenton Zone:

AND WHEREAS a petition from representatives of employers and employees in the industry within the Trenton Zone was received by the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in the industry in accordance with and for the purposes of section 6 of the Act:

AND WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule pursuant to section 7 of the Act:

AND WHEREAS the schedule has been approved by The Industry and Labour Board in writing:

AND WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry within the zone.

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare the schedule, appended hereto, shall be in force during pleasure within the zone and shall be binding upon the employers and employees in the industry referred to in the schedule.

SCHEDULE FOR THE BARBERING INDUSTRY IN THE TRENTON ZONE

1. The barbering industry shall include the following operations;

- (a) haircutting;
- (b) shaving;
- (c) singeing;
- (d) shampooing;
- (e) application of hair tonics, stimulants and scalp treatment;
- (f) massaging the face;
- (g) honing or stropping of razors; and
- (h) all other work usually done by barbers

where the operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except where performed in barber schools licensed by The Industry and Labour Board under *The Apprenticeship Act*. (S. 7, cl. h.)

2.—(1) Work may be performed in the barbering industry on any day in the week except Sunday and holidays.

(2) For the purposes of this section holidays shall mean New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day, and every Wednesday after 12 o'clock noon except in a week in which one of the other holidays occurs on any other day in the week. (S. 7, cls. d and g.)

3. The regular hours during which employers and employees may work in the barbering industry shall be as follows;—

on Monday and Friday from 9 a.m. to 6 p.m.
on Tuesday and Thursday . . . from 9 a.m. to 8 p.m.
on Wednesday from 9 a.m. to 12 noon
on Saturday from 9 a.m. to 9 p.m.
(S. 7, cl. a.)

4. The following classification of employees working in the barbering industry is established;—

CLASS A—A person who is given full time employment on a straight salary basis;

CLASS B—A person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS C—A person who is given part time work or casual employment only on either a salary or commission or a combination of salary and commission.

(S. 7, cl. f.)

5. The minimum rates of wages for employees in the barbering industry shall be the rates set opposite the respective classes as follows:—

CLASS A—\$20.00 per week;

CLASS B—\$15.00 per week plus 60 per cent of the proceeds in excess of \$21.50 from the work performed by the employee;

CLASS C—(i) Night and Saturday employees, being persons who work four hours per day or less from Monday to Friday inclusive, and all day or less on Saturday, \$8.50 per week plus 60 per cent of the proceeds in excess of \$13.50 from the work performed by the employee;

(ii) Persons working on Saturday or the day before a holiday and on the previous evening only, \$5.75 per week plus 60 per cent of the proceeds in excess of \$8.25 from the work performed by the employee;

(iii) Persons working only on Saturday or on the day before a holiday, \$4.50 per day or part thereof plus 60 per cent of the proceeds in excess of \$6.50 from the work performed by the employee;

(iv) Persons working on days other than Saturday or the day before a holiday, \$3.00 per day or part thereof plus 60 per cent of the proceeds in excess of \$4.50 from the work performed by the employee. (S. 7, cls. c and f.)

6. No deductions shall be made from the wages established herein for materials supplied, laundry service or operating expenses. (S. 7, cl. c.)

7. The minimum charge for each operation in the barbering industry shall be as follows;

(a) haircut or trim, adults.....	40 cents
(b) haircut, children.....	25 cents
(c) shave.....	20 cents
(d) singe.....	15 cents
(e) shampoo, plain.....	35 cents
(f) hair tonics.....	15 cents
(g) facial massage, plain.....	35 cents
(h) razor honing.....	50 cents
(i) ladies' neck clip.....	15 cents

and no employer or employee may contract for or accept any lower prices than those set out in this section or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of the article or premium. (S. 7, cl. j.)

8. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944*.

9. Ontario Regulations 149/44 are revoked.

Regulations 428

(Ontario Regulations 150/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS AMENDMENT ACT, 1935

Barbering Industry,—“all work usually done by barbers.”

Welland Zone,—“the City of Welland and the area adjacent thereto and lying within two and one-half miles of the said boundaries of the said City.”

SCHEDULE

1. This schedule of wages and hours and days of labour shall apply to the Barbering Industry and all employers and employees engaged therein.

(a) Barbering Industry shall include the following operations:

- Haircutting,
- Shaving,
- Singeing,
- Shampoos,
- Application of hair tonics, stimulants, and scalp treatments,
- Massaging of the face,
- Honing and sharpening of razors,
- All other work usually done by barbers,

“whenever the said operations are performed with the hope or expectation of obtaining compensation or revenue therefrom except when performed in barber schools which are licensed by the Industry and Labour Board under *The Apprenticeship Act.*”

2. Work may be performed in the Barbering Industry on any day in the week except Sundays and holidays.

(a) For the purposes of this section holidays shall mean: New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, and Christmas Day, and every Wednesday (after 12.30 p.m.) except the Wednesday in a week in which one of the above named holidays occurs.

3. The regular working period for all employers and employees in the Barbering Industry shall be the hours during which barber shops are permitted to be open pursuant to the provisions of the municipal by-laws of the City of Welland.

4. The following classifications of employees working in the Barbering Industry are hereby established:

CLASS A—Any person who is given full time employment on a straight salary basis;

CLASS B—Any person who is given full time employment on a percentage or commission basis or who is paid a salary plus a percentage or commission;

CLASS C—Any person who is given part time work or casual employment only on either a salary or commission basis or a combination of the same.

5. The minimum rates of wages for employees in the Barbering Industry shall be the rates set opposite the respective classifications as hereinafter set out:

CLASS A—\$25.00 per week;

CLASS B—\$15.00 per week plus 50% of the proceeds in excess of \$22.00 plus an additional 10% over \$30.00 from the work performed by the employee;

CLASS C—(1) Nights and Saturday employees, that is, persons who work four hours per day or less from Monday to Fridays, inclusive, and all day or less on Saturday, \$7.50 per week plus 60% of the proceeds in excess of \$12.50 from the work performed by the employee;

(2) Persons working on Saturdays or the day before a holiday and on the previous evening only, \$5.00 per week, plus 60% of the proceeds in excess of \$7.50 from the work performed by the employee;

(3) Persons employed only for Saturday or the day before a holiday, \$4.00 per day or part thereof plus 60% of the proceeds in excess of \$6.00 from the work performed by the employee;

(4) Persons working on days other than (1) Saturdays, or (2) the day before a holiday, \$3.00 per day or part thereof plus 60% of the proceeds in excess of \$5.00 from the work performed by the employee.

6. No deduction of any kind shall be made from the wages established herein for materials supplied, laundry service or operating expenses of any kind.

7. The minimum charge for each operation in the Barbering Industry shall be as follows:

Haircut or trim (adults)	40c
Haircut (children)	25c
Shave	25c
Singe	25c
Hair tonics	20c
Shampoos, plain	50c
Facial massage, plain	50c
Razor honing	50c
Ladies' neck clip	15c

No employer or employee may contract for or accept any lower prices than those above set out, or combine any of the operations without charging for each operation in the combination, or give any article or premium to the customer without charging for the full value of such article or premium.

8. The Advisory Committee to be appointed pursuant to *The Industrial Standards Act* is authorized to exercise all the powers that may be conferred upon an Advisory Committee for the Barbering Industry.

Regulations 429

(Ontario Regulations 154/44)

EXTRACT FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT, 1935

Province of Ontario Zone,—“the Province of Ontario as a zone for the Brewing Industry.”

SCHEDULE

1. The following schedule of wages and hours and days of labour shall govern the employment of all persons who may be engaged or employed in the brewing industry during the period while this schedule is in force.

2. The regular hours of labour for all persons working in the said industry shall be as follows:

(a) During the period from April 1st to September 30th, inclusive, in each year, the regular working week shall consist of 50 hours divided into five 9-hour days and 5 hours work on Saturday; with the exception that employees known as transport drivers; the regular working week shall consist of 54 hours divided into 6 days of 9 hours each.

(b) From the 1st day of October until the 31st day of March, inclusive, in each year the regular working week shall consist of 45 hours divided into 5 working days of 8 hours each and 5 hours work on Saturday.

3. Any person who performs any work in the industry except as hereinbefore provided shall be deemed to be doing overtime work.

The minimum rate of wages for all overtime work, including work performed on Sundays and legal holidays, shall be one and one-half times the rates provided

for the respective operations set out in the next succeeding paragraph.

The minimum weekly rate of wages for all regular work shall be the rate set opposite the respective operations hereinafter enumerated.

Bottlers operating machines.....	\$24.50
Other bottlers.....	22.50
Watchmen.....	24.50
Fermenting room and cold storage....	24.50
Brew house.....	24.50
Wash house.....	24.50
Coopers.....	30.00
Truck drivers.....	25.00
Helpers.....	22.50

4. All drivers and their helpers who have been continuously employed for six months shall be allowed one week's holidays, during the winter months, with pay.

5. All drivers and their helpers who have been continuously employed for a period of one year shall be allowed two weeks' holidays during the winter months, with pay.

6. All drivers delivering half barrels and barrels and large loads shall have helpers.

7. Notwithstanding anything contained elsewhere herein, employees who are required to work more than the regular hours per day in order to complete the process of manufacturing or a trip in connection with a delivery of brewery products, shall not be deemed to be doing overtime work, unless they are required to work more than the specified number of hours per week constituting a regular week's work.

Regulations 430

(Ontario Regulations 155/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Bricklaying, Stonemasonry and Plastering Industry,—“all work usually performed by bricklayers, stonemasons and plasterers in connection with the construction, erection, repair, remodelling or alteration of the whole or any part of any building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution (including the minor installations or alterations which are incidental to the maintenance of such buildings and premises) when performed by the regular employees of such manufacturing, industrial or service institution.”

Galt Zone,—“the City of Galt and the Towns of Hespeler and Preston, and those parts of the Township of North Dumfries in the County of Waterloo which are included in the Galt Land Survey, Registered Plan 185, McKenzie Survey Registered Plans 171 and 344; Smith Survey Registered Plan 265; Manchester Survey Registered Plan 225; Royalview Survey Registered Plan 182, and the Pledsted Survey Registered Plan 257, and the area lying southwest of the said Plan 257 and extending to the City limits of the City of Galt.”

SCHEDULE

1. The regular working periods for all employees in the said industry shall be as follows:

FOR BRICKLAYERS AND STONEMASONS

- (a) A regular working week shall consist of forty-four (44) hours employment divided into five and one-half (5½) regular working days.
- (b) A regular working day shall consist of not more than eight (8) hours of work to be performed on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays between the hours of 8 a.m. and 5 p.m., and between the hours of 8 a.m. and 12 o'clock noon on Saturdays.

FOR PLASTERERS

- (a) A regular working week shall consist of fifty (50) hours employment divided into five and one-half (5½) regular working days.

- (b) A regular working day shall consist of not more than nine (9) hours of work to be performed on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays, between the hours of 7 a.m. and 5 p.m., and between the hours of 7 a.m. and 12 o'clock noon on Saturdays.

2. The minimum rates of wages for work performed in the industry during the said regular working periods shall be ninety cents (90c) per hour for bricklayers and stonemasons, and eighty cents (80c) per hour for plasterers; and these rates shall also apply to night work of not more than nine (9) hours duration whenever such work is of such a nature that it cannot be done during a regular working day.

3. Any employee who performs any work in the industry except as hereinbefore provided or who performs any work on Sundays, New Year's Day, Good Friday, Dominion Day, Labour Day, and Christmas Day, shall be deemed to be doing overtime work.

OVERTIME RATES

4. The minimum rate of wages for overtime work performed on Sundays and on the above named holidays, and on Saturdays after 12 o'clock noon, shall be twice the rate established herein for work performed during the regular working periods, and the minimum rate for all other overtime work shall be one and one-half times the said regular rate.

SPECIAL MINIMUM RATES

5. The Advisory Committee is hereby authorized to fix a special minimum rate of wages for any employee who is handicapped or whose work is only partly subject to the provisions of this schedule.

APPLICATION

6. This schedule does not govern work required to complete contracts made prior to the date when this schedule is approved by Order-in-Council, if such contracts are filed with the Industry and Labour Board within fifteen days from the said date of approval.

Regulations 431

(Ontario Regulations 156/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Building Industry,—"all work performed in connection with the construction, erection, remodelling, repairing, maintenance or demolition of any building or structure, and in connection with the installation of equipment or fixtures in any building or structure; excepting only maintenance repairs to the buildings, premises and equipment used in the operation of a manufacturing, industrial or service institution (including the minor installations or alterations, which are incidental to the maintenance of such buildings and premises) when performed by the regular employees of such manufacturing, industrial or service institution."

Kitchener-Waterloo Zone,—"the City of Kitchener and the Town of Waterloo and the suburban area adjacent to the said City and Town, and consisting of the following farm lots in the Township of Waterloo: 25, 22, 21, 20, 19, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 1, 4, 5, 6, 7, and 12."

SCHEDULE

1. The regular working periods for all employers and employees in the Building Industry, as defined by the Minister of Labour, shall be as follows:

- (a) A regular working week shall not exceed the number of hours in the column headed "maximum hours per week" appearing opposite the respective trades and classifications of work as hereinafter enumerated.
- (b) A regular working day shall not exceed the number of hours in the column headed "maximum hours per day" appearing opposite the respective trades and classifications of work as hereinafter enumerated.

2. The minimum rates of wages for each hour of work performed during the regular working periods as fixed herein shall be the rates in the column headed "minimum rates per hour" appearing opposite the respective trades and classifications of work hereinafter enumerated.

	Mini Rates per hour	Maxi- mum Hours per week	Maxi- mum Hours per day
Bricklayers, Stonemasons and Plasterers.....	80c	44	8
Carpenters.....	60c	50	9
Painters, Decorators, Glaziers and Spray Painters..	50c	44	8
Plumbers, Steamfitters and Gas Fitters.....	not fixed	not fixed	not fixed

Labourers: including roofers, journeymen's helpers, mechanic's helpers, and any other classification of work not specifically dealt with above.... 40c 50 9

DEFINITIONS

3. The expressions used in the first column of the above table for the purpose of designating occupations or classifications of work shall, in each case, mean and include all work usually performed by the journeymen of mechanics named according to the custom of their respective trades.

OVERTIME CONDITIONS

4. Overtime work shall consist of any work performed:

- (a) On Sundays, New Year's Day, Good Friday, Dominion Day, Labour Day, and Christmas Day.
- (b) Any work performed in excess of the maximum hours per day or week, fixed in the above table.
- (c) With respect to employees whose regular working week is limited to 44 hours, any work performed on Saturdays after 12 o'clock noon, and on other days before 8 a.m. and after 5 p.m., and with respect to employees whose regular working week is limited to 50 hours, any work performed on Saturdays after 12 o'clock noon, and on other days before 7 a.m. and after 5 p.m.

OVERTIME RATES

5. Any overtime work performed on Sundays and on the above named holidays shall be performed at twice the rate established herein for the regular working periods, and all other overtime work shall be paid for at the rate of time and one-half. Provided, however, that the Advisory Committee is hereby authorized to issue overtime permits to employers allowing overtime work to be performed at straight time for any of the following reasons:

- (a) To perform emergency repairs at any time, at straight time.
- (b) To perform work of such a nature that it cannot be performed during regular working hours by a shift or shifts of not more than the regular daily working hours at straight time.
- (c) To perform work in consecutive shifts not exceeding the regular daily hours, at straight time.

HANDICAPPED WORKERS

6. The Advisory Committee is also authorized to fix a special minimum rate of wages for any employee who is handicapped.

APPLICATION

7. This schedule does not govern work required to complete contracts made prior to the date when this schedule is approved by Order-in-Council, if such contracts are filed with the Industry and Labour Board within fifteen days from the said date of approval.

Regulations 432

(Ontario Regulations 158/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Carpentry Industry,—“all work usually done by carpenters and joiners in connection with the construction or erection of the whole or any part of any new building, structure, or sewer, and in connection with the repair, remodelling or alteration of the whole or any part of any existing building, structure, or sewer.”

Brantford Zone,—“the City of Brantford.”

SCHEDULE

APPLICATION

1. This schedule of wages and hours and days of labour shall be binding upon all employers and employees engaged in the Carpentry Industry as defined by the Minister of Labour.

WORKING PERIODS

2. The regular working periods for all employees in the said industry shall be as follows:

- (a) A regular working week shall consist of forty-four hours employment, divided into five and a half regular working days.
- (b) A regular working day shall consist of eight (8) hours of employment to be performed on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays, between the hours of 8 a.m. and 5 p.m., whenever one hour is given for lunch, or between the hours of 8 a.m. and 4.30 p.m., whenever one-half hour is given for lunch, and on Saturdays from 8 a.m. till 12 o'clock noon.

MINIMUM WAGE

3. The minimum rate of wages for work performed in the industry during the said regular working periods shall be seventy cents (70c) per hour, and this rate shall also apply to night work of not more than eight (8) hours duration whenever such work is of such a nature that it cannot be done during the regular working day, but shall not apply to overtime work, and this rate shall also apply to work done on Saturdays after 12 o'clock noon, in order to permit the pouring of concrete.

4. Whenever the work on any project is being carried on in two or more shifts, the employees shall be deemed to be employed during a regular working day, provided that they work not more than eight (8) hours in any twenty-four (24) hour period and are not employed elsewhere while so engaged in shift work. Employees who are required to work on night shifts shall

be paid at the rate of eighty cents (80c) per hour, or shall receive eight (8) hours regular pay for seven (7) hours work, and in all cases governed by this section, no overtime work shall be required or permitted.

OVERTIME

5. Any person who performs any work in the industry except as hereinbefore provided shall be deemed to be doing overtime work, and the minimum rate of wages for all overtime work shall be one and one-half times the rate established herein for work performed during the regular working periods.

HOLIDAYS

6. No work shall be performed in the industry on Saturdays, after twelve (12) o'clock noon, Sundays, and on the following holidays: New Year's Day, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving day, and Christmas Day, except in cases of extreme necessity where life or property is jeopardized, or except on repairs to buildings when such repair work must be done on such days in order to prevent the loss of regular employment to those who are regularly employed in such buildings, and all such work shall be deemed to be overtime work, and shall be performed only after obtaining a permit so to do from the Advisory Committee. The Advisory Committee is authorized to issue such permits, provided that all such overtime work is contracted for at one and one-half times the regular rate.

HANDICAPPED WORKERS

7. The Advisory Committee may fix a special minimum rate of wages for any employee who is handicapped and such rate may be fixed at the request of either the employee or his employer.

EXCEPTIONS

8. The provisions of this schedule shall not govern the employment of:

- (a) Employees of manufacturing plants while engaged in manufacturing processes.
- (b) Employees of manufacturing plants or industrial establishments who are regularly engaged in work required for the repair, servicing, and upkeep of the plant and equipment used in the operation of such manufacturing plant or industrial establishment, and such servicing shall include new installations or alterations of a minor nature.

Regulations 433

(Ontario Regulations 161/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Carpentry Industry,—“all work usually performed by carpenters and joiners in connection with the construction, erection, repair, remodelling or alteration of the whole or any part of any building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution (including the minor installations or alterations which are incidental to the maintenance of such buildings and premises) when performed by the regular employees of such manufacturing, industrial or service institution.”

Galt Zone,—“the City of Galt and those parts of the Township of North Dumfries in the County of Waterloo which are included in the Galt Lands Survey, Registered Plan 185, McKenzie Survey, Registered Plans 171 and 344, Smith Survey, Registered Plan 265, Manchester Survey, Registered Plan 225, Royal View Survey, Registered Plan 182, and the Plested Survey, Registered Plan 257, and the area lying southwest of the said Plan 257 and extending to the city limits of the City of Galt.”

SCHEDULE

HOURS OF LABOUR

1. The regular working periods for all employers and employees in the Carpentry Industry as defined by the Minister of Labour shall be as follows:

- (a) A regular working week shall not exceed fifty (50) hours employment to be performed during the regular working days as hereinafter defined.
- (b) A regular working day shall not exceed nine (9) hours employment to be performed on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays between the hours of 7 a.m. and 5 p.m. and on Saturdays shall not exceed five (5) hours employment to be performed before noon.

MINIMUM RATE OF WAGES

2. The minimum rate of wages for all work performed in the said industry during the regular working periods as defined above shall be sixty (60) cents per hour.

OVERTIME WORK

3. Any work performed at any time other than during the regular working periods as defined above, and any work performed on Sunday or on the following holidays, namely, New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, and Christmas Day, shall be deemed to be overtime work.

MINIMUM RATES OF WAGES FOR OVERTIME WORK

4. The minimum rates of wages for all overtime work performed in the said Industry shall be as follows:

- (a) Overtime work which is necessary to permit the pouring of concrete, if performed on Saturdays before 6 p.m.—sixty (60) cents per hour.
- (b) Ordinary overtime work performed on Saturdays before 4 p.m. or during a three-hour period immediately following any other regular working day—ninety (90) cents per hour.
- (c) Work performed at night whenever owing to the nature of the work it cannot reasonably be performed during the regular working periods—sixty (60) cents per hour for the first nine (9) hours only.
- (d) For all other overtime work—One dollar and twenty (\$1.20) cents per hour unless the Advisory Committee has issued a special permit to the employer authorizing the performance of such work at a lesser rate.

ADVISORY COMMITTEE

5. The Advisory Committee appointed by the Minister of Labour is authorized to fix a special minimum rate of wages lower than the regular minimum rate for any employee who is handicapped, and is also authorized to issue overtime permits at special minimum rates of wages.

Regulations 434

(Ontario Regulations 44/45)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS pursuant to the provisions of *The Industrial Standards Act*, R.S.O. 1937, Chapter 191, the Minister of Labour has designated all work usually performed by carpenters and joiners in connection with the construction, erection, repair, remodelling or alteration of the whole or any part of any building or structure, except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution (including the minor installations or alterations which are incidental to the maintenance of such buildings and premises) when performed by the regular employees of such manufacturing, industrial or service institution, as the Carpentry Industry;

AND WHEREAS the Minister of Labour has designated the Town of Goderich and the suburban area lying adjacent thereto and lying within a line drawn as follows: Commencing at a point on the shore of Lake Huron between Lot 1 Lake Division and Lot A Colborne Township; then easterly following the north boundaries of Lots A and B to the road between Lots B and D; thence south on the last mentioned road to the road between Lots D and C; thence easterly between Lots C and D to the Road allowance in Lot E; thence following the road in Lot E southeasterly to Lot 1 between Concessions 2 and 3; thence following the last mentioned road to the boundary between Lots 1 and 2 in Concessions 2 and 3; thence southwesterly between 1 and 2 across Concessions 2 and 1 to the Maitland River in Colborne Township; thence following the Maitland River to a road between Lots 2 and 3 Maitland Concession in Goderich Township; thence across the River and southwesterly between Lots 2 and 3 and Lots 106 and 107 in the Maitland Concession to a line between Concessions 2 and 3 in Goderich Township; thence north on a line between Concessions 2 and 3 to the boundary between Lots 2 and 3; thence westerly between Lots 2 and 3 across Concessions 2 and 1 Lake Survey to the shore of Lake Huron; thence following the shore line northerly to the place of commencement at the northwest corner of Lot A Colborne Township, as a zone for the said industry, to be known hereafter as the Goderich Zone;

AND WHEREAS a petition from representatives of employers and employees in the said industry within the Goderich Zone was received by the Minister, who thereupon authorized an Industrial Standards Officer to convene a conference of the employers and employees in the said industry in accordance with and for the purposes of section 6 of the Act;

AND WHEREAS such conference was duly held and has submitted to the Minister in writing a schedule pursuant to section 7 of the Act;

AND WHEREAS the schedule has been approved by the Industry and Labour Board;

AND WHEREAS such schedule has been approved by the Minister of Labour who is of the opinion that it

has been agreed to by a proper and sufficient representation of the employers and employees engaged in the said industry within the said zone;

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare the said schedule annexed hereto shall be in force during pleasure within the said zone and shall be binding upon the employers and employees in the industry referred to in the said schedule.

SCHEDULE PURSUANT TO THE INDUSTRIAL STANDARDS ACT

R.S.O. 1937, Chapter 191, Section 7

FOR THE CARPENTRY INDUSTRY IN THE GODERICH ZONE

HOURS OF LABOUR

1. The regular working periods for all employers and employees in the Carpentry Industry shall be as follows:

- (a) A regular working week shall not exceed forty-five hours employment to be performed during the regular working days. (Clause *b.*)
- (b) A regular working day shall not exceed nine hours employment to be performed on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays between the hours of 7.30 a.m. and 5.30 p.m. (Clauses *a* and *d.*)

MINIMUM RATE OF WAGES

2. The minimum rate of wages for all work performed in the said industry during the regular working periods as defined in section 1 shall be seventy-five cents per hour. (Clause *c.*)

OVERTIME WORK

3. Any work performed at any time, other than during the regular working periods as defined in section one, and any work performed on Sundays or on the following holidays, namely, New Year's Day, Good Friday, Dominion Day, Labour Day, Thanksgiving Day and Christmas Day, shall be deemed to be overtime work. (Clause *e.*)

MINIMUM RATES OF WAGES FOR OVERTIME WORK

4. The minimum rates of wages for all overtime work performed in the said industry shall be as follows:

- (a) Ordinary overtime work performed on Saturdays or during a three-hour period immediately following any other regular working day—one dollar and twelve and one-half cents per hour

- (b) Work performed at night whenever, owing to the nature of the work, it cannot reasonably be performed during the regular working periods—seventy-five cents per hour for the first eight hours only.
- (c) For all other overtime work—one dollar and fifty cents per hour, unless the Advisory Committee has issued a special permit to the employer authorizing the performance of such work at a lesser rate. (Clause *e*.)

SHIFT WORK

5.—(1) Where the work of any project is being carried on in two or more shifts, the employees shall be deemed to be employed during a regular working day provided that they work not more than nine hours

in any twenty-four hour period and are not employed elsewhere while so engaged in shift work. (Clause *a*.)

(2) Employees who are required to work on night shifts shall be paid at the rate of seventy-five cents per hour, and shall receive nine hours regular pay for eight hours work. (Clause *e*.)

(3) In all cases governed by subsections 1 and 2 no overtime work shall be required or permitted. (Clause *i*.)

ADVISORY COMMITTEE

6. The Advisory Committee appointed by the Minister may fix a special minimum rate of wages lower than the regular minimum rate for any employee who is handicapped and may issue an overtime permit at special minimum rates of wages. (Clause *k*.)

Regulations 435

(Ontario Regulations 77/46)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated all work usually performed by carpenters and joiners in connection with the construction, erection, repair, remodelling or alteration of the whole or a part of a building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution, including the minor installations or alterations incidental to the maintenance of the buildings and premises, where performed by the regular employees of the manufacturing, industrial or service institution, as the CARPENTRY INDUSTRY for the purposes of the Act:

AND WHEREAS the Minister has designated the City of Guelph and the suburban area lying adjacent thereto and lying within a line drawn as follows; commencing at the intersection of the road allowance between Lots 6 and 7, Concession VII with the road allowance between Concessions V and VII in the Township of Puslinch, thence extending northwesterly along the road allowance between Concessions V and VII, to and extending westerly along the road allowance between Concessions V and VI and the said road allowance produced, to and extending northwesterly along the road allowance between Divisions B and E in the Township of Guelph, to and extending northwesterly along the road allowance between Divisions B and D, to and extending northeasterly along the road allowance between Lots 14 and 15 Division D, to and extending southeasterly along the King's Highway No. 6, to and extending northeasterly along the road allowance between Lots 11 and 12 Division D, to and extending northeasterly along the road allowance between Concessions VIII and IX Division C, to and extending southeasterly along the road allowance between Lots 5 and 6 Division C, to and extending northeasterly along the King's Highway No. 24, to and extending southerly along the road allowance between the Townships of Guelph and Eramosa, to and extending southeasterly along the northeastern boundary of the Township of Puslinch, to and extending southwestly along the road allowance between Lots 6 and 7 in the Township of Puslinch to the place of commencement, as a zone for the industry to be known hereafter as the GUELPH ZONE:

AND WHEREAS a petition from representatives of employers and employees in the industry within the Guelph Zone was received by the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in the industry in accordance with and for the purposes of section 6 of the Act:

AND WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule pursuant to section 7 of the Act:

AND WHEREAS the schedule has been approved by The Industry and Labour Board in writing:

AND WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry within the zone.

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare the schedule, appended hereto, shall be in force during pleasure within the zone and shall be binding upon the employers and employees in the industry referred to in the schedule.

SCHEDULE FOR THE CARPENTRY INDUSTRY IN THE GUELPH ZONE

1. No work shall be performed in the carpentry industry except in accordance with this schedule.

HOURS OF WORK

2. The regular working periods for all employers and employees in the carpentry industry shall be as follows:

(a) a regular working week not exceeding forty hours employment to be performed during the regular working days; and

(b) a regular working day not exceeding eight hours employment to be performed on Monday, Tuesday, Wednesday, Thursday and Friday between the hours of 8 a.m. and 5 p.m.

(S. 7, cls. a, b and d)

MINIMUM RATE OF WAGES

3. The minimum rate of wages for all work performed in the industry during the regular working periods shall be ninety-five cents per hour. (S. 7, cl. c)

OVERTIME WORK

4. Work performed at any time other than during the regular working periods, and work performed on Saturday or Sunday, or on the following holidays, namely, New Year's Day, Good Friday, Dominion Day, Guelph Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day, shall be deemed to be overtime work. (S. 7, cl. e)

MINIMUM RATES OF WAGES FOR OVERTIME WORK

5. The minimum rates of wages for all overtime work performed in the industry shall be as follows:

(a) for ordinary overtime work performed during a three-hour period immediately following a regular working day, one dollar and forty-two and one-half cents per hour;

- (b) for work performed at night where owing to the nature of the work it cannot reasonably be performed during the regular working periods, ninety-five cents per hour for the first eight hours only; and
- (c) for all other overtime work, one dollar and ninety cents per hour, unless the advisory committee has issued a special permit to the employer authorizing the performance of the work at a lower rate.
- (S. 7, cl. e)

ADVISORY COMMITTEE

6. The advisory committee may fix a special minimum rate of wages lower than the regular minimum

rate for an employee who is handicapped, and may issue a special permit for overtime work, and the overtime work shall be performed only after obtaining a permit. (S. 7, cl. k)

QUALIFICATION AND COMMENCEMENT

7. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944*.

8. This schedule shall come into force on the tenth day after the publication thereof in THE ONTARIO GAZETTE under *The Regulations Act, 1944*.

Regulations 436

(Ontario Regulations 30/47)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated as the CARPENTRY INDUSTRY all work performed by carpenters and joiners in respect to the construction, erection, repair, remodelling or alteration of the whole or a part of a building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution, including the minor installations or alterations incidental to the maintenance of the buildings and premises, where performed by the regular employees of the manufacturing, industrial or service institution; and

WHEREAS the Minister has designated as a zone for the industry, to be known hereafter as the KENORA-KEEWATIN ZONE, the towns of Kenora and Keewatin and the area adjacent thereto and lying within a line drawn as follows: commencing at the point of intersection of the boundary line between Ontario and Manitoba with the 50th parallel of latitude, thence east along the parallel of latitude to its intersection by the 94th meridian, thence south along the meridian to its intersection by the northerly limit of the Territorial District of Rainy River, thence in a general westerly direction along the northerly limit to its intersection by the 49th parallel of latitude, thence west along the 49th parallel of latitude to its intersection by the international boundary line between Canada and United States, thence northerly and westerly along the international boundary line to the east boundary of Manitoba, thence north along the boundary between Ontario and Manitoba to the point of commencement; and

WHEREAS a petition from representatives of employers and employees in the Industry within the Kenora-Keewatin Zone was received by the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in the industry in accordance with and for the purposes of section 6 of the Act; and

WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule under section 7 of the Act; and

WHEREAS the schedule has been approved by The Industry and Labour Board in writing; and

WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry, within the zone:

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare,—

- (a) the schedule appended hereto be in force during pleasure within the zone and be binding upon the employers and employees in the industry referred to in the schedule; and

- (b) this schedule come into force on the tenth day after the publication thereof in THE ONTARIO GAZETTE under *The Regulations Act, 1944.*

SCHEDULE FOR THE CARPENTRY INDUSTRY IN THE KENORA-KEEWATIN ZONE

1. No work shall be performed in the carpentry industry except in accordance with this schedule.

HOURS OF LABOUR

2. The regular working periods for all employers and employees in the carpentry industry shall be,—

- (a) a regular working-week consisting of not more than 44 hours of work to be performed during the regular working-days; and
- (b) a regular working-day consisting of not more than 8 hours of work to be performed on Monday, Tuesday, Wednesday, Thursday and Friday between 8 p.m. and 5 p.m. and 4 hours of work to be performed on Saturday between 8 a.m. and 12 noon.

MINIMUM RATE OF WAGES

3. The minimum rate of wages shall be \$1.10 an hour for all work performed in the industry,—

- (a) during the regular working periods;
- (b) during the night of not more than 8 hours duration where the work is of such a nature that it cannot be done during the regular working-day; and
- (c) on Saturday after 12 noon to permit the pouring of concrete,

but shall not apply to overtime work.

SHIFT WORK

4.—(1) Where the work is carried on in two or more shifts, the employees shall be deemed to be employed during a regular working-day where they work not more than 8 hours in any 24-hour period.

(2) An employee required to work on night shifts shall be entitled to 8 hours' regular pay for 7 hours' work.

(3) In all cases governed by subsection 1, no overtime work shall be required or permitted.

(4) Where two or more shifts are worked on the same job, only one of these shifts shall be a day shift.

OVERTIME WORK

5. An employee who performs work in the industry except as provided in sections 2, 3 and 4 shall be deemed to be doing overtime work, and the minimum rate of wages for overtime work shall be \$2.20 an hour except that not more than 4 hours' overtime may be added to any regular working-day at \$1.65 an hour.

ADVISORY COMMITTEE

6.—(1) No work shall be performed in the industry on Sunday, New Year's Day, Good Friday, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day except in cases of extreme necessity where life or property is jeopardized or except on repairs to buildings where the repair work is required to

be done on these days in order to prevent the loss of employment to those who are regularly employed in the buildings.

(2) All work performed under subsection 1 shall be deemed to be overtime work and shall be performed only after obtaining a permit from the advisory committee.

7. The advisory committee may fix a special minimum rate of wages lower than the regular minimum rate for an employee who is handicapped.

QUALIFICATION

8. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944*.

Regulations 437

(Ontario Regulations 162/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Carpentry Industry,—“all work usually performed by carpenters and joiners in connection with the construction or erection of the whole or any part of any new building, structure or sewer—and in connection with the repair, remodelling, or alteration of the whole or any part of any existing building, structure or sewer except maintenance work, i.e., the repair, servicing, and upkeep of the premises and equipment normally used in the operation of a manufacturing, industrial or service institution (including the minor additions and/or alterations which are incidental to the normal operation of such an institution) when such maintenance work is performed by persons who, regularly throughout the operation of a manufacturing, industrial or service institution, are engaged in maintaining in good working order the equipment and premises used in the operation of such manufacturing, industrial or service institution.”

Kirkland-Larder Lake Zone,—“the Townships of Teck, Lebel, Gauthier, McVittie, McGarry and Hearst, in the District of Temiskaming and the Province of Ontario, and all separate municipalities within the boundaries of the said townships.”

SCHEDULE

APPLICATION

1. This schedule of wages and hours and days of labour shall be binding upon all employers and employees engaged in the Carpentry Industry as defined by the Minister of Labour.

WORKING PERIODS

2. The regular working periods for all employees in the said industry shall be as follows:

- (a) A regular working week shall consist of fifty (50) hours employment, divided into five and a half regular working days.
- (b) A regular working day shall consist of nine (9) hours of employment to be performed on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays, between the hours of 7 a.m. and 5 p.m. whenever one hour is given for lunch, or between the hours of 7 a.m. and 4.30 p.m. whenever one-half hour is given for lunch, and on Saturdays from 7 a.m. till 12 o'clock noon.

MINIMUM WAGES

3. The minimum rate of wages for work performed in the said industry shall be seventy (70) cents per hour until April 15th, 1939, and seventy-five (75) cents per hour thereafter, and these rates shall also apply to night work of not more than nine (9) hours duration, whenever such work is of such a nature that it cannot be done during the regular working periods, and shall also apply to work done on Saturdays after 12 noon, in order to permit the pouring of concrete.

4. Whenever the work on any project is being carried on in two or more shifts, the employees shall be deemed to be employed during a regular working day, provided that they do not work more than nine (9) hours in any twenty-four (24) hour period, and are not employed elsewhere while so engaged in shift work, and in all cases governed by this section, no overtime work shall be required or permitted.

OVERTIME

5. Any employee who performs any work in the said industry except as hereinbefore provided, or who performs work on any of the holidays hereinafter enumerated, shall be deemed to be doing overtime work, and the minimum rate of wages for all overtime work shall be twice the rates hereinbefore established for work performed during the regular working periods, except that two (2) hours overtime may be performed on Mondays to Fridays, inclusive, and overtime work on Saturday afternoons up till 5 p.m. may be performed at the rate of time and one-half.

HOLIDAYS

6. No work shall be performed in the said industry on Sundays or on the following holidays: New Year's Day, Good Friday, Dominion Day, Labour Day, Christmas Day, unless the employer has obtained a permit authorizing the performance of such work from the Advisory Committee. The Advisory Committee is authorized to issue permits for the performance of such work and to fix in such permits an overtime rate of either time and one-half or double time.

HANDICAPPED WORKERS

7. The Advisory Committee may fix a special minimum rate of wages for any employee who is handicapped and such rate may be fixed at the request of either the employee or his employer.

Regulations 438

(Ontario Regulations 96/46)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated all work usually performed by carpenters and joiners in connection with the construction, erection, repair, remodelling or alteration of the whole or a part of a building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution, including the minor installations or alterations incidental to the maintenance of the buildings and premises, where performed by the regular employees of the manufacturing, industrial or service institution, as the CARPENTRY INDUSTRY for the purposes of the Act:

AND WHEREAS the Minister has designated the Town of Orillia and the suburban area adjacent thereto and lying within lines drawn as follows:

- (a) commencing at the intersection of the road allowance between the North and South Divisions of Orillia Township in the County of Simcoe with the western shore of Lake Couchiching, thence southwesterly along the said road allowance, to and extending southeasterly along the line between Orillia Township South Division and the Township of Oro, to and extending southeasterly and southwesterly along the shore of Carthew Bay of Lake Simcoe, to and extending in a general northerly direction along the shore of Lake Simcoe, to and extending northerly along the western shore of the narrows between Lake Simcoe and Lake Couchiching, to and extending westerly and northeasterly along the shore of Lake Couchiching to the place of commencement; and
- (b) commencing at the intersection of the road allowance between Concessions 12 and 13 in the Township of Mara in the County of Ontario with the eastern shore of Lake Couchiching, thence northeasterly along the said road allowance, to and extending southwesterly along the King's Highway No. 69, to and extending southeasterly along the line between Lots 29 and 30, to and extending southwesterly along the road allowance between Concessions 10 and 11, to and extending northerly along the eastern shore of the narrows between Lake Simcoe and Lake Couchiching, to and extending northeasterly along the eastern shore of Lake Couchiching to the place of commencement;

as a zone for the industry to be known hereafter as the ORILLIA ZONE:

AND WHEREAS a petition from representatives of employers and employees in the industry within the Orillia Zone was received by the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in

the industry in accordance with and for the purposes of section 6 of the Act:

AND WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule under section 7 of the Act:

AND WHEREAS the schedule has been approved by The Industry and Labour Board in writing:

AND WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry, within the zone:

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare the schedule, appended hereto shall be in force during pleasure within the zone and shall be binding upon the employers and employees in the industry referred to in the schedule.

SCHEDULE FOR THE CARPENTRY INDUSTRY IN THE ORILLIA ZONE

1. No work shall be performed in the carpentry industry except in accordance with this schedule.

HOURS OF WORK

2. The regular working periods for all employees in the carpentry industry shall be as follows:—

(a) a regular working week consisting of,—

- (i) forty-four hours of employment divided into five and one-half working days during the months of November to March inclusive; and
- (ii) forty-five hours of employment divided into five working days during the months of April to October inclusive. (S. 7, cl. b)

(b) a regular working day consisting of,—

- (i) eight hours of employment to be performed on Monday, Tuesday, Wednesday, Thursday and Friday between the hours of 8 a.m. and 5 p.m. and four hours on Saturday between the hours of 8 a.m. and 12 o'clock noon during the months of November to March inclusive; and
- (ii) nine hours of employment to be performed on Monday, Tuesday, Wednesday, Thursday and Friday between the hours of 7 a.m. and 5 p.m. during the months of April to October inclusive. (S. 7, cls. a and d)

MINIMUM RATE OF WAGES

3.—(1) The minimum rate of wages shall be ninety cents per hour for work performed in the industry,—

- (a) during the regular working periods;
- (b) on night work of not more than eight hours during the months of November to March inclusive, and not more than nine hours during the months of April to October inclusive, where the work is of such a nature that it cannot be done during the regular working day; and
- (c) on Saturday in order to permit the pouring of concrete after 12 o'clock noon during the months of November to March inclusive, and any time on Saturday during the months of April to October inclusive.

(2) The minimum rate established in subsection 1 shall not apply to overtime work. (S. 7, cl. c)

SHIFT WORK

4.—(1) Where the work on any project is being carried on in two or more shifts, the employees shall be deemed to be employed during a regular working day, where they work not more than eight hours in any twenty-four hour period during the months of November to March inclusive, and not more than nine hours in any twenty-four hour period during the months of April to October inclusive. (S. 7, cl. a)

(2) Employees who are required to work on night shifts shall receive,—

- (a) eight hours regular pay for each seven hours work during the months of November to March inclusive; and
- (b) nine hours regular pay for eight hours work during the months of April to October inclusive. (S. 7, cl. e)

(3) In all cases governed by subsections 1 and 2 no overtime work shall be required or permitted. (S. 7, cl. i)

(4) Where two or more shifts are worked on the same job, only one of these shifts shall be considered a day shift. (S. 7, cl. e)

OVERTIME WORK

5. A person who performs work in the industry except as provided for in sections 1, 2 and 3 shall be deemed to be doing overtime work, and the rate of wages for overtime work shall be one and one-half times the rate established for work performed during the regular working periods, except that the rate of wages for all overtime work in excess of four hours in any one day shall be double the rate established for work performed during the regular working periods. (S. 7, cl. e)

6. No work shall be performed in the industry on Sunday, and on the following holidays;—New Year's Day, Good Friday, Dominion Day, Labour Day and Christmas Day, except in cases of extreme necessity where life or property is jeopardized, or except on repairs to buildings where the repair work must be done on those days in order to prevent the loss of employment to those who are regularly employed in the buildings, and all such work shall be deemed to be overtime work and shall be performed only after obtaining a permit from the advisory committee. (S. 7, cls. e and i)

ADVISORY COMMITTEE

7. The advisory committee may fix a special rate of wages for an employee who is handicapped. (S. 7, cl. k)

QUALIFICATION AND COMMENCEMENT

8. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944*.

9. This schedule shall come into force on the tenth day after the publication thereof in THE ONTARIO GAZETTE under *The Regulations Act, 1944*.

Regulations 439

(Ontario Regulations 44/46)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated all work usually performed by carpenters and joiners in connection with the construction, erection, repair, remodelling or alteration of the whole or a part of a building or structure, except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution including the minor installations or alterations which are incidental to the maintenance of such buildings and premises where performed by the regular employees of the manufacturing, industrial or service institution as the CARPENTRY INDUSTRY for the purposes of the Act:

AND WHEREAS the Minister has designated the Cities of Port Arthur and Fort William and the suburban area lying adjacent thereto and lying within a line commencing at the intersection of the southern limit of the Indian Reserve with the shore of Lake Superior; thence northwesterly along the southern limit to the southeast corner of the Township of Neebing; thence west along the south boundary of the Township of Neebing to the southwest corner of the Township of Neebing; thence north along the west boundary of the Township of Neebing to the northwest corner of the Township of Neebing; thence continuing north along the east boundary of sections 56 and 47 in the Township of McIntyre to a jog in the east boundary of section 47, thence east along the jog to and along the east boundary of sections 47, 44 and 30 to the south boundary of lot 29 in the Township of McIntyre; thence east along the south boundary of lots 29, 28, 27, 26, 25, 24 and 23 to the southeast corner of lot 23 in the Township of McIntyre; thence north along the east boundary of lot 23 to and northeasterly along the easterly boundary of lot 11, concession B in the Township of McIntyre, to and north along the centre line of sections 17 and 6 in the Township of McIntyre, to and east along the north boundary of said section 6, to and north along the line between lots 11 and 12 across concessions 1 and 2 in the Township of Gorham to and east along the line between concessions 2 and 3 to the east boundary of the Township of Gorham; thence south along the line between the Townships of McIntyre and MacGregor to the centre of concession B in the Township of MacGregor; thence east along the centre of concession B across lots 18, 17, 16, 15 and 14 to the line between lots 13 and 14 in the Township of MacGregor; thence south along the line between lots 13 and 14 to the north boundary of Lot 18E in the Township of MacGregor; thence west along the last mentioned boundary to the northwest corner of lot 18E; thence south along the west boundary of lots 18E and 9E in the Township of MacGregor to the shore of Lake Superior; thence southwesterly and southerly along the shore to the point of commencement as a zone for the industry to be known hereafter as the PORT ARTHUR AND FORT WILLIAM ZONE:

AND WHEREAS a petition from representatives of employers and employees in the industry within the Port Arthur and Fort William Zone was received by

the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in the industry in accordance with and for the purposes of section 6 of the Act:

AND WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule under section 7 of the Act:

AND WHEREAS the schedule has been approved by The Industry and Labour Board in writing:

AND WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry, within the zone.

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare the schedule, appended hereto, shall be in force during pleasure within the zone and shall be binding upon the employers and employees in the industry referred to in the schedule.

SCHEDULE FOR THE CARPENTRY INDUSTRY IN THE PORT ARTHUR AND FORT WILLIAM ZONE

HOURS OF LABOUR

1. The regular working periods for all employees in the carpentry industry shall be as follows:

- (a) a regular working week consisting of forty-four hours employment divided into five and one-half working days; and
- (b) a regular working day consisting of eight hours of employment to be performed on Monday, Tuesday, Wednesday, Thursday and Friday between the hours of 8 a.m. and 5 p.m., and four hours on Saturday between the hours of 8 a.m. and 12 o'clock noon. (S. 7, cls. a, b and d)

MINIMUM RATE OF WAGES

2. The minimum rate of wages for work performed in the industry during the regular working periods shall be one dollar per hour, and this rate shall also apply to night work of not more than eight hours duration, where the work is of such a nature that it cannot be done during the regular working day, but shall not apply to overtime work; and this rate shall also apply to work done on Saturday after 12 o'clock noon in order to permit the pouring of concrete. (S. 7, cl. c)

SHIFT WORK

3.—(1) Where the work on a project is being carried on in two or more shifts, the employees shall be

deemed to be employed during a regular working day, where they work not more than eight hours in any twenty-four hour period. (S. 7, cl. a)

(2) Employees who are required to work on night shifts shall receive eight hours regular pay for seven hours work. (S. 7, cl. e)

(3) In all cases governed by subsection 1 and 2 no overtime work shall be required or permitted. (S. 7, cl. i)

(4) Where two or more shifts are worked on the same job, only one of these shifts shall be considered a day shift. (S. 7, cl. e)

OVERTIME WORK

4. A person who performs work in the industry except as provided in sections 1, 2 and 3 shall be deemed to be doing overtime work, and the minimum rate of wages for overtime work shall be twice the rate established for work performed during the regular working periods, except that four hours overtime may be added to a regular working day at one and one-half times the

rate for work performed during the regular working period. (S. 7, cl. e)

5. No work shall be performed in the industry on Sunday, and on the following holidays: New Year's Day, Good Friday, Dominion Day, Labour Day and Christmas Day, except in cases of extreme necessity where life or property is jeopardized, or except on repairs to buildings where the repair work must be done on those days in order to prevent the loss of employment to those who are regularly employed in the buildings, and all such work shall be deemed to be overtime work and shall be performed only after obtaining a permit from the advisory committee. (S. 7, cls. e and i)

ADVISORY COMMITTEE

6. The advisory committee may fix a special minimum rate of wages for an employee who is handicapped and the rate may be fixed at the request of either employee or employer. (S. 7, cl. k)

7. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944*.

Regulations 440

(Ontario Regulations 166/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Carpentry Industry,—“all work usually performed by carpenters and joiners in connection with the construction, erection, repair, remodelling or alteration of the whole or any part of any building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution (including the minor installations or alterations which are incidental to the maintenance of such buildings and premises) when performed by the regular employees of such manufacturing, industrial or service institution.”

St. Thomas Zone,—“the City of St. Thomas.”

SCHEDULE

HOURS OF LABOUR

1. The regular working periods for all employers and employees in the Carpentry Industry as defined by the Minister of Labour shall be as follows:

- (a) A regular working week shall not exceed forty-four (44) hours employment to be performed during the regular working days as hereinafter defined.
- (b) A regular working day shall not exceed eight (8) hours employment to be performed on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays between the hours of 8 a.m. and 5 p.m., and on Saturdays shall not exceed four (4) hours employment to be performed before noon.

MINIMUM RATES OF WAGES

2. The minimum rate of wages for all work performed in the said industry during the regular working periods as defined above shall be sixty cents (60c) per hour.

OVERTIME WORK

3. Any work performed at any time other than during the regular working periods as defined above, and any work performed on Sundays or on the following holidays, namely, New Year's Day, Good Friday, Victoria Day, Dominion Day, St. Thomas Civic Holiday, Labour Day, Thanksgiving day, and Christmas Day, shall be deemed to be overtime work.

MINIMUM RATES OF WAGES FOR OVERTIME WORK

4. The minimum rates of wages for all overtime work performed in the said industry shall be as follows:

- (a) Overtime work which is necessary to permit the pouring of concrete, if performed on Saturday before 6 p.m.—sixty cents (60c) per hour.
- (b) Ordinary overtime work performed on Saturdays before 4 p.m. or during a three-hour period immediately following any other regular working day—ninety cents (90c) per hour.
- (c) Work performed at night whenever owing to the nature of the work it cannot reasonably be performed during the regular working periods—sixty cents (60c) per hour for the first eight hours only.
- (d) For all other overtime work—one dollar and twenty cents (\$1.20) per hour—unless the Advisory Committee has issued a special permit to the employer authorizing the performance of such work at a lesser rate.

ADVISORY COMMITTEE

5. The Advisory Committee appointed by the Minister of Labour is authorized to fix a special minimum rate of wages lower than the regular minimum rate for any employee who is handicapped, and is also authorized to issue an overtime permit at special minimum rate of wages.

Regulations 441

(Ontario Regulations 76/46)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated all work usually performed by carpenters and joiners in connection with the construction, erection, repair, remodelling or alteration of the whole or a part of a building or structure, except maintenance repairs to the building and premises used in the operation of a manufacturing, industrial or service institution, including the minor installations or alterations incidental to the maintenance of the buildings and premises, where performed by the regular employees of the manufacturing, industrial or service institution, as the CARPENTRY INDUSTRY for the purposes of the Act:

AND WHEREAS the Minister has designated the City of Sarnia and the suburban area lying adjacent thereto and lying within a line drawn as follows: commencing at the intersection of the road allowance between the Townships of Plympton and Sarnia or said road allowance produced northerly with the southern shore of Lake Huron, thence southerly along the said road allowance, to and extending westerly along the road allowance between the Townships of Sarnia and More, to and extending westerly along the road allowance between the Township of More and the Sarnia Indian Reserve, to and extending in a general northern direction along the shore of the St. Clair River, to and extending easterly along the shore of Lake Huron to the place of commencement, as a zone for the industry to be known hereafter as the SARNIA ZONE:

AND WHEREAS a petition from representatives of employers and employees in the industry within the Sarnia Zone was received by the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in the industry in accordance with and for the purposes of section 6 of the Act:

AND WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule pursuant to section 7 of the Act:

AND WHEREAS the schedule has been approved by The Industry and Labour Board in writing:

AND WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry within the zone.

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare the Schedule, appended hereto, shall be in force during pleasure within the zone and shall be binding upon the employers and employees in the industry referred to in the schedule.

SCHEDULE FOR THE CARPENTRY INDUSTRY IN THE SARNIA ZONE

1. No work shall be performed in the carpentry industry except in accordance with this schedule.

HOURS OF LABOUR

2. The regular working periods for all employers and employees in the carpentry industry shall be as follows:

- (a) a regular working week not exceeding forty-four hours employment to be performed during the regular working days; and
 - (b) a regular working day not exceeding eight hours employment to be performed on Monday, Tuesday, Wednesday, Thursday and Friday between the hours of 8 a.m. and 5 p.m. and on Saturday not exceeding four hours employment to be performed before noon.
- (S. 7, cls. a, b and d)

MINIMUM RATE OF WAGES

3. The minimum rate of wages for all work performed in the industry during the regular working periods shall be one dollar and five cents per hour.

(S. 7, cl. c)

OVERTIME WORK

4. Work performed at any time other than during the regular working periods, and work performed on Sunday or on the following holidays, namely, New Year's Day, Good Friday, Dominion Day, Sarnia Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day, shall be deemed to be overtime work.

(S. 7, cl. e)

MINIMUM RATES OF WAGES FOR OVERTIME WORK

5. The minimum rates of wages for all overtime work performed in the industry shall be as follows:

- (a) for ordinary overtime work performed on Saturday before 4 p.m. or during a three-hour period immediately following a regular working day, one dollar and fifty-two and one-half cents per hour;
 - (b) for work performed at night where owing to the nature of the work it cannot reasonably be performed during the regular working periods, one dollar and five cents per hour; and
 - (c) for all other overtime work, two dollars and ten cents per hour, unless the advisory committee has issued a special permit to the employer authorizing the performance of the work at a lower rate.
- (S. 7, cl. e)

ADVISORY COMMITTEE

6. The advisory committee may fix a special minimum rate of wages lower than the regular minimum rate for an employee who is handicapped, and may issue a special permit for overtime work, and the overtime work shall be performed only after obtaining a permit. (S. 7, cl. k)

QUALIFICATION AND COMMENCEMENT

7. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944*.

8. This schedule shall come into force on the tenth day after the publication thereof in THE ONTARIO GAZETTE under *The Regulations Act, 1944*.

Regulations 442

(Ontario Regulations 167/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION UNDER THE INDUSTRIAL STANDARDS ACT

Carpentry Industry,—“all work usually done by carpenters and joiners in connection with the construction or erection of the whole or any part of any new building, structure, or sewer, and in connection with the repair, remodelling or alteration of the whole or any part of any existing building, structure, or sewer.”

Sault Ste. Marie Zone,—“the City of Sault Ste. Marie, and five miles surrounding the said City.”

SCHEDULE

APPLICATION

1. This schedule of wages and hours and days of labour shall be binding upon all employers and employees engaged in the Carpentry Industry as defined by the Minister of Labour.

HOURS OF LABOUR

2. The regular working periods for all employees in the said industry shall be as follows:

- (a) A regular working week shall consist of forty-eight (48) hours employment divided into six (6) regular working days.
- (b) A regular working day shall consist of eight (8) hours of employment to be performed on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays, and Saturdays, between the hours of 8 a.m. and 5 p.m. whenever one hour is given for lunch, or between the hours of 8 a.m. and 4.30 p.m. whenever one-half hour is given for lunch.

MINIMUM WAGES

3. The minimum rate of wages for work performed in the industry during the said regular working periods shall be seventy-five cents (75c) per hour and this rate shall also apply to night work of not more than eight (8) hours duration whenever such work is of such a nature that it cannot be done during the regular working day, but shall not apply to overtime work.

4. Whenever the work on any project is being carried on in two or more shifts, the employees shall be deemed to be employed during a regular working day, provided that they work not more than eight (8) hours in any twenty-four (24) hour period and are not employed elsewhere while so engaged in shift work. Employees who are required to work on night shifts shall receive eight (8) hours regular pay for seven (7)

hours work, and in all cases governed by this section no overtime work shall be required or permitted.

OVERTIME

5. Any person who performs any work in the industry except as hereinbefore provided shall be deemed to be doing overtime work and the minimum rate of wages for all overtime work shall be twice the rate established herein for work performed during the regular working periods, except that three (3) hours overtime may be added to any regular working day at the rate of time and one-half.

HOLIDAYS

6. No work shall be performed in the industry on Sundays and on the following holidays: Dominion Day, Labour Day, and Christmas Day, except in the cases of extreme necessity where life or property is jeopardized, or except on repairs to buildings when such repair work must be done on such days in order to prevent loss of regular employment to those who are regularly employed in such buildings, and all such work shall be deemed to be overtime work, and shall be performed only after obtaining a permit so to do from the Advisory Committee. The Advisory Committee is authorized to issue such permits provided that all such overtime work is contracted for at double time.

HANDICAPPED WORKERS

7. The Advisory Committee may fix a special minimum rate of wages for any employee who is handicapped and such rate may be fixed at the request of either the employee or his employer.

EXCEPTIONS

8. The provisions of this schedule shall not govern the employment of:

- (a) Employees of manufacturing plants while engaged in manufacturing processes;
- (b) Employees of manufacturing plants or industrial establishments who are regularly engaged in work required for the repair, servicing and upkeep of the plant and equipment used in the operation of such manufacturing plant or industrial establishment, and such servicing shall include new installations or alterations of a minor nature.

Regulations 443

(Ontario Regulations 54/45)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS pursuant to the provisions of *The Industrial Standards Act*, R.S.O. 1937, Chapter 191, the Minister has designated as the Carpentry Industry, for the purposes of the Act, all work usually performed by carpenters and joiners in connection with the construction or erection of the whole or any part of any new building, structure, or sewer, and in connection with the repair, remodelling or alteration of the whole or any part of any building, structure or sewer, except maintenance work, defined as the repair, servicing and upkeep of the premises and equipment normally used in the operation of a manufacturing, industrial or service institution, including the minor additions or alterations which are incidental to the normal operation of the institution when the maintenance work is performed by persons who, regularly throughout the operation of a manufacturing, industrial or service institution, are engaged in maintaining in good working order the equipment and premises used in the operation of the manufacturing, industrial or service institution;

AND WHEREAS the Minister has designated the Town of Timmins and the Townships of Mountjoy, Ogden, Tisdale, Whitney, Shaw, Deloro, Bristol, Godfrey, Carscallen, Turnbull and Denton, in the Province of Ontario, as a zone for the said industry, to be known hereafter as the Timmins Zone;

AND WHEREAS a petition from the representatives of employers and employees in the said industry within the Timmins Zone was received by the Minister, who thereupon authorized an Industrial Standards Officer to convene a conference of the employers and employees in the said industry in accordance with and for the purposes of section 6 of the Act;

AND WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule pursuant to section 7 of the Act;

AND WHEREAS the schedule has been approved by the Industry and Labour Board:

AND WHEREAS such schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the said industry within the said zone;

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare the said schedule, annexed hereto, shall be in force during pleasure within the said zone and shall be binding upon the employers and employees in the industry referred to in the said schedule.

SCHEDULE PURSUANT TO THE INDUSTRIAL STANDARDS ACT R.S.O. 1937, Chapter 191, Section 7

FOR THE CARPENTRY INDUSTRY IN THE TIMMINS ZONE

HOURS OF LABOUR

1. The regular working periods for all employers and employees in the Carpentry Industry shall be as follows:

- (a) A regular working week shall not exceed forty-four hours employment to be performed during the regular working days. (Cl. b.)
- (b) A regular working day shall not exceed eight hours employment to be performed on Monday, Tuesday, Wednesday, Thursday and Friday between the hours of 8 a.m. and 5 p.m., and on Saturday shall not exceed four hours employment to be performed before noon. (Cls. a and d.)

MINIMUM RATE OF WAGES

2. The minimum rate of wages for all work performed in the said industry during the regular working periods as defined in section 1 shall be ninety cents per hour. (Cl. c.)

OVERTIME WORK

3. Any work performed at any time other than during the regular working periods as defined in section 1, and any work performed on Sunday or on the following holidays, namely, New Year's Day, Dominion Day, Labour Day and Christmas Day, shall be deemed to be overtime work. (Cl. e.)

MINIMUM RATES OF WAGES FOR OVERTIME WORK

4. The minimum rates of wages for all overtime work performed in the said industry shall be as follows:

- (a) Overtime work which is necessary to permit the pouring of concrete, if performed on Saturday after 12 noon and before 5 p.m.—ninety cents per hour;
- (b) ordinary overtime work performed on Saturday after 12 noon and before 4 p.m., or during a three hour period immediately following any other regular working day—one dollar and thirty-five cents per hour;

- (c) work performed by a night shaft where, owing to the nature of the work, it cannot reasonably be performed during the regular working periods—ninety cents per hour for the first eight hours only;
- (d) for all other overtime work—one dollar and eighty cents per hour—unless the Advisory Committee has issued a special permit to the employer authorizing the performance of such work at a lesser rate. (Cl. e.)

ADVISORY COMMITTEE

5. The Advisory Committee appointed by the Minister under section 14 of the Act may fix a special minimum rate of wages lower than the regular minimum rate for any employee who is handicapped, and may issue an overtime permit at special rates for the overtime work referred to in clause *d* of section 4. (Cl. *k*.)

REVOCATION OF REGULATIONS

6. Ontario Regulations 168/44 are revoked.

Regulations 444

(Ontario Regulations 170/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Coal Hoisting Industry,—“all work usually performed by operating engineers, firemen and oilers in connection with the unloading of coal from boats, and the handling of coal in or about dock warehouses or dock yards.”

Toronto Zone,—“the City of Toronto in the County of York.”

SCHEDULE

1. A regular working day shall consist of not more than nine (9) hours per day for engineers and not more than ten (10) hours per day for firemen and oilers.

2. A regular working week shall consist of not more than fifty-four (54) hours for engineers and not more than sixty (60) hours for firemen and oilers.

3. Any work performed on Sundays, New Year's Day, Good Friday, Victoria Day, Dominion Day, Toronto Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day, and on any other day except during the regular working periods as defined above, shall be deemed overtime.

4. The minimum rates of wages for all work performed during the regular working periods shall be as follows:

(a) For engineers:

(i) Operating locomotive and crawler cranes with any kind of motive power—eighty-five cents (85c) per hour.

(ii) Operating truck cranes with any kind of motive power—seventy-five cents (75c) per hour.

(b) For firemen and oilers—fifty-five cents (55c) per hour.

(c) For engineers who are employed for less than five (5) hours per day—one dollar and twenty-five cents (\$1.25) per hour.

5. The minimum rate of wages for all overtime work that is required in order to unload boats or railway cars, shall be the minimum rate of wages established herein for work performed during the regular working period.

(b) The minimum rate of wages for all other overtime shall be one and one-half (1½) times the minimum rate established herein for work performed during the regular working periods.

6. The advisory Committee appointed to assist in the administration of this schedule is hereby authorized to fix a minimum rate of wages lower than the rate established by this schedule for any individual who is handicapped or whose work is only partly subject to the provisions of this schedule, or who performs work included in more than one classification of employee.

Regulations 445
(Ontario Regulations 169/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION
OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Coal Industry,—“all work usually performed in connection with the storage, warehousing, transfer and delivery of all kinds of coal and coke.”

Toronto Zone,—“the City of Toronto, the Town of Leaside, the Village of Forest Hill, the Town of Weston, the Town of Mount Dennis, the Village of Swansea, The Town of New Toronto, the Town of Mimico, the Town of Long Branch, and that part of the Township of Scarborough lying south of County Highway Number 19 and that part of the Townships of East York, York and North York lying south of the road known as Sheppard Avenue, east of Yonge Street, and its production easterly and westerly through the said Townships, and that part of the Township of Etobicoke lying south of the Canadian National Railroad running between Weston and Malton and the separated municipalities within the above described part of the said Townships.”

SCHEDULE

APPLICATION

1. This schedule shall be binding upon all employers and employees engaged in the Coal Industry as defined by the Minister of Labour.

MINIMUM WAGES

2. Subject to the provisions of sections 3 and 4 of this schedule, the minimum rates of wages for all employees shall be as follows:

- Boat trimmers 55c per hour
- Stackers on conveyors. 55c per hour
- Truck drivers or teamsters. 55c per hour
- Yard men 50c per hour
- Truck drivers' helpers. 45c per hour

3. An employer shall be permitted to engage the following classifications of workers on a tonnage basis for the delivery of coal or coke in bags, and in such cases the following schedule of minimum rates per ton shall apply:

- Truck drivers without helpers. 55c per ton
- Truck drivers with helpers. 31c per ton
- Truck drivers' helpers. 24c per ton (helpers to be engaged or not at the option of the employer.)

SPECIAL PERMITS

4. The conference being of the opinion that the shorter average haul from an inland retail yard as compared to the docks justified a differential of 10c

per ton in the cost of delivery when other factors such as loading facilities and yard help are comparable to the loading arrangements and yard assistance supplied at the docks, and recognizing that the granting of a lower tonnage rate for deliveries from all retail yards operates to deprive employees of a fair opportunity to earn adequate wages when the employee is obliged to work from a retail yard or location where loading facilities or yard assistance is not adequate, hereby authorizes the Advisory Committee to be appointed to assist in the administration of this schedule to grant a special permit authorizing the employment of truck drivers, teamsters and helpers at the following tonnage rates whenever, in the opinion of the Committee, they are working from inland retail locations equipped with adequate loading facilities or where properly assisted by yard men.

- Truck drivers without helpers. 45c per ton
- Truck drivers with helpers. 25c per ton
- Truck drivers' helpers. 20c per ton (helpers to be engaged or not at the option of the employer.)

Any such permit may be revoked by the Advisory Committee if of the opinion that the employer has altered the working conditions so that the differential rate is no longer justified. Every employer must pay the higher tonnage rate for all deliveries except those which are authorized by special permit to be paid for at the lower tonnage rate.

HOLIDAYS

5. Work performed on Sundays, New Year's Day, Victoria Day, Dominion Day, Toronto Civic Holiday, Labour Day, Thanksgiving Day, and Christmas Day, except when unloading boats and except in the case of emergency deliveries authorized by the Toronto Police License Bureau, shall be deemed to be overtime work, and any employee performing overtime work shall be paid one and one-half times the above minimum rates for such work.

SPECIAL CLASSES OF EMPLOYEES

6. The advisory Committee is also authorized to fix a minimum hourly rate of wages lower than the rate fixed by the schedule for,—

- (a) Any employee who is handicapped.
- (b) Any employee whose work is only partly subject to the provisions of this schedule.
- (c) Any employee who performs work included in more than one classification of employees.

Regulations 446

(Ontario Regulations 172/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Common Labourers Construction Industry,—“all work usually done by common labourers in connection with the construction or erection of the whole or any part of any new building, structure, or sewer, and in connection with the repair, remodelling, or alteration of the whole or any part of any existing building, structure, or sewer.”

Windsor Zone,—“the City of Windsor and the suburban area adjacent thereto and lying within a line drawn as follows: Commencing at the intersection of the southeasterly bank of the Detroit River and the town line between Anderdon Township and Sandwich West Township; thence following the said town line to Malden Road, thence easterly and northerly along Malden Road to where it intersects Provincial Highway No. 3; thence southeasterly and easterly along Provincial Highway No. 3 to where it intersects Walker Road; thence northerly along Walker Road to where it intersects Provincial Highway No. 2; thence easterly along Provincial Highway No. 2 to where it intersects Pike Creek Road; thence northerly along Pike Creek Road to the water's edge of Lake St. Clair; thence westerly along the water's edge of Lake St. Clair and the Detroit River to the place of beginning.”

SCHEDULE

MINIMUM WAGE

1. The minimum rate of wages for all work performed, except as hereinafter prescribed, shall be fifty-five cents (55c) per hour.

OVERTIME

2. Any work performed by any person on Sunday, New Year's Day, Victoria Day, Labour Day, Dominion Day, Thanksgiving Day, and Christmas Day, shall be deemed overtime work and the minimum rate of wages for such overtime work shall be eighty-two and one-half cents (82½c) per hour.

HANDICAPPED EMPLOYEES

3. A special minimum rate of wages may be established by the Advisory Committee for any person who is handicapped by reason of age or physical or other disability.

Regulations 447

(Ontario Regulations 174/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Electrical Repair and Construction Industry,—“all electrical installations in buildings, structures or premises, and all electrical installations for or in respect of equipment, apparatus, or appliances operating or to be operated in buildings, structures or premises, and the repair and maintenance of such electrical installations, except:

- (a) Maintenance work (that is, the repair and servicing of electrical installations, equipment and apparatus used in the operation of a manufacturing, industrial or service institution, and the minor installations and alterations which are incidental to the normal operation of such an institution) when such maintenance work is performed by persons who, regularly throughout the operation of a manufacturing, industrial or service institution, are engaged in maintaining in good working order the equipment and premises used in the operation of such an institution;
- (b) The work done by persons while they are engaged in manufacturing processes;
- (c) The work done by persons while engaged in repairing or servicing electrical equipment, apparatus or appliances, when such work is performed in recognized repair or service shops or departments, or when performed by the regular employees of manufacturers or their agents pursuant to the terms of a service contract or guarantee accompanying the sale or installation of such equipment, apparatus or appliance.”

Kirkland-Larder Lake Zone,—“the Townships of Teck, Level, Gauthier, McVittie, McGarry and Hearst, in the District of Temiskaming and the Province of Ontario, and all separate municipalities within the boundaries of the said Townships.”

SCHEDULE

HOURS OF LABOUR

1. The regular working periods for all employers and employees in the Electrical Repair and Construction Industry as defined by the Minister of Labour shall be as follows:

- (a) A regular working week shall not exceed fifty (50) hours employment to be performed during

the regular working days as hereinafter defined.

- (b) A regular working day shall not exceed nine (9) hours employment to be performed on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays between the hours of 8 a.m. and 6 p.m. and on Saturdays shall not exceed five (5) hours employment to be performed before 1 p.m.

MINIMUM RATE OF WAGES

2. The minimum rate of wages for all work performed in the said industry during the regular working periods as defined above shall be one dollar (\$1.00) per hour.

OVERTIME WORK

3. Any work performed at any time other than during the regular working periods as defined above and any work performed on Sundays or on the following holidays, namely, New Year's Day, Dominion Day, Labour Day and Christmas Day, shall be deemed to be overtime work.

MINIMUM RATES OF WAGES FOR OVERTIME WORK

4. The minimum rates of wages for all overtime work performed in the said industry shall be as follows:

- (a) Overtime work which is performed before 10 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays and before 6 p.m. on Saturdays—one dollar and fifty cents (\$1.50) per hour.
- (b) Work performed on a night shift by employees who are not working on a regular day shift—one dollar (\$1.00) per hour for the first nine (9) hours.
- (c) All other overtime work including any work performed on Sundays or on the above named holidays—two dollars (\$2.00) per hour.

ADVISORY COMMITTEE

5. The Advisory Committee is authorized to fix a special minimum rate of wages for any employee who is handicapped.

Regulations 448

(Ontario Regulations 267/50)

REGULATIONS MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

1. The schedule appended hereto shall be in force during pleasure within the zone and be binding upon the employers and employees in the industry referred to in the schedule.

2. Ontario Regulations 53/45 are revoked.

3. These regulations shall come into force on the tenth day after the publication thereof in THE ONTARIO GAZETTE under *The Regulations Act, 1944*.

SCHEDULE FOR THE LADIES' CLOAK AND SUIT INDUSTRY IN THE ONTARIO ZONE

INTERPRETATION

1. In this schedule "holiday" means

- (a) New Year's Day,
- (b) Victoria Day,
- (c) Dominion Day,
- (d) Labour Day, and
- (e) Christmas Day.

HOURS OF WORK

2. The regular working periods for the industry shall be

- (a) a regular working-week consisting of not more than 40 hours of work to be performed during the regular working-days, and
- (b) a regular working-day consisting of not more than 8 hours of work to be performed on Monday, Tuesday, Wednesday, Thursday and Friday between 8 a.m. and 5 p.m. with one hour for noon recess.

3. No work shall be performed in the industry on a holiday.

4. Where an employee has been

- (a) employed in the industry for upwards of 12 months, and
- (b) in the employ of an employer for upwards of 3 months

he shall be entitled to the wages for 8 hours of work for a holiday at the minimum rates of wages under section 9.

5. Where an employer requires an employee employed on a time-work basis to work for part of a regular working-day the employee shall be entitled to

the regular rates of wages but the wages for that day shall not be less than the wages for 4 hours of work.

OVERTIME WORK

6. Work performed in the industry at any time other than during the regular working periods shall be deemed to be overtime work.

7.—(1) No overtime work shall be performed in the industry without a permit from the advisory committee.

(2) The advisory committee is authorized to issue the permits subject to the terms and conditions of this schedule.

(3) An application by an employer for an overtime permit shall be made in writing to the advisory committee.

(4) Where a permit from the advisory committee authorizing overtime work has been issued to an employer, he shall post the permit during the period it is in force in a conspicuous place where his employees are engaged in their duties.

(5) No permit shall be issued by the advisory committee for overtime work on Friday or Saturday.

(6) Where during the regular working periods

- (a) there is in the opinion of the advisory committee a labour shortage in the industry, or
- (b) in the employer's establishment
 - (i) all machines are in use, and
 - (ii) there are no facilities or spaces available for additional machines or for additional employees

the advisory committee may, subject to subsection 5, issue a permit for overtime work.

CLASSIFICATION OF EMPLOYEES

8. The following classification of employees in the industry is established:

Class A, composed of

- (a) machine-presser, being a person who presses by steam-machine,
- (b) section-operator, being a person who performs any of the operations defined in clause *d* where the operations on a single garment are divided among more than 2 workers,
- (c) skilled cutter, being a person who

- (i) grades sizes or makes markers on materials, or
 - (ii) lays up, shear-cuts or machine-cuts any materials,
- (d) skilled operator, being a person who, by sewing-machine,
- (i) joins cloth-body,
 - (ii) sews in sleeves, facings or collars, or
 - (iii) as a section-operator stitches collars, sews on facings, joins seams of body, joins seams of linings, makes collars, makes pockets, makes sleeves or attaches linings or performs any other sewing-machine operations necessary to complete any garment other than a skirt, and
- (e) top-presser, being a person who
- (i) presses, or
 - (ii) completes the pressing of a garment after it is lined by the finisher.

Class B, composed of under-presser, being a person who

- (a) presses seams of
 - (i) sleeves, and
 - (ii) linings, or
- (b) completes the pressing of a garment ready for the finisher.

Class C, composed of skilled fur-tailor, being a person who pins on or sews on fur trimmings.

Class D, composed of trimmer, being a person who

- (a) grades sizes on,
- (b) lays up,
- (c) makes markers on, or
- (d) cuts any materials used for lining or trimming garments.

Class E, composed of

- (a) semi-skilled cutter, being a person who
 - (i) shear-cuts, or
 - (ii) machine-cuts any material, and

- (b) semi-skilled operator, being a person, other than a section-operator, who performs some of the operations of a skilled operator on a garment but who does not

- (i) join cloth-body, or

- (ii) sew in sleeves, facings or collars.

Class F, composed of piece-presser, being a person who does incidental piece pressing necessary to make the pieces ready for the operator.

Class G, composed of

- (a) assistant fur-tailor, being a person who sews on fur trimmings but does not pin on fur trimmings,
- (b) hand-baster, being a person who bastes by hand,
- (c) machine-baster, being a person who bastes by machine, and
- (d) special-machine operator, being a person who operates a special machine used in the manufacture of garments for
 - (i) felling,
 - (ii) basting,
 - (iii) button-hole making, or
 - (iv) sergeing.

Class H, composed of

- (a) finisher, being a person who
 - (i) by hand, sews in whole linings on garments,
 - (ii) tacks neck-pieces and linings, or
 - (iii) fells button-holes, bottoms or sleeves,
- (b) lining-maker, being a person who, by sewing-machine, makes linings for garments, and
- (c) skirt-maker, being a person who performs sewing-machine operations necessary to complete skirts.

Class I, composed of

- (a) button-sewer, being a person who sews on
 - (i) buttons,
 - (ii) hooks,
 - (iii) eyes,

- (iv) clasps, or
- (v) ornaments, and
- (b) general hand or examiner, being a person who
 - (i) examines or cleans finished garments, or
 - (ii) pins on belts.

MINIMUM RATES OF WAGES

9. The minimum rates of wages for all work performed in the industry during the regular working periods by employees classified in section 8 shall be the rates an hour set opposite their respective classes as follows:

- (a) Class A, \$1.20,
- (b) Class B, \$1.14,
- (c) Class C, \$1,
- (d) Class D, 96 cents,
- (e) Class E, 92 cents,
- (f) Class F, 90 cents,
- (g) Class G, 76 cents,
- (h) Class H, 74 cents, and
- (i) Class I, 52 cents.

RATES OF WAGES FOR OVERTIME WORK

10. The rates of wages for overtime work performed in the industry by employees classified in section 8 shall be the rates an hour set opposite their respective classes as follows:

- (a) Class A, \$1.80,
- (b) Class B, \$1.71,
- (c) Class C, \$1.50,
- (d) Class D, \$1.44,
- (e) Class E, \$1.38,
- (f) Class F, \$1.35,

- (g) Class G, \$1.14,
- (h) Class H, \$1.11, and
- (i) Class I, 78 cents.

ASSESSMENT

11. Subject to the approval of the Board each
- (a) employer in the industry is assessed one-half per cent of his pay-roll, and
 - (b) employee in the industry is assessed one-half per cent of his wages,

to provide revenue for the enforcement of this schedule.

ADVISORY COMMITTEE

12. The advisory committee is authorized to fix a minimum rate of wages lower than the rate fixed by this schedule for an individual

- (a) who performs work included in more than one classification of employees,
- (b) whose work is only partly subject to the provisions of this schedule, or
- (c) who is handicapped.

13. Subject to the approval of the Board the advisory committee is authorized

- (a) generally to administer and enforce this schedule, and
- (b) to collect the assessments under section 11 and out of the revenue collected to engage inspectors and other personnel and to make such expenditures as are necessary for the administration and enforcement of this schedule.

We approve sections 11 and 13 and this is the approval referred to in those sections.

THE INDUSTRY AND LABOUR BOARD

E. BILLINGTON
Chairman
E. G. GIBB
Member
J. F. NUTLAND
Member

Regulations 449

(Ontario Regulations 33/47)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated as the PAINTING AND DECORATING INDUSTRY all work performed by painters, decorators, paper-hangers and galziers in respect to the construction, erection, repair, remodelling or alteration of the whole or a part of a building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution, including the minor installations or alterations incidental to the maintenance of the buildings and premises, where performed by the regular employees of the manufacturing, industrial or service institution; and

WHEREAS the Minister has designated as a zone for the industry, to be known hereafter as the GUELPH ZONE, the City of Guelph and the suburban area adjacent thereto and lying within a line drawn as follows: commencing at the intersection of the road allowance between lots 6 and 7, Concession VII, with the road allowance between concessions V and VII in the Township of Puslinch, thence extending north-westerly along the road allowance between concessions V and VII, to and extending westerly along the road allowance between concessions V and VI and the road allowance produced, to and extending north-westerly along the road allowance between divisions B and E in the Township of Guelph, to and extending north-westerly along the road allowance between divisions B and D, to and extending north-easterly along the road allowance between lots 14 and 15, Division D, to and extending south-easterly along highway 6, to and extending north-easterly along the road allowance between lots 11 and 12, Division D, to and extending north-easterly along the road allowance between concessions VIII and IX, Division C, to and extending south-easterly along the road allowance between lots 5 and 6, Division C, to and extending north-easterly along highway 24, to and extending southerly along the road allowance between the townships of Guelph and Eramosa, to and extending south-easterly along the north-eastern boundary of the Township of Puslinch, to and extending south-westerly along the road allowance between lots 6 and 7 in the Township of Puslinch to the point of commencement; and

WHEREAS a petition from representatives of employers and employees in the industry within the Guelph Zone was received by the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in the industry in accordance with and for the purposes of section 6 of the Act; and

WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule under section 7 of the Act; and

WHEREAS the schedule has been approved by The Industry and Labour Board in writing; and

WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry, within the zone;

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare,—

- (a) the schedule appended hereto be in force during pleasure within the zone and be binding upon the employers and employees in the industry referred to in the schedule; and
- (b) the schedule come into force on the tenth day after the publication thereof in THE ONTARIO GAZETTE under *The Regulations Act, 1944*.

SCHEDULE FOR THE PAINTING AND DECORATING INDUSTRY IN THE GUELPH ZONE

1. No work shall be performed in the painting and decorating industry except in accordance with this schedule.

HOURS OF LABOUR

2.—(1) The regular working periods for all employers and employees in the painting and decorating industry shall be,—

- (a) a regular working-week consisting of not more than 40 hours of work to be performed during the regular working-days; and
- (b) a regular working-day consisting of not more than 8 hours of work to be performed on Monday, Tuesday, Wednesday, Thursday and Friday between 8 a.m. and 5 p.m.

(2) Where the work is of such a nature that it cannot be performed during the hours set forth in clause b of subsection 1, it may be done at night where an employee does not work more than 8 hours on any night shift, and this work shall be known as night work.

MINIMUM RATES OF WAGES

3. The minimum rate of wages for all work performed in the industry during the regular working periods shall be 90 cents an hour.

4. The minimum rate of wages for night work shall be \$1 an hour.

OVERTIME WORK

5. An employee who performs any work in the industry except as provided in section 2 shall be deemed to be doing overtime work and the minimum rate of wages for overtime work shall be,—

- (a) \$1.80 an hour for all work performed on Saturday and on the holidays hereinafter named; and
- (b) \$1.35 an hour for all work performed between the hours of 8 a.m. Monday and 12 midnight Friday.

ADVISORY COMMITTEE

6.—(1) No work may be performed in the industry, except as provided in section 2 with the addition of one hour overtime, without a permit from the advisory committee.

(2) The advisory committee may issue a permit for work performed on Saturday, Sunday, New Year's Day, Good Friday, Dominion Day, Labour Day and Christmas Day where the work is of such a nature that

in the opinion of the committee it cannot be performed during the regular working period.

(3) Where the advisory committee deems the work to be of such a nature that it cannot be performed during the regular working period, it may issue a permit for the performance of work between 5 p.m. Friday and 8 a.m. the following Monday when the minimum rate shall be 90 cents an hour.

7. The advisory committee may fix a special minimum rate of wages lower than the regular minimum rate for an employee who is handicapped.

QUALIFICATION

8. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944*.

Regulations 450

(Ontario Regulations 183/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Painting and Decorating Industry,—“all work usually performed by painters, decorators, paperhangers and glaziers in connection with the construction or erection of the whole or any part of any new building or structure, and, subject to the exemptions hereinafter set out, all work usually performed by painters, decorators, paperhangers and glaziers in connection with the repair, remodelling, upkeep and maintenance of the whole or any part of any existing building or structure;

Exemptions:—The work performed by persons who are regularly (and not casually or intermittently) engaged in the work required for the repair, maintenance and upkeep of the premises normally used by their employer for the purposes of his business.”

Hamilton Zone,—“the City of Hamilton; Burlington Beach; that part of the Township of Saltfleet in the County of Wentworth lying west of the road between Lots 20 and 21 in the 8th Concession of the said Township and the production of the said road northerly to Lake Ontario; the Township of Barton, in the County of Wentworth; that part of the Township of Ancaster in the County of Wentworth which lies east of the Township line between the Townships of Beverly and West Flamborough produced southerly through the said Township; the 1st, 2nd and 3rd Concessions of the Township of West Flamborough in the County of Wentworth; that part of the Township of East Flamborough, in the County of Wentworth, lying south of the road between the 3rd and 4th Concessions thereof; that part of the Township of Nelson, in the County of Halton, which lies south of Dundas Street and west of the road between Lots 10 and 11 in the 2nd Concession of the said Township south of Dundas Street, and the production northerly and southerly of the said road; and the Town of Dundas and all other towns, villages or separate municipalities lying within the boundaries of the above-named Townships or parts of Townships.”

SCHEDULE

HOURS OF WORK

1. The regular hours of work for all employers and employees in the said Industry shall be as follows:

- (a) A regular working week shall consist of not more than forty-four (44) hours employment.
- (b) A regular working day shall consist of not more than eight (8) hours employment to be performed between the hours of 8 a.m. and 5 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, and four (4) hours employment between the hours of 8 a.m. and 12 o'clock noon on Saturdays.
- (c) Except that for work that is of such a nature that it cannot be performed during the hours

stipulated in (b) above, a regular working day shall consist of not more than eight (8) hours employment to be performed during any hours of the day or night.

MINIMUM WAGES

2. The minimum rate of wages for work performed during the regular working periods as defined above shall be eighty-five (85) cents per hour for spray painting and sixty-five (65) cents per hour for all other work.

SHIFT WORK

3. Whenever the work on any project is being carried on in two or more shifts, an employee shall be deemed to be employed during the regular working periods provided he does not work more than eight (8) hours in any twenty-four (24) hour period and does not work more than forty-four (44) hours in any week, and is not employed in the said industry elsewhere while so engaged on shift work, and in all cases governed by this section, no overtime work shall be required or permitted.

OVERTIME WORK

4. Any work performed in the said industry except during the regular working periods as defined above, and any work performed on Sundays, New Year's Day, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, and Christmas Day, shall be deemed to be overtime work.

5. The minimum rate of wages for overtime work performed on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays (except holidays) shall be one and one-half times the minimum rate of wages hereinbefore established for work performed during the regular working periods.

6. The minimum rate of wages for overtime work performed on Saturdays after 12 o'clock noon, and Sundays and on the above named holidays shall be twice the minimum rate of wages hereinbefore established for work performed during the regular working periods.

The Advisory Committee is, however, authorized to issue a permit to an employer allowing overtime work between Saturday noon and the beginning of the following regular working day at a minimum rate of one and one-quarter times the rates hereinbefore established for work performed during the regular working periods. If such overtime permit is not issued, double time must be paid.

7. No overtime work shall be performed on Saturdays after 12 o'clock noon, or on Sundays or on one of the above-named holidays unless a permit authorizing such work has been issued by the Advisory Committee to the employer.

8. The Advisory Committee is hereby authorized to issue permits for the performance of overtime work on Saturdays, Sundays and holidays subject to the following conditions:

- (1) When the work is of such a nature that in the opinion of the Advisory Committee it cannot be performed during the regular working periods, a permit to do such work between Saturday noon and the beginning of the next following regular working day may be issued at one and one-quarter times the regular rates of pay.
- (2) For all other overtime work on such days, per-

mits to do such work may be issued at double time rates.

HANDICAPPED WORKERS

9. The Advisory Committee is authorized to fix a special minimum rate of wages lower than the rates fixed by this schedule for any person who is handicapped or whose work is only partly subject to the provisions of this schedule.

THE APPRENTICESHIP ACT

10. Apprentices shall be governed by the provisions of *The Apprenticeship Act*.

Regulations 451

(Ontario Regulations 171/46)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated as the PAINTING AND DECORATING INDUSTRY all work usually performed by painters, decorators, paperhangers and glaziers in connection with the construction, erection, repair, remodelling or alteration of the whole or a part of a building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution, including the minor installations or alterations incidental to the maintenance of the buildings and premises, where performed by the regular employees of the manufacturing, industrial or service institution;

AND WHEREAS the Minister has designated as a zone for the industry, to be known hereafter as the OSHAWA-WHITBY ZONE, the City of Oshawa and the Town of Whitby and the suburban area lying adjacent thereto and lying within a line drawn as follows: Commencing at the point where the shore of Lake Ontario meets the line between lots 32 and 33 in the Township of Whitby, thence northerly along the line between lots 32 and 33 to the northern limit of the right-of-way of the Canadian National Railway in Concession 1, to and extending northerly along a road along or adjacent to the line between lots 32 and 33, to and extending easterly along the road allowance between concessions 3 and 4 in the townships of Whitby and Whitby, East, to and extending southerly along the road allowance between the townships of Whitby, East and Darlington, to and extending westerly along the shore of Lake Ontario to the point of commencement;

AND WHEREAS a petition from representatives of employers and employees in the industry within the Oshawa-Whitby Zone was received by the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in the industry in accordance with and for the purposes of section 6 of the Act;

AND WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule under section 7 of the Act;

AND WHEREAS the schedule has been approved by The Industry and Labour Board in writing;

AND WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry, within the zone:

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare the schedule, appended hereto, shall be in force during pleasure within the zone and shall be binding upon the employers and employees in the industry referred to in the schedule.

SCHEDULE FOR THE PAINTING AND DECORATING INDUSTRY IN THE OSHAWA-WHITBY ZONE

1. No work shall be performed in the painting and decorating industry except in accordance with this schedule.

HOURS OF LABOUR

2.—(1) The regular working periods for all employers and employees in the painting and decorating industry shall be as follows:

- (a) a regular working-week consisting of not more than 40 hours of work to be performed during the regular working-days; and
- (b) a regular working-day consisting of not more than 8 hours of work to be performed on Monday, Tuesday, Wednesday, Thursday and Friday between 8 a.m. and 5 p.m.

(2) Where the work is of such a nature that it cannot be performed during the hours set forth in clause *b* of subsection 1, it may be done at night where an employee does not work more than 8 hours on any night shift, and this work shall be known as night work.

MINIMUM RATES OF WAGES

3. The minimum rates of wages for work performed in the industry during the regular working periods shall be \$1 an hour for spray-painting and 90 cents an hour for all other work.

4. The minimum rates of wages for night work shall be \$1.10 an hour for spray-painting and \$1 an hour for all other work.

OVERTIME WORK

5. An employee who performs any work in the industry except as provided in sections 2, 3 and 4 shall be deemed to be doing overtime work, and the minimum rates of wages for overtime work shall be \$2 an hour for spray-painting and \$1.80 an hour for all other work but 3 hours' overtime may be added to any regular working-day at \$1.50 an hour for spray-painting and \$1.35 an hour for all other work.

ADVISORY COMMITTEE

6.—(1) No work shall be performed in the industry on Saturday, Sunday, New Year's Day, Good Friday, Dominion Day, Labour Day or Christmas Day except that the advisory committee may issue permits for the performance of overtime work on those days where the work is of such a nature that, in the opinion of the committee, it cannot be performed during the regular working period.

(2) All work performed under subsection 1 shall be at the rate of \$2 an hour for spray-painting and \$1.80 an hour for all other work.

7. The advisory committee may fix a special minimum rate of wages for an employee who is handicapped.

QUALIFICATION AND COMMENCEMENT

8. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944*.

9. This schedule shall come into force on the tenth day after the publication thereof in THE ONTARIO GAZETTE under *The Regulations Act, 1944*.

Regulations 452

(Ontario Regulations 187/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT, 1935

Plastering Industry,—“all work usually done by plasterers and plasterers' labourers in connection with the construction or erection of any new building or structure, or part thereof, and in connection with the repair, remodelling, or alteration of any existing building or structure or part thereof. (Plasterers' labourers shall be construed to mean any workman or helper who is engaged in mixing materials for plasterers or attending them, or building scaffolds for them.)”

Toronto Zone,—“the City of Toronto, and the Townships of Scarborough, East York, North York, York and Etobicoke, including all separate municipalities within the said townships.”

SCHEDULE

APPLICATION

1. This schedule of wages and hours and days of labour shall be binding upon all employers and employees engaged in the Plastering Industry as defined by the Minister of Labour during the pleasure of the Lieutenant-Governor in Council.

HOURS OF LABOUR

2. The regular working periods for all employees in the said industry shall be as follows:

For plasterers:

- (a) A regular working week shall consist of forty (40) hours employment divided into five regular working days, namely, Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.
- (b) A regular working day shall consist of eight (8) hours of employment, to be performed between the hours of 8 a.m. and 5 p.m., with one hour off for lunch.

For plasterers' labourers:

- (a) A regular working week shall consist of forty-five (45) hours employment divided into five regular working days, namely, Mondays, Tuesdays, Wednesdays, Thursdays and Fridays; and plasterers' labourers shall also be entitled to work on Saturday morning between the hours of 8 a.m. and 12 noon at straight time, provided they have not previously worked 45 hours in the same week.
- (b) A regular working day shall consist of not more than nine (9) hours of employment to be per-

formed between the hours of 7.30 a.m. and 5.30 p.m., with one hour off for lunch; provided however a plasterer's labourer shall be deemed to be working overtime whenever he is attending a plasterer who is working overtime.

MINIMUM WAGES

3. The minimum rate of wages for work performed in the Industry during the said regular working periods shall be ninety (90) cents per hour for plasterers and sixty (60) cents per hour for plasterers' labourers; and this rate shall also apply to night work of not more than eight (8) hours duration whenever such work is of such a nature that it cannot be done during a regular working day.

SHIFT WORK

4. Whenever the work on any project is being carried on in two or more shifts, the employees shall be deemed to be employed during a regular working day provided that such shifts of not more than eight (8) hours each are operated between 1 a.m. on Monday and 8 a.m. on Saturday of the same week and provided that no employee (except a foreman) works on more than one shift in any 24-hour period.

- (a) The minimum rate of wages for shift work shall be regular straight time for day shifts and one and one-seventh times the regular rates for night shifts.

OVERTIME

5. Any person who performs any work in the Industry, except as hereinbefore provided, shall be deemed to be doing overtime work and the minimum rate of wages for all overtime work except holiday overtime shall be one and one-half times the wages established herein for work performed during the regular working periods.

HOLIDAYS

6. No work shall be performed in the Industry on Saturdays (except as above provided for plasterers' labourers), nor on Sundays, New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day, unless a permit to do such work has been granted by the Advisory Committee. The Advisory Committee is authorized to issue such permits provided the work is contracted for at double time, and provided that such work is necessary to prevent the loss of life or property, or consists of repairs to buildings that must

be made on such days in order to prevent the loss of regular employment to those who are regularly employed in such buildings.

HANDICAPPED WORKERS

7. The Advisory Committee is authorized to fix a special minimum rate of wages for any employee who is handicapped. Such rate may be fixed at the request of either the employee or his employer.

EXCEPTIONS

8. The provisions of this schedule shall not govern the employment of employees of manufacturing plants or industrial establishments who are regularly engaged in work required for the repair, servicing, and upkeep of the plant and equipment used in the operation of such manufacturing plant or industrial establishment, and such servicing shall include new installations or alterations of a minor nature.

Regulations 453

(Ontario Regulations 188/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Plumbing and Heating Industry,—“all plumbing, steamfitting, pipe fitting, hot water fitting and gas fitting installations in or about buildings, structures and premises, or for or in respect of equipment operating, or to be operated therein, and the repair and maintenance of such installations, except maintenance work, i.e., the repair and maintenance of such installations in a manufacturing, industrial or service institution (and the minor installations which are incidental to the normal operation of such an institution) when such maintenance work is performed by persons who, regularly throughout the operation of a manufacturing, industrial or service institution, are engaged in maintaining in good working order the equipment and premises used in the operation of such manufacturing, industrial or service institution.”

Hamilton Zone,—“the City of Hamilton; Burlington Beach; that part of the Township of Saltfleet in the County of Wentworth lying west of the road between Lots 20 and 21 in the 8th Concession of the said Township and the production of the said road northerly to Lake Ontario; the Township of Barton in the County of Wentworth; that part of the Township of Ancaster in the County of Wentworth which lies east of the township line between the Townships of Beverly and West Flamborough produced southerly through the said Township; the 1st, 2nd and 3rd Concession of the Township of West Flamborough in the County of Wentworth; that part of the Township of East Flamborough in the County of Wentworth lying south of the road between the 3rd and 4th Concessions thereof; that part of the Township of Nelson in the County of Halton which lies south of Dundas Street and west of the road between Lots 10 and 11 in the 2nd Concession of the said Township south of Dundas Street, and the production northerly and southerly of the said road; and the Town of Dundas and all other towns, villages or separate municipalities lying within the boundaries of the above-named townships or parts of townships.”

SCHEDULE

HOURS OF LABOUR

1. The regular working periods for all employers and employees in the Plumbing and Heating Industry as defined by the Minister of Labour shall be as follows:

- (a) A regular working week shall not exceed forty (40) hours employment to be performed during the regular working days as hereinafter defined.
- (b) A regular working day shall not exceed (8) hours employment to be performed on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays between the hours of 8 a.m. and 5 p.m.

MINIMUM RATE OF WAGES

2. The minimum rate of wages for all work performed in the said industry during the regular working periods as defined above shall be eighty-five (85) cents per hour.

OVERTIME WORK

3. Any work performed at any time other than during the regular working periods as defined above, and any work performed on Sundays, and on the following holidays, namely, New Year's Day, Victoria Day, Dominion Day, Hamilton Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day, shall be deemed to be overtime work.

MINIMUM RATES OF WAGES FOR OVERTIME WORK

4. The minimum rates of wages for all overtime work performed in the said industry shall be as follows:

- (a) Emergency repair work if performed by or for an employer who has a permit from the Advisory Committee authorizing the performance of such work—eighty-five (85) cents per hour.
- (b) The setting of sleeves and inserts necessary for pouring concrete, if performed between the hours of 8 a.m. and 12 noon on Saturday—eighty-five (85) cents per hour.
- (c) New construction work and repairs other than emergency repairs—one dollar and twenty-seven cents (\$1.27) per hour if performed between the hours of 5 p.m. and 12 midnight on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays; and one dollar and seventy cents (\$1.70) per hour if performed on Saturdays, Sundays, New Year's Day, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, Christmas Day, or on any day between midnight and 8 a.m. of the following day.

SHIFT WORK

5. Whenever the work on any project is being carried on in two or more shifts, an employee shall not be subject to the regular starting and stopping hours, but any work in excess of eight (8) hours in any twenty-four (24) hour period shall be deemed overtime work (except a key man or foreman, who shall be allowed to remain to instruct the new shift). Employees on night shifts who work only seven (7) hours shall be entitled to eight (8) hours pay for seven (7) hours work.

ADVISORY COMMITTEE

6. No overtime work except the setting of sleeves and inserts on Saturday mornings shall be performed unless an employer has obtained a permit authorizing the performance of such work from the Advisory Committee.

7. The Advisory Committee is authorized to issue permits authorizing the performance of overtime work at the overtime rates fixed in section 4 hereof.

HANDICAPPED WORKERS

8. The Advisory Committee is authorized to fix a special minimum rate of wages lower than the regular minimum rate for any employee who is handicapped.

Regulations 454

(Ontario Regulations 6/47)

ORDER IN COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WHEREAS under *The Industrial Standards Act* the Minister has designated as the PLUMBING AND HEATING INDUSTRY,—

- (a) all plumbing, steam-fitting, pipe-fitting, hot-water-fitting and gas-fitting installations in or about buildings, structures, and premises, or for or in respect of equipment operating, or to be operated therein; and
- (b) the repair and maintenance of the installations, except the repair and maintenance of the installations in a manufacturing, industrial or service institution, and the minor installations which are incidental to the normal operation of such an institution, where the maintenance work is performed by persons, who regularly throughout the operation of a manufacturing, industrial or service institution, are engaged in maintaining in good working order the equipment, and premises used in the operation of the manufacturing, industrial or service institution; and

WHEREAS the Minister has designated as a zone for the industry, to be known hereafter as the KITCHENER-WATERLOO ZONE, the City of Kitchener and the Town of Waterloo and the suburban area adjacent thereto and lying within a line drawn as follows: Commencing where a road along the easterly boundary of lot 47 in the Township of Waterloo meets the southerly boundary of lot 47; thence northerly along the road to and thence westerly along a road across part of lot 47, to and thence northerly along a road across lots 47, 36 and 35 to highway 7; thence easterly along highway 7 to and thence northerly along the easterly boundary of lots 35 and 34, to and thence westerly on a road along the line between lots 33 and 34, to and thence northerly along a road across lots 33, 32, 31 and 30, to and thence north-easterly along a road across part of Lots 29 and 26, to and thence south-easterly on a road across part of lot 26, to and thence easterly on a road along the southerly boundary of lots 11, 8 and 62, to and south-easterly along the easterly boundary of lots 61, 60, 59 and 58 to highway 7; thence easterly along highway 7 along the northerly boundary of lot 121, to and thence in a general south-easterly direction along a road across lots 121 and 120 to and thence westerly on a road along the southerly boundary of lot 120, to and thence south-easterly on a road along the easterly boundary of lots 56, 55 and 54, to and thence south-easterly on a road across part of lot 118, to and thence southerly on a road across part of lots 118 and 124 to and thence south-easterly on a road along the easterly boundary of lot 53, to and thence south-westerly on a road along the southerly boundary of lot 53 to highway 8; thence westerly along highway 8 and thence south-westerly and westerly on a road along the southerly boundary of lots 53, 51, 50 and 48 to the point of commencement; and

WHEREAS a petition from representatives of employers and employees in the industry within the Kitchener-Waterloo Zone was received by the Minister, who thereupon authorized an industrial standards officer to convene a conference of the employers and employees in the industry in accordance with and for the purposes of section 6 of the Act; and

WHEREAS the conference was duly held and has submitted to the Minister in writing a schedule under section 7 of the Act; and

WHEREAS the schedule has been approved by The Industry and Labour Board in writing; and

WHEREAS the schedule has been approved by the Minister of Labour who is of the opinion that it has been agreed to by a proper and sufficient representation of the employers and employees engaged in the industry, within the zone:

Upon the recommendation of the Honourable the Minister of Labour, the Committee of Council advise that your Honour declare the schedule appended hereto shall be in force during pleasure within the zone and shall be binding upon the employers and employees engaged in the industry referred to in the schedule; and that this schedule shall come into force on the tenth day after the publication thereof in THE ONTARIO GAZETTE under *The Regulations Act, 1944*.

SCHEDULE FOR THE PLUMBING AND HEATING INDUSTRY IN THE KITCHENER-WATERLOO ZONE

1. No work shall be performed in the plumbing and heating industry except in accordance with this schedule.

HOURS OF LABOUR

2. The regular working periods for all employers and employees in the plumbing and heating industry shall be as follows:

- (a) a regular working-week consisting of not more than 40 hours of work to be performed during the regular working-days; and
- (b) a regular working-day consisting of not more than 8 hours of work to be performed on Monday, Tuesday, Wednesday, Thursday and Friday between the hours of 8 a.m. and 5 p.m.

MINIMUM RATE OF WAGES

3. The minimum rate of wages for work performed in the industry during the regular working periods shall be \$1.05 an hour.

OVERTIME WORK

4. An employee who performs any work in the industry at any time other than during the regular working periods or who performs any work on Saturday, Sunday, New Year's Day, Good Friday, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day shall be deemed to be doing overtime work.

5. An employee shall not work overtime unless the employer has obtained a permit authorizing the performance of the work from the advisory committee.

MINIMUM RATES OF WAGES FOR OVERTIME WORK

6. The minimum rate of wages for overtime work shall be \$2.10 an hour, except for the period from 5 p.m. to 12 midnight on Monday, Tuesday, Wednesday, Thursday and Friday when the rate shall be \$1.57½ an hour.

SHIFT WORK

7.—(1) Where the work is carried on in two or more shifts, an employee shall not be subject to the opening and closing hours of the working-day, but work in excess of 8 hours in any 24-hour period shall be deemed overtime work except where done by keyman and foreman who remain to instruct the new shift.

(2) An employee who works on night shift shall be entitled to 8 hours' pay for 7 hours' work.

ADVISORY COMMITTEE

8. The Advisory committee may issue permits authorizing the performance of overtime work at the overtime rates fixed in section 6.

9. The advisory committee may fix a special minimum rate of wages lower than the regular minimum rate for an employee who is handicapped.

10. This schedule is subject to *The Hours of Work and Vacations with Pay Act, 1944*.

Regulations 455

(Ontario Regulations 190/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Plumbing and Heating Industry,—“all plumbing, steamfitting, pipe fitting, hot water fitting and gas fitting installations in or about buildings, structures and premises, or in respect of equipment operating, or to be operated therein, and the repair and maintenance of such installations, except maintenance work, i.e., the repair and maintenance of such installations in a manufacturing, industrial or service institution (and the minor installations which are incidental to the normal operation of such an institution) when such maintenance work is performed by persons who, regularly throughout the operation of a manufacturing, industrial or service institution, are engaged in maintaining in good working order the equipment and premises used in the operation of such manufacturing, industrial or service institution.”

St. Thomas Zone,—“the City of St. Thomas and the suburban area adjacent thereto and being that part of the Township of Yarmouth in the County of Elgin lying south of Edgeware Road and its production westerly through the said Township, and lying north of the road between the 4th and 5th Concessions of the said Township, and lying west of the road allowance between Lots 10 and 11 in the 4th Concession of the said Township produced northerly to Edgeware Road.”

SCHEDULE

APPLICATION

1. The following operations and kinds of work are included in the Plumbing and Heating Industry as defined by the Minister of Labour:

- (a) The installation or construction of any work in connection with plumbing units, gas burning units or appliances, hot water heating units, steam heating units, air-conditioning units supplied with hot water, cold water, or steam, and the installation of all pipes connected with or incidental to the installation or construction of the above units, except all earthenware and concrete pipe.
- (b) The installation of all piping in connection with water-supply systems, water filters, water meters, sewage disposal and drainage systems, waste pipes, rain water leaders, soil lines, vent lines, fire lines and hydrants in buildings, pneumatic cleaning systems, oil and gasoline tanks, general garage services, drinking fountains, sterilizing systems, pneumatic delivery tubes and block tin piping, air piping and coils in connection with the sale or dispensing of beverages.
- (c) The installation and connection of all pumps, gauges, fixtures, recording or measuring instruments used in connection with any of the above named units or appliances.

- (d) All piping for water supply to and waste from refrigerating installations and all brine piping in connection with refrigerating installations when such brine piping exceeds forty thousand lineal feet.
- (e) Installation of all pressure, hydraulic, vacuum, pneumatic and air tubing process piping used for any kind of manufacturing or industrial purposes, except sprinkler fitting.
- (f) And all acetylene and electric welding in connection with the installation or construction of any of the above work.

HOURS OF LABOUR

2. The regular hours of labour for all employers and employees working in the said industry shall be as follows:

- (a) A regular working week shall consist of forty-four (44) hours employment divided into five and one-half (5½) regular working days.
- (b) A regular working day shall consist of eight (8) hours employment to be performed between the hours of 8 a.m. and 5 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, whenever one hour is given for lunch, and on the same days between the hours of 8 a.m. and 4.30 p.m. whenever one-half hour is given for lunch, and between the hours of 8 a.m. and 12 o'clock noon on Saturdays.

MINIMUM RATES OF WAGES

3. The minimum rate of wages for work performed during a regular working day and during a regular working week shall be eighty cents (80c) per hour.

OVERTIME CONDITIONS AND RATES

4. Any employee whose work is performed at any time except during a regular working day and a regular working week as defined above, or who performs work on Sundays or on the holidays hereinafter named, shall be deemed to be doing overtime work, except that an employee who works on Saturday after 12 o'clock noon on any work that is required for the protection of life or property and the setting of sleeves and inserts, shall be deemed to be employed on a regular working day and during a regular working week.

5. The minimum rate of wages for all overtime work performed on Sundays, New Year's Day, Good Friday, Victoria Day, Dominion Day, St. Thomas Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day shall be twice the rate established herein for work performed during the regular working periods.

6. The minimum rate of wages for all other overtime work shall be one and one-half times the rate established herein for work performed during the regular working periods.

HANDICAPPED WORKERS

7. A special minimum rate of wages may be established by the Advisory Committee for any person who is handicapped by reason of age, or physical or other disability.

THE APPRENTICESHIP ACT

8. Apprentices are governed by the provisions of *The Apprenticeship Act* and the regulations thereunder.

FIFTH-YEAR JUNIOR MECHANICS

9. Fifth-year junior mechanics who are employed under conditions which make them not subject to *The*

Ontario Apprenticeship Act and the regulations thereof shall be subject to all of the provisions of this schedule except that the minimum rate of wages applicable to such fifth-year junior mechanics shall be two-thirds of the rate provided herein for the other persons subject to this schedule.

10. A fifth-year junior mechanic shall mean and include an apprentice in the Plumbing and Heating Industry who has completed his fourth year of apprenticeship and who has not completed his fifth year of apprenticeship, and has not been granted a diploma. Upon completion of his fifth year of apprenticeship, or upon receiving his diploma, he shall be no longer entitled to be classed as a fifth-year junior mechanic but shall be subject to all of the provisions of this schedule.

Regulations 456

(Ontario Regulations 191/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Plumbing and Heating Industry,—“all plumbing, steamfitting, pipe fitting, hot water fitting and gas fitting installations in or about buildings, structures and premises, or for or in respect of equipment operating, or to be operated therein, and the repair and maintenance of such installations, except maintenance work, i.e., the repair and maintenance of such installations in a manufacturing, industrial or service institution (and the minor installations which are incidental to the normal operation of such an institution) when such maintenance work is performed by persons who, regularly throughout the operation of a manufacturing, industrial or service institution, are engaged in maintaining in good working order the equipment and premises used in the operation of such manufacturing, industrial or service institution.”

Township of Teck Zone,—“the Townships of Teck, Lebel, Gauthier, McVittie, McGarry and Hearst, in the District of Temiskaming and the Province of Ontario, and all separate municipalities within the boundaries of the said townships.”

SCHEDULE

APPLICATION

1. The following operations and kinds of work are included in the Plumbing and Heating Industry as defined by the Minister of Labour:

- (a) The installation or construction of any work in connection with plumbing units, gas-burning units or appliances, hot water heating units, steam heating units, air-conditioning units supplied with hot water, cold water, or steam, and the installation of all pipes connected with or incidental to the installation or construction of the above units, except all earthenware and concrete pipe.
- (b) The installation of all piping in connection with water supply systems, water filters, water meters, sewage disposal and drainage systems, waste pipes, rain water leaders, soil lines, vent lines, fire lines and hydrants in buildings, pneumatic cleaning systems, oil and gasoline tanks, general garage services, drinking fountains, sterilizing systems, pneumatic delivery tubes and block tin piping, air piping and coils in connection with the sale or dispensing of beverages.
- (c) The installation and connection of all pumps, gauges, fixtures, recording or measuring instruments used in connection with any of the above named units or appliances.
- (d) All piping for water supply to and waste from refrigerating installations and all brine piping in connection with refrigerating installations when such brine piping exceeds forty thousand lineal feet.

- (e) Installation of all pressure, hydraulic, vacuum, pneumatic and air tubing process piping used for any kind of manufacturing or industrial purposes, except sprinkler fitting.
- (f) And all acetylene and electric welding in connection with the installation or construction of any of the above work.

HOURS OF LABOUR

2. The regular hours of labour for all employers and employees working in the said industry shall be as follows:

- (a) A regular working week shall consist of forty-four (44) hours employment divided into five and one-half (5½) regular working days.
- (b) A regular working day shall consist of eight (8) hours employment to be performed between the hours of 8 a.m. and 5 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, with one hour for lunch, and on Saturdays from 8 a.m. until 12 o'clock noon.

MINIMUM RATES OF WAGES

3. The minimum rate of wages for work performed during a regular working day and during a regular working week shall be ninety cents (90c) per hour, until May 1st, 1938, and one dollar (\$1.00) per hour after that date.

OVERTIME CONDITIONS AND RATES

4. Any employee whose work is performed at any time except during a regular working day and a regular working week as defined above, or who performs work on Sundays or on the holidays hereinafter named, shall be deemed to be doing overtime work.

5. The minimum rate of wages for all overtime work performed on Sundays, New Year's Day, Good Friday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day and Christmas Day shall be twice the rate established herein for work performed during the regular working periods.

6. The minimum rate of wages for all other overtime work shall be one and one-half times the rate established herein for work performed during the regular working periods.

HANDICAPPED WORKERS

7. A special minimum rate of wages may be established by the Advisory Committee for any person who is handicapped by reason of age, or physical or other disability.

Regulations 457

(Ontario Regulations 193/44)

EXTRACTS FROM ORDER-IN-COUNCIL MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

Soft Furniture Industry,—“all work performed in connection with the entire or partial manufacture or production or rebuilding or recovering, whether in factories or elsewhere, of all forms of upholstered or soft furniture, excluding the making of frames, and excluding work performed by the sole proprietor of a business, who does not employ any assistants and who has no working partners.”

Toronto and District Zone,—“the City of Toronto, and the Townships of York, East York, North York, Scarborough and Etobicoke, and all separate municipalities within the said Townships.”

SCHEDULE

APPLICATION

1. This schedule shall be binding upon all employers and employees in the Soft Furniture Industry as defined by the Minister of Labour.

2. In this schedule the word “Upholsterer” shall mean any person who performs the operations of stuffing, filling or shaping by tow, moss, hair, fibre, or other filling materials, any article of furniture or part thereof, including the making of seats.

“Cutter” shall mean any person who performs the operations of measuring or cutting to specifications any materials used in the production of soft furniture.

“Springer” shall mean any person who performs the operations of setting springs or attaching them to the frames used in the production of soft furniture.

“Operator” shall mean any person who sews by machine or by hand materials used in the production of soft furniture.

“Cushion Filler” shall mean any person who performs the operations of filling, stuffing, or shaping, by machine or by hand, any cushions or forms used in the production of soft furniture.

“Trimmer” shall mean any person who performs the operations of upholstering outside backs, outside arms and bottoms of any article of soft furniture and who has not more than one year's experience at such work, and after such person has had more than one year's experience, he shall be deemed an upholsterer.

“Finisher” shall mean any person who performs the operations of fitting, finishing, or polishing the legs, carving or other show wood, used in the production of soft furniture.

“Labourer” shall mean any person who performs the general odd jobs in connection with the production of soft furniture, attending the skilled mechanics, carrying materials for them, cleaning the premises and cleaning or packing the finished article, which also

includes the simple attachment of legs and wood carvings but not the fitting or polishing of the same.

HOURS OF LABOUR

3. The regular hours of labour for all employers and employees working in the said industry shall be as follows:

(a) A regular working week shall not exceed forty-four hours of work to be performed during the regular working days as hereinafter defined.

(b) A regular working day shall not exceed eight hours of work to be performed on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays between the hours of 8 a.m. and 5 p.m., and on Saturdays shall not exceed four hours of work to be performed between the hours of 8 a.m. and noon.

(c) Persons classified as “labourers” may work an additional hour per day for the purpose of sweeping and cleaning up, at regular rates of wages.

OVERTIME WORK

4. No employee shall perform any work in the said industry outside of the regular working periods as defined above, except during such periods when such work is allowed pursuant to the terms of an overtime permit obtained by his employer.

5. An employer shall not allow his employees to perform any work outside of the said regular working periods, except during the periods when such work is allowed pursuant to the terms of an overtime permit, which he has obtained from the Advisory Committee.

The Advisory Committee is authorized to issue overtime permits to employers upon the following conditions:

(1) The overtime permit shall be granted only during the period from March 1st to May 31st, inclusive, and during the period from September 1st to December 31st, inclusive.

(2) The overtime permit shall allow not more than six hours of overtime work in any one week for each of his employees and the permits issued to any one employer shall not amount to more than one hundred and twenty hours for each of his employees in any one year.

MINIMUM WAGES

6. The minimum rates of wages for all work performed during the regular working periods shall, with respect to each of the following classifications of employees, be as follows:

Upholsterers.....	70c per hour.
Cutters, Springers, Operators, Cushion Fillers, Finishers and Trimmers.....	60c per hour.
Labourers.....	45c per hour.

7. The minimum rate of wages for all overtime work performed pursuant to permits, as hereinbefore provided, shall be one and one-quarter times the minimum rate of wages hereinbefore provided for work performed during the regular working periods.

HOLIDAYS

8. No work shall be performed in the industry on Saturdays after 12 o'clock noon, or on Sundays, or on New Year's Day, Victoria Day, Good Friday, Dominion Day, Toronto Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day.

HANDICAPPED WORKERS

9. The Advisory Committee is authorized to fix a special minimum rate of wages for any person who is handicapped by reason of lack of skill or experience.

Regulations 458**(Ontario Regulations 103/47)**

REGULATIONS MADE BY THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

BRANTFORD ZONE

1. That part of Ontario described as the City of Brantford is designated as a zone, to be known hereafter as the BRANTFORD ZONE, for the Retail Gasoline Service Industry.

RETAIL GASOLINE SERVICE INDUSTRY

2. The business of operating retail gasoline service stations, gasoline pumps or outlets, where gasoline is offered for sale at retail, including therein washing, waxing, oiling or lubricating automotive vehicles, repairing or changing tires, and other services and undertakings incidental thereto, but excepting thereout a gasoline outlet located on the premises of an employer and used in the fuelling of automotive vehicles owned or operated by the employer, is designated and defined as the RETAIL GASOLINE SERVICE INDUSTRY for the purposes of the Act.

June 20th, 1947.

CHARLES DALEY,
Minister of Labour.*[But see R.S.O. 1950, c. 179, s. 18 (1) and 1948, c. 48.]*

Regulations 459

(Ontario Regulations 102/47)

REGULATIONS MADE BY THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

HAMILTON ZONE

1. That part of Ontario described as the City of Hamilton and the suburban area adjacent thereto and lying within a line drawn as follows: commencing at the point where the high-water mark of the west shore of Burlington Bay meets the northerly limit of the City of Hamilton in the County of Wentworth, thence in a general westerly, southerly and southeasterly direction along the city limits of Hamilton to a line drawn parallel to and distant 300 feet measured northerly and perpendicularly from Main Street in the City of Hamilton, thence westerly along the line drawn parallel to Main Street to the line between lots 54 and 55, Concession 1, in the Township of Ancaster, thence southerly along that line to the line between concessions 1 and 2 in the township, thence easterly along that line to the south-westerly limit of the City of Hamilton, thence in a general southerly and easterly direction along the south-westerly and southerly limit of the city to the line between the townships of Ancaster and Barton, thence along a line drawn south-easterly across Lot 21, Concession 4, in the Township of Barton to the south-westerly angle of the limit of the City of Hamilton in Lot 21, Concession 4, thence in a general easterly direction along the southerly limit of the City of Hamilton to the road between lots 15 and 16, Concession 4, in the Township of Barton, thence southerly along that road to a line drawn parallel to and distant 300 yards measured perpendicularly and southerly from the road allowance between concessions 4 and 5 in the Township of Barton, thence easterly along the line drawn parallel to that road allowance to the centre line of the road allowance between lots 12 and 13, Concession 5, thence northerly along that centre line to the southerly limit of the City of Hamilton, thence in a general easterly and northerly direction along the southerly limit to the centre line of the right of way of the Toronto, Hamilton and Buffalo Railway, thence easterly along that centre line to the line between lots 32 and 33, Concession 4,

in the Township of Saltfleet, thence northerly along that line to a line drawn parallel to and distant 300 feet measured perpendicularly and southerly from the southerly limit of provincial highway number 8 in the Township of Saltfleet, thence easterly along the line drawn parallel to that limit to the line between lots 31 and 32, Concession 3, in the Township of Saltfleet, thence northerly along that line to the centre line of the road allowance between concessions 1 and 2 in the Township of Saltfleet, thence westerly along that centre line to a line drawn parallel to and distant 300 feet measured perpendicularly and easterly from the easterly limit of the City of Hamilton, thence northerly along the line drawn parallel to that limit to the high-water mark on the south shore of Burlington Bay, thence in a general westerly direction along the high-water mark on the shore to the point of commencement is designated as a zone, to be known hereafter as the HAMILTON ZONE, for the Retail Gasoline Service Industry.

RETAIL GASOLINE SERVICE INDUSTRY

2. The business of operating retail gasoline service stations, gasoline pumps or outlets, where gasoline is offered for sale at retail, including therein washing, waxing, oiling or lubricating automotive vehicles, repairing or changing tires, and other services and undertakings incidental thereto, but excepting thereout a gasoline outlet located on the premises of an employer and used in the fueling of automotive vehicles owned or operated by the employer, is designated and defined as the RETAIL GASOLINE SERVICE INDUSTRY for the purposes of the Act.

CHARLES DALEY,
Minister of Labour.

June 23, 1947.

[But see R.S.O. 1950, c. 179, s. 18 (1) and 1948, c. 48.]

Regulations 460**(Ontario Regulations 60/47)**

REGULATIONS MADE BY THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

ZONE

1. The Province of Ontario is designated as a zone, to be known hereafter as the ONTARIO ZONE, for the Hard Furniture Industry.

INDUSTRY

2. All work performed in respect to the manufacture of all wood products commonly known as furniture for houses, offices, schools, churches, theatres, institutions and public buildings, and of radio cabinets and wood frames for upholstered furniture is designated and defined as the HARD FURNITURE INDUSTRY for the purposes of the Act.

CHARLES DALEY,
Minister of Labour.

May 16th, 1947

Regulations 461

(Ontario Regulations 28/47)

REGULATIONS MADE BY THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

1. That part of Ontario described as the cities of Port Arthur and Fort William and the suburban area adjacent thereto and lying within a line commencing at the point where the southerly limit of the Indian Reserve meets the shore of Lake Superior; thence north-westerly along the southerly limit to the south-east corner of the Township of Neebing; thence westerly along the south boundary of the Township of Neebing to the south-west corner of the Township of Neebing; thence northerly along the westerly boundary of the Township of Neebing to the north-west corner of the Township of Neebing; thence continuing northerly along the east boundary of sections 56 and 47 in the Township of McIntyre to a jog in the east boundary of Section 47, thence easterly along the jog to and along the east boundary of Sections 47, 44 and 30 to the south boundary of Lot 29 in the Township of McIntyre; thence easterly along the south boundary of Lots 29, 28, 27, 26, 25, 24 and 23 to the south-east corner of Lots 23 in the Township of McIntyre; thence northerly along the east boundary of Lot 23 to and north-easterly along the easterly boundary of Lot 11, Concession B, in the Township of McIntyre, to and northerly along the centre line of Sections 17 and 6 in the Township of McIntyre to and easterly along the north boundary of Section 6, to and northerly along the line between Lots 11 and 12 across Concessions 1 and 2 in the Township of Gorham to and easterly along the line between Concessions 2 and 3 to the east boundary of the Township of Gorham; thence southerly along the line between the townships of McIntyre and MacGregor to the centre of Concession

B in the Township of MacGregor; thence easterly along the centre of Concession B across Lots 18, 17, 16, 15 and 14 to the line between Lots 13 and 14 in the Township of MacGregor; thence southerly along the line between Lots 13 and 14 to the north boundary of Lot 18E in the Township of MacGregor; thence westerly along the last-mentioned boundary to the north-west corner of Lot 18E; thence southerly along the west boundary of Lots 18E and 9E in the Township of MacGregor to the shore of Lake Superior; thence south-westerly and southerly along the shore to the point of commencement is designated as a zone, to be known hereafter as the PORT ARTHUR—FORT WILLIAM ZONE, for the Sheet-Metal Workers' Construction Industry.

2. All work performed by sheet-metal workers in respect to the construction, erection, repair, remodelling or alteration of the whole or a part of a building or structure except maintenance repairs to the buildings and premises used in the operation of a manufacturing, industrial or service institution including the minor installations or alterations incidental to the maintenance of the buildings and premises, where performed by the regular employees of the manufacturing, industrial or service institution, is designated and defined as the SHEET-METAL WORKERS' CONSTRUCTION INDUSTRY for the purposes of the Act.

CHARLES DALEY,
Minister of Labour.

Regulations 462

(Ontario Regulations 97/47)

REGULATIONS MADE BY THE MINISTER UNDER THE INDUSTRIAL STANDARDS ACT

WELLAND ZONE

1. That part of Ontario described as the City of Welland and the suburban area adjacent thereto and lying within a line drawn as follows: commencing at the point where the road allowance between concessions 4 and 5 in the Township of Humberstone meets the road allowance between lots 24 and 25, Concession 5, in the Township of Humberstone, thence northerly along the last-mentioned road allowance to the town line between the townships of Humberstone and Crowland, thence westerly along the town line to the line between lots 28 and 29 in the Township of Crowland, thence northerly along the line to the centre line of the right-of-way of the Toronto, Hamilton and Buffalo Railway line, thence north-westerly along the centre line of the right-of-way to the line between lots 259 and 256 in the Township of Thorold, thence northerly along the east boundary of lots 259 and 257 to the road allowance north of and adjacent to lots 257 and 258, thence westerly along the last-mentioned road allowance to the town line between the townships of Thorold and Pelham, thence northerly along the town line to the road allowance between concessions 12 and 13 in the Township of Pelham, thence westerly along that road allowance to the line between lots 1 and 2, Concession 12, thence northerly along that line through concessions 12, 11 and 10 in the Township of Pelham to the road extending easterly from Pelham Corner across lots 1 and 2, Concession 10, thence easterly along that road to the town line between the townships of Pelham and Thorold, thence easterly along the road allowance lying north of and adjoining lots 237, 236, 235, 234, 233, 232, 231, 230 and 229 in the Township of Thorold to the centre line of the Welland Canal, thence southerly along the centre line to the south boundary of Lot 229, thence easterly along the last-mentioned boundary and its production easterly to the road allowance between concessions 2 and 3 in the Township of Crowland, thence easterly along the road allowance to the line between lots 19 and 20, Concession 3, thence southerly along the last-mentioned line across concessions 3 and 4 to the road allowance between concessions 4 and 5, thence westerly along the last-mentioned road allowance to the road allowance between lots 20 and 21, Concession 5, thence southerly

along the last-mentioned road allowance to the road allowance between concessions 5 and 6, thence westerly along the last-mentioned road allowance to the line between lots 21 and 22, Concession 6, thence southerly along that line across concessions 6 and 7 in the Township of Crowland to the town line between the townships of Crowland and Humberstone, thence westerly along the last-mentioned town line to the line between lots 20 and 21, Concession 5, in the Township of Humberstone, thence southerly along that line to the road allowance between concessions 4 and 5 in the Township of Humberstone, thence westerly along the last-mentioned road allowance to the point of commencement is designated as a zone, to be known hereafter as the WELLAND ZONE, for the Plumbing and Heating Industry.

PLUMBING AND HEATING INDUSTRY

2. All plumbing, steam-fitting, pipe-fitting, hot-water-fitting and gas-fitting installations in or about buildings, structures, and premises, or for or in respect of equipment operating, or to be operated therein, and the repair and maintenance of the installations, except,—

- (a) the repair and maintenance of the installations in a manufacturing, industrial or service institution; and
- (b) the minor installations which are incidental to the normal operation of a manufacturing, industrial or service institution,

where the maintenance work is performed by persons, who, regularly throughout the operation of a manufacturing, industrial or service institution, are engaged in maintaining in good working order the equipment and premises used in the operation of the manufacturing, industrial or service institution are designated and defined as the PLUMBING AND HEATING INDUSTRY for the purposes of the Act.

CHARLES DALEY,
Minister of Labour.

June 16th, 1947.

Regulations 463

(Ontario Regulations 198/44)

ORDER-IN-COUNCIL UPON THE RECOMMENDATION OF THE ATTORNEY-GENERAL
AS MINISTER IN CHARGE OF THE DEPARTMENT OF INSURANCE
UNDER THE INSURANCE ACT

Upon consideration of the provisions of Sections 38 to 68 of *The Insurance Act*, R.S.O. 1927, Chap. 222 as amended and of Section 37 (2) of the said Act as amended by Section 5 of *The Insurance Act, 1933*, and of Section 70 (2) of the said Act as amended by Section 8 of *The Insurance Act, 1933*, and of the report thereon of the Superintendent of Insurance dated the 12th day of May, 1933, and upon the recommendation of the Honourable the Attorney-General, Minister in charge of the Department of Insurance, the Committee of Council advise that Sections 38 to 68 of the said Act shall not apply to insurers registered under "The Canadian and British Insurance Companies Act, 1932", Statutes of Canada 22-23 George V. Chap. 46, or "The Foreign Insurance Companies Act, 1932", Statutes of Canada, 22-23 George V. Chap. 47, and to further direct that the said insurers shall be required to file only such modified statements as the Superintendent of Insurance may prescribe.

Regulations 464

(Ontario Regulations 261/44; 54/46; 201/47; 234/48; 271/48; 201/49; 26/50)

RULES OF PRACTICE AND PROCEDURE OF THE SUPREME COURT OF ONTARIO MADE BY THE RULES COMMITTEE UNDER THE JUDICATURE ACT AND THE MATRIMONIAL CAUSES ACT

(Attention is drawn to subsection 1 of section 106 of chapter 100 of R.S.O. 1937, [The Judicature Act] which is not reproduced in the 1950 revision but is unrepealed and unconsolidated, vide R.S.O. 1950, Schedule B.)

CHAPTER I

INTERPRETATION.

1. All Rules and orders heretofore passed are rescinded, except those mentioned in the schedule hereto, and as to all matters not provided for in these Rules, the practice shall be regulated by analogy thereto.

2. In these Rules,—

- (a) "Accountant" shall mean "The Accountant of the Supreme Court of Ontario".
- (b) "Action" shall include garnishee proceedings and proceedings for relief by interpleader.
- (c) "County Court" shall include District Court, and "County" shall include "District".
- (d) "Judge" shall mean a Judge of the High Court.
- (e) "Judgment creditor" shall mean the party or person who is entitled to receive payment or to enforce a judgment or order.
- (f) "Judgment debtor" shall mean the party or person to make payment under any judgment or order, or against whom the same may be enforced.
- (g) In Rules 533 to 599 "Judgment" shall include an order to the same effect.
- (h) In the Rules relating to References "Master" shall include and mean an Assistant Master or Clerk to whom the matter has been assigned either by the Master or by the judgment.
- (i) "Matrimonial Cause" shall mean any action under the provisions of "The Divorce Act (Ontario) 1930" other than an action to declare the invalidity of a marriage.
- (j) "Matrimonial Offence" shall mean any act, the commission of which gives a right of action for the dissolution of a marriage.
- (k) "Sheriff" shall include any Coroner, Elisor or other officer charged with the execution of any writ or process.
- (l) "Time prescribed" shall mean time limited or appointed by the Rules or by any judgment or order.
- (m) In Rules 12 to 31 the words "Writ of Summons" and "Writ" shall include any document by which proceedings are commenced, and shall also include all proceedings by which a person not a party is added as a party either before or after judgment, e.g., proceedings in the Master's office and garnishee and third party proceedings.

(n) "Writ of Execution" and "execution" shall include all writs by which a judgment may be enforced, and in the Rules relating to interpleader shall also include an order of attachment under *The Absconding Debtors' Act*.

3. The Division of these Rules into chapters, titles, and headings is for convenience only, and shall not affect their construction.

CHAPTER II

FORM AND COMMENCEMENT OF PROCEEDINGS IN THE SUPREME COURT

Writ of Summons.

4. Except when otherwise authorized by any statute or by any Rule, every proceeding in the Court (other than a proceeding that may be taken *ex parte*) shall be by action commenced by the issue of a Writ of Summons.

5.—(1) The Writ shall be prepared by the Plaintiff and shall contain the names of the parties and the capacity in which they sue and are sued and shall state the office in which and the time within which the defendant is to enter his appearance and shall be endorsed with a short statement of the nature of the Plaintiff's claim.

(2) Writs shall be sealed with the seal of the Supreme Court or the seal kept in the Local Office as the case may be and shall conclude with the words "In witness whereof this Writ is signed for the Supreme Court of Ontario by.....Registrar of the said Court (or Local Registrar at.....as the case may be)" and shall be signed by the officer issuing the same, and shall state the date and place of issue.

(3) A copy of the Writ certified by the Plaintiff's Solicitor shall be filed with the Officer at the time the Writ is issued.

6. A writ for service in Ontario (either personally or in any other manner) shall be according to Form No. 1. A writ for service out of Ontario shall be according to Form No. 2. Where the defendant is not a British subject and is not in British Dominions, notice of the writ, according to Form No. 3, shall be served in lieu of the writ.

7. The plaintiff may issue a duplicate writ or concurrent writ for service either within or without Ontario, tested of the same day as the original writ, and marked "duplicate" or "concurrent," and with the date of actual issue. Such writs shall only be in force during the currency of the original writ.

8. The writ shall be in force for twelve months from the date thereof, including the day of such date; but if for any sufficient reason any defendant has not been served, the writ may at any time before its expiration, by order, be renewed for twelve months, and so from time to time during the currency of the renewed writ. The writ shall be marked by the proper officer, "renewed," with the date of the order.

9. Any claim on behalf of His Majesty, including a claim to repeal letters patent under the Great Seal, may be enforced by an action brought by the Attorney-General on behalf of His Majesty.

Originating Notice.

10.—(1) The proceedings authorized by Rules 600, 604, 605, 608, 615, 617, 618, 622, 691 and interpleader, other than interpleader proceedings by a sheriff, as provided under Rules 625 and 644, may be commenced by notice of motion called an originating notice.

(2) Garnishee proceedings and interpleader proceedings by a sheriff shall be deemed to be interlocutory proceedings in the original cause or matter.

(3) An issue directed in garnishee or interpleader proceedings or any other issue directed to be tried under the provisions of these Rules shall be deemed to be an action and the judgment upon the trial of an issue shall, for the purposes of appeal, be deemed to be final and not interlocutory.

11.—(1) When by any statute a summary application without the institution of any action may be made to the Court or a Judge in a manner therein provided, such application may also be made by originating notice but any security required by such statute shall be given.

(2) This Rule shall apply to proceedings which by any statute or Rule may be taken in a County Court or before a Judge of a County Court.

NOTE.—See also *The Interpretation Act, R.S.O. 1937, ch. 1, sec. 30.*

Indorsement of Address, etc.

12.—(1) Where a plaintiff sues by a solicitor, the writ of summons (or notice in lieu thereof), shall be indorsed with the solicitor's name or firm and place of business, where service may be made.

(2) Where the solicitor issuing a writ of summons is only agent of another solicitor, his name or firm and place of business as well as the name or firm and place of business of the principal solicitor shall be indorsed.

(3) Where a plaintiff sues in person, there shall be indorsed upon the writ or notice in lieu thereof, his place of residence and occupation.

(4) If the residence of a plaintiff suing in person is more than two miles from the office in which the proceedings are commenced, there shall also be indorsed an address for service within that distance. In default, any paper not requiring personal service may be served by mailing the same to the plaintiff at his address, by registered letter.

13.—(1) The solicitor whose name is indorsed on any writ of summons shall on demand declare forthwith whether the cause or matter has been commenced by him or with his authority or privity. He shall also, if demanded, disclose the profession or occupation, and place of abode (giving name of street and house number where practicable) of the plaintiff. In default the action may be stayed and the solicitor may be directed to pay the costs.

(2) If the solicitor declares that the writ was not issued by him or with his authority or privity, an order may be obtained *ex parte* directing that all proceedings shall be stayed, and thereafter no further proceedings shall be taken without leave.

14.—(1) Where an action is brought in the name of a firm or in a name or style other than the plaintiff's own name, the plaintiffs shall, on demand, declare forthwith in writing the names and places of residence of all the persons constituting the firm, or carrying on business under such name or style.

(2) If the plaintiffs fail to comply with such demand, all proceedings in the action may, upon an application for that purpose, be stayed.

Service.

15. Service of a writ of summons shall not be required where the defendant by his solicitor accepts service, and undertakes to appear.

16. Save as hereinafter provided, in the absence of such acceptance of service every writ of summons shall be served personally, but if it appears that the plaintiff is unable to effect prompt personal service, substituted service, by advertisement or otherwise, may be ordered. Substituted service may also be allowed of any other document which requires personal service.

17.—(1) The person serving a writ of summons shall, within three days after the service, indorse on the writ the day of the month and week of the service thereof, and the date of the making of the indorsement, otherwise the plaintiff shall not be at liberty, in case of non-appearance, to proceed by default without leave, to be obtained at the sole cost of the plaintiff.

(2) Every affidavit of service of a writ of summons shall state the day on which such indorsement was made.

18.—(1) Where an infant is sued in respect of his interest in an estate, he shall be served by delivering a copy of the writ to the Official Guardian.

(2) The post office address of the father or guardian of such infant or of the person with whom or under whose care the infant is shall be indorsed on the copy of the writ so served.

(3) From the time of such service, the said Official Guardian shall be the guardian *ad litem* of the infant, unless and until otherwise ordered, and it shall be the duty of the said Official Guardian, or of any other guardian appointed for such infant, forthwith to attend to the interests of the infant, and to take all such proceedings as may be necessary for the protection of such interests in the proceeding in which he is appointed guardian, and for that purpose to communicate with

all proper persons and parties, including the father or guardian of the infant and the person with whom or under whose care the infant is.

(4) In case there is more than one infant for whom service is made on the Official Guardian, one copy only of the writ need be served, but the name of each person on whose behalf the Official Guardian is served shall be stated on the copy served.

19. Where the action against an infant defendant is for the recovery of lands, goods, or chattels of which he is personally in possession, service shall be made on the infant personally, and a copy of the writ shall also be delivered to the Official Guardian, indorsed as aforesaid, who may enter an appearance for the infant, in the absence of other order or direction.

20. Where the action is against an infant in respect of a personal tort or for the recovery of money only, the infant shall be served as in the case of an adult defendant.

21. Where a mentally incompetent person or person of unsound mind not so found by inquisition or judicial declaration, is a defendant, service on the committee of the mentally incompetent person or on the person with whom the defendant of unsound mind resides, or under whose care he is, shall, unless otherwise ordered, be deemed good service.

NOTE—As to service on a mentally incompetent person in an institution. See *The Mental Hospitals Act, R.S.O. 1937, ch. 392, secs. 72 et seq.*

22. After service of the writ no further proceedings shall be taken against a defendant who is a mentally incompetent person and has no committee, or no committee except the Public Trustee, or against a defendant of unsound mind not so found, until a guardian *ad litem* is appointed.

NOTE—As to service upon a patient in an institution. See *The Mental Hospitals Act, R.S.O. 1937, ch. 392, sec. 79.*

23.—(1) A corporation may be served with a writ of summons by delivering a copy to the Mayor, Warden, Reeve, President, or other head officer, or on the Township, Town, City or County Clerk, or on the Cashier, Treasurer or Secretary, Clerk or Agent of such corporation, or of any branch or agency thereof in Ontario. Any person who, within Ontario, transacts or carries on any of the business of, or any business for, any corporation whose chief place of business is without Ontario, shall, for the purpose of being served as aforesaid, be deemed the agent thereof.

(2) Service may also be effected on any person appointed for that purpose under *The Extra Provincial Corporations Act*.

(3) In the case of a railway, telegraph, or express corporation, service may be effected on the agent of such corporation at any branch or agency thereof, or on any station master of the railway company, or on the telegraph operator or express agent having charge of any telegraph or express office belonging to such corporation.

24. Where service of a writ out of Ontario may be allowed and the defendant, whether a British subject or not, is, or was at the time the cause of action arose, carrying on business within Ontario, if the cause of action arose in respect of such business, an order may be made allowing service upon any person having the control or management of the business.

Service Out of Ontario.

25.—(1) Service out of Ontario of a writ of summons or notice of writ may be allowed wherever,—

- (a) The whole subject-matter of the action is land situate within Ontario (with or without rents or profits);
- (b) Any act, deed, will, contract, obligation, or liability affecting land or hereditaments, situate within Ontario is sought to be construed, rectified, set aside, or enforced;
- (bb) Any will of a deceased person who at the time of his death was domiciled within Ontario, affecting personal property is sought to be construed or where the executors of administrators of any such person apply by way of originating notice under the provisions of Rule 600;
- (c) Any relief is sought against any person domiciled or ordinarily resident within Ontario;
- (d) Administration is sought of the personal estate of a deceased person who at the time of his death was domiciled within Ontario, or the execution (as to property situate within Ontario) of the trusts of a written instrument of which the person to be served is a trustee, which ought to be executed according to the law of Ontario;
- (e) The action is in respect of a breach committed within Ontario of a contract wherever made, even though such breach was preceded by or accompanied by a breach out of Ontario which rendered impossible the performance of the part of the contract which ought to have been performed within Ontario;
- (f) The action is upon or in relation to a mortgage or charge or lien of any description upon personal property of any description within Ontario in which foreclosure sale possession or redemption is sought but in which a personal judgment or order for payment is not claimed unless a personal judgment or order for payment may be claimed under some other provision of this Rule;
- (g) The action is founded on a tort committed within Ontario;
- (h) An injunction is sought as to anything done or to be done within Ontario, or any nuisance within Ontario is sought to be prevented or removed, whether damages are or are not claimed in respect thereof;
- (i) A person out of Ontario is a necessary or proper party to an action properly brought

against another person duly served within Ontario;

- (j) Service may also be allowed where the action is for any other matter and it appears that the plaintiff has a good cause of action against the defendant upon a contract or in respect of a claim for alimony, and that the defendant has assets in Ontario, of the value of \$200 at least, which may be rendered liable for the satisfaction of the judgment; but the order allowing service shall in such case provide that if the defendant does not appear, the plaintiff shall prove his claim to the satisfaction of a judge before judgment shall be entered;
- (k) In an action upon a contract where the parties have agreed that the courts of Ontario shall have jurisdiction to entertain the action or have agreed as to the manner in which service, either within or without Ontario of the writ in an action brought in Ontario may be effected. In either of such cases, service may be effected in the manner agreed upon or as may be ordered;
- (l) The action is founded upon a judgment, of any court in Ontario; or
- (m) In a matrimonial cause.

(2) Where it is necessary or proper to serve persons, not already parties to an action, with an office copy of any judgment or order, or notice to prove claims thereunder, service of the same out of Ontario may be allowed.

(3) Service out of Ontario may also be allowed of an attaching order in cases falling within the provisions of Rule 590.

NOTE—As to service out of Ontario in actions respecting shares in companies. See *The Companies Act, R.S.O. 1937, ch. 251, sec. 137 (6)*.

26. An application to allow service out of Ontario may be made *ex parte* and shall be supported by an affidavit, stating that in the belief of the deponent the applicant has a right to the relief claimed, and showing in what place or country the person to be served is or probably may be found, and whether he is a British subject or not, and that the case is a proper one for service out of Ontario under these Rules.

27.—(1) An order allowing service of a writ of summons out of Ontario may be made before the writ is issued and shall limit the time for entering appearance.

(2) An order allowing service out of Ontario of a notice of motion or attaching order, shall limit a time, which must elapse after service before the day when the motion is to be heard.

(3) An order allowing service out of Ontario of a judgment or order or notice to prove claims thereunder shall limit a time for moving to add to, vary or set aside the judgment or order.

(4) In limiting the time, regard shall be had to the place where service is to be effected. (Form No 64.)

28. Where a defendant is to be served out of Ontario with a writ of summons or notice in lieu thereof, the statement of claim shall be served therewith unless the writ is specially endorsed.

29. Where the defendant is to be served out of Ontario, and is neither a British subject nor in British dominions, notice of the writ and not the writ itself shall be served. Such notice shall, save as herein provided, be served personally unless otherwise directed.

30. Where service is to be effected in any foreign country to which this Rule is by direction of the Chief Justice of Ontario made to apply, upon any one other than a British subject, the following procedure shall be adopted:

(1) The notice of the writ and statement of claim shall be transmitted by the Registrar to the Secretary of State with a copy thereof, translated into the language of the country in which service is to be effected with a request for further transmission of the same to the government of the country in which it is to be served, with the request that service, either personal or in such manner as is consistent with the practice and usage of that country when personal service cannot be made, be effected and that return be made showing how such service has been effected.

(2) Any such official return shall be regarded as proof of the facts therein stated.

(3) The plaintiff's solicitor shall, before the papers are transmitted, pay or secure to the satisfaction of the Registrar a sum to answer the fees and charges in connection with such service.

31. Where in any civil or commercial matter pending before a Court or Tribunal of a foreign country, a letter of request from such Court or Tribunal for service on any person in Ontario of any process or citation in such matter, is transmitted to the Supreme Court for Ontario, the following procedure shall be adopted:

(1) The letter of request for service shall be accompanied by a translation thereof in the English language, and by two copies of the process or citation to be served, and two copies thereof in the English language.

(2) Service of the process or citation shall, by a direction of a Judge, be effected by any sheriff or his authorized agent.

(3) Such service shall be effected by delivering to and leaving with the person to be served one copy of the process to be served and one copy of the translation thereof or may be effected in such other manner as may be directed by the letter of request.

(4) After service has been effected the process shall be returned to the Clerk of the Supreme Court, together with the evidence of service by affidavit of the person effecting the service, sworn before a Notary Public and verified by his seal, and particulars of charges for the cost of effecting such service.

(5) The Clerk of the Supreme Court for Ontario shall return the letter of request for service, together with the evidence of service, with a certificate appended thereto, duly sealed with the seal of the said Court. Such certificate shall be in accordance with Form No. 14.

(6) Nothing in this rule shall prevent service from being effected in any other manner in which it may now be made.

Indorsement of Claim.

32 Upon every writ of summons the plaintiff shall indorse a concise statement of his claim. It shall not be essential to set forth the precise ground of complaint, or the precise remedy or relief sought. (See Form No. 4.)

Special Indorsements.

33.—(1) The writ of summons may, at the option of the plaintiff, be specially indorsed with a statement of claim, where the plaintiff seeks to recover a debt or liquidated demand in money (with or without interest, and whether the interest be payable by way of damages or otherwise), arising,—

- (a) Upon a contract, express or implied (as for instance on a bill of exchange, promissory note, cheque, or other simple contract debt); or
- (b) On a bond or contract under seal for payment of a liquidated sum; or on a judgment; or
- (c) On a statute where the amount sought to be recovered is a fixed sum of money or in the nature of a debt other than a penalty; or
- (d) On a guaranty, whether under seal or not, where the claim against the principal is in respect of a debt or liquidated demand; or
- (e) On a trust;

and also

- (f) In actions for the recovery of land (with or without a claim for rent or mesne profits); and
- (g) In action for the recovery of chattels;
- (h) In action for foreclosure or sale.

(2) The writ in such case shall be in accordance with Form No. 5.

(3) Where a writ is specially indorsed in respect of any of the above claims the plaintiff may also claim in respect of any other matter.

34. Where the plaintiff in an action of dower claims damages for detention of her dower, the indorsement shall contain a statement that the plaintiff claims damages for the detention of her dower, from some day to be stated.

CHAPTER III

DEFAULT OF APPEARANCE.

35. Except where otherwise provided or otherwise ordered a defendant who fails to appear shall not be entitled to notice of any subsequent proceedings in the action.

36. Where a defendant fails to appear the plaintiff before signing judgment or noting the pleadings closed, shall file an affidavit of service of the writ, or the

notice in lieu thereof, or the undertaking of the defendant's solicitor accepting service and agreeing to enter an appearance, with an affidavit verifying the undertaking as the case may be.

37. Where the writ is specially indorsed for a debt or liquidated demand in money, and any defendant fails to appear, the plaintiff, notwithstanding that the writ may be indorsed with any other claim, may, as against such defendant, sign final judgment for any sum not exceeding the amount for which the writ is so specially indorsed, together with interest as claimed to the date of the judgment, and for his costs, without prejudice to his right to proceed with the action against any other defendant, and as to any other claims indorsed. (Form No. 86.)

38.—(1) Where the writ is specially indorsed with a claim for the recovery of chattels, and any defendant fails to appear the plaintiff, notwithstanding that the writ may be indorsed with any other claim, may, as against such defendant, sign final judgment for the recovery of the chattels and his costs without prejudice to his right to proceed with the action against any other defendant and as to any other claims indorsed. (Form No. 92.)

(2) Where the claim indorsed upon the writ includes a claim for the detention of goods and pecuniary damages, or either of them, and any defendant fails to appear, interlocutory judgment may be signed against such defendant, directing an assessment of damages, without prejudice to the right of the plaintiff to proceed against any other defendants or for any other claim; and such damages may, unless otherwise ordered, be assessed, as against such defendant, either before or at the same time as the trial of the action, against any other defendant, or for any other claim, of the Court may order that instead of an assessment the value of the goods and amount of damages, or either of them, shall be ascertained by a reference or in any other way. (Form No. 93.)

(3) When interlocutory judgment has been signed and damages have been assessed a final judgment for the recovery of the damages awarded may be entered. (Form No. 94.)

39. No interlocutory judgment shall be signed for default of appearance, unless the precise cause of action is clearly stated in the indorsement of the writ.

40.—(1) Where a defendant fails to appear in an action for dower, the plaintiff may sign judgment of seisin forthwith, and sue out a writ of assignment of dower, but she shall not, unless otherwise ordered, be entitled to costs. (Form No. 91.)

(2) Where the plaintiff claims arrears of dower or damages for detention of her dower, the entry of a judgment of seisin and the taking of proceedings for the assignment of her dower thereunder shall not prevent her from proceeding with the action for the recovery of such arrears or damages.

41.—(1) Where an action is for or includes a claim for the recovery of land, and any defendant fails to appear, or if an appearance is entered but the defence is limited to part only, the plaintiff, notwithstanding that the writ may be indorsed with any other claim, may sign judgment against such defendant for pos-

session of the land or of the part thereof to which the defence does not apply without prejudice to the right of the plaintiff to proceed against any other defendant or for any other relief. (Form No. 87.)

(2) Where judgment by default is signed, but is not signed against all the defendants, a writ of possession shall not be issued unless directed by a Judge.

42. Where an action is for or includes a claim for the recovery of land, and any defendant fails to appear, and the writ is indorsed with a claim for mesne profits, arrears of rent, or double value in respect of the premises claimed or any part of them, or damages for breach of contract, or wrong or injury to the premises claimed, the plaintiff may sign judgment against such defendant for possession, and may proceed as to the other claims. (Form No. 89.)

43. Where any defendant fails to appear in an action for recovery of land, the plaintiff shall not be entitled to costs unless he filed an affidavit showing that such defendant was at the time of the issue of the writ in actual adverse possession of the land, or obtains an order allowing him to sign judgment as well for his costs as for possession of the land.

44. In all cases not hereinbefore provided for a statement of claim must be delivered.

CHAPTER IV APPEARANCE, ETC.

45. When a defendant is served within Ontario, he shall appear within ten days, including the day of service.

46. A defendant shall appear by filing with the proper officer a memorandum in writing, if he appears by solicitor, stating the name and place of business of such solicitor, or, if he appears in person, stating that he defends in person, and giving his address and naming a place to be called his address for service, which shall not be more than two miles from the office from which the writ of summons was issued. (Form No. 6.)

47. If the memorandum does not contain the address of the solicitor or the defendant (as the case may be) it shall not be filed; and if such address is illusory or fictitious, the appearance may be set aside.

48. Where a defendant desires to contend that an order for service out of Ontario could not properly be made, a conditional appearance may be entered by leave.

49. A defendant may appear at any time before judgment.

50. A defendant appearing to a writ, indorsed to recover a money demand, may, in his appearance, state that he disputes only the amount claimed. The plaintiff may thereupon proceed to take an account of the amount due to him before the officer with whom the judgment is to be signed on four clear days' notice, and judgment may be signed for the amount found due, or the plaintiff may move for a judgment of reference.

51.—(1) A defendant in an action for dower, may, with his appearance, file an acknowledgment that he is tenant of the freehold of the land named in the writ, together with his consent that the plaintiff may have

judgment for her dower therein, and may take the proceedings authorized by *The Dower Procedure Act* to have the same assigned to her, unless the parties otherwise agree, and he shall forthwith serve the plaintiff or her solicitor with a copy of such acknowledgment and consent, and upon such consent the plaintiff may enter judgment of seisin, and may obtain a writ of assignment of dower, but shall not, without an order, be entitled to tax or recover the costs of the action or judgment against the defendant.

(2) The entry of a judgment of seisin and the taking of proceedings for the assignment of her dower thereunder shall not prevent the plaintiff from proceeding with the action for the recovery of arrears of dower or damages.

(3) Where the defendant has filed and served such acknowledgment and consent, and the plaintiff does not within three months thereafter sue out and cause to be executed a writ of assignment of dower, the defendant may, by leave, sue out such writ; and the writ shall be, as nearly as may be, in the same form as a writ sued out by the plaintiff, and the like proceedings shall be had thereon.

52. In an action for dower the landlord or other person under whom a tenant in possession, who is not also tenant of the freehold, holds or entered into possession, may, without leave, appear and defend, by filing with his appearance an affidavit that he is tenant of the freehold, and is advised and believes that there is good ground for disputing the plaintiff's claim to dower.

53. Any person not named as a defendant in a writ for the recovery of land, may, without leave, appear and defend, by filing with his appearance an affidavit stating that he is in possession either by himself or his tenant (as the case may be).

54. Any person entering an appearance under the two preceding Rules, shall forthwith give notice thereof, and shall in all subsequent proceedings be named as a party defendant; if notice of appearance is not forthwith given the plaintiff may proceed as in case of non-appearance.

55. Any person appearing to a writ for the recovery of land may limit his defence to a part only of the land, describing the part with reasonable certainty in his appearance, or in a notice to be served within four days after appearance (Forms Nos. 7 and 27), and thereupon the plaintiff may sign judgment for the recovery of possession of the land as to which no defence is made. (Form No. 90.)

56.—(1) Where the writ is specially indorsed the defendant shall with his appearance file an affidavit that he has a good defence upon the merits and showing the nature of his defence, with the facts and circumstances which he deems entitle him to defend the action and shall forthwith serve a copy of such affidavit upon the plaintiff. The affidavit may be made by the defendant or by any one having knowledge of the facts.

(2) A counterclaim shall be deemed to be a defence within the meaning of this Rule.

(3) If the defendant fails to file an affidavit the appearance shall not be received and the plaintiff shall be entitled to sign judgment for default of appearance.

(4) An affidavit of merits shall not be necessary where an appearance is entered by the Official Guardian for an infant or mentally incompetent person, or by an executor or administrator or trustee, or an assignee for the benefit of creditors or a liquidator or receiver, or the committee for an absentee, who swears that after careful inquiry he does not feel justified in admitting the plaintiff's claim and desires that it shall be proved, or by the Public Trustee appearing as committee of a mentally incompetent person.

CHAPTER V

MOTION FOR JUDGMENT ON SPECIALLY INDORSED WRITS AND IN ACTIONS FOR ACCOUNT.

57.—(1) Where the defendant appears to a writ specially indorsed and files an affidavit of merits, the plaintiff may cross-examine upon such affidavit and move for judgment, and if the court is satisfied that the defendant has not a good defence to the action on the merits, or has not disclosed such facts as may be deemed sufficient to entitle him to defend the action, judgment may be given for the plaintiff.

(2) Such motion may be made in respect of a cause of action specially indorsed, though the writ may also be indorsed with any other claim.

(3) On any such motion any amendment of the writ which might be ordered on a substantive motion may be directed, and judgment may be awarded in accordance with the writ as amended.

(4) Where a counterclaim is set up regard shall be had to the provisions of Rule 116.

58. Where the defence disclosed applies only to a part of the plaintiff's claim, or any part of his claim is admitted to be due, the plaintiff shall have judgment forthwith for such part of his claim as the defence does not apply to, or as is admitted to be due, subject to such terms, if any, as to suspending execution, or payment into court as may seem just, and the defendant may be allowed to defend as to the residue of the plaintiff's claim, or a reference may be directed under Rule 61.

59. Judgment may be awarded and execution issued against any defendant without prejudice to the plaintiff's right to proceed against any other defendant.

60. On any such motion, an order may be made, giving the defendant leave to defend either unconditionally, or subject to such terms as may seem just, or for a speedy trial of the action with or without pleadings upon such terms as may be deemed proper.

61. On any such motion, if it appears that the defence disclosed is substantially only as to the amount recoverable, the court may direct a reference, and either pronounce judgment to take effect on the confirmation of the report, or reserve further directions and questions of costs for consideration after the report is made.

62. Where a writ is specially indorsed and some special reason for urgency is shown the plaintiff may, at any time, by leave, serve notice of motion for judgment. Such leave may be given *ex parte* and subject to such directions, as to the service of the notice of motion and filing and service of the affidavits and otherwise, as may seem just.

63. In default of appearance when the plaintiff's claim is for an account, the plaintiff may apply for a judgment for the taking of the account claimed, with all directions usual in similar cases.

64. Where the plaintiff's claim is for an account and appearance is entered the plaintiff may move for judgment, without pleading, and unless the defendant satisfies the court that there is some preliminary question to be tried the appropriate judgment shall be pronounced.

65. The court may, at any stage of the proceedings in a cause or matter, direct any necessary inquiries or accounts to be made or taken, notwithstanding that some special or further relief is sought, or some issue is to be tried, as to which it may be proper that the cause or matter should proceed in the ordinary manner.

CHAPTER VI

PARTIES AND JOINDER OF CAUSES OF ACTION.

Generally.

66. All persons may be joined in an action as plaintiffs in whom any right to relief in respect of or arising out of the same transaction or occurrence, or series of transactions or occurrences, is alleged to exist, whether jointly, severally, or in the alternative, where if such persons brought separate actions any common question of law or fact would arise; but, if, upon the application of a defendant, it appears that such joinder may embarrass or delay the trial of the action, the Court may order separate trials, or make such other order as may be expedient; and without any amendment, judgment may be given for such one or more of the plaintiffs as may be found entitled to relief, for such relief as he or they may be entitled to but the defendant, though unsuccessful, shall be entitled to his costs occasioned by joining any person who is not found entitled to relief, unless the Court otherwise orders.

67. Where the plaintiff claims that the same transaction or occurrence, or series of transactions or occurrences, give him a cause of action against one or more persons, or where he is in doubt as to the person from whom he is entitled to redress, he may join as defendants all persons against whom he claims any right to relief, whether jointly, severally, or in the alternative; and judgment may be given against one or more of the defendants according to their respective liabilities. The Court may order separate trials or make such other order as may be deemed expedient if such joinder is deemed oppressive or unfair.

68. It shall not be necessary that every defendant to an action shall be interested as to all the relief claimed, or as to every cause of action included therein.

69. A plaintiff may unite, in the same action, several causes of action.

70. A claim by or against husband and wife may be joined with a claim by or against either of them separately.

71. A claim by or against an executor or administrator may be joined with a claim by or against him personally, provided the last mentioned claim is alleged to have arisen with reference to the estate represented by him in the action.

72. A claim by plaintiffs jointly, may be joined with a claim by them or any of them separately against the same defendant.

73. If several causes of action joined in the same action are such as cannot be conveniently disposed of in one action, the Court may order any of them to be excluded, or may direct the issues respecting the separate causes of action to be tried separately.

74.—(1) Trustees, executors and administrators may sue and be sued on behalf of, or as representing, the property or estate of which they are trustees or representatives, without joining any of the persons beneficially interested, and shall represent them; but the Court may at any time order any of them to be made parties in addition to, or in lieu of, the previous parties.

(2) This rule shall apply to an action to enforce a security by foreclosure or otherwise.

NOTE—As to parties to mortgage actions where no personal representative. See R.S.O. 1937, c. 163, s. 9.

75. Where there are numerous persons having the same interest, one or more may sue or be sued, or may be authorized by the Court to defend, on behalf of, or for the benefit of all.

76. Where the right of an heir-at-law or of the next of kin, or of a class, or of an unborn person, depends upon the construction of an instrument, and it is not known or is difficult to ascertain who is such heir-at-law or next of kin or class, and the Court deems it convenient to have the question determined before the heir-at-law, next of kin or class in question is ascertained, or before the birth of any unborn person, the Court may appoint some person to represent the heir-at-law, next of kin or class, or unborn person, and the judgment of the Court shall be binding upon the person or class or unborn person so represented.

77. The Court may appoint some person to represent, for the purposes of any action or proceeding, the interest of any person or class, who may be not ascertained or who may be unborn, and the judgment of the Court shall be binding upon the person or class so represented.

78. Where in a proceeding concerning a trust a compromise is proposed and some of the persons interested in the compromise are not parties to the proceeding, but there are other persons in the same interest before the Court and assenting to the compromise, the Court if satisfied that the compromise will be for the benefit of the absent persons, and that to require service on them would cause unreasonable expense or delay, may approve the compromise and order that the same shall be binding on the absent persons, and they shall be bound accordingly, except where the order has been obtained by fraud or non-disclosure of material facts.

79. A residuary legatee, or next of kin, may have a judgment for the administration of the personal estate of a deceased person without serving the other residuary legatees or next of kin.

80. A legatee interested in a legacy charged upon real estate, or a person interested in the proceeds of

real estate directed to be sold, may have a judgment for the administration of the estate of a deceased person without serving any other legatee or person interested in the proceeds.

81. A residuary devisee, or heir, may have the like judgment, without serving any other residuary devisee, or heir.

82. One *cestui que trust*, under an instrument, may have a judgment for the execution of the trusts of the instrument, without serving the other *cestuis que trustent*.

83. In actions for the protection of property, and in cases in the nature of waste, one person may sue on behalf of himself and of all persons having the same interest.

84. An executor, administrator, or trustee, may obtain a judgment against any one legatee, next of kin or *cestui que trust*, for the administration of the estate or the execution of the trusts.

85. The Court may require any other person to be made a party to an action to which Rules 79 to 84 apply, and may give the conduct of the action to such party as it deems proper; and may make such order as it deems just for placing the plaintiff on the record on the same footing in regard to costs as other persons having a common interest with him in the matter in question.

86. Where a reference is directed the persons who, but for Rules 79 to 84, would have been necessary parties, shall be served with an office-copy of the judgment (unless the Court or Master dispenses with such service) indorsed with a notice according to Form No. 38, and after such service they shall be bound by the proceedings in the same manner as if they had been originally made parties; and upon notice to the plaintiff they may at their own risk as to costs require notice to be given them to enable them to attend the proceedings under the judgment. Any person so served may apply to the Court to add to, vary, or set aside the judgment within ten days from the date of such service.

87. In administration proceedings no person other than the executor or administrator shall, unless by leave, be entitled to appear on the claim of any person against the estate of the deceased.

88. An assignee of a chose in action may sue in respect thereof without making the assignor a party. (See R.S.O. 1937, c. 152, s. 52.)

89. The Court, if it thinks fit, may pronounce a judgment saving the rights of all persons not parties.

90. Where it appears that a deceased person who was interested in the matters in question has no personal representative, the Court may either proceed in the absence of any person representing his estate or may appoint some person to represent the estate for all the purposes of the action or other proceeding, on such notice as may seem proper, notwithstanding that the estate in question may have a substantial interest in the matters, or that there may be active duties to be performed by the person so appointed, or that he may represent interests adverse to the

plaintiff, or that administration of the estate whereof representations is sought is claimed; and the order so made and any orders consequent thereon, shall bind the estate of such deceased person, in the same manner as if a duly appointed personal representative of such person had been a party to the action or proceeding.

Infants and Mentally Incompetent Persons.

91. An infant may sue by his next friend; and may defend by his guardian appointed for that purpose, or by the Official Guardian, as the case may be.

92. Where an infant defendant is not represented by the Official Guardian, a guardian may be appointed for him by the Court.

93. A person desirous of appointing a guardian for himself other than the Official Guardian to defend an action or matter, may go before a Judge with the proposed guardian. He must satisfy the Judge by affidavit that the proposed guardian is a fit person, and has no adverse interest; and the Judge may examine the proposed guardian, or the person making the affidavit, *viva voce*, or require further evidence to be adduced until he is satisfied of the propriety of the appointment.

94. A mentally incompetent person (not so found by inquisition or judicial declaration) may sue by his next friend, and may defend by his guardian.

95.—(1) Where no appearance has been entered to a writ of summons for a defendant who is a mentally incompetent person not so found, the plaintiff may apply for an order that a guardian of such defendant be appointed, by whom he may appear and defend.

(2) No such order shall be made unless it appears that the writ was duly served, and that notice of the application was, after the expiration of the time allowed for appearance, and at least six clear days before the day in the notice named for hearing the application, served upon, or left at the dwelling-house of, the person with whom the defendant resides, or under whose care he is at the time of serving such notice.

(3) The Official Guardian shall be appointed, unless for good reason it is otherwise directed.

(4) Where the mentally incompetent person is confined in a public hospital the Public Trustee shall be appointed unless otherwise ordered.

96. Where a mentally incompetent person not so found by inquisition or judicial declaration is served with an office copy of a judgment or order or is made a party after judgment, a guardian *ad litem* shall be appointed for him after the like notice.

97. A mentally incompetent person who has been so found, and an absentee, may sue or defend by his committee.

98. A person who has been declared incapable under section 36 of *The Mental Incompetency Act, R.S.O. 1937, c. 110*, shall be represented by any person who may be authorized under the provisions of that Act.

99. Unless otherwise ordered, before the name of any person is used as next friend or as relator, such

person shall sign a written authority to the solicitor for that purpose, and the authority shall be filed in the office in which the cause or matter is commenced.

99A. An action against a mentally incompetent person confined in a public hospital may be stayed upon an application made by the Public Trustee if it appears to the Judge that the stay will work no injustice and will tend to facilitate the advantageous realization of the mentally incompetent person's estate.

Partners, etc.

100. Any two or more persons (whether British subjects or not and whether residing within or without Ontario) claiming or being liable as partners, and carrying on business within Ontario, may sue or be sued in the name of the firm of which such persons were co-partners at the time of the accruing of the cause of action.

101. Where persons are sued as partners in the name of the firm the writ shall be served either upon any one or more of the partners, or at the principal place within Ontario of the business of the partnership, upon any person having the control or management of the partnership business there; and such service shall be deemed good service upon the firm whether any of the members thereof are without Ontario or not, but in the case of a partnership which has been dissolved to the knowledge of the plaintiff before action, the writ of summons shall be served upon every person within Ontario sought to be made liable. Every person so served shall be informed by notice in writing given at the time of service whether he is served as a partner or as a person having the control or management of the partnership business, or in both characters. In default of such notice the person served shall be deemed to be served as a partner.

102. Persons sued as partners in the name of the firm shall appear individually in their own names, but all subsequent proceedings shall continue in the name of the firm.

103. Where a writ is served upon a person as the person having the control or management of the partnership business an appearance by him shall not be necessary unless he is a member of the firm.

104. A person served as a partner may (1) enter an appearance under protest, denying that he is a partner, but such appearance shall not preclude the plaintiff from otherwise serving the firm and obtaining judgment against the firm in default of appearance if no partner has entered an appearance in the ordinary form; or (2) enter an appearance not only denying that he is a partner, but also disputing the plaintiff's claim.

105.—(1) Where a judgment or order is obtained against a firm, execution may issue against the property of,—

(a) The partnership;

(b) Any person who has by his appearance or notice, under Rule 14 or pleading, admitted that he is, or who has been adjudged, to be a partner;

- (c) Any person who has been served as a partner with the writ of summons and has failed to appear.

(2) If the party who has obtained the judgment or order claims to be entitled to issue execution against any other person as being a member of the firm, he may apply for leave so to do; and the Court may give such leave if the liability be not disputed, or, if disputed, after such liability has been determined in such manner as the Court may direct.

106. A judgment against a firm in the firm name shall not release, render liable or affect any member thereof who was out of Ontario when the writ was issued and who has not appeared thereto, unless he has been served either within Ontario or in accordance with the Rules respecting service out of Ontario, but this provision shall not prevent the enforcement of the judgment against partnership property.

107. Rules 100 to 106 shall apply to actions between a firm and one or more of the members and to actions between firms having one or more members in common, if the firm or firms carry on business within Ontario, but execution shall not issue in such actions without leave, and on application for leave, all such accounts and inquiries may be ordered and directions given as may seem just.

108.—(1) Any person (whether a British subject or not, and whether residing within or without Ontario) carrying on business within Ontario in a name or style other than his own name, may be sued in such name or style.

(2) The writ may be served upon the person so carrying on the business if he be within Ontario, or at the place of business within Ontario (or if there are several such places, at the place within the county in which the cause of action arose), upon any person having the control or management of the business there.

(3) The person upon whom the writ is served shall be informed by notice in writing, given at the time of service, whether he is served as the person carrying on the business or as a person having the control or management of it, and in default of such notice he shall be deemed to be served as the person carrying on the business.

(4) The person so sued shall appear in his own name, but all subsequent proceedings shall continue in such name or style.

(5) A person served as the person carrying on the business may enter an appearance under protest denying that he is the person so carrying on the business, but such appearance shall not preclude the plaintiff from otherwise serving the person sued or from obtaining judgment in default of appearance in the ordinary form by the person so sued.

(6) Any judgment or order in the action may be enforced by execution against,—

- (a) The property of the person so sued, used or employed in or in connection with the business.
- (b) Any property of a person who by his appearance or by notice under Rule 14, has admitted

that he is or has been adjudged to be the person carrying on the business, or has been served with the writ as the person carrying on the business and has failed to appear.

(7) When judgment has been signed for default of appearance and the writ has not been personally served upon the person whom the plaintiff alleges to be carrying on the business, the Court may give leave to issue execution against such person if his liability be not disputed, or, if disputed, after it has been determined in such manner as the Court may direct.

CHAPTER VII

PLEADINGS.

General Provisions.

109.—(1) The plaintiff shall state the nature of his claim and the relief sought in a pleading to be called the Statement of Claim and may therein alter, modify, or extend his claim as indorsed upon the writ.

(2) When a defendant has not appeared and the statement of claim alters, modifies, or extends the claim as indorsed upon the writ, the plaintiff shall not be entitled to judgment on default of defence unless the statement of claim is served personally or in pursuance of an order for substitutional service.

NOTE—In all actions proceeding to trial pleadings are necessary, even though the writ has been specially indorsed and an affidavit of merits has been filed, unless an order has been made under Rule 60 for a trial without pleadings.

110. The plaintiff shall deliver his statement of claim within one month from the entering of appearance or at any time before appearance and where there is more than one defendant the statement of claim shall be delivered within a month from the last appearance or from the time when the last appearance should have been entered.

111. The defendant shall deliver his defence and counterclaim (if any) within ten days from the delivery of the Statement of Claim or from the time limited for appearance whichever shall be last.

112. Where a defendant sets up a counter-claim which raises questions between himself and the plaintiff and any other person he shall add a second style of cause in which he shall be described as "Plaintiff by Counter-claim" and the plaintiff and such other person shall be described as "Defendants by Counter-claim," and shall deliver his counter-claim to such of them as are parties to the action within the period limited for the defence and shall serve the same without delay upon such of them as are not parties to the action together with a summons according to Form No. 23, issued from the proper office and a copy of the statement of claim.

113. Any defendant to a counter-claim, shall within ten days after service thereof on him, deliver a defence thereto and the plaintiff by counter-claim may reply within ten days.

114. A defendant may set up by way of counter-claim, any right or claim whether the same sounds in damages or not.

115. A counter-claim shall be treated as an action, so as to enable the Court to pronounce a final judgment upon all matters set up therein.

116. Where a defendant does not dispute the plaintiff's claim, but sets up a counter-claim, the Court may stay proceedings respecting the claim until the counter-claim is disposed of.

117. Where a plaintiff does not dispute the defendant's counter-claim the Court may stay proceedings upon the counter-claim until the claim is disposed of.

118. A plaintiff shall deliver his reply, if any, within ten days after the defence or the last of the defences has been delivered.

119. No pleading subsequent to reply shall be delivered without leave.

120. As soon as either party has joined issue upon any pleading of the opposite party, or as soon as the time for delivering a reply or subsequent pleading has expired, the pleadings shall be deemed to be closed.

121. Where any party makes default in delivering a statement of defence to the statement of claim or to the counter-claim within the time limited therefor, in cases where judgment cannot be signed, the opposite party may, upon proof of the default, by *praecipe* to the officer with whom the pleadings are filed, require him to note the default, and thereafter no pleading by the party in default shall be received or filed without the leave of the Court. Until default is so noted the party in default may file his pleading.

122. Either party shall be entitled to raise by his pleadings any point of law, and by consent of the parties, or by leave of a Judge, the same may be set down for hearing at any time before the trial, otherwise it shall be disposed of at the trial.

123. Upon the determination of such point of law the Court may pronounce such judgment as may be deemed proper.

124. A Judge may order any pleading to be struck out on the ground that it discloses no reasonable cause of action or answer, and in any such case, or in case of the action or defence being shown to be frivolous or vexatious, may order the action to be stayed or dismissed, or judgment to be entered accordingly.

125. Where an issue is directed to be tried it shall, if the parties differ, be settled in chambers, and as soon as settled be filed in the office in which the proceedings are carried on, and thereafter the proceedings in the issue shall be carried on in the same manner as the proceedings in an action.

126.—(1) The parties to any cause may concur in stating questions of law arising, in the form of a special case for the opinion of the Court; and may agree that on the judgment of the Court being given in the affirmative or negative of the question or questions of law raised, certain specific relief may be awarded.

(2) Upon the argument of the case the whole contents of the documents referred to therein may be read, and the Court may draw from the facts and documents any inference, either of fact or law, as at a trial.

127. A plaintiff may, without leave, amend his statement of claim, including a claim specially indorsed on the writ, once, either before the statement of defence has been delivered, or after it has been delivered and before the expiration of the time limited for reply, and before replying.

128. Where a plaintiff has amended his statement of claim the opposite party shall plead thereto or amend his pleading within the time he then has to plead, or within ten days from the delivery of the amendment, whichever shall last expire, and in case the opposite party has pleaded before the delivery of the amendment and does not plead again or amend within the time above mentioned, he shall be deemed to rely on his original pleading in answer to such amendment.

129. Either party may amend his pleadings at any time on filing the written consent of the opposite party.

130. An amendment may be made by leave of the Court, or of the Judge at the trial, and such amendment shall be at once made on the face of the record.

131. A party who has obtained leave to amend shall make the amendment within the time limited by the order, or if no time is limited, within ten days from the date of the order.

132. A pleading may be amended by written alterations in the copies filed and served and by additions on paper to be interleaved therewith if necessary; unless the amendments are so numerous or of such a nature that making them in the copies filed and served would render the same difficult or inconvenient to read; in either of which cases the amendment shall be made by delivering a fresh copy of the pleading as amended.

133. Where a pleading is amended a memorandum shall be made in the margin stating the date of and authority for the amendment, and the amendment shall be written or underlined in ink of a different colour from that used in the original pleading.

134.—(1) The Court may, at any stage of the proceedings, order that the name of a plaintiff or defendant improperly joined be struck out, and that any person who ought to have been joined, or whose presence is necessary in order to enable the Court effectually and completely to adjudicate upon the questions involved in the action, be added; or where an action has through a *bona fide* mistake been commenced in the name of the wrong person as plaintiff, or where it is doubtful whether it has been commenced in the name of the right plaintiff, the Court may order any person to be substituted or added as plaintiff.

(2) No person shall be added or substituted as a plaintiff, or as the next friend of a plaintiff, without his own consent in writing thereto to be filed.

(3) Parties added or substituted as defendants shall, unless otherwise ordered, be served with the amended writ of summons, and the proceedings as against them shall be deemed to have begun only at the time when they are added.

135. If a statement of claim has been delivered previously to a defendant being added, it shall be amended in such manner as the making of the new

defendant a party may render desirable; and a copy of the amended statement of claim shall also be served on the new defendant.

136. The Court may order that any pleading, petition of affidavit, or any part of a pleading, petition or affidavit, which is scandalous, be taken off the file, or may direct the scandalous matter to be expunged.

137. Any pleading which may tend to prejudice, embarrass or delay the fair trial of the action may be struck out or amended.

138. A further and better statement of the nature of the claim or defence or further and better particulars of any matter stated in any pleading or special endorsement, may in all cases be ordered. (Form No. 65.)

GENERAL RULES OF PLEADING.

139. Every writ, pleading or other document, may be printed, typewritten, or written in whole or in part.

140. Every pleading shall be filed, and served upon all parties concerned therewith, and shall be marked on the face with the date of filing, and with the title of the action, the description of the pleading, and the name and place of business of the solicitor and agent (if any) of the party filing the same, or the name and address of the party filing the same if he does not act by a solicitor.

141. Pleadings shall contain a concise statement of the material facts upon which the party pleading relies, but not the evidence by which they are to be proved; dates, sums and numbers shall be expressed in figures.

142. Each party shall admit such of the material allegations contained in the pleading of the opposite party as are true, and a defendant shall not deny generally the allegations contained in the statement of claim but shall set forth the facts upon which he relies even though this may involve the assertion of a negative.

143. A defendant to an action or counter-claim shall raise all matters which show the action or counter-claim not to be maintainable, or that the transaction is either void or voidable in point of law, and all such grounds of defence as if not raised would be likely to take the opposite party by surprise, or would raise issues of fact not arising out of the preceding pleadings, as for instance, fraud, the Statute of Limitations, release, payment, performance, facts showing illegality either by statute or common law, or the Statute of Frauds.

144. Save as otherwise provided, the silence of a pleading as to any allegation contained in the previous pleading of the opposite party shall not be construed as an admission of the truth of such allegation.

145. Every statement of claim and counter-claim shall state specifically the relief claimed, either simply or in the alternative, and may also ask for general relief. When damages are claimed the amount shall be named.

146. Any condition precedent, the performance or occurrence of which is intended to be contested, shall

be distinctly specified in his pleading by the party relying thereon, and an averment of the performance or occurrence of all conditions precedent necessary for the case by the plaintiff or defendant shall be implied in his pleading.

147. Where the contents of any document are material, it shall be sufficient in any pleading to state the effect thereof as briefly as possible, without setting out the whole or any part thereof.

148. Where it is material to allege malice, fraudulent intention, knowledge or other condition of the mind of any person, it shall be sufficient to allege the same as a fact, without setting out the circumstances from which the same is to be inferred.

149. Where it is material to allege notice to a person of any fact, matter or thing, it shall be sufficient to allege such notice as a fact unless the form or precise terms of the notice is or are material.

150. Where a contract or relation between persons does not arise from an express agreement, but it is to be implied from a series of letters or conversations, or otherwise from a number of circumstances, it shall be sufficient to allege the contract or relation as a fact.

151. Neither party need in any pleading allege any matter of fact which the law presumes in his favour, or as to which the burden of proof lies upon the other side.

[E.G.—Consideration for a bill of exchange.]

152. If either party wishes to deny the alleged constitution of any partnership, or the right of any other party to claim as executor, or as trustee, or as assignee in insolvency, or in any representative or other alleged capacity, he shall deny the same specifically, or the same will be taken to be admitted.

153. Unless the incorporation of a corporate party is specifically denied, it shall not be necessary to prove it.

154. Where a contract is alleged, a denial of the contract shall be construed only as a denial of the making of the contract in fact, and not of its legality or its sufficiency in law, whether with reference to the Statute of Frauds or otherwise.

155. A defendant in an action for the recovery of land who is in possession by himself or his tenant need not plead his title, unless his defence depends on an equitable estate or right, or he claims relief upon any equitable ground against any right or title asserted by the plaintiff; but, except in the cases hereinbefore mentioned, it shall be sufficient to state by way of defence that he is so in possession, and he may rely upon any ground of defence which he can prove.

156. Where a defendant by virtue of any statute enabling him so to do pleads not guilty by statute he shall in his defence refer to the statute giving the right so to plead, and also to all statutes upon which he relies, giving chapter and section in every such reference, and if so required shall deliver particulars of his defence.

157. A subsequent pleading shall not raise any new ground of claim or contain any allegation of fact inconsistent with the previous pleadings of the party pleading the same.

158. In actions for libel or slander, in which the defendant does not by his defence assert the truth of the statement complained of, he shall not be entitled on the trial without the leave of the presiding Judge to give evidence in chief, with a view to mitigation of damages, as to the circumstances under which the libel or slander was published, or as to the character of the plaintiff, unless in his pleading or by notice given seven days at least before the trial he furnishes particulars in writing to the plaintiff of the matters as to which he intends to give evidence.

159. A ground of defence or counter-claim which has arisen after action, but before the defendant has delivered his statement of defence, may be pleaded, either alone or with other grounds of defence.

160. If, after a counter-claim has been delivered a ground of defence thereto arises it may be pleaded in answer thereto.

161. Where a ground of defence or counter-claim arises after the delivery of the statement of defence or counter-claim, the defendant may within ten days after such ground of defence or counter-claim has arisen, deliver a further defence or counter-claim, setting forth the same, or introduce the same by amendment into his statement of defence or counter-claim.

162. Where a ground of defence to any counter-claim arises after the delivery of the defence thereto the defendant to the counter-claim may within ten days after such ground of defence has arisen, deliver a further pleading setting forth the same, or may set up such new ground of defence by amendment.

163. Any such amendment may be made on *praecipe*.

164. Where any defendant pleads any ground of defence or counter-claim which has arisen after the commencement of the action, the plaintiff may deliver a confession of such defence; and he may thereupon sign judgment for his costs up to the time of the pleading of such defence unless otherwise ordered. (Forms Nos. 26 and 95.)

CHAPTER VIII

THIRD-PARTY PROCEDURE.

165.—(1) Where a defendant claims to be entitled to contribution or indemnity from or any other relief over against any person not a party to the action, hereinafter called a third party, he may issue a notice in accordance with Form No. 22 (hereinafter called the third party notice) which shall be sealed in the same manner as the writ of summons, and shall state the nature and grounds of the claim.

(2) A copy of the notice shall be filed, and a copy together with a copy of the statement of claim or, if there be no statement of claim, of the writ, shall be served on the third party within the time limited for the delivery of the defence.

166. If a third party desires to dispute the plaintiff's claim in the action as against the defendant or his own liability to the defendant, he shall enter an appearance within ten days from the service of the notice, and in default of his so doing he shall be deemed to admit the validity of any judgment obtained (whether by consent or otherwise) against such defendant, and his own liability to contribute or indemnify, claimed in the third party notice.

167. Where the third party makes default in entering an appearance, the defendant giving the notice, in case he suffers judgment by default, shall be entitled at any time to move for judgment against the third party to the extent of the contribution, indemnity or relief over claimed in the third party notice.

168. Where a third party makes default in entering an appearance, if the action is tried and results in favour of the plaintiff, the Judge who tries the action may, at or after the trial, direct such judgment as the nature of the case may require to be entered for the defendant giving the notice against the third party.

169. Where the third party appears pursuant to the third party notice, the defendant giving the notice may apply for directions, and the Court may order the question of liability, as between the third party and the defendant giving the notice, to be tried in such manner at or after the trial of the action as may seem proper; and may give the third party liberty to defend the action, upon such terms as may be just, or to appear at the trial and take part therein, and generally may order such proceedings to be taken and give such directions as may appear proper for having the question between the defendant and the third party most conveniently determined, and as to the mode and extent in or to which the third party shall be bound or made liable by the judgment in the action.

170. Where a defendant claims to be entitled to contribution or indemnity from or relief over against any other defendant, a notice may be issued and the same procedure shall be adopted as if such last-mentioned defendant were a third party, except that a copy of the statement of claim or writ need not be served with the third party notice, and service may be effected upon the solicitor in the action, if any, of the defendant sought to be made liable as a third party.

171. A plaintiff is not to be prejudiced or unnecessarily delayed by reason of questions between the defendant and the third party in which he is not concerned; and such directions shall be given and terms imposed as may be necessary to prevent delay of the plaintiff, where it can be done without injustice to the defendants and third party.

CHAPTER IX

TIME AND VACATIONS.

172. Where a period of less than six days is prescribed holidays shall not be reckoned.

173.—(1) Where a number of days not expressed to be clear days is prescribed the same shall be reckoned exclusively of the first day and inclusively of the last day.

(2) Where the days are expressed to be clear days, or where the term "at least" is added, both days shall be excluded.

174. Where the time for doing any act or taking any proceeding expires on a holiday the act or proceeding may be done or taken on the next juridical day.

175. Any time prescribed may be enlarged or abridged by consent in writing, without order.

176. The Court may from time to time enlarge or abridge the time prescribed by the Rules, or by an order, for doing any act or taking any proceeding, and this power may be exercised although the application is not made until after the expiration of the time prescribed.

177.—(1) The Vacations shall be:

- (a) The Long Vacation consisting of the months of July and August.
- (b) The Christmas Vacation consisting of the period from the 24th day of December to the 6th day of the following January, both days inclusive.

(2) Office hours during vacation shall be from 10 a.m. to 1 p.m. except on Saturday when the offices shall close at noon.

178. An examination shall not be held nor shall pleadings be delivered or amended in the Long Vacation, except by consent or by direction of the Court, but the statement of claim in actions where the writ is to be served out of the jurisdiction and in Mechanics' Lien proceedings and the pleadings in matrimonial causes may be delivered in vacation.

179. Unless otherwise directed by the Court, the time of the Long Vacation, or of the Christmas Vacation, shall not be reckoned in the computation of the times appointed or allowed by these Rules for delivering or amending any pleading, save the defence in matrimonial causes and in actions for alimony, or in the times allowed for the following purposes:

- (a) Appeals to a Judge in Chambers;
- (b) Reports becoming absolute, save in undefended mortgage actions;
- (c) Moving to discharge an order adding a party, save an order adding a subsequent encumbrancer in a mortgage action;
- (d) Moving to add to, vary, or set aside a judgment by a party served therewith;
- (e) Doing an act or taking a proceeding in appealing to the Court of Appeal.

180. One or more of the Judges shall be selected for the hearing in Toronto during Long and Christmas Vacations of all such applications as may require to be heard promptly.

181. During Long Vacation all applications within the jurisdiction of the Master which require to be heard immediately or promptly shall be heard by one of the following officers, viz., the Master, the Assistant Masters, and the Registrars, who shall arrange among themselves before the commencement of each Long Vacation on what days and for what period each shall

act; and in the absence of such arrangement the duty shall devolve upon them in rotation, beginning with the junior officer in order of appointment, and they shall sit at least one day in each week.

182. The *praecipe* for any cheque to be issued during the Long Vacation shall be lodged in the Accountant's Office on or before the 20th day of July, unless otherwise directed by a Judge.

CHAPTER X

MISCELLANEOUS PROVISIONS.

Effect of Non-compliance and Errors.

183. A proceeding shall not be defeated by any formal objection, but all necessary amendments shall be made, upon proper terms as to costs and otherwise, to secure the advancement of justice, the determining the real matter in dispute, and the giving of judgment according to the very right and justice of the case.

184. Non-compliance with the Rules shall not render the writ or any act or proceeding void, but the same may be set aside, either wholly or in part, as irregular, or may be amended, or otherwise dealt with, as may seem just.

185. An application to set aside any proceeding for irregularity shall be made within a reasonable time, and shall not be allowed if the party applying has taken a fresh step after knowledge of the irregularity.

186. Where an amendment is directed or allowed at the trial, it shall not be necessary to issue an order therefor. The amendment, unless otherwise directed, shall at once be made on the record.

187. Where an amendment of any record of the Court or document filed, other than a pleading, is directed, no physical alteration of the record or document shall be made, but a note shall be made, in the margin or other convenient place, of the amendment directed.

Form of Documents, Size of Paper, etc.

188.—(1) All pleadings, affidavits, judgments, orders and other documents shall be printed, type-written or written in a clear and legible manner, with a margin upon the left-hand side, upon foolscap paper of good quality.

(2) When documents are printed, pica type, leaded, shall be used.

(3) Every document filed shall be endorsed with the title of the action or matter, with the nature of the document and the name of the solicitor preparing or filing it.

189. No notice shall be given orally.

190.—(1) In all proceedings in an action, except the writ of summons, pleadings, judgments and reports, the following short style of cause shall be sufficient:

"Between John Smith and others,—*Plaintiffs*,
and
Richard Roe and others,—*Defendants*."

(2) In case of proceedings which it has been the practice to entitle more shortly thus: "Smith v. Roe," such practice shall continue.

(3) In proceedings under any particular Act (e.g., *The Mechanics' Lien Act*), the style of cause shall be "In the matter of—(naming the statute), "Between A.B., Plaintiff, and C.D., Defendant" (or "A.B., Applicant," and C.D. Respondent").

Copies and Service of Papers.

191. Where service of affidavits and other documents is required, true copies, legibly written, typewritten, or printed, are to be served.

192. Where an office copy of an order or judgment is directed to be served it shall be certified by the officer in whose office the order or judgment is entered.

193. A party requiring a copy of any affidavit, exhibit, or document not directed to be served shall serve a demand for the same and a copy shall be served with all convenient speed.

194. A party entitled to copies of or extracts from any document in possession of another party, may be directed to pay for such copy at the rate of 10 cents per folio, if the request for such copy is deemed unreasonable, or the solicitor of the party producing the document shall be at liberty to give notice that the party requiring such copy is at liberty at some reasonable time and place himself to make it, in which case the party producing shall not be entitled to any fee in respect thereof.

195. A book to be called "The Toronto Solicitors' and Agents' Book," shall be kept in the Registrar's office to be there inspected by any party or solicitor or his clerk without fee; and every solicitor having an office or carrying on his business within the said city, shall cause to be entered in such book (in alphabetical order) his name and place of business or some other proper place within the city where he may be served, and as often as any such solicitor changes his place of business or the place where he may be so served as aforesaid, he shall cause to be made the like entry thereof in the said book.

196. Every other practising solicitor shall cause to be entered in the said book (in alphabetical order) his name and place of business, and also in an opposite column the name of some solicitor having an office and carrying on business in the city of Toronto as his agent.

197. Every Deputy or Local Registrar shall keep in his office a book to be called "The County Solicitors' and Agents' Book," in which each solicitor residing within the County elsewhere than in the County Town, and not having an office there, shall specify the name of an agent, being a solicitor of the Supreme Court, and having an office in such County Town, as his agent with respect to business carried on in the local offices in the said town.

198. Admissions and acceptances of the service of an order, notice of motion or other paper, upon the opposite solicitor, need not be verified by affidavit.

199.—(1) Documents which do not require personal service shall be served upon the solicitor of the party to be served or his agent entered in the Toronto or County "Solicitors' and Agents' Book."

(2) Such service may be made by leaving the document to be served with any clerk in the solicitor's or agent's office.

(3) Where a solicitor has not caused an entry to be made, as required by Rules 195 and 197, he may be served by posting up a copy of the document in the Registrar's office or in the Office of the Local Registrar of the county in which he resides.

200.—(1) Where a party sues or defends in person and no address for service of such party is given, or where a defendant served with a writ of summons or notice in lieu thereof has not appeared thereto, no document, which does not require personal service, need be served unless the Court otherwise directs.

(2) If an address for service is given, then all documents shall be sufficiently served upon such party if left for him with any adult person appearing to be in charge of the premises at such address.

(3) In case no such adult person can be found at such address, then the document shall be sufficiently served if forwarded by registered mail prepaid to the party to be served at the address given.

201. Where at the time of attendance to serve any document, the office of the solicitor for the party upon whom the service is sought to be made is closed or no one is in attendance therein for receiving documents served, service of the document may be effected by mailing the same, at any time during the same day, addressed to the solicitor, at his office, by registered post, and the service shall be deemed to have been effected at the time of the attendance for that purpose at the office of the solicitor.

202. Service upon an execution creditor may be effected by serving the solicitor issuing the execution.

203. It shall not be necessary to regular service that the original document shall be shown, unless sight thereof is demanded.

204. Service shall, unless otherwise ordered, be effected during vacation and on Saturdays before one o'clock in the afternoon, and on other days before the hour of four o'clock in the afternoon, and service effected after those hours shall be deemed to have been made on the next juridical day.

CHAPTER XI

MOTIONS IN COURT AND CHAMBERS.

205. Any power conferred upon the Court by any statute or by law may be exercised by a Judge sitting in Court, and, when so provided by the Rules, by a Judge in Chambers, or the Master, or a Local Judge or a Local Master in Chambers, or any Master or Referee to whom any cause or matter is referred.

206. Any power conferred upon the Court may be exercised upon such terms as to costs and otherwise as may be deemed just.

207. The following applications shall be disposed of in Chambers:

1. For the sale, lease or mortgaging of the estates of infants.
 2. As to the custody, guardianship, maintenance, and advancement of infants.
 3. For administration or partition without action.
 4. Relating to the conduct of actions or matters.
 5. For the payment into Court of moneys under *The Trustee Act*.
 6. To vacate certificates of *lis pendens*.
 7. Appeals from the Master in Chambers and Local Judge.
 8. Motions for judgment under Rules 57 to 62.
 - 8a. An order upon consent dismissing an action either with or without costs.
 9. Applications under *The Mental Incompetency Act*.
 10. Applications for and on the return of a writ of Habeas Corpus.
 11. Motions for mandamus, prohibition, or interpleader.
 12. Motions to wind up companies under the Dominion and Ontario Acts.
 13. Motions for payment of money out of Court.
 14. Originating motions under Rule 600, clauses (c), (d), (f) and (i).
 15. Motions under any statute which authorizes an application to a Judge.
208. The Master is empowered and required to dispose of all applications properly made in Chambers save in respect to the following matters:
1. Matters relating to criminal proceedings, or the liberty of the subject.
 2. Appeals and applications in the nature of Appeals.
 3. Extending the time for appealing to the Court of Appeal. (*See Rule 498*).
 4. Applications for arrest.
 5. Proceedings as to mentally incompetent persons.
 6. Originating notices other than applications for administration, partition or interpleader.
 7. Applications as to the custody, maintenance or guardianship of infants, or the sale, lease, mortgage of or dealing with infants' estates or settled estates.
 8. Opposed applications for judgment for partition or administration.

9. Applications for Prohibition or Mandamus.
10. The payment of money out of Court, or dispensing with payment of money into Court, in administration and partition matters.
11. Allowing taxed costs in lieu of commission under the provisions of Rule 653.
12. Striking out a jury notice except for irregularity.
13. Any matter which is expressly required to be done by a Judge.
14. The removal of causes from Inferior Courts.
15. The making of orders for references under *The Arbitration Act*.
16. Staying proceedings after verdict, or judgment at a trial.

Local Judges and Local Masters.

209. A Local Judge and a Local Master who does not practise as a Barrister or Solicitor or take out a certificate entitling him to practise shall, in all causes and matters in his county and in interpleader proceedings where the goods in respect of which interpleader is sought are situate in his county, have concurrent jurisdiction with, and the same power and authority, as the Master at Toronto.

210.—(1) A Local Judge shall, in actions brought in his county, possess the like powers as a Judge sitting in Court or Chambers with regard to:

- (a) Motions for judgment in undefended actions.
- (b) Motions to appoint receivers after judgment by way of equitable execution.
- (c) Applications for leave to serve short notice of a motion to be made before a Judge sitting in Court or Chambers.

And where the solicitors for all parties reside in his county or agree that the same shall be heard before him any motion or application except:

- (i) Applications for taxed or increased costs under Rule 653.
- (ii) Motions for injunction, save as provided in Rule 211.
- (iii) Motions to strike out a jury notice save for irregularity.

(2) Where an infant or mentally incompetent person is concerned the powers conferred by this Rule shall not be exercised without the consent of the Official Guardian, or of the committee or guardian of or the person authorized to act on behalf of the mentally incompetent person.

211.—(1) A Local Judge may in cases of emergency grant an *ex-parte* injunction in any action brought in his county upon proof to his satisfaction that the delay required for an application to a Judge is likely to

involve a failure of justice, but such injunction shall not be for a longer period than eight days.

(2) If all parties interested consent, the Local Judge may hear any motion to continue, vary or dissolve the injunction.

212. Motions for partition or administration may be made before a Judge in Chambers or the local Judge of the County where the land (or if more than one parcel, any parcel) is situate or the testator or intestate died.

General Provisions as to Motions.

213. Any application in an action or proceeding shall be made by motion, and unless the nature of the application or the circumstances of the case render it impracticable notice of the motion shall be given to all parties affected by the order sought. (Forms Nos. 34 and 35.)

214. If on the hearing of a motion it appears that any person to whom notice has not been given ought to have had notice, the Court may either dismiss the motion or adjourn the hearing thereof in order that notice may be given.

215.—(1) Except where otherwise expressly provided unless leave is given there shall be at least two days between the service of a notice of motion in an action and the day for hearing.

(2) Unless leave is given there shall be at least seven days between the service of an originating notice and the day for hearing.

216. If satisfied that the delay necessary to give notice of motion might entail serious mischief, the Court may make an interim order *ex parte*.

217. A party affected by an *ex-parte* order, or any party who has failed to appear on an application through accident or mistake, or insufficient notice of the application, may move to rescind or vary the order before the Judge or officer who made the same, or any Judge or officer having jurisdiction, within four days from the time when the order comes to his notice.

218. Every notice of motion by way of appeal shall specify the grounds intended to be argued.

219. A notice of motion to set aside a proceeding for irregularity shall specify the irregularity complained of and the objections intended to be insisted on.

220. The Court may direct any application to be turned into a motion for judgment.

221. When upon an application for an interim injunction or upon any other motion it appears expedient to direct an early trial, the Court may make such order as may be deemed necessary to secure an early hearing, either at the place named for trial or such other place as may be convenient.

222. A party may, at any stage of an action, apply for such judgment or order as he may, upon any admissions of fact in the pleadings, or in the examination of any other party, be entitled to; and it shall not be necessary to wait for the determination of any other

question between the parties; or he may so apply where the only evidence consists of documents and such affidavits as are necessary to prove their execution or identity without the necessity of any cross-examination, or where infants are concerned, and evidence is necessary so far only as they are concerned, for the purpose of proving facts which are not disputed.

223.—(1) The Court may adjourn for consideration in Chambers any motion or matter brought before it which should have been brought on in Chambers or which, though properly brought on in Court, may, in the opinion of the Court, be disposed of more conveniently in Chambers; and any motion or matter brought on in Chambers which should have been brought on in Court may be adjourned into Court.

(2) Any motion or matter improperly brought before the Master or a Local Judge may be adjourned by him before the Court or a Judge in Chambers.

(3) Any motion improperly made before the Court of Appeal may be adjourned before a Judge of the High Court and any motion that should have been made before the Court of Appeal made before a Judge of the High Court may be adjourned before the Court of Appeal.

224. Where an infant or a mentally incompetent person is a defendant or interested in a fund in Court, no order in any way affecting his interest shall be made without notice to his guardian *ad litem* or committee.

225.—(1) An attendance on a motion in Chambers, or on an appointment before a Master, Registrar, or other officer, for half an hour next immediately following the return thereof, shall be deemed a sufficient attendance, and no such motion shall be made or matter be proceeded with *ex parte*, before the expiry of such half-hour.

(2) Notwithstanding the provisions of this Rule the Taxing Officer at Toronto may proceed *ex parte* after the expiration of fifteen minutes from the time appointed.

226. Evidence upon a motion may be given by affidavit.

227. A person who has made an affidavit to be used upon a motion or at a trial or on a reference, may be cross-examined thereon, before any officer having jurisdiction in the county in which the witness resides, upon being served with a subpoena for that purpose.

228. Any party may by subpoena require the attendance of a witness to be examined, before any officer having jurisdiction in the county in which the witness resides, for the purpose of using his evidence upon any motion.

229. Witnesses may by leave of the Court be examined *viva voce* before the Court upon any motion.

230. The Court may order the issue of a Writ of *Habeas Corpus ad testificandum* to issue directly to the sheriff, gaoler, or other officer having the custody of any prisoner, to produce him for any examination authorized by these Rules or as a witness at a trial. (Form No. 53.)

231. Where money is directed to be paid into a Bank, the certificate of the cashier, manager, agent, or like officer of the Bank, of default in making such payment, shall be sufficient evidence of such default.

232.—(1) On all appeals, or hearings in the nature of appeals, and on all motions for a new trial, the Court or Judge appealed to shall have all the powers as to amendment and otherwise of the Court, Judge or officer appealed from, and full discretionary power to receive further evidence, either by affidavit, oral examination before the Court or Judge appealed to, or as may be directed.

(2) Such further evidence may be given without special leave as to matters which have occurred after the date of the judgment, order or decision from which the appeal is brought.

(3) Upon appeals from a judgment at the trial, such further evidence (save as mentioned in subsection (2)) shall be admitted on special grounds only, and not without leave of the Court.

233. Upon any motion the Court shall have power to direct the trial of an issue upon oral evidence and may enlarge the motion before the Judge at the trial of the issue.

234.—(1) A judge shall sit in Chambers on Tuesday and Friday, and in Court on Monday, Wednesday and Thursday in each week, except in vacation, when a sitting shall be held on one day in each week to dispose of urgent business.

(2) All papers for use in the Court or Chambers at Toronto shall be filed in the Registrar's Office, and when no longer required all such papers and all papers forwarded for use on the motion shall be transmitted to the office in which the proceedings were commenced.

(3) Motions and other matters to be heard in Court, except *ex parte* applications, shall be set down for argument, in the Registrar's Office, at least on the day before the day of argument, and a list of the cases set down shall be posted on the notice board the day before the day for which the same are set down.

(4) All papers to be used on a motion to be heard by a Judge in Chambers shall be left with the Registrar on the day before that on which the motion is to be heard, and shall be marked with the name of the office where the proceedings were commenced.

(5) All documents sent from local offices to Toronto shall be sent to The Registrar's Office, Osgoode Hall, Toronto, postage or express charges prepaid, and the necessary return postage or express charge shall be transmitted therewith.

(6) Unless otherwise directed by the Judge, *ex parte* and unopposed motions in Chambers shall be heard before contested motions and appeals.

239. Sittings shall be held at Ottawa and London on at least one day in each week, except during vacation; and all proceedings in any action or matter which may be heard before a Judge may be heard and determined at such sittings:

- (a) Where the motion is *ex parte*;
- (b) Where the solicitors for all parties reside in the county in which the sittings are held;
- (c) Where such solicitors who do not so reside consent to the proceeding being heard at such sittings, or register their names in the book to be kept as hereinafter provided; or
- (d) Where a Judge directs any proceedings to be heard at such sittings;
- (e) When a notice of motion in which Ottawa is named as the place of hearing is served at least four clear days before the return day thereof upon a solicitor residing in any one of the following Counties, namely: Lanark, Leeds and Grenville, Stormont, Dundas and Glengarry, Russell, Renfrew or Prescott, and the solicitor on whom it is served does not, by notice, letter or telegram delivered to the solicitor or party moving within forty-eight hours after the service of the notice of motion, give notice that he objects to the hearing at Ottawa, he shall, unless a Judge otherwise directs, be deemed to have given the consent specified in clause (c) of this Rule.
- (f) When a notice of motion in which London is named as the place of hearing is served at least four clear days before the return day thereof upon a Solicitor residing in any one of the following Counties, namely: Lambton, Elgin, Oxford or Perth, and the solicitor on whom it is served does not by notice, letter or telegram delivered to the solicitor or party moving within forty-eight hours after the service of the notice of motion, give notice that he objects to the hearing at London, he shall, unless a Judge otherwise directs, be deemed to have given the consent specified in clause (c) of this Rule.

240. The Deputy Clerk of the Crown at London, and the Local Registrar at Ottawa shall act as registrar and clerk of the Court.

241. All proceedings to be brought on at any such sittings shall be entered for that purpose with the Clerk of the Court on or previously to the day next but one before the day appointed for the sittings; and it shall be the duty of the Clerk immediately after the time for entry has expired to telegraph the Registrar at Toronto, advising him what business has been so entered, and the Registrar shall forthwith inform the Judge appointed to attend at such sittings; and if no business has been so entered it shall not be necessary for any Judge to attend.

242. Where the Judge appointed is unable to attend, such sittings may be presided over by any other Judge or by a Judge of any County Court, upon such Judge of a County Court being requested by a Judge to attend for that purpose.

243.—(1) Any solicitor may file with the Clerk of the Court at the place of such sittings a request to the effect following:—

I, _____ desire to be registered as consenting to the hearing and disposal at the sittings at Ottawa (or London as the case may be) of all proceedings in which I may be acting as solicitor.

(2) A book to be called "The Consent Register," which shall be open to inspection by any solicitor or his clerk without fee, shall be kept by the Deputy Clerk of the Crown at London and the Local Registrar at Ottawa respectively, wherein shall be recorded such requests and the names of the local agents (if any) of the solicitors filing the request.

(3) A solicitor who files such request may at any time withdraw the same by giving to the same officer notice in writing to that effect, and the Deputy Clerk or Local Registrar upon receiving such notice shall forthwith make any entry thereof in the said book.

244.—(1) At any sittings appointed for the trial of actions any motion which may be made before a Judge in Court or in Chambers may be made if,—

- (a) The solicitors for all parties consent; or
- (b) The matter in controversy arose in the county; or
- (c) The party opposing or showing cause or his solicitor resides in the county;
- (d) The application relates to any action entered for trial at the sittings;

[NOTE: Clause (e) was repealed as of 1st of March, 1948, by O. Regs. 271/48.]

(2) Such motion shall be set down two days before the sittings unless the Judge presiding permits it to be set down later.

CHAPTER XII

TRIALS.

245. Subject to any special statutory provisions the place of trial of an action shall be regulated as follows:

- (a) The plaintiff shall, in his statement of claim, name the county town at which he proposes that the action shall be tried;
- (b) Where the cause of action arose and the parties reside in the same county the place to be named shall be the county town of that county;
- (c) Save in mortgage actions, where possession of land is claimed, the place to be named shall be the county town of the county in which the land is situate;
- (d) In matrimonial causes, if the plaintiff is resident in Ontario, the place to be named shall be the county town of the county in which the plaintiff resides;
- (e) The action shall be tried at the place so named, unless otherwise ordered upon the application of either party.

246. After the close of the pleadings either party may give notice of trial (Form No. 32).

247. Where interlocutory judgment has been signed against any defendant for default of appearance or pleading, notice of assessment of damages shall be given to him by personal service unless substituted service is permitted, and proof of service shall be filed when the action is set down.

248. Except in actions to be tried at Toronto, without a jury,—

- (a) Notice of trial or of assessment of damages shall be served ten days before the day fixed for the commencement of the sittings and before entering an action for trial;
- (b) After notice of trial is given, either party may enter the action for trial, and if both parties enter the action for trial at the same sittings it shall be tried in the order of the plaintiff's entry;
- (c) Actions shall be entered for trial not later than the sixth day before the commencement of the sittings; but a Judge may permit any action in which notice of trial or of assessment of damages has been duly served to be entered after the time above limited;
- (d) An action which is to be tried without a jury may be entered for trial at any sittings appointed for the place named for the trial of such action;
- (e) Actions to be tried at Toronto with a Jury and which are not tried or disposed of at the sittings at which they are entered and which are entered for trial at a subsequent sittings after a fresh notice of trial pursuant to Rule 252 shall be placed at the head of the list in the order in which they were originally entered and before any cases first entered for such subsequent sittings.

249.—(1) The party entering an action for trial shall, at the time of entry (or, in the cases to which Rule 250 applies, at or before the time when the notice of trial is to be filed), deposit a record containing a certified copy of the pleadings and particulars and of any order containing directions respecting the trial.

(2) Such record shall contain the full style of cause, and shall show the date when the writ was issued, and shall give the names of the solicitors for the several parties, and shall show that judgment has been signed or the pleadings have been noted as closed as against any parties in default.

NOTE—Where there is a jury notice, a copy shall be attached to the record.—*The Judicature Act, R.S.O. 1937, c. 100, s. 55 (2).*

250.—(1) Actions in the Supreme Court to be tried at Toronto without a jury may be set down for trial by either party immediately after the close of the pleadings.

(2) Notice of trial or assessment of damages (Form No. 33) shall be given, by the party setting down the action within two days thereafter, and he shall within four days after so setting down the action, file the notice of trial or of assessment of damages and proof

of the service thereof, with the officer with whom the action was set down, except in undefended Matrimonial Causes when the times hereinbefore stated shall be ten days and twenty days respectively.

(3) Where default is made in filing the notice of trial, any party who has been served therewith may within four days after such default, file in like manner the notice of trial served on him and proof of the service thereof.

(4) In undefended matrimonial causes when a notice of trial is filed the action shall forthwith be placed upon the list of cases for trial. In other cases when a notice of trial is filed the action shall be placed upon the list of cases for trial, upon the expiration of three weeks from the date of setting down.

(5) If two or more parties have entered the action for trial, it shall be tried in the order of the first entry.

(6) In actions in the County Court of the County of York to be tried without a jury, notice of trial shall be given and the action entered for trial in accordance with the provisions of Rule 248, but if the action is not tried or disposed of at the sittings for which it is entered for trial it shall be placed upon the list for the next sittings, and it shall not be necessary to give fresh notice of trial or re-enter the action notwithstanding the provisions of Rule 252.

251. An action may be withdrawn from trial, upon consent.

252. Actions not tried or disposed of after being once entered for trial shall not, except in the case of actions entered for trial without a jury at Toronto be heard at any subsequent sittings unless a fresh notice of trial is given and the action has been again set down, but no fee shall be payable for such setting down.

253. If, when an action is called on for trial, the defendant appears, and the plaintiff does not, the defendant shall be entitled to judgment dismissing the action, and if he has a counter-claim may prove such claim.

254. The Judge at the trial shall, at the request of either party, order a witness to be excluded from the court until he is called to give evidence, and also, if the Judge deems it expedient, a party intending to give evidence; or he may require such party to be examined before the other witnesses on his behalf, and the Judge may, in his discretion, exclude the testimony of any witness or party who does not conform to such order.

255. The Judge may in all cases disallow any question put to a witness which may appear to the Judge to be vexatious and not relevant to any matter proper to be enquired into at the trial.

256.—(1) At the trial, the addresses to the jury shall be regulated as follows,—

- (a) At the conclusion of the case of the party who begins, if the opposite party states his intention to be not to adduce evidence, and he has not adduced evidence, the party who begins shall have the right to address the jury for the purpose of summing up the evidence, and the opposite party shall have the right to reply;

- (b) If the opposite party does not state his intention to be not to adduce evidence, or if he has adduced evidence, he shall have the right to open his case, and (after the conclusion of such opening), to adduce such evidence as he thinks fit, and when all the evidence is concluded, to sum up the evidence, and the party who begins shall have the right to reply.

(2) Where a defendant claims a remedy over against a co-defendant, he shall have the right to address the jury after the co-defendant.

(3) Where a party is represented by counsel, the right conferred by this Rule shall be exercised by his counsel.

257. Where, through accident or mistake or other cause, a party omits or fails to prove some fact material to his case, the Judge may proceed with the trial, subject to such fact being afterwards proved at such time as the Judge shall direct; and, if the case is being tried by a jury, the Judge may direct the jury to find a verdict as if such fact had been proved, and the verdict shall take effect on such fact being afterwards proved as directed; and if not so proved, judgment shall be entered for the opposite party, unless the Judge otherwise directs, but this Rule shall not apply to an action for defamation.

258. Where equitable issues are raised by the pleadings, they shall, unless the trial Judge otherwise directs, be tried, and the damages, if any, incidental thereto, assessed by the Judge without the intervention of a jury.

259. Where both legal and equitable issues are raised, and notice for a jury has been given, the action shall be entered for trial at the jury sittings, and such issues shall be tried at the same time, unless the Judge presiding at the trial otherwise directs.

260. Damages in respect of any continuing cause of action shall be assessed down to the time of the assessment.

261. A party shall not be entitled to judgment at the trial or on motion on the ground of his pleading being true, if the facts proved are not sufficient in point of law to entitle him to judgment.

262. If in an action to recover land the plaintiff is, at the time of the service of the writ, entitled to possession, but his right afterwards expires, he may by leave discontinue the action, and the costs shall be in the discretion of the Court.

263.—(1) Exhibits shall be marked and numbered in accordance with Form No. 128, and the Registrar attending the trial shall, at the conclusion thereof, make a list of the exhibits, giving a description of each exhibit, and stating by whom it was put in. (Form No. 129.) The exhibits of each party shall be classified separately in such list.

(2) The exhibits shall remain in Court until judgment is given and during any stay of proceedings, and thereafter shall be delivered out, without order, upon the application of either party upon notice to the other, unless an appeal is taken, when the exhibits shall be retained until the appeal is disposed of.

264. Where exhibits have not been applied for within two years from the date of a trial the officer in whose custody they are, may notify the solicitors for the parties that unless they are applied for in three months they will be destroyed, and unless such exhibits are applied for within that period he may by leave of a Judge destroy them.

265. The verdict and judgment shall be indorsed on the Record, and shall also be recorded by the Registrar or officer acting as clerk at the sittings in a book to be kept for recording the proceedings thereat.

266. The Judge by whom any cause or matter is tried with or without a jury, and the Court before which any cause or matter is brought by way of appeal, may inspect any property or thing concerning which any question arises therein, and where the sanity of a party is in question, may examine him for the purpose of determining his sanity.

267. A view by the jury may be ordered by the Judge presiding at the trial.

268.—(1) The Court may obtain the assistance of merchants, engineers, accountants, actuaries, or scientific persons, in such way as it thinks fit, the better to enable it to determine any matter of fact in question in any cause or proceeding, and may act on the certificate of such persons.

(2) The Court may fix the remuneration of any such person and may direct payment thereof by any of the parties.

(3) Unless all parties are *sui juris* and consent, the powers conferred by this Rule shall only be exercised by or by leave of a Judge.

CHAPTER XIII

EVIDENCE.

269. The witnesses at the trial of an action or an assessment of damages shall be examined *vivâ voce* and in open Court, but a Judge may at any time, for sufficient reason, order that any particular fact or facts may be proved by affidavit, or that the affidavit of any witness may be read at the trial, on such conditions as he may deem just, or that any witness whose attendance ought for some sufficient cause to be dispensed with, be examined before an examiner; but where the other party *bona fide* desires the production of a witness for cross-examination, and such witness can be produced, an order shall not be made authorizing his evidence to be given by affidavit.

270. All witnesses in any matter pending before a Master, shall be examined *vivâ voce*, unless it is otherwise ordered by the Master or by the Court on special grounds.

271. The Court may, in any cause or matter where it appears necessary for the purposes of justice, make an order for the examination upon oath before an officer of the Court or any other person and at any place, of any person, and may permit such deposition to be given in evidence. (Form No. 71).

272. Service of any notice may, in the absence of an admission of service, be proved by an affidavit of the solicitor in the cause, or his clerk.

273. A subpoena may be issued from any office of the Court at any time in blank and may be completed by the solicitor or party, and any number of names may be inserted in one subpoena. (Forms Nos. 51 and 52).

274.—(1) No subpoena for the production of an original record, or of an original document from any registry office, shall be issued, but an order for its production or transmission may be made which shall be obeyed by the officer in whose custody it is.

(2) Except in special circumstances requiring or justifying the production of the original, no such order shall be made where the document may be proved by a certified copy. Any officer required to produce a document shall be entitled to be paid ordinary witness fees.

275. A party who desires to call as a witness at the trial an opposite party who is within the jurisdiction may either subpoena him or give him or his solicitor at least five days' notice of the intention to examine him as a witness in the cause, paying at the same time the amount proper for conduct money; and if such opposite party does not attend on such notice or subpoena judgment may be pronounced against him, or the trial of the action may be postponed.

276.—(1) Upon proof to the satisfaction of the presiding Judge of the service of a subpoena upon any witness who fails to attend or to remain in attendance in accordance with the requirements of the subpoena, and that a sufficient sum for his fees as a witness has been duly paid or tendered to him, and that the presence of such witness is material to the ends of justice, the Judge may by his warrant (Form No. 54), directed to any sheriff or other officer of the Court, or to any constable, cause such witness to be apprehended anywhere within Ontario, and forthwith to be brought before the Court and to be detained in custody as the presiding Judge may order, until his presence as such witness is no longer required, or, in the discretion of the Judge, to be released on a recognizance (with or without sureties) conditioned for appearance to give evidence.

(2) The service of the subpoena and payment of conduct money may be proved by an affidavit.

277. Where the testimony of a person who is residing out of Ontario is required and for any reason an order under Rule 271 is not sufficient the Court may order the issue of a commission for the examination of such person. (Form of Order No. 68, of Commission No. 55).

278. If a party for whose examination an order has been made or a commission has issued, refuses to attend before the examiner or Commissioner, judgment may pass against him.

279. The notice of a motion for a commission to take evidence shall state the name and address of the commissioner proposed.

280.—(1) Unless otherwise directed the examination shall be upon oral questions to be reduced into writing and returned with the commission; and notice of the execution of the commission shall be given to the opposite party, if, within the time prescribed by the

order, he gives the name and the address of a person resident within two miles of the place where the commission is to be executed, on whom such notice may be served.

(2) If no agent is named or the name or address given proves to be illusory or fictitious, or if the party so notified fails to attend pursuant to the notice, the commission may be executed *ex parte*.

281. Where the examination is to take place upon written interrogatories, the interrogatories in chief shall be delivered to the opposite party eight days before the issue of the commission; and the cross-interrogatories shall be delivered to the opposite party within four days after the receipt of the interrogatories in chief; and in default of cross-interrogatories being so delivered, the commission may be executed without cross-interrogatories.

282. The witnesses shall be examined on oath, affirmation, or otherwise in accordance with the law of the country in which the commission is executed.

283. Where a witness does not understand the English language the commission shall be executed with the aid of an interpreter nominated by the commissioner, and sworn to interpret truly the questions to be put to the witness and his answers thereto, and the examination shall be taken in English.

284. If a witness produces a book, document, letter, paper or writing, and refuses for good cause, to be stated in his deposition, to part with the original, a copy or extract certified by the commissioner shall be annexed to the deposition of the witness.

285. The depositions may be taken in shorthand either by the commissioner or a shorthand writer duly sworn.

286.—(1) Unless the examination is taken in shorthand the depositions shall be subscribed by the witness and by the commissioner.

(2) Where taken in shorthand it shall not be necessary that the depositions be read over or signed by the person examined unless counsel attending on the Commission so desires.

287. The commission, interrogatories, depositions and any documents or certified copies thereof or extracts therefrom, referred to therein, shall be sent to the proper officer, on or before the day named in the order for the commission, enclosed in a cover under the seal of the commissioner; and the same or certified copies thereof may be given in evidence, saving all just exceptions, without any other proof of the absence from Ontario of the witness therein named than an affidavit of the solicitor or agent of the party as to his belief of such absence.

288. Where the opposite party desires to join in the commission and examine witnesses on his own behalf thereunder, each party shall in the first instance pay the costs of the commission consequent upon the examination of his witnesses.

289. A commission when returned shall at the request of either party be transmitted for use at the trial, and may be opened at the trial, or before trial at the instance of either party by the officer to whom it is returned on two clear days' notice to the other party.

290. Every order for a commission shall be read as if it contained the particulars mentioned in the next preceding ten rules, and shall not set forth the same, but may contain any variations therefrom, and any other directions, which the Court sees fit to make.

291. An affidavit shall be drawn up in the first person, stating the name of the deponent in full, and his description and true place of abode, and shall be signed by him.

292. In an affidavit made by two or more deponents the names of the persons making the affidavit shall be inserted in the jurat, unless the affidavit of all the deponents is taken at one time by the same officer, in which case it shall be sufficient to state that it was sworn by both (or all) of the "above-named" deponents.

293. Affidavits shall be confined to the statement of facts within the knowledge of the deponent, but on interlocutory motions statements as to his belief, with the grounds therefor, may be admitted.

294.—(1) In an action or proceeding to which a corporation is a party, any affidavit required by these Rules to be made by a party may be made by any officer, servant, or agent of the corporation having knowledge of the facts required to be deposed to, and he shall state therein that he has such knowledge.

(2) In any action or proceeding to which a partnership is a party, any affidavit required by these rules to be made by a party may be made by any member of the partnership.

(3) Where it appears necessary in the interest of justice the Court may order a further affidavit to be made by any other member of the partnership.

295. An affidavit having in the jurat or body thereof any interlineation, alteration, or erasure shall not be used without leave unless the interlineation, alteration or erasure is authenticated by the initials of the officer taking the affidavit.

296. Where an affidavit is sworn by a person who appears to be illiterate, the officer shall certify in the jurat that the affidavit was read in his presence to the deponent, who seemed perfectly to understand it, and signed it in his presence; otherwise such affidavit shall not be used without leave.

297. An affidavit sworn before the solicitor of the party on whose behalf it is made, or before the clerk or partner of such solicitor, shall not be used; but this Rule shall not extend to an affidavit to obtain an order for arrest.

298. Unless otherwise ordered affidavits upon which a notice of motion is founded shall be served with the notice of motion and all affidavits shall be served and filed before they are used.

299. Where properly marked exhibits are referred to in an affidavit filed, and are not annexed thereto, such exhibits need not be filed, but shall be left for the use of the Court, and shall be handed out on the disposal of the motion unless otherwise ordered.

CHAPTER XIV

PARTICULAR PROCEEDINGS IN ACTIONS.

Transmission of Interest.

300. If by reason of death (when the cause of action survives or continues) or by assignment or conveyance any estate, interest or title devolves or is transferred the action may be continued by or against the person to or upon whom such estate or title has come or devolved.

301. Where a change or transmission of interest or liability has taken place or where by reason of any person interested coming into existence after the commencement of the action, it becomes necessary or desirable that any person not already a party should be made a party, or that any person already a party should be made a party in another capacity, an order that the proceedings shall be carried on between the continuing parties and the new party may be obtained on *praecipe*. (Form No. 57).

302. Such order and a notice according to Form No. 58 shall be served upon the continuing parties or their solicitors, and upon the new party.

303. A person served with such order may apply to the Court to discharge or vary the order at any time within 10 days from the service thereof.

304. When death takes place after verdict or finding of the issues of fact but before the judgment, judgment may be entered notwithstanding the death, whether the cause of action would, apart from this Rule, survive or not.

305. Where a plaintiff has died and proceedings may be continued, the defendant may apply to the Court on notice to compel the person entitled to proceed with the action to proceed according to the provisions of these Rules within such time as the Court may order, and that in default the action be dismissed for want of prosecution.

306. Where an action is so dismissed an order for payment of costs may be made and enforced against the goods and lands which were of the deceased plaintiff.

Payment into Court, in Satisfaction.

307. A defendant may at any time after appearance and before service of notice of trial, or afterwards by leave of the Court, pay into Court a sum of money in satisfaction of the claim or cause of action, or of one or more of the claims or causes of action for which the plaintiff sues, and the money when so paid in shall remain in Court subject to further order unless the plaintiff elects to take it out as hereinafter provided.

308. Payment of money into Court shall not, unless expressly so stated, be deemed an admission of the cause of action in respect of which it is paid.

309. Where tender before action is pleaded the sum alleged to have been tendered shall be paid forthwith into Court.

310.—(1) A defendant paying money into Court shall forthwith file and serve upon the plaintiff notice of payment in and, unless otherwise ordered by the Court, shall specify in such notice the claim or cause

or causes of action in respect of which payment is made, and the sum paid in respect of each claim or cause of action.

(2) The notice shall be in Form 24.

311. A defendant paying money into Court shall in his *praecipe* state the Rule under which he is paying it in.

312. Where money is paid into Court under Rule 307, the plaintiff, if *sui juris* and personally entitled to the money paid in, may, within seven days of the receipt of the notice of payment into Court or, where more than one payment into Court has been made, within seven days of the receipt of the notice of the last payment into Court, accept the whole sum or any one or more of the specified sums in satisfaction of the claim or claims or of the cause or causes of action to which the specified sum or sums relate, by giving notice to each defendant as in Form 25 and filing same.

313. Where the defendant does not allege tender before action and the plaintiff takes the money in satisfaction of all the causes of action he may tax his costs of the action, and issue execution therefor, unless the defendant pays them within forty-eight hours after taxation.

314. Where the defendant alleges tender before action and the plaintiff elects to take the money in satisfaction unless otherwise ordered the defendant may tax his costs and the amount allowed him shall be paid to him out of the money in Court and the balance shall be paid to the plaintiff.

315. Money may be paid into Court under Rule 307 by one or more of several defendants sued jointly or in the alternative upon notice to the other defendant or defendants.

316. Where moneys have been accepted pursuant to Rule 312 all further proceedings in the action or in respect of the specified claim, cause or causes of action (as the case may be) shall be stayed and the money shall not be paid out except in pursuance of an order of a judge, or upon the consent of all parties verified by an affidavit of the plaintiff or his solicitor showing that the plaintiff is *sui juris* and personally entitled to the money.

317.—(1) Where money is paid into Court and the plaintiff does not accept, in satisfaction of the claim or cause of action in respect of which the payment into Court has been made, the sum so paid in, but proceeds with the action in respect of such claim or cause of action, the money shall remain in Court and shall not be paid out except in pursuance of an order of a Judge or upon the consent of all parties verified as provided in Rule 316.

(2) If the plaintiff proceeds with the action in respect of such claim or cause of action, or any part thereof, and recovers less than the amount paid into Court, the amount paid in shall be applied, so far as is necessary, in satisfaction of the plaintiff's claim, and the balance (if any) shall be repaid to the defendant, but if the defendant succeeds in respect of such claim or cause of action, the whole amount shall be repaid to him.

318. Except in an action to which a defence of tender before action is pleaded or in which a payment is made under the provisions of *The Libel and Slander Act*, no statement of the fact that money has been paid into Court under the preceding Rules shall be inserted in the pleadings, and no communication of that fact shall at the trial of any action be made to the Judge or Jury until all questions of liability and amount of debt or damages have been decided but the Judge shall, in exercising his discretion as to costs, take into account the fact that the money has been paid into Court, the amount of such payment and whether liability has been admitted or denied.

319. Any defendant to a counterclaim may pay money into Court in respect thereto and the foregoing rules shall apply *mutatis mutandis* to the money so paid in.

Consolidation of Actions.

320. Actions may be consolidated by order of the Court.

Discontinuance.

321.—(1) The plaintiff may, at any time before receipt of the statement of defence of any defendant, or after the receipt thereof before taking any other proceeding in the action (save an interlocutory application), by notice in writing, filed and served, wholly discontinue his action against such defendant or withdraw any part thereof; and the defendant shall be entitled to the costs of the action, if wholly discontinued against him, or if not wholly discontinued to the costs occasioned by the part withdrawn. (Form No. 28.)

(2) A plaintiff may discontinue as to one or more of several defendants.

(3) Such costs may be taxed upon production of the notice served, and if not paid within four days from taxation the defendant may issue execution therefor.

(4) Such discontinuance or withdrawal shall not be a defence to any subsequent action.

(5) Except as provided by the preceding subsections a plaintiff shall not discontinue without leave of the Court, which may be granted upon such terms as to costs and as to any other action against all or any of the defendants and otherwise as may be proper.

322. A defendant may withdraw his defence or any part thereof, by written notice filed and served.

Dismissal of Actions for want of Prosecution.

323. If the plaintiff, being bound to deliver a statement of claim, does not deliver the same within the time allowed for that purpose, at the expiration of such time the action may be dismissed for want of prosecution.

324. In actions to be tried without a jury at Toronto, if the plaintiff does not set down the action for trial within six weeks after the pleadings are closed and proceed to trial as provided in Rule 250 the action may be dismissed for want of prosecution.

325.—(1) In all other actions if the pleadings are closed six weeks before the commencement of any sittings for which the plaintiff might give notice of trial, and he does not give notice of trial therefor and enter the action for trial, the action may be dismissed for want of prosecution.

(2) Where there are separate sittings for the trial of actions with and without a jury the plaintiff shall not be considered in default for failure to enter a non-jury action at the jury sittings. (Form of Order, No. 66.)

326.—(1) When an action has been discontinued or dismissed for want of prosecution a defendant who has counter-claimed may, if he so elects, proceed with the trial of his counter-claim, and if he elects to proceed he shall give notice of his election with 10 days after the discontinuance or dismissal of the action, and the counter-claim shall then be liable to dismissal for want of prosecution for failure to proceed to trial; or the defendant may if he so elects discontinue his counter-claim in whole or in part, and the defendant by counter-claim shall then be entitled to the costs of the counter-claim if wholly discontinued, or if not wholly discontinued to the costs occasioned by the part withdrawn, and the provisions of Rule 321 (2), (3) and (4) shall, *mutatis mutandis*, apply.

(2) In default of such election the counter-claim shall on the discontinuance of the action be deemed to be discontinued without costs or on the dismissal of the action be deemed to be dismissed without costs.

Examination for Discovery.

327.—(1) A party to an action whether plaintiff or defendant, may, without order, be orally examined before the trial touching the matters in question by any party adverse in interest, and may be compelled to attend and testify in the same manner, upon the same terms, and subject to the same rules of examination as a witness except as hereinafter provided.

(2) In the case of a Corporation any officer or servant of such Corporation may, without order, be orally examined before the trial touching the matters in question by any party adverse in interest to the Corporation, and may be compelled to attend and testify in the same manner and upon the same terms and subject to the same rules of examination as a witness except as hereinafter provided; but such examination shall not be used as evidence at the trial.

(3) After the examination of an officer or servant of a Corporation a party shall not be at liberty to examine any other officer or servant without an order.

328. Where a party to be examined is out of Ontario the Court may order the examination to be taken at such place and in such manner as may seem just and convenient, and service of the order and of all papers necessary to obtain the examination may be made on the solicitor of the party, and any conduct money may be paid to him unless the order makes other provisions therefor.

329. The Court may order the examination for discovery at such place and in such manner as may be deemed just and convenient of an officer residing out of Ontario of any Corporation party to an action,

and service of the order and of all papers necessary to obtain such examination may be made upon the solicitor for such party, and conduct money may be paid to him, and if the officer fails to attend and submit to such examination pursuant to such order the Corporation shall be liable if a plaintiff to have its action dismissed, and if a defendant to have its defence struck out and to be placed in the same position as if it had not defended. Such examination shall not be used in evidence at the trial.

330. Any party may, at the trial of an action or issue, use in evidence any part of the examination of the opposite party; but the Judge may look at the whole of the examination, and if he is of opinion that any other part is so connected with the part to be so used that the last-mentioned part ought not to be used without such other part, he may direct such other part to be put in evidence.

331. Any person who refuses or neglects to attend at the time and place appointed for his examination, or refuses to be sworn or to answer any proper question put to him, shall be deemed guilty of a contempt of Court and proceedings may forthwith be had by attachment. He shall also be liable, if a plaintiff, to have his action dismissed, and if a defendant, to have his defence, if any, struck out.

332. When an infant is a party the opposite party may examine the next friend or guardian of the infant or at his option the infant, if he is competent to give evidence.

333. Any person examined for discovery may be further examined on his own behalf, or on behalf of the Corporation whose officer or servant he is, in relation to any matter respecting which he has been so examined, and such explanatory examination shall be proceeded with immediately after the examination in chief.

334. A person for whose immediate benefit an action is prosecuted or defended may without order be examined for discovery.

335. Where an action is brought by an assignee the assignor may without order be examined for discovery.

336. Examination for discovery may take place at any time after the statement of defence of the party examining or to be examined has been delivered or after the party to be examined has made default in appearance, or after the pleadings have been noted as closed as against him, and the examination of a party to an issue may take place at any time after the issue has been filed.

337.—(1) A party within Ontario shall attend for examination for discovery before the proper officer in the County in which he resides upon service of an appointment upon his solicitor seven days before the day appointed for the examination, and conduct money shall be paid or tendered to the solicitor.

(2) The solicitor shall forthwith communicate the appointment to the party required to attend, and shall not apply the money to any debt due to the solicitor or any other person, or pay the same otherwise than to such party for his conduct money, and the same shall not be liable to be attached.

(3) The attendance of a party may also be required under Rules 345 to 347.

General Rules as to Examinations.

338. Rules 339 to 347 shall apply to the examination of a witness upon a motion or under an order and to cross-examination upon affidavits and to all examinations for discovery.

339. Any witness examined shall be subject to cross-examination and re-examination; and the examination, cross-examination and re-examination shall be conducted as nearly as may be as at a trial.

340.—(1) The examination (unless otherwise ordered or agreed) shall, if the examiner is a shorthand writer or a shorthand writer is available, be taken in shorthand by the examiner or by a shorthand writer approved and duly sworn by him and shall be taken down by question and answer; and it shall not be necessary for the depositions to be read over to, or signed by, the person examined.

(2) A copy of the depositions so taken, certified by the person taking the same as correct, and if such person be not the examiner, also signed by the examiner, shall be received in evidence saving all just exceptions.

(3) The depositions taken by the examiner shall, upon payment of his fees, be returned to and filed in the office in which the proceedings are carried on.

341. The person to be examined or any party to the action shall, if so required by the subpoena or notice, produce on the examination all books, papers and documents relating to the matters in issue which he could be required to produce at a trial.

342. Where any person admits, upon his examination, that he has in his custody or power any such document the examiner may direct him to produce it for the inspection of the party examining, and for that purpose allow a reasonable time.

343. If any person under examination objects to any question put to him, the question and the objection shall be noted, and the validity of such objection shall be decided by the examiner, whose decision shall also be noted.

344. Any direction or ruling of the examiner shall be subject to review upon any motion with respect to such examination without an appeal.

345.—(1) Any party who is liable to be examined may be required to attend before the proper officer in the County in which he resides, for examination, upon being served with an appointment and upon payment of the proper fees.

(2) Any person not a party, liable to be examined, shall be served with a subpoena.

346. The party examining shall serve the appointment for such examination upon the solicitor of the opposite party at least forty-eight hours before the examination.

347. An order may be made for the examination of any person liable to be examined as aforesaid before any other person or in any other County.

Production of Documents.

348. Each party, after the defence is delivered, or an issue has been filed, may by notice require the other within ten days to make discovery on oath of the documents which are or have been in his possession or power, relating to any matters in question in the action; and to produce and deposit the same with the proper officer for the usual purposes. A copy of such affidavit shall be served forthwith after filing.

349. The Court may at any time order production and inspection of documents generally or of any particular document in the possession of any party, and if privilege is claimed for any document may inspect the document to determine the validity of such claim.

350. When a document is in possession of a person not a party to the action and the production of such document at a trial might be compelled, the Court may at the instance of any party, on notice to such person and to the opposite party, direct the production and inspection thereof, and may give directions respecting the preparation of a certified copy which may be used for all purposes in lieu of the original.

351.—(1) A party shall be entitled to obtain the production, for inspection, of any document referred to in the pleadings or affidavits of the opposite party, by giving notice to his solicitor, and shall be entitled to take copies of such documents when so produced for inspection. (Form No. 29.)

(2) The party to whom such notice is given shall forthwith deliver to the party giving the same a notice stating a time within two days from the delivery thereof at which the document may be inspected at the office of his solicitor, and shall at the time named produce the document for inspection. (Form No. 30.)

(3) Inspection may also be ordered at such place as the Court may direct.

352. If the party from whom discovery of any kind or inspection is sought objects to the same, or any part thereof, the Court, if satisfied that the right to the discovery or inspection sought depends on the determination of any issue or question in dispute in the action, or that for any other reason it is desirable that any issue or question in dispute should be determined before deciding upon the right to the discovery or inspection, may order that such issue or question be determined first, and reserve the question as to the discovery or inspection.

353. If a party fails to comply with any notice or order for production or inspection of documents, he shall be liable to attachment and shall also be liable, if a plaintiff, to have his action dismissed, and if a defendant, to have his defence, if any, struck out. Service of the notice of motion upon the solicitor of the party is, unless the Court otherwise directs, sufficient.

Default of Pleading.

354. A defendant who fails to deliver a statement of defence and against whom the pleadings have been noted as closed, shall be deemed to admit all the statements of fact set forth in the statement of claim.

355. Where a plaintiff would be entitled to sign judgment for default of appearance to the writ he shall be entitled to sign a similar judgment, *mutatis mutandis*, for default of defence.

356.—(1) In any other case the plaintiff may after the pleadings have been noted as closed move for judgment upon the statement of claim.

(2) Where default is made by one defendant and the action proceeds to trial as against another defendant such motion may be made at the trial.

357. Except by leave a judgment for default of appearance or defence shall not be signed, nor shall pleadings be noted closed nor shall an action be set down on motion for judgment for default, after the expiration of one year from the time when the party to sign the judgment or note the pleadings or to move for judgment first became entitled so to do.

358. Where issues arise otherwise than between plaintiff and defendant, if any party to any such issue makes default in delivering any pleading, the Court may, at the trial or on motion, give such judgment as upon the pleadings may seem just.

Replevin.

359. An order of replevin may be obtained:

1. On motion therefor on showing the facts of the wrongful taking or detention complained of, the value and description of the property, and that the person claiming it is the owner thereof, or is lawfully entitled to the possession thereof (as the case may be);

2. Or on *praecipe* if the person claiming the property, his servant or agent, makes an affidavit stating,—

(a) That the person claiming the property is the owner or lawfully entitled to the possession thereof;

(b) The value thereof;

(c) That the property was wrongfully taken out of the possession of the claimant, or fraudulently got out of his possession, within two months next before the making of the affidavit;

(d) That the deponent is advised and believes that the claimant is entitled to the order;

(e) And that there is good reason to apprehend that unless the order is issued without waiting for a motion, the delay would materially prejudice the just rights of the claimant in respect to the property;

3. Or on *praecipe* if the property was distrained for rent or damage feasant, and the person claiming the property, his servant or agent, makes an affidavit stating,—

(a) That the person claiming the property is the owner or is lawfully entitled to the possession thereof (describing the property);

(b) The value thereof;

- (c) That the property was taken under colour of a distress for rent or damage feasant;

and in such case the order shall state that the defendant has taken and unjustly detains the property, under colour of a distress for rent or damage feasant (as the case may be). (Form No. 80.)

360. The motion shall be on notice to the defendant, unless the special circumstances of the case in the opinion of the Court justify the making of an *ex parte* order. The Court instead of granting or refusing the order may direct the sheriff to take a bond in less or more than treble the value of the property, or may direct him, in addition to taking a bond pursuant to Rule 362, to take and detain the property until the further order of the Court, instead of at once replevying the same to the plaintiff; or may order that the plaintiff instead of giving a bond be at liberty to pay into Court to the credit of the action, subject to further order, such sum as may be proper to stand as security to the defendant in the same manner and to the same extent as any bond which the plaintiff would otherwise be required to give to the sheriff.

361. The defendant may apply to the Court to discharge, vary, or modify the order, or to stay proceedings thereunder, or for any other relief with respect to the return, safety or sale of the property or any part thereof or otherwise.

362.—(1) Before the Sheriff acts on the order he shall take a bond, Form No. 131, from the plaintiff with two sufficient sureties in such sum as may be prescribed by the order, or if no special provision has been made, then in treble the value of the property as stated in the order of replevin.

(2) The plaintiff may instead of giving a bond pay into Court twice the value of the goods as stated in the order, and the Sheriff may act upon a certificate of the Accountant that the money has been paid.

363. When an order of replevin is issued for any property which had not been previously taken out of the plaintiff's possession, and for which the plaintiff might bring an action for conversion, the defendant shall be entitled, if the plaintiff fails in the action, to be fully indemnified against all damages sustained by the defendant, including any extra costs which he may incur in defending the action; and the bond shall be conditioned so as to require the plaintiff and the sureties to indemnify and save harmless the defendant from all loss and damage which he may sustain by reason of the seizure, and of any deterioration of the property in the meantime, in the event of its being returned, and all costs, charges, and expenses which the defendant may incur, including reasonable costs not taxable between party and party. This provision shall not be required in cases of distress for rent or damage feasant.

364. The Sheriff shall not serve a copy of the writ of summons or order until he has replevied the property, or some part thereof if he cannot replevy the whole.

365. Where the order is issued on *praecipe* under Rule 359 (2) the Sheriff shall take and detain the property, and shall not replevy the same to the plaintiff without the order of the Court, but may, after seven days from the time of taking the same, re-deliver it to the defendant, unless in the meantime

the plaintiff obtains and serves on the Sheriff an order directing a different disposition of the property.

366. The Sheriff shall return the order on or before the tenth day after the service thereof, and shall transmit annexed thereto,—

- (a) The names of the sureties in, and the date of the bond taken from the plaintiff, and the name or names of the witnesses thereto;
- (b) The place of residence and addition of the sureties;
- (c) The number, quantity and quality of the articles of property replevied; and in case he has replevied only a portion of the property and cannot replevy the residue by reason of the same having been eloined out of his county, or not being in the possession of the defendant or of any other person for him, he shall state in his return the articles which he cannot replevy and the reason therefor.

367.—(1) Where the Sheriff makes such a return of the property distrained, taken or detained having been eloined, the Court may make an order (Form No. 81) directing the Sheriff to take in *withernam* goods and chattels of the defendant.

(2) Where a Sheriff makes return that the whole or any part of the property has been eloined, or that for any reason the same cannot be replevied, the plaintiff may, if he so elect, serve the writ of summons, and in his statement of claim, claim either the return of the goods and damages for their detention, or damages for their conversion.

368. Where the plaintiff is entitled to sign judgment by default, he may sign final judgment for five dollars and costs, but shall not be entitled to recover a larger sum except upon an assessment or upon filing the consent of the defendant or his solicitor, and an affidavit verifying the signature to such consent.

Interim Preservation of Property, Inspection, etc.

369. Where there is a dispute arising upon a contract or any alleged contract affecting the title to any property the Court may make an order for the preservation or interim custody of such property, or may order that the amount in dispute be brought into Court or otherwise secured, or may order the sale of the property and the payment of the proceeds into Court.

370. The Court may, at any time, order the sale, in such manner and on such terms as may seem just, of any goods, wares, or merchandise which may be of a perishable nature or likely to be injured from keeping, or which for any other reason it may be desirable to have sold at once.

371. Where a plaintiff seeks to recover specific property other than land, and the defendant does not dispute the title of the plaintiff, but claims to retain the property by virtue of a lien or otherwise as security for money, the Court may order that the plaintiff pay into Court, to abide the event of the action, the amount of money in respect of which the lien or security is claimed, and such further sum (if any) for interest and costs as the Court may direct, and that upon such payment into Court being made, the property claimed be given up to him.

372.—(1) The Court may, upon the application of any party and upon such terms as may seem just, make any order for the detention or preservation of property, being the subject of the action, or for the inspection of any property, the inspection of which is necessary for the proper determination of the question in dispute: and for all or any of the purposes aforesaid may authorize any person or persons to enter upon or into any land or building in the possession of a party and may authorize any samples to be taken, or any observation to be made or experiment to be tried, which may seem necessary or expedient for the purpose of obtaining full information or evidence.

(2) The Court may also on notice to any person not a party to the action make an order authorizing entry upon or into any lands or building in the possession of such person for the purposes of such inspection.

Security for Costs.

373. Security for costs may be ordered:

- (a) Where the plaintiff resides out of Ontario;
- (b) Where the plaintiff is ordinarily resident out of Ontario, though he may be temporarily resident within Ontario;
- (c) Where the plaintiff has brought another action or proceeding for the same cause which is pending in Ontario or in any other country;
- (d) Where the plaintiff or any person through or under whom he claims, has had judgment or order passed against him, in another action or proceeding for the same cause in Ontario or in any other country, with costs, and such costs have not been paid;
- (e) Where the plaintiff sues as an informer, or seeks to recover any penalty given to an informer or person who sues for the same under a statute or law by which a penalty is given to any person who sues for the same, either for his sole benefit, for the benefit of the Crown, or partly for his benefit and partly for the benefit of the Crown, and the defendant swears that in his belief the plaintiff or informer is not possessed of property sufficient to answer the costs of the action in case a judgment is rendered in favour of the defendant, and that he (the applicant) has a good defence to the action upon the merits, as he is advised and believes;
- (f) Where the action is brought by a nominal plaintiff;
- (g) Where upon the examination of the plaintiff it appears that there is good reason to believe that action is frivolous and vexatious, and that the plaintiff is not possessed of sufficient property in Ontario to answer the costs of the action;
- (h) Where an action is brought on behalf of a class and the plaintiff is not possessed of sufficient property to answer the costs of the action, and it appears that the plaintiff is put forward or instigated to sue by others;

- (i) Where under the provision of any statute the defendant is entitled to security for costs;
- (j) Where either party to a garnishee, interpleader or other issue is an active claimant, and would if a plaintiff be liable to give security for costs.

374.—(1) The order shall require the plaintiff, within four weeks from service to give security in \$400 for the defendant's costs of the action, and shall direct that all further proceedings be stayed in the meantime, and that in default of such security being given the action shall, as against the defendant obtaining the order, be dismissed with costs.

(2) In actions in the County Court the amount of the security shall be \$200.

375. Where it appears by the writ of summons, or by an indorsement thereon, that the plaintiff resides out of Ontario, the order may be obtained on *praecipe*.

376. Upon default in giving security the action may upon an *ex parte* application be dismissed with costs.

377. Where security for costs is ordered, proceedings in the action shall be stayed, from the service of the order until the security is given, and, if given by bond, until the bond is allowed.

378. The day on which an order that a party do give security for costs is served, and the time until and including the day on which the security is allowed, shall not be reckoned in the computation of time allowed for taking any proceeding in the action.

379. A bond given as security for costs shall be to the party requiring the security, and shall be by two sufficient sureties or by a guarantee company.

380. Upon the bond being filed, with affidavits of execution and justification, either party may apply to allow or disallow the same within seven days after notice of filing it is served, otherwise the bond shall stand allowed.

381.—(1) Instead of giving a bond as security for costs, a party may, without special order, pay into Court, as such security, a sum of money not less than half the penalty of the bond required.

(2) The party paying in the money shall, when paying the same in, state the purpose for which it is paid in, and shall forthwith serve a notice upon the opposite side specifying the fact and purpose of such payment.

382. The amount of security, whether directed to be given by an order issued on *praecipe* or otherwise, may be increased or diminished from time to time.

383.—(1) A defendant must appear before obtaining an order for security of costs.

(2) Where the writ of summons is specially endorsed the defendant shall also file the affidavit required by Rule 56, and if an order for security for costs is issued the plaintiff may pay into Court the sum of \$50, as a partial compliance with such order, and thereupon he shall be at liberty to cross-examine and move for judgment; but the order for security shall, in all other respects, have its full operation and effect.

(3) Such payment into Court shall not prejudice any motion that may be made to set aside the order for security.

(4) In actions in the County Court the amount of the partial security shall be \$25.

(5) Where upon motion under Rule 57 the plaintiff is awarded judgment for a portion only of his claim, he may issue the judgment and execution thereunder, but so long as the order for security stands he shall not take any other proceedings in respect to the residue of his claim, until it has been fully complied with.

384. A bond given for security for costs may be delivered up for cancellation or suit upon consent of the solicitors in the cause without order.

385. Where money has been paid into Court as security for costs or with a defence it may be paid out on the consent of the solicitors in the cause or matter, without order and may be paid to the solicitors upon production of the consent of the client verified by affidavit.

Interim Alimony.

386.—(1) In an alimony action, the defendant may, at any time before the statement of defence is due, give notice in writing that he submits to pay the interim alimony, and costs, as demanded by the plaintiff in the indorsement on the writ; and in that case no motion for interim alimony shall be made until there has been a default in payment; and in case of default, affidavits being filed verifying the indorsement and notice and the default, an order for payment of the sum demanded shall be issued on *praecipe*.

(2) The defendant may give notice in writing that he submits to pay such less sum as he may deem proper and may name in his notice.

(3) Where a notice has been so served and the plaintiff accepts the amount therein mentioned as sufficient, the defendant shall pay thereafter the sum so offered as interim alimony, and no order for interim alimony shall be made until there has been default in payment.

(4) Where a notice has been so served, the plaintiff's interim disbursements may be taxed without order.

(5) Where the plaintiff does not accept the amount offered and upon motion for interim alimony it is found that the sum so offered is reasonable, and the defendant pays to the plaintiff the sum so offered, no order for interim alimony shall be made until there has been default in payment.

387. An application for interim alimony or for interim disbursements shall not be made until the time for delivering the defence has expired, and costs shall not be ordered to be paid *de die in diem* by the defendant, but only the amount of the cash disbursements actually and properly made by the plaintiff's solicitor.

387A. When an order for interim alimony or interim disbursements has not been complied with, a Judge if satisfied of the husband's ability to pay may postpone the trial of the action or may order the pleading of the party in default to be struck out.

388. Where the plaintiff in an alimony action fails to obtain a judgment for alimony, no costs beyond the amount of the cash disbursements actually and properly made by the plaintiff's solicitor shall be ordered to be paid by the defendant.

Change of Solicitor.

389. A party suing or defending by a solicitor may change his solicitor by filing and serving a notice to that effect.

390. A party suing or defending in person and desiring to be represented by a solicitor may file and serve a notice to that effect.

391. A party represented by a solicitor and desiring to sue or defend in person may file and serve a notice to that effect.

392.—(1) Where a solicitor who has acted for a party in the cause or matter has died or cannot be found, or has been struck off the roll of solicitors, or has been suspended from practice, and the party has not given notice of change of solicitor or notice of intention to act in person in accordance with the preceding rules, any other party to the cause or matter may, on notice to be served on the first named party personally or by prepaid post letter addressed to his last known place of address, unless the Court otherwise directs, apply to the Court for an order declaring that the solicitor has ceased to be the solicitor acting for the first named party in the cause or matter and the Court may make an order accordingly.

(2) Where the order is made the party applying for the order shall serve on every other party to the cause or matter (not being a party in default as to entry of appearance) a copy of the said order and also leave at the office in which the cause or matter was commenced a copy of the said order together with an affidavit showing that the order has been duly served as aforesaid. Thereafter unless and until the first named party shall either appoint another solicitor or else give such an address for service as is required of a party acting in person and shall comply with the preceding rules relating to the notice of appointment of a solicitor or notice of intention to act in person, any documents in respect of which personal service is not requisite may be served on the party so in default by mailing the same to the party at his address given in the writ or appearance (as the case may be) by registered letter.

(3) Any order made under this rule shall not affect the rights of the solicitor and the party for whom he acted as between themselves.

392A.—(1) Where a solicitor who has acted for a party in a cause or matter has ceased to act and the party has not given notice of change of solicitor in accordance with the provisions of the preceding rules, the solicitor may on notice to be served on the party personally or by prepaid post letter addressed to his last known place of address unless the Court otherwise directs, apply to the Court for an order to the effect that the solicitor has ceased to be the solicitor acting for the party in the cause or matter, and the Court may make an order accordingly: Provided that unless and until the solicitor has

- (a) served on every party to the cause or matter (not being a party in default as to entry of appearance) a copy of the said order; and
- (b) left at the office in which the cause or matter was commenced a copy of the said order together with an affidavit showing that the order has been duly served as aforesaid:

he shall (subject to the provisions of Rule 389, 390 and 391) be considered the solicitor of the party to the final determination of the cause or matter whether in the High Court or the Court of Appeal.

(2) From and after the time when the order has been deposited as required by subsection (b) of the preceding section, any document in respect of which personal service is not requisite may be served on the party to whom the order relates by mailing the same to the party at his address given in the writ or appearance (as the case may be) by registered letter, unless and until that party shall either appoint another solicitor or else give an address for service as is required of a party acting in person, and shall also comply with the provisions of Rules 389, 390 and 391 relating to notice of appointment of a solicitor or notice of intention to act in person.

(3) Any order made under this rule shall not affect the rights of the solicitor and the party as between themselves.

Compounding Penal Actions.

393. Leave to compound a penal action may be given, but in cases where part of the penalty goes to the Crown notice shall first be given to the Attorney-General for Canada or the Attorney-General for Ontario as the case may be.

394. The order for compounding shall not be made unless the defendant undertakes to pay the sum for which the Court has given him leave to compound such action.

395. Where leave is given to compound the proportion of the Crown shall, unless otherwise ordered, be paid into Court for the use of His Majesty.

Transmission of Papers.

396. Every local officer shall upon *praecipe* and payment of the necessary postage or express charges for transmission and return, transmit to the Registrar's Office, Toronto, all papers and documents required for use in Toronto.

397. Where documents filed with an officer of the Court are required by or for use before any other officer, the officer with whom the documents are filed shall upon the production of a request signed by the officer requiring them transmit them upon payment of the postage or express charges required for their transmission and return.

Striking Out Jury Notices.

398.—(1) When an application is made to a Judge in Chambers for an order striking out a jury notice, and it appears to him that the action is one which ought to be tried without a jury, he shall direct that

the issues shall be tried and the damages assessed without a jury, and in case the action has been entered for trial shall direct the action to be transferred to the non-jury list.

(2) The refusal of such an order by the Judge in Chambers shall not interfere with the right of the Judge presiding at the trial to try the action without a jury. Nor shall an order made in Chambers striking out a jury notice interfere with the right of the Judge presiding at the trial to direct a trial by jury.

(3) The judge presiding at a jury sittings in Toronto, may in his discretion strike out the jury notice and transfer the action for trial to a non-jury sittings, and this power may be exercised notwithstanding that the case is not on the peremptory list for trial before the said Judge.

Procedure when Judgment Delayed.

398A. When a Judge who has reserved judgment in any cause, action, issue, motion, or matter,

- (a) dies without giving judgment, or
- (b) having resigned his office or having been appointed to any other Court does not give judgment within the time allowed by statute, or
- (c) has not given judgment within six months from the time of reserving the same,

the Chief Justice of the High Court may order that the cause, action, issue, motion or matter be restored to the proper list for trial or hearing, and, in case the original trial or hearing was upon evidence given *viva voce*, may direct that the re-trial or re-hearing shall be upon a transcript of the reporter's notes of such evidence, or upon such transcript and additional evidence given *viva voce* or by affidavit, or upon such transcript and evidence given *viva voce* and evidence given by affidavit, or upon new evidence, or otherwise as in his opinion the circumstances of the particular case may require, and may dispose of the costs of the original trial or hearing and of the costs of procuring and furnishing any copies of the transcript of the reporter's notes, or may refer the question as to such costs or any of them to the Judge presiding at the re-trial or re-hearing. But no directions for a re-trial or re-hearing which include a direction for the use of the transcript of the reporter's notes shall be deemed to limit or restrict the power of the Judge presiding at such re-trial or re-hearing in his discretion to permit the recalling of any witness called at the original trial or hearing, or to receive other or additional evidence.

CHAPTER X

REFERENCES.

Referees.

399. In the event of the Referee declining to act, or dying before he has made his report, a Judge may appoint a new Referee.

400. The practice and procedure on a reference to a Referee shall be the same, as nearly as may be, as the practice and procedure in the Master's office.

401. The Court may require explanations or reasons from a Master or Referee, and may remit the cause or matter, or any part thereof, for further consideration, to the same or any other Master or Referee.

Proceedings on References.

402. Every order of reference shall be brought into the Master's office within ten days after it is issued, by the party having the carriage of the same, and in default any other party having an interest in the reference may assume the carriage of the order.

403.—(1) Unless otherwise directed by the Master, notice of the first proceeding before him shall be given to every party affected by or interested in the inquiry though any such party may not have appeared or pleaded in the action; but in the absence of special direction when default is made in appearance upon the notice, no further notice need be given unless the party in default files a written request for notice with an address for service.

(2) In case of a reference in a foreclosure action in which judgment has been entered for default of appearance or defence and no notice that the defendant desires an opportunity to redeem has been filed, it shall not be necessary to serve the defendant with an appointment upon the reference.

404. Where in proceedings before the Master, it appears to him that a person not already a party ought to be made a party, and ought to be at liberty to attend the proceedings before him, he may make an order adding him as a party defendant, and direct a copy of the order, indorsed with a notice (Form No. 39), and a copy of the judgment or order of reference indorsed with a notice in accordance with Form No. 38, to be served upon such person, who thereupon shall be treated and named as a party to the action and shall be bound as if he had been originally made a party.

405. A person so served may apply to the Court at any time within ten days from the date of such service, to discharge, add to, vary, or set aside the order or reference or the order adding him as a party.

406. Where, at any time during the reference, it appears to the Master that the interests of the parties can be classified, he may require the parties constituting each or any class to be represented by the same solicitor; and where the parties constituting such class cannot agree upon the solicitor to represent them, the Master may nominate him.

407. Where a party prosecuting a reference does not proceed with due diligence, the Master may upon the application of any other person interested commit to him the prosecution of the reference.

408. A reference shall be proceeded with as far as possible *de die in diem* and when an adjournment is ordered the Master shall note in his book the reason thereof and shall when practicable fix the time when it is to be resumed so as to avoid the service of a new appointment.

409. The Master shall (unless he dispenses with it) in the first instance issue an appointment to consider. Upon the return of the appointment he shall fix a

time at which to proceed with the reference and shall give any special directions he thinks fit, as to:

- (a) The parties who are to attend on the several accounts and inquiries;
- (b) The time when each proceeding is to be taken;
- (c) The mode in which any accounts referred to him are to be taken or vouched;
- (d) The evidence to be adduced in support thereof;
- (e) The manner in which each of the accounts and inquiries is to be prosecuted.

Any such directions may be afterwards varied or added to, as may be found necessary.

410. Under an order of reference, the Master shall have power:

- (a) To take the accounts with rests or otherwise;
- (b) To take account of money, rents and profits received or which, but for wilful neglect or default, might have been received;
- (c) To set occupation rent;
- (d) To take into account necessary repairs, and lasting improvements, and costs and other expenses properly incurred otherwise, or claimed to be so;
- (e) To make all just allowances;
- (f) To report special circumstances;
- (g) And generally, in taking the accounts, to inquire, adjudge, and report as to all matters relating thereto, as fully as if the same had been specifically referred.

411. The Master may cause parties to be examined, and to produce books, papers and writings, as he thinks fit, and may determine what books, papers and writings are to be produced, and when and how long they are to be left in his office; or in case he does not deem it necessary that such books and papers or writings should be left or deposited in his office, he may give directions for the inspection thereof by the parties requiring the same, at such time and in such manner as he deems expedient.

412. The Master may cause advertisements for creditors or for heirs or next of kin, or other unascertained persons, and the representatives of such as are dead, to be published as the circumstances of the case require; and in such advertisements he shall appoint a time within which such persons are to come in and prove their claims, and shall notify them that unless they so come in, they are to be excluded from the benefit of the order. A claim may nevertheless be received by the Master at any later time. (Form 43.)

413. The Master shall consider the claims brought in before him pursuant to such advertisement, upon a day to be fixed by him when settling the advertisement, and the executor or person appointed to examine the claims may require the claimant to produce before

him any document in his possession (Form 44), and if any claim is to be contested shall cause notice of contestation to be served upon the claimant fixing a day when he will adjudicate upon the claim. (Form No. 45.) Where a claim is not to be contested or is to be contested in part only a notice shall be sent according to Form No. 46.

414. The executor or administrator, or such other person as the Master directs, shall examine the claims sent in pursuant to the advertisement, and ascertain, as far as he is able, which of such claims is just and proper.

415. The executor or administrator, or one of the executors or administrators, or such other person as the Master directs, shall on or before the day appointed to consider the claims file an affidavit, verifying a list of the claims sent in pursuant to the advertisement, and stating which of such claims are just and proper to be allowed, and the reasons for such belief.

416. Under every order whereby the delivery of deeds or execution of conveyances is directed or becomes necessary, the Master shall give directions as to delivery of such deeds, settle conveyances where the parties differ, and give directions as to the parties to the conveyances and as to the execution thereof.

417. Where an account is to be taken, the accounting party, unless the Master otherwise directs, shall bring in the same in debit and credit form, verified by affidavit. The items on each side of the account shall be numbered consecutively, and the account shall be referred to by the affidavit as an exhibit, and shall not be annexed thereto.

418. The Master may direct that in taking accounts the books of account in which the accounts required to be taken have been kept, or any of them, be taken as *prima facie* evidence of the truth of the matters therein contained.

419. Before proceeding to the hearing and determining of a reference, the Master may appoint a day for the purpose of entering into the accounts and inquiries, and may direct the production and inspection of vouchers, and if deemed proper the cross-examination of the accounting party on his affidavit, with a view to ascertaining what is admitted and what is contested between the parties.

420. A party seeking to charge an accounting party beyond what he has in his account admitted to have received, shall give notice thereof to the accounting party, stating as far as he is able the amount sought to be charged and the particulars thereof in a short and succinct manner. The Master may direct any party who seeks to falsify an account to deliver particulars of the item objected to. The particulars shall refer to the item by number.

421. The Master shall keep in his office a book in which he shall enter proceedings taken before him, and the directions which he gives in relation to the prosecution of the reference, or otherwise, and it shall not be necessary to issue or serve any formal order or document embodying such directions to bind the parties attending the reference.

422. In giving directions, and in regulating the manner of proceeding before him, the Master shall

devise and adopt the simplest, most speedy and, least expensive method of prosecuting the reference, and with that view may dispense with any proceeding ordinarily taken which he conceives to be unnecessary, or substitute a different course of proceeding for that ordinarily taken.

423. Where the Master directs parties not in attendance before him to be notified to attend at some future day, or for different purposes at different future days, it shall not be necessary to issue separate appointments, but the parties shall be notified by one appointment, signed by the Master, of the proceedings to be taken, and of the times by him appointed for the taking of the same.

424. As soon as the hearing of any matter pending before the Master is completed, he shall so inform the parties to the reference then in attendance, and make a note to that effect in his book; and after such entry no further evidence shall be received, or proceedings had, without the special permission of the Master; and the Master shall then fix a day to settle his report and shall cause notice of such day to be given to all parties interested not then in attendance who have appeared upon the reference or requested notice under the provisions of Rule 403, unless for special reason such notice is dispensed with.

425. In the report no part of any account, affidavit, deposition, examination or pleading used in the Master's office shall be stated or recited, but the same may be referred to by date or otherwise.

426. Reports affecting money in Court, or to be paid into Court, shall set forth, in figures, in a schedule, a brief summary of the sums found by the report; and paid or payable into or out of Court, and the funds or shares to which the sums of money are respectively chargeable.

427. As soon as the Master's report is settled and signed it shall be delivered out to the party prosecuting the reference, or in case he declines to take the same, then, in the discretion of the Master, to any other party applying therefor.

428. Pending a reference to a Master all affidavits, papers and documents relating thereto required to be filed shall be filed with the Master, but every report or certificate of a Master shall be filed in the office in which the proceedings were commenced, and upon the completion of the reference the papers shall be transferred to the office in which the proceedings were commenced.

429. Any party affected by a report may file the same, or a duplicate thereof. He shall forthwith serve notice of filing, upon all parties appearing in the action or attending upon the reference.

430.—(1) Where the Master is directed to appoint money to be paid at some time and place, he shall appoint the same to be paid into some Bank to the joint credit of the party to whom the same is made payable and the Accountant. The party to whom the same is made payable may name the Bank into which he desires the same to be paid.

(2) Where money is paid into a Bank in pursuance of such appointment, the party paying may pay the

same either to the credit of the party to whom the same is made payable or to the joint credit of the party and the Accountant; and if the same be paid to the sole credit of the party, such party shall be entitled to receive the same without order.

(3) When money is paid to the joint credit of the Accountant and the party entitled, the Accountant shall sign the cheque for payment out upon the production of the consent of the party paying in, duly verified, or of his solicitor, or in the absence of such consent upon the order of a Judge.

431. Where, by a report, any money in Court is found to belong to infants, the Master shall require proper evidence of the age of the infants to be given before him and shall in his report state the date of birth and age at the time of his report of each of such infants or shall certify specially his reason for not so doing.

432. In administration suits, reports shall, as far as possible, be according to Form No. 48.

433. Every Master shall have the same power, authority and jurisdiction as the Master at Toronto when sitting in Chambers in respect to all matters referred to him, or which may arise in his office.

434. Where a Master acts as under the preceding rule the fees (payable in stamps) shall, in respect of such business, be the same as are payable for the like business in Chambers.

435. In taking accounts in administration proceedings interest shall be computed on the deceased's debts from the date of the judgment or order, and on legacies from the end of one year after the deceased's death, unless any other time of payment is directed by the will.

436. Where an order is made for payment of money out of Court to creditors, the person whose duty it is to prosecute the order shall send each creditor, or his solicitor (if any), a notice that the cheques may be obtained from the Accountant; and shall deposit with the Accountant any papers necessary to enable the creditors to receive their cheques. (Form No. 47.)

437. Every notice required to be given to a creditor or claimant shall unless the Master otherwise directs be transmitted by registered letter to the creditor or claimant at the address given in the claim sent in, or, in case the creditor or claimant has employed a solicitor, to such solicitor at the address given by him.

438. Where a sale is ordered, the Master may cause the property to be sold either by public auction, private contract or tender, or part by one mode and part by another, as he may think best for the interest of all parties.

439. The party having the conduct of the sale shall bring into the Master's office a draft advertisement, which shall show:

- (a) The short style of cause;
- (b) That the sale is in pursuance of an order of the Court;
- (c) The time and place of sale;

(d) A short and true description of the property to be sold;

(e) The manner in which the property is to be sold, whether in one lot or several, and if in several, in how many, and what lots;

(f) What proportion of the purchase money is to be paid down by way of deposit, and at what time or times, and whether the residue of such purchase money is to be paid with or without interest;

(g) If the sale is subject to a reserve bid it shall be so stated;

(h) Any particulars in which the proposed conditions of sale differ from the standing conditions.

440. Upon the return of the appointment to settle the advertisement the Master shall also fix the time and place of sale, name an auctioneer, where one is to be employed, give direction for publication, fix the reserve bid, and make every other necessary arrangement preparatory to the sale.

441. The standing conditions of sale shall be those set forth in Form No. 49.

442. All parties may bid, except the party having the conduct of the sale, and except any trustees, agents, and other persons in a fiduciary position.

443. The Master or his Clerk shall conduct the sale where no auctioneer is employed.

444. The purchaser shall at the time of sale sign an agreement to purchase.

445. The deposit shall be paid to the vendor, or his solicitor, at the time of sale, and shall forthwith be paid by him into Court, in the name of the purchaser.

446. After the sale is concluded, the auctioneer, where one is employed, shall make an affidavit as to the result of the sale; and where no auctioneer is employed, the Master or his Clerk shall certify the result; and when expedient a separate report on sale may be made. (Form No. 50.)

447. Objection to the sale shall be by motion to set aside the same; and notice of the motion shall be served upon the purchaser and on the other parties, and biddings shall be opened only on special grounds.

448. The purchaser may pay his purchase money, or the balance thereof, into Court without further order; and after confirmation of the report on sale, upon notice to the party having the conduct of the sale, he may if he so desires obtain a vesting order; and when he is entitled to be let into possession, if possession is wrongfully withheld from him, an order against any party in possession for the delivery thereof to him may be made upon his application or upon the application of the vendor.

449. The vendor shall, forthwith upon demand, deliver an abstract of title to the purchaser; and if the purchaser does not serve objections within seven days, he shall be deemed to have accepted the abstract

as sufficient; but if objections are served, the vendor shall answer them within 14 days, and if the purchaser is still dissatisfied, and the parties cannot agree, either party may obtain from the Master an appointment to consider the abstract.

450. The Master shall determine all questions upon the abstract and the sufficiency thereof; and, if desired by the purchaser, may require the vendor to make the same as perfect as he can, and if the vendor neglects or refuses to do so, may permit the purchaser to supply defects therein, at the vendor's expense.

451. The Master shall not make a report on the abstract, but shall mark the objections as allowed or disallowed, and when he finds the abstract perfect, or as perfect as the vendor can make it, he shall certify to that effect thereon; and such certificate shall be final without filing, unless appealed from in the same manner as a Master's report.

452. After acceptance or confirmation of the abstract, the verification shall be proceeded with, and the vendor shall with all diligence afford the purchaser all the means of verification in his power, in the manner and according to the practice usual with conveyances; and after having done so, he may serve a notice on the purchaser to make objections or requisitions, if any, within seven days, or that otherwise he will be deemed to have accepted the title.

453. Upon being served with such notice, the purchaser, if dissatisfied, shall serve his objections or requisitions within the time thereby limited; and the like course shall be followed upon such objections or requisitions as is prescribed in relation to the abstract.

454. In case of the refusal or neglect of the vendor to verify the abstract to the best of his ability, or to furnish any necessary proof or documents in his power, the Master may authorize the purchaser to do so at the vendor's expense.

455. The foregoing six Rules shall apply to all cases of reference to the Master as to title, as well as to sales by the Court.

456. Purchase money shall not be paid out of Court except upon consent of the purchaser or his solicitor, or upon proof being made to the Accountant that the purchaser has received a conveyance or vesting order in respect of the property for which the money in question was paid into Court.

457. No conveyance shall be settled until evidence is produced of the purchase money having been paid into Court, and, where a mortgage is taken for part of the purchase money, until evidence is given to the said officer of such mortgage having been registered and deposited with the Accountant.

458. Where a Master is to appoint a committee, guardian or receiver, the name proposed and the names of his proposed sureties shall be given in the appointment and the Master shall appoint the committee, guardian or receiver, and settle and approve of the proposed security, and when the security has been duly filed, shall sign a written appointment.

459. The Master shall appoint a time when the person appointed is to pass his accounts and pay his

balances into Court; and in default of compliance with such direction, the person appointed may, on the passing of his accounts, be disallowed any salary or compensation for his services, and may be charged with interest upon his balances.

459A. Upon the death of a mentally incompetent person, so found, the accounts of his committee shall be passed by the Master to whom the matter has been referred, upon notice to his executor or administrator, and upon payment over to the executor or administrator of the balance found to be due by the Master and upon confirmation of the Master's report the bond given by the committee shall be handed over for cancellation.

CHAPTER XVI

MORTGAGE ACTIONS.

460. A mortgagee may in an action claim foreclosure of the equity of redemption or a sale of the mortgaged premises and payment of the mortgage debt by any party personally liable therefor and possession of the mortgaged premises. The writ shall be indorsed in accordance with the Form applicable thereto.

460A. Where a defendant by writ in an action for foreclosure or sale desires an opportunity to redeem the mortgaged premises but does not otherwise desire to defend the action, he shall within the time allowed for appearance file and serve a memorandum entitled in the action to the following effect: "I desire an opportunity to redeem the mortgaged premises," whereupon he shall be entitled to four days' notice of the taking of the account of the amount due to the plaintiff and shall have six calendar months from the time of the taking of the account to redeem the mortgaged premises.

461. Where a defendant by writ in an action for foreclosure desires a sale, but does not otherwise desire to defend the action, he shall, within the time allowed for appearance, file and serve a memorandum, entitled in the action, to the following effect: "I desire a sale of the mortgaged premises instead of foreclosure," and shall pay into Court the sum of \$80 to meet the expenses of the sale, and thereupon the judgment shall be entered for sale.

462. A person made a party in the Master's office and desiring a sale shall make a similar deposit before the Master's report is settled, and obtain an order which may be issued on *praecipe* directing sale instead of foreclosure, and thereupon all subsequent proceedings shall be had and taken as if the judgment had been in the first instance for sale.

463. Where there are infant defendants the Official Guardian may require the judgment to be for sale without making any deposit.

464.—(1) If the plaintiff prefers that the sale be conducted by an adult defendant desiring the sale, he may so elect; and he shall thereupon notify the defendant of such election and the defendant making the deposit shall be entitled to a return thereof.

(2) In other cases the Master shall deal with the deposit in making his report.

465. The Court may on special application either before or after judgment direct a sale instead of a

foreclosure; and may direct an immediate sale without previously determining the priorities of incumbrancers, or giving the usual or any time to redeem.

466. In a mortgage action where the defendants, or some of the defendants, are infants and default is made by the adult defendants and the Official Guardian does not desire to set up any defence, the plaintiff, upon filing affidavits showing such facts and circumstances as entitle him to judgment, may move for judgment in Chambers, upon notice to the Official Guardian.

467.—(1) Where the writ has been duly endorsed and the defendant fails to appear or fails to file a notice that he desires an opportunity to redeem the mortgaged premises, the plaintiff may sign judgment for immediate sale or for immediate foreclosure unless a reference is desired as to encumbrancers. (Form 97A.)

(2) If a reference is desired as to encumbrancers the plaintiff shall be entitled to judgment with a reference and if no encumbrancer shall prove any claim the Master shall so certify and upon confirmation of the Master's report a final order of sale or of foreclosure shall be made.

(3) If upon the reference a subsequent encumbrancer shall prove a claim the usual period of redemption shall be granted unless the encumbrancer shall consent when a final order may be made at an earlier date.

(4) In the event of a notice being filed by the defendant desiring an opportunity to redeem the mortgaged premises and no reference as to encumbrancers being required, judgment may be signed and the officer signing same may in simple cases take the account on four days' notice to the defendant. His findings shall be subject to an appeal to a Judge in Chambers in the manner prescribed for appeals from the Master. In complicated cases a judgment shall issue directing a reference. (Form 97.)

(5) In the event of a notice being filed by the defendant desiring an opportunity to redeem the mortgaged premises, and a reference being desired as to encumbrancers, judgment may be signed directing a reference, and the account shall be taken by the Master on four days' notice to the person filing such notice. (Form 96.)

(6) Where the writ has not been personally served, the claim of the plaintiff shall be duly verified by an affidavit which shall be filed with the officer taking the account.

468. Upon a reference under a judgment for foreclosure or sale or redemption of mortgaged property, the Master shall enquire and state whether any person and who, other than the plaintiff, has any lien, charge, or incumbrance upon the land and premises embraced in the mortgage security of the plaintiff, subsequent thereto.

469. The plaintiff shall bring into the Master's Office certificates of the Registrar of Deeds and Sheriff of the County wherein the property lies, setting forth all the incumbrances which affect the property and such other evidence as may be necessary.

470. The Master shall direct all such persons as appear to have any lien, charge or incumbrance upon the property in question, subsequent to the mortgage in question, to be made parties to the action, and to be served with a notice. (Form No. 40.)

471. Any party served with such notice may apply at any time within 10 days from the date of the service, to discharge, add to, vary, or set aside the judgment, or the order making him a party.

472. The Master before he proceeds to hear and determine shall require an appointment (Form No. 41) to be served upon all persons made parties before the judgment appearing to have any lien, charge or incumbrance upon the lands in question, subject to the plaintiff's mortgage, and shall in the notice to the defendant by writ, required by Rule 403, state the names and nature of the claims of those so notified, and of those added under the provisions of Rule 470 as appearing to have a lien, charge or incumbrance upon the said lands, and such notice may be in the Form No. 42.

473. Where a person who has been duly served with a notice under Rule 470 or with an appointment under Rule 472 neglects to attend at the time appointed, the Master shall treat such non-attendance as a disclaimer by the person so making default; and any claim of such person shall be thereby foreclosed, unless otherwise ordered upon application duly made for that purpose.

474.—(1) When all parties have been duly served the Master shall take an account of what is due to the plaintiff and to the subsequent encumbrancers for principal and interest and tax their costs and appoint a time and place for payment.

(2) In an action for foreclosure or sale, one day shall be fixed for redemption by the owner of the equity of redemption and by all subsequent encumbrancers and in case of more than one party desiring to redeem, the question of priority of the right to redeem shall be determined by the Master.

475. On any proceeding for foreclosure or sale by, or for redemption against an assignee of a mortgagee, the statement of the mortgage account, under the oath of such assignee, shall be sufficient *prima facie* evidence of the state of such account, and an affidavit or oath shall not be required from the mortgagee or any intermediate assignee denying any payment to such mortgagee or intermediate assignee, unless the mortgagor or his assignee, or the party proceeding to redeem denies by oath or affidavit the correctness of such statement of account.

476. The Master's report shall state the names of all persons who have been made parties in his office, and who have been served with the notice or appointment hereinbefore provided for, and the names of such as have made default, and shall set forth the amount of the claims, and the priorities of such as have attended, and these latter shall be certified as the only incumbrancers upon the property. The report shall bear date the day upon which it is settled and shall be signed and filed within ten days thereafter, otherwise a new account shall be taken.

477. Subsequent accounts shall, from time to time, be taken, subsequent costs taxed, and necessary proceedings had, for redemption by, or foreclosure of, the other parties entitled to redeem the mortgaged premises, as if specific directions for all these purposes had been contained in the judgment.

478. If the judgment directs a sale on default in payment, then on default being made, and an order for sale obtained, the property shall be sold, with the approbation of the Master, and the purchaser shall pay his purchase money into Court to the credit of the action.

479. The purchase money, when so paid, shall be applied and paid out of Court in payment of what has been found due to the plaintiff and the other incumbrances (if any), according to their priorities, together with subsequent interest and subsequent costs.

480. Upon a reference under a judgment for redemption, the Master shall, without any special direction, take an account of what is due to the defendant for principal money, interest, and costs, and shall appoint a time and place for payment.

481. Where the judgment is for redemption or foreclosure, or redemption or sale, such proceedings are in such case to be thereupon had, and with the same effect, as in an action for foreclosure or sale, and in such case the last incumbrancer shall be treated as the owner of the equity of redemption.

482. Subject to the provisions of *The Mortgages Act*, upon payment of the amount found due, the mortgagee shall, unless the judgment otherwise directs, assign and convey the mortgaged property to the party making the payment, or to whom he may appoint, free and clear of all incumbrances done by the mortgagee, and shall deliver up all deeds and writings in his custody or power relating thereto.

483. If the purchase money is not sufficient to pay what has been found due to the mortgagee (where the mortgagor or person liable to pay the debt is a defendant), he shall be entitled on an *ex parte* application, to an order for the payment of the deficiency.

484.—(1) Where the state of account as ascertained by a judgment order or report is changed before the day appointed for payment, the mortgagee may before the day appointed, give notice of the change of account to the person called upon to pay, giving particulars of the change of account and of the sum to be paid.

(2) If notice of change of account has been given, and the sums therein mentioned appear proper to be allowed or paid, a final order may be granted without further notice, or the officer applied to may in his discretion require notice to be given and may fix a new day.

(3) If any party to whom notice of change of account is given is dissatisfied, he may apply to the Master or officer taking the account to determine the amount to be paid and to fix a new day.

(4) If the state of account has been changed before the day appointed for payment and no such notice has been given, and the amount to be paid is reduced, a new day shall be appointed for payment upon notice

to the persons entitled to redeem. If the amount payable has been increased the mortgagee may take a final order without the appointment of a new day.

(5) If the state of the account has been changed after the day appointed for payment, it shall not be necessary to appoint a new day unless the officer to whom the application is made for final order shall so direct.

485.—(1) In an action for foreclosure or sale, or for recovery of possession of any mortgaged property for default in the payment of interest, or of an instalment of the principal, the defendant may, before judgment or after judgment, but before sale or final foreclosure or recovery of possession of the mortgaged property, move to stay the action upon payment of the amount then due for principal, interest and costs.

(2) Any action so stayed may upon subsequent default in the payment of a further instalment of the principal, or of the interest, be proceeded with by leave of the court.

486. In default of payment according to the report in a foreclosure action, a final order of foreclosure may be granted against the party making default, on an *ex parte* application.

487. In a redemption action, on default of payment being made according to the report, the defendant shall be entitled, on an *ex parte* application, to a final order of foreclosure against the plaintiff, or to an order dismissing the action with costs to be paid by the plaintiff.

488. In a redemption action where the plaintiff is declared foreclosed, directions may be given either by the final order foreclosing the plaintiff, or by subsequent orders, that all necessary inquiries be made, accounts taken and proceedings had for redemption or foreclosure, or redemption or sale, as against any subsequent incumbrancers, or for the adjustment of the relative rights and liabilities of the original defendants as among themselves.

489. In mortgage actions the period allowed for redemption in the first place shall be six months and when it becomes necessary to fix a date for redemption after the lapse of the first period the further time allowed shall be one month.

490.—(1) Where one or more of the persons interested in the equity of redemption are already defendants, and it is made to appear that by reason of their number or otherwise, it is expedient to permit the action to proceed without the presence of the other persons interested in the equity of redemption, the Court may give directions accordingly, and may order such other persons to be made parties in the Master's office after judgment.

(2) Where after judgment it appears that persons are interested in the equity of redemption besides those who are already parties, such persons may be made parties in the Master's office upon such terms as may seem just.

CHAPTER XVII

APPEALS AND NEW TRIALS.

Appeals to the Court of Appeal.

491.—(1) In all cases other than an appeal from an interlocutory order an appeal to the Court of Appeal or a motion for a new trial shall be made by notice of motion served upon all parties interested within 15 days after the date of the judgment or order appealed from. (Form No. 122.)

(2) The notice shall state the relief asked and shall set forth the grounds of appeal. No other grounds may be argued, save by leave of the Court.

(3) A motion, other than an appeal, shall be upon notice and shall be set down at least two days before the return day. Copies of all necessary papers shall be supplied for the use of the Judges.

492. In all cases other than an appeal from an interlocutory order:

(1) The appeal shall be set down for hearing by filing the notice of motion and proof of service within five days after service. There shall at the same time be left with the Registrar proof that the copies of the evidence required for use upon the appeal have been ordered.

(2) The appellant shall within thirty days after setting down the appeal cause to be transmitted to the Registrar of the Court of Appeal the record and exhibits and all such other papers as are necessary for the hearing of the appeal and shall deliver to him five typewritten copies of an appeal book for the use of the Judges, each containing in the following order,—

- (a) an index;
- (b) the notice of appeal;
- (c) the pleadings;
- (d) the judgment or order appealed from;
- (e) the reasons for judgment;
- (f) such of the exhibits, or such parts thereof as are material for the hearing of the appeal, arranged in chronological order (when the exhibits are copied in the evidence by the reporter they need not be copied again);
- (g) the evidence (when more convenient the evidence may be bound separately);
- (h) any other document material to the due hearing of the appeal.

(3) When the evidence has not been received from the stenographer within the time limited by clause (2) it shall be sufficient if it is put in within five days after it is ready.

(4) When compliance with the provisions of the Rule as to appeal books would cause undue expense or delay a Judge of the Court of Appeal may give special directions.

(5) As soon as the appeal book and evidence have been received by the Registrar the appeal shall be placed upon the list of cases ready to be heard.

(6) In County Court appeals where copies of the evidence and of the proceedings at the trial are necessary a certificate from the Judge that such copies have been ordered from the stenographer shall be deemed to dispense with the inclusion of such evidence and proceedings in the papers certified, and the appeal may be set down without such copies upon the appellant's solicitor undertaking to deposit them as soon as they are received from the stenographer. In case such undertaking shall not be performed the provisions of Rule 497 shall apply and may be enforced.

(7) The appellant shall, contemporaneously with the delivery of the appeal books to the Registrar, deliver a copy thereof to the solicitor for the respondent. If the evidence has not then been received from the reporter, a copy of the evidence shall be delivered to the respondent within the time limited by clause (3).

(8) In appeals from a County Court three copies of the appeal book and in appeals from a Division Court one copy of the appeal book for the use of the Judge or Judges shall be sufficient.

493. In an appeal from an interlocutory order:

(1) Leave to appeal shall be obtained from a Judge other than the Judge appealed from.

(2) The application for leave shall be made within one week from the pronouncing of the order appealed from, or such further time as may be allowed by the Judge hearing the application for leave to appeal.

(3) Leave to appeal shall not be granted unless,—

(a) There are conflicting decisions by a Judge or Court upon the matter involved in the proposed appeal and it is in the opinion of the Judge desirable that an appeal be allowed; or

(b) There appears to the Judge hearing the application to be good reason to doubt the correctness of the decision or order in question and the appeal involves matters of such importance that in the opinion of the Judge leave to appeal should be given.

(c) The Judge granting leave shall shortly state his reasons.

(4) If leave is given the appeal shall be set down within three days after the granting of leave, without further notice of appeal, and appeal books shall be put in within a week thereafter.

(5) Save as aforesaid the provisions of the preceding rule shall apply.

494. In an appeal under a Statute where leave to appeal is necessary, leave to appeal shall be obtained on notice to the parties interested within two weeks from the pronouncing of the order appealed from, or within such further time as the Judge hearing the application shall allow and the appeal shall be set down for hearing within three days after the granting of leave and save as aforesaid the provisions of Rules 491 and 492 shall apply.

495. In an appeal from a judgment of the Supreme Court both parties shall lodge with the Registrar five copies of a typewritten statement of the points of law and of fact intended to be argued including a list of cases intended to be cited and such references to the evidence, by page and line, as may facilitate the argument. Such statement shall be lodged at the latest upon the day before the case is placed upon the peremptory list for argument and within the same time a copy thereof shall be furnished to the other party. In default the appeal may be heard *ex parte* or costs may not be awarded to the defaulting party if successful.

NOTE.—*It is not intended or desired that this statement should be a factum or a brief. It should be a concise statement of the points without argument.*

496.—(1) An appeal which is not perfected nor prosecuted as required, within the time prescribed or allowed, shall be deemed to be in default and the respondent may have it struck from the list by the Registrar as an abandoned appeal upon giving five days' notice to the appellant of his intended application.

(2) If the appeal is perfected within the five days from the giving of such notice or if within that time an application is made for an order extending the time the Registrar shall take no action.

(3) If the appeal is not perfected within the five days or within such further time as may be allowed, the Registrar shall strike the appeal off the list and shall issue an order for payment of the costs of the abandoned appeal. (Form No. 123.)

(4) Unless an appeal is made ready for hearing by the appellant within one year from the filing of the notice of appeal it shall be deemed to have been abandoned without any order to dismiss being required unless the Court or Judge shall otherwise order, and the Registrar may upon the application of the respondent tax the costs and issue a certificate of dismissal.

(5) Unless an appeal is brought on for hearing within two years after the same is set down it shall, unless the Court or Judge otherwise order, be deemed to be abandoned and the Registrar shall return the papers to the office from which he received the same and no further proceedings shall be taken therein.

497. It shall not be necessary for a respondent to give notice of motion by way of cross-appeal except in cases where the respondent intends to appeal upon his claim or counterclaim in the action, but if a respondent only intends upon the hearing of the appeal, to contend that the decision appealed against should be varied, he shall within five days after the notice of appeal has been served upon him, give notice of such intention to any parties who may be affected by such contention and shall forthwith file such notice with

proof of service. The omission to give such notice shall not diminish the power of the Court but may in the discretion of the Court be ground for an adjournment of the appeal or for a special order as to costs.

498. The time limited by Rules 491-497 may be extended by a written consent or by a Judge of the Court of Appeal.

Stay of Execution Pending Appeal.

499. The Judge at the trial may stay the entry of judgment or the issue of execution for a period not exceeding thirty days, but this shall not prevent the settlement of the judgment.

500.—(1) Unless otherwise ordered by a Judge of the Court of Appeal the execution of the judgment appealed from shall, upon an appeal being set down to be heard, be stayed, pending the appeal, but if the judgment appealed from awards a mandamus or an injunction, execution shall not be stayed unless so ordered by the Judge appealed from or by a Judge of the Court of Appeal.

(2) Where leave to appeal from an interlocutory order is granted the Judge hearing the application may give directions as to staying proceedings.

501. Where an execution has been issued and is thereafter stayed upon an appeal, the appellant shall be entitled to obtain a certificate from the Registrar that the execution has been stayed pending the appeal, and upon the certificate being lodged with the sheriff the execution shall be superseded, but the execution debtor shall pay the sheriff's fees; and the sum so paid shall be allowed to him as part of the costs of the appeal.

502. Where the execution of a judgment is stayed pending an appeal, all further proceedings in the action, other than the issue of the judgment, and the taxation of costs thereunder, shall be stayed, unless otherwise ordered by a Judge of the Court of Appeal.

Default and Disagreement of Jury.

503. Where a party does not appear at the trial, the judgment may be set aside and a new trial ordered by the Judge presiding at the sittings, or by a Judge.

504. Where the Jury disagree the action may be re-tried at the same sittings or at any subsequent sittings as may be directed.

505.—(1) Where a jury is directed to answer questions, and answers some but not all, or where the answers are conflicting so that judgment cannot be entered upon such findings, the action shall be re-tried as in the case of a disagreement.

(2) If the answers entitle either party to judgment as to some but not all the causes of action, the Judge may direct judgment to be entered on the causes of action as to which the answers are sufficient, and the issues upon the remaining causes of action shall then be re-tried as upon a disagreement.

Appeals from Masters and Referees—Local Judges and Officers in Chambers.

506.—(1) Every report or certificate of a Master shall be filed and shall be deemed to be confirmed at the expiration of fourteen days from the date of service of notice of filing the same, unless notice of appeal is served within that time.

(2) Where notice of filing is not necessary a report shall be confirmed 14 days after filing.

507. An appeal from the report or certificate of a Master or Referee shall be to the Court upon seven clear days' notice, and shall be returnable within one month from the date of service of notice of filing of the report or certificate.

508.—(1) A person affected by an order of the Master upon any application heard by him under Rule 208, a Local Judge, Local Master or other officer in Chambers, or of a Master under the authority of Rule 433, may appeal therefrom to a Judge in Chambers.

(2) The appeal shall be by motion, on notice served within four days and returnable within ten days after the decision complained of.

(3) The appeal shall not be a stay of proceedings unless ordered by a Judge or by the officer whose decision is complained of.

(4) Where the judgment, order or decision is made or given in vacation, a person affected thereby may, if the matter is urgent, appeal therefrom during vacation to the Vacation Judge, or may appeal after vacation in the same manner and within the same time as if the judgment, order or decision had been made on the first day after vacation.

(5) Appeals in Chambers shall be argued by Counsel.

509. Any person affected by a judgment or order of a Local Judge in Court may appeal therefrom to a Judge in Court, and such appeal shall be brought within the time and upon the like notice and proceedings as in cases of appeals from orders and decisions of Local Judges in Chambers.

Appeals from Taxation.

510.—(1) An appeal from the report or certificate of an officer to whom the taxation of a solicitor's bill under *The Solicitors Act* has been referred shall lie and may be brought in the same manner as in the case of the report of a Master.

(2) In other cases a party dissatisfied with the decision of a taxing officer upon any question of principle or as to any item respecting which objections have been duly filed, may appeal from the certificate of a taxing officer to a Judge in Chambers; the practice upon the appeal shall be the same as upon an appeal from an order made by the Master.

CHAPTER XVIII

FORM OF JUDGMENTS AND ORDERS, ETC.

511. Judgments and orders shall be divided into convenient paragraphs, numbered consecutively.

512. It shall not be necessary in any judgment or order to reserve liberty to apply, but any party may apply to the Court from time to time as he may be advised.

513. Every judgment or order shall show on its face the day of the week and month on which it was given or made and every judgment shall also show the date upon which it is actually signed, and (except judgments signed by default and *praecipe* orders) shall show the name or names of the Judge or officer who gave or made the same, and shall take effect from its date. (Forms Nos. 62 and 63.)

514. An order for payment of money into Court on behalf of, or as the property of, an infant shall, unless otherwise directed, state the date of the birth of the infant.

515. All judgments and orders directing payment of costs shall direct payment to the party entitled to receive the same and not to his solicitor.

516.—(1) Every judgment, and every order pronounced in Court, shall be entered at full length.

(2) Judgment in causes and matters commenced in the Central Office, and all orders made in Court or Chambers in Toronto, shall be entered in the Registrar's Office.

(3) Judgments in causes or matters commenced in a local office and all orders made therein not entered at Toronto shall be entered in the office in which the cause or matter was commenced.

(4) Orders issued on *praecipe* and orders made in Chambers, shall not be entered in full, except:

Orders declaring persons mentally incompetent, and with respect the Estates of such persons;

Orders for the Sale of Infants' Estates;

Orders for Payment of Money into or out of Court, or out of an estate or fund;

Orders for Foreclosure or Sale;

Orders for the confirmation of the report of a Master or Referee;

Orders vacating certificates of *lis pendens* or cautions;

Vesting Orders;

and such other orders as may from time to time be directed to be entered.

(5) Where an order made in Chambers is not required to be entered in full, a copy thereof shall be filed and a memorandum showing the issue of the order shall be made by the Entering Clerk.

517. The Entering Clerk shall note in the margin of the judgment or order book the day of entering, and shall at the foot of the judgment or order note the same date and a reference to the book in which the entry has been made.

518. All judgments and orders of the Court of Appeal shall be entered in the Registrar's Office at Toronto, and if the action was commenced elsewhere also in the office where the action was commenced.

519.—(1) Any judgment in a mortgage action may direct in general terms that all necessary inquiries be made, accounts taken, costs taxed, and proceedings had for redemption or foreclosure (or for redemption or sale, as the case may be) and that for these purposes the cause is referred to (*naming the Master*).

(2) Any judgment directing a sale may so direct in general terms and refer the action to the Master for that purpose.

(3) Any judgment directing partition or administration may be in general terms.

(4) Any judgment in general terms shall confer upon the Master all the powers given by these Rules and all other powers necessary to enable him to carry the judgment into full effect.

520. Any judgment by default may be set aside upon an application in Chambers.

521. Clerical mistakes in judgments or orders, or errors arising therein from any accidental slip or omission, may at any time be corrected upon an application in Chambers.

522. Where a judgment or order requires amendment in any particular on which the Court did not adjudicate, the same may be amended on motion.

523. A party entitled to maintain an action for the reversal or variation of a judgment or order, upon the ground of matter arising subsequent to the making thereof, or subsequently discovered, or to impeach a judgment or order on the ground of fraud, or to suspend the operation of a judgment or order, or to carry a judgment or order into operation, or to any further or other relief than that originally awarded may move in the action for the relief claimed.

524. Upon the production of the order of His Majesty in His Privy Council, made upon an appeal to His Majesty in Council, or of the certificate of the Registrar of the Supreme Court of Canada upon an appeal to that Court, the officer of this Court with whom the judgment or order appealed from was entered shall cause the order of His Majesty in His Privy Council or the certificate of the Supreme Court to be entered in the judgment book, and all subsequent proceedings may be taken thereupon as if the decision had been given in this Court.

525. Every judgment and order by which a judgment is affirmed, reversed, set aside, varied, or in any way modified, shall in addition to any other entry thereof, be entered in the office where the original judgment or order is entered.

526. Judgments and orders pronounced in trials at Toronto shall be settled by the Registrar to whom is assigned the duty of settling judgments.

527.—(1) Judgments in cases tried elsewhere than at Toronto shall be settled by the Local Registrar or other officer acting as Registrar at the place of trial,

unless any party affected applies to the Registrar at Toronto to whom is assigned the duty of settling judgments to settle the same, or to reconsider the settlement of the same by the local officer.

(2) When settled the minutes may be varied by the Trial Judge on the application of either party.

528. Notice of settling minutes of a judgment or order other than a simple judgment or order for recovery of a sum certain with or without costs or dismissing an action or motion shall be given unless dispensed with by the officer by whom the judgment or order is to be settled, and the proposed minutes of the judgment or order shall be served or left in his office for inspection, and any party may take a copy thereof.

529. Where judgment may be signed upon the filing of any affidavit or production of any document, the officer shall examine the affidavit or document produced and ascertain that it is regular and sufficient.

530. Where a judgment or order is obtained upon a condition, and the condition is not complied with, the judgment or order shall be deemed to have been waived or abandoned as far as the same is beneficial to the person obtaining the same, and any person interested in the matter, on the breach or non-performance of the condition, may either take such proceedings as the judgment or order in such case may warrant, or such proceedings as might have been taken if the judgment or order had not been made.

531.—(1) Every judgment shall be signed by the Registrar or by the proper officer in whose office the action was commenced.

(2) Every judgment or order pronounced by the Court or by a Judge in Chambers shall be settled and signed by the Registrar or officer attending the Court or Chambers at which the same is pronounced, but the Judge pronouncing such order may himself settle or sign the same.

(3) Orders made by an officer sitting in chambers shall be signed by him, but in his absence an officer having concurrent jurisdiction may sign an order which has been approved by all parties represented on the application in the name of the officer who pronounced the order by subscribing thereto the name of such officer and adding thereto his own signature and office preceded by the word "by".

(4) Orders made by a Judge of the Court of Appeal shall be settled and signed by the Registrar or by the Judge.

531A.—(1) The minutes of every final Judgment or order of the Court of Appeal shall be settled and initialled by the Registrar.

(2) Any party to the appeal who is dissatisfied with the Minutes as settled by the Registrar may apply on notice of motion returnable before the Chief Justice or other presiding Judge of the Court that heard the appeal, specifying in precise terms the alteration in the Minutes sought by him and the Chief Justice or other presiding Judge may hear the application or may delegate the hearing to any other member of the Court who heard the appeal.

(3) The Judge settling the Minutes may refer the motion to the Court.

532.—(1) In order to acknowledge satisfaction of a judgment, a satisfaction-piece shall be signed by the party acknowledging the same or his personal representative, and his signature shall, unless the Court expressly dispenses therewith, be witnessed by some practising solicitor, expressly named by him, and attending at his request to inform him of the nature and effect of such satisfaction-piece before the same is signed. (Form No. 130.)

(2) The solicitor shall declare himself in the attestation thereto to be the solicitor for the person so signing the same, and state that he is witness as such solicitor; and in cases where the satisfaction-piece is signed by the personal representative of a party deceased, his representative character shall be proved by the production of the probate of the will, or of the letters of administration (or a certified copy), to the officer having custody of the judgment.

(3) The satisfaction-piece shall be filed in the office in which the judgment is entered, and a note thereof shall be made in the book where the judgment is entered.

CHAPTER XIX

ENFORCEMENT OF JUDGMENTS AND ORDERS

533. A judgment for the recovery by or payment to any person of money may be enforced by the issue of a writ of execution against the goods and chattels, lands and tenements of the debtor, but if the amount due on the judgment is less than \$40.00 no execution shall issue against lands and tenements. (Form No. 108.)

534. Any judgment for the payment of money into Court may be enforced in the same way as a judgment for payment to any person, and the person having the carriage of the judgment shall be deemed to be a judgment creditor for the purpose of its enforcement.

535. A judgment for the recovery of money on behalf of an infant, mentally incompetent person, or person of unsound mind or on behalf of a class shall direct the money to be paid into Court, and no payment to the guardian, next friend, or committee of money of such infant, mentally incompetent person or person of unsound mind, or person having the conduct of the proceedings on behalf of the class, shall be a valid discharge as against the infant, mentally incompetent person or person of unsound mind, or the class.

536. Every writ of execution for the levying of any money to be paid into Court shall be indorsed by the officer issuing the same with the following notice: "All money made under this execution is to be paid into Court by the Sheriff."

537. Where any party is by a judgment entitled to any relief subject to or upon the fulfilment of any condition or contingency, he may, upon the fulfilment of the condition or contingency, apply for leave to issue execution.

538. Every judgment creditor shall be entitled immediately to issue one or more writ or writs of *feri*

facias; but if the judgment is for payment within a period therein mentioned, the writ shall not be issued until after the expiration of such period.

539. When a Sheriff returns that he has "goods (or lands) on hand for want of buyers", a writ of *venditioni exponas* or a writ of *venditioni exponas* for part and *feri facias* for the residue may be issued. The Sheriff may make this return by certificate and the original writ of execution shall remain in force for the residue. (Forms Nos. 112a and 113.)

540. A judgment for the recovery or for the delivery of the possession of land may be enforced by writ of possession. (Form No. 114.)

541. Where by any judgment any person therein named is directed to deliver up possession of any lands to some other person on or at any specified time after being served with the judgment, the person prosecuting the same shall without any further order for that purpose be entitled to issue a writ of possession, on filing an affidavit showing due service of the judgment and that the same has not been obeyed.

542. When a judgment directs recovery of any land and money, one writ or separate writs of execution for the recovery of possession and for the money may be issued at the election of the party entitled to recover.

543. A judgment for the recovery of dower may be enforced by a writ of assignment of dower, directed to the Sheriff of the County in which the lands lie; and the writ shall set forth the lands out of which the plaintiff is to recover dower. (Forms Nos. 119 and 120.)

544.—(1) Where a judgment directs the recovery of specific goods, chattels, deeds, securities, documents, or any property other than land or money, a writ of delivery may issue directing the sheriff to cause such goods or property to be delivered up in accordance with the judgment. (Form No. 115.)

(2) If the goods and property are not delivered up by the judgment debtor and cannot be found and taken by the sheriff, the judgment creditor may apply for an order directing the sheriff to take goods and chattels of the judgment debtor to double the value of the property in question to be kept until the further order of the Court to enforce obedience to the judgment.

(3) By leave of the Court such judgment may also be enforced by attachment, committal, or sequestration.

545. A judgment requiring any person to do any act other than the payment of money, or to abstain from doing anything, may be enforced by attachment, or by committal. (Form No. 117.)

546. A writ of attachment shall not be issued without the leave of the Court or a Judge, on notice to the person against whom the attachment is to be issued.

547. Where a person is taken or detained in custody under a writ of attachment, without obeying the judgment, then upon the sheriff's return that the person has been so taken or detained, the party prosecuting the judgment shall be entitled upon motion to a writ

of sequestration against the estate and effects of the disobedient person.

548. If an attachment cannot be executed against the person refusing or neglecting to obey the judgment, by reason of his being out of the jurisdiction of the Court, or of his having absconded, or that with due diligence he cannot be found, or if in any other case the Court may think proper to dispense with a writ of attachment, an order may be granted for a writ of sequestration against the estate and effects of the disobedient person; and it shall not be necessary for that purpose to issue an attachment.

549. If a person who is ordered to pay money, neglects to obey the judgment, the Court may, upon the application of the party prosecuting the same, at the expiration of the time limited for performance, make an order for a writ of sequestration. (Form No. 118.)

550. A writ of sequestration shall be directed to the Sheriff, unless otherwise ordered.

551. In case a person has been committed to gaol for contempt of Court, there to be detained and imprisoned until he shall have purged his contempt, if it be made to appear that he is in actual custody under such committal, the Court may modify the order and limit the term of imprisonment or grant such other relief as may in the nature and circumstances of the case seem just, but any relief that may be granted to any such person shall not relieve him from any civil liability.

552. If a *mandamus* granted in an action or otherwise, or a mandatory order, injunction, or judgment for specific performance of any contract is not complied with, the Court, besides or instead of proceedings against the disobedient party for contempt, may direct that the act required to be done may be done so far as practicable by the party by whom the judgment has been obtained, or some other person appointed by the Court, at the cost of the disobedient party; and upon the act being done the expenses incurred may be ascertained in such manner as the Court may direct and execution may issue for the amount so ascertained and costs.

553. Any judgment against a Corporation wilfully disobeyed may be enforced by sequestration against the Corporation or by attachment against the directors or other officers of the Corporation.

554. Any Corporation or individual disobeying a judgment, or guilty of any other contempt of Court, may be fined. Such fine may be in lieu of or addition to punishment by attachment, committal or sequestration.

555. Any person not a party against whom obedience to a judgment may be enforced shall be liable to the same process and punishment as if he were a party.

556.—(1) Under an execution against one partner, partnership assets shall not be taken in execution, but an order may be made charging the partner's interest in the partnership property and profits with the payment of the amount of the executions in the Sheriff's hands, and by the same or a subsequent order a re-

ceiver may be appointed of the partner's share of profits whether already declared or accruing and of any other money which may be coming to him in respect of the partnership, and the Court may direct all accounts and inquiries and give all such other directions as might be directed or given if the charge had been given by the partner.

(2) The other partners may redeem the interest charged or in event of a sale may purchase the same.

557. Where goods or chattels are seized in execution under a writ of *feri facias*, the Sheriff, or his officers acting for him, shall, on request, deliver to the owner, his agent or servant, an inventory thereof before they are removed from the premises on which they have been so seized; and no Sheriff or other officer shall sell any goods or chattels under a writ of execution until he has previously thereto given at least eight day's public notice in writing of the time and place of sale in the most public place in the municipality where such goods or chattels have been seized.

558. The Sheriff shall where goods seized by him under a writ of *feri facias* remain unsold in his hands for want of buyers, state in his return of "goods on hand for want of buyers," the time and place when and where such goods were offered for sale by him, and the names of at least three persons who were present at the time of such attempted sale, if so many were present, but if so many were not present, then the names of those who were present, if any, and that there were no others, and if no person was present then he shall state that fact.

559. The Sheriff shall not expose lands for sale under a writ of *feri facias*, or sell the same within less than twelve months from the day on which the writ is delivered to him.

560. Where a writ of *feri facias* is issued against an absconding debtor in an action in which an order for attachment has been issued, the Court may order the Sheriff to sell lands of the absconding debtor before the expiration of the twelve months.

561. A sale of lands shall not be had under any writ of *feri facias* until after a return of *nulla bona*, in whole or in part, in the same action or matter by the Sheriff of the same county.

562. If the amount authorized to be made and levied under a writ of *feri facias* is made and levied thereunder out of goods and chattels, the person issuing the writ shall not be entitled to the expenses of any seizure or advertisement of lands thereunder; and the return to be made by the Sheriff to the writ for sale of lands shall be to the effect that the amount has been so made and levied as aforesaid.

563. Before the sale of lands under a writ of *feri facias*, the Sheriff shall publish once, not less than three months and not more than four months preceding the sale, an advertisement of sale, in THE ONTARIO GAZETTE, specifying:

- (a) The property to be sold;
- (b) The name of the plaintiff and defendant;
- (c) The time and place of the intended sale;

(d) The name of the debtor whose interest is to be sold;

and he shall, upon one day at least in each week for four successive weeks next preceding the sale, also publish such advertisement in a public newspaper of the County or District in which the lands lie; and he shall also for three months preceding the sale, put up and continue a notice of such sale in the office of the Clerk of the Peace, and on the door of the Court House or place in which the General Sessions of the Peace of the County or District is usually holden; but nothing herein contained shall be taken to prevent an adjournment of the sale to a future day.

564. The advertisement in the *Ontario Gazette* of any lands for sale under a writ of *feri facias*, during the currency of the writ, shall be deemed a sufficient commencement of the execution to enable the same to be completed by a sale and conveyance of the lands after the writ has become returnable.

565. As between the original parties to a judgment, execution may, without leave, issue at any time within six years from the date of the same.

566. Where the six years have elapsed or any change has taken place by death or otherwise in the parties entitled or liable to execution, or where a party is entitled to execution upon a judgment of assets *in futuro*, the party alleging himself to be entitled to execution, may apply for leave to issue execution accordingly or to amend any execution already issued. (Form No. 85.)

567. Every writ of execution shall be indorsed with the name and address of the solicitor issuing the same; and if he issues the same as agent for another solicitor, the name and address of such other solicitor shall also be indorsed. Where the writ is issued by a suitor in person his name and address shall be indorsed.

568. Every writ of execution for the recovery of money shall be indorsed with a direction to the officer to whom the writ is directed, to levy the money really due and payable and sought to be recovered under the judgment, stating the amount, and also to levy interest thereon at the rate of 5 per cent. per annum from the time when the judgment was entered.

569. The officer issuing the writ or renewal thereof shall indorse upon the same a memorandum signed by him of the amount which the party issuing such writ is entitled to receive for the costs of such writ, and any renewal and for any further or other writs or renewals, and no sum not so indorsed is to be collected for such costs.

570. Upon every execution there may be levied, in addition to the sum recovered by the judgment and interest thereon, the poundage, fees, and expenses of execution.

571. A writ of *feri facias* shall remain in force for three years from its issue, unless renewed before its expiration, when it shall be in force for a further period of three years from the date of such renewal, and so on from time to time. A writ may be renewed by being marked in the margin with a memorandum signed by the proper officer, stating the date of the day, month and year of such renewal, or by a certificate

of renewal signed by such officer; a writ so marked (or if renewed by certificate the certificate) shall be placed in the hands of the Sheriff before its expiry, when it shall have effect and be entitled to priority, according to the time of the original delivery thereof.

572. The Sheriff to whom a writ is directed shall indorse on such writ all returns thereto and shall give a certificate thereof when demanded, which certificate shall be deemed a return. (Form No. 121.)

573. Where the party who delivered any writ or process to any Sheriff to be executed, or any other person entitled to call for a return requires, by a demand in writing, the Sheriff to return the writ either by returning the writ to the Court from which the writ issued, or by granting a certificate under the preceding rule, the Sheriff shall, within eight days, return the writ according to the terms of the requisition; and if he wilfully refuses or neglects to do so, he may be ordered to return the writ, and may be further proceeded against as in other cases of contumacy.

574. Upon filing the demand and proof of service an order against the Sheriff to return the writ in six days from service shall be issued on *praecipe*.

575. Personal service of the demand or order on the Sheriff shall not be necessary, if it appears by affidavit that inquiry was made for him, and that he could not conveniently be found, and the demand or order was served upon the Sheriff's clerk, or bailiff in, or having charge of, the Sheriff's office.

576. Where a Sheriff neglects or refuses to return any writ when so demanded, he may be ordered to pay the costs of any order taken out to compel the return, and all other costs consequent thereon, and also the costs of the previous demand.

577. Where the Sheriff is ordered to return a writ, and does not make the return within the time specified in the order, the Court may order the Sheriff to be attached, or direct that an attachment shall issue unless a return be made within a limited time.

578. If the writ is not returned at the expiration of any further time limited, and if the service of the order and the failure of the Sheriff to return the writ are proved, the Court may order the attachment to issue forthwith against the Sheriff upon an *ex parte* application.

579. The Sheriff when required to return a writ to the Court, shall file the writ or his certificate under Rule 572, in the office from which the order to return the same was issued, and the officer with whom it is filed shall indorse the day and hour when it was filed.

CHAPTER XX

EXAMINATION OF JUDGMENT DEBTORS AND ATTACHMENT OF DEBTS.

580. A judgment creditor may, without an order, examine the judgment debtor upon oath before the proper officer of the County in which he resides, touching his estate and effects, and as to the property and means he had when the debt or liability which was the subject of the cause or matter in which judgment has been obtained against him was incurred (or in the case of a judgment for costs only, at the time of the commencement of the cause or matter),

and as to the property and means he still has of discharging the judgment, and as to the disposal he has made of any property since contracting such debt or incurring such liability (or in case of a judgment for costs only, since the commencement of the cause or matter), and as to any and what debts are owing to him.

581. Where the judgment is against a corporation the judgment creditor, may in like manner examine any of the officers of such corporation, touching the names and residences of the stockholders in the corporation, the amount and particulars of stock held or owned by each stockholder and the amount paid thereon, and as to what debts are owing to the corporation, and as to the estate and effects of the corporation; and as to the disposal made by it of any property since contracting the debt or liability in respect of which the judgment was obtained, or, in the case of a judgment for costs only, since the commencement of the cause or matter.

582. The Court may order any clerk or employee or former clerk or employee of the judgment debtor, or any person or the officer or officers of any corporation to whom the debtor has made a transfer of his property or effects, exigible under execution, since the date when the liability or debt which was the subject of the action in which judgment was obtained was incurred (or where the judgment is for costs only, since the commencement of the cause or matter) to submit to be examined upon oath as to the estate and effects of the debtor, and as to the property and means he had when the debt or liability aforesaid was incurred (or in the case of a judgment for costs only, at the date of the commencement of the cause or matter) and as to the property or means he still has of discharging the judgment, and as to the disposal he has made of any property since contracting the debt or incurring the liability, and as to any and what debts are owing to him.

583. Where the Court is satisfied that there is reasonable ground for supposing that any person or corporation is in possession of any property of the judgment debtor exigible under execution, it may order such person or any officer of said corporation to attend and submit to examination touching the property and means of the judgment debtor.

584. Where a difficulty arises in or about the execution or enforcement of a judgment, the Court may make such order for the attendance and examination of any party or person as may seem just.

585. A person liable to be examined under the preceding Rules may be compelled to attend and testify, and to produce books and documents, in the same manner and subject to the same rules of examination, and the same consequences of neglecting to attend or refusing to disclose the matters in respect of which he may be examined, as in the case of a witness.

586. A person liable to be examined as a judgment debtor or as an officer of a corporation which is a judgment debtor need not be served with a subpoena, but may be served with an appointment signed by the officer before whom he is to be examined at least 48 hours before the time fixed for his examination, and the person to be examined shall be paid the same fees as a witness.

587. Where the judgment debtor does not attend, does not allege a sufficient excuse for not attending, or if attending, refuses to disclose his property or his transactions, or does not make satisfactory answers respecting the same, or if it appears from such examination that such debtor has concealed or made away with his property in order to defeat or defraud his creditors or any of them, the Court may order the debtor to be committed to the common gaol of the County or District in which he resides, for any term not exceeding twelve months; or that a writ of *capias ad satisfaciendum* may be issued against the debtor, or in case the debtor is at large upon bail, may make an order for his committal to close custody; and the Sheriff, on due notice of the order, shall forthwith take the debtor and commit him to close custody until he obtains an order allowing him to go out of close custody, on giving the necessary bond in that behalf, or until he is otherwise discharged in due course of law.

588. Where any officer of a corporation or other person liable to be examined does not attend, and does not show a sufficient excuse for not attending, or if attending, refuses to disclose any of the matters in respect of which he may be examined, the Court may order him to be committed to the common gaol of the County or District in which he resides, for any term not exceeding six months.

589. Where a person has been committed to gaol, the Court may limit the term of imprisonment or grant such other relief as may seem just, but the order shall not relieve such person from any civil liability to any other person.

590.—(1) The Court, upon the *ex-parte* application of the judgment creditor, upon affidavit stating that the judgment is unsatisfied and

- (a) that some person within Ontario is indebted to the judgment debtor, or
- (b) that some person not within Ontario is indebted to the judgment debtor and that the debt to be attached is one for which such person might be sued in Ontario by the judgment debtor,

may order that all debts owing or accruing from such third person (hereinafter called the garnishee) to the judgment debtor, shall be attached to answer the judgment debt and that the garnishee do at a time named show cause why he should not pay the judgment creditor the debt due from the garnishee to the judgment debtor or so much thereof as may be sufficient to satisfy the judgment debt and the claims of any other execution creditors. Notice of the application to pay over shall, unless dispensed with, be given to the judgment debtor. (Form No. 72.)

(2) When the garnishee is not within Ontario, and is neither a British subject nor in British dominions, notice of the order and not the order itself shall be served. (Form No. 73.)

(3) Where a debt owing from a firm carrying on business within Ontario, but having members out of Ontario, is attached, service may be effected upon any person having control or management of the partnership business or any member of the firm within Ontario.

591. The garnishee shall be deemed to be indebted, although any debt sought to be attached has been assigned, charged or incumbered by the judgment debtor, if the assignment, charge or incumbrance is fraudulent as against creditors or is otherwise impeachable by them.

592. The order from the time of service shall bind the debts attached.

593. If the garnishee admits his liability he may pay the amount admitted into Court, less \$3 for his costs of paying in, and give notice of such payment to the judgment creditor.

594.—(1) If the garnishee does not pay into Court the amount due from him to the judgment debtor, and does not dispute the debt due or claimed to be due from him to the judgment debtor, or if he does not appear upon notice to him, then the Court may order payment into Court of the debt. (Form No. 74.)

(2) If the debt be not payable at the time of the attachment, an order may be made for the payment thereof when it becomes payable.

595. If the garnishee disputes his liability, the Court may determine the dispute in a summary way or may order that an issue be tried in such manner as may be directed.

596.—(1) Where a garnishee has notice of any assignment of the debt or of any claim thereto or charge thereon he shall give notice thereof and the Court may order the assignee or the claimant to appear and state the nature and particulars of his claim.

(2) After hearing the allegations of such third person, and of any other person who by the same or any subsequent order may be ordered to appear, or in case of such third person not appearing when ordered, the Court may order payment of the amount due from the garnishee, or may order an issue to be tried, or may bar the claim of the third person, or may make such other order as may seem just.

597. Where the debt claimed to be due or accruing from a garnishee is of the amount recoverable in a County Court, the order to show cause shall require the garnishee to appear before the Judge of the County Court of the County within which the garnishee resides, on a day and at a place within his County to be appointed by such Judge; and the garnishee shall be served with notice of the day and place appointed. All subsequent proceedings shall then be taken and carried on before such Judge.

598.—(1) Where the debt claimed to be due or accruing from a garnishee is of the amount recoverable in a Division Court, the order to show cause shall require the garnishee to appear before the Judge of the Division Court within whose Division the garnishee resides, on a day to be appointed in writing by such Judge, and the garnishee shall be served with notice of the day appointed.

(2) The proceedings shall thereafter be carried on before the Judge as though the garnishee summons had issued out of the said Division Court, and all proceedings may thereafter be carried on in the Division

Court, and execution may be issued in the Division Court to enforce any order or judgment made.

599. Payment into Court or under an order by the garnishee shall be a valid discharge to him, as against the judgment debtor, or any assignee or claimant of whose claim he has given notice and who has been called upon to show cause under the preceding rules.

CHAPTER XXI

ORIGINATING NOTICES.

600. The executors or administrators of a deceased person or any of them, and the trustees under any deed or instrument or any of them, or any person claiming to be interested in the relief sought as creditor, devisee, legatee, next-of-kin or heir-at-law of a deceased person, or as *cestui que trust* under the trusts of any deed or instrument, or as claiming by assignment or otherwise under any such creditor or other person as aforesaid, may apply by originating notice for the determination without an administration of the estate or trust of any of the following questions or matters:

- (a) Any question affecting the rights or interests of the person claiming to be creditor, devisee, legatee, next-of-kin or heir-at-law, or *cestui que trust*.
- (b) The ascertainment of any class of creditors, legatees, devisees, next-of-kin, or others.
- (c) The furnishing of any particular accounts by the executors or administrators or trustees and the vouching (where necessary) of such accounts.
- (d) The payment into Court of any money in the hands of the executors or administrators or trustees.
- (e) Directing the executors or administrators or trustees to do or abstain from doing any particular act in their character as such executors or administrators or trustees.
- (f) The approval of any sale, purchase, compromise or other transaction.
- (g) The opinion, advice or direction of a Judge pursuant to *The Trustee Act*.
- (h) The determination of any question arising in the administration of the estate or trust.
- (i) The fixing of the compensation of any executor, administrator or trustee.

601.—(1) The persons to be served with notice under the next preceding Rule in the first instance shall be as follows:

- (A) Where the notice is served by an executor or administrator or trustee,—
 - (a) For the determination of any question under clause (a), (e), (f), (g), (h), or (i) the persons or one of the persons whose rights or interests are sought to be affected;
 - (b) For the determination of any question under clause (b), any member or alleged member of the class;

- (c) For the determination of any question under clause (c), any person interested in taking such accounts;
- (d) For the determination of any question under clause (d), any person interested in the money;
- (e) If there are more than one executor or administrator or trustee and they do not all concur in the application, service of the notice shall be upon those who do not concur.
- (B) Where the notice is served by any person other than the executors, administrators or trustees, it shall be served upon the executors, administrators or trustees, and upon one or more of the persons interested adversely to the applicant.

(2) The Judge before whom the motion is returnable may direct such other person to be served as he may deem proper.

602. When upon an originating notice under *The Vendors' and Purchasers' Act* it appears that some third person is or may be interested in the question raised, the Court may require notice to be given to such person so that the question may be determined not only as between the vendor and purchaser, but so as to bind such third person.

603.—(1) Where any person claims to be the owner of land, but does not desire to have his title thereto quieted under *The Quieting Titles Act*, he may have any particular question which would arise upon an application to have his title quieted determined upon an originating notice.

(2) Notice shall be given to all persons to whom notice would be given under *The Quieting Titles Act*, and the Court shall have the same power finally to dispose of and determine such particular question as it would have under the said Act, but this shall not render it necessary to give the notice required by Rule 705.

604. Where the rights of any person depend upon the construction of any deed, will or other instrument, he may apply by originating notice, upon notice to all persons concerned, to have his rights declared and determined.

605.—(1) Where the rights of the parties depend,—

- (a) Upon the construction of any contract or agreement and there are no material facts in dispute;
- (b) Upon undisputed facts and the proper inference from such facts;

such rights may be determined upon originating notice.

(2) A contract or agreement may be construed before there has been a breach thereof.

606.—(1) The Judge may summarily dispose of the questions arising on an originating notice and give such judgment as the nature of the case may require, or may give such directions as he may think proper for the trial of any questions arising upon the application.

(2) Any special directions, touching the carriage or execution of the judgment or order or the service thereof upon persons not parties, may be given as may be deemed proper.

607. Service of an originating notice shall not interfere with or control any power or discretion vested in any executor, administrator or trustee, except so far as such interference or control may necessarily be involved in the particular relief sought.

CHAPTER XXII

ADMINISTRATION, PARTITION, INFANTS' ESTATES AND DOWER.

Administration.

608. Any person claiming to be a creditor, or a specific, pecuniary, or residuary legatee, or the next-of-kin, or one of the next-of-kin, or the heir, or a devisee interested under the will of a deceased person may apply by originating notice for the administration of the estate, real or personal, of such deceased person. (Form of Order No. 99.)

609. A judgment for the administration of an estate in which an infant or a mentally incompetent person who has no committee except the Public Trustee is interested, shall not be made unless the infant or mentally incompetent person is made a party defendant and notice is given to the Official Guardian. Notice of such application shall, unless otherwise ordered, also be given to such mentally incompetent person.

610. An executor or administrator may, upon summary application, obtain a judgment for administration.

611.—(1) Where judgment for administration is granted the Master to whom the matter is referred shall proceed to administer the estate in the most expeditious and least expensive manner, and in doing so shall, without special direction, take,—

- (a) An account of the personal estate of the deceased, come to the hands of his executor or administrator;
- (b) An account of his debts;
- (c) An account of his funeral expenses;
- (d) An account of the said testator's legacies;
- (e) An inquiry as to what parts, if any, of the real and personal estate are outstanding or disposed of;
- (f) An inquiry as to what real estate the deceased was seised of, or entitled to, at the time of his death;
- (g) An inquiry as to what incumbrances affect the real estate;
- (h) An account of the rents and profits of the real estate received by any party since the death;
- (i) An account of what is due to such of the incumbrancers as shall consent to sale in respect of their incumbrances;

(j) An inquiry as to what are the priorities of such last-mentioned incumbrances.

(2) The Master shall, under any such reference, have power to deal with both the real and personal estate, including the power to give all necessary directions for its realization, and shall finally wind up all matters connected with the estate, without any further directions, and without any separate interim, or interlocutory reports or orders, except where the special circumstances of the case absolutely call therefor.

(3) All money realized from the estate shall forthwith be paid into Court, and no money shall be distributed or paid out for costs or otherwise without an order of a Judge, and on the application for an order for distribution the Judge may review, amend, or refer back the report, or make such other order as may seem just.

612. It shall not be obligatory on the Court to pronounce or make a judgment or order for the administration of any trust or of the estate of any deceased person, if the questions between the parties can be properly determined without such judgment or order.

613. In any action or proceeding for the administration or execution of trusts by a creditor or beneficiary under a will, intestacy or instrument of trust, where no accounts or insufficient accounts have been rendered, the Court may, instead of pronouncing judgment for administration:

(a) Order that the executors, administrators or trustees, shall render to the plaintiff or applicant a proper statement of their accounts, with an intimation that if it is not done they may be made to pay the costs of the proceedings, and may direct the action or proceeding to be stayed or to stand over in the meantime, as may seem just;

(b) The Court may make the usual judgment for administration with a provision that no proceedings are to be taken thereunder without the leave of the Court. Such judgment shall prevent proceedings being taken by any creditor or beneficiary without first obtaining leave.

614. Special directions touching the carriage or execution of the judgment may be given as may be deemed expedient; and in case of applications by two or more persons, or classes of persons, judgment may be granted to one or more of the claimants as may seem just; the carriage of the judgment may be subsequently given to other persons interested.

Partition.

615.—(1) An adult person entitled to compel partition of land or any estate or interest therein may, by originating notice served on one or more of the persons entitled to a share therein, apply for partition or sale. (Form of Order No. 100.)

(2) Where an infant or a mentally incompetent person who has no committee except the Public Trustee is interested, he shall be made a party defendant before judgment, and notice shall be given

to the Official Guardian. Notice of such application shall, unless otherwise ordered, also be given to such mentally incompetent person.

(3) The Master shall proceed in the least expensive and most expeditious manner, for partition or sale, the adding of parties, the ascertainment of the rights of the various persons interested, the taxation and payment of costs, and otherwise.

(4) All money realized shall forthwith be paid into Court, and no moneys shall be distributed or paid out for costs or otherwise, without an order of a Judge; and on the application for an order for distribution, the Judge may review, amend, or refer back to the Master his report or make such other order as may seem just.

616. An application for partition on behalf of an infant by his guardian or next friend may be made with the sanction of a Judge to be first obtained upon notice to the Official Guardian.

Dower.

617. Where the right to dower is not disputed, either the dowress or the tenant of the freehold may apply upon originating notice for a writ for the assignment of dower.

Infants' Estates.

618. All applications for the sale, mortgage, lease, or other disposition of an infant's estate shall be made to a Judge upon notice to the Official Guardian.

619.—(1) The affidavits filed shall state the nature and amount of the personal property to which the infant is entitled, the necessity of resorting to the real estate, its nature, value, and the annual profits thereof; the occupation of the lands to be disposed of, and state specifically the relief desired, and circumstances sufficient to justify the order sought.

(2) If an allowance for maintenance is desired, a case shall also be stated and made, to justify such an order, and to regulate the amount.

(3) If the appointment of a guardian is desired, a case shall be stated and made, for the appointment of the person proposed.

620.—(1) The consent of all infants over 16 years of age shall be filed, verified by an affidavit of a solicitor stating that the consent was read over by him to the infant and fully explained to and apparently understood by the infant.

(2) When so directed by the Judge, the infant shall be produced before him or before a Master, and shall be examined apart as to his consent.

(3) Where the infant is out of Ontario the Judge may direct inquiry as to the infant's consent in such manner as may seem proper.

621. Witnesses in support of the application may be examined *viva voce* before the Judge making the order or before a Master of the Supreme Court.

CHAPTER XXIII

MANDAMUS, ETC.

622. Mandamus prohibition and *certiorari* may be granted upon a summary application by originating notice.

623. No writ of mandamus prohibition or *certiorari* shall be issued, but all necessary provisions shall be made in the judgment or order. (Forms Nos. 82 and 83.)

624. The Court may require notice to be given to any person claiming any right or interest in the subject-matter of the application.

CHAPTER XXIV

INTERPLEADER.

625. Relief by way of interpleader may be granted:

(a) Where the person seeking relief (hereinafter called the applicant) is under liability for any debt, money, goods or chattels, for or in respect of which he is, or expects to be, sued by two or more persons (hereinafter called the claimants) making adverse claim thereto;

(b) Where the applicant is a Sheriff and claim is made to any money, goods, or chattels, lands or tenements, taken or intended to be taken in execution under a writ of execution, or to the proceeds or value thereof, by any person other than the person against whom the process issued.

626. The applicant shall satisfy the Court by affidavit, or otherwise:

(a) That he claims no interest in the subject-matter in dispute, other than in respect of a lien or for charges or costs;

(b) That he does not collude with any of the claimants; and

(c) That he is willing to pay or transfer the subject-matter into Court, or to dispose of it as the Court may direct.

627. The applicant shall not be disentitled to relief by reason only that the titles of the claimants have not a common origin, but are adverse to and independent of one another.

628. Where the applicant is a defendant, application for relief may be made at any time after service of the writ of summons; and the Court may stay all proceedings in the action.

629. The applicant may make a motion calling on the claimants to appear and state the nature and particulars of their claims, and either to maintain or relinquish them.

630. Where a claimant does not appear on the motion after having been served with a notice of motion calling on him to appear and maintain or relinquish his claim, or, having appeared, neglects or refuses to comply with any order made thereafter, an order may be made declaring him and all persons claiming under him to be for ever barred as against the applicant and all persons claiming under him, but

the order shall not affect the rights of the claimants as between themselves. (Form No. 75.)

631. Where the claimants appear on the motion, any claimant may be made a defendant in any action already commenced in respect of the subject-matter is dispute in lieu of or in addition to the applicant, or an issue between the claimants may be stated and tried, and in the latter case the order shall direct which of the claimants shall be plaintiff, and which defendant. (Forms Nos. 76 and 77.)

632. The Court may, with the consent of both claimants, or on the request of any claimant, if, having regard to the value of the subject-matter in dispute, it seems desirable so to do, dispose of the merits of their claims, and, subject to appeal, decide the same in a summary manner. (Form No. 78.)

633. Where the question is one of law, and the facts are not in dispute, the Court may decide the question without directing the trial of an issue, or order that a special case be stated for the opinion of the Court.

634. Where goods or chattels have been seized in execution by Sheriff, and any claimant alleges that he is entitled, under a bill of sale or otherwise, to the goods or chattels by way of security for debt, the Court may order a sale, and direct the application of the proceeds of the sale in discharge of the amount due the claimant if it is not disputed, or that sufficient to answer the claim be paid into Court pending trial of the claim.

635. Where a Sheriff applies for relief by interpleader, and any execution creditor declines to join in contesting the claim of the adverse claimant, the Court may direct that such creditor shall be excluded from any benefit which may be derived from the contestation of the claim.

636. The Court which tries the issue may finally dispose of the interpleader proceedings, including all costs not otherwise provided for.

637. When a Sheriff finds property in the possession of a debtor against whose property he has a writ or other process in his hands, and a claim is set up to such property by or on behalf of a third person who is out of possession or is in joint possession with the debtor, the claim of such third person shall be made in writing, and upon receipt thereof the Sheriff shall forthwith give notice thereof to the execution creditor, and the execution creditor shall, within seven days thereafter, give notice to the Sheriff that he admits or disputes the claim. If the execution creditor admits the title of the claimant, and gives notice as directed by this Rule, he shall only be liable to such Sheriff for fees and expenses incurred before the receipt of the notice admitting the claim; and no action shall be brought against the Sheriff in respect of the seizure of the property.

638. Where the execution creditor does not in due time admit or dispute the title of the claimant to the property, and the claimant does not withdraw his claim thereto by notice in writing to the Sheriff, the Sheriff may apply for relief by interpleader.

639. In case a Sheriff has more than one writ of execution against the same property, or there is more

than one claimant to goods seized under the execution, he shall make one application, and make all the execution creditors and claimants parties.

640. Where there is an execution from the Supreme Court the application for interpleader shall be made in the Supreme Court notwithstanding that other executions in the Sheriff's hands have issued from County or Division Courts.

641.—(1) Where an issue is directed to be tried, the costs of the Sheriff incurred in consequence of the adverse claim shall be a first lien or charge upon the moneys or goods which may be found in the issue to be applicable upon the execution.

(2) The Sheriff may also tax such costs, and serve a copy of the certificate of taxation upon each of the parties to the issue, and the successful party upon the issue shall tax such costs as part of his costs of the cause, and upon receipt thereof shall pay over the same to the Sheriff.

(3) Where after the service of the certificate the party succeeding upon the issue neglects or refuses to tax such costs, the Sheriff may obtain an order that the successful party shall pay the same.

(4) Where the proceedings are compromised between the parties thereto, the costs of the Sheriff shall be paid by the party by whom the execution was issued.

642. Where, after the seizure, an issue is directed, and the property seized remains, pending the trial of the issue, in the custody of the Sheriff who seized the same, the Court may make an order for the payment to the Sheriff of a reasonable sum for his trouble in and about the custody of the property; and the Sheriff shall have a lien upon the property for payment of the same in event of the property being held to be exigible against the claimant.

643. The Court may make all such orders respecting the satisfaction or payment of any lien or charges of the applicant as may be just and reasonable.

644.—(1) Relief by interpleader may be granted in a County Court,—

(a) Where the applicant is sued in the County Court;

(b) Where the applicant is not so sued and the debt, money, goods or chattels in question do not exceed in value \$500.

(2) Where the applicant is a Sheriff acting under a writ or writs of execution issued from a County Court or different County Courts the application may be made to the Judge of his own County.

645. All subsequent proceedings shall be had and taken in the County where the application is made; but the Judge to whom the application is made may order that the subsequent proceedings be had and taken in any other County, if that course seems just and more convenient.

646. Where the amount claimed under or by virtue of writs of execution, in the Sheriff's hands, does not

exceed the sum of \$400, exclusive of interest and Sheriff's costs, or when the goods seized are not, in the opinion of the Judge or other person making the order, of the value of more than \$400, the issue may be directed to be tried in a County Court and in such case all subsequent proceedings shall be had and taken in the County Court.

647. Where the amount of the execution or the value of the goods does not exceed \$100, the issue may be directed to be tried in a Division Court, and thereafter all proceedings shall be carried on in such court.

648. When money has been paid into Court and an issue has been directed to be tried in the County or Division Court the money shall be paid out upon the order of the County or Division Court.

CHAPTER XXV

COSTS

649. Where an action of the proper competence of a County Court is brought in the Supreme Court, or an action of the proper competence of a Division Court is brought in the Supreme Court, or in a County Court, and the Judge makes no order to the contrary the plaintiff shall recover only County Court costs, or Division Court costs, as the case may be, and the defendant shall be entitled to tax his costs of suit as between solicitor and client; and so much thereof as exceeds the taxable costs of defence which would have been incurred in the County Court or Division Court, shall, on entering judgment, be set off and allowed by the Taxing Officer against the plaintiff's County Court or Division Court costs to be taxed, or against the costs to be taxed and the amount of the verdict if it be necessary; and if the amount of costs so set off exceeds the amount of the plaintiff's verdict and taxed costs, the defendant shall be entitled to execution for the excess against the plaintiff.

650. Where judgment is entered for default and the action is within the jurisdiction of an inferior Court, the taxation shall be on the scale of fees in such Court.

651. The Taxing Officer may make all inquiries necessary to determine whether an action is within the competence of an inferior Court.

652.—(1) A judgment or order may direct payment of a sum in gross in lieu of taxed costs.

(2) No sum in excess of \$30 shall be allowed, without taxation, save by a Judge.

(3) In all cases where infants or mentally incompetent persons are concerned and are represented by the Official Guardian, the Taxing Officer may fix costs at a sum gross to be inserted in the order.

653.—(1) In actions or proceedings for administration, or partition, or administration and partition, unless otherwise ordered by a Judge, instead of the costs being allowed according to the tariff, each person properly represented by a solicitor, and entitled to costs out of the estate—other than creditors not parties to the action or proceeding—shall be entitled to his actual disbursements in the action or proceeding, not including counsel fees, and there shall be allowed, for the other costs of the suit payable out of the estate, a commission on the amount realized, or on the value of the property partitioned, which commission shall be apportioned among the persons entitled to costs, as may seem just. Such commission shall be as follows:

On the first \$500	20 per cent.
On every additional \$100 over \$500 and up to \$1,500	5 " "
On every additional \$100 over \$1,500 and up to \$4,000	3 " "
On every additional \$1,000 over \$4,000 and up to \$10,000	2½ " "
On every additional \$1,000 over \$10,000	1 " "

and such remuneration shall be in lieu of all fees, whether between party and party or between solicitor and client.

(2) Where an order or judgment in any such action or proceeding by any form of words directs that the costs thereof be taxed, it shall be taken to mean the allowance of commission and disbursements, in accordance with subsection 1, unless it is otherwise expressly provided.

654. The costs of every interlocutory *viva voce* examination and cross-examination shall be borne by the party who examines unless, as to the whole or part thereof, it be otherwise directed, in actions in the Supreme Court by the Taxing Officer at Toronto, on his appointment served, and in actions in a County Court by a Judge thereof.

655. Where the Official Guardian or other guardian of an infant, or mentally incompetent person, is entitled to costs, the Court may order a successful party to pay such costs and add them to his own.

656. Where several actions are brought on one bond, recognizance, promissory note, bill of exchange, or other instrument, or where, several actions are brought against the maker and indorser of a note, or against the drawer, acceptor or indorser of a bill of exchange, there shall be collected or recovered the costs taxed in one action only, at the election of the plaintiff, and the actual disbursements only in the other actions, unless the Court otherwise orders; but this provision shall not extend to any interlocutory costs.

657. Where any one of the persons constituting a class formed by a Master for representation in his office by one solicitor insists on being represented by a different solicitor, he shall pay the costs of his own solicitor and all such further costs as are occasioned to any of the parties by his being represented by a different solicitor from the solicitor so nominated.

658. No *ex-parte* order in an action shall contain any direction as to costs, but the costs of any such motion shall be dealt with by the Taxing Officer.

659. Costs claimed upon a specially indorsed writ may be taxed although paid, and if more than one-sixth be taxed off the plaintiff's solicitor shall bear the cost of taxation.

660.—(1) Unless otherwise ordered, if a party who serves a notice of motion does not set the motion down, he shall be deemed to have abandoned the same, and the opposite party shall thereupon be entitled without an order to the costs of the motion.

(2) A party who serves a notice of motion may countermand the same by notice served on the opposite party, who shall thereupon be entitled to the costs of the motion.

(3) In either of such cases the costs may be taxed without an order, upon the production of the notice of motion served, with an affidavit that the motion was not set down, or of the notice of countermand served; and if the costs are not paid within four days from taxation, the party entitled thereto may issue an execution therefor.

(4) The provisions of this Rule shall apply to an appeal to the Court of Appeal.

661.—(1) Where costs are ordered to be paid, they may be taxed either by the Taxing Officer at Toronto or by the proper officer where the proceedings are begun.

(2) On the signing of default judgment the officer signing judgment may fix and ascertain costs without taxation.

(3) The officer taking an account in a mortgage action may tax costs.

662. Where a notice of taxation is necessary, one day's notice shall be sufficient if served with a copy of the bill of costs and affidavit of disbursements.

663. The Taxing Officer may direct what parties are to attend before him on the taxation of costs to be borne by a fund or estate, and disallow the costs of any person whose attendance he considers unnecessary in consequence of the interest of the party in the fund or estate being small or remote, or sufficiently protected by other parties interested.

664. Where any party entitled to costs refuses or neglects to bring in his bill of costs for taxation, or to procure the same to be taxed, and thereby prejudices any other party, the Taxing Officer shall certify the costs of the other parties, and certify such refusal or neglect, or may allow such party refusing or neglecting a nominal or other sum for such costs, so as to prevent any other party being prejudiced by such refusal or neglect.

665. Where a party entitled to receive costs is liable to pay costs to any other party, the Taxing Officer may adjust the same by way of deduction or set off.

666. A set-off of damages or costs between parties shall not be allowed to the prejudice of the solicitor's lien for costs in the particular action in which the set-off is sought; but interlocutory costs in the same action awarded to the adverse party may be set off notwithstanding any lien.

667. Between party and party the Taxing Officer shall not allow the costs of proceedings:

- (a) Unnecessarily taken;
- (b) Not calculated to advance the interests of the party on whose behalf the same were taken;
- (c) Incurred through overcaution, negligence or mistake; or
- (d) Which do not appear to have been necessary or proper for the attainment of justice or defending the rights of the party.

668. Upon a taxation between a solicitor and his client the Taxing Officer may allow the costs of proceedings taken which were in fact unnecessary where he is of the opinion that such proceedings were taken by the solicitor because, in his judgment, reasonably exercised, they were conducive to the interests of his client, and may allow the costs of proceedings which were not calculated to advance the interest of the client where the same were taken by the desire of the client after being informed by his solicitor that they were unnecessary and not calculated to advance his interests. This rule shall not apply to solicitor and client costs payable out of a fund not wholly belonging to the client, or by a third party.

669. Where two or more defendants defend by different solicitors under circumstances entitling them to but one set of costs, the Taxing Officer shall allow but one set of costs; and if two or more defendants defending by the same solicitor separate unnecessarily in their defences, or otherwise, the Taxing Officer shall allow but one defence and set of costs.

670. It shall be the duty of the Taxing Officer, without any direction, to disallow in whole or in part the costs of any writ, pleading, petition, affidavit, evidence, account, statement, or other proceeding, which is improper, unnecessary or contains unnecessary matter, or is of unnecessary length. Affidavits and evidence may be disallowed, although the same may be entered as read in any judgment or order.

671. When anything in the course of an action or reference which ought to have been admitted, has not been admitted, the party who neglected or refused to make the admission may be ordered to pay the costs occasioned by his neglect or refusal.

672.—(1) An affidavit of disbursements shall be made by the solicitor in the cause or matter or some clerk having the management thereof, or by the client, setting forth the sums paid to counsel, the names of witnesses, their places of abode, the places at which they were subpoenaed, and the distance which each such witness was necessarily obliged to travel in order to attend the trial, and the sums paid to them, and shall state that all such witnesses were necessary and material for the client in the cause, or matter, that they did attend, and that they did not attend as witnesses in any other cause (or otherwise, as the case may be) and the number of days which each witness was necessarily absent from home in order to attend such trial.

(2) If a solicitor attends as a witness it shall be stated whether or not he attended at the place of trial as solicitor or witness in any other cause, and whether or not he had any other business there. The day on which the trial took place shall be stated.

(3) The necessity for maps and plans used at the trial, the sum paid for them, and that they were prepared or procured with a view to the trial of the cause, shall be shown by the affidavit of disbursements.

673. In cases not otherwise provided for, the Taxing Officer may allow a reasonable sum for the expense of a shorthand writer, on the certificate of the Judge before whom the examination of any witness or witnesses in any such cause, matter or other proceeding takes place; and also on the certificate of a

Local Master in references before him when the parties agree to the employment of a shorthand writer.

674. Costs may be taxed on an award, although the time for appealing from or moving against the award has not elapsed.

675. The costs of removing a bond or other security from the files of the Court for the purpose of bringing an action thereon, may be taxed as costs in the cause in the action brought thereon.

676.—(1) Costs shall be allowed and taxed according to Tariff A appended to these Rules, and no other fees, costs or charges than are therein set forth shall be allowed in respect of the matters thereby provided for.

(2) The fees and disbursements payable upon proceedings in the Supreme Court and in the County Courts shall be those enumerated in the Tariff B appended to these Rules.

(3) The fees and allowances to be taken and received by Sheriffs other than those provided for by any statute shall be the fees and allowances set forth in the Tariff C appended to these Rules.

(4) When the costs incurred in Canada of an appeal to His Majesty in his Privy Council have been awarded and the same have not been taxed by the Registrar of the Privy Council the same may be taxed by the Taxing Officer, at Toronto, and the taxation shall be according to the scale of Tariff D.

(5) Costs payable out of the proceeds of land sold, mortgaged or leased under *The Devolution of Estates Act* shall be allowed and taxed according to Tariff E to these rules.

676 A.—(1) Subject to further order and notwithstanding anything contained in Rule 676 (1) and (2) the total in any bill of costs of the fees prescribed by Tariff "A" (as distinct from payments) shall in respect of business done in any cause or matter in the Supreme Court or any County Court be increased by fifteen per cent. and such increase shall be allowed upon any taxation of costs in respect of any such business as well between party and party as between Solicitor and client.

(2) This Rule shall not apply to counsel fees nor to the allowance for commission and disbursements pursuant to Rule 653 nor shall it interfere with the power to allow a fixed sum for costs.

(3) This Rule shall apply only to fees for services rendered after this Rule goes into effect.

677. Costs payable out of the proceeds of lands sold under *The Devolution of Estates Act*, with the approval of the Official Guardian, shall be taxed by the Taxing Officer at Toronto.

678.—(1) All bills of costs or disbursements,—

- (a) in proceedings for administration or partition;
- (b) in actions in which an infant or mentally incompetent person is interested;
- (c) where costs are payable out of an estate or out of a fund in Court;

shall be revised by the Taxing Officer at Toronto before the amount thereof is inserted in any certificate, report, order or judgment.

(2) In case of urgency leave may be granted to issue a writ of execution, subject to the future revision by the Taxing Officer, and if the amount taxed is reduced on revision, the party entitled to the costs shall forthwith give credit upon the execution for the amount struck off.

679. The local officer shall forthwith, after taxing any such bill of costs, transmit the same by mail to the Taxing Officer, and shall allow in the bill the postage for the transmission and return of the bill and shall prepay the same; and shall allow in the bill the sum of one dollar as a fee for the revision of the bill; and a law stamp for that sum, with postage stamps for return postage, shall be paid at the time of taxation by the party procuring the bill to be taxed, and be transmitted therewith.

680. The Taxing Officer at Toronto, upon receiving the bill of costs shall revise the taxation either *ex parte*, or upon notice to the Toronto agent of the solicitor whose bill is in question, as he may see fit, giving notice in all cases where the taxation is not clearly erroneous, or where the amount in question is large. Notice may be by appointment mailed to the address of the solicitor or of his agent. The Taxing Officer shall re-transmit the bill when revised to the local officer.

681.—(1) When upon the taxation of costs a party is dissatisfied with the allowance or disallowance by the Taxing Officer of the whole or any part of any item he may at any time before the certificate is signed, deliver to the other party interested therein, and to the Taxing Officer, objections in writing to such allowance or disallowance, specifying concisely the item objected to, and may thereupon apply to the Taxing Officer to review the taxation in respect of the same.

(2) The Taxing Officer shall, upon request, hold the taxation open for a reasonable time in order to allow such objections to be delivered.

682. The Taxing Officer shall then reconsider and review his taxation upon such objections, and he may receive further evidence in respect thereof, and, if required, he shall state either in his certificate of taxation or by reference to such objections, the grounds and reasons of his decision thereon, and any special facts or circumstances relating thereto.

683.—(1) A Sheriff claiming any fees, poundage, expenses or remuneration, which have not been taxed, shall, upon being required by either party, and on payment of 25 cents for a copy of his bill in detail (which he shall be bound to render) have his fees, poundage, expenses or remuneration, as the case may be, taxed by the proper Taxing Officer of his County.

(2) A Sheriff shall not, without taxation, collect any fees, costs, poundage or expenses, after he has been required to have the same taxed.

684. The Sheriff or the party requiring taxation may obtain an appointment for taxation, and the Taxing Officer, upon proof of service of such appointment or upon the parties attending before him, shall examine the bill, and satisfy himself that the items

charged in such bill are correct and legal, and strike out items charged for unnecessary services, and give, when requested, a certificate of the taxation.

685. A party dissatisfied with the taxation may appeal therefrom as in ordinary cases of taxation between party and party.

686.—(1) Where part only is made by the Sheriff on or by force of an execution against goods and chattels, the Sheriff shall be entitled, besides his fees and expenses of execution, to poundage only upon the amount so made by him, whatever be the sum indorsed upon the writ; and where the personal estate, except chattels real, of the judgment debtor is seized or advertised on or under an execution, but not sold by reason of satisfaction having been otherwise obtained, or from some other cause, and no money is actually made by the Sheriff on or by force of such execution, the Sheriff shall be entitled to the fees and expenses of execution and poundage only on the value of the property seized not exceeding the amount indorsed on the writ, or such less sum as the Court may deem reasonable.

(2) Where land or chattels real of the judgment debtor have been advertised under an execution, but not sold by reason of payment or satisfaction having been otherwise obtained on, or within one month before, the day on which the property has been advertised to be sold, or any day to which the sale may be adjourned, the Sheriff shall be entitled to the fees and expenses of the execution, and the poundage only on the value of the debtor's interest in the property not exceeding the amount indorsed on the writ, or such less sum as the Court may deem reasonable.

687. Where there are writs of execution upon the same judgment to several Counties or Districts and the personal estate of the judgment debtor has been seized or advertised, in one or in one or more or all of such Counties, but not sold, by reason of satisfaction having been obtained under and by virtue of a writ in any of the Counties, and no money has been actually made on the execution, the Sheriff shall not be entitled to poundage, but to mileage and fees only for the services actually rendered and performed by him, and the Taxing Officer may allow him a reasonable charge for such services, in case no special fee therefor is assigned in any tariff of costs.

688. Where a person liable on an execution is dissatisfied with the amount of poundage fees or expenses of execution claimed by a Sheriff, the Court may, before or after payment thereof, upon the application of such person, upon notice to the Sheriff, if the amount appears to be unreasonable, notwithstanding that it is according to the tariff, reduce the same or order the same to be refunded upon such terms as may seem just.

689.—(1) Where a solicitor has been employed to prosecute or defend any cause or matter, the Court may, upon a summary application, declare such solicitor, or his personal representatives to be entitled to a charge upon the property recovered or preserved through the instrumentality of such solicitor, for his costs, charges and expenses of or in reference to such cause, matter or proceeding; and all conveyances and acts done to defeat, or which may operate to defeat, such charge or right shall, unless made to a *bona fide*

purchaser for value without notice, be absolutely void and of no effect as against such charge.

(2) The Court may make an order for taxation of such costs, charges and expenses and for the raising and payment of the same out of the property.

CHAPTER XXVI

DEVOLUTION OF ESTATES.

690. Before an executor or administrator takes proceedings under *The Devolution of Estates Act*, for the sale of real estate in which an infant is concerned, he shall give to the Official Guardian or Local Guardian appointed under that Act notice of the intention to sell, and shall not be entitled to any expenses incurred before giving such notice.

691. The Official Guardian or other officer aforesaid, or any person interested in the land or in the proceeds of the sale thereof, may apply to a Judge, upon notice to all parties concerned or to such parties as the Judge may direct, for such direction or order touching the real estate and the proceeds thereof or the costs of the proceedings as to the Judge may seem meet.

CHAPTER XXVII

QUIETING TITLES.

692. A petition for an investigation of titles, under *The Quieting Titles Act*, shall not include two or more properties dependent on separate and distinct titles, but may include any number of lots or parcels belonging to the same person, and dependent on one and the same chain of title.

693. Where an application is made under section 2 of the said Act, the proper officer in the Registrar's Office at Toronto shall attend one of the Judges with the petition, for directions, before the same is referred for investigation.

694. All petitions under the said Act shall be filed in the Registrar's Office at Toronto, and may, at the option of the petitioner, be referred to the Referee in Toronto or to any Local Master.

695. The Master shall be the sole Inspector of Titles, in respect of petitions filed under *The Quieting Titles Act*, and the sole Referee in Toronto, but he may assign to any Assistant Master such duties as inspector or referee as he may from time to time deem advisable.

696. Petitions to be referred to any Local Referee shall be indorsed thus: "To be referred to the Referee at and to Mr., Inspector of Titles.

697. Petitions filed unindorsed shall, without order, stand referred to the Referee in Toronto, but a petition indorsed with the name of any Local Referee shall stand referred to him.

698. Petitions to be referred to a Local Referee shall be entered with the Inspector of Titles before being filed.

699. A Local Referee shall be entitled to confer or correspond from time to time with the Inspector of Titles, for advice and assistance on questions of practice or evidence, or other questions arising under the Act or under these Rules.

700. Upon the filing of the petition it shall be delivered or mailed by the proper officer to the Referee.

701. The particulars necessary, under the Act, to support the petition shall be delivered or sent by the petitioner, or his solicitor, to the Referee, and shall be forthwith examined and considered by him.

702.—(1) In every case of an investigation of title to property under the Act, the petitioner shall deliver to the Referee a plan and description of the property, verified by the affidavit of a qualified land surveyor who has personally inspected the property; and the affidavit shall state the manner in which the land described is indicated upon the plan; the names of the person or persons in actual occupation of the whole or any part thereof; the nature of the buildings upon the property; and any evidence of continued possession which might be of assistance in considering the petition.

(2) The petitioner shall also show, by affidavit or otherwise, whether possession has always accompanied the title under which he claims the property, or how otherwise, or shall show some sufficient reason for dispensing with such proof either wholly or in part.

703. Where there is no contest, the attendance of the petitioner, or of any solicitor on his behalf, shall not be required on the examination of the title, except where, for any special reason, the Referee directs such attendance.

704. If, on such examination as aforesaid, the Referee finds the proof of title defective, he shall deliver or mail to the petitioner, or his solicitor, a memorandum of such finding, stating shortly therein what the defects are, and he shall therein state as far as possible all the objections to the title.

705. When the Referee finds that a good title is shown he shall prepare the necessary advertisement, and, unless the publication thereof is dispensed with under the provisions of the Act, the same shall be published in the *Ontario Gazette* and in any other newspaper or newspapers in which the Referee thinks it proper to have the same inserted; and unless otherwise directed by the Referee a copy of the advertisement shall also be put up on the door of the Court House of the County where the land lies, and, unless the nearest post office is in a city, in some conspicuous place in the post office which is situate nearest to the property, the title of which is under investigation; and the Referee shall indorse on the advertisement so prepared by him the name of the newspaper or newspapers in which the same is to be published, and the number of insertions to be given therein respectively, and the period (not less than four weeks) for which the notice is to be continued at the Court House and post office respectively.

706. Any notice of the application to be served or mailed under section 13 of the Act, shall be prepared by the Referee; and directions shall in like manner be given by him as to the persons to be served with the notice, and as to the mode of serving the same.

707. The Inspector, or Toronto Referee, shall from time to time confer with one of the Judges in respect of matters before such Inspector or Toronto Referee, as there may be occasion.

708. When any person has shown himself, in the opinion of a Local Referee, to be entitled to a certificate or conveyance under the Act, and has published and given all the notices required, the Referee shall write at the foot of the petition, and sign, a memorandum to the following effect: "I am of opinion that the petitioner is entitled to a certificate of title (or conveyance) as prayed (or subject to the following incumbrances, etc., *as the case may be*);" and shall transmit the petition (charges prepaid) with the deeds, evidence, and other papers before him in reference thereto, to the Inspector of Titles, who shall examine the same carefully, and if he finds any defect in the evidence of title, or in the proceedings, he shall, by correspondence or otherwise, point the same out to the petitioner, or his solicitor, or to the Referee, as the case may be, in order that the defect may be remedied before a Judge is attended with the petition and papers for approval.

709.—(1) Where the Inspector, or Referee at Toronto, finds that the petitioner has shown himself entitled to a certificate of title, or a conveyance under the Act, and has published and given all the notices required, he shall write at the foot of the petition, and sign, a memorandum to the same effect as is required from a Local Referee, and shall prepare the certificate of title, or conveyance, and shall engross the same in triplicate on heavy paper of good quality; and shall sign the same respectively at the foot or in the margin thereof; and shall attend one of the Judges therewith, and with the deeds, evidence and other papers before him in reference thereto; and, on the certificate or conveyance being signed by the Judge, the Inspector or other Referee aforesaid, as the case may be, shall deliver or transmit the same to the Registrar to be sealed and registered, and the Registrar shall retain one of the signed certificates or conveyances and shall deliver or transmit the other two, when so sealed and registered, to the petitioner, his solicitor or agent.

(2) Unless the Judge otherwise directs, the certificate shall be dated as of the date of the filing of the petition.

710. When a certificate of title has been granted, the Inspector or Referee may, without further order, deliver, on demand, to the party entitled thereto, or his solicitor, all deeds and other evidences of title, not including affidavits made and evidence given in the matter of the title; and shall take his receipt therefor.

711. The Inspector and Referee shall keep a book and preserve therein a copy of all his letters under these Rules.

712. The applicant shall pay, or prepay, as the case may be, all postages and other expenses of transmitting letters or papers.

713. Petitions under section 30 of the Act shall be filed and proceeded with in the same manner (as nearly as may be) as petitions for an indefeasible title.

714. The certificate of the Inspector or of a Referee upon any contest before him shall be filed and an appeal shall lie from such certificate in the same way as from a Master's Report.

CHAPTER XXVIII

ACCOUNTANT'S OFFICE.

715. All such books and records shall be kept as may be directed by the Finance Committee, and the

forms used for directions and cheques shall be subject to the approval of that Committee.

716. In the month of January in each year the Accountant shall present to the Finance Committee a statement of the amounts paid for salaries and expenses of the Accountant's office during the previous year, and the names of the persons to whom such amounts were paid, and also an estimate of the salaries and expenses of his office for the current year; and such estimates shall be examined by the Finance Committee, who shall be at liberty to make such variations therein as may be deemed proper, and when approved a fiat shall be indorsed thereon or appended thereto which shall authorize the payment of the sums mentioned and cheques may issue accordingly.

717. An auditor shall be appointed whose duty it shall be to see that books and records are kept as required by the Finance Committee and to examine and verify the accounts, books and securities in the Accountant's office and to compare the balances with the Bank Account, and to make such further and other examination of the said books and securities as he may think necessary for the proper audit thereof, and to report forthwith, after making such examination, the result thereof to the said Committee, and from time to time to make such suggestions as may appear to be desirable for the efficient keeping of the accounts.

718. The Auditor's remuneration shall be fixed by the Lieutenant-Governor in Council and shall be payable in monthly instalments, as part of the expenses of the Accountant's office.

719. It shall be the duty of the Official Guardian to see that moneys payable on mortgages held by the Accountant, in which persons for whom the Guardian has acted are interested, are promptly paid, and that the mortgaged premises are kept properly insured, and that the taxes thereon are duly paid.

720.—(1) All mortgages and other securities taken under an order or judgment of the Court, and all bonds and other instruments required by the practice of the Court for the purpose of security, save security for costs, shall, unless otherwise ordered, be taken in the name of the Accountant, and shall be deposited in his office.

(2) Mortgages and other securities made to or vested in the Accountant, in any action or matter, are to be held by him subject to the order of the Court; but no duty or liability save as custodian of the instrument shall by reason of such mortgage or other security being made, given to or vested in him, be imposed on the Accountant in respect of such mortgage or security or any property thereby vested in him.

721.—(1) Any person entitled to the discharge of a mortgage made to or vested in the Accountant may leave with the Accountant the required discharge with a request that the same be executed.

(2) The Accountant shall thereupon certify as to the payment of the money secured by the mortgage, and the matter shall in such case be considered by the officers whose duty it is to sign and countersign cheques for payment of money out of Court, and if they find that the mortgage has been satisfied in full and that the proposed discharge is in due form they shall indorse

upon such certificate and discharge a direction for the execution of the said discharge by the Accountant.

(3) Thereupon the Accountant may execute such discharge and may on a receipt being given therefor, deliver up all deeds and documents relating to such mortgage in his hands and may assign any policy of insurance held by him as collateral security for such mortgage to the person entitled to such discharge or as he may by writing direct.

722.—(1) Interest shall not be credited in any action or matter in respect of money paid into Court—

- (a) With a defence;
- (b) As security for costs of an action or appeal;
- (c) As security for debt or costs, to stay execution;
- (d) As a deposit for sale in mortgage actions;
- (e) As a condition imposed by any injunction order;
- (f) As proceeds of sale in, or to abide the result of, interpleader proceedings; or
- (g) For any other merely temporary purpose;

unless or until after the same shall have been in Court for six months and then only at the rate of 2 per cent. per annum not compounded in any case; but the Finance Committee may for special reasons order that in any particular case interest shall be allowed on such moneys at any higher rate not exceeding 3 per cent. per annum.

(2) Interest shall be credited upon the Assurance fund at the rate of $2\frac{1}{2}$ per cent. per annum.

(3) Interest shall be credited to suitors' accounts other than as above provided at the rate of 5 per cent. per annum until otherwise ordered by the Finance Committee; but the Finance Committee may in its discretion, from time to time, direct that interest at a lesser rate but not less than 4 per cent. per annum, until otherwise ordered by the Finance Committee, shall be credited upon any account when the amount of such account to its credit in Court exceeds \$50,000.

(4) Interest shall be credited upon money paid into Court only after the same has been in Court for fifteen days.

(5) Compound interest shall not be credited to any action or matter or allowed or paid to any suitor in respect of any fund which has not been in Court for at least five years. (But see Statute 1938 (Ont.), c. 18, s. 6 (2).)

723.—(1) All sums less than \$10 standing to the credit of an adult and unclaimed for two years, shall be transferred to the Suspense account.

(2) All sums which are not claimed within ten years from the time when the same became payable out of Court, shall be transferred to the Suspense account.

(3) Money transferred to the Suspense account shall cease to bear interest, but shall at any time be

paid to the person entitled. (But see Statute 1938 (Ont.), c. 18, s. 6 (2).)

724. Where money or securities in Court are to be paid out of Court or transferred to the legal personal representative of any person, the same may, upon proof to the satisfaction of the Accountant of the death of any of them whether before, on, or after the day of the date of the order, be paid to the survivors or survivor of them.

725. Where money or securities in Court are to be paid out or transferred to any person named in the order or judgment, or named or to be named in any report, the same or any portion thereof for the time being remaining unpaid or untransferred, may, on proof to the satisfaction of the Accountant of the death of such person whether before, on, or after the date of the order or judgment and that his legal personal representatives are entitled thereto, be paid or transferred to such legal personal representatives or the survivors or survivor of them.

726. Any person claiming to be interested in, or to have a lien or charge upon, or an assignment of, any money or securities in Court, or invested in the name of the Accountant, or any portion thereof, or claiming to have the same applied towards the satisfaction of any judgment or execution against the person to whose credit such moneys or securities stand, or for whose benefit the same are held by the said Accountant may, upon an affidavit verifying his claim, apply *ex parte* for an order directing that such money or securities shall not be paid out or dealt with except upon notice to him. (Form No. 67.)

727. Money to be paid into Court shall be paid into the Canadian Bank of Commerce at Toronto, or in some branch of it or into a chartered Bank being its agent in Ontario, and in no other way.

728.—(1) The person paying money into Court shall obtain a direction to the Bank to receive the money.

(2) The person applying for a direction or cheque shall leave a *praecipue* therefor, and the judgment or order under which the money is payable, together with a copy thereof and of the report where necessary, which is to be on good paper of foolscap size, folded lengthwise, and is to be verified by an officer in the Accountant's office, and to be retained by the Accountant.

(3) If the direction is obtained elsewhere than in Toronto, these papers, with the necessary postage for their retransmission, shall be sent to the Accountant forthwith.

(4) The copy so verified shall be marked with a number corresponding with that of the account, and shall be bound and kept for reference in a book to be called the "Order Book."

(5) When money is required to be paid into Court to the credit of the Assurance Fund established under *The Land Titles Act*, the direction to receive the money, if the same is payable into a Bank in Toronto, shall be obtained from the Master of Titles, and if payable into a Bank outside of Toronto the direction shall be obtained from the proper Local Master of Titles.

729. The person paying money into Court shall be entitled to credit therefor as of the date on which the same was deposited in the Bank.

730. The Bank, on receiving the money, shall give a receipt therefor in duplicate; and one copy shall be delivered to the party making the deposit, and the other shall be posted or delivered the same day to the Accountant.

731.—(1) Money shall be paid out of Court upon the cheque of the Accountant, countersigned by an officer of the Court or other person designated by the Finance Committee, and every cheque shall first be initialed by the Assistant Accountant or Chief Clerk.

(2) The person entitled to a cheque shall produce and leave with the Accountant a *praecipe* therefor, together with the orders and reports entitling such person to the money.

732.—(1) Where an order for payment of money out of Court is made otherwise than by a Judge of the Supreme Court, the Accountant before acting thereon shall apply to a Judge for his approval.

(2) An order dispensing with the payment of money into Court unless it is made by a Judge of the Supreme Court shall not be acted on unless or until a Judge approves thereof.

(3) An order dispensing with payment of money into Court, or a certified copy thereof, shall be left with the Accountant forthwith after entry thereof.

733.—(1) The Official Guardian shall deposit in the Accountant's office a statement showing the distribution of the proceeds of lands sold or mortgaged with his approval under *The Devolution of Estates Act*, and the dates of births of the infants interested.

(2) All money received by the Official Guardian on behalf of infants, mentally incompetent persons, absentees, or other persons for whom he acts, shall, without order, be paid into Court to the credit of the person entitled.

(3) Money paid into Court under this rule to the credit of infants, shall be paid out to them when they attain their majority.

(4) Money paid into Court to the credit of non-concurring heirs and devisees shall be paid out to them upon application to the Accountant, without order.

(5) Money paid into Court to the credit of an absentee shall be paid out to him upon the fiat of a Judge, to be obtained upon proof of identity after notice to the Official Guardian.

(6) Where the amount of money payable into Court under this Rule is ascertained by the deduction of untaxed costs from a fund, the Official Guardian may require such costs to be taxed and the solicitor who has received such costs shall forthwith pay into Court for the infant or mentally incompetent person or absentee any balance that shall be found to be due as a result of such taxation.

734. When costs are directed to be paid out of money in Court, the solicitor of the party entitled to receive the same shall be entitled to have the cheque drawn in his favour upon filing with the Accountant an affidavit stating:

- (a) That he is entitled to receive such costs, and
- (b) That he has not been paid his costs or any part thereof, and that the costs, payment of which is sought, are justly due to him.

If the solicitor has been changed in the course of the litigation, that fact shall be shown in the affidavit, and the consent of both solicitors shall be filed.

735.—(1) When money to which an infant or mentally incompetent person is entitled is paid into a Surrogate or County Court, the Registrar or Clerk of that Court shall forthwith cause the same to be transmitted to the Accountant with a statement showing when the money was so paid in, and a copy (certified by the Registrar or Clerk) of all judgments or orders affecting the same, and the money shall thereupon be placed to the credit of the said infant or mentally incompetent person.

(2) All money paid into a Surrogate or County Court and unclaimed for two years shall be transmitted by the Registrar or Clerk to the Accountant, together with a statement showing when the money was paid in and a certified copy of all judgments or orders affecting the same.

(3) Such money shall be paid out to any person found entitled thereto upon the production of a judgment or order of the Surrogate or County Court Judge, and shall in the meantime be dealt with as other money in the Supreme Court.

736. When money is in Court to the credit of an infant it shall be paid out of Court to him with accrued interest without further order upon his attaining his majority, unless otherwise ordered.

737.—(1) When money is in Court to the credit of an infant or mentally incompetent person it may be paid out upon the fiat of a Judge in Chambers without formal order.

(2) Such fiat shall be prepared by the Official Guardian and may be signed either by the Judge or the Clerk in Chambers, and shall be entered at length in the order book of the Clerk in Chambers, and the fiat or copy to be verified by the Accountant shall be deposited with the Accountant, and no law stamp shall be required upon such fiat.

(3) The Judge may in his discretion fix and direct payment of the costs of the application to the solicitor and dispense with the affidavit required by Rule 734.

(4) When an order has been made for payment of maintenance out of money in Court to which an infant is entitled the cheque shall, upon application to the Official Guardian, be obtained and forwarded by him without expense to the applicant, and no law stamp shall be required upon any such cheque.

(5) An application for such maintenance shall be lodged with the Accountant before the beneficiary attains his majority, otherwise it may be disregarded.

CHAPTER XXIX

PETITIONS OF RIGHT.

738. A petition of right shall be according to Form No. 124, and shall be signed by the suppliant, his counsel or solicitor.

739. The petition shall be left with the Provincial Secretary, in order that the same may be submitted to the Lieutenant-Governor for his consideration, and in order that the Lieutenant-Governor, if he thinks fit, may grant his fiat that right be done; and no fee or sum of money shall be payable by the suppliant therefor.

740. Where a fiat is granted a copy of the petition and fiat shall be left at the office of the Attorney-General, with an indorsement thereon, praying for an answer on behalf of His Majesty within 28 days.

741. Where the petition is presented for the recovery of real or personal property, or any right in or to the same, which has been granted or disposed of by or on behalf of His Majesty or his predecessors, a copy of the petition and fiat shall be served upon or left at the last or usual or last-known place of abode of the person in the possession, occupation or enjoyment of the property or right, indorsed with a notice according to Form No. 125.

742. The person so served shall appear and file his defence to the petition, as required by such notice.

743. The petition may be answered by statement of defence by or in the name of His Majesty's Attorney-General, on behalf of His Majesty, and by any other person who may be called upon as aforesaid, in the same manner as in an action.

744. When no other provision is made and so far as the same are applicable, these Rules shall apply to petitions of right.

745. In case of a failure on the behalf of His Majesty, or of any other person duly called upon, to defend in due time, at any stage of the proceedings, the suppliant may apply to the Court for an order that the petition may be taken as confessed; and the Court may order that such petition may be taken as confessed, as against His Majesty or other party so making default, and judgment may be given by the Court in favour of the suppliant.

746. A petition if right shall be tried by a Judge without a jury.

747. The judgement of the Court shall be that the suppliant is or is not entitled either to the whole or to some portion of the relief sought by his petition, or that such other relief may be given, and upon such terms and conditions (if any) as to the Court seem just.

748. The costs of a petition of right shall be in the discretion of the Court or of a Judge, and shall be recovered in the same way as in ordinary actions, save when costs are ordered to be paid by His Majesty.

749. Upon any judgment or order for the payment of costs or damages by His Majesty, the Judge may, upon application in behalf of the party entitled after the lapse of 14 days from the making, giving or affirm-

ing of the judgment or order, certify to the Provincial Treasurer according to Form No. 126.

750. Nothing in these Rules shall prevent a subject from proceeding by petition of right in any manner in which he might have proceeded before the 23rd day of April, 1887; nor shall anything in these Rules be construed as entitling a subject to proceed by petition of right in any case in which he would not be entitled so to proceed under the Acts passed by the Parliament of the United Kingdom before the said date.

CHAPTER XXX

OFFICERS AND OFFICES.

751. The Registrar or such other officer as he may direct shall attend the Weekly Sittings at Toronto, and the officer so attending shall settle and sign all orders and settle all orders and judgments pronounced thereat.

752.—(1) Local Registrars shall, with respect to all matters in their offices, perform the same duties in the same manner as the like duties are performed in the Registrar's office at Toronto.

(2) When there is a Deputy Clerk of the Crown or Deputy Registrar he shall have the like powers and duties with reference to all matters in his office.

753. Every Local Registrar, Local Master, Deputy Registrar and Deputy Clerk of the Crown shall be a Local Taxing Officer.

754. Every Local Taxing Officer shall, subject to the provisions of Rules 677 to 679 in actions begun or pending in his office be entitled to tax all bills of costs, including counsel fees, subject only to appeal to a Judge. This Rule shall not apply to cases in which infants are concerned, unless the Official Guardian is the guardian *ad litem* for the infants.

755. All Taxing Officers shall, for the purpose of any taxation, have power to administer oaths and take evidence, direct production of books and documents, make certificates, and give general directions for the conduct of taxations before them.

Business in Offices.

756. Except as provided in respect to Quieting Titles matters, no business shall be transacted in any of the offices of the Courts, either in procuring or issuing process, or in entering judgments or taking any proceeding whatever in a cause, unless upon the personal attendance of the party on whose behalf such business is required to be transacted, or of the counsel or solicitor of such party, or the clerk or agent of the solicitor, or the clerk of the agent.

757. All officers shall be auxiliary to one another for promoting the correct, convenient, and speedy administration of business.

758. In case of the absence or illness of any officer to whom any special duty is assigned or of the office being vacant, the duty may be performed by such other officer as may be designated for that purpose by the Chief Justice of Ontario.

759. Where the first document in a cause or matter is required to be filed in Toronto, the Registrar's

office shall be deemed to be the office in which the cause or matter is commenced and in other cases the office of the Deputy Clerk of the Crown, Deputy or Local Registrar of the County or District in which such first document is required to be filed shall be deemed to be the office in which the cause or matter is commenced.

760. All proceedings in a cause or matter shall be carried on in the office in which the cause or matter is commenced.

761. All persons called to the Bar of Ontario or admitted as solicitors of the Supreme Court of Judicature for Ontario, shall sign the rolls provided upon taking the prescribed oaths.

CHAPTER XXXI

COUNTY AND LOCAL COURTS.

762. All writs in the County Court shall be issued by the Clerk and shall be under the seal of the Court, and shall be tested in the name of the Judge thereof; or in the case of the death of such Judge, then in the name of the Junior or acting Judge for the time being.

763. The Judges of the County Courts shall have power to sit and act at any time for the transaction of any part of the business of such Courts, or for the discharge of any duty including the trial of non-jury actions.

764. Where the plaintiff fails to recover judgment in an action or other proceeding brought in a County or Division Court by reason of such Court having no jurisdiction over the subject matter thereof, the County Court, or the Judge presiding in the Division Court, as the case may be, shall have jurisdiction over the costs of such action or proceeding, and may order by and to whom the same shall be paid.

765. In all actions brought in a County Court the Judge of the County Court where the proceedings were commenced, or the Master (subject to appeal in either case as if the case were in the High Court of Justice) may change the place of trial, and in the event of an order being obtained for that purpose, the Clerk of the County Court in which the action was commenced shall forthwith transmit all papers in the action to the Clerk of the County Court to which the place of trial is changed, and all subsequent proceedings shall be entitled in such last-mentioned Court, and carried on in such last-mentioned County Court as if the proceedings had originally been commenced in such last-mentioned Court.

766. These Rules, and the practice and procedure in actions in the Supreme Court shall, so far as the same can be applied, apply and extend to actions in the County Court.

767. In actions in the County Court the Clerk shall, subject to the directions of the Judge, discharge all the duties and have all the powers of the Registrar of the Supreme Court and shall act as Referee in the taking of any accounts that may be referred to him by the Judge.

768.—(1) Money to be paid into a County Court or Surrogate Court shall be paid into some incorporated bank designated for that purpose, from time to time, by order of the Lieutenant-Governor in Council; or

where there is no such bank, then into some incorporated bank in which public money of the Province is then being deposited, and which has been appointed for that purpose by any General Rule in that behalf; or if no bank has been appointed, into any bank in which public money of the Province is being deposited.

(2) The money shall be paid into the credit of the cause or matter in which the payment is made, with the privity of the Clerk or Registrar (as the case may be) of the Court, and in no other manner; and such money shall be withdrawn only on the order of the Court or a Judge thereof, with the privity of the Clerk or Registrar of the Court.

(3) Where money is paid in under a plea of payment into Court, the Clerk on the production of the receipt of the bank for the money or other satisfactory proof of such payment, shall sign a receipt for the amount in the margin of the pleading.

769. The Clerk of a County Court and the Registrar of a Surrogate Court shall each keep a book containing an account of all money so paid into their respective Courts, and of the withdrawal thereof; and shall prepare in the month of January in every year a statement of all money so paid in and withdrawn, and a statement of the condition of the various accounts upon the thirty-first day of the preceding December, and shall transmit to the Provincial Secretary and to the Judge or each of the Judges of such Courts, a copy of such statement, with a declaration thereto annexed. (Form No. 132.)

770. The book so to be kept shall be open for inspection during office hours; and the Clerk or Registrar shall give a certificate of the state of an account or an extract therefrom at the request of any party interested or his solicitor on his paying to the Clerk or Registrar the sum of twenty cents for such inspection or certificate and the sum of ten cents per folio for such extract.

771. The Official Guardian shall be entitled to make any search and take any extracts without payment of any fee.

CHAPTER XXXII.

MATRIMONIAL CAUSES.

772.—(1) The Rules in this chapter shall apply only to matrimonial causes.

(2) Subject to the provisions of these Rules and of any Statute, all other Rules shall, so far as the same can be applied, extend to matrimonial causes.

773.—(1) A writ in a matrimonial cause for service in Ontario (either personally or in any other manner) shall be according to Form No. 1 A.

(2) A writ in a matrimonial cause for service out of Ontario shall be according to Form No. 2 A.

(3) Where the defendant in a matrimonial cause is not a British subject and is not in British Dominions, notice of the writ, according to Form No. 3 A, shall be served in lieu of the writ.

774.—(1) No cause of action save for alimony, maintenance, or the custody of children shall be joined with

a matrimonial cause without the leave of a Judge to be obtained *ex parte* before the service of the writ, or thereafter upon notice to all parties who have been served.

(2) The order granting such leave shall be served with the writ or the amended writ as the case may be.

775. Unless otherwise ordered every person with whom adultery is alleged to have been committed, whether such adultery is alleged as the cause of action or by way of revival of a prior matrimonial offence which has been condoned, shall be made a defendant in the action if living at the date of the issue of the writ.

776.—(1) If the name of any person with whom adultery is alleged to have been committed is unknown to the plaintiff at the time of the issue of the writ, a Judge, on being satisfied that all reasonable efforts have been made to ascertain the name, may grant leave to the plaintiff to issue the writ without adding such person as a defendant.

(2) After a writ has been issued a Judge may grant leave to amend the same by adding a further cause of action alleging adultery with a person whose name is unknown to the plaintiff.

(3) The order granting leave shall require that the plaintiff shall continue to make all reasonable efforts to ascertain the name of the person with whom adultery is alleged and that as soon as the name of such person is ascertained he shall be added as a defendant and all necessary amendments shall be made.

(4) If the order is made after the writ has been served, it shall require the amended writ and amended statement of claim and affidavit verifying the same to be re-served and shall also prescribe the times within which the appearance and the statement of defence to the amended writ and amended statement of claim shall be delivered.

(5) The order granting leave shall be served with the writ or with the amended writ as the case may be.

777. Where a person with whom adultery is alleged to have been committed has died before the issue of the writ it shall not be necessary to make the legal representative of such person a defendant in the action.

778.—(1) Where a defendant with whom adultery is alleged to have been committed dies while the action is pending such action may be continued without adding the legal representative of such defendant as a party unless the plaintiff intends to claim in the action for any relief against the estate.

(2) Where no such claim is made against the estate the plaintiff shall file an affidavit verifying the death of the defendant with whom adultery is alleged to have been committed and in all proceedings in the action thereafter the words "now deceased" shall be added immediately after the name of the deceased defendant in the style of cause and the action may be continued without notice to the legal representative of such defendant.

779. Where a legal representative of a deceased person with whom adultery is alleged to have been committed has not been made a defendant any person

desiring to represent such deceased person may apply to a Judge for leave to be added as a defendant.

780. The statement of claim shall be filed at the time the writ is issued and shall be served therewith.

781.—(1) The statement of claim shall include the following particulars:—

- (a) A short statement of the relief claimed;
- (b) The place and date of the marriage;
- (c) The name and status of the wife before the marriage;
- (d) The address of the wife at the date of the issue of the writ;
- (e) The birthplace of the husband;
- (f) The domicile of the husband at the time of the marriage;
- (g) The occupation, address and domicile of the husband at the date of the issue of the writ;
- (h) Whether any party to the action is an infant or under any other disability and, if so, the age of such party or the nature of such other disability;
- (i) If the wife is the plaintiff and claims to be entitled to maintain an action in Ontario by reason of *The Divorce Jurisdiction Act, 1930*, all the facts upon which such claim of right is founded;
- (j) The principal places of residence where the spouses have cohabited;
- (k) Whether there has been issue of the marriage and, if so, the names and dates of birth of all living children and, in the case of any child under sixteen years of age, full particulars of its past, present and proposed homes, maintenance and education;
- (l) A statement of all previous proceedings instituted with reference to the marriage or to any child thereof, including applications to the Parliament of Canada, actions for alimony, or applications under any statute, and the result of such proceedings;
- (m) The matrimonial offences alleged or the other grounds upon which relief is sought, the same to be set out fully in separate paragraphs with the name and address of every known person with whom a matrimonial offence is alleged to have been committed;
- (n) If such be the case, that any person with whom a matrimonial offence is alleged to have been committed has died before the issue of the writ;
- (o) Where the writ includes a claim for custody of the children, full particulars of the facts upon which such claim is founded;
- (p) The existence of any separation agreement or any financial arrangement between the spouses;

(g) Where the writ includes a claim for alimony or maintenance in favour of the plaintiff or for maintenance of the children of the marriage, a statement of the income and property of the respective spouses in so far as they are within the knowledge or belief of the plaintiff.

(2) The statement of claim shall conclude with a prayer setting out full particulars of the relief claimed including,—

- (i) Any claim for dissolution or annulment of marriage;
- (ii) Any claim for custody of children;
- (iii) Any claim for interim alimony or maintenance;
- (iv) Any claim for alimony or maintenance;
- (v) Any claim for costs;
- (vi) In appropriate cases, a prayer that the Court will exercise its discretion in favour of the plaintiff notwithstanding the commission of a matrimonial offence; and
- (vii) Any other claim.

782.—(1) Every statement of claim shall be supported by an affidavit of the plaintiff verifying the facts alleged of which the deponent has personal knowledge and deposing as to belief in the truth of the other facts alleged and stating that the plaintiff has not in any way been accessory to or connived at or condoned any matrimonial offence alleged and that no collusion exists between the plaintiff and any defendant.

(2) Such affidavit shall be contained in the same document as the statement of claim and shall be at the foot or end thereof.

783.—(1) Where a party who has been guilty of a matrimonial offence intends to ask at the hearing that the discretion of the Court shall be exercised in his favour

- (a) the statement of claim or counterclaim shall contain a special prayer to this effect, and
- (b) a statement signed by such party setting forth all the facts relating to such offence and the grounds upon which the exercise of the discretion is asked shall be placed in a sealed envelope and filed with the statement of claim or counterclaim as the case may be.

(2) Such statement shall be open to the inspection of the Attorney-General but, except by the direction of a Judge given at any time prior to the final disposition of the action, shall not be open to inspection by any other person.

(3) The Judge presiding at the trial may peruse the statement and may order it to be re-sealed or to be communicated to the opposite party or to be otherwise dealt with as he sees fit.

784.—(1) Unless otherwise ordered in special circumstances by a Judge the writ and all papers required to be served therewith shall be served on the defendants personally.

(2) The provisions of Rule 15 shall not apply to such service.

(3) Such service shall be made by some person other than the plaintiff.

(4) The person who serves the writ shall, at the time of such service, request each defendant to sign in his presence the acknowledgment of service endorsed on the writ and shall sign his name as witness to any signature thereto.

(5) The affidavit of service shall state fully the means of knowledge of the deponent as to the identity of the person served and that the defendant served has been requested to sign the acknowledgment of service, giving the result of such request.

785. Where the name of the defendant with whom adultery is alleged to have been committed is known but such defendant cannot be found a Judge may dispense with service upon such defendant of the writ and other documents provided no claim for relief is made against such defendant, or, if made, is abandoned.

786.—(1) In actions to be tried elsewhere than at Toronto the plaintiff may serve with the writ of summons and statement of claim a notice (Form 32A) that in default of appearance the action will be set down for trial at a sittings of the Court commencing after the expiration of 30 days from the time limited for appearance and in such case no further notice of trial shall be necessary if the action is set down for trial and tried accordingly.

(2) In actions to be tried at Toronto without a jury the plaintiff may serve with the writ of summons and statement of claim a notice (Form 33A) that in default of appearance the action will be set down for trial within sixty days of such default and where the action is so set down no further notice of trial shall be necessary.

(3) In all other cases notice of trial shall be served and where the defendant is not represented by a solicitor the service shall be personal unless otherwise ordered in special circumstances by a Judge.

787. Where an action is not tried or disposed of at the sittings at which it is entered a Judge presiding at such sittings may dispense with further notice of trial.

788. Where there has been default of appearance or defence, no judgment shall be pronounced unless and until it is clearly shown at the trial of the action that the persons served were the defendants in the action.

789.—(1) The statement of claim may be amended without leave before service thereof.

(2) After service of the writ and statement of claim notice of any application to amend the same shall, unless otherwise ordered, be served on every defendant who has entered an appearance.

(3) The amendment shall be made by filing a fresh copy of the statement of claim as amended verified by an affidavit complying with the provisions of Rule 782.

(4) Unless otherwise ordered, the amended writ or statement of claim with the affidavit of verification and

any order granting leave to amend shall be served upon the defendants but service shall not be dispensed with where a new cause of action is added.

790. Any order as to substituted service in a matrimonial cause shall be made by a Judge.

791.—(1) Where a defendant seeks relief in the action he shall deliver a counterclaim.

(2) The rules relating to a matrimonial cause shall apply, *mutatis mutandis*, to a counterclaim.

792. No judgment shall be entered in a matrimonial cause upon the consent of the parties or admissions or in default of appearance or of pleading or otherwise than after a trial.

793.—(1) Unless otherwise ordered by a Judge, a matrimonial cause shall be tried by a Judge without the intervention of a jury.

(2) When the trial is with a jury, a general verdict shall not be taken but any question of fact shall be determined by the jury upon written questions submitted to them.

(3) Notwithstanding that an order has been made for trial with a jury, the Judge presiding at the trial may in his discretion try any issue arising in the action without the intervention of the jury.

794.—(1) The Judge presiding at the trial may direct that the trial shall be adjourned either until a later named day in the same sittings or until a later named sittings and that notice of the action and of the state of the cause and copies of all pertinent documents including a transcript of evidence shall be delivered to the Attorney-General, who shall be at liberty to intervene in the action and to attend upon the trial and call such evidence as he may be advised.

(2) The Judge may give such directions for taking the evidence *de novo* or for the use of a transcript of the evidence already taken as to him shall seem proper.

795.—(1) Every judgment for the dissolution of marriage or for the annulment of marriage shall be a judgment nisi not to be made absolute until after the expiration of three months from the pronouncing thereof.

(2) The provisions of Rules 175 and 176 shall not apply to the time prescribed by the preceding subsection of this Rule.

796.—(1) The judgment nisi shall be served upon the defendant spouse within one month from its pronouncement unless such service is dispensed with by the Judge presiding at the trial of the action.

(2) Service shall be personal unless the person to be served is represented by a solicitor or unless a Judge otherwise orders.

(3) Either before or after the expiry of the time within which such service is to be effected, the time for such service may be extended by a Judge but in no case shall judgment absolute be granted before the expiry of one month from the date of such service.

(4) Upon the copy of the judgment nisi served shall be endorsed a notice signed by the plaintiff or his solicitor, in the words following or to the like effect:

To (*inserting name of defendant spouse*)

Take notice that after the expiration of three months from the date of this judgment or after the expiration of one month from the day of service of this judgment upon you, whichever shall be the longer period of time, judgment absolute may be granted upon the application of the plaintiff dissolving your marriage (*or annulling your marriage as the case may be*) without further notice to you unless in the meantime you deliver or cause to be delivered to the Registrar of the Supreme Court of Ontario at Osgoode Hall, Toronto (*or, in cases where the writ was issued elsewhere than at Toronto, to the Local Registrar of the Supreme Court of Ontario at his office in the Court House in*) and to the undersigned at (*giving an address for service*) a written notice that you desire to show cause why judgment absolute should not be granted in this action.

Signed

Address

797. During the period between the pronouncement of the judgment nisi and the granting of the judgment absolute, any person may intervene or may give notice of desire to show cause why the judgment should not be made absolute by reason of the same having been obtained by collusion or by fraud or by reason of material facts not brought before the Court or for any other valid reason.

798. At any state of the action the Attorney-General may intervene for the purpose of showing collusion or fraud or of bringing any evidence before the Court.

799. Where the Attorney-General or any other person desires to intervene or to show cause why the judgment should not be made absolute he shall file a notice in the office in which the action was commenced and shall serve copies thereof upon all parties to the action and thereafter he shall be served with notice of all proceedings in the action.

800.—(1) Where notice of intervention or notice of desire to show cause why the judgment should not be made absolute has been filed and served the person giving such notice or any party to the action may apply to a Judge for directions.

(2) The Judge may dispose of the matter in a summary way or may direct the trial of an issue and may direct the delivery of pleadings and particulars and the production of documents for the purpose of such trial and may permit examinations for discovery.

(3) The trial may take place at any sittings of the Court in such manner and at such time and place as the Judge may direct and appoint.

(4) Upon the hearing or trial of any such matter the judgment nisi may be varied or vacated or the Court may direct further enquiry or make such other order as justice may require.

(5) Where any such notice has been filed the judgment shall not be made absolute until there has been a final disposition of the matter.

801.—(1) Application for judgment absolute shall be made by the plaintiff filing in the office in which the writ was issued at any time after the expiration of the period which must intervene before such judgment may be made absolute

- (a) a notice of application in accordance with Form 133 signed after the expiration of the said period and within 10 days of the date of filing thereof; and
- (b) an affidavit of the plaintiff made after the expiration of the said period and within 10 days of the date of the filing of the application that the deponent has not, since the granting of the judgment nisi, cohabited with the defendant spouse; and, where necessary, the particulars required by Rule 802; and
- (c) the original judgment nisi or a certified copy thereof; and
- (d) unless service of the judgment nisi has been dispensed with, an affidavit proving service of same.

(2) The Registrar or Local Registrar shall thereupon cause a search to be made of the records of the Court to ascertain whether any intervention is pending or whether a notice of desire to show cause why judgment should not be granted has been filed and shall issue a certificate of such search.

(3) In the case of a Local Registrar he shall then transmit the documents mentioned in sub-paragraph (1) together with his certificate of such search to the Registrar.

(4) The Registrar shall in all cases cause a further search to be made to ascertain whether any appeal from the judgment nisi is pending and shall issue a certificate of such search.

(5) The Registrar shall forthwith place the application on the list of cases to be posted under Rule 234 (3) for hearing but it shall not be necessary for counsel to appear in the first instance.

(6) The Judge presiding at the hearing, upon being satisfied that service of the judgment nisi was duly effected or that service was dispensed with and that no appeal or intervention is pending and that no notice of desire to show cause why the judgment should not be made absolute has been delivered or, if delivered, has been disposed of, may grant judgment absolute dissolving or annulling the marriage.

(7) In the case of an action commenced elsewhere than at Toronto the Registrar shall certify to the Local Registrar when judgment absolute has been granted and the judgment shall be settled by the

proper officer in whose office the action was commenced, unless any party affected applies to the Registrar at Toronto to settle the same or to reconsider the settlement of the same by the local officer.

(8) If the Judge decides that judgment absolute should not be granted in the first instance, he shall adjourn the hearing of the application and direct that notification of such adjournment be given to the applicant by the Registrar, or in actions commenced elsewhere than at Toronto by the Local Registrar, and he may direct that the applicant serve notice of the application on any person who appears to be interested therein.

(9) The Judge giving such direction shall state shortly his reasons in writing.

(10) Where the hearing of the application has been adjourned in the first instance any party may apply to have the application disposed of at any sittings of the Court and a Judge may make such order as he sees fit.

802. If the application for judgment absolute is made after the expiration of six months from the pronouncement of the judgment nisi the affidavit of the plaintiff shall account for the delay and it shall also be shown by affidavit whether any motion has been launched under Rule 803.

803. If the application for judgment absolute is not made by the party entitled to move within six months after the pronouncement of the judgment nisi, any other party to the action may apply to have the judgment nisi vacated and the action dismissed for want of prosecution.

804. The affidavits required of a party by these Rules shall not be necessary if such party is a mentally incompetent person or is a person who has been declared incapable under the provisions of *The Mental Incompetency Act*, but the committee, next friend or guardian of such party shall, in lieu thereof, file an affidavit showing that he has made careful inquiry into the facts and that to the best of his knowledge, information and belief the facts required to be deposed to if the party were mentally competent are true.

805. An order may be made for payment of a wife's interim disbursements by her husband.

806.—(1) These Rules shall come into force on the 1st of March, 1949, and shall apply to all actions commenced on or after that date and to the procedure subsequent to judgment nisi where the judgment nisi has been thereafter granted in any action commenced prior to the 1st of March, 1949.

(2) CHAPTER XXXII of the Rules of Practice and Procedure is hereby repealed as of the 1st of March, 1949, save as to the procedure subsequent to the granting of the judgment nisi where the same has been granted prior to that date and to the procedure up to the granting of judgment nisi in all actions commenced prior to such date.

807.—(1) The provisions of this rule shall apply where a statement of claim in any action for the dissolution of marriage contains particulars as to any child of the marriage who is under sixteen years of age at the time of the commencement of the action.

(2) The writ of summons, statement of claim and any other papers required to be served there-with shall be served upon the Official Guardian at Toronto within 10 days after service thereof on the defendant spouse.

(3) All other pleadings and any notice of trial served pursuant to Rule 786 shall be served upon the Official Guardian within the times limited by the Rules for service upon the parties to the action.

(4) Three copies of the report of the Official Guardian and the supporting affidavit shall be served on the plaintiff within 30 days of the service of the writ upon the Official Guardian.

(5) The report of the Official Guardian and the supporting affidavit together with proof of service thereof on the plaintiff shall be filed in the office where the action was commenced within 10 days of such service.

(6) The plaintiff shall serve forthwith one of such copies and the supporting affidavit upon the defendant spouse unless such service is dispensed with by the Court, and shall within 10 days of service file proof thereof in the office where the action was commenced.

(7) Either spouse may dispute any statement in the report or the supporting affidavit by serving a concise statement of the nature of such dispute upon the other spouse unless such service is dispensed with by the Court and upon the Official Guardian at Toronto, and by filing the same together with proof of such service within 15 days of the service of the report on him.

(8) The Court may in its discretion order that the report and the supporting affidavit and any dispute filed be served upon the co-defendant or on any person not a party to the action and may give such directions as it may deem necessary.

(9) Unless the Official Guardian is the applicant he shall be served with 4 days notice of any application under sub-paragraph (8).

(10) The services mentioned in sub-paragraphs (6), (7) and (8) shall be personal unless the person to be served is represented in the action by a solicitor or unless the Court otherwise orders.

(11) Notwithstanding the provisions of Rules 248 and 250, no action shall be entered or set down for trial until the disputes have been filed or the time for filing disputes has expired.

(12) The record required by Rule 249 shall include at the end thereof a copy of the report and the supporting affidavit, any dispute filed and any order made pursuant to sub-paragraph (8).

(13) The provisions of Rule 227 shall not apply to a person who has made an affidavit verifying the report of the Official Guardian.

(14) The Official Guardian shall have the right to particulars, discovery and production under the Rules in all matters touching upon the custody, maintenance and education of any child to which this rule applies, whether or not any such matter is in issue in the action.

CHAPTER XXXIII

MEETING OF JUDGES.

808. Meetings of the Judges of the Supreme Court or of the High Court may be called by instruction of the Chief Justice of Ontario or of the Chief Justice of the High Court or of any two Judges.

CHAPTER XXXIV

FORMS.

809.—(1) The forms contained in the Appendix hereto shall be used with such variations or modifications as circumstances may require; but any variance therefrom, not being in matter of substance, shall not affect their regularity.

(2) The provisions contained in the form prescribed shall be deemed to be authorized by these Rules.

SCHEDULE

OF RULES AND ORDERS NOT REPEALED.

(i) Rules respecting the Trial of Election Petitions (Ontario), 23 December, 1903. See: *The Ontario Gazette*, March 11, 1904, pages 236 *et seq.*

See also Ontario Election Act, R.S.O. 1937, c. 8, and Controverted Election Act, R.S.O. 1937, c. 11.

[See also p. 41 of this volume, Regulations 386.]

(ii) Rules for the Trial of Controverted Elections (Dominion), 14 December, 1908. See (1909) 17 O.L.R., Appendix II.

[Note.—WAR EMERGENCY RULES were adopted by O. Regs. 54/46 and were repealed by reg. 5 of O. Regs. 271/48.]

APPENDIX OF FORMS.

GENERAL PROVISIONS APPLICABLE TO ALL WRITS AND SIMILAR DOCUMENTS ISSUED BY THE COURT.

All writs shall be in the Court and cause. See Rule 190.

All writs shall conclude with the words prescribed by Rule 5 in the case of Writs of Summons.

There shall be indorsed upon every writ a statement of the plaintiff's residence and the name of the solicitor issuing the writ and his address in the form following:

This writ was issued by E. F., of _____ solicitor for the said plaintiff who resides at _____ [or, this writ was issued by the plaintiff in person] who resides at _____ [mention the city, town or township, and also the name of the street and number of the house of the plaintiff's residence, if any, or in case of a township the number of the lot and concession]. (See Rules 11 and 12.)

WRITS OF SUMMONS, AND NOTICE IN LIEU THEREOF.

No. 1. General Form of Writ of Summons. (Not specially indorsed.) (Rules 5 and 6.)

In the Supreme Court of Ontario. Between A.B., Plaintiff, and C.D. and E.F., Defendants.

Name and title of Sovereign, e.g., George the sixth, by the Grace of God, of Great Britain, Ireland, and the British Dominions Beyond the Seas, King, Defender of the Faith, Emperor of India.

To C.D. of _____ in the County of _____ and E.F. of _____ in the County of _____

We command you, that within ten days after the service of this writ on you, inclusive of the day of such service, you cause an appearance to be entered for you in this action; and take notice that in default of your so doing the plaintiff may proceed therein, and judgment may be given in your absence on the plaintiff's own showing and you may be deemed to have admitted the plaintiff's claim and (subject to Rules of Court) will not be entitled to notice of any further proceedings herein.

In witness whereof this writ is signed for the Supreme Court of Ontario by _____ Registrar of the said Court at Toronto (or by _____ Local Registrar of the said Court at _____) this _____ day of _____ 19 _____. (Seal) (Signature of Officer.)

Memorandum to be subscribed on the writ.

N.B.—This writ is to be served within 12 calendar months from the date thereof, or if renewed, within 12 calendar months from the date of such renewal, including the day of such date, and not afterwards.

Appearance may be entered at the _____ office at _____

Indorsements to be made on the writ.

The plaintiff's claim is for, &c. (as in Form No. 4 or as may be.)

Indorsement to be made on the writ within three days after service thereof.

This writ was served by _____ on C.D. [the defendant or one of the defendants], on _____ day of _____, 19 ____.

This memorandum is made this _____ day of _____ 19 _____. (Signature) _____ X.Y. Address _____

No. 1A.

Writ of Summons (Matrimonial Cause) (Rule 773)

In the Supreme Court of Ontario.

Between _____ A.B. Plaintiff —and— C.D. and E.F. Defendants.

Name and title of Sovereign

To C.D., of _____ in the County of _____ and E.F., of _____ in the County of _____

We command you that if you wish to defend this action you must

- (1) within ten days after the service on you of this writ, and of the plaintiff's statement of claim delivered herewith, inclusive of the day of such service, cause an appearance to be entered for you in this action; and (2) within ten days after the entry of such appearance deliver your statement of defence, if any.

AND TAKE NOTICE that in default of your so doing the plaintiff may proceed therein, and (subject to Rules of Court) you will not be entitled to notice of any further proceedings and you may be deemed to have admitted the plaintiff's claim and judgment may be given in your absence on the plaintiff's own showing.

IN WITNESS WHEREOF this writ is signed for the Supreme Court of Ontario by _____ Registrar of the said Court at Toronto (or by Local Registrar of the said Court at _____) this _____ day of _____, 19 ____.

(Seal) (Signature of Officer)

Memorandum to be subscribed on the writ.

N.B.—this writ is to be served within 12 calendar months from the date thereof, or if renewed, within

12 calendar months from the date of such renewal, including the day of such date, and not afterwards.

Appearance may be entered at the office at

Indorsements to be made on the writ.

The plaintiff's claim is for dissolution (or annulment) of the marriage solemnized between the plaintiff and the defendant C.D. on the day of 19 .

(Add short statement of any other claims being made) Further indorsement to be made on the writ.

NOTE: The person who serves this writ shall at the time of such service request each defendant to sign in his presence the following form of acknowledgment of service and shall sign his name as witness to any signature thereto:—

I am the person named as a defendant in this action.

I have this day received a copy of the writ and of the statement of claim in this action.

WITNESS

..... DATED.....
SIGNED.....

Indorsement to be made on the writ within three days after service thereof.

This writ was served by on C.D. [the defendant or one of the defendants] on day of , 19 .

This memorandum is made this day of , 19 .
(Signature) X.Y.
Address

No. 2
Writ for service out of Ontario. (Not Specially Indorsed.) (Rules 6 and 25)

In the Supreme Court of Ontario.
Between A.B., Plaintiff,
and
C.D. and E.F., Defendants.

Name and title of Sovereign,
To C.D., of

We command you, C.D., that within [here insert the number of days directed by the order allowing service] after the service, on you, of this writ [or notice of this writ as the case may be], and of the plaintiff's statement of claim delivered herewith, inclusive of the day of such service, you cause an appearance to be entered for you in this action, and your defence thereto, if any, to be delivered within 10 days thereafter; and take

notice that in default of your so doing the plaintiff may proceed therein, and judgment may be given in your absence on the plaintiff's own showing and you may be deemed to have admitted the plaintiff's claim and (subject to Rules of Court) will not be entitled to notice of any further proceedings herein.

In witness whereof this writ is signed for the Supreme Court of Ontario by Registrar of the said Court at Toronto (or by Local Registrar of the said Court at this day of 19 .)

(Seal)

(Signature of Officer.)

Memorandum to be subscribed on the writ.

N.B.—This writ is to be used where the defendant or all the defendants or one or more defendant or defendants is or are out of Ontario. When the defendant to be served is not a British subject, and is not in British dominions, notice of the writ, and not the writ itself, is to be served upon him.

Appearance may be entered at the office at

No. 2A.

Writ of Summons for service out of Ontario (Matrimonial Cause) (Rule 773)

In the Supreme Court of Ontario.

Between

A.B.

Plaintiff

—and—

C.D. and E.F.

Defendants.

Name and title of Sovereign

To C.D., of

We command you, C.D., that if you wish to defend this action you must

- (1) within [here insert the number of days directed by the order allowing service] after the service on you of this writ [or notice of this writ as the case may be], and of the plaintiff's statement of claim delivered herewith, inclusive of the day of such service, cause an appearance to be entered for you in this action; and
- (2) within ten days after the entry of such appearance deliver your statement of defence, if any.

AND TAKE NOTICE that in default of your so doing the plaintiff may proceed therein, and (subject to Rules of Court) you will not be entitled to notice of any further proceedings and you may be deemed to

have admitted the plaintiff's claim and judgment may be given in your absence on the plaintiff's own showing.

IN WITNESS WHEREOF this writ is signed for the Supreme Court of Ontario by Registrar of the said Court at Toronto (or by Local Registrar of the said Court at) this day of

19 (Seal) (Signature of Officer)

Memorandum to be subscribed on the writ.

N.B.—This writ is to be served within 12 calendar months from the date thereof, or if renewed, within 12 calendar months from the date of such renewal, including the day of such date, and not afterwards.

This writ is to be used where the defendant or all the defendants or one or more defendant or defendants is or are out of Ontario. When the defendant to be served is not a British subject, and is not in British dominions, notice of the writ, and not the writ itself, is to be served upon him.

Appearance may be entered at the office at Indorsements to be made on the writ.

The plaintiff's claim is for dissolution (or annulment) of the marriage solemnized between the plaintiff and the defendant C.D. on the day of 19

(Add short statement of any other claims being made)

Further indorsement to be made on the writ.

NOTE: The person who serves this writ shall, at the time of such service, request each defendant to sign in his presence the following form of acknowledgment of service and shall sign his name as witness to any signature thereto:—

I am the person named as a defendant in this action.

I have this day received a copy of the writ and of the statement of claim in this action.

WITNESS DATED..... SIGNED.....

Indorsement to be made on the writ within three days after service thereof.

This writ was served by on C.D. (the defendant or one of the defendants) on the day of , 19 .

This memorandum is made this day of , 19 .

(Signature) X.Y. Address

No. 3.

Notice of writ to be served out of Ontario where the defendant is not a British subject—(Rule 6).

In the Supreme Court of Ontario.

Between A.B., Plaintiff, and C.D. and E.F., Defendants.

To G.H., of

Take notice that A.B., of has commenced an action against you, G.H., in His Majesty's Supreme Court of Ontario, by writ of that Court, dated the day of A.D. 19 ; which writ is indorsed as follows [copy in full the indorsements of Claim], * [and you are required within days after the receipt of this notice and of the plaintiff's statement of claim, to be served herewith, inclusive of the day of such receipt, to defend the said action, by causing an appearance to be entered for you in the said Court to the said action, and your defence thereto, if any, to be delivered within 10 days thereafter;] and in default of your so doing, the said A.B. may proceed therein, and judgment may be given in your absence on the plaintiff's own showing and you may be deemed to have admitted the plaintiff's claim and (subject to Rules of Court) will not be entitled to notice of any further proceedings therein.

Appearance may be entered at the office at

Dated, &c.

X.Y., of &c. Solicitor for A.B.

N.B.—This notice is to be used when the person to be served is not a British subject, and is not in British dominions.

Indorsement to be made on the notice of the writ after service thereof:

This notice was served by me, on G.H. (the defendant or one of the defendants) on the day of 19 .

This memorandum is made on the day of 19 .

*Where the writ is specially indorsed omit the words in brackets and substitute:

"And you are required within days after the service of this notice on you, inclusive of the day of such notice, if you desire to defend the said action, to cause an appearance to be entered for you therein and further within the same time to file an affidavit in the office in which your appearance is to be entered, that you have a good defence upon the merits and showing the nature of your defence (if any) to the plaintiff's claim, with the facts and circumstances which you deem entitle you to defend the action, and forthwith thereafter to serve a copy upon the Plaintiff's Solicitor.

No. 3A.

Notice of writ to be served out of Ontario where the defendant is not a British subject (Matrimonial Cause) (Rule 773)

In the Supreme Court of Ontario.

Between A.B. Plaintiff
—and— C.D. and E.F. Defendants.

To E.F., of

Take notice that A.B., of has commenced an action against you, E.F., in His Majesty's Supreme Court of Ontario, by writ of that Court, dated the day of A.D. 19 ; which writ is endorsed as follows [copy in full the indorsements of claim].

And take notice that, if you wish to defend this action you are required

- (1) within [here insert the number of days directed by the order allowing service] after the receipt of this notice and of the plaintiff's statement of claim, to be served herewith, inclusive of the day of such receipt, to cause an appearance to be entered for you in the said Court to the said action; and
(2) within ten days after the entry of such appearance,

AND TAKE NOTICE that in default of your so doing the said A.B. may proceed therein, and (subject to Rules of Court) you will not be entitled to notice of any further proceedings and you may be deemed to have admitted the plaintiff's claim and judgment may be given in your absence on the plaintiff's own showing.

Appearance may be entered at the office at

Dated, etc. X.Y. of , etc. Solicitor for A.B.

N.B.—This notice is to be used when the person to be served is not a British subject, and is not in British dominions.

Further indorsement to be made on the notice of the writ.

NOTE.—The person who serves this notice shall at the time of such service request the person served to sign in his presence the following form of acknowledgment of service and shall sign his name as witness to any signature thereto:—

I am the person named as a defendant in this action.

I have this day received a copy of the notice of the writ and of the statement of claim in this action.

WITNESS DATED..... SIGNED.....

Indorsement to be made on the notice of the writ after service thereof.

This notice was served by me on E.F. (the defendant or one of the defendants) on , the day of , 19 .

This memorandum is made on the day of , 19 .

(Signature) Address

No. 4.

Indorsements on Writs of Summons (Rules 5 and 32).

Money Claims (where writ is not Specially Indorsed).

- The plaintiff's claim is \$ for the price of goods sold.
The plaintiff's claim is \$ for money lent [and interest].
The plaintiff's claim is \$ whereof \$ is the price of goods sold, and \$ for money lent, and \$ for interest.
The plaintiff's claim is \$ for arrears of rent.
The plaintiff's claim is \$ for arrears of salary as a clerk [or as the case may be.]
The plaintiff's claim is \$ for interest upon money lent.
The plaintiff's claim is \$ for penalties under the Statute R.S.O. Ch.
The plaintiff's claim is \$ for fees for work done [and \$ money expended] as a solicitor.
The plaintiff's claim is \$ for commission as [state character as auctioneer, broker, &c.]
The plaintiff's claim is \$ for medical attendance.
The plaintiff's claim is \$ for the warehousing of goods.
The plaintiff's claim is \$ for the use and occupation of a house.
The plaintiff's claim is \$ for work done.
The plaintiff's claim is \$ for board and lodging.
The plaintiff's claim is \$ for money received by the defendant as agent of the plaintiff.
The plaintiff's claim is \$ for a return of money obtained from the plaintiff by fraud.
The plaintiff's claim is \$ for a contribution in respect of money paid by the plaintiff as surety.
The plaintiff's claim is \$ upon a policy of insurance upon the life of X.Y., deceased.
The plaintiff's claim is \$ upon a bond to secure payment of \$1,000 and interest.
The plaintiff's claim is \$ upon a bill of exchange accepted [or drawn or indorsed] by the defendant.
The plaintiff's claim is \$ upon a promissory note made [or indorsed] by the defendant.
The plaintiff's claim is \$ against the defendant A.B., as acceptor, and against the defendant C.D. as drawer [or indorser] of a bill of exchange.
The plaintiff's claim is \$ for calls upon shares.

Claims for Damages and other Relief.

The plaintiff's claim is for damages for breach of a contract to employ the plaintiff as traveller.

The plaintiff's claim is for damages for wrongful dismissal from the defendant's employment as traveller [and \$ for arrears of wages].

The plaintiff's claim is for damages for the defendant's wrongfully quitting the plaintiff's employment as manager.

The plaintiff's claim is for damages for breach of duty as factor [or, &c.] of the plaintiff [and \$ for money received as factor, &c.]

The plaintiff's claim is for damages for breach of the terms of a deed of apprenticeship of X.Y. to the defendant [or plaintiff].

The plaintiff's claim is for damages for non-compliance with the award of X.Y.

The plaintiff's claim is for damages for assault [and false imprisonment, and for malicious prosecution].

The plaintiff's claim is for damages by reason of the defendant's negligence while acting as solicitor of the plaintiff.

The plaintiff's claim is for damages for negligence in the custody of goods [and for wrongfully detaining the same].

The plaintiff's claim is for damages for negligence in the keeping of goods pawned [and for wrongfully detaining the same].

The plaintiff's claim is for damages for negligence in the custody of furniture lent on hire [or a carriage lent], [and for wrongfully, &c.].

The plaintiff's claim is upon a bond conditioned not to carry on the trade of a

The plaintiff's claim is for damages for breach of duty in and about the carriage and delivery of machinery by sea.

The plaintiff's claim is for wrongfully depriving plaintiff of goods, household furniture, &c., being, &c.

The plaintiff's claim is for damages for libel. The libel complained of as published [give date and manner of publication].

The plaintiff's claim is for damages for slander. The slander complained of was the speaking of the words [quote them] on the day of

The plaintiff's claim is to recover possession of goods wrongfully distrained, being, &c.

The plaintiff's claim is for damages for improperly distraining.

The plaintiff's claim is for damages for fraudulent misrepresentation on the sale of a horse [or a business, or shares, or, &c.].

The plaintiff's claim is for damages for fraudulent misrepresentation of the credit of A.B.

The plaintiff's claim is for a loss under a policy of fire insurance upon house and furniture.

The plaintiff's claim is for damages for breaches of covenants contained in the lease of a farm.

The plaintiff's claim is for damages for injury to the plaintiff from the defendant's negligence as a medical man.

The plaintiff's claim is for damages for injury to the plaintiff by the negligent driving of the defendant or his servants.

The plaintiff's claim is for damages for injury to the plaintiff while a passenger on the defendant's railway by the negligence of the defendant's servants.

The plaintiff's claim is as executor of A.B. deceased, for damages for the death of the said A.B., from injuries received while a passenger on the defendant's railway, by the negligence of the defendant's servants.

The plaintiff's claim is for damages for breach of promise of marriage.

The plaintiff's claim is for damages for the seduction of the plaintiff's daughter.

The plaintiff's claim is for damages for breach of contract to accept and pay for goods.

The plaintiff's claim is for damages for breach of warranty of a horse.

The plaintiff's claim is for damages for the infringement of the plaintiff's patent.

The plaintiff's claim is for dower out of lot number (or describing the property otherwise with reasonable certainty). And take notice that the plaintiff claims damages for the detention of her dower from the day of

The plaintiff's claim is to recover possession of a house No. in street, in the City of Ottawa; or of the N.E. $\frac{1}{4}$ of lot 2, in the 3rd concession of the township of in the county of . And for mesne profits. And for an account of rents or arrears of rent.

If an injunction is claimed.

The plaintiff's claim is for an injunction to restrain the defendant from

Claims for equitable relief.

The plaintiff's claim is as creditor of X.Y., of deceased, to have the [real and] personal estate of the said X.Y., administered. The defendant C.D., is sued as the administrator (or executor) of the said X.Y. [and the defendants E.F. and G.H. as his co-heirs-at-law].

The plaintiff's claim is as a legatee under the will, dated the day of

19 of X.Y. deceased, to have the [real and] personal estate of the said X.Y. administered. The defendant C.D. is sued as the executor of the said X.Y. [and the defendants E.F. and G.H. as his devisees].

The plaintiff's claim is to have an account taken of the partnership dealings between the plaintiff and defendant [under articles of partnership, dated the day of], and to have the affairs of the partnership wound up.

The plaintiff's claim is to have the trusts of an indenture, dated, and made between , carried into execution.

The plaintiff's claim is to have a deed dated and made between [parties], set aside or rectified.

The plaintiff's claim is for specific performance of an agreement dated the day of , for the sale by the plaintiff to the defendant of certain [freehold] hereditaments at

The plaintiff's claim is for alimony; and the plaintiff demands as interim alimony until the trial of the action the monthly (or weekly) sum of \$ to be paid to her on the day of each month (or week) at and the interim costs to which she is entitled by the practice in that behalf.

NOTE.—Where the plaintiff desires to register a certificate of lis pendens the indorsement on the writ of summons shall contain such short description of the property as may be necessary or proper for that purpose.

*Claims in Mortgage Action (Rules 33 and 460).**(a) By Mortgagee for sale and for immediate payment and possession.*

The plaintiff's claim is on a mortgage, dated the day of _____ made between _____ [or by deposit of title deeds], and that the mortgage may be enforced by sale, [where desired add and payment to the plaintiff by the defendant personally of any balance].

If immediate payment is desired add, And to recover from you the defendant (*naming the defendant against whom the relief is claimed*) payment of the amount due under a covenant by [you] in that behalf contained in said mortgage (*or as the case may be*).

(If immediate possession is desired add), And to recover immediate possession of the mortgaged premises,

And take notice that the plaintiff claims that there is now due for principal money the sum of \$ _____

(*if so add, and for taxes (or premiums of insurance or other matters) the sum of \$ _____*) and for interest the sum of \$ _____ and that you are liable to be charged with these sums, with subsequent interest to be computed at the rate of _____ per cent. per annum, and costs in and by the judgment to be drawn up, and that judgment for an immediate sale of your interest in the mortgaged premises may be entered unless you desire an opportunity to redeem the mortgaged premises and before the expiration of the time allowed you for appearance you do file in the office within named a memorandum in writing entitled in this action and signed by yourself or your solicitor to the following effect: "I desire an opportunity to redeem the mortgaged premises," and give an address for service, in which case you will be entitled to four days' notice of the taking of the account of the amount due to the plaintiff and in default of payment of the amount found due within six calendar months from the time of taking of the account and the drawing up of the judgment your interest in the mortgaged premises may be sold.

The following is a description of the mortgaged premises: (*Set out description sufficient for registration.*)

(b) By Mortgagee for foreclosure and for immediate payment and possession.

The plaintiff's claim is on a mortgage, dated the day of _____ made between _____ [or by deposit of title deeds], and that the mortgage may be enforced by foreclosure.

If immediate payment is desired add, And to recover from you the defendant (*naming the defendant against whom the relief is claimed*) payment of the amount due under a covenant by you in that behalf contained in said mortgage (*or as the case may be*).

If order for immediate possession is desired add, And take notice further that the plaintiff claims to be entitled to recover immediate possession of the mortgaged premises.

And take notice that the plaintiff claims that there is now due for principal money the sum of \$ _____ (*if so, add, and for taxes (or premiums of insurance or other matters) the sum of \$ _____*) and for the interest the sum of \$ _____ and that you are liable to be charged with these sums with subsequent interest to be computed at the rate of _____ per cent. per annum, and costs in and by the judgment to be drawn up, and that judgment for immediate foreclosure of your interest in the mortgaged premises may be entered unless you desire an opportunity to redeem the mortgaged premises and before the expiration of the time allowed you for appearance you do file in the office within named a memorandum in writing entitled in this action and signed by yourself or your solicitor to the following effect: "I desire an opportunity to redeem the mortgaged premises," and give an address for service, in which case you will be entitled to four days' notice of the taking of the account of the amount due to the plaintiff and in default of payment of the amount found due within six calendar months from the time of the taking of the account and the drawing up of the judgment your interest in the mortgaged premises may be foreclosed.

If you desire a sale of the mortgaged premises instead of a foreclosure, and do not intend to defend the action, you must within the time allowed for appearance, file in the office within named, a memorandum in writing entitled in this action and signed by yourself or your solicitor, to the following effect: I desire a sale of the mortgaged premises in the plaintiff's writ of summons mentioned, or a competent part thereof, instead of a foreclosure," and you must deposit in the Court to the credit of this action the sum of \$80 to meet the expenses of such sale and attach to the said memorandum a certificate of the Accountant of the Supreme Court to the effect that such deposit of \$80 has been made.

"The following is a description of the mortgaged premises." (*Set out description sufficient for registration.*)

(c) By Mortgagor for Redemption.

The plaintiff's claim is to have an account taken of what, if anything, is due on a mortgage, dated _____ and made between [parties], and to redeem the property comprised therein.

Statement of Character of Parties. (To be introduced into the Indorsement of the Claim.)

The plaintiff's claim is as executor [or administrator] of C.D. deceased, for

The plaintiff's claim is against the defendant A.B., as executor [or, &c.] of C.D., deceased, for

The plaintiff's claim is against the defendant A.B., as executor of X.Y., deceased, and against the defendant C.D., in his personal capacity, for

The claim of the plaintiff is against the defendant as executrix of C.D., deceased, for

The plaintiff's claim is as assignee in insolvency of A.B., for

The plaintiff's claim is against the defendant as assignee in insolvency of A.B., for

The plaintiff's claim is as [or the plaintiff's claim against the defendant as] trustee under the will of A.B., [or under the settlement upon the marriage of A.B. and X.Y., his wife], for

The plaintiff's claim is against the defendant a heir-at-law of A.B., deceased, for

The plaintiff's claim is against the defendant C.D., as heir-at-law, and against the defendant E.F., as devisee of lands under the will of A.B., deceased for

The plaintiff's claim is as well for His Majesty the King as for himself, for

No. 5. Specially Indorsed Writ. (Rule 33).

In the Supreme Court of Ontario.

Between A.B., Plaintiff, and C.D. and E.F., Defendants.

Name and title of Sovereign

To C.D., of the City of [blank], in the County of [blank] We command you that within ten days after the service of this writ on you, inclusive of the day of such service, you do cause an appearance to be entered for you in this action AND WITHIN THE SAME TIME THAT YOU DO FILE AN AFFIDAVIT IN THE OFFICE IN WHICH YOUR APPEARANCE IS TO BE ENTERED, SHOWING THE NATURE OF YOUR DEFENCE (if any) TO THE PLAINTIFF'S CLAIM, AND THAT YOU DO FORTHWITH THEREAFTER SERVE A COPY OF SUCH AFFIDAVIT UPON THE PLAINTIFF'S SOLICITOR.

And take notice that in default of your so doing, the plaintiff may sign judgment for the relief claimed as indorsed on this writ, and execution will at once issue thereon.

In witness whereof this writ is signed for the Supreme Court of Ontario by

Registrar of the said Court at Toronto (or by Local Registrar of the said Court at [blank] this [blank] day of [blank], 19 [blank]. (Seal) (Signature of Officer.)

Memorandum to be subscribed on the writ.

N.B.—This writ is to be served within 12 calendar months from the date thereof, or if renewed, within 12 calendar months from the date of such renewal, including the day of such date, and not afterwards.

Appearance may be entered at the office at

NOTE.—When service is intended to be made out of Ontario, change in accordance with Form No. 2.

NOTE.—An endorsement shall be made upon the writ within three days after service to the following effect:—

This writ was served by me on C.D. (the defendant or one of defendants), on the [blank] day of [blank] 19 [blank].

This memorandum is made this day of [blank] 19 [blank].

(Signed) X.Y. Address

The Claim shall be indorsed in accordance with the forms given below:

Special Indorsement.

This writ being specially indorsed, the defendant is warned that, in addition to entering appearance within the time limited, he must within the same time file an affidavit showing the nature of his defence to the plaintiff's claim, and forthwith thereafter serve a copy thereof upon the plaintiff's solicitor, and that in default judgment will be entered and execution issued.

If you pay the amount of the plaintiff's claim within the time limited for appearance further proceedings will be stayed. If you deem the amount claimed for costs excessive you may have them taxed.

The plaintiff's claim is for money received by the defendant for the use of the plaintiff. The following are the particulars:

Table with 2 columns: Particulars and Amount. Includes entries for January 2nd, 19 [blank], To amount of rents on No. 5 Smith Street, To deposit on intended sale of Blythe Cottage, and Amount due.

NOTE.—In all cases of special indorsement the specific claim shall be followed by this clause—"and the plaintiff further claims \$ [blank] for costs."

Alternative Claims.

The plaintiff's claim is for the price of goods sold. The following are the particulars:—

Table with 2 columns: Particulars and Amount. Includes entries for December 31st, January 1st to March 31st, and February 1st—Paid, and Balance due.

or

The plaintiff's claim is against the defendant A.B. as principal, and against the defendant C.D. as surety, for the price of goods sold to A.B. The following are the particulars:—

19..—February 2nd—Guarantee by *C.D.* of the price of woollen goods to be supplied to *A.B.*

February 2nd—To goods.....	\$225
March 3rd—To goods.....	151
March 17th—To goods.....	27
April 5th—To goods.....	65
	\$468

(or)

The plaintiff's claim is against the defendant, as maker of a promissory note. The following are the particulars:—

Promissory note for \$1,000, dated January 1st, 19 , made by defendant in favour of the plaintiff, payable 4 months after date.

Principal.....	\$1,000
Interest.....	142
Notarial charges.....	2
	\$1,144

(or)

The plaintiff's claim is against the defendant *A.B.* as acceptor, and against the defendant *C.D.* as drawer of a bill of exchange. The following are the particulars:—

Bill of exchange for \$2,000, dated January 1st, 19 , drawn by defendant *C.D.* upon and accepted by defendant *A.B.*, payable 3 months after date.

Principal.....	\$2,000
Interest.....	17
Notarial charges.....	2
	\$2,019

(or)

The plaintiff's claim is for principal and interest due upon a bond. The following are the particulars:—

Bond, dated January 1st, 19 . Conditioned for payment of \$500 on the 26th December, 19 .

Principal due.....	\$500
Interest.....	30
	\$530

(or)

The plaintiff's claim is for principal and interest due under a covenant. The following are the particulars:—

Deed, dated covenant to pay \$3,000 and interest.

Principal due.....	\$800
Interest.....	25
	\$825

(or)

The plaintiff's claim is to recover possession of a farm and premises called lot No. 1 in the 5th Con. of the Twp. of , in the County of , which was let to the defendant by

the plaintiff for the term of 3 years from the 29th day of Sept., 19 , which term has expired (or as tenant from year to year from the 29th day of Sept. 19 , which said tenancy was duly determined by notice to quit on the 29th day of Sept., 19 .)

The plaintiff also claims \$ for mesne profits.

(or)

The plaintiff's claim is to recover possession of (or for the return of [a certain stallion named "Disturbance," or as the case may be], unlawfully detained by the defendant, of which the plaintiff is the owner and lawfully entitled to the possession).

(or)

In mortgage actions, use the forms provided *ante* and add the "warning".

NOTE.—All the following forms are to be preceded by the Court and style of cause or title. (See Rule 190.)

No. 6.

Appearance (Rule 46).

Enter an appearance for (giving the names of all persons for whom appearance is to be entered) in this action.

Dated the day of 19 .

(Signed)
(Address)

If conditional appearance allowed, add: The defendant by order of dated the day of 19 , is permitted to appear without prejudice to his right to dispute the jurisdiction of the Court in this action (or as the case may be).

In case the defendant wishes to dispute the amount claimed, and to make no other defence, add, The defendant disputes the amount claimed by the plaintiff (or the defendant contends that the amount due to the plaintiff is \$ only, or the defendant contends that the amount due to the plaintiff is, \$ for principal and \$ for interest, since the day of etc., and no more), as the case may be.

In action for the possession of land if the defendant limits his defence, add The said defendant limits his defence to part only of the property mentioned in the writ of summons, namely, to etc.

No. 7.

Notice Limiting Defence (Rule 55).

The defendant *C.D.*, limits his defence to part only of the property mentioned in the writ in this action, that is to say, to the northwest quarter of the lot.

Dated the day of 19 .

A.B., solicitor for defendant.

No. 8.

PLEADINGS.

NOTE.—The nature of each pleading should be stated at the head thereof, e.g., "Statement of Claim" or "Statement of Defence and Counterclaim of C.D."

Statement of Claim.

1. (Set out concisely in convenient paragraphs a statement of the material facts relied upon).

2. The plaintiff claims (state the relief claimed).

3. The plaintiff proposes that this action should be tried at

Delivered the _____ day of _____ 19____ by X.Y., of _____ Plaintiff's Solicitor.

NOTE.—The date of the writ should be given at the head of the Statement of Claim, thus (Writ issued the _____ day of _____ 19____.)

No. 9.

Statement of Defence.

1. The defendant admits the allegations in the _____ and _____ paragraphs of the plaintiff's statement of claim.

2. (Set out concisely in convenient paragraphs, a statement of the material acts relied upon.)

Delivered, etc.

No. 10.

Reply and Joinder of Issue.

1. (If desired) The plaintiff joins issue upon the defendant's statement of defence.

2. (Where plaintiff does not introduce into his statement of claim, originally or by way of amendment, the allegations necessary by way of reply to the defence set out concisely in convenient paragraphs the material facts relied upon in reply.)

Delivered, etc.

No. 11.

Statement of Defence and Counterclaim.

1. (Set out the material facts relied on by way of defence.)

2. By way of counterclaim the defendant says: (Set out by reference to paragraphs of defence, or, as in the case of a statement of claim, the material facts relied on by way of counter-claim.)

3. The defendant claims (as in a statement of claim.)

Delivered, etc.

NOTE.—Where a third person as well as the plaintiff is made a party to a counterclaim, add a second style of cause, thus:

And between C.D., Plaintiff, (By counterclaim.) and A.B. and E.F., Defendants. (By counterclaim.)

No. 12.

Reply and Defence to Counterclaim.

Where plaintiff does not introduce into his statement of claim, originally or by amendment, the allegations necessary by way of reply to the defence set out the material facts relied on by way of reply. A joinder of issue on the defence or paragraphs thereof may be added.

Delivered, etc.

No. 13.

Stated Case (Rule 126).

The following case is stated for the opinion of the Court under an order of the Honourable Mr. Justice _____ dated the _____ day of _____ 19____, made pursuant to Rule _____ (or as the case may be. Here state the material facts of the case bearing upon the question of law to be decided.)

The question (or questions) for the opinion of the Court is (or are)

First—Whether, etc.

Second—Whether, etc.

(Signatures.)

No. 14.

Certificate of Service of Foreign Process (Rule 31).

I, _____, Registrar of the Supreme Court of Ontario, hereby certify that the documents annexed hereto are as follows:—

(1) The original letter of request for service of process received from the Court of _____ at _____ in the _____ of _____ in the matter of _____ versus _____, and _____.

(2) The process received with such letter of request, and _____.

(3) The evidence of service upon the person named in such letter of request duly sworn to before and verified by a Notary Public duly appointed for Ontario under his hand and official seal.

And I certify that such service, so proved, and the proof thereof are such as are required by the law and practice of the Supreme Court of Ontario regulating the service of legal process in Ontario, and the proof thereof.

And I certify that the cost of effecting such service amounts to the sum of \$ _____

Dated this _____ day of _____ 19 _____

No. 15.

General Form of Affidavit.

I, *E.F.* of (place of residence and description or addition) make oath and say as follows:—

Or, We, *E. F.* and *G. H.*, of, etc., severally make oath and say as follows:—

1. _____
2. _____
3. *If necessary*, And I, the said *E. F.*, for myself say _____ etc.

Sworn [if there be more than one deponent by the said naming each deponent] before me at the _____ of _____ in the County of _____ this _____ day of _____ A.D.

A Commissioner for taking affidavits in and for the County of _____

NOTE.—

An affidavit for use on a motion should by indorsement show on whose behalf it is filed; e.g., "Affidavit of John Smith filed on behalf of the plaintiff."

No. 16.

Form of Jurat in the case of an illiterate person.

Sworn before me at the _____ of _____ in the County of _____ this _____ day of _____ A.D., the said affidavit having been first read over in my presence to the deponent (or the deponent *E.F.*) who seemed perfectly to understand the same and signed the same (or made his mark thereto) in my presence.

_____ A Commissioner, etc.

No. 17.

Affidavit of Service of Writ of Summons.

I, _____ of _____ make oath and say as follows:—

(1) I did on _____ day, the _____ day of _____ 19 _____, personally serve *C. D.*, the above-named defendant in this action with a true copy of the writ of summons (or notice of the writ of summons) herein hereto annexed, by delivering the same to and leaving the same with the said defendant on the day aforesaid at _____ in the County of _____

(2) Upon the said copy so served as aforesaid were indorsed at the time of such service true copies of all the indorsements appearing upon the said original writ of summons (or notice) except the indorsement hereinafter mentioned.

(3) To effect such service, I necessarily travelled _____ miles.

(4) Subsequently, namely upon the _____ day of _____ I did indorse upon the said original writ of summons (or notice) the day of the month and week of such service.

Sworn, etc.

No. 18.

Notice to Produce Documents (Rule 348).

Take notice that you are required within ten days from this date to make discovery on oath of the documents which are or have been in your possession or power relating to any matters in question in this action and to produce and deposit the same with the proper officer of this Court for the usual purposes, and that you are also required to serve a copy of the affidavit upon the undersigned forthwith after it shall have been filed.

Dated this _____ day of _____ 19 _____

M. N.,
Plaintiff's Solicitor.

To *L. K.*, Esq.,
Defendant's Solicitor.

No. 19.

Affidavit as to Production of Documents.

I, the above-named defendant, *C. D.*, make oath and say as follows:

1. I have in my possession or power the documents relating to the matters in question in this action set forth in the first and second parts of the first schedule hereto.

2. I object to produce the said documents set forth in the second part of the said first schedule hereto.

3. [Here state upon what grounds the objection is made, and verify the facts as far as may be.]

4. I have had, but have not now, in my possession or power the documents relating to the matters in question in this suit set forth in the second schedule hereto.

5. The last-mentioned documents were last in my possession or power on (state when).

6. [Here state what has become of the last-mentioned documents, and in whose possession they now are.]

7. According to the best of my knowledge, information and belief, I have not now, and never had

in my possession, custody or power, or in the possession, custody or power of my solicitors or agents, solicitor or agent, or in the possession, custody, or power of any other persons or person on my behalf, any deed, account, book of account, voucher, receipt, letter, memorandum, paper, or writing, or any copy of or extract from any such document, or any other document whatsoever, relating to the matters in question in this action or any of them, or wherein any entry has been made relative to such matters, or any of them, other than and except the documents set forth in the said first and second schedules hereto, and the pleadings and other proceedings in the action.

Sworn, &c.

No. 20.

Affidavit on Production when made by an Officer of a Corporation.

I, _____ of _____, make oath and say as follows:

1. I am the (*here state the name of the office held by the deponent in the service of the Company on whose behalf he makes the affidavit*), and as such, have knowledge of all documents which are, or have been, in the custody or possession of the said (company), relating to the matters in question in this action.

2. I am cognizant of the matters in question in this action.

3. The said defendants have in their possession or power, the documents relating to the matters in question in this action set forth in the first and second parts of the first schedule hereto.

4. The said defendants object to produce the said documents set forth in the second part of the said first schedule hereto.

5. (*Here state on what grounds the objection is made, and verify the facts as far as may be.*)

6. The said defendants have had, but have not now, in their possession or power, the documents relating to the matters in question in this action set forth in the second schedule hereto.

7. The last-mentioned documents were last in the possession or power of the said defendants on (*state when*).

8. (*Here state what has become of the last-mentioned documents, and in whose possession they now are.*)

9. According to the best of my knowledge, information and belief, the said defendants have not now, and never had, in their possession, custody, or power, or in the possession, custody, or power of myself, or of any of their solicitors or agents, or of any person or persons whomsoever, on their behalf any (*proceed as in last form*).

Sworn, &c.

No. 21.

Praecipes.

NOTE.—A praecipe for the action of any officer should contain a concise statement of what is desired and where what is sought is authorized by an order it should be referred to in the praecipe and should be produced. All particulars, save those appearing in the order, necessary for the officer's action should be given.

The following are given as examples:

Required in pursuance of order dated _____ to renew the writ of summons in this action,

Dated the _____ day of _____ 19 _____.

(Signed) _____
Solicitor for the _____

Required in pursuance of order dated _____ a writ of habeas corpus *ad testificandum* directed to the _____ to bring _____ before _____

Required in pursuance of order [*or Master's certificate*] dated _____ a commission to examine witnesses directed to _____

Required a writ of *feri facias* directed to the sheriff of _____ to levy against *C.D.* the sum of \$ _____ and interest thereon at the rate of _____ per centum per annum from the _____ day of _____ [and \$ _____

costs] to _____
Judgment [*or order*] dated _____ day of _____
Taxing master's certificate, dated _____ day of _____

Required a writ of *venditioni exponas* directed to the sheriff of _____ to sell the goods and chattels (*or lands and tenements*) of *C.D.*, taken under a writ of *feri facias* in this action tested _____ day of _____

Set down this appeal from the order [*or judgment*] of _____ in this action dated the _____ day of _____ 19 _____

Enter (or set down) this action for trial at the sittings at _____ commencing _____

NOTE.—A praecipe to set down for argument may be indorsed on the notice of motion.

No. 22. *Third Party Notice (Rule 165).*

To X.Y. of the _____ of _____

Take notice that this action has been brought by the plaintiff against the defendant [as surety for M.N. upon a bond conditioned for payment of \$2,000 and interest to the plaintiff.

The defendant C.D. claims to be entitled to contribution from you to the extent of one-half of any sum which the plaintiff may recover against him, on the ground that you are his co-surety under the said bond, or, also surety for the said M.N., in respect of the said matter, under another bond made by you in favour of the said plaintiff, dated the _____ day of _____ 19____.]

Or [as acceptor of a bill of exchange for \$500, dated the _____ day of _____ 19____, drawn by you upon and accepted by the defendant, C.D., and payable three months after date.

The defendant C.D. claims to be indemnified by you against liability under the said bill, on the ground that it was accepted for your accommodation.]

Or [To recover damages for a breach of a contract for the sale and delivery to the plaintiff of 1,900 tons of coal.

The defendant C.D. claims to be indemnified by you against liability in respect of the said contract, or any breach thereof, on the ground that it was made by him on your behalf and as your agent.]

And take notice that, if you wish to dispute the plaintiff's claim in this action as against the defendant C.D., or your liability to the defendant C.D., you must cause an appearance to be entered for you within ten days after service of this notice.

In default of your so appearing, you will be deemed to admit the validity of any judgment obtained against the defendant C.D., and your own liability to contribute or indemnify to the extent herein claimed, which may be summarily enforced against you.

(Signed) C.D.
(or X.Y., Solicitor for the defendant, C.D.)

Issued from the _____ office of the Supreme Court at _____, where appearance may be entered.

Date _____ Signature of Officer.

No. 23. *Summons to Defendant added by Counterclaim (Rule 112).*

(Court and Cause.)

Name and title of the Sovereign.

To X.Y., of, &c.

Whereas in this action the defendant has filed a counterclaim against the plaintiff and you, the said X.Y.

We command you that within ten days after service upon you of this summons and of the statement of claim and statement of defence and counterclaim to be served herewith you do cause an appearance to be entered for you and your defence, if any, to the said counterclaim to be delivered, and take notice that in default of you so doing the plaintiff by counterclaim may proceed thereon without further notice to you and you will be deemed to admit the statements of the said counterclaim and judgment will be given accordingly.

Your appearance may be entered and defence filed at _____

Witness, &c.

Issued, &c.

NOTICES.

No. 24. *Notice of Payment into Court.*

Take notice that the defendant _____ has paid into Court \$ _____ in satisfaction of the plaintiff's claim [or the plaintiff's claim for, &c.].

No. 25. *Acceptance of Sum paid into Court.*

Take notice that the plaintiff accepts the sum of \$ _____ paid by the defendant _____ into Court in satisfaction of the claim in respect of which it was paid in.

Dated the _____ day of _____ 19____.

(Signed)
Solicitor for the _____

To _____
Solicitor for _____

No. 26. *Confession of Defence Arising Pending Action (Rule 164).*

The plaintiff confesses the defence stated in the _____ paragraph of the defendant's statement of defence [or, of the defendant's further statement of defence.]

No. 27. *Confession of Action for Recovery of Land (Rule 55).*

I, the defendant C.D., hereby confess this action (or, confess this action as to part of the land claimed, namely: describe the part).

No. 28.

Notice of Discontinuance (Rule 321).

Take notice, that the plaintiff hereby wholly discontinues this action (or, withdraws so much of his claim in this action as relates to, &c.).

(If not against all the defendants add as against the defendant C.D.)

No. 29.

Notice to Produce Documents referred to in Pleadings (Rule 351).

Take notice that the [plaintiff or defendant] requires you to produce for his inspection the following documents referred to in your [statement of claim or defence or affidavit sworn on the _____ day of 19 ____].

No. 30.

Notice to Inspect Documents (Rule 351 (2)).

Take notice that you can inspect the documents mentioned in your notice of the _____ day of _____ A.D. [except the deed numbered _____ in that notice] at my office, on _____ day next the _____ instant, between the hours of 12 and 4 o'clock.

Or, that the [plaintiff or defendant] objects to giving you inspection of the documents mentioned in your notice of the _____ day of _____ A.D. on the ground [state the ground]:

No. 31.

Jury Notice (R.S.O. 1937, c. 100, sec. 55).

"The plaintiff (or the defendant, as the case may be) requires that the issues in this cause be tried (or the damages in this cause be assessed) by a jury."

No. 32.

Notice of Trial (General) (Rule 246).

Take notice of trial of this action [or the issues in this action ordered to be tried] at _____ for the _____ day of _____ next.

No. 32A.

Special Notice of Trial for Matrimonial Causes to be tried elsewhere than at Toronto Rule 786 (1).

Take notice that in default of appearance this action will be set down for trial at the sittings of this Court at _____ commencing on the _____ day of _____, 19 ____.

No. 33.

Notice of Trial (Toronto Non-Jury Sitings) (Rule 250).

Take notice that this action [or the issues in this action ordered to be tried] was [or were] set down on the _____ day of _____ 19 ____, for trial at the Toronto non-jury sittings.

No. 33A.

Special Notice of Trial for Matrimonial Causes (Toronto Non-Jury Sitings) [Rule 708 (2)].

Take notice that in default of appearance this action will be set down for trial at the Toronto non-jury sittings within 60 days from such default.

No. 34.

Notice of Motion to Court (Rule 123).

Take notice that the Court will be moved on behalf of the _____ at Osgoode Hall, Toronto (or as may be) on _____ day the _____ day of _____ 19 ____, o'clock in the forenoon, or so soon thereafter as counsel can be heard, for an order that (state the object of the intended application) or for such other order as may seem just. [In cases where it is necessary to set out the grounds of the motion, add upon the following grounds, stating them concisely].

And take notice that in support of such motion will be read (state the affidavits or other evidence to be used).

Dated the _____ day of _____ 19 ____.

(Signed)

To _____
Solicitor for the _____

No. 35.

Notice of Motion in Chambers (Rule 213).

Take notice that an application will be made on behalf of _____ before the presiding Judge in Chambers (or the Master, or as the case may be) at Osgoode Hall, in the City of Toronto (or as the case may be) on _____ day the _____ day of _____, 19 ____, at _____ o'clock in the _____ noon, or so soon thereafter as the motion can be heard, for an order for (state object of applications).

And take notice, &c. (as in preceding form).

No. 36.

Notice to Produce at the Trial.

Take notice that you are hereby required to produce and show to the Court on the trial of this action all books, papers, letters, copies of letters, and other writings and documents in your custody, possession or power, containing any entry, memorandum or minute relating to the matters in question in this action, and particularly the following: *(set out a list of documents with dates and descriptions thereof)*.

Dated, &c.

(Signature)

To _____

No. 37.

Notice to Admit Documents (Evidence Act, R.S.O. 1937, ch. 119, sec. 50).

Take notice that the plaintiff [or defendant] in this cause proposes to adduce in evidence the several documents hereunder specified, and that the same may be inspected by the defendant [or plaintiff], his solicitor or agent at _____, on _____, between the hours of _____ and the defendant [or plaintiff] is hereby required, within 4 days from the said day, to admit that such of the said documents as are specified to be originals were respectively written, signed, or executed, as they purport respectively to have been; that such as are specified as copies are true copies, and such documents as are stated to have been served, sent, or delivered, were so served, sent, or delivered respectively; saving all just exceptions to the admissibility of all such documents as evidence in this cause.

Dated at _____ this _____ day of _____ A.D. 19 _____.

(Signature.)

Description of documents.

No. 38.

Indorsement on Office Copy of Judgment or Order of Reference when Parties Added (Rules 86 and 404).

To *(the person upon whom service is to be made)*.

Take notice, FIRST, that from the time of service of this notice you will be bound by the proceedings in this cause in the same manner as if you had originally been made a party, unless you within ten days after the service hereof apply to the Court to add to, vary or set aside the within judgment. And SECONDLY, that you may upon service of notice upon the plaintiff attend the proceedings under the within judgment.

No. 39.

Indorsement on the Copy Served of an Order Adding a Party (Rule 404).

To A.B. *(the person upon whom service has been directed)*.

If you wish to apply to discharge the within order or to add to, vary, or set aside, the judgment in this cause, you must do so within ten days from the service hereof. *(When the order fixes a time for the further proceedings, add)* And if you fail to move to discharge the said order or to add to, vary, or set aside the judgment, and fail to attend at the time and place appointed by said order, either in person or by your solicitor, such order will be made and proceedings taken, in your absence, as may seem just and expedient; and without any further notice you will be bound by the judgment, and the further proceedings in the cause, in the same manner as if you had been originally made a party.

No. 39A.

Indorsement on Copy Served of an Order Adding a Party (Rule 490 (2)).

To A.B. *(the person upon whom service has been directed)*.

If you wish to apply to discharge the within order or to add to, vary, or set aside the judgment in this action you must do so within ten days from the service hereof. If you desire an opportunity to redeem the mortgaged premises you are required to appear at the time and place mentioned in the Notice to Original Defendants, either in person or by your solicitor, and to file a memorandum in writing entitled in this action and signed by yourself or your solicitor to the following effect: "I desire an opportunity to redeem the property in question herein," and give an address for service.

If you fail to move to discharge the said order or to add to, vary, or set aside the judgment or to appear and file a notice desiring an opportunity to redeem, you will be bound by the judgment and the further proceedings in this action, in the same manner as if you had been originally made a party and will be deemed to submit to an immediate foreclosure *(or immediate sale, as the case may be)* and will receive no further notice.

No. 40.

Notice to Incumbrancers (Rule 470).

(The style of cause shall include the parties added.)

Whereas an action has been instituted by the above-named plaintiff for the foreclosure *(or sale)* of *(or enforcement of a lien on)* certain lands *(insert description of lands)* and I have been directed by the judgment made in this cause, and dated the _____ day of _____, to inquire whether any person, other than the plaintiff, has any charge or lien, or incumbrance upon the said estate. And whereas it has been made to appear before me that you have each some lien, charge or incumbrance upon the said estate, and I have therefore caused you to be made part _____ to this action, and have appointed _____ the _____ day of _____ at _____ o'clock in the _____ noon, for you to appear before me, at my Chambers at _____, either in person or by your solicitor, to prove your claims.

Now you are hereby required to take notice: 1st. That if you wish to apply to discharge my order making you a party, or to add to, vary, or set aside the judgment, you must do so within ten days after the service hereof; and if you fail to do so, you will be bound by the judgment, and the further proceedings in this action as if you were originally made a party to the action. 2nd. That if you fail to attend at the time and place appointed, you will be treated as disclaiming all interest in the land in question, and it will be dealt with as if you had no claim thereon, and your claim will be in fact foreclosed.

Dated this _____ day of _____ A.D. 19 _____

W. L., Master.

No. 41.

Notices to Parties by Writ Having Incumbrances (Rule 472).

(The style of cause shall include the parties added.)

Having been directed by the judgment in this action to inquire whether any person other than the plaintiff has any lien, charge or incumbrance upon the lands in question in this action subsequent to the plaintiff's claim, and to take an account of the amount due to the plaintiff and any such person. And it having been made to appear that you may have some lien, charge or incumbrance thereon you are hereby notified that I have appointed _____ day, the _____ day of _____ next at my Chambers in the Court House at _____ at _____ o'clock in the _____ noon to proceed with the said inquiry and to determine the amount of the claim of the plaintiff, and of such incumbrances as may come in and prove their claims before me

If you fail to attend upon such appointment and to prove your claim, the reference may proceed in your absence, and you will receive no further notice of the proceedings in this action, and you will be treated as disclaiming any lien, charge or incumbrance upon the said lands, and will stand foreclosed from any such claim.

Dated this _____ day of _____ 19 _____

W. L., Master.

To _____

No. 42.

Notice to All Original Defendants (Rule 472).

(The style of cause shall include the parties added.)

Having been directed by the judgment in this action to inquire whether any person other than the plaintiff has any lien, charge or incumbrance upon the lands in question in this action subject to the plaintiff's claim thereon.

You are hereby notified that it has been made to appear to me that the persons named in the schedule hereto may have some lien, charge or incumbrance thereon, and I have, therefore, caused such of them as are not already parties thereto to be added as parties in my office, and have appointed _____ day, the _____ day of _____ next at my Chambers in the Court House at _____ at _____ o'clock in the _____ noon to inquire and determine whether the said parties have any such lien, charge or incumbrance, and to fix and ascertain the amount thereof, and the amount of the plaintiff's claim upon his security.

If you do not then and there attend, the reference will be proceeded with in your absence, and you will receive no further notice of the proceedings in this action.

Dated this _____ day of _____ 19 _____

W. L., Master.

To _____

SCHEDULE OF ENCUMBRANCERS.
E.g.

- | | |
|-------|------------------|
| | Nature of Claim. |
| A. B. | Mortgage dated. |
| C. D. | Execution. |
| E. F. | Mechanic's Lien. |

No. 43.

Advertisement for Creditors (Rule 412).

(Court and Cause not necessary.)

TO THE CREDITORS OF A. B.

Pursuant to a judgment [or an order] in an action in the Supreme Court of Ontario of A. against B., the creditors of A.B., late of _____ in the County of _____, who died in or about the month of _____ 19 _____, are, on or before the day of _____ 19 _____, to send by post, prepaid, to E.F., of _____, the solicitor for the defendant C.D., the executor [or administrator] of the deceased [or as may be directed] their Christian and surnames, addresses and descriptions, the full particulars of their claims, a statement of their securities, and the nature of the securities (if any) held by them; or in default thereof, they will be peremptorily excluded from the benefit of the said judgment [or order] *(And where necessary add: Every creditor holding any security is to produce the same before me, at my Chambers, at _____ on the _____ day of _____, 19 _____, at _____ o'clock in the _____ noon, being the time appointed for adjudication on the claims).*

Dated this _____ day of _____, 19 _____

G. B., Master.

No. 44.

Notice to Creditors to Produce Vouchers and Documents (Rule 413).

You are hereby required to produce, in support of the claim sent in by you, against the estate of *A.B.*, deceased [*describe any document required*], before me, at my Chambers, at, &c., on the _____ day of _____, 19____, at _____ o'clock in the noon.

No. 45.

Notice to Creditor to Prove his Claim (Rule 413).

You are hereby required to prove the claim sent in by you against the estate of *A.B.*, deceased. You are to file such affidavit as you may be advised in support of your claim and give notice thereof to the Master [*or as the case may be*] on or before the day of _____, 19____, and attend personally, or by your solicitor, at his Chambers, on the _____ day of _____, 19____, at _____ o'clock in the _____ noon, being the time appointed for adjudicating on the claim.

No. 46.

Notice to Creditor that Claim Allowed.

The claim sent in by you against the estate of *A.B.*, deceased, has been admitted at the sum of \$ _____ [with interest thereon at _____ per cent. per annum, from the _____ day of _____, 19____, and \$ _____ for costs, *or as the case may be.*]

If part only admitted, add: If you claim to have a larger sum allowed, you are hereby required to prove such further claim, and you are to file [*&c., as in Form No. 48.*]

No. 47.

Notice that Cheques may be Received (Rule 436).

The cheques for the amounts directed to be paid to the creditors of *A.B.*, deceased, by an order made in this action [*or matter*] dated the _____ day of _____, 19____, may be obtained at the Accountant's Office, in Osgoode Hall, Toronto, on and after the _____ day of _____, 19____.

No. 48.

REPORTS, ETC., BY MASTERS, ETC.

Form of Report in Administration Suit.

Date

Pursuant to the judgment herein made, dated the _____ day of _____, 19____, having caused an office copy thereof to be served upon [*state the names of persons served, and also the names of those upon whom the service has been dispensed with, and the reason for dispensing with service*], I proceeded to dispose of the matters referred to me, and thereupon was attended by the solicitors for all parties interested [*or as the case may be*], and I find as follows:

1. The personal estate not specifically bequeathed of the testator come to the hands of the executors, and wherewith they are chargeable, amounts to the sum of \$ _____, and they have paid, or are entitled to be allowed thereout, the sum of \$ _____, leaving a balance due from [*or to*] them, of \$ _____, on that account.

[*If no personal estate, say:* No personal estate has come to the hands of the executors, nor are they chargeable with any].

2. The creditors' claims sent in pursuant to my advertisement in that behalf and which have been allowed, are set forth in the first schedule hereto, and amount altogether to \$ _____.

[*In no creditors, say:* No creditor has sent in a claim pursuant to my advertisement in that behalf, nor has any such claim been proved before me].

3. The funeral expenses of the testator amounting to \$ _____ have been paid by the executors and are allowed to them in the account of personal estate.

4. The legacies given by the testator are set forth in the second schedule hereto, and with the interest therein mentioned, remain due to the persons named [*or as the case may be*].

5. The personal estate of the said testator outstanding or undisposed of, is set forth in the third schedule hereto.

In this third schedule personal estate not specifically bequeathed should be set forth separately from the other personally outstanding or undisposed of. If there is no specific bequest, it should be so stated in the body of the report.

6. The real estate which the said testator was seized of or entitled to, and the incumbrances [*if any*] affecting the same, are set forth in the fourth schedule hereto.

7. The rents and profits of the testator's real estate received by the said executors, or with which they are chargeable, amount to \$ _____ and they have paid, or are entitled to be allowed thereout, the sum of \$ _____, leaving a balance due from [*or to*] them of \$ _____ on that account.

[*If no rents, etc., received, say:* No rents and profits have come to the hands of the said executors, nor are they chargeable with any].

8. I have allowed the said executors the sum of \$ _____ as a compensation for their personal services in the management of the said estate.

9. I have caused the real estate (other than parcels which were specifically devised) to be sold and the purchasers have paid their purchase money into Court.

10. In the schedule I have shown how the money in Court is to be dealt with.

The First Schedule Referred to in the Foregoing Report.

No.	Names of Creditors	Principal	Interest Allowed		Costs of this Suit	Total
			Rate per Cent	Amount to date of Report		
		\$ c.		\$ c.	\$ c.	\$ c.
	[Distinguish any which are secured by mortgage, lien, or otherwise entitled to any priority.]					

[No general form can well be framed for the other Schedules, but in all cases brevity is to be studied. Where particulars are given they should show merely the general character of the things described; as, for instance, the Schedule of outstanding personalty may say: A number of book debts outstanding amounting in the aggregate to \$; a quantity of household furniture and effects valued at \$; and the like short particulars should be given in other cases. Lands should be described without setting forth metes and bounds.]

No. 49.

Standing Conditions of Sale (Rule 441).

1. No person shall advance less than \$10 at any bidding under \$500, nor less than \$20 at any bidding over \$500, and no person shall retract his bidding.

2. The highest bidder shall be the purchaser; and if any dispute arise as to the last or highest bidder, the property shall be put up at a former bidding.

3. The parties to the action, with the exception of the vendor, (and, *naming any parties, trustees, agents, or others, in a fiduciary situation*), shall be at liberty to bid.

4. The purchaser shall, at the time of sale, pay down a deposit, in proportion of \$10 for every \$100 of the purchase money, to the vendor, or his solicitor; and shall pay the remainder of the purchase money on the day of next; and upon such payment, the purchaser shall be entitled to the conveyance, and to be let into possession; the purchaser at the time of sale to sign an agreement for the completion of the purchase.

5. The purchaser shall have the conveyance prepared at his own expense, and tender the same for execution.

6. If the purchaser fails to comply with the conditions aforesaid, or any of them, the deposit and all other payments made thereon, shall be forfeited, and the premises may be re-sold; and the deficiency, if any, by such re-sale, together with all charges attending the same, or occasioned by the defaulter, are to be made good by the defaulter.

No. 50.

Report on Sale (Rule 446).

Pursuant to the judgment, bearing date the day of , and made in this cause, I have, in the presence of (or, after notice to), all parties concerned, settled an advertisement and particulars and conditions of sale, for the sale of the lands mentioned or referred to in the said judgment (or order), and such advertisement having been published, according to my directions, the said lands were offered for sale by public auction, according to my appointment, on the day of , by me (or by Mr. of , appointed by me for that purpose, auctioneer), and such sale was conducted in a fair, open and proper manner, when of was declared the highest bidder, for and became the purchaser of the same, at the price or sum of \$, payable as follows (set out shortly the conditions of sale as to payment of the purchase money).

All which having been proved to my satisfaction by proper and sufficient evidence, I humbly certify.

SUBPOENAS, ETC., FOR EXAMINATION OF WITNESSES, ETC.

(See general note at head of forms.)

No. 51.

Subpoena Duces Tecum (General Form) (Rule 273).

Name and title of Sovereign.

To , greeting.

We command you to attend before _____ at _____
 on _____ day the _____ day of _____
 19 _____, at the hour of _____ in the _____
 noon, and so from day to day [until the
 above cause is tried, *or as may be*] to give evidence
 [or for examination for discovery *or as may be*] on
 behalf of the _____ and also to bring with
 you and produce at the time and place aforesaid
 (*specifying documents to be produced*).

In witness whereof this subpoena is signed for the
 Supreme Court of Ontario by _____ Registrar
 of the said Court at Toronto (or by _____
 Local Registrar of the said Court at _____)
 this _____ day of _____ 19 _____ .

(Seal) _____
 (Signature of Officer.)

No. 52.

Subpoena (at Trial) (Rule 273).

Name and title of Sovereign.

To _____, greeting.

We command you to attend at the sittings of the
 Supreme Court of Ontario in and for the county of _____
 _____, to be holden at _____ on _____
 day the _____ day of _____
 19 _____, at the hour of _____ in the _____ noon,
 and so from day to day during the said sittings until
 the above cause is tried, to give evidence on behalf
 of the _____, and also bring with you and
 produce at the time and place aforesaid [*here specify
 documents to be produced*].

In witness whereof this subpoena is signed for the
 Supreme Court of Ontario by _____ Registrar
 of the said Court at Toronto (or by _____
 Local Registrar of the said Court at _____)
 this _____ day of _____ 19 _____ .

(Seal) _____
 (Signature of Officer.)

No. 53.

Habeas Corpus ad Testificandum (Rule 230).

Name and title of Sovereign.

To the [keeper of our prison at].

We command you that you bring _____, who
 it is said is detained in our prison under your custody,
 before _____ at _____ on _____
 day the _____ day of _____ at the hour
 of _____ in the _____ noon, and so from
 day to day until the above action is tried, to give
 evidence on behalf of the _____. And that
 immediately after the said _____ shall have so
 given his evidence you safely conduct him to the
 prison from which he shall have been brought.

In witness whereof this writ is signed for the

Supreme Court of Ontario by _____ Registrar
 of the said Court at Toronto (or by _____
 Local Registrar of the said Court at _____)
 this _____ day of _____ 19 _____ .

(Seal) _____
 (Signature of Officer.)

No. 54.

Warrant for Arrest of a Defaulting Witness (Rule 276).

Province of Ontario,

County of _____

To E.F., Sheriff, etc.

Whereas proof has been made before me that *H.N.*
 was duly subpoenaed to give evidence on behalf of the
 plaintiff (*or as the case may be*), in this cause at the
 sittings of (*as the case may be*) at Toronto (*or as the
 case may be,*) which commenced on the
 day of _____ 19 _____, that the presence of the
 said *H.N.* is material to the ends of justice; and that
 the said *H.N.* has failed to attend in accordance with
 the requirements of the subpoena.

These are therefore to command you to take the
 said *H.N.* and to bring and have him before me at
 the said sittings, or before such other Judge as may
 be presiding thereat, there to testify what he may
 know concerning the matters in question in the said
 cause, and that you detain him in your custody until
 he shall have given his evidence, or until the said
 sittings shall have ended, or until other order be made
 by the Court concerning him.

Given under my hand, this _____ day of _____
 A.D. 19 _____, at _____

No. 55.

Commission to Examine Witnesses (Rule 277).

(Court and Cause.)

Name and title of Sovereign.

To _____, greeting.

Know ye that We, in confidence of your prudence
 and fidelity, have appointed you a Commissioner for
 the purpose of taking evidence in the above cause now
 pending in Our said Court; and We do hereby give
 you full power and authority to administer all necessary
 oaths and to do all things necessary for the taking
 of the evidence more particularly mentioned in the
 order for the issue of this Commission, a copy whereof
 is hereunto attached. Forthwith after taking such
 evidence you will return the same, together with these
 presents. In the execution of this Commission, you
 will have due regard to the general rules of practice
 relating to Commissions, hereunto appended, and the
 terms of the order hereto attached and the instructions
 hereunder written.

Witness the Honourable _____, Chief Justice of Our said Court at Toronto, this day of _____, in the year of Our Lord one thousand nine hundred and _____

(Signature of Officer.)

Issued from the _____ office of the Supreme Court of Ontario, at _____ in the County of _____ under and pursuant to the order of _____ bearing date the _____ day of _____, A.D. 19 _____.

(Signature of Officer.)

INSTRUCTIONS TO COMMISSIONER.

(1) See that proper notice is given to the parties concerned.

(2) Follow strictly all the requirements of the general rules and special order attached hereto.

(3) Before acting on this commission take the commissioner's oath hereon indorsed.

(4) After the commission has been executed, attach the depositions, exhibits and all other papers to the commission, and complete and sign the "Commissioner's Return" indorsed hereon.

(5) Securely enclose the commission and attached papers, and mail them in a sealed envelope to _____ by prepaid registered post. Indorse the envelope as follows: "Commission in _____ vs. _____." (Signature of Commissioner)."

(6) USE THE FOLLOWING FORMS OF OATH.

Clerk's Oath.

You shall truly, faithfully, and without partiality to any or either of the parties in this cause, take, write down, transcribe, and engross all and every the questions which shall be exhibited or put to all and every witness and witnesses, and also the depositions of all and every such witness and witnesses produced before and examined by the said commissioners named in the commission within written, as far forth as you are directed and employed by the commission to take, write down, transcribe or engross the said questions and depositions. So help you God.

Witnesses' Oath.

You are true answer to make to all such questions as shall be asked you, without favour or affection to either party, and therein you shall speak the truth, the whole truth, and nothing but the truth. So help you God.

Interpreter's Oath.

You shall truly and faithfully, and without partiality to any or either of the parties in this cause, and to the best of your ability, interpret and translate the oath or oaths, affirmation or affirmations which shall be administered to, and all and every the questions which shall be exhibited or put to all and every witness and witnesses produced before and examined by the commissioners named in the commission within written,

as far forth as you are directed and employed by the said commissioners, to interpret and translate the same out of the English into the language of such witness or witnesses, and also in like manner to interpret and translate the respective depositions taken and made to such questions out of the language of such witness or witnesses into the English language. So help you God.

(7) Notice of the execution of this commission is to be given to _____ representing the plaintiff and to _____, representing the defendant.

(Signature of Officer issuing Commission.)

GENERAL RULES.

(Copy Rules 280 to 290, inclusive.)

NOTE.—The Commissioner's oath may be taken: In England or Ireland before a Commissioner authorized to administer oaths in the Supreme Court of Judicature of England or Ireland; in England or Ireland before a Judge of the Supreme Court of Judicature of England or Ireland; in Scotland before a Judge of the Court of Session or the Justiciary Court of Scotland; before a Judge of any of the County Courts of Great Britain or Ireland, within his county; in Great Britain or Ireland, or in any Colony of His Majesty, or in any foreign country, before the Mayor or Chief Magistrate of any City, Borough, or Town corporate, certified under the common seal of such City, Borough, or Town corporate; in any colony belonging to the Crown of Great Britain, or any dependency thereof, or in any foreign country before a Judge of any Court of Record or of, supreme jurisdiction; in the British Possession in India, before any Magistrate or Collector certified to have been such under the hand of the Governor of such Possession; in Quebec, before a Judge or Prothonotary of the Superior Court or Clerk of the Circuit Court; in any foreign place, before any Consul, Vice-Consul or Consular Agent of his Majesty exercising his functions; before a Notary Public and certified under his hand and official seal; or before a Commissioner authorized by the laws of Ontario to take such affidavits.

THE COMMISSIONER'S OATH.

I, _____ the Commissioner within named, do hereby swear that I will, according to the best of my skill and knowledge, truly and faithfully and without partiality to any or either of the parties in this case, take the evidence of each and every witness produced and examined by virtue of this commission, and will cause the said depositions so taken to be truly and faithfully transcribed and returned. So help me God.

(Signature of the Commissioner.)

Sworn before me at _____, this _____ day of _____, 19 _____.

(Signature and office of person before whom oath taken.)

RETURN TO THE WITHIN COMMISSION.

The return to the within Commission appears by the depositions and papers thereunto annexed; and I,

the undersigned Commissioner, do hereby certify that the proper oaths were administered by me to the Clerk taking down and transcribing the said evidence, and to the witnesses whose depositions are hereunto attached (and to any interpreter called upon by me to interpret the evidence of any of the said witnesses), and that the said depositions were duly and properly taken by me, and that the evidence was duly and correctly transcribed.

(Signature of Commissioner.)

ORDERS.

NOTE.—In all orders except decretal orders and vesting orders the shortened style of cause shall be sufficient, e.g., Between John Jones and others, Plaintiffs, and Aaron Smith and others, Defendants. (Rule 190).

No. 56.

Praeceptum Order for Security for Costs (Rule 375).

Upon application of the defendant, C.D., and it appearing by the indorsement of [the copy of the writ of summons] served on said defendant that the said plaintiff resides at _____ out of the jurisdiction of this Court.

1. It is ordered, that the plaintiff do within four weeks from the service of this Order, give security on his behalf in the penal sum of four hundred dollars, to answer the defendant's costs of this action, and that all proceedings be in the meantime stayed.

2. And it is further ordered, that in default of such security being given by the plaintiff this action be as against such defendant dismissed with costs, unless the Court or Judge upon special application for that purpose otherwise orders.

No. 57.

Praeceptum Order to Continue Proceedings (Rule 301).

Upon the application of _____, alleging that since the _____ day of _____ in this action, and about the _____ day of _____ A.D. 19____, the above-named _____ departed this life, having (recite facts showing who are the legal representatives), who _____ now the legal representative _____ of the said _____; and further alleging that it is desirable or necessary that this action should be continued at the suit of _____ as part _____ plaintiff thereto against _____ as part _____ defendant thereto.

It is therefore ordered that this cause may be continued at the suit of _____ as part _____ plaintiff thereto against _____ as part _____ defendant thereto (by order to proceed) and that the same and all proceedings therein do stand in the same plight and condition as they were in at the time of the _____ as aforesaid.

No. 58.

Notice to be Indorsed Upon Such Order (Rule 302).

Take notice that if you desire to discharge this Order you must apply to the Court for that purpose within ten days after the service of this Order upon you. (When the Order is served upon a new party added by the Order add:) The Proceedings in this action are being carried on in the (Central Office at Osgoode Hall, Toronto—or as the case may be) and (here shortly state the present position of the action).

No. 59.

Praeceptum Order to Tax a Solicitor's Bill Delivered (on Client's Application).

(Solicitors Act, R.S.O. 1937, ch. 223, sec. 33.)

In the Supreme Court of Ontario.

(Date.)

In the matter of A.B., gentleman, one of the Solicitors of the Supreme Court of Ontario.

Upon the application of _____, and the applicant submitting to pay what, if anything, shall be found due to the said Solicitor upon taxation of the bill hereinafter mentioned.

It is ordered that the bill of fees, charges and disbursements delivered to the applicant by the above-named Solicitor be referred to _____ to be taxed.

No. 60.

The same (on Solicitor's Application).

[Title, date, etc., as in Form 59.]

Upon the application of the above-named Solicitor

It is ordered that the bill of fees, charges and disbursements delivered by the said Solicitor to _____ be referred to _____ to be taxed.

There shall be below the signature of the officer the following notice:

"Warning to the Client—The taxing officer will certify what, if anything, is due by you to the solicitor and, upon confirmation of his report, payment may be enforced by execution."

No. 61.

Praeceptum Order for Delivery and Taxation of a Solicitor's Bill of Costs.

[Title, date, etc., as in Form 59.]

Upon application of _____, and the applicant hereby submitting to pay what, if anything, shall be

found due to the said solicitor upon the taxation of the bill hereinafter mentioned.

It is ordered that the above-named solicitor do, within 14 days from the service of this order, deliver to the applicant a bill of fees, charges and disbursements and that the same, when delivered, be referred to the _____ to be taxed.

No. 62.

Court Order General Form (Rule 511, et seq.)

In the Supreme Court of Ontario.

The Honourable The Chief Justice of the High Court (or as the case may be) } day, the _____ day of A.D. 19 ____ .
Between A.B., etc., Plaintiffs, and C.D., etc., Defendants.

Upon motion made this day unto this Court on behalf of the _____ and upon hearing read

(where necessary add no one appearing for though duly served with notice as by affidavit of appears).

- 1. This Court doth order
2. And this Court doth further order

(Signature of Officer.)

No. 63.

(Order in Chambers, General Form (Rule 511 et seq.)

In the Supreme Court of Ontario.

(Name of the Judge or officer thus) } day, the _____ day of A.D. ____ .
The Honourable Mr. Justice In Chambers, or The Master (as the case may be) } Between A.B., Plaintiff, and C.D., Defendant.

Upon the application of _____ and upon reading the affidavit of _____ filed and upon hearing the solicitor (or counsel) for _____

(where any recital is necessary, and it appearing that, etc.)

- 1. It is ordered that
2. And it is further ordered that the costs of this application be _____

No. 64.

Order for Service out of the Jurisdiction (Rule 25 et seq.)

Upon the application of _____, and upon reading the affidavit of _____ filed, and upon hearing the solicitor (or counsel) for the plaintiff _____

1. It is ordered that the plaintiff be at liberty to issue a writ for service out of the jurisdiction on the defendant _____ who is at (give definite address), [or may probably be found within (indicating as precisely as possible the area, district or country.)]

2. And it is further ordered that service of the said writ of summons [and when necessary and of the Statement of Claim to be served therewith] and of this order upon the defendant at (or within (as the known circumstances may best demand) shall be good and sufficient service of the said writ [and when necessary and Statement of Claim] upon the said defendant.

3. And it is further ordered that the time for appearance to the said writ be within _____ days after the service thereof [and when necessary and that the Statement of Defence be delivered within ten days after the time limited for appearance].

No. 65.

Order for Particulars (Rule 138).

Upon the application of _____, and upon reading the affidavit of _____, and upon hearing the solicitor (or counsel) for _____

1. It is ordered that the plaintiff (or defendant) deliver to the defendant (or plaintiff) [an account in writing of the particulars of the plaintiff's claim in this action (or particulars of the _____ paragraph of the statement of claim or defence, stating in what as may be ordered)], and that unless such particulars be delivered within _____ days from the date of this order [all further proceedings be stayed until the delivery thereof, or as may be ordered].

2. And it is further ordered that the costs of this application be _____

No. 66.

Order to Dismiss for Want of Prosecution (Rule 323).

Upon the application of _____, and upon reading the affidavit of _____ filed, and upon hearing the solicitor (or counsel) for _____

It is ordered that this action be and the same is hereby dismissed for want of prosecution with costs, including the costs of this application, to be paid to the defendant by the plaintiff, forthwith after taxation.

No. 67.

Stop Order (Rule 726).

Upon the application of _____ and upon reading the affidavit of _____ filed, and

upon hearing the solicitor for [the applicant] and the applicant by his solicitor submitting to be bound by any order the Court may make as to costs or damages occasioned by this order.

It is ordered that any costs or moneys now standing or hereafter to be paid into Court to the credit of this cause (or matter) to which the (*naming the party*) is entitled or which may be directed to be paid to him and any interest to accrue due thereon be not paid out or otherwise dealt with or disposed of without notice to the said (applicant).

No. 68.

Order for Commission to Examine Witnesses.

Upon the application of _____, and upon reading the affidavit of _____ filed, and upon hearing the solicitor (or counsel) for _____

1. It is ordered that a commission may issue out of this Court directed to _____ for the examination *viva voce* of witnesses on behalf of the said _____ at _____.

2. And it is further ordered that within _____ days after service of this order the _____ do serve a notice giving _____ the name and place of business of _____ agent in _____ afore-said, upon whom notice of the said examination may be served.

3. And it is further ordered that _____ days previously to the sending out of the said commission, the solicitor of the said _____ shall give to the solicitor of the said _____ notice in writing of the mail or other conveyance by which the commission is to be sent out.

4. And it is further ordered that upon the execution of the said commission the said commission and the depositions of the witnesses be without delay after the said commission shall have been executed transmitted to the office of the _____ of the _____ this Court at _____.

(*In undefended Matrimonial Causes in place of paragraphs 2 and 3 above insert the following*):

And it is further ordered that each of the defendants be served with a notice of the time and place of the said examination not less than _____ days before the time fixed therefor.

No. 69.

Order of Reference (R.S.O. 1937, ch. 100, sec. 64, et seq.)

Upon the application of _____, and upon reading the affidavit of _____ filed, and upon hearing the solicitor (or counsel) for _____

1. It is ordered that the following questions arising in this action, namely, _____ be referred for inquiry and report to _____

2. And it is further ordered that the costs of this application be _____

No. 70.

Order of Reference (another form) (R.S.O. 1937, ch. 100, sec. 64, et seq.)

Upon motion this day made unto this Court by counsel for the plaintiff in presence of counsel for the defendant upon hearing read the pleadings and the affidavit of _____ filed, and upon hearing counsel aforesaid.

1. This Court doth order that the [*state whether all or some and, if so, which of the questions are to be tried*] in this action be referred to _____ for trial.

2. (*To be used in a case where it is not necessary to reserve any questions as to costs or otherwise.*) And this Court doth further order that the defendant (or the party by whom any amount shall be found by the referee to be due) to pay to the plaintiff (or the party to whom such amount shall be found due) the amount which the _____ shall find to be payable, forthwith after the confirmation of the report.

3. And this Court doth further order that the said _____ do determine the question of the costs of this action and of the said reference, and that the said costs shall be taxed and shall be paid as the said _____ shall direct.

No. 71.

Order for Examination of Witnesses before Trial (Rule 271).

Upon the application of _____, and upon reading the affidavit of _____ filed, and upon hearing the solicitor (or counsel) for _____

1. It is ordered that _____ a witness on behalf of the _____, who is said to be unable to attend the trial by reason of absence from the jurisdiction (*or as the case may be*) be examined *viva voce* on oath before _____ on _____ days' notice in writing of the time and place where the examination is to take place being given to the _____ solicitor. (*In undefended Matrimonial Causes the word "defendants" should be inserted in place of the word "solicitor"*).

2. And it is further ordered that the examination so taken or an office copy thereof may be read and given in evidence at the trial, saving all just exceptions, without any further proof of the absence (*or as the case may be*) of the said witness than the affidavit of the _____ or his solicitor as to his belief.

No. 72.

*Garnishee Order (Attaching Debts).**In the Supreme Court of Ontario.*

The Master (or as the case may be). (Date.)

Between A. B., Judgment Creditor,
and
C. D., Judgment Debtor,
and
E. F., Garnishee.

Upon the application of _____, and
upon reading the affidavit of _____ filed,
and upon hearing the solicitor (or counsel) for _____

1. It is ordered that all debts owing or accruing due from the above-named garnishee to the above-named judgment debtor be attached to answer a judgment recovered against the said judgment debtor by the above-named judgment creditor on the day of _____, 19____, for the sum of \$ _____, on which judgment the said sum of \$ _____, remains due and unpaid, and any other judgments against the said judgment debtor entitled by law to share therein.

2. And it is further ordered that the said garnishee attend before the _____ in Chambers (or as the case may be) on _____ day the _____ day of _____, 19____, at _____ o'clock in the _____ noon, on an application by the said judgment creditor that the said garnishee pay to the said judgment creditor the debt due from him to the said judgment debtor, or so much thereof as may be sufficient to satisfy the judgment.

No. 73.

Notice of Garnishee Order, in Lieu of Order, to be Served out of Ontario (Rule 590 [2].)

To E. F., of _____

Take notice that an order has been obtained attaching all debts owing or accruing due from you to the above-named judgment debtor, to answer a judgment recovered against the said judgment debtor by the above-named judgment creditor on the day of _____, 19____, for the sum of \$ _____, on which judgment the sum of \$ _____ remains due and unpaid, and any other judgments against the said judgment debtor entitled by law to share therein.

And take further notice that an order has also been obtained appointing the _____ day of _____, 19____, at _____ o'clock in the forenoon, for the making of an application before _____ at _____ by the said judgment creditor for a further order that you pay to the said judgment creditor the debt due to the said judgment debtor from you, or so much thereof as may be sufficient to satisfy the said judgment; and an application will be made accordingly, and if you do not attend on the return of the said motion an order may be made in your absence.

No. 74.

Garnishee Order (Final) (Rule 594).

Upon the application of _____, and
upon reading the affidavit of _____ filed, and
the order herein dated the _____ day of _____, 19____, whereby it was ordered that all debts owing or accruing due from the above-named garnishee to the above-named judgment debtor should be attached to answer a judgment recovered against the said judgment debtor by the above-named judgment creditor on the _____ day of _____, 19____, for the sum of \$ _____, on which judgment the sum of \$ _____ remained due and unpaid, and upon hearing the solicitor (or counsel) for _____

1. It is ordered that the said garnishee do forthwith pay the debt due from him to the said judgment debtor into Court to the credit of this matter.

2. And it is further ordered that the costs of the judgment creditor of this application be first paid from the said money and that the balance be then paid to the sheriff of the County of _____ to be dealt with under the provisions of *The Creditors' Relief Act*.

No. 75.

Interpleader Order (when Claim barred) (Rule 630).

Upon the application of the said sheriff for an interpleader order, and upon reading the affidavit of _____ filed, and upon hearing the solicitor (or counsel) for _____ and the said claimant not appearing though duly served with notice as by affidavit of _____ appears

1. It is ordered that the claimant and all persons claiming under him be and they are hereby forever barred of and from all claim to the goods and chattels seized herein by the said sheriff as against _____ and that no action be brought against the above-named [sheriff] for or in respect to the seizure of said goods.

2. And it is further ordered that the costs of this application be _____

No. 76.

Interpleader Order (when Claimant substituted as Defendant).

Upon the application of _____, and
upon reading the affidavit of _____ filed,
and upon hearing the solicitor (or counsel) for _____

1. It is ordered that the above-named claimant be substituted as defendant in this action in lieu of the present defendant.

2. And it is further ordered that the costs of this application be _____

No. 77.

Interpleader Order (when issue directed).

Upon the application of the said sheriff for an interpleader order, and upon reading the affidavit of filed, and upon hearing the solicitor (or counsel) for

1. It is ordered that the said sheriff proceed to sell the goods seized by him under the writ of *feri facias* issued herein, and pay the net proceeds of the sale, after deducting the expenses thereof (or as otherwise ordered), into Court in this cause, to abide further order herein.

Or, It is ordered that upon payment into Court by the said claimant within from this date of the sum of \$ (or of the appraised value of the goods and chattels seized by the said sheriff herein, together with the expenses of appraisal), or upon the said claimant within the same time giving to the execution creditor security to the satisfaction of for the payment of the same amount by the said claimant according to the directions of any order to be made herein, and upon payment of the said claimant to the above-named sheriff of the possession money from (the date of his notice of motion or of the order or such date as may be proper), and upon production to the said sheriff of the Accountant's certificate that the money has been paid into Court, or the certificate of the said that security has been given as aforesaid, the said sheriff do withdraw from the possession of the goods and chattels seized by him under the writ of *feri facias* herein.

And it is further ordered that unless such payment be made (including the sheriff's possession money) or such security be given within the time aforesaid, or in case before the expiration of the time aforesaid, the claimant desires the said goods and chattels to be sold by the said sheriff the said sheriff proceed to sell the said goods and chattels, and pay the proceeds of the sale, after deducting the expenses thereof (or as otherwise ordered) and the possession money as aforesaid, into Court to the credit of this matter, to abide further order herein.

2. And it is further ordered that the parties proceed to the trial of an issue in the Supreme Court of Ontario (or in the County Court of the County of), in which the claimant (or execution creditor) shall be plaintiff and the execution creditor (or claimant) shall be defendant, and that the question to be tried shall be whether at the time of [insert here the delivery of the said writ to the sheriff or the seizure by the sheriff or the sale by the sheriff as the case may require] the goods and chattels seized [in case the claimant is plaintiff were the property of the claimant as against the execution creditor] [or in case the execution creditor is plaintiff were exigible under the execution of (the execution) as against the claimant].

3. And it is further ordered that such issue be prepared and delivered by the plaintiff therein within from this date, and be returned by the defendant therein within days thereafter and be tried at

4. And it is further ordered that the question of costs and all further questions be reserved to be disposed of by the Judge at the trial of the said issue, or if not so disposed of then to be disposed of in Chambers.

5. And it is further ordered that any other execution creditors desiring to take part in the contest of the said issue shall be at liberty to do so upon placing their executions against the goods of the defendant in the hands of the said sheriff within (ten) days from this date and upon notifying within the same time the solicitors for (an execution creditor) (who shall have the conduct of the said issue for all execution creditors taking part in it) of their desire to come in and of their agreement to contribute *pro rata* to the expense of the said contest according to the statute in that behalf.

6. And it is further ordered that no action be brought against the said sheriff for or in respect of the seizure of the said goods and chattels or for anything done under this order.

No. 78.

Interpleader Order (when summary trial).

Upon the application of the sheriff of for an interpleader order and upon hearing read the affidavits of and upon hearing the solicitor (or counsel) for , and the claimant and the execution creditor having requested and consented that the merits of the claim made by the claimant be disposed of and determined in a summary manner.

1. And it is ordered that

2. And it is further ordered that the costs of this application be

No. 79.

Interpleader Order (when claim for rent admitted).

Upon the application of the sheriff of for an interpleader order, and upon reading the affidavit of filed, and upon hearing the solicitor (or counsel) for

1. It is ordered that the above-named sheriff proceed to sell enough of the goods seized under the writ of *feri facias* issued in this action to satisfy the expenses of the said sale, the rent (if any) due, the claim of the claimant, and this execution.

2. And it is further ordered that out of the proceeds of the said sale, (after deducting the expenses thereof, and rent, if any), the said sheriff pay to the claimant the amount of his said claim, and to the execution creditor the amount of his execution, and the residue, if any, to the defendant.

3. And it is further ordered that no action be brought against the said sheriff, and that the costs of this application be

No. 80.

Order of Replevin (Rule 359).

Upon the application of the above-named plaintiff, and upon reading the affidavit of _____ filed, and upon hearing the solicitor (or counsel) for _____

1. It is ordered that the sheriff of (*here insert the name of County, United Counties, District or City*), do without delay take the security required by Rule 352 [*and where Rule 363 applies add and Rule 363*] and cause to be replevied to the plaintiff his goods, chattels and personal property following, that is to say (*here set out description of property as in the affidavit filed*), which the said plaintiff alleges to be of the value of \$ _____, and to have been taken and unjustly detained (or unjustly detained, as the case may be) by the defendant, *C.D.*, in order that the said plaintiff may have his remedy in that behalf.

2. And it is further ordered that the said sheriff do forthwith after the execution of this order, make return to (*insert here the officer in whose office the appearance in the action is to be entered*) what he shall have done in the premises, and do also return this order.

No. 81.

Order of Withernam (Rule 367).

Upon the application of the plaintiff, and it appearing by the return of the sheriff of the _____ of _____, to the order of replevin made herein on the _____ day of _____, that the goods, chattels and personal property mentioned in the said order have been elogned by the defendant, *C.D.*, out of the bailiwick of the sheriff of _____, to places to him unknown so that he could not replevy the same to the said plaintiff.

1. It is ordered that the said sheriff do forthwith take in withernam the goods, chattels and personal property of the said defendant, *C.D.*, in his bailiwick, to the value of the goods, chattels and personal property by the said defendant, *C.D.*, before taken, and do forthwith deliver them to the said plaintiff to be kept by him until the said defendant, *C.D.*, delivers the goods, chattels and personal property last aforesaid to the said plaintiff.

2. And it is further ordered that if the said plaintiff shall give security to the said sheriff as provided by law for the prosecution of the plaintiff's claims and for the return of the goods, chattels and property so to be taken in withernam, as aforesaid, if the return thereof shall be adjudged, then the said sheriff do take security with two sufficient sureties from the said defendant, *C.D.*, to answer to the said plaintiff for the taking and unjustly detaining of his goods, chattels and personal property aforesaid.

3. And it is further ordered that the said sheriff do forthwith make return to [the Registrar's Office, Osgoode Hall, Toronto, or name the officer in whose

office the proceedings were commenced], what he shall have done in the premises, and do also return this order.

No. 82.

Order of Certiorari (Rule 623).

Upon the application of _____, and upon reading the affidavit of _____ filed, and upon hearing the solicitor (or counsel) for _____

It is ordered that _____ do send to the Registrar's Office at Osgoode Hall, Toronto (*or as may be necessary*) forthwith (*or on the* _____ day of _____) the _____, with all things touching the same, as fully and entirely as they remain in his custody, together with this order, that this Court may further cause to be done thereupon what it shall see fit to be done.

No. 83.

Order of Prohibition (Rule 623).

Style of cause thus:

In the matter of an action in the Division Court of the County of _____ wherein *A.B.* is plaintiff and *C.D.* is defendant:

Upon the application of _____, and upon reading the affidavit of _____ filed, and upon hearing the solicitor (or counsel) for _____, and it appearing that the said _____ has [entered an action against] *C.D.* in the said Court, and that the said Court has no jurisdiction in the said [action] or to hear and determine the said [action] by reason that [*state facts shewing want of jurisdiction*].

It is ordered that the said be _____ and he is hereby prohibited from further proceeding in the said [action] in the said Court.

No. 84.

Order for Arrest (R.S.O. 1937, ch. 128).

Upon the application of _____, and upon reading the affidavit of _____ filed, and upon hearing the solicitor (or counsel) for _____

1. It is ordered that the sheriff of the County, United Counties or City where *C.D.*, the defendant (*or one of the defendants*), may be found, do forthwith arrest and take, or if already in custody, do detain the said *C.D.* and him safely keep until he shall have given security in this action for the sum of \$ _____, or shall by other lawful means be discharged from custody.

2. And it is further ordered that a copy of this order be served by the said sheriff on the said *C.D.*

3. And it is further ordered that the said _____ do, within ten days after his arrest under this order,

cause security to be put in for him in this Court and in this action, either by the deposit in Court of the said sum of \$ _____, or by bond or other security, pursuant to the Rules of Court in that behalf, conditioned that the defendant will pay the amount by any judgment in the action adjudged to be recovered or directed to be paid either as a debt or for damages or costs, or will render himself to the custody of the sheriff, or that his sureties will do so for him.

No. 85.

Order for Leave to Issue Execution Where Judgment Assigned and Execution Debtor Dead (Rule 566).

Upon the application of *X.Y.Z.* and upon reading the affidavit of *E.F.* filed, and it appearing that since judgment was recovered in this action the said plaintiff assigned the same and the full benefit thereof and the moneys thereby secured to the said *X.Y.Z.* and it further appearing that on the _____ day of _____, A.D. 19____, *C.D.*, the defendant herein, died intestate and that Letters of Administration to the estate of the said *C.D.*, deceased, were issued out of the Surrogate Court of the County of _____ in the Province of Ontario, on the _____ day of _____, A.D. 19____, to *G.H.* as sole administratrix of the said estate of the defendant, *C.D.*, deceased;

It was ordered that the said *X.Y.Z.* be at liberty to issue forthwith a writ or writs of execution against the goods and chattels and lands and tenements which were of *C.D.*, the defendant, deceased, at the time of his death in the hands of *G.H.* to be administered to recover the full amount of the judgment debt, interest and costs and that the costs of this order fixed at \$ _____ be added to the plaintiff's costs and that all moneys recovered thereon be paid to the said *X.Y.Z.*

JUDGMENTS.

NOTE.—The full style of cause is necessary in all judgments (*Rule 190*).

NOTE.—Judgments should be divided into convenient paragraphs numbered consecutively.

No. 86.

Default of Appearance or Defence in Case of Liquidated Demand (Rule 37).

The _____ day of _____, 19____.

The defendants [or the defendant, *C.D.*] not having appeared herein [or not having delivered any statement of defence], it is this day adjudged that the plaintiff recover against the said defendant \$ _____, and [costs to be taxed, or where the officer signing judgments is also the Taxing Officer, \$ _____ for costs.]

Judgment signed the _____ day of _____, 19____.

(Signature of Officer.)

The following may be appended to any judgment at or after the signing of the Judgment on production of the Taxing Officer's certificate:

The above costs have been taxed and allowed at \$ _____, as appears by a taxing officer's certificate dated the _____ day of _____, 19____.

(Signature of Officer).

No. 87.

Judgment in Default of Appearance in Action for Recovery of Land (Rule 41).

No appearance having been entered to the writ of summons herein, it is this day adjudged that the plaintiff recover possession of the land in the said writ mentioned, being (*describing the land*). [*Where plaintiff is so entitled add "and do also recover against the said C.D. (the defendant) his costs to be taxed or \$ _____ for costs."*]

No. 88.

Judgment in Default of Defence in Action for Recovery of Land (Rule 355).

No statement of defence having been delivered herein, it is this day adjudged that the plaintiff recover possession of the land in the statement of claim herein mentioned being _____ and do also recover against the said *C.D. (the defendant)* [his costs to be taxed or \$ _____ for costs].

No. 89.

Judgment in Default of Defence in Action for Recovery of Land with Damages (Rule 42).

The defendant not having delivered any statement of defence it is this day adjudged that the plaintiffs recover possession of the land in the statement of claim herein mentioned, and described as _____ in the County of _____, and costs to be taxed, and it is further adjudged that the plaintiffs recover against the defendant damages to be assessed.

No. 90.

Judgment where Defendant Limits Defence to Part of Land Claimed (Rule 55).

The defendant, *C.D.*, having by his appearance limited his defence to part of the land claimed, that is to say: (&c., &c.), it is this day adjudged that the said plaintiff do recover possession of the land in the writ (or statement of claim) mentioned, other than the land so claimed by the defendant, with the appurtenances and [costs to be taxed or \$ _____ for costs].

No. 91.

Judgment of Seisin for Dower in Default of Appearance (Rule 40).

The defendant not having appeared to the writ of summons, it is this day adjudged that the plaintiff do have seisin of her third part or dower in the lands in question in this action, and that the same be forthwith delivered to her and set out by metes and bounds.

(If damages are claimed add, And it is further adjudged that the plaintiff do recover against the defendant damages to be assessed.)

No. 92.

Final Judgment in Default of Appearance or Defence, Recovery of Chattels (Rule 38).

The Defendants [or the defendant, C.D.] not having appeared herein [or not having delivered any statement of defence] it is this day adjudged that the plaintiff recover against the said defendant [or that the said defendant do forthwith deliver to the plaintiff] possession of the chattels in the writ [or statement of claim] mentioned, and do also recover against the said defendant his costs to be taxed [or \$ for costs].

No. 93.

Interlocutory Judgment in Default of Appearance or Defence where Demand Unliquidated (Rule 38 (2)).

No appearance having been entered to the writ of summons (or no statement of defence having been delivered by the defendant] herein:

It is this day adjudged that the plaintiff recover against the defendant the value of the goods or damages (or both, as the case may be), to be assessed.

No. 94.

Final Judgement in Default of Appearance or Defence, after Assessment of Damages (Rule 38 (3)).

No appearance having been entered to the writ of summons [or no statement of defence having been delivered by the defendant] herein, and the damages which the plaintiff was entitled to recover having been assessed at \$, as by dated the , 19 , appears, it is adjudged that the plaintiff recover against the defendant the sum of \$ and [costs to be taxed, or \$ for costs].

No. 95.

Judgment for Plaintiff's Costs after Confession of Defence.

The defendant in his statement of defence herein having alleged a ground of defence which arose after

the commencement of this action, and the plaintiff having on the day of , 19 , delivered a confession of that defence;

It is this day adjudged that the plaintiff recover against the defendant [costs to be taxed or \$ for costs].

No. 96.

Form of Judgment on Praecipe for Sale or Foreclosure WITH REFERENCE AS TO INCUMBRANCES, etc., and Orders for Immediate Payment and Delivery of Possession (Rule 467).

Upon reading the writ of summons issued in this action and the statement of claim (if any) and an affidavit of service of the said writ upon the defendant, and no appearance having been entered (or, and the defendant having made default in the delivery of the defence) and no notice that the defendant desires an opportunity to redeem the mortgaged premises having been filed.

1. It is ordered and adjudged that all necessary inquiries be made, accounts taken, costs taxed, and proceedings had for redemption or sale (or redemption or foreclosure) and that for these purposes this cause be referred to the Master at

2. (Where judgment is for immediate payment add, And it is further ordered and adjudged that the defendant do forthwith pay to the plaintiff the sum of \$, being the amount due to him for principal money, interest and costs at the date hereof; and upon payment of the amount due to the plaintiff (when judgment is for sale add, before the sale hereinbefore directed shall have taken place) that (subject to the provisions of section 2 of *The Mortgages Act*, the plaintiff do assign and convey the mortgaged premises, and deliver up all documents relating thereto.

3. (Or where judgment is for amount found due by Master add) And it is further ordered and adjudged that the defendant do forthwith after the making of the Master's report pay to the plaintiff what shall be found due to him for principal money, interest and costs at the date of the said report and upon payment of the amount due to him [where judgment is for sale add before the sale hereinbefore directed shall have taken place] that [subject to the provisions of section 2 of *The Mortgages Act*] the plaintiff do assign and convey the mortgaged premises, and deliver up all documents relating thereto.)

4. (Where judgment is for recovery of possession add, And it is further ordered and adjudged that the defendant do forthwith deliver to the plaintiff, or to whom he may appoint, possession of the lands and premises in question, in this cause, or of such part thereof as may be in the possession of the said defendant.)

No. 97.

Form of Judgment on Praecepto for Foreclosure or Sale, ACCOUNT TAKEN BY REGISTRAR and Orders for Immediate Payment and Delivery of Possession (Rule 467).

Upon reading the writ of summons issued in this action and an affidavit of service of the said writ and no appearance having been entered, and a notice that the defendant desires an opportunity to redeem the mortgaged premises having been filed, and the account having been taken (in the presence of the defendant or his solicitor as the case may be) or (the defendant not having appeared on the taking of the account although duly notified as by affidavit filed appears.)

1. This Court find that the subsequent interest at the rate of _____ per centum per annum on the sum of _____ principal money secured by the indenture of mortgage in the writ of summons (or pleadings) mentioned, up to the _____ day of _____ next, being the time appointed for payment as hereinafter mentioned amounts to _____, and that the costs of the plaintiff _____ amount to _____ which said subsequent interest and costs being added to the sum of _____ claimed by the indorsement on the writ served on the defendant _____ make together the sum of _____.

2. And upon the said defendant paying the said sum of _____ into the _____ bank at the _____ between the hours of ten o'clock in the forenoon and twelve o'clock noon of the _____ day of _____ next, to the joint credit of the plaintiff and the Accountant of the Supreme Court [where order for payment granted insert, or in case the plaintiff shall (where judgment is for sale add, before the sale hereinafter directed shall have taken place) recover the amount due to him under the order for payment hereinafter contained], it is ordered and adjudged (subject to the provisions of section 2 of *The Mortgages Act*), that the said plaintiff do assign and convey the mortgaged premises, and deliver up all documents relating thereto;

3. But in default of the said defendant making such payment by the time aforesaid, it is ordered and adjudged (where judgment is for foreclosure, after "adjudged," add "that the said defendant do stand absolutely debarred and foreclosed of and from all equity of redemption in and to the mortgaged premises"; where judgment is for sale, then after the word "adjudged," add "that the said premises be sold, with the approbation of the Master at _____)."

4. (If judgment is for foreclosure omit this clause.) And it is further ordered and adjudged that the purchasers do pay their purchase money into Court, to the credit of this cause and that the same when so paid in be applied in payment of what has been found due to the said plaintiff together with subsequent interest and subsequent costs, to be computed and taxed by the said Master, and that the balance do abide the further order of the Court.

5. (Where judgment is for the immediate payment add:) And it is further ordered and adjudged that the defendant _____ do forthwith pay to the plaintiff the sum of _____ being the amount due to him at the date hereof for principal money, interest and costs.

6. (Where judgment is for recovery of possession add:) And it is further ordered and adjudged that the defendant _____ do forthwith deliver to the plaintiff _____, or to whom he may appoint, possession of the mortgaged premises, or of such part thereof as may be in the possession of the said defendant.

No. 97A.

Form of Judgment on Praecepto for Immediate Foreclosure or Sale and Orders for Immediate Payment and Delivery of Possession (Rule 467).

Upon reading the writ of summons issued in this action, and an affidavit of service of the said writ and no appearance having been entered and no notice that the defendant desires an opportunity to redeem the mortgaged premises having been filed;

1. It is ordered and adjudged (Where judgment is for foreclosure after "adjudged," add "that the said defendant do stand absolutely debarred and foreclosed of and from all right, title and equity of redemption of, in and to the mortgaged premises"; where judgment is for sale, then after the word "adjudged" add "that the said premises be sold, with the approbation of the Master, at _____".)

2. (If judgment is for foreclosure omit this clause.) And it is further ordered and adjudged that the purchasers do pay their purchase money into Court to the credit of this action and that the same when so paid in be applied in payment of what is found to be due to the said plaintiff for principal money, interest and costs as computed and taxed by the said Master, and that the balance do abide the further order of the Court.

3. (Where judgment is for immediate payment add:) And it is further ordered and adjudged that the defendant _____ do forthwith pay to the plaintiff the sum of _____ being the amount due to him at the date hereof for principal money, interest and costs.

4. (Where judgment is for recovery of possession add:) And it is further ordered and adjudged that the defendant _____ do forthwith deliver to the plaintiff _____ or to whom he may appoint, possession of the mortgaged premises, or of such part thereof as may be in the possession of the said defendant.

No. 98.

Form of Judgment on Praecepto for Redemption (Rule 467).

Upon reading the writ of summons issued in this action and an affidavit of service of the said writ, and no appearance having been entered;

1. It is ordered and adjudged that all necessary inquiries be made, accounts taken, costs taxed, and proceedings had for the redemption of the premises in question, and that for this purpose the cause be referred to the Master at _____.

2. And (subject to the provisions of section 2 of *The Mortgages Act*) it is further ordered and adjudged that upon the plaintiff paying to the defendant what shall be found due to him, or in case nothing shall be found due to the defendant then forthwith after the confirmation of the said Master's report, the defendant do reconvey the said mortgaged premises, and deliver up all documents relating thereto.

3. And it is further ordered and adjudged that in case the plaintiff shall make default in payment as aforesaid of what may be found due to the defendant that the plaintiff's action do stand dismissed out of this Court, with costs to be paid by the plaintiff to the defendant forthwith after taxation thereof.

4. And it is further ordered and adjudged that in case nothing shall be found due from the plaintiff to the defendant that the defendant do pay the plaintiff his costs of this suit forthwith after the taxation thereof, and in case any balance shall be found due from the defendant to the plaintiff that the defendant do pay such balance to the plaintiff forthwith after the confirmation of the Master's report.

No. 99.

General Form of Judgment for Administration
(Rules 608 and 519).

Upon the application of the above-named plaintiff in the presence of the solicitor for the defendant [or no one appearing for the defendant although duly notified as by affidavit filed appears], and upon hearing read the affidavits and papers filed, and what was alleged by the solicitor for [the applicant or solicitors for all parties].

1. It is ordered and adjudged that all necessary inquiries be made, accounts taken, costs taxed and proceedings had for the administration and final winding up of the real and personal estate of and for the adjustment of the rights of all parties interested therein, by the Master at

2. And it is further ordered and adjudged that all balances which may be found due from the plaintiff or defendant [or any or either of them] to the said estate be, forthwith after the same shall have been ascertained as aforesaid, paid into Court to the credit of this cause, subject to the further order of the Court.

3. And it is further ordered and adjudged that such real and personal estate, or such parts thereof as the said Master may hereafter direct, be sold, as the said Master may direct, and that the purchasers do pay their purchase money into Court to the credit of this cause, subject to the order of the Court.

4. And it is further ordered and adjudged that the Master do execute conveyances for any infant parties who by reason of their tender years are unable to execute the same.

No. 100.

Form of Judgment for Partition or Sale
(Rules 615 and 519).

Upon the application of the above-named plaintiff in the presence of the solicitor for the defendant [or no one appearing for the defendant although duly notified as by affidavit filed appears] and upon hearing read the affidavits and papers filed, and what was alleged by the solicitor for [the applicant or all parties].

1. It is ordered and adjudged that all necessary inquiries be made, accounts taken, costs taxed and proceedings had for the partition or sale of the lands and premises in the said affidavits mentioned, and for the adjustment of the rights of all parties interested therein, or for a partition of part and sale of the remainder of the said lands as may be most for the interest of the parties entitled to share therein, by the Master at

2. And it is further ordered and adjudged that the said lands, or such part thereof as the said Master shall think fit, be sold, with the approbation of the said Master, freed from the claims of such of the incumbancers thereon (if any) whose claims were created by parties entitled to the said lands before the death of the said testator [or intestate] as shall have consented to such sale, and subject to the claims of such of them as shall not have consented and freed also from the dower of [as the case may be], and that the said Master do execute the conveyances on behalf of such of the infant parties as, by reason of their tender years, are unable to execute the same, and that the purchasers do pay their purchase money into Court to the credit of this cause, subject to the order of the Court.

3. And it is further ordered and adjudged that, in the event of a partition of the whole of the said land, or in the event of a partition of a part and the proceeds of the sale of the remainder being insufficient to pay the costs in full, the costs, or so much thereof as remains unpaid, be borne and paid by the said parties according to their shares and interests in the said lands [if there be any infant parties interested in the estate add] and that the proportion of the said costs payable by the infant parties respectively be, and the same is hereby declared to be, a lien on their respective shares, and that the plaintiff do pay the guardian of the infant defendants his costs of this suit and that the same be added to his own costs.

No. 101.

Final Judgment on Motion (Chambers).

Upon the application of _____, and upon reading the affidavit of _____ filed, and upon hearing the solicitor (or counsel) for _____

It is ordered and adjudged that the plaintiff do recover against the defendant the sum of \$ _____ and costs to be taxed.

No. 102.

Judgment After Trial (No. 1).

In the Supreme Court of Ontario,
The Honourable Mr. Justice
the day of , 19
(Date of pronouncing judgment.)
Between Plaintiff
and Defendant.

This action coming on for trial this day (or on the day of , 19)
at the sittings holden at for
trial of actions without a jury (or at the sittings holden for
the trial of actions with a jury at)
in the presence of counsel for all parties [or if some of
the parties do not appear for the plaintiff and the defendant,
C.D., no one appearing for the defendants, E.F. and G.H. although they were duly served with notice of the trial as by the affidavit of service of notice of trial appears, or as may be] upon hearing read the pleadings and hearing the evidence adduced and what was alleged by counsel aforesaid. (If judgment was reserved add this Court was pleased to direct this action to stand over for judgment and the same coming on this day for judgment.)

1. This Court doth order and adjudge as may be directed [or if any declaration is necessary, This Court doth declare (e.g., that the deed mentioned in the 4th and 5th paragraphs of the plaintiff's statement of claim is fraudulent and void as against the plaintiff and all other creditors of the defendant, X.Y., except the defendant, C.J., and doth order and adjudge the same accordingly.)]

2. And the Court doth further order and adjudge (add any special or appropriate direction or reference to Master or other officer).

3. If so And this Court doth reserve further directions and the question of costs until after the Master shall have made his report.

(Signature of officer settling judgment where not the same person as the officer signing judgments.)

Judgment signed the day of , 19
X.Y., officer signing judgment.

No. 103.

Judgment After Trial (No. 2).

(Formal parts as in Form No. 102.)

1. This Court doth order and adjudge that the plaintiff do recover from the defendant (as may be directed).

2. And this Court doth further order and adjudge that the defendant do pay to the plaintiff his costs of this action forthwith after taxation thereof [or in the alternative, And this Court doth order and adjudge that this action be and the same is hereby dismissed with costs to be paid by the plaintiff to the defendant forthwith after taxation thereof].

No. 104.

Form of Judgment Setting Aside Fraudulent Conveyance.

(Formal parts as in Form No. 102.)

1. This Court doth declare that the deed or conveyance in the pleadings mentioned, dated the day of , 19 , and made by the defendant, A.B., to the defendant, C.D., of all and singular, etc., is fraudulent and void as against the plaintiff and other creditors of the defendant, A.B., and doth order and adjudge the same accordingly.

2. And this Court doth further order and adjudge that the plaintiff do recover from the defendants his costs of this action up to and inclusive of this judgment forthwith after taxation thereof.

3. And this Court doth further order and adjudge that the plaintiff's costs of this action as between solicitor and client over and above his party and party costs be taxes and such excess costs and so much of the party and party costs as may not be recovered under this judgment be paid out of the proceeds of the sale of the said lands and premises whether sold under execution or otherwise and that he do have a lien or charge for his said costs upon the said proceeds thereof in priority to all other creditors of the said A.B. other than mortgagees of the said lands whose mortgages existed prior to the commencement of this action.

No. 105.

Judgment on Motion for Judgment (Court).

Upon motion for judgment made this day unto this Court by counsel for the plaintiff (or as may be) and upon hearing read and upon hearing counsel for the defendant (or as may be).

1. [Where necessary This Court doth declare, etc.]
2. [And] this Court doth order and adjudge, etc.
3. And this Court doth further order and adjudge, etc.

No. 106.

Judgment Against a Married Woman.

This Court doth order and adjudge that the plaintiff do recover against the defendant the sum of \$ to be levied out of the separate property of the said defendant which she is now or may hereafter be possessed of or entitled to, and any property which she may hereafter while discoverd be possessed of, or entitled to and not otherwise; but this judgment shall not render available to satisfy the same any separate property which the defendant was or may be restrained from anticipating unless by reason of section 10 of *The Married Women's Property Act*, such property shall be available to satisfy the judgment notwithstanding such restriction.

No. 107.

Judgment Against an Executor or Administrator.

This Court doth order and adjudge that the plaintiff do recover against the defendant the sum of dollars and cents to be levied against the goods and chattels, lands and tenements, which were of the said *M.N.* (*the testator or intestate*) at the time of his death come or which shall hereafter come to the hands of the defendant to be administered if he hath so much thereof in his hands to be administered [*and in proper cases* and if he hath not so much in his hands to be administered then to be levied of the proper goods and chattels, lands and tenements of the defendant] and this Court doth further order and adjudge that the plaintiff do recover against the defendant the further sum of dollars and cents costs taxed to be levied, &c., *as above.*

No. 108.

WRITS OF EXECUTION, &c.

“NOTE: In all writs of execution there must be a testimonium clause as in Form 108.”

108. *Writ of Fieri Facias* (Rule 533).

Court and Cause.

Name and title of Sovereign.

To the Sheriff of _____, greeting:

We command you that of the goods and chattels and lands and tenements in your bailiwick of *C.D.* you cause to be made the sum of \$ _____ and also interest thereon from the _____ day of _____ [*day of the judgment or order, or day on which the money is directed to be paid, or day from which interest is directed by the order to run, as the case may be*], which said sum of money and interest were by a judgment in this action bearing date the _____ day of _____ adjudged to be paid by the said *C.D.* to *A.B.*, and also the further sum of \$ _____ for the taxed costs of the said *A.B.*, mentioned in the said judgment, together with interest at the rate of 5 per cent. per annum thereon from the _____ day of _____, (*the date of the certificate of taxation*) and that you have before our Justices of the Supreme Court of Ontario so much of that money as you shall have made from the said goods and chattels immediately after the execution hereof, and so much thereof as you shall have made from said lands and tenements immediately after the expiration of twelve months from the day of your receipt hereof, to be paid to the said *A.B.* in pursuance of the said judgment [*or order as the case may be*]. And in what manner you shall have executed this our writ make appear to our Justices aforesaid immediately after the execution thereof. And have there then this Writ.

In witness whereof this writ is signed for the Supreme Court of Ontario by _____, Registrar of the said Court at Toronto (or by Local Registrar of the said Court at _____) this _____ day of _____, 19 _____.

(Signature of Officer.)

(Seal)

Indorsements.

The _____ is entitled to receive for this and other writs renewals of the same, the following sums:
 For this writ, \$6.
 For 1st renewal, _____ (*Signature of Officer.*)
 For 2nd renewal, _____
 Etc., etc. (*as may be necessary*).

Levy \$ _____ and \$ _____ for costs of execution, etc., and also interest on \$ _____ at five per centum per annum from the _____ day of _____, 19 _____, until payment; besides sheriff's poundage, officer's fees, costs of levying, and all other legal incidental expenses.

(Signature of Plaintiff or of his Solicitor.)

SEE NOTES *Supra* as to Memoranda of the solicitor's name and address.

No. 109.

Fi. Fa. Against an Executor or Administrator on a Judgment de bonis testatoris et si non de bonis propriis as to the costs.

We command you that of the goods and chattels and lands and tenements in your bailiwick which were of *C.D.*, deceased, at the time of his death, in the hands of *E.F.*, executor of the last will and testament [*or administrator of the estate and effects*] of the said *C.D.* to be administered, you cause to be made the sum of \$ _____ and also interest at the rate of five per centum per annum, from the _____ day of _____, 19 _____, which said sum of money and interest were by a judgment of our said Court, bearing date the _____ day of _____ in 19 _____, adjudged to be paid by the said *E.F.* as executor (*or administrator*) as aforesaid to the said *C.D.* And further, that of the goods and chattels and lands and tenements in your bailiwick which were of *C.D.*, deceased, at the time of his death, in the hands of *E.F.* as executor (*or administrator*) as aforesaid to be administered, if the said *E.F.* has so much in his hands to be administered you further cause to be made the sum of _____ for the taxed costs of the said *A.B.* mentioned in the said judgment, together with interest thereon at the rate of 5 per centum per annum from the _____ day of _____, 19 _____, and that if he has not so much, then that you cause to be made of the proper goods and chattels and lands and tenements in your bailiwick of the said *E.F.* the said sum of _____, together with interest thereon as aforesaid, and that you have before, &c. (Conclude as in No. 108.)

NOTE.—Care must be exercised to follow the provisions of the judgment.

No. 110.

Fieri Facias Against a Married Woman.

Modify the general form so as to make it follow the form of judgment. (*See Form 106.*)

No. 111.

Fieri Facias on a Judgment or Order for Costs.

We command you that of the goods and chattels and lands and tenements of _____ in your bailiwick you cause to be made the sum of _____ for certain costs which by [a judgment or an order] in this action dated the _____ day of _____, 19____, were [adjudged or ordered] to be paid by the said _____ to _____ and which have been taxed and allowed at the said sum, and interest on the said sum at the rate of five per centum per annum from the _____ day of _____, 19____, [the date of the certificate of taxation] and that you have before our Justices of the Supreme Court of Ontario so much of the said sum and interest as you shall have made from the said goods and chattels, immediately after the execution hereof, and so much thereof as you shall have made from the said lands and tenements immediately after the expiration of twelve months from the day of your receipt hereof, to be rendered to the said _____. And in what manner you shall have executed this our writ make appear to our said Justices immediately after the execution hereof. And have there then this writ.

Fieri Facias on Discontinuance or Otherwise Without a Judgment.

NOTE.—When costs are payable on a discontinuance after the words "certain costs," proceed, "which are payable by the plaintiff to the defendant upon the discontinuance of this action and which have been taxed," etc. When costs are payable under Rule 660, proceed "which are payable as the costs of an abandoned motion," etc.

No. 112.

Fieri Facias when Judgment Assigned and Order Obtained under Rule 566.

Greeting.

We command you that of the goods and chattels and lands and tenements of C.D. in your bailiwick, you cause to be made the sum of _____ and also interest thereon, from the _____ day of _____, A.D. _____, which said sum of money and interest were lately before the Justices of our Supreme Court of Ontario in a certain action wherein A.B. was plaintiff and C.D. was defendant, by a judgment of our said Court bearing date the _____ day of _____, A.D. _____, adjudged to be paid by the said C.D. to the plaintiff, together with certain costs in the said judgment mentioned, and which costs have been taxed and allowed by the Taxing Officer of our said Court at the sum of \$ _____, together with interest thereon from the _____ day of _____, A.D. _____. And the said plaintiff having since the said judgment was recovered assigned the same and the full benefit thereof and the moneys thereby secured to X.Y.Z.

Whereupon on an application to the Master of the Supreme Court of Ontario the said Master by an Order dated the _____ day of _____, A.D. _____, ordered that the said X.Y.Z. should be at liberty to issue forthwith execution against the goods and lands of the defendant C.D. to recover the full amount of the said judgment with interest and costs.

Therefore we further command you that you have before our Justices aforesaid, at Toronto, so much of that money and interest as you shall have made from the said goods and chattels immediately after the execution hereof, and so much thereof as you shall have made from the said lands and tenements, immediately after the expiration of twelve months from the day of your receipt hereof, to be paid to the said X.Y.Z. in pursuance of the said judgment and order.

And in what manner you shall have executed this our writ make appear to our Justices aforesaid, at Toronto, immediately after the execution thereof. And have there then this writ.

No. 112a.

Writ of Venditioni Exponas After a Certificate or Return of Goods or Lands on Hand to Full Amount Unsold for Want of Buyers.

Whereas by our writ we lately commanded you that of the goods and chattels and lands and tenements in your bailiwick of C.D. [here recite the fieri facias]. And on the _____ day of _____ you [certified or returned] to our Justices that by virtue of the said writ you had taken goods and chattels [or lands and tenements] of the said C.D. to the value of the money and interest aforesaid, which said goods and chattels [or lands and tenements] remained in your hands unsold for want of buyers, and that therefore you could not have that money before our Justices aforesaid, as you were thereby commanded. Therefore, we being desirous that the said A.B. should be satisfied his money and interest aforesaid, command you that you expose to sale and sell, or cause to be sold, the goods and chattels [or lands and tenements] of the said C.D., so by you taken as aforesaid, and every part thereof, for the best price that can be obtained for the same, and have the money arising from such sale before our Justices aforesaid immediately after the execution hereof, to be paid to the said A.B. And have there then this writ.

No. 113.

Venditioni Exponas for Part, and Fieri Facias Residue.

Whereas, by our writ we lately commanded you that of the goods and chattels and lands and tenements of _____ in your bailiwick you should cause to be made (here recite the fieri facias) and you on the _____ day of _____ certified [or returned] to our said Justices, that by virtue of the said writ you have taken goods and chattels or lands and tenements] of the said _____ to the value of _____, parcel of the several sums of money and interest which [goods and chattels or lands and tenements] remained in your hands for want of buyers, and that therefore you could not have that money before our Justices aforesaid, as you were thereby commanded, and that the said _____ had not any other or more [goods and chattels or lands and tenements] in your bailiwick whereof you could cause to be made the residue of the moneys and interest, aforesaid, or any part thereof; therefore we, being desirous that the said _____ should be satisfied the said sums of money and interest, command you that you expose to sale, and sell, or

cause to be sold, the said [goods and chattels or lands and tenements] of the said _____ so by you taken as aforesaid, for the best price that can be obtained for the same, and have the said sum of _____ parcel of the moneys and interest aforesaid arising from such sale, and any further or other moneys which you may receive by virtue of this writ before our Justices aforesaid, immediately after the execution hereof, to be rendered unto the said _____.

If the writ and not merely a certificate has been returned a fieri facias residue may be added to the writ of venditioni exponas as follows:

[And we also command you, that of the goods and chattels and land and tenements of the said _____ in your bailiwick, you cause to be made the residue of the moneys and interest aforesaid; and have before our Justices aforesaid so much of such residue as you shall have made from said goods and chattels immediately after the execution hereof, and so much thereof as you shall have made from said lands and tenements immediately after the expiration of twelve months from the day of your receipt hereof, to be rendered to the said _____ for the residue of the moneys aforesaid.]

And in what manner you shall have executed this our writ make appear to our Justices aforesaid at Toronto, immediately after the execution hereof, and have there then this writ.

No. 114.

Writ of Possession.

Whereas lately by a judgment in this action dated _____, A.B. recovered [or E. F. was ordered to deliver to A.B.] possession of all and singular that _____ with the appurtenances in your bailiwick: Therefore, we command you that you enter the same, and without delay cause the said A.B. to have possession of the said land and premises with the appurtenances, and that you defend and keep him and his assigns in peaceable and quiet possession when and as often as any interruption may or shall, from time to time, be given or offered to him or them or any of them. Witness, etc.

[Where money or costs are also recoverable by the judgment, a writ of fieri facias may be combined with the writ of possession.]

No. 115.

Writ of Delivery (Rule 544).

We command you that without delay you cause the following chattels, that is to say [here enumerate the chattels recovered by the judgment] to be returned to A.B., which chattels the said A.B. by a judgment in this action dated _____, recovered against C.D. [or C.D. was ordered to deliver to the said A.B.].

No. 116.

Writ of Capias ad Satisfaciendum (R.S.O. 1937, c. 128, s. 27).

Whereas (insert if necessary any recitals which under the order may be proper).

We command you that you take C.D. if he shall be found in your bailiwick, and him safely keep so that you have his body before our Justices of our Supreme Court of Ontario immediately after the execution hereof to satisfy the sum of \$ _____, which by a judgment in this action dated _____, was adjudged to be recovered by A.B. against the said C.D. with the further sum of \$ _____, for the taxed costs mentioned in the said judgment, and interest upon the said sums at the rate of 5 per centum per annum from the _____ and _____ respectively. And have you then there this writ.

On a writ of *Capias* before judgment add this note:

N.B.—This writ is to be in force for two months from the date hereof and no longer.

No. 117.

Writ of Attachment for Contempt (Rule 545).

We command you to attach C.D., notwithstanding any right of place he is in, so as to have him before our Justices in our Supreme Court of Ontario, immediately after the receipt hereof, then and there to answer to Us, as well touching a contempt which he it is alleged hath committed against Us, as also such other matters as shall be then and there laid to his charge, and further to perform and abide such order as our said Court shall make in this behalf, and hereof fail not, by reason of any liberty, and bring this writ with you.

No. 118.

Writ of Sequestration (Rule 549).

Whereas by a judgment in this action dated _____, it was ordered that the said C.D. should [pay into Court to the credit of the said action the sum of _____; or as the case may be]. Know ye, therefore, that we have given, and by these presents do give to you full power and authority to enter upon all the lands, tenements and real estate whatsoever of the said C.D., and to collect, receive and sequester in your hands, not only all the rents and profits of his said lands, tenements and real estate, but also all his goods, chattels and personal estates whatsoever; and therefore we command you, that you do at certain proper and convenient days and hours, go to and enter upon all the lands, tenements and real estates of the said C.D., and that you do collect, take and get into your hands not only the rents and profits of his said real estate, but also all his goods, chattels, and personal estate, and detain and keep the same under sequestration in your hands until the said C.D. shall [pay into Court to the credit of the said action, the sum of \$ _____ or, as the case may be], and clear his contempt, and our said Court make other order to the contrary.

No. 119.

Writ of Assignment of Dower (Rule 543).

Whereas it has been made to appear to us in an action in our Supreme Court of Ontario that C.D. is the owner of (*describe the lands*) out of which dower is claimed by A.B., and it has been adjudged by the judgment of our said Court bearing date the day of _____, A.D. 19____, that the said A.B. is entitled to her proper dower out of the said lands [and also to recover from the said C.D. the sum of _____ for damages for the detention of her dower].

We therefore command you that without delay you do deliver to the said A.B. seisin of her third part of the said lands with the appurtenances. To hold to her in severalty by metes and bounds and that you do proceed in the execution in that respect of this our writ according to the provisions of *The Dower Act*.

[A fieri facias for recovery of the damages and costs, if any, awarded by the judgment, may be combined with this writ.]

No. 120.

Writ of Assignment of Dower Where the Right of Dower is Acquiesced in by the Owner of the Estate.

Whereas, A.B., widow, who was the wife of C.D., deceased, demands against E.F., the third part of (*here describe the estate in which the dower is claimed as in other writs of assignments of dower*) as dower. And whereas the said E.F. acquiesces in the said claim and is willing to assign to the said A.B. her proper dower, but that the said A.B. and E.F. are not agreed as to the admeasurement thereof. We therefore command you that, without delay, you do deliver the said A.B. seisin of her third part of the said lands and tenements with the appurtenances. To hold to her in severalty by metes and bounds. And that you do proceed in the execution of this our writ, according to the provisions of *The Dower Act*.

No. 121.

Certificate in Lieu of Return of Writ as to Goods (Rule 572).

A writ of execution in this cause against the goods and chattels, lands and tenements of C.D., the above-named defendant (*or as the case may be*), to me directed, dated the _____ day of _____, 19____, issued from _____, is now in my hands.

I certify that I have this day indorsed on the above mentioned writ my return thereto as to goods and chattels as follows:

(*Here insert the return as indorsed.*)

Dated, &c.

No. 122.

Notice of Appeal to the Court of Appeal (Rule 491).

(*Court and Cause*).

Take notice that the _____ appeals to the Court of Appeal from the judgment (or order) pronounced by _____ on the _____ day of _____, 19____, and asks that the said judgment may be reversed and that judgment should be entered (*set out shortly what is desired*) (*or that a new trial may be had*) upon the following grounds. (State the grounds clearly but briefly.)

Dated the _____ day of _____, 19____.

Signed A.B., Solicitor for the
To C.D., Solicitor for the

No. 123.

Order for Costs of an Abandoned Appeal (Rule 496).

(*Court and Cause*).

The appeal of the _____ from the judgment pronounced in this cause on the _____ day of _____, 19____, not having been prosecuted as required by the rules it has been struck from the list as abandoned. And it is now ordered that the said (appellant) shall pay to the (respondent) the costs of the said abandoned appeal to be taxed.

Dated, &c. _____ Registrar

No. 124.

PETITIONS OF RIGHT.

Petition.

In the Supreme Court of Ontario.

To the King's Most Excellent Majesty.

The humble petition of A.B. (*stating Christian name and surname*) of _____, [by his solicitor, E.F., of _____], showeth that (*stating with convenient certainty the facts entitling the suppliant to relief*). Your suppliant therefore humbly prays that, etc.

The suppliant proposes that the trial of this petition shall take place at the _____ of _____.

Dated the _____ day of _____, A.D. 19____.

(Signed) _____ A.B.
or C.D., Counsel for A.B.
or E.F., Solicitor for A.B.

(*Stating the usual place of abode of the suppliant, and, if he has a solicitor, the place of business of such solicitor.*)

Indorsement.

The suppliant prays for a plea or answer on behalf of His Majesty within twenty-eight days, or otherwise, that the petition may be taken as confessed.

No. 125.

Notice to Appear to Petition.

To.....

You are hereby required to appear to the within petition in His Majesty's Supreme Court of Ontario within eight days, and to plead or answer thereto within fourteen days after the date of service hereof.

Take notice, that if you fail to appear or plead or answer in due time, the said petition may, as against you, be ordered to be taken as admitting the truth of the matters set up in the petition.

No. 126.

Certificate of Judgment for Petitioner.

To the Honourable the Treasurer of Ontario.

In the matter of the petition of right of *A.B.*, in His Majesty's Supreme Court of Ontario.

I hereby certify that on the _____ day of _____, A.D. 19____, it was by the said Court adjudged (or ordered) that the above-named suppliant was entitled to, etc.

Judge's Signature.

MISCELLANEOUS FORMS

No. 127.

Certificate of Taxation.

I certify that pursuant to [the judgment or order herein dated or the request of the Master, or as may be] I have taxed the costs of the _____ at \$ _____.

No. 128.

Mode of Marking Exhibits at the Trial (Rule 263).

In the Supreme Court of Ontario.

Smith vs. Jones.

This Exhibit the (property of _____) is produced by the plaintiff (or defendant as the case may be), this _____ day of _____, 19____.

*A. B.,
Registrar or Local Registrar.*

No. 129.

Schedule of Exhibits (Rule 263).

In the Supreme Court of Ontario.

Smith vs. Jones.

List of exhibits put in at the trial of this action at _____ the _____ day of _____, 19____.

Plaintiff's Exhibits.

- (1) Patent.
- (2) Deed, Jones to Smith.
- (3) Bundle promissory notes (six in all).

Defendant's Exhibits.

- (4) Records of proceedings at Lodge of A. O. U. W.
- (5) Will of Arthur Brown.

(Signature of Officer.)

No. 130.

Form of Satisfaction Piece (Rule 532).

Satisfaction is acknowledged of the judgment bearing date the _____ day of _____, A.D. 19____ in an action in the Supreme Court of Ontario wherein *A.B.* was plaintiff and *C.D.* and others were defendants, whereby it was adjudged that the plaintiff should recover against the said defendants the sum of \$ _____ for debt and the further sum of \$ _____ for costs.

And the said *A.B.* doth hereby expressly nominate and appoint *M.N.* his solicitor to witness and attest his acknowledgment of satisfaction.

Signed by the said *A.B.* on the _____ day of _____, 19____, in the presence of the said *M.N.*, a solicitor of the Supreme Court of Ontario.

(Signed) "*A. B.*" the above-named plaintiff.

And I the said *M.N.* hereby declare myself to be solicitor for the said *A.B.* expressly named by him and attending at his request to inform him of the nature and effect of this acknowledgment of satisfaction which I accordingly did before the same was executed by him. In testimony whereof I subscribe my name as such solicitor.

Signed "*M. N.*"

At the foot or in the margin the Registrar shall note:

"This satisfaction piece has been noted and recorded in the margin of the entry of the judgment referred to this _____ day of _____, 19____."

"*X. Y.*,"
Registrar.

The Registrar shall also enter in the margin or at the foot of the judgment as entered in the book and

on the original judgment if produced "Satisfaction acknowledged. See satisfaction piece filed this day of , 19 "

"X. Y.", Registrar.

NOTE.—The production of the original judgment and the noting of satisfaction thereon is optional and may be dispensed with.

In witness whereof, I have hereunto set my hand and seal of office this day of , one thousand nine hundred and

Sealed and delivered } in the presence of }

No. 131.

BONDS, ETC.

Replevin Bond (Rules 362 and 363).

Know all men by these presents, that we A.B. (the plaintiff) of W.G., of and J.S., of are jointly and severally held and firmly bound to W.P., Esquire, Sheriff of the County of in the sum of of lawful money of Canada, to be paid to the said Sheriff, or his certain attorney, executors, administrators or assigns, for which payment to be well and truly made we bind ourselves, and each and every of us in the whole, our, and each and every of our heirs, executors and administrators, firmly by these presents.

Dated this day of , one thousand nine hundred and

The condition of this obligation is such, that if the above bounden A.B. prosecute his action with effect and without delay against C.D. for the taking and unjustly detaining (or unjustly detaining, as the case may be) of his goods and chattels, to wit: (here set forth the property distrained, taken or detained), and do make a return of the said property, if a return thereof shall be adjudged, and also to pay such damages as the defendant shall sustain by the issuing of the order of replevin if the said A.B. fails to recover judgment in his said suit, and further do observe, keep and performs all rules and orders made by the Court in the said action [where Rule 363 so requires add and do indemnify and save harmless the defendant from all loss and damage which he may sustain by reason of the seizure of the said goods and chattels (as the case may be) and of any deterioration of the same in the meantime in the event of their being returned and all costs and expenses which the defendant may incur, including reasonable costs not taxable between party and party], then this obligation shall be void, or else remain in full force and virtue.

Sealed and delivered } in the presence of }

Form of Assignment.

Know all men by these presents, that I, W.P., Esquire, Sheriff of the County of , have at the request of the within named C.D., the defendant in this cause, assigned over this Replevin Bond unto the said C.D., pursuant to the Rules of the Supreme Court of Ontario in that behalf.

No. 132.

Verification of Return of Moneys Paid into County Court or Surrogate Court (Rule 769).

I hereby solemnly declare that the annexed statement is a full and true statement of the moneys paid into the County (or Surrogate) Court of the County of , during the year 19 , and that it correctly shows the state of the various accounts therein mentioned upon the thirty-first day of December last.

(Signature) A. B., Clerk, or Registrar.

Subscribed and declared before me at this day of January, 19

C. D., Commissioner for taking affidavits or Justice of the Peace.

No. 133.

Notice of Application for Judgment Absolute (Rule 801).

I , of the , of the County of , the solicitor in this action for the above named plaintiff (or plaintiff by counterclaim) give notice that application is hereby made for judgment absolute in this action and I hereby certify that

(1) No appeal from the judgment nisi herein, dated the day of , 19 , has been served upon me or upon my firm, and

(2) No notice of intervention or of desire to show cause why the judgment should not be made absolute has been served upon me or upon my firm.

Signed this day of , 19

(Signature) Address

(NOTE:—Where a notice of appeal or intervention or of a desire to show cause has been given in the action the certificate of the solicitor shall state the fact and shall certify as to the disposition thereof.)

TARIFF "A"

TARIFF OF FEES TO BE ALLOWED SOLICITORS IN THE SUPREME COURT AND UPON PROCEEDINGS UNDER ANY STATUTE BEFORE A JUDGE OF THE SUPREME COURT

1. For institution of an action	\$25 00
In mortgage actions in which writ specially indorsed \$5.00 further. This item covers all costs except those of applications in Court or Chambers up to and including search for appearance.	
2. Defence	15 00
Where an Affidavit of Merits is filed to a specially indorsed writ \$5.00 further. This item covers the entry of appearance, but does not include any application in Court or Chambers.	
3. Pleadings	30 00
This item covers all pleadings, affidavits on production, jury notices, etc., etc. Where there is a counter-claim and the costs of claim and counter-claim are awarded to different parties this item and items 7 and 8 shall be apportioned by the taxing officer.	
4. Drawing and settling issues and stated cases	5 00
Subject to increase to 25 00	
5. Third party notice or summons to party added by counter-claim	10 00
6. Record and entry for trial	5 00
7. Preparation for trial, including notice of trial, notices to produce and admit, subpoenas, and advising upon evidence	30 00
Subject to increase in the discretion of the Taxing Officer at Toronto to \$50, and in cases of a difficult nature involving large amounts or values to \$100.00.	
8. Briefs at trial, per folio	10
9. Upon <i>ex-parte</i> motions in Chambers, including affidavits, etc.	15 00
10. Upon contested interlocutory Chambers motions	25 00
Subject to increase in the discretion of the Taxing Officer at Toronto, to a sum not exceeding \$40.	
11. <i>Ex-parte</i> motions in Court	25 00

11a. Application for judgment absolute in a matrimonial cause where counsel not required to attend	25 00
12. Contested interlocutory motions in Court	30 00
Subject to increase by the Taxing Officer to \$50. Upon motions where questions of special importance and difficulty are involved and matters of substance are determined such as appeals from a Master's report or from a Surrogate Court or from an award of arbitrators or injunction or other motions when the rights of the litigants are determined an increased fee may be allowed by the Taxing Officer at Toronto.	
13. Examinations, preliminary attendances, arranging to cover all charges except Counsel fee:	
To the party examining	5 00
To the party examined	2 00
Counsel fee on examination:	
To the party examining	10 00
To the party examined	5 00
Counsel fee subject to increase in the discretion of the Senior Taxing Officer at Toronto in special cases. (See also Rule 654.)	
14. Counsel fee at trial, to	50 00
An increased Counsel fee and fee to junior counsel may be allowed in the discretion of the Taxing Officer at Toronto.	
15. Solicitor attending trial where no second counsel employed	25 00
If the trial lasts more than one day, then for each additional day, \$20.	
16. Judgment, including attendance to hear judgment, drafting minutes, settlement and issue of the same, taxation of costs, etc.:	
To the party having the carriage of the order	10 00
To other parties	5 00
Subject to increase to \$20.	
17. Correspondence pending suit, \$5.00, subject to increase in the discretion of the Taxing Officer, up to	15 00
18. On originating motion in Court, to the party moving, to cover all preliminary proceedings, notices, affidavits, services, etc.	20 00
Subject to increase to \$50.	
In Chambers	15 00
Subject to increase to \$35.	
To a party appearing, for preliminary proceedings	10 00

Subject to increase, when affidavits necessary to support the case of the party incurring costs, to \$40 when motion in court; and to \$30 when motion in Chambers.

Counsel fee in the discretion of the Taxing Officer at Toronto, and in matters heard in Ottawa and London by the Officer there. Issuing order, etc., to the party having carriage. 15 00

To other parties. 5 00

Correspondence \$5.00, subject to increase in the discretion of the Taxing Officer to \$15.00.

This item shall apply to all applications under the provisions of any statute.

19. Upon motions and originating notices for copies of affidavits properly served on opposite parties per folio. 10

20. Fair copy of material correspondence in chronological order, for use of the trial Judge, when proper, per folio. 10

Solicitor's attendances arranging for its admission by opposite party. 5 00

Subject to increase to \$10.00.

21. Upon appeals to the Court of Appeal. Preliminary proceedings:

To party appealing. 25 00

To respondent. 15 00

For the five copies of the pleadings, Exhibits, etc., furnished for the Judges, per folio of one copy, 20c.

For Statement of Points of Law and of fact intended to be argued, \$5.00. Subject to increase by Taxing Officer at Toronto to \$25.00.

Counsel fees in the discretion of the Taxing Officer at Toronto—

Issuing judgment or order, etc., etc.:

To party having carriage. 12 00

To the other party. 6 00

This item shall apply to appeals from the Ontario Municipal Board.

22. References.

Attending on reference, per hour. 3 00

To be increased in the discretion of the Taxing Officer at Toronto to \$7.50 per hour, or a lump fee may be allowed for the whole reference.

Drawing notices, affidavits and other documents necessary upon the reference, per folio. 20

For each copy, per folio. 10

For every ordinary attendance. 50

Fee conducting sale. 10 00

Correspondence pending reference up to. 5 00

23. Signing default judgment including computations in mortgage actions. 5 00

or, where a notice is given by a defendant under Rule 460A and no reference is required. 8 00

24. Commissions, in addition to costs of motion Reasonable fee to counsel and foreign agents attending execution of commission,

not exceeding \$25.00 in the discretion of the Taxing Officer, or to be increased in the discretion of the Taxing Officer at Toronto.

25. Writs of execution, including disbursements 6 00

Renewals, including disbursements. 4 00

26. On application to Taxing Officer at Toronto for increased counsel fees and upon the taxation of the costs of abandoned motions and appeals, or upon taxations where an action is discontinued or money paid into Court is accepted. 5 00

27. An order for revivor and service thereunder where occasioned by the death or the transmission of interest of an opposite party. 10 00

NOTE.—The Court or the Judge or officer hearing any motion may allow a smaller fee than above provided.

TARIFF OF FEES TO BE ALLOWED SOLICITORS IN COUNTY COURTS AND UPON PROCEEDINGS UNDER ANY STATUTE TAKEN BEFORE THE JUDGE OF THE COUNTY COURT OR BEFORE ANY JUDICIAL OFFICER OTHER THAN A JUDGE OF THE SUPREME COURT.

1. For the institution of an action. \$15 00

This item covers all costs except those of application in Court or Chambers up to and including search for appearance.

2. Defence. 10 00

This item covers the entry of appearance, and where necessary the affidavit of merits, but does not include any application in Court or Chambers.

3. Pleadings. 15 00

This item covers all pleadings, affidavits on production, jury notices, etc., etc.

4. Third party notice or summons to party added by counter-claim. 5 00

5. Record and entry for trial. 3 00

6. Preparation for trial, including notice of trial, notices to produce and admit subpoenas and advising on evidence. 10 00

Subject to increase in the discretion of the Judge, in cases involving more than \$200 to. 25 00

7. Brief at trial, per folio (not to exceed \$5.00) 10

8. Upon *ex-parte* motion in Chambers including affidavits. 5 00

9. Upon contested interlocutory Chambers motion. 10 00

Subject to increase in the discretion of the Judge to a sum not exceeding. 15 00

(The Judge may fix any smaller sum.)

10. On *ex-parte* motions in Court. 10 00

11. On contested interlocutory motions in Court. 15 00

Subject to increase in the discretion of the Judge to a sum not exceeding 30 00
 (The Judge may fix any smaller sum.)

12. Examinations:
 Preliminary attendances arranging for examinations, to cover all attendances except the counsel fee:
 To the party examining 3 00
 To the party examined 1 00
 Counsel fee on examination:
 To the party examining 5 00
 To the party examined 3 00
 Subject to increase in cases involving over \$200, in the discretion of the Judge to a sum not exceeding 10 00

"13. Counsel fee at trial, up to 25.00
 Subject to increase in the discretion of the Judge,
 (A) In cases involving less than \$200.00 where the trial lasts more than one day to an additional sum not exceeding \$10.00 per diem for each additional day, such counsel fee not to exceed in all the sum of 40.00
 and
 (B) In cases involving \$200.00 or more to a sum not exceeding 40.00
 And where the trial in such cases lasts more than one day to an additional sum not exceeding \$20.00 per diem for each additional day, such counsel fee not to exceed in all the sum of . . . 70.00
 and
 (C) In cases involving \$400.00 or more to a sum not exceeding 70.00
 And where the trial in such cases lasts more than one day to an additional sum not exceeding \$30.00 per diem for each additional day, such counsel fee not to exceed in all the sum of . . . 120.00
 (In cases where the claim is not a money demand the Judge shall determine the amount involved.")

14. Solicitor attending in Court when not counsel or partner of counsel, in cases involving over \$200 15 00

15. Judgment
 To party having carriage 5 00
 To other parties 3 00
 This includes attendance to hear judgment, drawing and settling same, taxation of costs, etc.

16. Correspondence not exceeding 5 00

17. On originating notices in Court.
 To party moving for preliminary proceedings, affidavits, notices, etc. 15 00
 Subject to increase to, not exceeding . 25 00
 To party appearing for preliminary proceedings 5 00

Subject to increase when affidavits necessary to 15 00
 Allowance for counsel fee in discretion of Judge, not exceeding 20 00
 Issuing order to party having carriage . . . 8 00
 To other parties 3 00

18. Originating notices in Chambers.
 To party moving for preliminary proceeding 10 00
 Subject to increase to 20 00
 To party appearing 5 00
 Subject to increase when affidavits necessary to 10 00
 Counsel fee in discretion of Judge, not exceeding 15 00
 Issuing order, to party having carriage . . . 8 00
 To other parties 3 00

19. Upon motions, copies of affidavits properly served on opposite party, per folio 10

20. Upon appeals to the Court of Appeal:
 Preliminary proceedings:
 To party appealing 15 00
 To the respondent 10 00
 Counsel fee in discretion of Taxing Officer at Toronto, not exceeding 50 00
 Issuing order, etc.:
 To party having carriage 8 00
 To other parties 3 00
 For the five copies of pleadings and exhibits, etc., when prepared, 20c. per folio of one copy.
 In cases in which under *The County Courts Act* the costs in the County Court are allowed upon the Supreme Court scale, the costs of an appeal shall be taxed upon the Supreme Court scale.
 Unless the Court of Appeal shall otherwise direct.
 In appeals from the Surrogate Court, where in the Surrogate Court the costs are taxable or have been taxed upon the Supreme Court scale, the costs of the appeal shall be taxed upon the Supreme Court scale unless the Court of Appeal shall otherwise direct.
 This item shall apply to all appeals under any statute save appeals from a Supreme Court Judge or the Ontario Municipal Board.
 In appeals from the Official Arbitrator or from a County Court Judge acting as arbitrator under the provisions of any statute which authorizes him to award costs upon the Supreme Court scale or where the amount involved is large, the Court may allow costs on the Supreme Court scale.
 In cases stated under *The Assessment Act* where the amount involved is large, the Court may order costs to be taxed on the Supreme Court scale.

21. References:
 Attending on reference, per hour 1 00
 Subject to increase to 2 00
 Drawing notices, affidavits and other documents necessary upon the reference, per folio 20

For each copy, per folio	10
For every ordinary attendance	50
For conducting sale	10 00
22. Signing default judgment including computations in mortgage actions	3 00
or, where a notice is given by a defendant under Rule 460A and no reference is required	5 00
23. Commission (in addition to costs of motion) Attending on execution, foreign agents' fees, etc., in discretion of Judge.	3 00
24. Writs of execution, including disbursements Renewals, including disbursements	4 00 3 00
When in an action in the County Court costs are awarded on the scale of the Supreme Court under the provisions of <i>The County Courts Act</i> the Taxing Officer at Toronto shall have the same power of allowing increased fees as in cases in the Supreme Court.	
In the Counties of Carleton, Middlesex, Wentworth and York, where a fee other than the Counsel fee at the trial may be increased by the Judge, the Clerk may allow the increase subject to an appeal to the Judge and upon such appeal the exercise of discretion by the Clerk shall be subject to review.	

NOTE.—Unless otherwise specified the allowances in the above tariffs of solicitor's fees are exclusive of proper disbursements.

Upon taxation between a solicitor and his client, additional allowances may be made in the discretion of the officer taxing, but the exercise of such discretion shall be subject to review upon any appeal.

When for any reason the services covered by an item are not completed the fee may be apportioned by the taxing officer.

TARIFF "B".

TARIFF OF DISBURSEMENTS.

(Payable in stamps except where the officer is not paid by salary or has not commuted his fees or unless otherwise expressly authorized.)

On issue of writ in a matrimonial cause	\$10.00
On issue of any other writ of summons	2.00
On entry of appearance	1 00
(Any number of defendants may appear at one time by the same solicitor without extra charge.)	
On every order except <i>praecipe</i> orders	1 00
On <i>praecipe</i> order	50
On every judgment	2 00
(Including a certificate of the judgment of the Court of Appeal.)	
Where a judgment or order is entered, per folio additional	10

(Where an order is required to be entered in more than one place—Rule 518—this fee shall be charged in the Local Office.)	
On setting down any motion	50
On setting down an appeal to the Court of appeal	2 00
On entering a matrimonial cause for trial	10 00
On entering any other action for trial—	
With a jury, including the fee payable under <i>The Jurors Act</i>	6 00
Without a jury	3 00
On certification of record	1 00
On filing application for judgment absolute	1.00
On every other filing (except <i>praecipies</i> in the Accountant's Office)	10
On any certificate	50
If over three folios, for every folio	20
On a direction to pay money into Court, or a cheque	30
(No Stamp on cheques for less than \$10 or on directions to receive money paid on mortgages to the Accountant.)	
Search:	
When action less than two years old	10
When action more than two years old	30
When made by the Official Guardian, no charge.	
(No charge shall be made for inspection of the books of the Accountant's Office.)	
Amending pleadings	30
Writs, other than writs of summons	1 00
Taxations, party and party, including certificate of taxation	1 00
Taxations, solicitor and client, same fees as on a reference.	
Comparing and certifying papers prepared by a solicitor; for each three folios	10
Making and certifying copies: per folio	10
Making up and forwarding papers	50
On renewal of writs	1 00
On references:	
Appointments	50
Per hour while attending reference	1 50
Drawing report: per folio	20
Engrossing report	10
Fee (on first report in action only)	2 00
Oath	20
Depositions in infancy matters (no charge to be made for time): per folio	20
On quieting titles:	
To Inspector (when petition referred to him); to cover all fees except filings	8 00
When petition referred to Referee, same fees as on a reference, and additional as follows:	
On each deed in the chain of title, other than satisfied mortgages	50
Where title is possessory only	4 00
On certificate of title	4 00
On examination before Special Examiner:	
Appointment	50
Oath	50
Taking depositions, per hour	3 00
Marking exhibits	20
Copy for solicitor, per folio	15
Return	50
Certificate	50
Attendance when examination not proceeded with unless 24 hours' previous notice given	1 00

Attendance out of office, extra per mile. 50
 For a reporter's attendance on examination when the examiner is not a stenographer and the reporter is not a salaried officer of the examiner, if no copy of the examination is ordered, \$10.00 for full day and \$5.00 for a half day or less.

Crier:
 Calling case. 60
 Swearing witness or constable. 20

Deputy Registrar; not paid by salary, and entitled on 1st September, 1913; so long as present officers retain office and are not paid by salary.
 Payable in cash:
 Swearing each witness. 20
 Marking each exhibit 20
 Attending inspection of documents produced. 1 00

Commissioners—Payable in cash
 Taking recognizance. 50
 Taking affidavits 20
 Marking each exhibit 10
 Upon every commission appointing a commissioner to take affidavits, etc. 5 00
 Upon every deed poll changing name. 5 00

When a stenographer is employed upon a reference the fee payable shall be as follows:
 (1) For services at the hearing each day on which actually employed, \$8.00.
 (2) For copies of evidence required for use upon the reference or on an appeal. Ten cents per folio of one copy for all copies required of any one transcription of shorthand notes not exceeding six copies altogether.
 (3) For any additional copies required: five cents per folio of each copy.
 (4) For single copies ordered, seven and a half cents per folio.
 (5) For reading evidence to the Master from notes when no copies are ordered at the rate of \$1.50 per hour, payable by the party having the conduct of the reference.

Items 1 and 5 shall not be payable to stenographers employed at Osgoode Hall paid by salary.

Fees payable to witnesses, in both Supreme Court and County Court:
 To witnesses residing within the town or city where the trial is had, per diem. 1 50
 To witnesses residing outside the municipality where the trial is had, per diem. 2 00

Barristers and solicitors, physicians and surgeons, other than parties to the cause, when called upon to give evidence in consequence of any professional service rendered by them, or to give professional opinions, per diem, unless otherwise provided by statute. 5 00

Engineers, chartered or incorporated public accountants, surveyors and architects, other than parties to the cause, when called upon to give evidence of any pro-

fessional service rendered by them or to give evidence depending upon their skill or judgment, per diem, unless otherwise provided by statutes. 5 00

If witnesses attend in one case only, they will be entitled to the full allowance. If they attend in more than one case they will be entitled to a proportionate part in each cause only.

The travelling expenses of witnesses, over three miles, shall be allowed, according to the sums reasonably and actually paid, but in no case shall exceed twenty cents per mile, one way.

An allowance may be made to an interpreter not exceeding the fee payable to a professional witness.

A reasonable sum may be allowed for the preparation of any plan, model or photograph, when necessary for the due understanding of the evidence.

FEES PAYABLE TO COUNTY COURT CLERKS.

1. Upon issue of Writ (in lieu of all fees heretofore payable by a plaintiff prior to Entry for trial or assessment, except those provided for by item 5) 3 00
2. Upon Entry of Appearance (in lieu of all fees heretofore paid by a Defendant, or third party, prior to entry of action for Trial or Assessment, except those provided for by item 5) 1 00
 (Any number of persons may appear at the same time by the same solicitor without extra charge.)
3. Upon Entry of action or issue for Trial or Assessment:
 Non-jury case. 3 00
 Jury case, including the fee payable under *The Jurors Act*. 5 00
4. Upon Entry of Judgment (including Taxation of Costs) 3 00
5. Upon Examinations and References.
 Appointment. 50
 Not exceeding one hour 1 50
 Additional per hour after first. 1 00
 Marking exhibits, each 20
 Copies of depositions per folio. 10
 For each oath. 20
 For each certificate 50
 Drawing reports per folio. 20
 Engrossing reports per folio. 10
6. On every writ of execution and renewal. 1 00
7. Every certificate not otherwise provided for 50
8. Exemplification of judgment (including certificate and seal) 1 50
9. Every search not made in the ordinary course of an action, or made after the close of the action, if within three years. 10
 If made after that time. 30
 For copies of papers, per folio. 10

10. On appeal from County Court to High Court (including making up and forwarding papers, preparing certificate and entry of judgment of Court of Appeal).....	2 00
11. For every subpoena in matters outside of actions such as in Municipal and Voters' List proceedings, etc., and all other proceedings in which a subpoena is issuable out of the County Court.....	1 00
12. On all applications and proceedings before a County Court Judge, other than application in an action, not otherwise provided for, and upon all applications in an action after judgment.....	1 00
Where there is a trial or hearing upon oral evidence in any matter other than an action or issue, a further fee of.....	2 00

TARIFF "C".

FEES OF SHERIFFS.

	Su- preme Court	County Court
1. Service on one party of any writ, subpoena, notice, pleading, or other paper, including receiving, filing, return, affidavit of service and one letter (exclusive of mileage); when more than one paper served at the same time it shall be considered as one service.....	\$3 00	\$2 00
2. Each additional party served.....	75	50
3. When writ returned without service being made.....	1 00	75
4. On writs of <i>Feri Facias</i> and <i>Ven. Ex</i> and renewals thereof covering receiving, filing warrant and return and one letter (payable in advance; see R.S.O. 1937, c. 17, s. 29).....	2 00	1 50
5. Transmitting copy of execution to Master of Titles (R.S.O. 1937, c. 174, s. 64).....	1 00	50
6. Executing each order or writ relating to Arrest, Attachment, Absconding Debtor, Replevin, Sequestration, possession, Hab. Fac. Pos., Escheat and Striking a Special Jury, and including receiving, filing return, preparing warrant, precept, bond and affidavits when necessary and other necessary attendances and including correspondence (exclusive of mileage, of poundage when chargeable, and of reasonable and necessary actual disbursements)	12 00	8 00

	Su- preme Court	County Court
7. Poundage on executions and on attachments on the sum made; up to and including \$1,000, 6%; excess over \$1,000 and up to and including \$4,000, 3%; and on excess over \$4,000, 1½%. In County Court cases 5% on the sum made. (Exclusive of mileage and of all reasonable and necessary actual disbursements.).....		
8. Schedule made on the execution of any process, including copy for the debtor not exceeding 5 folios.....	1 50	1 00
9. Each folio above 5.....	20	20
10. Drawing advertisement and copies, including transmitting and posting	2 00	1 00
11. Every notice of sale or postponement thereof.....	25	25
12. For each day's attendance upon a view by a Jury (exclusive of mileage and reasonable and necessary disbursements).....	5 00	3 00
13. Mileage from the Court House to the place where a paper is served, writ executed or other service performed (one way except in the case of an arrest, when mileage is both ways) per mile payable in advance (see R.S.O. 1937, c. 17, s. 29).....	15	15
14. Every letter not above provided for and required by a party or his solicitor.....	50	30
15. Bringing up prisoner on attachment or Habeas Corpus besides travel at 20 cents per mile.....	2 00	1 50
16. Certificate of surrender by sureties	1 00	1 00
17. Where a Sheriff is directed by the Court to perform any service or do any act for which no fee is provided, he may be allowed such fee as the Court may think fit, and it shall be payable as the Court may direct (R.S.O. 1937, c. 17, s. 28)....		
18. Every search for writs against one debtor not being by a party to a cause or his solicitor.....	30	30
19. When search embodied in a certificate including mailing to solicitor (It shall include any sales during the six months preceding its date.)	1 00	1 00
20. Maximum fee for a land certificate relating to the investigation of one title and in which shall be included all names required (R.S.O. 1937, c. 17, s. 20).....	4 00	4 00

21. On trials.....	1 00	1 00
22. For notices, etc., upon seizure of stock, mortgages, and patents, additional.....	2 00	1 50
23. For Sheriff's deed or bill of sale...	4 00	3 00
24. For schedule of distribution under <i>Creditors Relief Act</i>	2 00	1 00

TARIFF "D".

TARIFF OF FEES FOR WORK DONE IN ONTARIO UPON PRIVY COUNCIL APPEALS (IN ADDITION TO DISBURSEMENTS).

Giving security and obtaining its allowance....	\$20 00
To respondent on allowance of security.....	10 00
Settling record.....	20 00
Supervising printing, etc., per folio.	
To the Appellant.....	20
To the Respondent.....	10
Transmission of record, etc.....	5 00
Fees, drawing and settling case.....	50 00
(Subject to increase in discretion of taxing officer in Toronto.)	
Correspondence, etc.....	10 00
Entry of certificate and taxation of costs.....	10 00

NOTE.—Tariffs A and D shall be used in all taxation after these Rules come in force.

TARIFF "E".

COSTS ALLOWED ON SALES, LEASES AND MORTGAGES OF LAND UNDER THE DEVOLUTION OF ESTATES ACT.

(a) *To the Solicitor for the Personal Representative.*

1. Where sale price or amount of mortgage is under \$200, \$10.
Where it is over \$200, up to and including \$400, \$12.
Where it is over \$400, up to and including \$600, \$15.

- Where it is over \$600, up to and including \$800, \$20.
- Where it is over \$800, up to and including \$1,000, \$25.
- Where it is over \$1,000, up to and including \$1,500, 2½%.
- Where it is over \$1,500, up to and including \$2,000, \$7 plus 2%.
- Where it is over \$2,000, up to and including \$3,000, \$17 plus 1½%.
- Where it is over \$3,000, up to and including \$5,000, \$32 plus 1%.
- Where it is over \$5,000, \$57 plus ½ of 1%.

Where a part of the land of an estate has been sold, in the case of any subsequent sale three-fourths of the foregoing amount shall be allowed.

2. In addition to the above amounts there shall be allowed:

- (a) The cost of taking out Letters of Administration or Letters Probate and of Succession Duty Affidavits as fixed by the Surrogate Court Rules, where there is no personal estate out of which such costs can be paid.
- (b) The proper disbursements for advertising for creditors where there is no personal estate out of which such disbursements can be paid.

(c) Where the sale is by auction, the auctioneer's fee and the costs of all necessary printing of advertisements.

(d) The fees paid to valuers.

(b) *Costs of Official Guardian.*

3. The costs of the Official Guardian shall be one-third of the amount allowed under item 1, and his actual disbursements.

(c) *Special Allowances.*

When special circumstances render the amount taxable under this tariff unreasonable or inadequate, a Judge may order the allowance of a smaller or larger sum.

NOTE.—In applying this tariff to leases, the amount shall be deemed to be the annual rental multiplied by the number of years in the term.

Regulations 465

(Ontario Regulations 4/45; 265/50)

REGULATIONS MADE BY THE LIQUOR CONTROL BOARD UNDER THE LIQUOR CONTROL ACT

INTERPRETATION

1. In these regulations,—

- (a) "purchaser" shall mean a person who has purchased liquor in accordance with the provisions of the Act and of these regulations;
- (b) "common carrier" shall mean any person approved by the Board as a carrier, and who carries or conveys liquor as provided by the Act and regulations.

PURCHASE OF BEER AND WINE WITHOUT PERMIT

2.—(1) A person other than the holder of an authority under the Act, unless he is prohibited by law or by a regulation or order of the Board, may, under the supervision of the Board, purchase beer, wine and Ontario wine from a vendor, brewer, brewer's retail store manager, or the holder of an Ontario wine license as the case may be without any individual or special permit being necessary therefor, and beer, wine and Ontario wine so purchased may be had, possessed, given and consumed in the residence of the purchaser.

(2) The provisions of subsection (1) shall be suspended as and from a day named by the Board, and such suspension shall remain in effect during the continuance of "The Wartime Alcoholic Beverages Order, 1942 (Dominion Order-in-Council P.C. 11374, dated December 16th, 1942)."

RATIONING OF BEER AND ONTARIO WINE FOR RESIDENCE CONSUMPTION

3.—(1) Notwithstanding anything contained in these regulations, as and from a date ordered by the Board and during the continuance of "The Wartime Alcoholic Beverages Order 1942" (Dominion Order-in-Council P.C. 11374, dated December 16th, 1942), and amending Orders, the Board may issue an individual beer ration coupon book and an individual Ontario wine ration coupon book in the prescribed form, and beer or Ontario wine may be sold to the holders of the respective individual ration coupon books as the case may be, in accordance with the conditions and restrictions contained in each of the said books.

(2) All the provisions of the regulations relating to the selling, purchasing, delivery, having or consumption of beer and Ontario wine shall *mutatis mutandis* apply to beer and Ontario wine sold, purchased, delivered and had pursuant to subsection (1).

(3) All persons authorized to issue individual beer ration coupon books and individual Ontario wine ration coupon books shall issue them in accordance with the instructions issued from time to time by the Board.

(4) No person shall in any manner whatsoever change, mutilate, tear or destroy any individual beer

or Ontario wine ration coupon book, or have in his possession any loose or detached coupons for the purchase of beer or Ontario wine.

(5) Any person who is in possession of an individual beer or Ontario wine ration coupon book which has been changed or tampered with in any manner, shall be guilty of an offence.

DISTILLERS' AND BREWERS' LICENSES

4. All licenses granted to brewers or distillers shall be made in duplicate, one of which shall be retained by the Board, and the other shall be given to the applicant therefor, and in every case where the Board deems it advisable to cancel any such license, such license shall be cancelled by marking on the one retained by the Board the word "Cancelled" and the date from which such cancellation is to take effect, and a registered letter shall be addressed and posted to the holder of the license at the address given by him as applicant therefor, informing him of the cancellation and of the date from which such cancellation is to take effect.

5. The license granted to any brewer or distiller under the provisions of section 46 or 52 of the Act shall authorize such brewer or distiller to have and keep liquor manufactured by him in any building wherein such manufacture is carried on.

6.—(1) The annual license fee to be paid for a brewer's, brewers' retail store or Ontario wine license shall be as follows:

(a) Ontario Brewer's Licenses

The annual license fee for an Ontario brewer shall be based on the total sales of beer in Ontario (exclusive of export sales) for the preceding calendar year according to the following classification:

For brewers with sales of:

	License Fees
\$1,250,000 and over.....	\$5,000.00
1,000,000 to \$1,250,000.....	4,500.00
800,000 to 1,000,000.....	4,000.00
600,000 to 800,000.....	3,500.00
450,000 to 600,000.....	3,000.00
350,000 to 450,000.....	2,500.00
250,000 to 350,000.....	2,000.00
200,000 to 250,000.....	1,500.00
150,000 to 200,000.....	1,125.00
Under \$150,000.....	750.00

and in addition 8.7 cents per gallon on all beer produced as determined by the final dip of the fermentation tun and recorded in the Dominion Excise Department's Brewers' Daily Record (Form T 238). Such fee shall be refunded on all Ontario produced beer which is exported from the province.

(b) *Extra-Provincial Brewer's Licenses*

\$5,000 per annum, plus 9½ cents per gallon on all beer sold in Ontario.

(c) *Brewers' Retail Store Licenses*

The annual fee therefor shall be \$100 per brewery for each store.

In the event of a brewer applying for entry into an established retail store after the commencement of the fiscal year, the full annual fee shall be payable.

Should a new retail store be opened during any fiscal year, the license fee shall be calculated on a monthly basis, i.e., 1/12 of the annual fee, commencing with the month in which such retail store is opened.

(d) *Distributing Beer Warehouses*

The Board may authorize the operation of one warehouse for the distribution only, of beer without license fee, in the following municipalities, i.e., Toronto, Hamilton, Ottawa, London, Windsor and Port Arthur. Additional warehouses for distribution only of beer may be authorized in these or other municipalities, but in such event, an annual license fee of \$50 per brewer shall be payable, provided, however, that no sale of beer, either to residents or authority holders, shall be permitted from any distributing warehouse.

(e) *Ontario Wine Licenses*

The annual license fee to be paid by an Ontario wine producer shall be based on the gross value of Ontario wine sold in Ontario (exclusive of sales to manufacturers, sacramental wine vendors and for export) during the preceding calendar year, and such fee shall be in accordance with the following classifications

For wineries with sales of:

	License Fees
\$700,000 and over per annum	\$2,000.00
200,000 to \$700,000	1,000.00
75,000 to 200,000	750.00
25,000 to 75,000	500.00
Under \$25,000 per annum	250.00
For each Sales Office in excess of one as provided by regulations 91 and 92	250.00

and in addition, 8½% of the gross selling price on all Ontario wine sold to home consumers from Ontario wine shops which are located in municipalities wherein a Government store is situated.

(2) The license fees for Ontario brewers, extra-provincial brewers, brewer's retail stores, distributing beer warehouses, and Ontario wine licenses shall be paid upon such dates as may be directed by the Board.

(3) The term during which any license shall remain in force shall be stated upon the license.

MANUFACTURERS' PERMITS

7.—(1) The Board may issue a special permit to any manufacturer of liquor, or to a manufacturer of vinegar, perfumes, pharmaceutical, patent or proprie-

tary medicines, essences or of such other products as the Board may determine, entitling such manufacturer to purchase from the Board or from a vendor named in the permit, or from any other person selling alcohol or liquor by direction of the Board, alcohol or other liquor in such quantities as the Board may by such permit authorize, and to have, keep and use such alcohol or other liquor for the purposes and on the premises designed in the permit.

(2) The time during which such permit shall remain in force shall be stated on the face of the permit.

(3) Before any such permit is issued, satisfactory evidence shall be furnished to the Board as to the character of the articles or commodities proposed to be manufactured in which alcohol or other liquor is required, and such other evidence as in the public interest the Board may deem desirable, and such special permit may on notice to the holder thereof, and after due investigation, be cancelled or suspended in the absolute discretion of the Board.

DRUGGISTS

8. The Board may grant a special permit authorizing a retail druggist to purchase liquor or alcohol from a vendor in such quantities during any one month as the Board may determine and to have in his drug store during such month a stock of liquor or alcohol not exceeding the maximum amount which he is permitted to purchase by the Board and all such liquor or alcohol so purchased shall be used only in compounding medicines, or as a solvent or preservative.

9. Every druggist who holds a special permit shall keep a record book in form approved by the Board, in which he shall enter immediately the disposal made of alcohol, or other liquor, purchased under his special permit, itemizing each order and article or series of articles into the preparation of which alcohol or liquor has entered, with names, dates and purposes shown, and such record book shall be open at all times to the inspection of any officer of the Board or of the Ontario Provincial Police, or of a municipal police officer acting under authority of section 139 of the Act, and whenever required by the Board, a certified copy of the said record shall be furnished to the Board within a week after it is demanded, for such period as is named in the demand, and the furnishing of a corresponding report monthly may also be required by the Board for such duration as it may determine.

EXCISE LICENSES

10. A license to a retail druggist by the National Revenue Department (Excise Division) shall not relieve such druggist from the requirement to procure a special permit under the Act, such special permit being necessary to establish his right under the laws of Ontario to have alcohol in his place of business under the said excise license. A retail druggist holding such excise license is required to conform to regulation 9 requiring the keeping of a record book and to include in such record the disposal of alcohol purchased under his excise license.

SPECIAL PERMITS

11. The Board may, pursuant to clause (e) of subsection 2 of section 38 of the Act, prescribe a special

form of permit, and liquor purchased thereon may be had, given and consumed in accordance with its terms and provisions.

FIRST AID PERMITS

12. Liquor in such quantities as authorized by the Board may be kept under lock and key in the first aid department of an industrial, commercial or educational establishment, to be used in such quantity only as may be necessary in the case of accident or other emergency occurring on the premises of such establishment, but no such liquor shall be so kept until a permit has been obtained from the Board authorizing it, and upon the production of such permit to the vendor of a Government liquor store, the vendor may supply such liquor and each first aid permit shall have on the reverse side provisions for entries of purchases thereunder.

BOATS AND VESSELS

13. The Board, upon being satisfied with the particulars furnished by the owner of any yacht or vessel, may grant permission to such owner permitting him to have and keep liquor, purchased on his individual permit, or otherwise had, or acquired by him under the provisions of the Act or regulations, on such yacht or vessel for such period of time as the Board may deem advisable, and also permitting the consumption of such liquor on such yacht or vessel by the permit holder, and by the members of his family, or by his guests, during such said period of time.

PRIVILEGES FOR HOTEL OWNERS AND PROPRIETORS, ETC.

14. The proprietor or manager of an hotel or club, or other premises maintained for the entertainment and accommodation of the public, may, with the permission of the Board in writing, have and keep in the rooms of his hotel or club, or other premises, occupied by him as a residence, and designated by him in writing to the Board, for his own and family use or consumption, liquor lawfully purchased by him, and it shall not be necessary for such proprietor or manager to register in the office of the hotel or club or other premises, as the occupant of those rooms.

CHANGE OF ADDRESS

15. The holder of a permit under the Act and these regulations, shall notify the Board of his change of address within forty-eight hours of such change.

ALTERATION, LOSS OR DESTRUCTION OF PERMIT

16. No holder of a permit issued under the authority of the Act or these regulations, shall make any changes in or alterations to the entries or endorsements on the permit, nor shall such holder wilfully mutilate, tear or destroy such permit.

17. The proof to be furnished as to the loss or destruction of a permit shall be in the form of a statutory declaration as provided in the prescribed form, and shall be declared before a commissioner for taking affidavits, notary public, vendor, inspector, or other person authorized to issue permits.

SURRENDER OF PERMIT

18.—(1) Any police officer or official of the Board may on demand or request, require any permit holder

to deliver up to him his permit for inspection, and such officer may retain the permit for such time as he considers advisable, and failure on the part of the permit holder to deliver his permit pursuant to such demand or request shall be an offence.

(2) Such officer or official shall within twenty-four hours of the delivery of the permit to him notify the Board that he is in possession of such permit, and such officer or official shall state the reason such permit is being retained by him.

CANCELLATION AND SUSPENSION OF PERMIT

19. When a permit has been suspended or cancelled, the Board shall notify all vendors and all persons authorized to issue permits for the purchase of liquor.

20.—(1) When the Board has been notified by a Justice of the suspension of a permit, the Board shall notify all vendors, inspectors, and all persons authorized to issue permits for the purchase of liquor.

(2) Upon the receipt of such a notice from the Board,—

- (a) No vendor shall sell liquor to any person whose permit has been suspended during the period of suspension of such permit;
- (b) No vendors or other persons authorized to issue permits shall issue a permit to any such person during the period of such suspension.

21. Every person whose permit has been suspended shall deliver it to the Justice or the nearest vendor or inspector for forwarding to the Board at Toronto.

SACRAMENTAL WINES

22. A priest or a minister of the gospel, a minister of any religious faith who is authorized to solemnize marriage in Ontario, or a person duly authorized to purchase sacramental wine on behalf of a religious body for religious purposes only, and who is the holder of a special permit under clause (d) of subsection 2 of section 38, may purchase, have and keep in his possession in a suitable place such sacramental wine for religious purposes; but no person shall use or consume or allow to be used or consumed any of the said sacramental wine as a beverage.

23.—(1) The Board may, upon payment of the prescribed fees, grant a sacramental wine vendor's permit to a person or corporation, authorizing such person or corporation to sell sacramental wines to a priest or a minister of the gospel, or to a minister of any religious faith, who is authorized to solemnize marriage in Ontario, or to a person duly authorized to purchase the same on behalf of a religious body for religious purposes only.

(2) Sacramental wine vendor's permits shall be in such form as the Board may prescribe, and the time during which such permits shall remain in force shall be stated on the face of the permit.

(3) Every such vendor shall record every sale of sacramental wine in a book to be kept for that purpose, and such record shall show the date, the name and address of the person to whom the sale of wine was

made, and the kind and quantity sold, and the price charged, and such vendor shall furnish the Board by the tenth of each month with a sworn copy of the said record for the preceding calendar month.

(4) Every such vendor shall also keep a record of his purchases of wine, with dates, names, quantities, brands and prices, and shall furnish the Board with a sworn copy of the same monthly in similar manner to the foregoing.

(5) No sacramental wine sold by the holder of a sacramental wine vendor's permit shall be shipped or delivered until,—

(a) The purchaser has given a written order to the vendor dated and signed by such purchaser, and stating the number of his permit and the kind and quantity of wine ordered, and

(b) The purchaser has submitted his special permit for inspection and endorsement by the vendor, and

(c) The vendor has endorsed or caused to be endorsed on the special permit the quantity of wine sold and the date of the sale as well as the initials of the vendor or his authorized employee and the designated number of the vendor's premises.

(6) *Sacramental Wine Vendor's Permit*

The fee for a sacramental wine vendor's permit shall be \$100 per annum, and 8½% of the gross selling price of all sacramental wine sold to special permit holders.

PERMIT FEES

24. The fee for an individual or special permit under clauses (a), (b), (c), (d) and (e) of subsection 2 of section 38 shall be determined by the Board.

25. In every case where an application for an individual permit, or a special permit, as provided for in clauses (a), (b), (c), (d) or (e) of subsection 2 of section 38 of the Act, is received by mail, the application for such permit shall be in the prescribed form.

OFFICERS AUTHORIZED TO ISSUE PERMITS

26.—(1) The Board may appoint such persons in such places to issue permits as to the Board deems desirable.

(2) All persons authorized to issue permits shall issue them in accordance with the instructions issued from time to time by the Board.

(3) All such persons shall also conform to any instructions issued by the Board relating to the accounting for any moneys received by officials on behalf of the Board.

(4) No permit shall be granted to any person, unless and until an application therefor has been made on the prescribed form.

ORDERS OF INTERDICTION

27. An order of interdiction shall be in the prescribed form.

APPOINTMENT OF AGENT TO PURCHASE

28. When permitted by the Board, any person entitled to purchase liquor may, in writing, appoint any other person over the age of twenty-one years of good character, and who has not been convicted of an offence under the Act or the regulations, as his agent to purchase liquor.

29. The appointment of such agent shall contain the following information:

- (1) full name and address of the agent;
- (2) detailed description of the kinds and quantities of liquor to be purchased;
- (3) signature of permit holder or principal;
- (4) number of permit when required.

30. The powers of such agent shall lapse after the purchase described has been fully effected by delivery of the liquor, and, when necessary, the permit to the permit holder at his residence. When necessary the permit shall accompany the appointment of the agent, and in such a case the permit endorser shall place the letter "M" on the same line of the permit as the endorsed purchase.

MEDICAL PRESCRIPTIONS

31. Any medical prescription for liquor presented to any person authorized to sell liquor may be retained by such person before supplying any liquor thereunder, for such time as may be necessary to enable such person to ascertain whether the same was signed by the medical practitioner by whom it purports to be signed, and whether it is in other respects bona fide.

32. No person shall by any improper means obtain a medical prescription, and no person shall use or attempt to use either himself, or by or through any other person any such prescription, or any prescription which he is not lawfully entitled to use, and no person shall knowingly act on behalf of any such person.

33. The prescribed form of prescription shall be written in ink or indelible pencil and shall contain,—

- (1) the date;
- (2) patient's name and address;
- (3) quantity of liquor required;
- (4) a certificate that such liquor is required for medicinal purposes and is the minimum quantity necessary for the patient named;
- (5) full signature and address of issuing physician.

LIQUOR AND BEER SEALS

34. The official seal to be attached to every package of spirits or wine kept for sale or sold by a vendor at a Government store, or by a holder of an Ontario wine license, shall be in the prescribed form and shall bear a serial number.

35. The manner in which such seal shall be attached to packages of liquor shall be as follows:

- (1) For all packages of liquor other than liquor contained in jars, the centre of the seal shall be placed over the cork, stopper or capsule, and an end down each side of the neck of the bottle. Seals for jars shall be placed over the corks, stoppers or capsules thereof in the same manner.
- (2) In every case the liquor seal shall be so attached to the liquor package so that the cork, stopper, or capsule of the package cannot be removed without breaking the seal.
- (3) For the purposes of this regulation, the term "liquor" shall include Ontario wine, but shall not include beer.

36. Subject to regulations 34 and 35 the cork, seal, or stopper attached to a package of liquor kept by any person, with the permission of the Board, shall constitute the seal of the Board for such liquor.

37.—(1) Except as otherwise ordered by the Board, the official seal to be attached to every bottle of beer kept for sale to the Board or sold to any purchaser by a vendor, brewer or brewers' retail store manager, shall consist of the manufacturer's body or neck label on which shall be printed or lithographed the letters "L.C.B.O." in approved form and size and such label shall be known as the official beer seal of the Liquor Control Board.

(2) The said seal shall be applied to each bottle of beer by affixing the said label thereto.

38. A brewer who is the holder of an existing license granted by the Board may print or lithograph his name and address on the body or neck label together with such other information as the Board may authorize, provided, however, that such official beer seal shall only be attached to bottles of beer sold or kept for sale by a vendor, a brewer or brewers' retail store manager to any purchaser in accordance with the provisions of the Act and these regulations.

39.—(1) The official seal to be attached to every keg, barrel, or cask of beer kept for sale to the Board or sold to any purchaser by a vendor, brewer, or brewers' retail store manager, shall consist of two circles, one inside of the other. Between the two circles shall be the words "Liquor Control Board, Ontario," and inside of the inner circle the word "Beer" and also a serial number. The said seal shall be in the prescribed form, and shall be known as the official seal of the Liquor Control Board for the draught beer.

(2) The said seal shall be attached to all kegs, barrels and casks of beer sold, or kept for sale by a vendor, brewer, or brewers' retail store manager, to any purchaser in accordance with the provisions of the Act and these regulations, by pasting same over the spigot hole in each keg, barrel, or cask in such manner that the cork, or stopper cannot be removed without breaking the seal.

40. No person shall make, manufacture, engrave, print, lithograph, keep for sale or sell, or in any manner supply or distribute any of the official beer or liquor seals of the Board, unless authorized in writing so to do by the Board, and then only as so authorized, and as provided by these regulations.

41. The official liquor or beer seals of the Board shall not be attached to any package of liquor or beer unless the same is kept for sale to the Board, or is kept for sale, or has been sold by a vendor, brewer, or brewers' retail store manager, to any purchaser in accordance with the provisions of the Act, and these regulations.

42. No person shall have, keep, or use any beer or liquor seals of the Board, unless authorized so to do by the Board, and then only as so authorized, and as provided by these regulations.

43. No person shall have, keep, or use any of the official beer or liquor seals of the Board, unless the same have been made, manufactured, sold, or supplied in accordance with the provisions of these regulations.

DUTIES AND CONDUCT OF VENDORS

44. The vendor shall,—

- (1) regulate and apportion the work, and supervise all matters connected with receiving and distributing of liquor on the premises of the store under his charge.
- (2) take all necessary precautions for safeguarding liquor in stock, moneys, fixtures, equipment and property of the Board;
- (3) conduct the store under his charge in accordance with the instructions issued from time to time to him by the Board to be known as instructions to vendors;
- (4) conform to all instructions issued from time to time by the Board, through the Chief Commissioner, or other member or officer, relating to the nature and quantity of liquor which may be sold at any one time, the price at which such liquor may be sold, and the accounting for all moneys received and distributed by the vendor on behalf of the Board;
- (5) make himself familiar with the provisions of the Act and the regulations, and govern himself accordingly;
- (6) at all times render courteous service consistent with proper enforcement of the Act and the regulations made thereunder, in the management of the store under his direction.

DUTIES AND CONDUCT OF INSPECTORS

45. It shall be the duty of inspectors, appointed by the Board, to inspect Government stores, breweries, brewers' retail stores, wineries, and winery branch offices, and drug stores, and such other places as the Board may from time to time require.

46. If any inspector, while making an inspection of premises, or otherwise performing any duty required by him, detects irregularities or any contravention of the Act, it shall be his duty to report the same to the Board forthwith, and for the purpose of this regulation he shall possess the authority to seize and remove any liquor or other thing as is conferred upon a provincial police inspector, constable, or other officer as provided by section 129 of the Act.

PROPERTY AND LEASES

47. All leases of any land, or building, required for the purpose of the Liquor Control Board, shall be signed by the Chief Commissioner.

48. The Board representing and on behalf of the Crown, in the right of the Province of Ontario, may insure all property whether real or personal acquired, possessed or received by the Board, in the name of the Board, and all loss under any contract of insurance so entered into by the Board may be payable to the Board.

BREWERIES AND BREWERS' RETAIL STORES

49. Stores to be known as brewers' retail stores may be established by the brewers in any locality approved by the Board, and any licensed brewer shall, upon payment of the fee determined by the Board, be granted a license to store and sell his goods therein under the supervision and direction of the Board.

50. The Board may place an inspector in any brewery or brewers' retail store, whose duty it shall be to direct, supervise, and approve of all sales from such brewery or brewers' retail store and to receive all orders from vendors or purchasers.

51. All orders by any purchaser for beer shall be in the prescribed form.

52. Except as otherwise provided in these regulations, a brewer or brewers' retail store manager may accept orders by telephone for the sale and delivery of beer to any purchaser at his residence and may sell and deliver beer so ordered to the purchaser thereof.

DELIVERY OF BEER AND LIQUOR

53. Except as provided by these regulations and except as otherwise authorized by the Board, no sale or delivery of beer shall be made on Sunday, or any holiday;

- (1) or any day on which general polling takes place at any Dominion or Provincial election held in the electoral district in which the brewery or brewers' retail store is situated;
- (2) or on any day in which general polling takes place at any municipal or school election held in the municipality in which the brewery or brewers' retail store is situated, or upon any day during which any question is submitted to the electors of a municipality under any Act of Ontario;
- (3) or upon any other day except between the hours of 7 o'clock in the forenoon and 7 o'clock in the afternoon thereof, unless special provision is made therefor by the Board, provided that the delivery of beer has not been prohibited by the Board.

54. The Board may, at any time, by an order signed by the Chief Commissioner, prohibit any brewer or brewers' retail store manager from delivering beer to any person.

55. Delivery to a purchaser at his residence by a common carrier, a brewer or a brewers' retail store

manager, of beer or liquor lawfully sold shall be made at such residence to the purchaser, or to anyone over the age of twenty-one years, residing in such residence at the time of such delivery.

56. A brewer may, in accordance with the Act and the regulations, deliver from his brewery premises, beer which has been lawfully sold to any place where the same may be lawfully received or kept.

57. A brewers' retail store manager may deliver, in accordance with the Act and the regulations, beer which has been lawfully sold, to any place where the same may lawfully be received or kept.

58. Any common carrier may deliver, in accordance with the Act and the regulations, beer or liquor lawfully sold and received from any premises where the same may be lawfully sold or kept for sale, to any premises where the same may be lawfully received or kept.

59. No delivery of beer or liquor, except that sold on a doctor's prescription, shall be made unless the person to take delivery of the beer or liquor has signed a receipt for the same and such receipt shall contain the following information:

- (1) name and address of purchaser;
- (2) date of delivery;
- (3) name and address of common carrier or person making delivery;
- (4) individual permit number where liquor is purchased under a permit.

60. The carriage of beer or liquor in any manner not specifically provided for by these regulations shall be lawful if authorized in writing by the Board.

61. It shall be lawful for any common carrier to deliver beer or liquor, purchased as provided by the Act and the regulations, to any railway station, or place where a common carrier maintains an agency, and to provide all necessary storage thereat for such beer or liquor in the course of delivery to a bona fide purchaser.

62. The delivery of beer or liquor to a purchaser, or to the agent of a purchaser, authorized in writing to accept delivery of same, may be made by such common carrier at any railway station, or place where a common carrier maintains an agency.

63. Beer or liquor purchased by any person pursuant to the provisions of the Act and the regulations may be carried or conveyed by the purchaser from his residence to another residence occupied by him, or intended to be occupied by him or from any place where the same has been lawfully purchased under the Act or regulations, to any place where the same may be lawfully kept; provided, however, that no such beer or liquor shall be consumed by any person while it is being so conveyed or carried.

CONSUMPTION AND POSSESSION OF BEER

64.—(1) Except as otherwise provided in the Act or in the regulations, no person shall have, give or consume any beer except in the residence of the person

purchasing the same in accordance with the provisions of the Act and the regulations.

(2) Except as otherwise provided in the Act or in the regulations, no person shall be in possession of beer which has not been purchased by such person in accordance with the Act and the regulations.

ONTARIO WINE REGULATIONS

65. No producer of Ontario wine shall sell or offer for sale in the Province of Ontario any Ontario wine until he shall have first procured from the Board a license authorizing him to sell the same.

66. Every application for an Ontario wine license shall be in such form and shall contain such information as the Board may require.

67. Every Ontario wine license, or a copy thereof, shall be posted up or displayed in a conspicuous place in that part of the winery premises or branch office to which the public have access.

68. An Ontario wine license may be cancelled or suspended at any time by the Board, with or without a hearing.

69. No Ontario wine shall be sold in Ontario unless produced in premises approved by the Board.

70. The holder of an Ontario wine license shall not sell, in the Province of Ontario, Ontario wine which is not satisfactory to the Board.

71. Producers of Ontario wine may keep and offer for sale, sell and deliver only such Ontario wine

(a) as is

- (i) of a colour satisfactory to the Board,
- (ii) of natural and pleasing odour, flavour and bouquet, and
- (iii) free from sediment, turbidity or foreign matter,

(b) as conforms with

- (i) the Food and Drugs Act (Canada), and
- (ii) the regulations made thereunder as they may be from time to time,

(c) as contains volatile acids, in terms of acetic acids, of not more than 0.13 per cent,

(d) as, if designated as port or sherry or similarly designated, contains not less than 14 per cent of alcohol by volume,

(e) as, if designated as claret or claret type, contains not more than 13 per cent of alcohol by volume and not more than 1 per cent of sugar,

(f) as, if designated as still burgundy or chianti or similarly designated, contains not more than 14 per cent of alcohol by volume and not more than 1 per cent of sugar,

(g) as, if designated as dry and is a still wine with a content of less than 14 per cent of alcohol by volume, contains not more than 1 per cent of sugar,

(h) as, if containing carbon dioxide under pressure from natural fermentation or otherwise, contains not more than 14 per cent of alcohol by volume and not more than 5 per cent of sugar, and

(i) as is obtained

(i) where the volume of wine and lees from one ton of grapes or cherries, or

(ii) where the concentrated juice of one ton of grapes or cherries, including lees and any water, honey, sugar or the distillate of Ontario wine added,

is not more than 250 Imperial gallons.

72. The Board may place an inspector on the winery premises for the purpose of checking and recording the weight of all grapes and cherries received at the winery to be used in the production of Ontario wine, grape juice and concentrates.

73. The holder of an Ontario wine license may, with the approval of the Board, purchase Ontario wine from another holder of an Ontario wine license, provided, however, that an application for such purchase is made to the Board on an approved form stating the kind and quantity of Ontario wine required.

74. Except as otherwise provided no Ontario wine or distillate of Ontario wine shall be transferred from the premises of an Ontario wine license holder to any other premises in Ontario without the approval of the Board.

75. A holder of an Ontario wine license shall not produce, sell or keep for sale in his plant or premises, medicated wine unless he is the holder of a manufacturer's permit from the Board.

76. Samples of Ontario wine produced for sale in Ontario, or offered for sale in Ontario by the holder of an Ontario wine license, may be taken for the purpose of analysis by an authorized officer of the Board, or shall be forwarded for analysis when ordered by the Board.

77. The Board may, by written order, restrain an Ontario wine license holder from selling, offering for sale, using for blending or other purposes, Ontario wine, whether it be in the finished state or in the course of production, and such order shall remain in force until cancelled or otherwise disposed of by the Board.

78. New bottles and other containers shall be free from particles of glass, dust and other substances, and all bottles, whether old or new, shall be thoroughly washed before using.

79. All containers and labels for Ontario wine intended for sale to the public in Ontario shall be approved by the Board.

80. Ontario wine which is packaged for retail sale to the public in Ontario shall be contained in transparent glass containers.

81. All packages of Ontario wine sold in Ontario by the holder of an Ontario wine license, under the provisions of the Act and the regulations, shall be sealed with the official seal of the Board.

82. A holder of an Ontario wine license, whose products are sold by the Board, may, with the approval of the Board, establish an Ontario wine warehouse in any city or town designated by the Board, for the purpose of warehousing or storing his goods therein.

83. Every application for approval of the Board to establish an Ontario wine warehouse shall be in such form, and shall contain such information as the Board may require.

84. Before the approval of the Board is given, satisfactory evidence shall be furnished as to the character of the premises proposed to be used as an Ontario wine warehouse, and the locality in which such premises are situated.

85. Except as provided in regulation number 86, no holder of an Ontario wine license shall sell, or offer for sale in Ontario any Ontario wine warehoused, or stored in any Ontario wine warehouse established under these regulations.

86. All sales and deliveries of Ontario wine warehoused, or stored in an Ontario wine warehouse, shall be made only to, and upon requisition of the Board, or to branch sales offices of the licensee.

87. Every holder of an Ontario wine license, who has established an Ontario wine warehouse under the provisions of these regulations, shall deliver, or send by post to the Board, a true statement of every shipment of Ontario wine consigned by him to such warehouse, such statement to be delivered, or sent within twenty-four hours after the said shipment is made.

88. The establishment of an Ontario wine warehouse by the holder of an Ontario wine license under these regulations, shall not affect the existing rights of such license holder to sell Ontario wine at his licensed winery, or branch office.

89. No holder of an Ontario wine license, without the consent of the Board, shall carry, or transport to any other premises, or place, any Ontario wine warehoused, or stored by him in an Ontario wine warehouse except as otherwise provided.

90. Unless otherwise authorized by the Board, and except as otherwise provided in these regulations, Ontario wine shall be produced from the grape and cherry to the finished product in, and shall be sold only upon and from the premises in which it is produced.

91. The holder of an Ontario wine license may, with the written approval of the Board, establish one office upon such premises as are satisfactory to the Board, for the retail sale of Ontario wine of his own production.

92. Notwithstanding anything contained in regulations numbers 90 and 91, if the holder of an Ontario wine license purchases, secures or otherwise acquires additional Ontario wine licenses from the former holders thereof, and surrenders them to the Board, the Board may permit such holder of an Ontario wine license to

establish an additional branch office for retail sale of Ontario wine of his own production for each Ontario wine license so surrendered by him as aforesaid, provided that not more than nine branch offices may be established by a holder of an Ontario wine license.

93. Except as otherwise provided, the holder of an Ontario wine license, who has established a branch office as hereinbefore provided, shall not sell, keep for sale or deliver Ontario wine from the plant or premises upon which such Ontario wine is produced, provided, however, that authorized wholesale deliveries may be made in accordance with the Act and the regulations, together with the transfer of Ontario wine to such branch office or offices.

94. The Board may place an official in any winery or branch office, to direct, supervise and approve all sales from such winery or branch office.

95. The Board may appoint an official of any winery to act as its representative in such winery or branch office.

96. Ontario wine shall not be sold to,—

- (1) any person under the age of twenty-one years;
- (2) any person against whom an order of interdiction has been made;
- (3) any person to whom the sale of intoxicating liquor is prohibited under the provisions of any statute.

97. Except as provided by these regulations, no retail sale or delivery of Ontario wine shall be made by the holder of an Ontario wine license on Sunday or on any other holiday;

- (1) or on any day on which general polling takes place at any Dominion or Provincial election held in the electoral district in which the winery or branch office is situated;
- (2) or on any day on which general polling takes place at any municipal or school election held in the municipality in which the winery or branch office is situated; or upon any day during which any question is submitted to the electors of any municipality under any Act of the Province of Ontario;
- (3) or upon any other day except between the hours of 9 o'clock in the forenoon and 8 o'clock in the afternoon thereof;

unless special provision is made therefor by the Board.

98. Unless otherwise prohibited by the Board, the holder of an Ontario wine license may accept orders by telephone for the sale and delivery of Ontario wine to any purchaser at his residence, and may sell and deliver Ontario wine so ordered to the purchaser thereof.

99. Except as otherwise provided, the regulations covering the delivery and carriage of beer shall *mutatis mutandis* apply to the holder of an Ontario wine license.

100. All retail sales of Ontario wine shall be recorded in duplicate on a serially numbered order form approved by the Board. The originals shall be for-

warded daily to the Board, together with a certification that sales mentioned in such orders cover all retail sales made on that particular day. The duplicate copies shall be retained at the sales office.

101. The maximum quantity of Ontario wine which may be sold or delivered to any person at any time shall be determined by the Board.

102. Except as otherwise provided, no person shall be in possession of Ontario wine which has not been purchased by such person in accordance with the Act and the regulations.

103. A holder of an Ontario wine license shall not by window display or in the public press, or by circular, handbill, poster or any other means whatsoever, solicit orders for Ontario wine or advertise it for sale.

104. Except as otherwise provided, no person shall have, give or consume any Ontario wine except in the residence of the person purchasing the same in accordance with the provisions of the Act and the regulations.

105. The plant or premises upon which Ontario wine is produced, stored or sold shall be open to inspection by an authorized officer of the Board, and such officer may take inventory of all Ontario wine and other products contained therein. All records, books of account and invoices shall be made available by the holder of an Ontario wine license for inspection by the Board's officer when required.

106. Each cask, vat or container in excess of 150 imperial gallons capacity, used by the holder of an Ontario wine license for the storage of Ontario wine, shall have painted thereon or by means of metal figures affixed an individual number, and such cask, vat or container so numbered shall have the capacity in imperial gallons plainly indicated thereon.

107. Every holder of an Ontario wine license shall keep such books and records as shall fully and clearly set forth a record of all grapes, cherries, sugar, and all other materials purchased for producing and processing Ontario wine as well as the selling and disposing of same. Such books and records shall be in such form as the Board may require.

108. The holder of an Ontario wine license shall be allowed as natural loss up to six per centum of the total volume of new wine in the first year of its age, and up to three per centum for each year thereafter, and such allowance shall be considered as resulting from lees, evaporation and processing.

109. Losses of Ontario wine suffered in any winery other than from lees, evaporation and processing, shall be reported to the Board immediately.

110. Where the holder of an Ontario wine license is found by an authorized officer of the Board to have less than the amount of Ontario wine that should be on hand on the premises of the license holder, the shortage, less the allowance for lees, evaporation and processing permitted under regulation number 108 shall be construed as having been sold and shall be subject to all levies due to the Board unless otherwise proven to the satisfaction of the Board.

111. Every holder of an Ontario wine license shall, not later than the tenth of every month, furnish the

Board, or any officer whom the Board may designate, a statement, in the prescribed form provided by the board, showing quantities of Ontario wine sold during the next preceding calendar month, the quantities of Ontario grown grapes and cherries and concentrates thereof purchased and used in the production of Ontario wine during the month for which the statement is made, and such other information as the Board may require.

112. Every holder of an Ontario wine license shall furnish to the Board within ten days after the close of the Board's fiscal year, a sworn annual statement in the form provided by the Board, showing the volume of his business, and he may be required by the Board to produce for examination his books of account, invoices and all papers necessary to show the quantity of Ontario grown grapes and cherries or concentrates thereof used in the production of Ontario wine, and to show the quantity of Ontario wine sold for export from the Province of Ontario, and such other particulars as the Board may require.

WINE

113. Except as otherwise provided in these regulations, no person shall have, give or consume any wine except in the residence of the person purchasing the same in accordance with the provisions of the Act and the regulations.

114. Except as otherwise provided in these regulations, no person shall be in possession of wine which has not been purchased by such person in accordance with the Act and the regulations.

115. Unless otherwise prohibited by the Board, wine purchased from a vendor at a Government store may be ordered thereat or by mail or by telephone, and when ordered by mail or by telephone, receipt of delivery shall be acknowledged in writing signed by the purchaser or his authorized agent, and such receipt shall be returned forthwith to the Government store from which delivery was made.

116. All orders for the purchase of wine from a Government store by any purchaser, including mail and telephone orders, shall be made in writing upon the forms supplied or prescribed by the Board and shall be signed by the purchaser or his agent.

HOME-MADE WINE, CIDER AND BEER

117. In these regulations home-made wine shall mean wine or any other beverage manufactured from grapes or other fruits, and which contains more than 2½ per centum by volume at 60 degrees Fahrenheit of absolute alcohol.

118.—(1) No person not holding a permit under the Act or the regulations entitling him so to do, shall make or have in his possession home-made wine in excess of 100 gallons within the Province.

(2) Any person making or having in his possession any quantity of home-made wine in excess of the quantity authorized by the permit shall be guilty of an offence.

(3) No person shall have in his possession any home-made wine which has not been made by him in the residence occupied by such person.

(4) Home-made wine made by any person in his residence may be had, given or consumed by him only in the residence occupied by such person.

(5) No permit shall be required for the possession by any person in his residence of home-made wine made by him in quantities not exceeding 100 gallons.

119.—(1) The Board may issue to any person over the age of 21 years a permit in the prescribed form entitling such person to make, have and keep on the premises occupied by such person as a residence, home-made wine in excess of 100 gallons in accordance with the terms of the permit.

(2) Such permit shall be in force during the pleasure of the Board, and may be cancelled at any time by the Board with or without a hearing.

(3) Such permit shall specify the total quantity of home-made wine permitted by the Board to be made, had or kept by any person.

120. Any person brewing beer for use of himself and his family as provided by *The Excise Act*, 24 and 25 George V, Chapter 52, 1934 (Canada), may have and keep such beer only in the residence occupied by such person.

RUBBING ALCOHOL

121. In these regulations, rubbing alcohol shall include specially denatured alcohol designated as S.D.A.G. No. 1F under the regulations passed pursuant to *The Excise Act*, 24 and 25, George V, Chapter 52, 1934 (Canada).

122. Except as provided by the regulations passed pursuant to *The Excise Act*, rubbing alcohol shall be sold only by duly qualified druggists, holding a special permit issued by the Board.

123. Except as otherwise permitted by the Board, no quantity of rubbing alcohol in excess of sixteen ounces shall be sold by any druggist to any person at any one time.

124. Every druggist shall record in a book, approved by the Board, and kept for the purpose, all sales of rubbing alcohol made by him. The said book shall be at all times available and kept open for the inspection of an inspector, appointed by the Board, or any police officer, and such records shall show:

- (1) the name, address and signature of the purchaser;
- (2) the date of the sale;
- (3) the quantity of rubbing alcohol sold.

125. When required by the Board, a druggist shall deliver or send by post to the Board a true copy of every entry and record dealing with the purchase or sale of rubbing alcohol for any specified period.

126. Rubbing alcohol sold by druggists, under these regulations, shall be purchased by the said druggists from wholesale druggists, or corporations holding an excise permit as provided by *The Excise Act*, and the regulations passed thereto.

127. At the time of the said purchase, the said druggist shall furnish such wholesale druggist or corporation with the number of the special permit issued to such druggist by the Board.

128. A duly qualified medical practitioner may supply rubbing alcohol in an amount not exceeding sixteen ounces to a bona fide patient in actual need, and when in his judgement such rubbing alcohol so administered is necessary for the external use of such patient.

129. A record of all purchases and sales of rubbing alcohol, made by duly qualified medical practitioners, shall be kept by such medical practitioners, and such record shall be available at all times, and open to inspection by an inspector, appointed by the Board, or by any police officer.

FEES AND COSTS

130. The fees payable to a Crown Attorney, or Special Prosecutor, attending on any prosecution submitted to him, as provided by section 133 of the Act, shall be as follows:

- (1) for receiving, examining all informations under the Act. \$1.00
- (2) for attending Magistrate's Court, and prosecuting a case to final disposition 10.00
- (3) for all necessary adjournments. 2.00
- (4) for attending and prosecuting to final disposition all cases which are not tried in the city or town in which the Crown Attorney, or Special Prosecutor resides. 20.00
- (5) all necessary and travelling expenses incurred by the Crown Attorney, or Special Prosecutor, shall be repayable to him. Expenditures of \$1.00 and upwards shall be vouched for by receipt.
- (6) when a Crown Attorney, or Special Prosecutor, uses his own automobile for attendances at prosecutions conducted in a city or town in which he does not reside, he shall be allowed a fee at the rate of six cents per mile for each mile travelled, and in Northern Ontario, seven cents per mile;

provided, however, that the fees payable to a Crown Attorney or Special Prosecutor attending on any prosecutions, submitted to him under sections 96 and 108 (a) of the Act, shall be the sum of \$5.00 each, and not more than \$25.00 aggregate per diem shall be paid for all prosecutions under these sections.

131. The fees payable to a Crown Attorney, or Special Prosecutor attending on appeals to a county or district court judge from a conviction or order of dismissal of an information by any justice, as provided by section 156 of the Act, shall be as follows:

- (1) for all work preliminary to the hearing of the appeal, including the examination of the information, warrant, depositions or evidence and conviction. \$10.00
- (2) for attending before judge and prosecuting the appeal to judgment. 20.00
- (3) for all necessary adjournments. 2.00

- (4) all necessary travelling and other expenses incurred by the Crown Attorney or Special Prosecutor, shall be repayable to him. Expenditures of \$1.00 and upwards shall be vouched for by receipt.
- (5) when a Crown Attorney, or Special Prosecutor uses his own automobile for attendance at the hearing of appeals, conducted in a city or town in which he does not reside, he shall be allowed a fee at the rate of six cents per mile for each mile travelled, and in Northern Ontario seven cents per mile.

132. If the prosecutor or complainant is an officer, appointed by by-law under section 139 of the Act, the proper costs in the cause, including the fees of the Crown Attorney, or Special Prosecutor shall be paid by the municipality appointing such officer.

133. In cases other than those mentioned in the preceding regulation, the proper costs in the cause, including the fees of the Crown Attorney, or Special Prosecutor, shall be paid by the Board.

134. Every justice shall send half monthly to the Board a certificate in the prescribed form containing full particulars of all cases heard by him.

135. All penalties in money imposed under the provisions of the Act, or the regulations, by a justice shall, after deducting all necessary costs, be paid by the justice by cheque to the Board. The justice shall then deliver such cheque to the District Inspector of the Ontario Provincial Police, who shall forthwith forward the same to the Board.

136. No cash representing penalties imposed under the Act, or the regulations, shall be paid to the District Inspector.

137. In every case where an officer, appointed under section 139 of the Act, is the prosecutor or complainant, the entire penalty in money or such part thereof as is provided by law shall be paid to the treasurer of the municipality appointing such officer.

138. The Board may prescribe such forms as it deems advisable for the purposes of the Act and the regulations.

139. All regulations heretofore made under *The Liquor Control Act* are hereby revoked.

Regulations 466

(Ontario Regulations 26/44; 67/45; 102/45; 93/47; 28/48; 205/50; 269/50)

REGULATIONS MADE UNDER THE MENTAL HOSPITALS ACT

APPLICATION OF ACT

1.—(1) The following hospitals are designated institutions to which the Act shall apply:

- (a) The Ontario Hospital, Aurora;
- (b) The Ontario Hospital, Brockville;
- (c) The Ontario Hospital, Cobourg;
- (d) The Ontario Hospital, Fort William;
- (e) The Ontario Hospital, Hamilton;
- (f) The Ontario Hospital, Kingston;
- (g) The Ontario Hospital, Langstaff;
- (h) The Ontario Hospital, London;
- (i) The Ontario Hospital, New Toronto;
- (j) The Ontario Hospital, Penetanguishene;
- (k) The Ontario Hospital, Port Arthur;
- (l) The Ontario Hospital, St. Thomas;
- (m) The Ontario Hospital, Toronto;
- (n) The Ontario Hospital, Whitby; and
- (o) The Ontario Hospital, Woodstock.

(2) The following hospital school is designated an institution to which the Act shall apply:

- (a) The Ontario Hospital School, Orillia.

ADMISSION

2. The Deputy Minister and the superintendent of any institution in awarding admission to patients shall not be bound to consider the applications in the order in which they are received, and they shall be at liberty to grant priority to those cases which are, in their opinion, in most urgent need of hospital care and attention.

TREATMENT

3. Subject to the direction of the Deputy Minister, the superintendent of an institution shall be the sole judge of the accommodation, care and treatment to be provided for any patient and he shall have authority to move a patient from one ward to another in the hospital and to determine the ward in which any patient shall be treated.

CLASSES OF PATIENTS IN INSTITUTIONS

4. Ontario Hospitals shall admit mentally ill, mentally defective, epileptic and habituate patients.

5. Hospital schools shall admit only mentally defective patients, and such other classes of patients as the Deputy Minister shall authorize.

6. The Ontario Hospital, Woodstock, shall admit only patients suffering or suspected to be suffering from epilepsy.

7. Every examination unit and every approved home shall admit only the same class or classes of patients as the hospital or hospital school with which it is connected or of which it forms a part.

8. The superintendent shall have authority to transfer any patient who has been admitted to an hospital or hospital school to an examination unit for a period not to exceed thirty days, provided that the Deputy Minister may extend the period for an additional sixty days, and at the end of such period the patient shall be returned to the hospital or hospital school.

PROBATION

9. Subject to the provisions of regulation number 11, any patient who has been released from an institution on probation according to the provisions of section 36 of *The Mental Hospitals Act*, and who has not returned or who has not been returned to the institution within six months from such release on probation shall be discharged.

10. In any case where the superintendent releases any patient on probation according to the provisions of section 36 of *The Mental Hospitals Act*, the superintendent shall have authority to obtain from the person who signs the written undertaking referred to in the said section an agreement in the prescribed form, signed by such person to the effect that in the event that it becomes necessary to return the patient to the institution, such person will return him and will provide any expenses so incurred.

11. If within six months from his release on probation the patient's mental condition is such that his confinement in an institution is necessary, such patient may be returned to the institution by the person to whom he was released on probation or on the prescribed warrant of the superintendent or Deputy Minister.

12. If within six months of the release on probation of any patient the superintendent receives a request from the person or persons to whom the patient was released on probation that the probation period be extended, the superintendent may arrange for an examination of the patient by a physician who is an officer of the Department and if the examining physician reports that an extension of the probation period is advisable, the superintendent shall have authority to extend the probation period for a further period not exceeding six months.

MAINTENANCE

13. The minimum rate for which a patient, or his estate, or the person liable for his maintenance, shall be liable in the general wards of any institution, except the Ontario Hospital, Whitby, and the Ontario Hospital, Woodstock, shall be \$7.00 per week, and for the Ontario Hospital, Whitby, and the Ontario Hospital, Woodstock, shall be \$10.50 per week, and in cases where the patient's condition requires special care and treatment such further charges may be made as the superintendent may determine. Such rate shall not include clothing and the cost of clothing shall be an additional charge upon the patient, or his estate, or the person liable for maintenance.

14. In any institution having private or semi-private wards the rate for which a patient, or his estate, or the person liable for his maintenance, shall be liable shall be determined in each case by the superintendent and the rate shall be based on the accommodation, care and treatment provided for the patient.

15. When the maintenance of a patient occupying a private or semi-private ward is one quarter in arrears and remains unpaid, the superintendent may transfer such patient to a general ward, and in such case he shall notify the surety or the person liable for such maintenance of such course and the amount due and owing.

16. When a patient has been discharged from an institution and admission is again applied for or awarded on behalf of such patient, the superintendent shall, where possible, obtain renewal of the bond for maintenance or a new bond.

17. Nothing in these regulations shall in any wise be construed to relieve any person or persons or property liable for the maintenance of any patient from such liability, nor shall the execution of any bond or agreement for the payment of maintenance have any such effect, or in any wise interfere with or prevent any other remedies for the recovery of moneys owing for the maintenance of a patient at the full rate of maintenance.

APPROVED HOMES

18.—(1) The Department may pay an amount not exceeding \$9.50 a week for the care and maintenance of patients in an approved home.

(2) Where special care and maintenance are

- (a) required by a patient, or
- (b) requested by a person liable for the maintenance of the patient,

and the person liable for payment is able and willing to pay, the Department may pay a weekly amount in excess of \$9.50.

19. Where a patient is in an approved home, the patient or his estate or the person liable for maintenance shall be liable for the amount mentioned in regulation 18, an additional charge of \$1.00 per week which the Department shall have authority to charge for his supervision and the cost of his clothing.

LABOUR FOR PATIENTS

20. Every hospital and hospital school shall be provided with requisite means for carrying on beneficial work by the patient, and the advantages of such work shall be deemed to be a part of the treatment when prescribed for a patient under the direction of the superintendent.

FORMS

21. The forms in the schedule to these regulations shall be sufficient in the cases thereby respectively provided for, and where no forms are prescribed, new ones may be framed to meet the circumstances of the case, conforming as nearly as may be to those set out in the said schedule, being made short and concise, in the mode indicated therein.

22. Under the direction of the superintendent, the steward shall be responsible for,—

- (a) proper maintenance of all books of account, statistics and records relating to the business and financial administration of the institution;
- (b) the preparation of requisitions to the Department for all materials, supplies and services required at the institution; the purchase under the direction of the Department of such materials and supplies as may be authorized;
- (c) the preparation of statements of account, reports, returns and other data and information as may be necessary; maintenance of proper records and inventories of Departmental property, and of all transactions relating thereto; the safe custody of and accounting for personal effects which are the property of patients in the institution and where such effects remain in the actual custody of the steward;
- (d) the supervision and control of expenditures in connection with the institution in relation to such amounts as may be appropriated by the Legislative Assembly for that purpose and as may be directed by the Deputy Minister;
- (e) the maintenance of such institutional staff records as the superintendent may require;
- (f) the supervision of all stores, materials and supplies and the inventory and accounting for same;
- (g) the collection of and accounting for of all purchases for the maintenance of paying patients in the institution;
- (h) the collection of and accounting for all casual revenue; the disbursement of and accounting for any sums received on account of patients' pin money; the disbursement and accounting of moneys received from the Provincial Treasurer in respect of salaries, accounts and other accountable trust moneys advanced to him;
- (i) such other duties in relation to the financial business and affairs of the institution as may be assigned to him by the Deputy Minister or the superintendent.

23. During the illness or absence of the superintendent of any institution, the Minister may appoint an officer of the Department or any institution to be acting superintendent of the institution, and while acting as acting superintendent such officer shall have all the powers and be subject to all the duties of a superintendent under the said Act and these regulations.

24. A warrant to apprehend a patient under section 45 of the Act shall be in form 40.

25. A warrant to apprehend a patient on probation shall be in form 41.

FORMS

FORM 1

VOLUNTARY APPLICATION

(Referred to in Sections 19 and 58)

I, (Name of applicant in full) of (Municipality of applicant) in the County of request the Superintendent of the Ontario Hospital at to admit me as a Voluntary Patient.

I pledge myself to give at least five full days' notice in writing to the said Superintendent of my intention to leave the said Ontario Hospital.

I promise to conform to the rules and regulations of the said Hospital and to co-operate with the officers thereof in carrying out such treatment or directions as may be necessary in my case.

Witness: Date.....19.... (Signature of applicant)

STATEMENT OF MEDICAL PRACTITIONER

The above named applicant has been examined by me (or is well known to me), and I am of the opinion that (s)he is in need of treatment in an Ontario Hospital.

I am of the opinion that (s)he is not suffering from infirmity due to old age or from incurable disease for which other institutional care is required and that (s)he is not a mental defective.

I am of the opinion that (s)he is a reasonably hopeful subject for treatment with a view to effecting a cure of his (or her) malady.

(Signature of legally qualified medical practitioner) (Address)

Date.....19....

FORM 2

MEDICAL PRACTITIONER'S CERTIFICATE FOR THE ADMISSION OF A MENTALLY ILL PATIENT

(Referred to in Section 20)

I, the undersigned legally qualified medical practitioner, practising at....., in the County (or District) of..... (Municipality of practitioner) hereby certify that on the..... day of....., 19...., separately from any other medical practitioner, I personally examined..... (Name of patient in full) of..... (Municipality of patient)

After making due inquiry into all the facts in connection therewith necessary to be enquired into in order to enable me to form a satisfactory opinion, I do hereby further certify that (s)he is mentally ill and is a proper person to be confined in an Ontario Hospital, and that I have formed this opinion upon the following grounds, namely:

1. Facts indicating mental illness observed by myself: Appearance.

Conduct. Conversation.

2. Other facts, if any, indicating mental illness communicated to me by others:

(State from whom the information was received.) Signed this.....day of.....19....

Witness: (Signature of practitioner)

FORM 3

MEDICAL PRACTITIONER'S CERTIFICATE FOR THE ADMISSION OF A MENTALLY DEFECTIVE PATIENT

(Referred to in Section 20)

I, the undersigned legally qualified medical practitioner, practising at..... in the County (or District) of..... (Municipality of practitioner) hereby certify that on the..... day of....., 19...., separately from any other medical practitioner, I personally examined..... (Name of patient in full) of..... (Municipality of patient)

After making due enquiry into all the facts in connection therewith necessary to be enquired into in order to enable me to form a satisfactory opinion, I do hereby further certify that (s)he is mentally defective and is a proper person to be confined in an Ontario Hospital or Hospital School, and that I have formed this opinion upon the following grounds, namely:

1. Facts indicating mental deficiency observed by myself:

Appearance. Conduct. Conversation.

2. Other facts, if any, indicating mental deficiency communicated to me by others:
(State from whom the information was received.)
Signed this.....day of.....19...
Witness:
.....
(Signature of practitioner)

FORM 4

MENTALLY ILL PATIENT'S HISTORY

(Referred to in Sections 20 and 60)

1. Name of patient in full:
2. Residence:
(Street and Number or Lot and Concession) (Municipality)
3. County (or district):
4. Length of residence in this municipality:
5. Age (last birthday):
6. Date of birth:
7. Place of birth:
8. Racial origin (English, French, etc.):
9. Religious denomination:
10. Occupation:
11. Sex:
12. Single, married, widowed, or divorced:
13. Number of children, if any, (a) alive:
(b) dead:
14. If not born in Canada give,
(a) Date of entry into Canada:
(b) Port of entry into Canada:
(c) Name of vessel or railroad on which patient entered:
15. Father of patient,
(a) Name in full:
(b) Birthplace:
If dead, give (a) Age at death:
(b) Cause of death:
16. Mother of patient,
(a) Maiden name in full:
(b) Birthplace:
If dead, give (a) Age at death:
(b) Cause of death:
17. Family History:
(a) Have any relatives been mentally ill, mentally defective, epileptic or neurotic? If so, give details:
(b) If there be any history of alcoholism, drug addiction, criminality or suicide in the family give details:
18. Describe any abnormalities at birth:
19. State age at which patient
(a) Commenced school:
(b) Discontinued school:
(c) Grade or class attained:
20. Describe
(a) Any diseases (except nervous or mental) from which the patient has suffered:
(b) Any injuries or surgical operations:
21. To what extent has patient used alcohol or drugs?
22. If the patient has suffered from previous attacks of mental illness, give details of the same:
23. Was the patient mentally and physically normal before the onset of the present illness? If not, give details:
24. What factor or factors appear to have caused the present illness?

25. Describe the development of the present illness under the following heads,
(a) Time of onset:
(b) First symptoms:
(c) Memory changes:
(d) Disorders of conduct (peculiar acts, violence, suicidal attempts, etc.):
(e) Emotional states (depression, suspicion, elation, apathy, etc.):
(f) Hallucinations (peculiar sensations, "voices," visions, etc.):
(g) Delusions (ideas of persecution, grandeur, self-accusation, etc.):
(h) Neurological changes:
(i) Other symptoms noted:
26. Describe the patient's present physical condition:
27. Has the patient shown suicidal or other dangerous tendencies:
28. Name of responsible relative or friend who will act as correspondent:
29. Address of correspondent:
30. Relationship of correspondent to patient:
31. Telephone number of correspondent:

.....
(Signature of medical practitioner)

.....
(Address)

Date.....19...
(Space below for use of Hospital Authorities)

Admission awarded and patient to be admitted on or before.....

.....
(Superintendent)

Date admitted.....

Time admitted.....

Admitted by.....

.....
(Admitting officer)

Case Book Number:
.....

FORM 5

MENTALLY DEFECTIVE PATIENT'S HISTORY

(Referred to in Section 21 and 61)

1. Name of patient in full:
2. (a) Age:
(b) Date and year of birth:
(c) Sex:
3. Residence, Street and Number:
Lot and Concession:
Municipality:
4. County or District:
5. Length of residence in this municipality:
6. Place of birth:
7. Religious denomination:
8. Racial origin:
9. Marital status (single, married, widowed, divorced, separated):
10. Number and ages of children, if any, living or dead:
11. If not born in Canada give:
(a) Date of entry into Canada:
(b) Port of entry:
(c) Name of vessel or railroad on which patient entered:

12. Family History:
 - (a) Paternal Grandparents—
Name, age, occupation:
If dead, age and cause:
 - (b) Maternal Grandparents—
Name, age, occupation:
If dead, age and cause:
 - (c) Father—Name, age, birthplace, school grade reached and age, occupation:
If dead, age and cause:
 - (d) Mother—Maiden name, age, birthplace, school grade reached and age, occupation before marriage:
If dead, age and cause:
 - (e) Brothers and Sisters:
In order of birth, living or dead:
Give the name, age:
If dead, age and cause:
School grade reached and the age on leaving school:
13. Give age of parents at marriage:
14. Are father and mother blood relations?
15. Have any relatives been mentally ill, feeble-minded, epileptic, neurotic, eccentric? Give particulars:
16. Personal and Development History:
 - (a) Was birth of patient full term?
 - (b) Was birth natural, prolonged or difficult?
 - (c) Were instruments used?
 - (d) Was there injury at birth?
 - (e) Were there any convulsions associated with, or shortly after birth?
 - (f) Was patient breast or bottle fed?
 - (g) Describe any feeding defects in the first two years:
 - (h) Age at which first tooth appeared:
 - (i) Give age patient began to walk:
 - (j) Give age patient began to talk:
 - (k) Is there any speech defect now present?
 - (l) Is present gait normal, awkward or shuffling?
17. School History:
 - (a) Age began school:
 - (b) Grade or class reached:
Give age on leaving school:
 - (c) Reasons for leaving school:
 - (d) If never attended school, give reasons:
 - (e) Has patient had auxiliary class training?
 - (f) Can patient read and write?
18. Economic History:
Has patient ever earned wages? If so, state type of work, how long employed, wages earned and reasons for leaving:
19. Social History:
 - (a) What are the patient's interests or amusements?
 - (b) Has patient playmates, if so, are they of the same age or sex or are they younger?
20. Moral History:
 - (a) Is there a history of petty thieving or stealing?
 - (b) Does patient do injury to himself?
 - (c) Is patient cruel to people or animals?
 - (d) Is patient a fire-setter?
 - (e) Describe patient's sex interests and experiences, if any:
21. Habits:
 - (a) Can patient dress and undress self?
 - (b) Can patient feed self? Is feeding cleanly?
 - (c) Does patient wet or soil bed or clothing?
 - (d) Does patient sleep well at night?
 - (e) Has patient any preference in foods?
 - (f) Can patient go up and down stairs unaided?

- (g) Describe character traits. Is patient quarrelsome, quick or violent tempered, suggestible, stubborn, seclusive, suspicious, obedient, etc.?
22. Psychometric Examination:
Mental age, intelligence quotient, date of examination:
23. Previous Illnesses:
 - (a) Has patient had any serious illnesses? Give age, type and duration of illness, where treated:
 - (b) Has patient had any serious accidents? Give age, nature of, and where treated:
24. Physical Examination:
 - (a) What is the patient's present physical condition?
 - (b) What contagious or infectious diseases has patient had, what age, were there any sequelae?
 - (c) What contagious or infectious diseases has patient been immunized against, give date?
 - (d) Has a blood Wassermann been taken, what result, and the date?
25. Name of responsible relative or friend who will act as correspondent:
26. The address of correspondent:
27. The telephone number of correspondent:
28. Relation of correspondent to patient:

.....
(Signature of medical practitioner)

.....
(Address)

Date.....19.....
(Space below for use of Hospital Authorities)

Admission awarded and patient to be admitted on
.....
(Superintendent)

Date admitted.....
Time admitted.....
Admitting Officer.....
Case Book Number.....

FORM 6

FINANCIAL STATEMENT

(Referred to in Sections 20 and 58)

- (1) This form is to be completed by a responsible relative or friend.
- (2) Under *The Mental Hospitals Act*, the Public Trustee is committee of the estates of all patients confined in Ontario Hospitals and as such has full power to manage the estate of the patient to the same extent as the patient could, if of sound mind. No person other than the Public Trustee can deal with the patient's estate except a committee appointed under *The Mental Incompetency Act*. The Public Trustee endeavours to protect the interests of the patient to the fullest extent and in the most economic manner and the expense of giving security and legal costs on application to the Court are avoided.
- (3) When the patient is discharged from hospital, the balance of the estate will be returned to him (or her).

(4) Regulation 12 of *The Mental Hospitals Act* states that "the minimum rate for which a patient, or his estate, or the person liable for his maintenance, shall be liable in the general wards of any institution shall be \$7.00 per week, and in cases where the patient's condition requires special care and treatment such further charges may be made as the superintendent may determine. Such rate shall not include clothing and the cost of clothing shall be an additional charge upon the patient, or his estate, or the person liable for maintenance."

1. Name of patient in full:
2. Residence:
(Street and number or lot and concession):
(Municipality):
(County or district):
3. Length of residence in this municipality:
4. Age of patient:
5. If married, give the name and address of husband or wife:
6. If single, give the name and address of parent or responsible relative:
7. Give the names and ages of any dependants whom the patient has to support:
8. If the patient be single state,
(a) Probable net income of parent or guardian:
(b) Number of his (or her) dependants:
9. If the patient be a married woman state,
(a) Income of her husband:
(b) Occupation of her husband:
(c) Husband's place of employment:

REAL ESTATE

10. Give (1) the number of the lot, concession, township, and county, (2) the number of acres, (3) whether leased or freehold, (4) the name and address of mortgagee, if any, and (5) the market value of the property.
(a) Property of patient:
Mortgages or charges on same, if any:
(b) If the patient be a married woman, state also property of husband:
Mortgages or charges on same, if any:
(c) Property of parents:
Mortgages or charges on same, if any:
11. If property of the patient has been rented, give the following information:
(a) Name of tenant:
(b) Particulars of tenancy, such as length and terms of lease:
(c) Is the lease in writing?
(d) If so, in whose possession is the document?
(e) Give the address of such person:
(f) To whom has the rent been paid?
(g) To what date has the rent been paid?

LIFE INSURANCE

Name of the Company or Society	Number of Policy	Amount of Insurance	In whose possession is the Policy?	Who is named in the policy as Beneficiary?
.....
.....
.....

PERSONAL ESTATE

13. **CASH ON HAND AND IN BANK**
(a) Give name and address of person who is in possession of the cash:
(b) What is the amount?
(c) If deposited in a bank, give the name of the bank:
(d) Where is the bank located?
(e) In whose possession is the bank book?
(f) State the amount in the bank account:

14. STOCKS, BONDS AND SIMILAR INVESTMENTS

Name of Security	Par Value	In whose possession
.....
.....
.....

PERSONAL PROPERTY
(Give approximate values)

15. (a) Farm Implements:
(b) Stock in trade:
(c) Live stock:
(d) Farm produce:
(e) Other property (if any):

MONEYS SECURED BY MORTGAGE

16. (a) Give the name and address of mortgagors who have borrowed money from the patient, setting out in detail separately each mortgage:
(b) State in whose possession the mortgages are, and the address of such person:

17. BOOK DEBTS AND PROMISSORY NOTES OWING TO PATIENT

- (a) Give the names and addresses of debtors:
(b) State in whose possession the notes are, and the address of such person:

18. LIABILITIES, IF ANY, OTHER THAN MORTGAGE DEBTS

19. MANAGEMENT OF THE PATIENT'S ESTATE

What suggestions do the relatives or friends make for the guidance of the Public Trustee?

20. PAYMENT OF MAINTENANCE

- (a) Name of person who will pay the maintenance charges:
(b) Address:
(c) Relationship to patient:
(d) Rate of maintenance:

This rate is set without prejudice to the right of the hospital to collect at any future time all arrears of maintenance from the date of admission at the rate authorized by the regulations under *The Mental Hospitals Act*.

.....
(Signature of responsible relative or friend)

.....
(Address)

.....
(Relationship to patient)

Date.....19...

The Steward of the Hospital shall send one copy of this form to the Deputy Minister and one copy to the Public Trustee as soon as the patient is admitted, whether or not the patient has any estate.

FORM 7

WARRANT FOR APPREHENSION OF MENTALLY ILL, MENTALLY DEFECTIVE OR EPILEPTIC PERSON

(Referred to in Section 25 and 58)

TO ALL OR ANY of the Peace Officers in the County (or District) of.....

WHEREAS information upon oath has this day been laid before the undersigned, a Justice of the Peace in and for the said County (or District), that..... is mentally ill, mentally defective or epileptic;

THESE ARE THEREFORE to command you, in His Majesty's name, forthwith to apprehend such person and bring him (or her) before a Magistrate for the Province of Ontario, in order that inquiry may be made respecting the mental condition of such person, and that (s)he may further be dealt with according to law.

.....
(Signature of Justice)

Date.....19....

FORM 8

MAGISTRATE'S WARRANT TO COMMITTAL FOR SAFE CUSTODY PENDING INQUIRY INTO MENTAL CONDITION

(Referred to in Section 25 and 58)

In the Magistrate's Court for the..... of.....

TO ALL OR ANY of the Peace Officers in the County (or District) of.....

WHEREAS information upon oath was laid before one of His Majesty's Justices of the Peace in and for the said County that..... is mentally ill, mentally defective or epileptic;

AND WHEREAS the hearing of the same has been adjourned until the..... day of....., 19....;

AND WHEREAS it is necessary that such person be kept in safe custody in the meantime;

THESE ARE THEREFORE TO COMMAND you or any of you, the said Peace Officers, in His Majesty's name, forthwith to convey and deliver such person into the custody of.....

AND I HEREBY REQUIRE YOU, the said Custodian, to receive such person into your custody and there safely keep him (or her) until the date mentioned above when you are hereby required to have such person brought before such Magistrate as may then be there to make further inquiry respecting his (or her) mental condition at the time and place to which the said hearing has been adjourned, as aforesaid, and to be further dealt with according to law.

.....
(Signature of Magistrate)

Date.....19....

FORM 9

HISTORY OF PATIENT COMMITTED BY MAGISTRATE

(Referred to in Section 27, 35 and 58)

1. Name in full of person committed:
2. Address of person committed:
3. Municipality in which apprehended:
4. County (or District) in which apprehended:
5. Age (last birthday):
6. Date of birth:
7. Place of birth:
8. Racial origin (English, French, etc.):
9. Religious denomination:
10. Occupation:
11. Sex:
12. Single, married, widowed, divorced, or separated:
13. Name and address of responsible relative or friend who will act as correspondent:
14. Relationship of correspondent to person committed:
15. If there be any history of previous mental illness, give details:
16. If the person committed has any funds, or property, give details:
17. If the relatives or friends of the person committed are able to contribute to his (or her) maintenance whilst in hospital, give details:
18. Has any charge been laid against the person committed other than that of being mentally ill, mentally defective, or epileptic? If so, state what the charge is:
19. State whether such charge has now been withdrawn:
20. Is this person now under sentence? If so, give details:

.....
(Signature of Magistrate)

Date.....19....

FORM 10

CERTIFICATE OF MAGISTRATE

(Referred to in Section 28 and 58)

In the Magistrate's Court for the..... of.....

I, the undersigned Magistrate of the Province of Ontario, do hereby certify that I have personally examined.....

.....
(Name of person committed, in full)

of..... in the County (or District) (Municipality of person committed)

and I do hereby certify that from such personal examination, and from the evidence adduced thereon, I am of opinion that (s)he is mentally ill, mentally defective or epileptic, and pending his (or her) transfer to an institution, I have committed him (or her) into the care and custody of.....

.....
(Signature of Magistrate)

Date.....19....

FORM 11

WARRANT FOR REMOVAL TO HOSPITAL OR HOSPITAL SCHOOL

(Referred to in Sections 29 and 58)

To the Provincial Bailiff, and to the Sheriff for the County (or District) of... AND to the Superintendent of the Ontario Hospital,

YOU, the said Provincial Bailiff and Sheriff, are hereby authorized and required forthwith to take into your custody and convey, or cause to be conveyed... a mentally ill, mentally defective or epileptic person who is at present confined in the... to the said Ontario Hospital, his (or her) removal to such Hospital having been approved and authorized.

AND YOU, the said Superintendent of the said Ontario Hospital, are hereby authorized and directed to receive and detain in custody the said mentally ill, mentally defective or epileptic person in the said Hospital.

(Deputy Minister)

Date... 19...

FORM 12

WARRANT FOR TRANSFER

(Referred to in Section 31)

TO THE Superintendent of the Ontario Hospital AND TO the Superintendent of the Ontario Hospital AND TO the Provincial Bailiff.

WHEREAS it appears advisable to transfer... a patient now detained in the said Ontario Hospital. TO the said Ontario Hospital.

NOW BY THIS WARRANT you, the said Superintendent of the said Ontario Hospital... are hereby authorized and required to deliver the said patient into the custody of the said Provincial Bailiff who is hereby authorized and required to transfer the said patient to the Superintendent of the said Ontario Hospital.

AND YOU, the said Superintendent of the said Ontario Hospital... are hereby authorized and directed to receive and detain the said patient in custody in the said Hospital.

(Deputy Minister)

Date... 19...

ONTARIO

BY THE HONOURABLE ALBERT MATTHEWS LIEUTENANT-GOVERNOR OF THE PROVINCE OF ONTARIO

TO the AND TO the Superintendent of the Ontario Hospital AND TO the Provincial Bailiff,

GREETING:

WHEREAS the of , at present confined in the has been duly certified pursuant to and in accordance with the statute in that behalf,

NOW BY THIS WARRANT I DO HEREBY COMMAND AND AUTHORIZE you, the said of the said

to deliver such person into the custody of the Provincial Bailiff who shall receive and convey such person to the said Ontario Hospital:

AND I DO HEREBY COMMAND AND AUTHORIZE you, the said Provincial Bailiff, to convey such person from the said to the said Ontario Hospital:

AND I DO HEREBY COMMAND AND AUTHORIZE you, the said Superintendent of the said Ontario Hospital, to receive such person into your custody in the said Ontario Hospital, there to safely keep until I order such person back to imprisonment, or until discharge is directed by me or other lawful authority:

GIVEN under my Hand and Seal, in the City of Toronto, in the County of York, this day of in the year of Our Lord one thousand nine hundred and and in the year of His Majesty's Reign.

BY COMMAND,

Deputy Minister of Health.

Assistant Provincial Secretary.

FORM 16

WARRANT OF REMAND TO ONTARIO HOSPITAL

(Referred to in Section 35)

In the Magistrate's Court for the... of...

TO ALL OR ANY OF THE PEACE OFFICERS in the County (or District) of... AND TO THE SUPERINTENDENT of the Ontario Hospital.

YOU OR ANY OF YOU are hereby commanded to take possession of... who has been apprehended and charged on this date with... and who has been remanded by me to the Ontario Hospital.

AND YOU, the said Superintendent, are hereby commanded to admit and detain such person for a period not exceeding sixty days in the said Hospital for examination in accordance with the provisions of The Mental Hospitals Act.

(Signature of Magistrate)

Dated... 19...

FORM 17

PROBATION BOND

(Referred to in Sections 36 and 58)

I, (Name of applicant in full)

being the (Relationship to patient)

of (Name of patient in full)

a patient in the Ontario Hospital..... request the Superintendent to allow him (or her) to return on probation to me.

I undertake on my part to keep an oversight over him (or her) during the term of his (or her) period of probation, and to return him (or her) to the said hospital if I find that I am unable to give him (or her) sufficient oversight.

(Signature of applicant)

(Address in full)

Date.....19....

(NOTE: Form 18 was revoked by O. Reg. 108/48.)

FORM 19

CERTIFICATE FOR APPROVED HOME

(Referred to in Section 38)

I, the Minister of Health for the Province of Ontario, do hereby certify that the premises located at in the of in the County of may be used by as an Approved Home within the meaning of The Mental Hospitals Act for patients of the Ontario Hospital. unless and until this certificate is revoked in writing under my hand.

(Minister of Health)

Date.....19....

FORM 20

VOLUNTARY APPLICATION OF AN HABITUE

(Referred to in Section 46)

I,..... (Name of applicant in full)

of..... (Municipality of applicant)

in the County of....., being addicted to the use of..... (alcohol or drugs)

request the Superintendent of the Ontario Hospital at to admit me as a Voluntary Patient.

I hereby pledge myself to remain in the said Hospital for such period, not exceeding one year, as the said Superintendent may deem necessary to effect a permanent cure in my case.

I promise to conform to the rules and regulations of the said Hospital and to co-operate with the officers thereof in carrying out such treatment or directions as may be necessary in my case.

Witness:

Date.....19....

(Signature of applicant)

STATEMENT OF MEDICAL PRACTITIONER

The above named has been examined by me (or is well known to me) and I am of the opinion that (s)he is an alcoholic (or drug) habitue, and that (s)he is a reasonably hopeful subject for treatment with a view to effecting a cure of his (or her) malady.

(Signature of legally qualified medical practitioner)

(Address)

Date.....19....

FORM 21

PETITION

(Referred to in Section 47(1))

TO HIS HONOUR JUDGE..... of the County (or District) Court of the County (or United Counties, or District) of..... THE PETITION OF..... sheweth as follows:

1. That..... is a bona fide resident of Ontario.

2. That the said..... is so given over to the use of alcohol (or drugs) that he is unable to control himself.

or

2. That the said..... is so given over to the use of alcohol (or drugs) that he is incapable of managing his affairs.

or

2. That the said..... is so given over to the use of alcohol (or drugs) that he squanders or mismanages his property.

or

2. That the said..... is so given over to the use of alcohol (or drugs) that he places his family in danger of distress.

or

2. That the said..... is so given over to the use of alcohol (or drugs) that he transacts his business prejudicially to the interests of his family (or his creditors).

or

2. That the said..... uses drugs (or intoxicating liquors) to such an extent as to render him dangerous to himself (or others).

or

2. That the said..... uses drugs and intoxicating liquor to such an extent that he incurs the danger of ruining his health and shortening his life thereby.

THE PETITIONER THEREFORE PRAYS that a hearing and examination of the matters and allegations herein above set forth may be had, and the Petitioner will ever pray.

Dated at..... this..... day of..... 19....

(Signature of Petitioner)

NOTE:—Any one or more of the alternatives of Section 2 may be used. Wherever the word "or" appears in this Form it may be altered to read "and."

FORM 22

AFFIDAVIT VERIFYING PETITION

(Referred to Section 47 (1))

PROVINCE OF ONTARIO I,
COUNTY OF
of the of
in the of
make oath and say:

TO WIT:

1. That I am the Petitioner whose signature is subscribed at the foot of the Petition hereto annexed.

2. That I know named in the said Petition.

3. That the said is a bona fide resident of Ontario residing at the of

4. That the relationship existing between the said and myself is that of

or

4. That the said has no relatives in Ontario and that I am a friend of the said and am well acquainted with him.

5. That I have personal cognizance of the facts set out in the said Petition.

SWORN before me at this day of 19.....

FORM 23

NOTICE OF APPOINTMENT

(Referred to in Section 47 (1))

IN THE MATTER OF The Mental Hospitals Act, AND IN THE MATTER OF

I hereby appoint day, the day of 19....., at the hour of o'clock in the noon, at my Chambers in the Court House in the of for the hearing and examination of the matters and allegations set forth in the Petition of bearing date the day of 19.....

Dated at this day of 19..... Judge of the County (or District) Court of the County (or United Counties, or District) of

FORM 24

WARRANT FOR REMOVAL, DETENTION AND TREATMENT OF AN HABITUE

(Referred to in Section 51)

TO THE Provincial Bailiff, AND TO the Superintendent of the Ontario Hospital

WHEREAS a report, and the evidence whereon such report was based, have been received by me from His Honour a Judge of the County (or District) Court of concerning one, an alcoholic (or drug) habitue, so found, who resides at

THIS IS THEREFORE to command and authorize you, the said Provincial Bailiff, pursuant to Section 51 of The Mental Hospitals Act, to take into your custody and deliver the said habitue into the custody of the said Superintendent of the said Ontario Hospital.

AND YOU, the said Superintendent of the said Ontario Hospital, pursuant to the said Section, are hereby commanded and authorized to receive the said habitue in the said Ontario Hospital, and to treat and detain the said habitue in the said Ontario Hospital for a period not exceeding two years from the date of his (or her) admission to the said Ontario Hospital, unless (s)he be sooner discharged by the due course of the Law.

Date 19..... (Deputy Minister)

FORM 25

MEDICAL PRACTITIONER'S CERTIFICATE FOR TEMPORARY ADMISSION OF AN HABITUE

(Referred to in Section 52)

I, the undersigned legally qualified medical practitioner, practising at (Municipality of practitioner)

in the County (or District) of hereby certify that on the day of 19....., I personally examined

(Name of patient in full) of (Municipality of patient)

After making due enquiry into all the facts in connection therewith necessary to be enquired into in order to enable me to form a satisfactory opinion, I do hereby further certify that (s)he is suffering from the effects of alcohol (or drugs) to such a degree as to require hospital care and that (s)he is a proper person to be confined in an Ontario Hospital for a period not exceeding thirty days and that I have formed this opinion upon the following grounds, namely:

- 1. Facts indicating alcoholism (or drug addiction) observed by myself: Appearance. Conduct. Conversation.
2. Other facts, if any, indicating alcoholism (or drug addition) communicated to me by others: State from whom the information was received.) Signed this day of 19.....

Witness: (Signature of medical practitioner)

FORM 26

**MEDICAL PRACTITIONER'S CERTIFICATE
FOR THE ADMISSION OF AN
EPILEPTIC PATIENT**

(Referred to in Section 58)

I, the undersigned legally qualified medical practitioner, practising at.....

(Municipality of practitioner)

in the County (or District) of.....

hereby certify that on the..... day of....., 19....., separately from any other medical practitioner, I personally examined.....

(Name of patient in full)

of.....

(Municipality of patient)

After making due enquiry into all the facts in connection therewith necessary to be enquired into in order to enable me to form a satisfactory opinion, I do hereby further certify that (s)he is an epileptic and is a proper person to be confined in an Ontario Hospital, and that I have formed this opinion upon the following grounds, namely:

1. Facts indicating epilepsy observed by myself:

Appearance.

Conduct.

Conversation.

2. Other facts, if any, indicating epilepsy communicated to me by others:

(State from whom the information was received.)

Signed this..... day of....., 19.....

Witness:

.....
(Signature of medical practitioner)

FORM 27

EPILEPTIC PATIENT'S HISTORY

(Referred to in Section 58)

1. Name of patient in full:

2. Residence:

(Street and Number or Lot and Concession)

(Municipality)

(County or District)

3. Length of residence in this municipality:

4. (a) Date of birth:

(b) Age (last birthday):

5. Place of birth:

6. Racial origin (English, French, etc.):

7. Religious denomination:

8. (a) Sex:

(b) Single, married, widowed, separated, or divorced:

9. Names and ages of children, if any (if dead, so state and give cause):

10. Occupation (give kind of work and industry or business):

11. If not born in Canada state,

(a) Date of entry into Canada:

(b) Port of entry into Canada:

(c) Name of vessel or railroad on which patient entered:

(d) Has patient been naturalized?
If so, when?

12. Family History:

(a) Father—

Name in full:

Birthplace:

Citizenship:

Age:

Occupation:

If dead, give—

(1) age at death:

(2) cause of death:

(b) Mother—

Maiden name in full:

Birthplace:

Citizenship:

Age:

Occupation before marriage:

If dead, give—

(1) age at death:

(2) cause of death:

(c) Any consanguinity?

(d) Give names and ages, in chronological order of patient's brothers and sisters. (If dead, so state and give cause):

(e) Have any of the above or other relatives been, mentally ill, mentally defective, epileptic, mentally unstable or is there any history of tuberculosis, alcoholism, drug addiction, criminality or suicide? If so, give details, with names and relationship:

13. Personal and Development History:

(a) Was patient born at full term?

(b) Was labour prolonged, difficult or unusual?

(c) Was birth natural or instrumental?

(d) Was there any evidence of birth injury?

(e) Was patient breast or bottle fed?

(f) Were eliminative habits established early or late?

(g) Was anything unusual in teething?

(h) Age at beginning to talk:

(i) Age at beginning to walk:

(j) Had patient convulsions in infancy? If so, give details:

14. Educational History:

(a) Age when patient commenced school:

(b) Age and class or grade attained on leaving school:

(c) Has patient had auxiliary class training?

(d) If never attended school, state reasons:

(e) Can patient read and write?

15. Economic History:

If patient has been employed, state:

(a) Age at commencing work:

(b) Has patient worked steadily or irregularly?

(c) Were wages equal to the average for type of work?

(d) When last worked at occupation:

(e) Total years spent in occupation:

(f) Has patient driven a car?

16. Social and Moral History and Habits:

(a) Was patient in childhood accepted as an equal by companions?

(b) Describe companions in terms of age and sex:

(c) Has patient been interested in social activities?

(d) Has patient been shy, retiring, seclusive, obtrusive, or domineering? (underline)

(e) What has been patient's attitude toward religion?

(f) Is patient a fire setter?

- (g) Has patient ever been arrested? If so, give details:
 - (h) Is patient an abstainer, temperate or intemperate in the use of alcohol?
 - (i) Is patient addicted to narcotic drugs?
 - (j) Does patient use tobacco?
 - (k) Is patient cleanly in personal habits?
 - (l) Does patient require aid in feeding, dressing or walking?
17. Previous Illnesses:
- (a) Did patient have any accidents with injury to the head followed by unconsciousness before onset of epilepsy? If so, state the nature, date, period of unconsciousness, after-effects if any, where treated, etc.:
 - (b) Has patient had any other serious illnesses or surgical operations? If so, describe giving date, duration, where treated, etc.:
18. Was there any evidence of mental defectivity before the onset of epilepsy? If so, give details:
19. Was there any change in patient's character and disposition before the onset of epilepsy? If so, give details:
20. What factor or factors appear to have been the cause of epilepsy in this case?
21. History of Epilepsy:
- (a) Age at time of onset of seizures: (Enquiry concerning "weak spells," "staring spells," "dizzy spells," "fainting spells," etc., as well as "fits" or "convulsions.")
 - (b) Did patient appear in good physical health before the first seizure? If not, give details:
 - (c) Was the first seizure mild or severe?
 - (d) What were the circumstances?
 - (e) Has patient had both mild and severe seizures?
 - (f) Frequency of seizures (1) at first: (2) at present:
 - (g) Do seizures occur when awake or asleep?
 - (h) Describe the mild attacks, if any:
 - (i) Are the severe seizures characterized by (1) partial or complete unconsciousness? (2) gradual or sudden fall? (3) rigidity (tonic phase)? (4) paling or cyanosis? (5) jerking of limbs, etc. (clonic phase)? (6) biting of tongue? (7) other injuries? (8) frothing at the mouth? (9) discharge of urine or faeces? (10) stertorous breathing? (11) terminal sleep?
 - (j) Is there a warning or aura? If so, describe:
 - (k) Has patient seizures which are characterized by spasm of one limb or part or both limbs on the same side, without marked change in consciousness? If so, do they sometimes become generalized with complete unconsciousness?
 - (l) Has the patient had any sudden attacks of mental disturbance independent of seizures? If so, describe and give duration of attack.
 - (m) State what treatment patient has been receiving, giving dosage and effects:
22. Mental Condition:
- (a) Is there evidence of retarded mental development since the onset of seizures? If so, describe:
 - (b) Has patient shown any mental deterioration since the onset of seizures? If so, describe:
 - (c) Have there been any prolonged clouded and confused states following seizures? If so, describe and give duration:
 - (d) Has patient been pleasant, agreeable and easily managed or irritable, quarrelsome, complaintive, domineering, self-centered, periodically excited or depressed, impulsive, un-

- operative and difficult to manage? (Underline):
 - (e) Has patient been subject to violent outbursts of temper with destructiveness? If so, describe:
 - (f) Has patient threatened or attempted suicide or been dangerous to others? If so, give details:
 - (g) Is patient delusional or hallucinated? If so, describe:
 - (h) Has patient shown any appreciation of the changed mental condition, if any?
23. Physical Condition:
- (a) Is patient in good general health? If not, give details:
 - (b) Describe any physical abnormalities: (1) Congenital: (2) Acquired:
 - (c) Against what contagious and infectious diseases has patient been immunized?
 - (d) Has Wassermann or other blood test been done? Result:
 - (e) Is there any evidence of gonococccic infection?
24. Military Service:
- (a) Date and place of enlistment:
 - (b) Regimental number:
 - (c) Unit:
 - (d) Date and place of discharge:
 - (e) Disability:
 - (f) Pension:
25. What relatives or friends have assisted in providing the above information?
26. Has a physician observed the patient in a seizure? If so, give name and address
27. Name and relationship to patient of person who will act as correspondent:
Address:
Telephone number:
Nearest telegraph office (state company):
28. Name and address of person who will provide clothing for patient while in hospital:

.....
(Signature of medical practitioner)

Date 19.....
(Address)

(Space below for use of Hospital Authorities)

Application No.....
 Admission awarded and patient to be admitted on or before.....
 Date admitted..... Time admitted.....
 Admitted by.....
 (Admitting Officer)

Case Book No.....
 (Superintendent)

FORM 28
CERTIFICATE FOR EXAMINATION UNIT
(Referred to in Section 59)

I, the Minister of Health for the Province of Ontario, do hereby certify that the premises located at

..... in the
of, in the County of
....., and usually described as
follows:

.....
may be used as an Examination Unit within the mean-
ing of *The Mental Hospitals Act*, unless and until this
certificate is revoked in writing under my hand.
Date.....19....
(Minister of Health)

FORM 29

**MEDICAL PRACTITIONER'S CERTIFICATE
FOR THE ADMISSION OF A PATIENT
TO AN EXAMINATION UNIT**

(Referred to in Section 60)

I, the undersigned legally qualified medical practi-
tioner, practising at
(Municipality of medical practitioner)
in the County (or District) of
hereby certify that, within the past seven days, I per-
sonally examined.....
(Name of patient in full)
of.....
(Municipality of patient)

After making due enquiry into all facts in connection
therewith necessary to be enquired into in order to en-
able me to form a satisfactory opinion, I do hereby
further certify that (s)he is a proper person to be con-
fined in an examination unit, and that the following
signs and symptoms have been observed which indicate
a psychopathic disability, namely:

- 1. Facts indicating a psychopathic disability observed
by myself:
 Appearance.
 Conduct.
 Conversation.
- 2. Other facts, if any, indicating a psychopathic dis-
ability communicated to me by others:
(State from whom information was received.)
Signed this.....day of.....

A.D. 19....
Witness:

.....
(Signature of medical practitioner)

FORM 30

BOND FOR MAINTENANCE

(Referred to in Section 66)

KNOW ALL MEN BY THESE PRESENTS that
we.....of the.....
of.....in the County of.....
and.....of the.....
of.....in the County of.....
(hereinafter called the Obligors) are held and firmly
bound unto the Steward of the Ontario Hospital, at
.....in the sum of
FIVE HUNDRED DOLLARS for the payment where-
of we hereby bind ourselves jointly and severally, our
heirs, executors and administrators, firmly by these
presents, sealed with our seals, and dated this.....
day of.....in the year of our Lord
one thousand nine hundred and.....
WHEREAS.....
has been awarded admission as a patient to the Ontario

Hospital at.....at the rate of
.....dollars per week maintenance, exclusive
of clothing, which rate is set entirely without prejudice
to the rights of the Department to collect, at any future
date, arrears of maintenance, if any, at the rates au-
thorized by the regulations made pursuant to *The
Mental Hospitals Act*.

AND WHEREAS the Obligors above named, in
consideration of the said admission, have agreed with
the Steward of the said Hospital to pay the said main-
tenance quarterly in advance on the first days of Janu-
ary, April, July and October in each year, so long as
the patient remains in the said Hospital or any other
Hospital to which (s)he may be removed, and to supply
the patient from time to time with suitable clothing as
may be required.

NOW THE CONDITION OF THIS OBLIGA-
TION is such that if the said Obligors, their heirs,
executors or administrators shall pay or cause to be
paid to the said Steward maintenance at the rate afore-
said at the time and in the manner hereinbefore pro-
vided, and shall provide the clothing and pay the
charges and perform the other terms of the agreement
hereinbefore set out, then the obligation shall be void,
but otherwise shall remain in full force and virtue.

SIGNED, SEALED } Name.....
AND DELIVERED } Address.....
IN THE } Name.....
PRESENCE OF } Address.....

FORM 31

**NOTICE OF MAINTENANCE DUE AND OWING
AND DEMAND FOR PAYMENT**

(Referred to in Section 70)

Date.....
Payer:—
.....

This is to advise you that the sum shown below is
due from you for maintenance of.....
who was admitted as a patient in the Ontario Hospital
.....on.....
day of....., 19....

Amount of statement previously ren- dered:	\$
Less Cash on account.....	\$
Balance of arrears to date	
Due for current quarter ending.....	\$
rate \$..... per week:	\$
Total amount due:	\$

The rate of maintenance charges in this account is
tentative and without prejudice; and is subject to
retroactive change if in the opinion of the Depart-
ment, circumstances warrant a higher rate than is
charged herein.

Please make remittances direct to the Steward at the above named Hospital. Bank exchange should be included in the amount of each cheque.

Should the above statement not agree with your records, please communicate at once with the Accountant, Hospitals Branch, Parliament Buildings, Toronto, Ontario.

If your address shown above is not correct, please give correct address here:

New Address:

Please accept this notice as a formal demand for the payment of the above sum forthwith.

FORM 32

MAGISTRATE'S ORDER FOR EXAMINATION BY MENTAL HEALTH CLINIC

(Referred to in Section 98(d))

PROVINCE OF ONTARIO
COUNTY OF

TO the Director of the Mental Health Clinic at you are hereby authorized and directed to conduct an examination of the mental and physical condition of who has been apprehended and charged with in the Court in the

(Magistrate)

FORM 33

EXTENSION OF TIME IN EXAMINATION UNIT

(Pursuant to Section 61)

TO THE SUPERINTENDENT OF THE ONTARIO HOSPITAL.....
Re.....

This will be your authority to extend the period of detention in the Examination Unit for the above named patient an additional 60 days commencing on

The period for which the above named patient may be detained in the Examination Unit expires on.....

Date.....19... (Deputy Minister)

FORM 34

REVOCATION OF CERTIFICATE FOR APPROVED HOME

(Referred to in Section 38)

WHEREAS a certificate has been issued under the hand of the Minister of Health for the Province of Ontario on the day of, 19... , to the effect that the

premises located at in the of in the county of might be used by as an approved home within the meaning of *The Mental Hospitals Act*, for patients of the Ontario Hospital

I do hereby revoke the said certificate.

Date.....19... (Minister of Health)

FORM 35

CERTIFICATE OF DISCHARGE

TO THE SUPERINTENDENT OF THE ONTARIO HOSPITAL.....
Re.....

I hereby certify, pursuant to Sections 36 and 43 of *The Mental Hospitals Act*, that the above named patient is no longer liable to imprisonment.

Dated.....19... (Deputy Minister)

FORM 36

WARRANT FOR APPREHENSION AND DETENTION OF DEPORTED PERSON

(Referred to in Section 64)

TO the Provincial Bailiff.
AND TO
AND TO the Superintendent of the Ontario Hospital

WHEREAS I have reason to believe that one,, is a mentally ill, mentally defective or epileptic person and that (s)he has been or may be deported into Ontario from, a place without Ontario;

NOW THEREFORE by virtue of the authority vested in me by Section 64 of *The Mental Hospitals Act*, I hereby order and direct that you, the said Bailiff, and you, the said, apprehend such person and convey him (or her) to the said Hospital and deliver him (or her) into the custody of the Superintendent thereof.

AND I further order and direct you, the said Superintendent, to receive such person into the said Hospital and detain him (or her) as a patient therein for a period not exceeding thirty days.

Date.....19... (Deputy Minister)

FORM 37

HABITUATE PATIENT'S HISTORY

(Referred to in Section 52)

- 1. Name of patient in full:
- 2. Residence:
(Street and Number or Lot and Concession)
(Municipality)
- 3. County (or district):

4. Length of residence in this municipality:
5. Age (last birthday):
6. Date of birth:
7. Place of birth:
8. Racial origin (English, French, etc.):
9. Religious denomination:
10. Occupation:
11. Sex:
12. Single, married, widowed, or divorced:
13. Number of children, if any, (a) alive:
(b) dead:
14. If not born in Canada give,
(a) Date of entry into Canada:
(b) Port of entry into Canada:
(c) Name of vessel or railroad on which patient entered:
15. Father of patient,
(a) Name in full:
(b) Birthplace:
If dead, give (a) Age at death:
(b) Cause of death:
16. Mother of patient:
(a) Maiden name in full:
(b) Birthplace:
If dead, give (a) Age at death:
(b) Cause of death:
17. Family History:
(a) Have any relatives been mentally ill, mentally defective, epileptic, or neurotic? If so, give details:
(b) If there be any history of alcoholism, drug addiction, criminality or suicide in the family, give details:
18. To what extent has patient used alcohol or drugs?
19. Has patient been treated for alcoholism or drug addiction in any institution? Give name and dates:
20. Describe the development of habituation to alcohol or drugs under the following heads:
(a) Time of onset:
(b) First symptoms:
(c) Memory changes:
(d) Disorders of conduct (peculiar acts, violence, suicidal attempts, etc.):
(e) Emotional states (depression, suspicion, elation, apathy, etc.):
(f) Hallucinations (peculiar sensations, "voices," visions, etc.):
(g) Delusions (ideas of persecution, grandeur, self-accusation, etc.):
(h) Neurological changes:
(i) Other symptoms noted:
21. Describe the patient's present physical condition:
22. Has the patient shown suicidal or other dangerous tendencies?
23. Name of responsible relative or friend who will act as correspondent:
24. Address of correspondent:
25. Relationship of correspondent to patient:
26. Telephone number of correspondent:

.....
(Signature of medical practitioner)

.....
(Address)

Date 19

Admission awarded and patient to be admitted on or before.....

.....
(Superintendent)

Date admitted.....

Time admitted.....

Admitted by.....

.....
(Admitting Officer)

Case Book Number:
.....

FORM 38

CERTIFICATE OF THE MINISTER AND DEPUTY MINISTER FOR PROBATION OR DISCHARGE OF PATIENT ADMITTED ON A WARRANT BY THE LIEUTENANT-GOVERNOR

TO THE SUPERINTENDENT OF THE ONTARIO HOSPITAL.....
RE....., a patient in the said hospital.

I hereby certify, pursuant to sections 36 and 43 of *The Mental Hospitals Act*, that the above named patient is no longer liable to imprisonment.

Date.....19.....
(Deputy Minister)

Upon the application of the said superintendent who has notified me that the above named patient has sufficiently recovered to leave the hospital, and upon the foregoing certificate of the Deputy Minister that the said patient is no longer liable to imprisonment, I hereby direct that the said patient may be released on probation or discharged from the said hospital.

Given under my hand at the Parliament Buildings, in the city of Toronto, this.....day of....., 19.....

.....
(Minister of Health)

FORM 39

AGREEMENT TO RETURN PATIENT FROM PROBATION

(Referred to in Section 36)

I am removing.....
(Name of patient in full)

from the Ontario Hospital..... with the understanding that, if it is necessary to return him (or her) to that hospital within six months of this date, I will return him (or her) at my own expense.

Witness..... (Signature)

Date.....19..... (Address)

.....
(Relationship to Patient)

(Space below for use of Hospital Authorities)

FORM 40

The Mental Hospitals Act

**WARRANT TO APPREHEND A PATIENT
UNDER SECTION 45 OF THE ACT**

TO.....

AND to all or any Peace Officers, Police Officers or Constables in the Province of Ontario.

WHEREAS.....
a patient admitted to the Ontario Hospital,,
escaped therefrom or, contrary to the provisions of the
Act and the regulations, left or was taken away or
removed therefrom on the day of ,
19 ;

THESE ARE THEREFORE to command you or any of you to apprehend the patient and to take to and confine in any place of detention and from thence and as speedily as possible to return to an institution.

THIS WARRANT shall have force at any time within 60 days of the day of , 19 .

Date.....19....

.....
Deputy Minister or
superintendent.

FORM 41

The Mental Hospitals Act

**WARRANT TO APPREHEND A PATIENT
ON PROBATION**

TO.....

AND to all or any Peace Officers, Police Officers or Constables in the Province of Ontario.

WHEREAS.....
a patient at the Ontario Hospital,,
was released on probation therefrom under the Act and
has again become mentally ill or defective to such a
degree that confinement in an institution is
necessary;

THESE ARE THEREFORE to authorize and direct you or any of you to apprehend the patient and bring back to.....
(name of institution)

Date.....19.....

.....
Deputy Minister or superintendent
by whom patient was released
on probation.

Regulations 467

(Ontario Regulations 46/50)

REGULATIONS MADE BY THE BOARD UNDER THE MILK CONTROL ACT, 1948

DELIVERY OF MILK

1. No milk distributor shall
 - (a) deliver milk to shopkeepers or retail consumers except by means of the regular delivery vehicle for the area in which the consumer is located, operated by the regular driver of that vehicle and during the time of the regular service for that area;
 - (b) subject to regulation 2, make more than 7 deliveries a week to any shopkeeper or retail consumer; or
 - (c) provide special delivery service to serve a portion of an area, either before or after the regular

time of delivery for that area, to retail consumers.

2. No milk distributor shall deliver milk on Sunday in the areas named in Column 1 and described in Column 2 of Schedule 1 to a shopkeeper or consumer.

3. Ontario Regulations 191/49 and regulation 23 of Ontario Regulations 27/49 are revoked.

THE MILK CONTROL BOARD OF ONTARIO

A. B. CURRY, Chairman.
K. M. BETZNER, Member.
M. G. HART, Member.

Dated at Toronto this 21st day of February, 1950.

SCHEDULE 1

ITEM	COLUMN 1 NAME OF AREA	COLUMN 2 DESCRIPTION OF AREA
1	Township of East York	the whole
2	Township of Etobicoke	the whole
3	Village of Forest Hill	the whole
4	City of Guelph	the whole
5	Kitchener-Waterloo area	commencing at the north-westerly angle of the Township of Waterloo; thence south-easterly along the westerly boundary of the township to the production westerly of the centre line of the road allowance between lots 132 and 133 in the Township of Waterloo; thence easterly along that production and the centre line of the road allowance across lot 140, Hiestand's Tract, Bechtel's Tract, and its production easterly to the centre line of County Suburban Road 14; thence northerly along the last-mentioned centre line to its intersection with the centre line of a road extending westerly through Lot 12, in Beasley's Old Survey, and through Bechtel's Tract; thence easterly along the last-mentioned centre line and its production easterly to the high-water mark on the easterly bank of the Grand River; thence along the high-water mark in a general northerly direction to the most westerly limit of lot 114 in the Township of Waterloo; thence northerly along the most westerly limit of lot 114 to the north-westerly angle thereof; thence easterly along the northerly limit of lot 114 to the centre line of County Suburban Road 13; thence northerly along that centre line to the northerly boundary of the Township of Waterloo; thence westerly along the boundary to the point of commencement.
6	Town of Leaside	the whole
7	Village of Long Branch	the whole
8	Town of Mimico	the whole
9	Town of New Toronto	the whole
10	Township of North York	the whole
11	Village of Port Credit	the whole
12	Town of Preston	the whole
13	Township of Scarborough	the whole
14	City of Stratford	the whole
15	Village of Swansea	the whole
16	City of Toronto	the whole
17	Township of Toronto	the whole
18	Township of Toronto Gore	the whole
19	Town of Weston	the whole
20	Township of York	the whole

Regulations 468
(Ontario Regulations 74/44)

REGULATIONS MADE UNDER THE MINING ACT

FORM 39

(Section 155i)

INITIAL CERTIFICATE

Serial No. Date
Name
Address
Nationality
Married Single Age
Signature of Holder

PERSONAL PHOTOGRAPH

(Full Face View)

THE WORKMEN'S COMPENSATION BOARD
ONTARIO

This certifies that I have examined
whose photograph is attached hereto, and have found
him free from diseases of the respiratory organs and
otherwise fit for employment in a dust exposure occu-
pation.

Signature of Medical Officer.

Table with 3 columns: To be re-examined, Date of re-examination, Signature of Medical Officer

The Medical Officer will indicate in col. 1 (above)
date before which holder should appear for re-examina-
tion.

THE WORKMEN'S COMPENSATION BOARD
ONTARIO

This certifies that I have re-examined
whose photograph and record of employment are
attached hereto, and have found him free from diseases
of the respiratory organs and fit for employment in a
dust exposure occupation, and do hereby endorse this
certificate.

Signature of Medical Officer.

RECORD OF EMPLOYMENT OF ABOVE WORKMAN

Table with 3 columns: Mine, Occupation, Dates of occupations and signature of timekeeper

FORM 40

(Section 155i)

MINER'S CERTIFICATE

Serial No. Date
Name
Address
Nationality
Married Single Age
Signature of Holder

PERSONAL PHOTOGRAPH

(Full Face View)

THE WORKMEN'S COMPENSATION BOARD
ONTARIO

This certifies that I have examined
whose photograph is attached hereto, and have found
him free from tuberculosis of the respiratory organs.

Signature of Medical Officer.

Table with 3 columns: To be re-examined, Renewed from, Signature of Medical Officer

The Medical Officer will indicate in col. 1 (above)
date before which holder should appear for re-examina-
tion.

Regulations 469

(Ontario Regulations 71/44)

REGULATIONS MADE BY THE MINISTER UNDER THE MINING ACT

1. The following fees shall be payable under Part VIII A of *The Mining Act*:

- (a) for refinery license \$1.00
- (b) for renewal of refinery license 1.00
- (c) for certificate of exemption no fee
- (d) for renewal of certificate of exemption no fee

2. The forms attached hereto and numbered 31 to 38 are prescribed for use under Part VIII A of *The Mining Act*.

FORM 31

APPLICATION FOR REFINERY LICENSE

Name of Applicant

(Print name)

Address

Nationality If British subject state whether by birth or naturalization

If applicant is an incorporated company, under laws of what jurisdiction was applicant incorporated?

Location of refinery

Purposes for which refinery is used

Dated at, this day of, 19

Enclosed herewith is fee of One Dollar.

(Applicant)

(Witness)

(Where applicant is an incorporated company, this application may be signed by the president, secretary, manager or other responsible official.)

FORM 32

APPLICATION FOR RENEWAL OF REFINERY LICENSE

Number of license and of last renewal thereof

Name of applicant (Print name)

Address

Has there been any change in the location or purpose for which refinery is used since the issue of the refinery license or last renewal thereof? If so, give particulars

Has the refinery been used for refining any ore, mineral or substance belonging to any person other than the applicant since the issue of the refinery license or the last renewal thereof? If so, give particulars there-

of. (If licensee is in the business of assaying, simply so state.)

Dated at, this day of, 19

Enclosed herewith is fee of One Dollar.

(Applicant)

(Witness)

(Where applicant is an incorporated company, this application may be signed by the president, secretary, manager or other responsible official.)

FORM 33

APPLICATION FOR CERTIFICATE OF EXEMPTION

Name of applicant

(Print name)

Address

Location of refinery

Is certificate of exemption sought because refinery,—

- (a) is not maintained or used for the refining, retorting, smelting, assaying or treating of ore, mineral or substance for the purpose of recovering or determining the quantity of gold, platinum, silver or any other precious metal therefrom or therein; or
- (b) is used only for educational purposes? (Answer simply (a) or (b))

If (a), state purpose for which refinery is used

If (b), state whether refinery is used,—

- (1) exclusively for educational purposes ; or
- (2) for educational purposes and commercial assaying or other commercial purposes from which any revenue is derived state to whom such revenue is paid

Dated at, this day of, 19

(Applicant)

(Witness)

FORM 34

APPLICATION FOR RENEWAL OF CERTIFICATE OF EXEMPTION

Name of applicant

(Print name)

Address

Business of applicant

Has there been any change in the location, or purpose for which refinery is used, since the issue of the certificate of exemption or last renewal thereof? If so, give particulars.

Dated at....., this.....day of....., 19.....

(Applicant)

(Witness)

FORM 35

Fee: \$1.00

No. 250

REFINERY LICENSE

issued under Part VIIIA of The Mining Act to..... of (or in the case of a company, with head office at)....., in respect of (a) refinery (ies)..... owned or operated by the said..... and located at..... Dated at Toronto, this.....day of....., 19.....

MINISTER OF MINES.

(This licence expires the 31st day of March, 19....., and must be renewed on or before that date. Forms of application for renewal will be supplied on application to the Minister. This license is not transferable.)

FORM 36

Fee: \$1.00

No.....

RENEWAL OF REFINERY LICENSE NUMBER....., 19.....

issued under Part VIIIA of The Mining Act to..... of (or in the case of a company, with head office at)..... in respect of (a) refinery(ies) owned or operated by the said..... and located at..... Dated at Toronto, this.....day of....., 19.....

MINISTER OF MINES.

(This renewal of license expires the 31st day of March, 19....., and must be renewed on or before that date. Forms of application for renewal will be supplied on application to the Minister. A refinery license or renewal thereof is not transferable.)

FORM 37

No. 200

CERTIFICATE OF EXEMPTION

issued under Part VIIIA of The Mining Act to..... of (or in the case of a corporation, with head office at)..... in respect of (a) refinery(ies) owned or operated by the said..... and located at.....

The condition of this certificate of exemption is that the said refinery(ies) shall not be used for refining, re-torting, smelting, assaying or treating any ore, mineral or substance for the purpose of recovering or determining the quantity of gold, platinum, silver or any other precious metal therefrom or therein or if so used shall be used only for educational purposes.

Dated at Toronto, this.....day of....., 19.....

MINISTER OF MINES.

(This certificate of exemption expires on the 31st day of March, 19....., and must be renewed on or before that date. Forms of application for renewal will be supplied on application to the Minister. A certificate of exemption or renewal thereof is not transferable.)

FORM 38

No.....

RENEWAL OF CERTIFICATE OF EXEMPTION NUMBER....., 19.....

issued under Part VIIIA of The Mining Act to..... of..... in respect of (a) refinery(ies) owned or operated by the said..... and located at..... Dated at Toronto, this.....day of....., 19.....

MINISTER OF MINES.

(This renewal of certificate of exemption expires the 31st day of March, 19....., and must be renewed on or before that date. Forms of application for renewal will be supplied on application to the Minister. A certificate of exemption or renewal thereof is not transferable.)

Regulations 470

(Ontario Regulations 70/44)

REGULATIONS MADE UNDER THE MINING ACT

FILING OF SURVEY RETURNS

1. The surveyor, immediately after the completion of every survey of a mining claim made by him, shall deliver or forward by registered post to the Surveyor-General, by his official title, his returns of survey as specified under section 3.

INSPECTION OF SURVEYS

2. All surveys of mining claims are subject to inspection and in the event of the work not being found correct and in compliance with the provisions of these regulations, the surveyor will be directed to make such amendments as may be ordered by the Surveyor-General.

RETURNS OF SURVEY

3. The following returns of survey of a mining claim shall be forwarded to the Surveyor-General:

- (1) One certified copy of the field notes on durable tracing linen.
- (2) One certified copy of the plan of each individual claim on durable tracing linen.
- (3) Certified copy of the application to record and sketch.
- (4) Tabulated list (certified correct) of the prospector's posts bearing legible markings at the time of survey, also all survey posts and, in the absence of survey posts, describe briefly the manner in which the survey corner was re-established.
- (5) Tabulated list of latitudes and departures.
- (6) Metes and bounds description of each mining claim situate in a subdivided township.
- (7) Where a mining claim is situate in a township lot of a subdivided township or recorded as an aliquot part of a mining location, subsection 4 of this section shall not apply.

The following returns of survey of a mining claim shall be forwarded to the mining recorder:

- (8) One white or blue print of the field notes.
- (9) Two copies of the plan of each individual claim on durable tracing linen.
- (10) Metes and bounds description of each mining claim situate in a subdivided township.

SCALE OF PLANS

4. The scale of the plan and field notes shall vary between 5 to 10 chains to an inch, depending on the size of the claims and the detail to be shown.

GROUP SURVEYS

5. Where a group of claims is surveyed, the field notes may be shown on one compiled plan, providing the plan does not exceed an area of 5 square feet.

MEASUREMENTS

6. Measurements are to be shown in chains and decimals of a chain.

BEARINGS

7. The direction of the surveyed lines shall be shown by astronomical bearings, referred to the reference meridian passing through the centre of the township. Where a mining claim is not situate in a township the bearings shall be referred to a reference meridian through the point of observation.

OBSERVATIONS

8. In every group, or connected group of mining claims, six or more in number, whether surveyed at one time, or at different times by the same surveyor, an astronomical observation for azimuth shall be taken and where the group exceeds 12 in number, a check observation for azimuth shall be made for each multiple of 12 claims. In the case of less than six in number, the bearings may be referred to a previously surveyed line, claim or parcel, of record in the Department, provided the bearings shown are reliable.

BLAZING AND CUTTING OUT BOUNDARIES

9. The surveyor shall mark out the boundaries of the mining claim by blazing the adjacent trees on three sides, one blaze on each side of the direction of the line and one on that side by which it passes, the lines being well cut out and straight between survey posts.

SURVEY POSTS

10. The surveyor shall plant at each angle of the claim a metal post not less than $\frac{5}{8}$ of an inch square or $\frac{3}{4}$ of an inch in diameter and not less than 18 inches in length, with the number of the post, together with the recorded number and letter or letters of the claim permanently marked thereon and at each metal post shall also plant a durable wooden post, not less than 4 inches square, or 36 inches in length, marked in the same manner as the metal post. Where, due to physical features, it is not practical to plant a post at the true corner of the claim, a witness post shall be planted in lieu thereof and marked "W.P." together with the number of the post, recorded number of the claim and letters pertaining thereto.

11. The marks on the survey posts and bearing trees shall be made with a sharp knife or scribing iron, in a neat and workmanlike manner.

BEARING TREES

12. Where available, each survey corner shall be referenced by two bearing trees, preferably at right angles to the survey post, and the measurements made from the blaze to the survey post.

SURVEY CONNECTIONS

13. The survey of a mining claim shall be connected with a previously surveyed claim, parcel, line or traverse post, of record in the Department, providing such survey is within a radius of two miles. In other cases, the surveyor shall select a prominent point to plant a permanent post.

BOUNDARY BETWEEN LAND AND LAND UNDER WATER

14. Where a mining claim is composed partly of land and land under water, the normal or average high water mark shall constitute the boundary.

DATA TO BE SHOWN ON FIELD NOTES

15. Survey posts, bearing trees, observations, scale, north point, adjacent claims surveyed or unsurveyed, streams, roads, power or telephone lines, surveyed lines and the connections made thereto. Traverses to be made of all lakes and rivers situate within the limit of the mining claim and a water line shown around the shore. All traverse lines are to be shown in a good quality of vermilion ink and the measurements and bearings of the traverse and boundary lines shown in black india ink. The title of the field notes shall mention each claim number surveyed and the township or area, together with the district in which the claim is situate. The following certificate is to appear on the field notes:

"I hereby certify that I have carefully examined the ground included in Mining Claim No., surveyed by me and have otherwise made all reasonable investigations in my power to ascertain if there was any other subsisting claim conflicting therewith and I certify that I found no trace or indication and have no knowledge or information of any such claim, as follows (if none, so state); if any, give particulars.

"Ontario Land Surveyor."

DATA TO BE SHOWN ON PLANS

16. The title on the plan shall mention the claim number, the township or area, together with the district in which the claim is situate and where a mining claim is composed of a part of a township lot or recorded as being an aliquot part of a mining location, the title shall first mention the township lot or mining location and then the recorded mining claim number. The measurements, bearings and boundary lines are to be shown in black india ink and the boundary lines outlined in a light red colour. All streams, roads, power or telephone lines, surveyed lines and the connections thereto, shall be shown. A water line shall be shown around the shores of all lakes and rivers but the traverse thereof need not be shown. The adjacent mining claims shall be shown and if the adjacent claim is not surveyed, show in addition the words "not surveyed." The scale and north point, together with the following certificate, shall appear on the plan:

"I hereby certify that the foregoing plan is correct and is prepared from actual survey performed under my own personal supervision and that I was in my own proper person present on the ground during the progress of such survey.

"Ontario Land Surveyor."

AREAS

17. The area of a mining claim shall be computed to two places of decimals. Where a claim is composed partly of land and land under water, or partly in two townships, separate areas shall be computed.

LIMIT OF ERROR

18. The closing error of a surveyed mining claim shall not exceed a ratio of 1 in 2,000, or in other words, the square root of the sum of the squares of the closing error in latitude and departure should not exceed 4 links in a standard size claim of 20 chains square.

DUTY OF SURVEYOR BEFORE COMMENCING SURVEY

19.—(a) No such survey, except as herein provided, shall be made within a distance of 15 miles in a straight line from the recorder's office without the written consent or direction of the recorder or of the Judge, or of the Minister, or Deputy Minister, and it shall be the duty of the surveyor, before proceeding with the survey, to examine the application and sketch or plan of the claim or certified copies thereof.

(b) Provided that where a claim is 15 miles or more in a straight line from the recorder's office and the consent or direction mentioned in subsection (a) of this section has not been refused, the surveyor may nevertheless survey the claim, but before signing the certificate mentioned in section 15 he shall in all other ways proceed as set out in subsection (a) of this section and shall, along with his survey, file with the recorder a sworn statement setting forth the circumstances under which the survey was made without the consent or direction aforesaid.

METHOD OF SURVEY

20.—(a) In surveying a mining claim in unsurveyed territory, the surveyor shall establish the boundaries of the claim by running straight lines from the No. 1 post at the northeast angle of the claim to the No. 2 post at the southeast angle thereof, from the No. 2 post to No. 3 post at the southwest angle thereof and from No. 3 post to No. 4 post, at the northwest angle thereof, and from No. 4 post to No. 1 post, provided that where two mining claims are shown as having a common boundary in whole, or in part, the boundary of the prior subsisting claim shall govern.

(b) In establishing the boundaries of a mining claim in unsurveyed territory where due to the nature and conformation of the ground, the true angle or angles of the claim could not be posted, and the position thereof is indicated by witness posts, the surveyor shall be guided by the principles laid down by the following diagrams, having due regard to prior subsisting claims and section 108 (now section 105), subsection 2 of *The Mining Act*.

NOTE

(a) In standardizing the delimitation of mining claim boundaries, as shown by the following diagrams, it has been endeavoured to follow the system of staking as prescribed under section 52 (now section 49) and section 57 (now section 54), paragraph (a) of subsection (1) of *The Mining Act* and having in mind to adhere as far as possible to the practical viewpoint of the prospector.

(b) The posts as shown by the following diagrams are as located on the ground by survey.

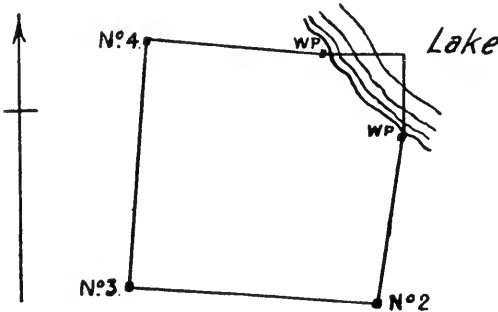


DIAGRAM No. 1 (New)

Draw a line north astronomically from the witness post on the east boundary to intersect a line drawn east astronomically from the witness post on the north boundary.

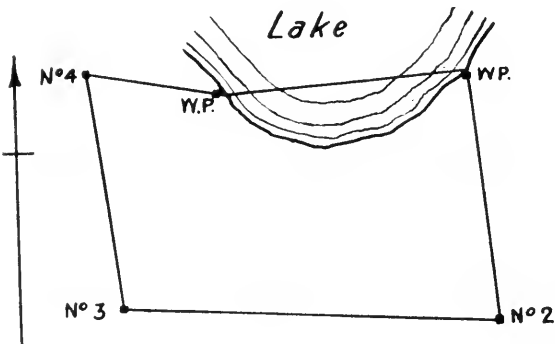


DIAGRAM No. 2 (New)

EXPLANATION: The prospector's sketch indicates the position of the witness posts as shown by diagram 1.

PROCEDURE: Accept witness post on the east boundary as the No. 1 post and join in a straight line to the witness post on the north boundary.

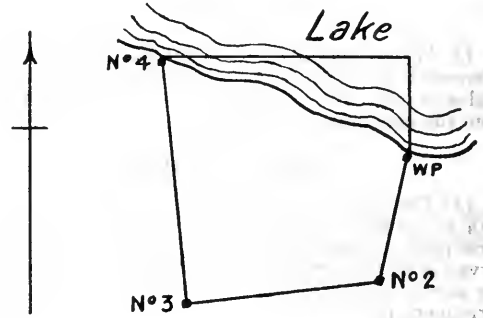


DIAGRAM No. 3 (New)

Draw a line north astronomically from the witness post on the east boundary to intersect a line drawn east astronomically from the No. 4 post.

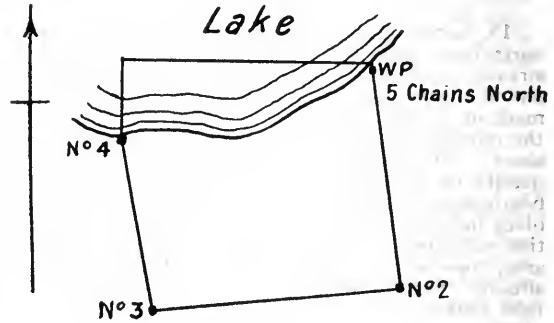


DIAGRAM No. 4 (New)

EXPLANATION: The prospector's sketch indicates the position of the witness posts as shown by Diagram No. 3.

PROCEDURE: Accept the witness post on the east boundary as the No. 1 post and draw a line west astronomically from this point to intersect a line drawn north astronomically from the prospector's No. 4 post.

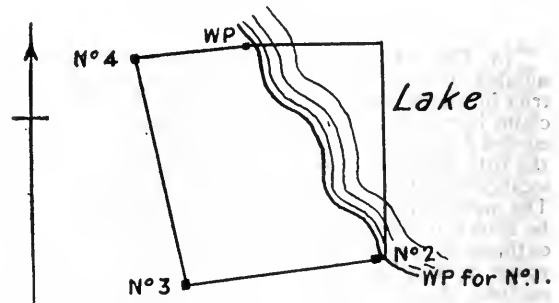


DIAGRAM No. 5 (New)

Draw a line north astronomically from the No. 2 post to intersect a line drawn east astronomically from the witness post on the north boundary.

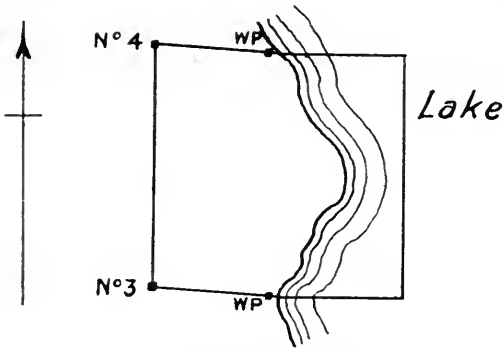


DIAGRAM No. 6 (New)

Draw a line east astronomically from the witness post on the north boundary the "call" distance; thence from this point drawn a line south astronomically to intersect a line drawn east astronomically from the witness post on the south boundary.

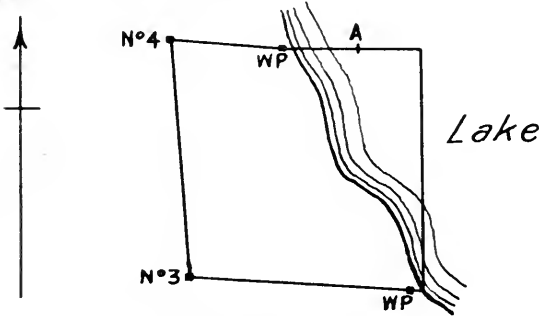


DIAGRAM No. 7 (New)

The "call" distance from the witness post on the north boundary extends only to point "A" and a line projected south astronomically from "A" intersects the south boundary west of the witness post.

PROCEDURE: Accept witness post on the south boundary as the No. 2 post and proceed as in diagram 5.

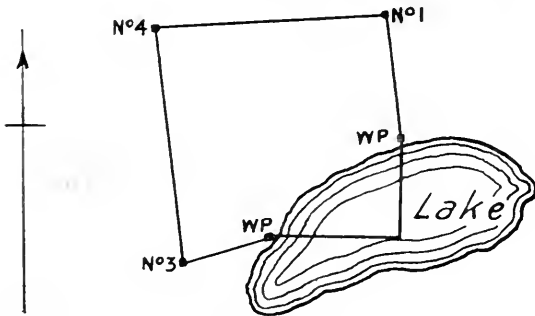


DIAGRAM No. 8

Draw a line south astronomically from the witness post on the east boundary to intersect a line drawn east astronomically from the witness post on the south boundary.

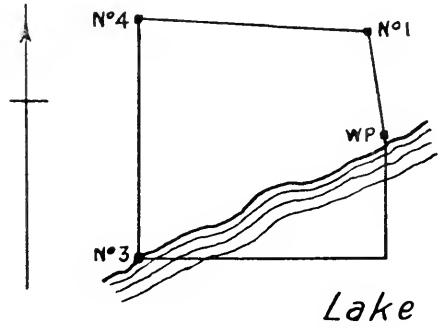


DIAGRAM No. 9 (New)

Draw a line south astronomically from the witness post on the east boundary to intersect a line drawn east astronomically from the No. 3 post

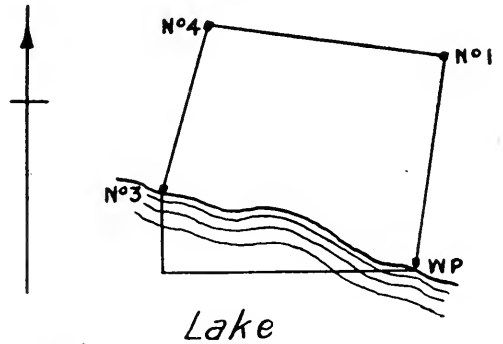


DIAGRAM No. 10 (New)

EXPLANATION: The prospector's sketch indicates the position of the No. 3 and witness posts as shown by Diagram No. 9.

PROCEDURE: Accept the witness post on the east boundary as the No. 2 post and from this point draw a line west astronomically to intersect a line drawn south astronomically from the prospector's No. 3 post.

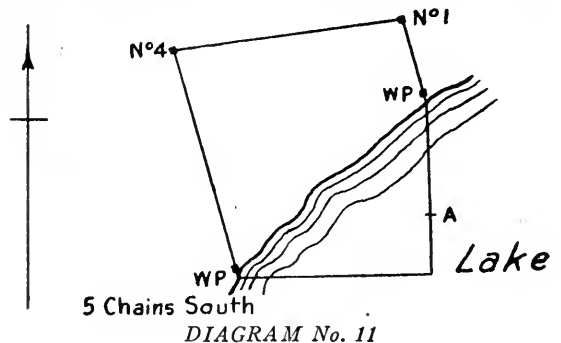


DIAGRAM No. 11

The "call" distance from the witness post on the east boundary extends only to point "A." A line projected west astronomically from point "A" intersects the west boundary north of the witness post.

PROCEDURE: Accept the witness post on the west boundary as the No. 3 post and draw a line east astronomically from this point to intersect a line drawn south astronomically from the witness post on the east boundary.

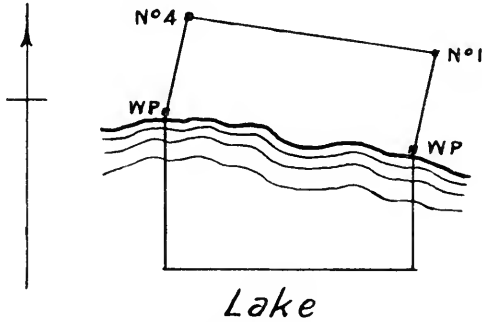


DIAGRAM No. 12

Draw a line south astronomically from the witness post on the east boundary the "call" distance, and from this point draw a line west astronomically to intersect a line drawn south astronomically from the witness post on the west boundary.

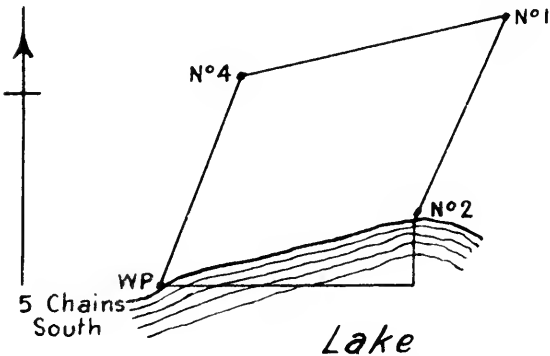


DIAGRAM No. 13 (New)

EXPLANATION: The prospector's sketch indicates that the witness post is north of the No. 2 post.

Accept witness post on the west boundary as the No. 3 post and from this point draw a line east astronomically to intersect a line drawn south astronomically from the prospector's No. 2 post.

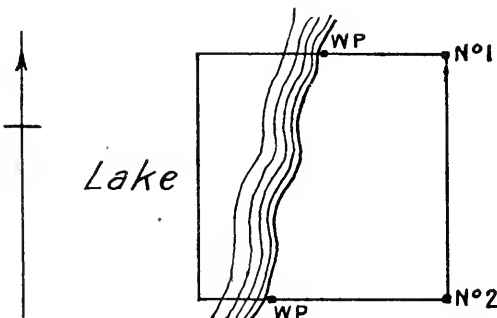


DIAGRAM No. 14 (New)

Draw a line west astronomically from the witness post on the south boundary the "call" distance and from this point draw a line north astronomically to intersect a line drawn west astronomically from the witness post on the north boundary.

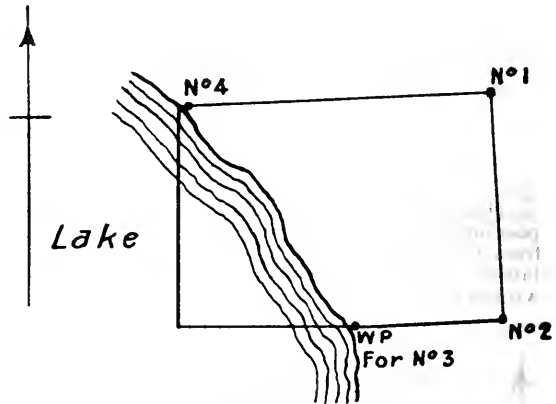


DIAGRAM No. 14-A (New)

Draw a line west astronomically from the witness post on the south boundary to intersect a line drawn south astronomically from the No. 4 post.

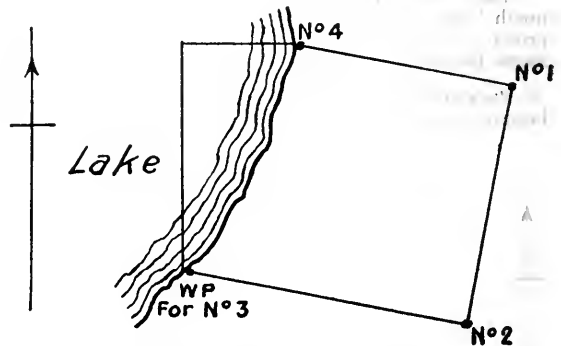


DIAGRAM No. 14-B (New)

EXPLANATION: The prospector's sketch indicates the position of the No. 4 post and witness post as shown by Diagram No. 14-A.

PROCEDURE: Accept witness post on the south boundary as the No. 3 post and from this point draw a line north astronomically to intersect a line drawn west astronomically from the prospector's No. 4 post.

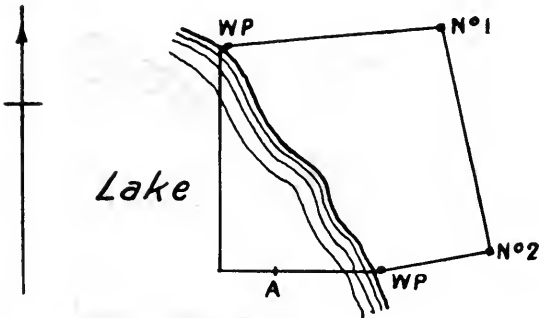


DIAGRAM No. 15 (New)

The "call" distance from the witness post on the south boundary extends only to point "A."

A line projected north astronomically from point "A" intersects the north boundary east of the witness post.

PROCEDURE: Accept witness post on the north boundary as the No. 4 post and draw a line south astronomically from this point to intersect a line drawn west astronomically from the witness post on the south boundary.

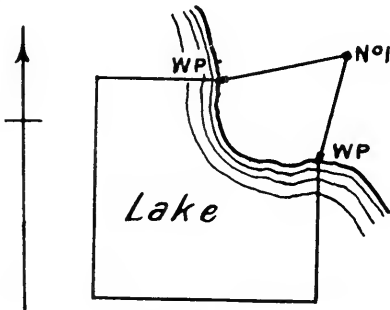


DIAGRAM No. 16

Draw a line south astronomically from the post on the easterly boundary the "call" distance; thence west astronomically 20 chains; thence north astronomically to intersect a line drawn west astronomically from the witness post on the northerly boundary.

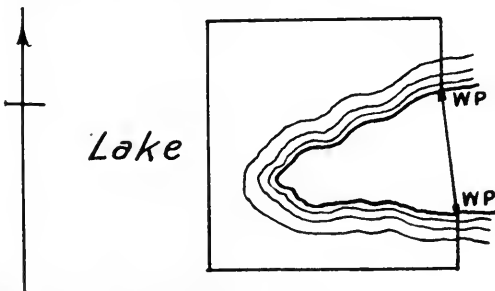


DIAGRAM No. 17

Draw a line north astronomically from the northerly witness post the "call" distance to establish the north-

easterly angle of the claim. From the southerly witness post draw a line south astronomically the "call" distance to establish the southeasterly angle; thence west astronomically 20 chains; thence north astronomically to intersect a line drawn west astronomically from the northeasterly angle.

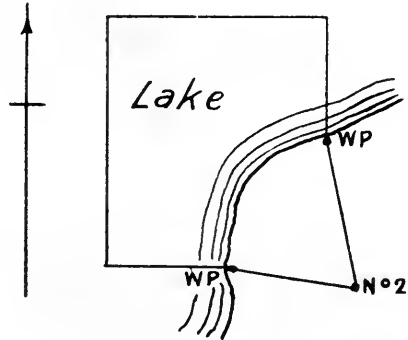


DIAGRAM No. 18

Draw a line north astronomically the "call" distance to establish the northeasterly angle. From the witness post on the southerly boundary draw a line west astronomically the "call" distance to establish the south-westerly angle; thence north astronomically to intersect a line drawn west astronomically from the northeasterly angle.

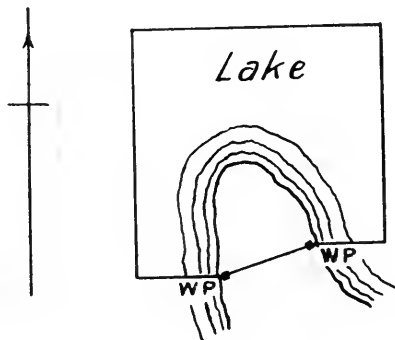


DIAGRAM No. 19

Draw a line east astronomically from the easterly witness post the "call" distance; thence north astronomically 20 chains to establish the northeasterly angle. From the westerly witness post draw a line west astronomically the "call" distance; thence north astronomically to intersect a line drawn west astronomically from the northeasterly angle.

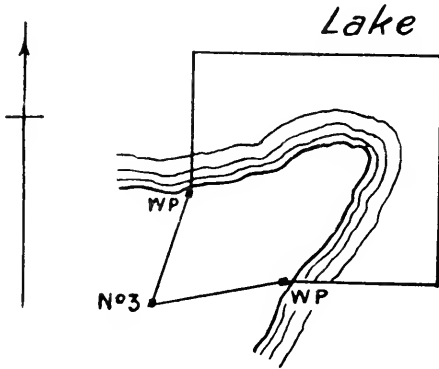


DIAGRAM No. 20

From the witness post on the southerly limit, draw a line east astronomically the "call" distance; thence north astronomically 20 chains to establish the northeasterly angle. From the witness post on the westerly limit draw a line north astronomically to intersect a line drawn west astronomically from the northeasterly angle.

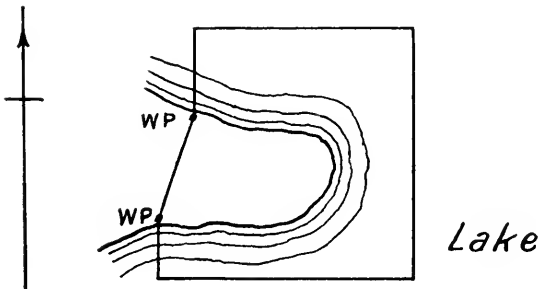


DIAGRAM No. 21

From the northerly witness post on the westerly limit draw a line north astronomically the "call" distance; thence east astronomically 20 chains to establish the northeasterly angle; thence south astronomically 20 chains. From the southerly witness post draw a line south astronomically to intersect a line drawn west astronomically from the southeasterly angle.

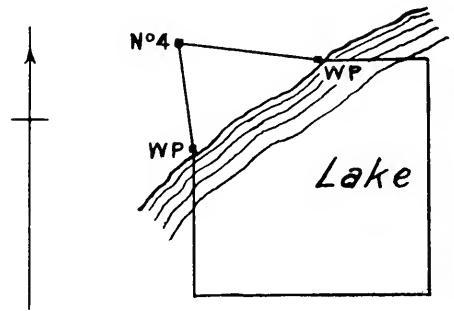


DIAGRAM No. 22

From the witness post on the northerly limit draw a line east astronomically the "call" distance to establish the northeasterly angle; thence south astronomically 20 chains; thence west astronomically to intersect a line drawn south astronomically from the witness post on the westerly limit.

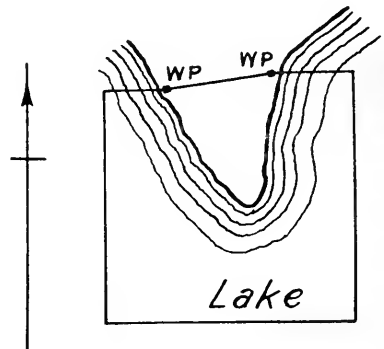


DIAGRAM No. 23

From the easterly witness post draw a line east astronomically the "call" distance to establish the northeasterly angle; thence south astronomically 20 chains; thence west astronomically 20 chains; thence north astronomically to intersect a line drawn west astronomically from the westerly witness post.

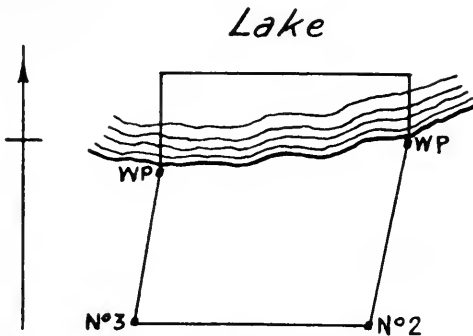


DIAGRAM No. 24

From the witness post on the easterly boundary draw a line north astronomically the "call" distance to establish the northeasterly angle. From the witness post on the westerly boundary draw a line north astronomically to intersect a line drawn west astronomically from the northeasterly angle.

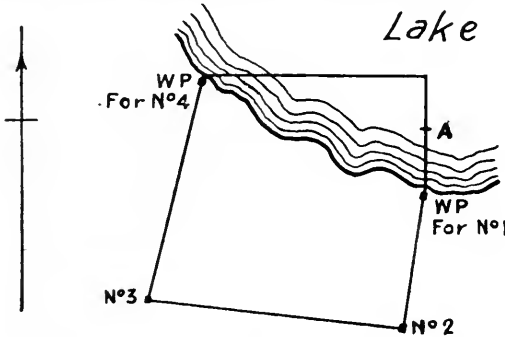


DIAGRAM No. 25 (New)

EXPLANATION: Prospector's sketch indicates the position of the witness posts, as shown in Diagram No. 24.

The "call" distance from the witness post on the east boundary extends only to point "A." A line projected west astronomically from point "A" intersects the west boundary south of the witness post.

PROCEDURE: Accept the witness post on the west boundary as the No. 4 post and draw a line east astronomically from the point to intersect a line drawn north astronomically from the witness post on the east boundary.

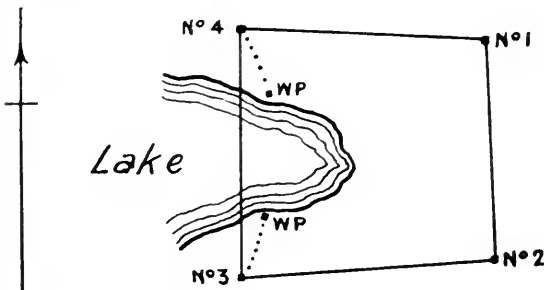


DIAGRAM No. 26

Witness posts were planted by the prospector on each side of a small lake on the west boundary, but all corners of the claim were duly marked with posts. Establish west boundary by a straight line between the No. 3 and 4 posts, disregarding the witness posts.

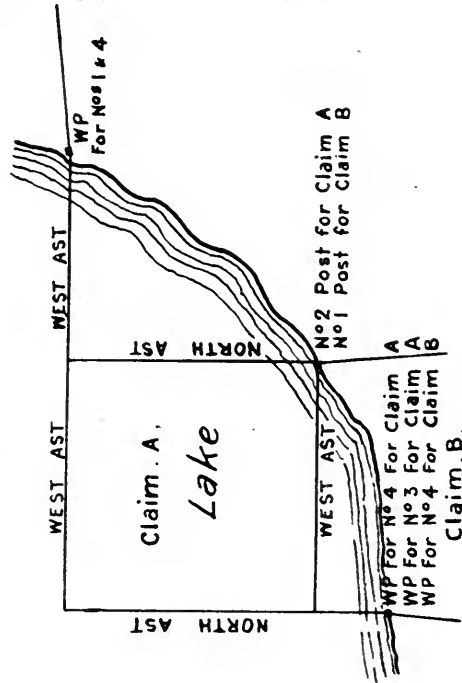


DIAGRAM No. 27 (New)

Establish boundaries of Claim "A" as indicated by diagram.

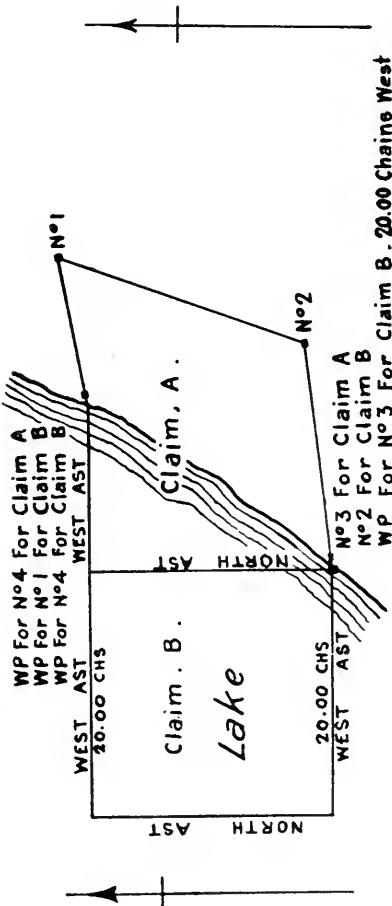
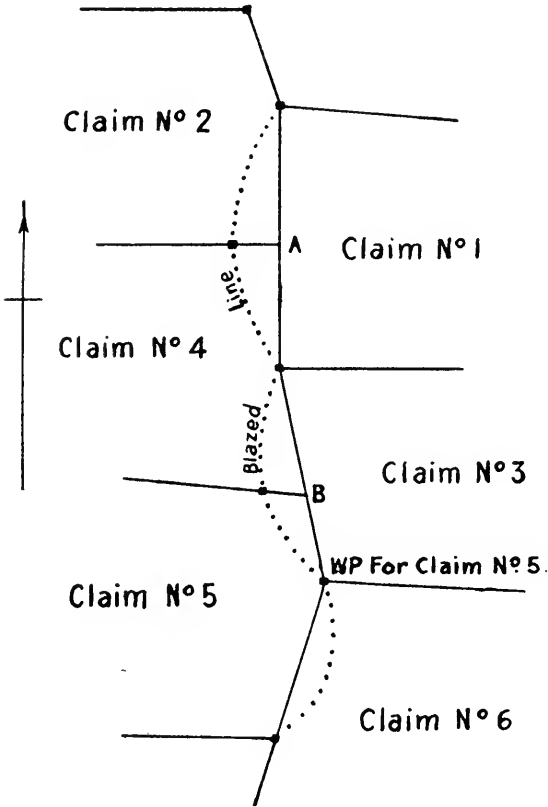


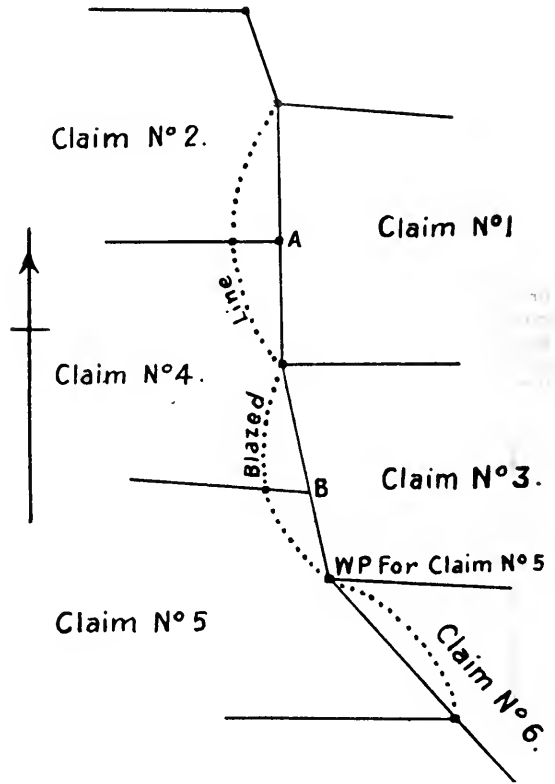
DIAGRAM No. 28 (New)

Establish boundaries of Claim "A" and "B" as indicated by diagram.



(Illustrating proviso in Section 20 (a))
 DIAGRAM No. 29 (New)

The claims were staked as partly shown by this diagram in order of priority, as shown by the numbers. Part of the westerly boundaries of Claim No. 1 and Claim No. 3 will form the easterly boundary of Claim No. 4 and in the survey of No. 4, the surveyor will plant the corner posts at points "A" and "B" but show on his field notes the position of the prospector's posts. Establish the east boundary of Claim No. 5 as shown by diagram and not by a straight line between point "B" and the No. 2 post.



(Illustrating proviso in Section 20 (a))
 DIAGRAM No. 30 (New)

Establish that part of the east boundary of Claim No. 5, lying south of the No. 3 post of Claim No. 3 by a straight line between the No. 3 post of Claim No. 3 and the No. 2 post of Claim No. 5 and not by a straight line between point "B" and the No. 2 post.

Regulations 471

(Ontario Regulations 236/44; 69/45; 66/46; 127/46)

REGULATIONS MADE BY THE MINISTER OF MINES UNDER THE NATURAL GAS CONSERVATION ACT

PERMITS

GAS FOR OTHER THAN HEATING OR COOKING

1. No natural gas shall be sold or used for any purpose other than heating or cooking without an annual or special permit.

ANNUAL AND SPECIAL PERMITS

2.—(1) Annual permits may be issued by the Commissioner for the following uses and in the following order of preference,—

- (a) for gas engines where, in the opinion of the Commissioner, the amount consumed is not excessive;
- (b) for bakeries, where the amount consumed is under 50,000 cubic feet per month in each case; and
- (c) for power purposes in the operation of drilling rigs used for the purpose of sinking wells for mineral products of any kind, at a pressure of not over eight ounces.

(2) Natural gas may be supplied under special permit where, in the opinion of the Commissioner, natural gas is essential for special purposes that cannot be served satisfactorily by other fuels, or where purposes of health or sanitation demand the use of natural gas, or where he finds by inquiry that the granting of such permit will create or substantially increase employment.

EXPIRATION OF PERMITS

3. Every permit shall expire on a date not later than the 31st day of December of the calendar year in which it is issued.

LICENSES

PROSPECTING

4. The fee for a prospector's license shall be \$5.

PRODUCING, TRANSMITTING, DISTRIBUTING

5.—(1) The fee for a license to produce, transmit or distribute natural gas shall be \$10.

(2) Where the natural gas produced, transmitted or distributed for the next preceding year is under one million cubic feet no fee shall be payable for the current year, unless and until the natural gas produced, transmitted or distributed in that year is one million cubic feet or over.

(3) Where the natural gas produced, transmitted or distributed in the next preceding year is

one million cubic feet or over the fee shall be paid for the current year and, where the fee has been so paid, and the natural gas produced, transmitted or distributed for the current year is under one million cubic feet, a refund of the fee may be obtained upon application to the Commissioner.

(4) On and after the first day of January, 1945, where no fee is payable, a license shall not be necessary. (S. 29, subs. 1.)

EXPIRATION OF LICENSE

6. Every license shall expire on the 31st day of December of the year in which it is issued but may be renewed upon payment of a fee of the same amount as was payable upon the issue thereof.

PRIORITIES

7. Natural gas shall be supplied to consumers according to the following order of preferences,—

- (a) for cooking and lighting in dwelling houses;
- (b) for cooking meals elsewhere;
- (c) to new consumers for cooking or cooking and lighting where an extension of the distributing lines is not required;
- (d) for heating of dwelling houses where individual rooms are heated by separate appliances;
- (e) for heating of dwelling houses by one central gas furnace designed for the use of gas only;
- (f) for heating in hospitals and sanatoria;
- (g) for heating of apartment houses;
- (h) for heating of boarding houses;
- (i) for heating of hotels;
- (j) for heating of charitable institutions;
- (k) for heating of schools that do not require more than 60,000 cubic feet in any one month;
- (l) for heating of offices;
- (m) for heating of stores where merchandise is exposed for sale, wholesale or retail;
- (n) for heating of private garages, not used commercially; and
- (o) for heating of churches, in heaters designed for the use of gas only.

USE OF NATURAL GAS

NEW APPLIANCES

8. Without the approval in writing of the commissioner, no person shall purchase, install or re-install, and no person engaged in producing, transmitting or distributing natural gas shall furnish natural gas to a person who purchases, installs or re-installs,—

- (a) a furnace or room heater constructed, converted or designed for the use of natural gas and intended to be used for domestic, industrial or commercial heating purposes; or
- (b) any other equipment or appliance constructed, converted or designed for the use of natural gas and intended to be used for industrial or commercial purposes.

UNSUITABLE APPLIANCES

9.—(1) No person shall supply natural gas for or use natural gas in any appliance unless such appliance is designed for the use of natural gas or unless such appliance has been altered or converted to use natural gas and is in a good state of repair and properly adjusted so as not to waste such gas.

(2) No person shall use natural gas in an ordinary steam boiler designed for the use of coal except for the purposes indicated in clause *c* of subregulation 1 of regulation 2 under proper adjustment.

OPEN FLARES

10. No natural gas shall be supplied for use in open flares of any kind.

EXCESSIVE USE

11.—(1) When any person or municipality using natural gas without charge under the terms of any agreement, franchise or otherwise, except where such person is the owner of the land upon which the natural gas well is situated, uses more natural gas than is reasonably necessary for his or its requirements, the person supplying such person or municipality may notify the Commissioner in writing of such use and shall indicate in the notice what amount of natural gas he considers to be reasonably necessary for the requirements of such person or municipality.

(2) The Commissioner may make such investigation as he deems necessary and may make an order declaring the amount of natural gas which is reasonably necessary for the requirements of such person or municipality and fixing the compensation to be paid for natural gas in excess of such amount.

FORCED WITHDRAWAL FROM MAIN

12. The Commissioner may order that no further natural gas shall be supplied to any person who makes use of any device attached to any service pipe for the purpose of withdrawing natural gas from any main in a larger quantity or under greater pressure than the ordinary flow of natural gas from the main.

METERING

13. All natural gas delivered, whether to free or pay consumers, shall be measured through a suitable meter at a pressure not greater than eight ounces.

SERVICE LINES

14. Service lines installed after the date of the coming into force of these regulations shall not be less than one inch in diameter.

14a. No person shall lay any new gas service mains or extensions of existing gas lines without the approval in writing of the Minister.

REPORTS

PLANS

15. Every licensee shall,—

- (a) file with the Commissioner plans at a scale of not less than one inch equals one mile, showing the location of all wells drilled or to be drilled, collecting, transmitting and distributing lines, regulators, meters and other pipes and installations, showing diameters or other appropriate dimensions;
- (b) file a plan of changes, alterations and additions in wells, lines and other equipment referred to in clause *a* at the end of every year; and
- (c) furnish to the Commissioner such information as he may direct in such form as he may prescribe.

MONTHLY REPORTS

16. Every producer, transmitter and distributor of natural gas shall report to the Commissioner at the end of each month or after each monthly meter reading,—

- (a) the quantity of natural gas produced by him;
- (b) the quantity of natural gas purchased by him from producing companies other than subsidiary or allied companies;
- (c) the quantity of natural gas sold to distributors by him;
- (d) the quantity of natural gas distributed by him; and
- (e) the industries to whom natural gas is sold under permit indicating,—
 - (i) the number of the permit,
 - (ii) the quantity allowed by permit, and
 - (iii) the quantity actually delivered.

DRILLING AND LOCATION OF WELLS

OTHER DRILLING

17. If natural gas or oil is encountered in any drilling operations where other minerals or substances are being sought, such operations shall come under these regulations and shall not be continued until a license has been obtained.

DRILLING OF HIGHWAY

18. No person shall drill for natural gas upon any highway without the permission of the Commissioner.

LOCATION OF WELLS

19.—(1) No person shall drill any well within three hundred and fifty feet of a boundary line of a property owned or leased by any other person without the approval of the Commissioner.

(2) With the exception of the wells mentioned in subregulation 1 no well shall be drilled nearer than one thousand feet from any producing well without the approval of the Commissioner.

GENERAL

POWERS OF COMMISSIONER

20. The Commissioner may cancel any permit or order any distributor to reduce the supply of natural gas,—

- (a) where the domestic supply is threatened by shortage;
- (b) in order to secure the preference given to any class of consumers in regulation 8; or
- (c) where natural gas is being supplied in excess of the quantity specified in the permit.

INTERRUPTION OF SUPPLY

21. No person engaged in the producing, transmitting or distributing of natural gas shall diminish, hinder or otherwise interrupt the supply of natural gas to any consumer or to any person depending upon such person for a supply of natural gas for transmission or distribution to consumers, but the natural decline in pressure of the natural gas field from which such person received his supply, unavoidable interruptions in maintaining such a natural gas service, discontinuance of service because of non-payment of moneys legally owing for natural gas furnished, or any diminution or interruption ordered or authorized by the Commissioner shall not constitute an infringement of this regulation.

DISTRIBUTION PLANTS

22.—(1) Distributing plants shall be so designed, equipped and maintained that low pressure regulators set at a maximum pressure of eight ounces per square inch will give satisfactory service to all consumers and the leakage in any distributing plant shall not exceed two hundred thousand cubic feet of natural gas per annum per mile of three-inch pipe or a proportional amount for other sizes of pipe.

(2) All leakage shall be reported to the Commissioner at the end of each month on a form prescribed and supplied by him on application.

METERS

23.—(1) Every person delivering natural gas from natural gas wells or pipe lines into pipe lines shall measure such natural gas through a suitable meter situated

at or as near the well as possible and shall also measure all natural gas delivered from such pipe lines to other pipe lines or to distributing plants at the point of junction.

(2) All measurements shall be reported to the Commissioner at the end of every month on a form prescribed and supplied by him upon application and the basis of such measurement shall be eight ounces per square inch.

INSPECTION OF APPLIANCES

24. Every distributor of natural gas shall inspect the appliances of consumers at least twice yearly and shall either adjust or instruct and assist the consumer in adjusting all appliances to burn natural gas with the greatest possible economy.

OPEN FLOW MEASUREMENT

25. Every person owning, controlling or operating natural gas wells shall once in each year measure the open flow of each well owned, controlled or operated by him and shall forthwith forward to the Commissioner a report of such open flow and the condition of the well at the time of the taking of such measurements.

PRESSURE OF WELL

26. Every person or company owning, controlling or operating natural gas wells shall once in each year shut in each well for a period of not less than forty-eight hours and shall forthwith forward to the Commissioner a report showing the pressure of the gas in pounds per square inch confined in such well.

GAS AT REDUCED RATES OR WITHOUT CHARGE

27.—(1) No person shall furnish, supply or receive any natural gas without charge or at a special reduced rate under any agreement, bargain, lease or other contract in which the supplying of natural gas without charge or at a special or reduced rate is the consideration or part of the consideration, or a term or condition of the contract, unless such contract is in writing and has been approved by the Commissioner in writing, signed by him and endorsed upon the contract.

(2) Every contract entered into in violation of subregulation 1 shall be null and void unless and until approved by the Commissioner in writing.

CONSTRUCTION OF REGULATIONS

28. These regulations shall be read and construed subject to any order made under the *War Measures Act* (Canada) or *The Natural Gas Conservation Suspension Act, 1943*.

REVOCATION

All regulations in force under *The Natural Gas Conservation Act* on the date of the coming into force of these regulations are revoked.

Regulations 472

(Ontario Regulations 237/44)

REGULATIONS MADE BY THE REFEREE UNDER THE NATURAL GAS CONSERVATION ACT

APPLICATION

1. Every application shall be commenced by the filing with the Referee of a statement of claim which shall be prepared by the applicant and shall contain the names and addresses of the applicant and all other parties interested in the application, and shall state the character in which the applicant applies, and that the parties cited therein and referred to as defendants shall be required to file a reply with the Referee within fourteen days of the service of the application and there shall be enorsed upon the application a concise statement setting forth the nature and grounds of the applicant's claim.

NOTICE TO PARTIES

2. The applicant shall cause copies of the application to be served upon all parties cited in the application or such additional or other parties as the Referee may direct and shall file with the Referee evidence of the proper service of such application upon such parties.

STATEMENT OF DEFENCE; REPLY

3. Every party so served shall, within fourteen days of such service file with the Referee and serve upon the applicant a statement of the defence to the claim of the applicant, and the applicant may, within ten days of receiving the statement of defence or the last statement of defence, as the case may be, serve upon the defendant and file with the Referee a reply to the statement of defence and upon the filing of such reply or the lapse of time for so doing, pleadings shall be deemed to be closed.

SERVICE

4. The form and manner of service and proof of service shall be in accordance with the practice of the Supreme Court of Ontario, unless otherwise specially directed by the Referee.

EXTENSION OF TIME; VARIATION IN PROCEDURE

5. The Referee may consider any motion on notice, or *ex parte*, in his discretion, to extend the time for filing a statement of defence or a reply or in any other manner to vary the procedure prescribed and upon rendering a decision on any such motion shall forth-

with send a copy of such decision to each of the parties by prepaid registered post addressed to him at the address indicated in the application or in any statement of defence.

DISCOVERY AND PRODUCTION

6. The Referee may, concurrently with the filing of the application, or at any time thereafter, consider an *ex parte* motion made by any of the parties requesting the privilege of examining and auditing the books of any of the other parties or appraising their inventories and assets, and may in his discretion make an order directing any of the parties to produce for immediate inspection by any other party, or at the hearing, all books, records or material in the possession of the parties which may be material to the issue, and upon rendering such decision, shall notify all parties forthwith.

DIRECTION FOR HEARING; DISMISSAL OF APPLICATION

7.—(1) Where the Referee upon consideration of the application, statement of defence and reply is of the opinion that the material submitted discloses a cause for complaint by the applicant, he may direct a hearing and shall name a time and place for such hearing and advise the applicants and all parties cited or served or who, in the opinion of the Referee, have any interest in the matter.

(2) Where in the opinion of the Referee a cause for complaint has not been shown, he may require the applicant to attend before him at a time and place to be fixed, and show cause to the Referee that a hearing is necessary.

(3) If evidence is not produced at such hearing which in the opinion of the Referee discloses a satisfactory cause for complaint, he may dismiss the application.

PRACTICE OF SUPREME COURT

8. Subject to these Rules, the practice and procedure at a hearing shall be in accordance with the practice and procedure of the Supreme Court of Ontario in the trial of civil actions provided that the Referee may admit any evidence which he may deem proper or desirable in the interests of the issue and may vary the mode of procedure.

Regulations 473

(Ontario Regulations 274/44)

REGULATIONS MADE BY THE BOARD UNDER THE ONTARIO MUNICIPAL BOARD ACT

INTERPRETATION

1. The Board shall mean the Ontario Municipal Board.

2. Application shall include complaint and any other proceeding, matter or thing which the Board can hear and determine.

3. Applicant shall include complainant and any person or persons or corporation applying to the Board to hear and determine any matter or thing.

4. Respondent shall include any person or persons or corporation adverse in interest to an applicant to the Board.

5. Where any matter is not expressly provided for by these rules, the rules and practice under *The Judicature Act* shall be followed as far as the same are applicable in the discretion of the Board.

6. The provisions of *The Interpretation Act* and the interpretation clauses of *The Judicature Act* and of *The Railway Act* shall apply to these rules unless there is something in the subject or context repugnant thereto.

APPLICATIONS

7. Unless where otherwise provided by Statute applications to the Board shall be by notice in writing, divided into paragraphs and numbered consecutively, setting forth clearly and concisely, in ordinary language, the nature of the application, and the relief or remedy sought; and may be in the form set forth in the schedule hereto or to like effect.

8. Where a notice is given by a solicitor, it shall contain the solicitor's name and his address or place of business, where the reply, notices, orders, appointments and other documents or writings may be served.

9. Where proceedings are instituted in person, the notice shall contain the address or place of residence of the person giving the notice where the reply, notices, orders, appointments and other documents or writings may be served. If the requirements of this rule are not complied with, the opposite party shall be at liberty to proceed by posting up in the offices of the Board in the City of Toronto, all notices, orders, appointments and other documents or writings required to be served.

10. The notice commencing proceedings before the Board shall be mailed to or filed with the Secretary of the Board at the offices of the Board in the City of Toronto, and shall be served upon the respondent in the manner provided by Statute, or as directed by the Board, unless service thereof is accepted in writing by a solicitor on behalf of the respondent.

REPLY

11. When a reply is directed to be filed and served the same shall set forth clearly and concisely in ordinary language, divided into paragraphs and numbered consecutively, the respondent's answer to the application, admitting such parts thereof as are not in dispute. It shall contain the respondent's address or place of residence if filed in person, and that of his Solicitor if filed by a Solicitor; and such reply may be in the form set forth in the schedule hereto or to like effect.

12. The reply shall be delivered to the secretary of the Board or mailed to him by letter prepaid, and a copy thereof shall be served upon the applicant in the manner provided by Statute, or as directed by the Board, at his address given in the notice of application to the Board or upon the solicitor of the applicant at his address set forth in the notice if given by a solicitor.

HEARING

13. Ten days after the service on the respondent of the notice of application either party shall be at liberty to apply to the Board on notice of motion in writing for an order fixing the time, place and manner of hearing the application; and if deemed necessary by the Board directing a reply to be filed and served by the respondent, and if the opposite party is not present or represented on such motion a copy of the order made on such application shall be served upon the said party or his Solicitor ten days before such hearing.

APPLICATIONS ON AFFIDAVITS

14. The Board may direct that applications shall be heard upon affidavits to be filed with the secretary and upon such documentary evidence as the parties may adduce.

RECORD FOR THE HEARING

15. The party commencing proceedings before the Board shall, at least two clear days before the hearing, deposit with the secretary of the Board three copies of the notice of application and reply (if any).

SERVICE OF COPIES OF AFFIDAVITS

16. Where the application is to be made on affidavits, copies of the affidavits upon which the application is to be heard, shall be served with a copy of the order for hearing, and the affidavits in defence shall be filed with the secretary and served on the opposite party within eight days thereafter, and any affidavits in reply shall be filed and served by the applicant upon the respondent within four days after the service of the affidavits in defence. Affidavits used before the Board or in any proceeding under the Act may be sworn to before any person authorized to administer oaths to be used in the High Court of Justice or before a Justice of the Peace.

ORDERS FOR PRODUCTION, INSPECTION, DISCOVERY,
AND TAKING EVIDENCE BY COMMISSION

17. Ten days after the service of the notice of application on the respondent orders for production of documents, for inspection, for examinations for discovery, for the examination of witnesses who cannot attend the hearing by reason of sickness or other unavoidable cause, and for the examination of witnesses resident out of Ontario, may be made by the Board, or a member thereof, as the nature of the application may require, and upon such terms as to costs or otherwise as the Board may order or direct.

NOTICE TO PRODUCE

18. Any party may give another notice in writing to produce any documents which relate to any matter in question before the Board which are in the custody, power or possession of such other party, and if such notice be not complied with, secondary evidence of such documents may be given.

NOTICE TO ADMIT

19. A party may be called by any other party, by notice in writing, to admit any document which requires to be proved, saving all just exceptions; and in default of notice to admit, the costs of proving the document shall not be allowed except where, in the opinion of the Board, the omission to give such notice was a saving of expense.

THE RIGHT TO BEGIN

20. At the hearing of any application, the party commencing the proceedings shall begin, and after the evidence in defence is given, shall have the right to reply.

TIME FOR NOTICE OF MOTION

21. There shall be at least two clear days between the service of a notice of motion and the day for hearing, unless the Board or a member thereof gives leave to serve short notice and in the computation of such two clear days, Sundays and days on which the offices are closed shall not be reckoned.

No notice of motion shall be served unless an appointment has been first obtained from the Board or a member thereof for hearing the motion.

ENLARGING OR ABRIDGING TIME

22. The Board may enlarge or abridge the time appointed by these rules for doing anything or taking any proceeding, upon such terms as may be just.

VACATIONS

23. No trial or hearing shall take place or motion be heard during the long vacation or the Christmas vacation observed by the Supreme Court of Ontario, unless otherwise directed by the Board in case of urgency, and such vacations shall not be reckoned in the computation of the times allowed by these rules for filing or delivering a notice of application or reply.

COSTS

24. The costs of and incidental to any proceeding before the Board, shall be in the discretion of the Board, and may be fixed at a sum certain or may be taxed by the proper taxing officer on the High Court, County Court or Division Court scale as the Board may direct.

COMPUTATION OF TIME

25. In all cases in which any particular number of days, not expressed to be clear days, is prescribed by these rules, the same shall be reckoned exclusively of the first day and inclusively of the last day, unless the last day shall happen to fall on a holiday, in which case the time shall be reckoned exclusively of that day also.

AMENDMENTS

26. Amendments which, in the opinion of the Board, may be necessary for determining the real question at issue between the parties may be directed or allowed at any time; and upon such terms as the Board in its discretion may deem just.

TECHNICAL OBJECTIONS

27. No proceeding before the Board shall be defeated or affected by any technical objection or by any objection based upon defects in form.

ADJOURNMENT

28. The Board may from time to time adjourn any proceeding before it.

FORMAL ORDER

29. Unless otherwise ordered by the Board, the applicant or his solicitor shall prepare the formal order made by the Board and submit it to the respondent or his solicitor for approval, and, in the event of the parties failing to agree on the form of the order, the same shall be settled by the secretary of the Board, and when settled, shall be engrossed in duplicate and left with the secretary to be signed and sealed and entered by him in the book kept for that purpose.

FORMS

30. The forms in the Schedule hereto or forms to like effect may be used with such variations as circumstances or the nature of the application may require, and where no form is given in the said schedule, the forms used in connection with the Rules of Practice under the Judicature Act may be adopted.

SCHEDULE—FORMS

I

THE ONTARIO MUNICIPAL BOARD

Between

and

Applicant,

Respondent.

NOTICE OF APPLICATION

1. The Applicant is (here give a general description of the Applicant).
2. The Respondent is (here give a general description of the Respondent).
3. (Here follows the complaint or application).
4. (Here follows the nature of the relief or remedy sought).
5. This application will be heard by the Board after ten days from the service hereof, at such time and place and in such manner as the Board may order and direct.

6. This notice is given by _____ of the _____ of the _____ in the county of _____, Solicitor for the Applicant (or this Notice is given by _____ of the _____ the Applicant in person).

Signature: Solicitor's or Applicant's.

II

Form of Application where there is no Opposite Party.

THE ONTARIO MUNICIPAL BOARD

In the matter of the Application of _____ of _____ in the County of _____ for an order for _____

The Applicant hereby applies to the Board for an order under (citing the legislation) for (here set forth the nature of the Application and Order asked for).

This Application is made by _____ of _____ in the County of _____ Solicitor for the Applicant: (or) this Application is made by (the Applicant in person).

Signature of Solicitor or Applicant.

III

REPLY

Style of Cause as in Form No. I.

1. The reply of the above named Respondent to the Notice of Application of the above named Applicant.
2. The Respondent admits paragraphs numbered one, two or three (as the case may be) of the Notice.
3. The Respondent says that (here set forth reply).
4. The Respondent says that the Applicant is not entitled to the relief or remedy sought (or he is only entitled to the following relief or remedy (as the case may be).

5. This reply is made by _____ of _____, Solicitor for the above named Respondent: (or) this reply is made by _____ of _____ (the Respondent in person).

Signature of Solicitor or Respondent (as the case may be).

IV

FORM OF ORDER FOR PRODUCTION
Style of Cause same as in Form No. 1

Upon the application of the _____ It is ordered, that the _____ do within ten days after the service of this Order make discovery on oath of the documents which are or have been in _____ possession or power relating to any matters in question in this application and do produce to and deposit the same with the Secretary of the Board at Toronto for the usual purposes.

Dated this _____ day of _____, A.D. 19 _____.

V

FORM OF AFFIDAVIT AS TO PRODUCTION
OF DOCUMENTS

Style of Cause same as in Form No. 1

O. I, _____, the above named _____, make oath and say as follows:

1. I have in my possession or power the Documents relating to the matters in question in this application set forth in the first and second parts of the First Schedule hereto.
2. I object to produce the said Documents set forth in the second part of the First Schedule hereto.
3. That _____
4. I have had, but have not now, in my possession or power the Documents relating to the matters in question in this application set forth in the Second Schedule hereto.
5. The last mentioned documents were last in my possession or power on _____
6. That _____
7. According to the best of my knowledge, information and belief, I have not now and never had in my possession, custody or power; or in the possession, custody or power of my Solicitors or Agents, Solicitor or Agent, or in the possession, custody or power of any other person or persons on my behalf, any deed, account, book of account, voucher, receipt, letter, memorandum, paper or writing, or any copy of or extract from any such document, or any other document whatsoever, relating to the matters in question in this application, or any of them, or wherein any entry has _____

been made relative to such matters or any of them, other than and except the documents set forth in the said First and Second Schedules hereto, and the pleadings and other proceedings in the application.

Sworn at
in the of
this day of
one thousand nine hundred
and
Before me,
A Commissioner, etc.

THE FIRST SCHEDULE HERETO

The first part thereof:—Shewing documents in my possession which I do not object to produce.

The second part:—Shewing documents in my possession which I object to produce.

THE SECOND SCHEDULE HERETO

Shewing documents which I have had, but have not now, in my possession or power.

VI

FORM OF ORDER FOR EXAMINATION FOR DISCOVERY

Style of Cause same as in Form No. 1

Upon the application of the

IT IS ORDERED THAT THE

above named do attend before at such time and place as he shall by writing hereon endorsed appoint, and submit to be examined *viva voce* upon oath touching his knowledge of the matters in question in the application. And the cost of this order and costs of such examination are reserved.

Dated this day of A.D. 19 .

Pursuant to the within Order, do hereby appoint the day of A.D. 19 , at the hour of o'clock in the noon at for the examination of the within named

Dated this day of A.D. 19 .

VII

FORM OF NOTICE TO PRODUCE

Style of Cause same as in Form No. 1

Take notice that you are hereby required to produce and shew to the Board at the hearing of this application all Books, Papers, Letters, Copies of Letters and other writings and Documents in your custody,

possession or power containing any Entry, Memorandum or Minute relating to the matters in question in this application and particularly those hereinafter specified.

Dated this day of 19 .

To the above named }
Solicitor or Agent.

Solicitor for the above named

Description of Documents	Dates

VIII

FORM OF NOTICE TO ADMIT

Style of Cause same as in Form No. 1

Take notice, that the purpose to adduce in evidence the several Documents hereinafter specified and that the same may be inspected by the himself, his Solicitor or Agent , at on day, the day of between the hours of and in the noon, and the is hereby required, within four days from the said day to admit that such of the said documents as are specified to be originals were respectively written, signed or executed, as they purport respectively to have been; that such as are specified as copies are true copies; and that such documents as are stated to have been served were served or delivered respectively; saving all just exceptions to the admissibility of all such documents as evidence on this application.

Dated this day of A.D. 19 .

To the above named Yours, etc.
and to Solicitor or Agent.
his Solicitor or agent

ORIGINALS

Description of Documents	Dates

COPIES		
Description of Documents	Dates	Original or Duplicate served, sent or delivered, when, how and by whom

IX
SUBPOENA

George the Sixth, by the Grace of God, of Great Britain, Ireland, and of the British Dominions beyond the Seas, KING, Defender of the Faith, Emperor of India

TO Greeting

We command you and every of you, to attend before the Board at the _____ in the _____ of _____ in the _____ day _____ A.D. 19____, at the hour of _____ o'clock in the _____ noon, and so on from day to day until the above is heard, to give evidence on behalf of the _____ and also to bring with you and produce at the time and place aforesaid all _____

Witness, R. S. Colter, Esq., K.C., Chairman of our said Board, the _____ day of _____ A.D. 19____, in the _____ year of our reign.

Secretary of The Ontario Municipal Board.

Issued from the office of The Ontario Municipal Board, at the City of Toronto, in the County of York and Province of Ontario.

[Seal _____ Secretary.

X

FORM OF FINAL ORDER
THE ONTARIO MUNICIPAL BOARD

BEFORE:
R. S. Colter, Esq., K.C., CHAIRMAN, } the
D. S. Charlton, Esq., VICE-CHAIRMAN, and } day of
W. P. Near, Esq., B.A.Sc., COMMISSIONER. } A.D. 19....

BETWEEN:—
_____ and _____
Applicant, Respondent.

UPON THE APPLICATION of the above named Applicant, in presence of the Applicant and Respondent, upon hearing the evidence adduced on behalf of the Applicant and Respondent and upon hearing Counsel for the Applicant and Respondent (or upon hearing the Applicant and Respondent in person as the case may be),

THE BOARD ORDERS
(here set forth what the Board orders).

Regulations 474

(Ontario Regulations 239/44; 89/45)

REGULATIONS MADE UNDER THE OPERATING ENGINEERS ACT

QUALIFICATIONS OF EXAMINERS

1. No person shall be eligible as member of the Board unless he possesses the following qualifications:

- (a) Holder of Ontario First Class Engineer's Certificate issued upon examination by the Board.
- (b) Education equivalent to high school graduation.
- (c) A knowledge of Applied Science with reference to Mechanical, Electrical and Refrigeration Engineering.
- (d) Ability to compile examination papers and conduct examinations.
- (e) General experience in correspondence and office routine.

2. Classification and Grades of Operating Engineers and Firemen:

Firemen;
 Stationary Engineers, 4th, 3rd, 2nd, 1st Class;
 Hoisting Engineer;
 Hoisting Engineers (Electric and Internal Combustion);
 Traction Engineer;
 Hoisting and Traction Engineer (Duplex);
 Refrigeration Operator, 4th, 3rd, 2nd Class.

3. The scope of work and duties which may be performed by Operating Engineers and Firemen under the foregoing classifications and grades:

FIREMAN CLASS

(a) A person within this classification shall be entitled to take charge and operate any low pressure stationary steam plant, the registration horsepower of which does not exceed 100. He shall also be entitled to tend boilers, engines, compressors and equipment in a high pressure plant not exceeding 200 horsepower during the brief absence of the chief or shift engineer from the boiler or compressor room but not from the plant.

He may also take charge of a shift under the direction of the engineer in charge in a low pressure plant, the registration horsepower of which does not exceed 200.

FOURTH CLASS

(b) A person within this classification shall be entitled to take charge and operate, as chief engineer, any high pressure stationary steam, refrigeration or compressor plant, or any combination of such, the registration horsepower of which does not exceed 75, or act as shift engineer under the direction of a certificated chief engineer in any plant, the registration horsepower of which does not exceed 200.

He shall also be entitled to take charge and operate any low pressure stationary steam plant, the registration horsepower of which does not exceed 200, or act as shift engineer in a low pressure plant, the registration horsepower of which does not exceed 600, and perform any of the duties of the previous grade.

THIRD CLASS

(c) A person within this classification shall be entitled to take charge and operate, as chief engineer, any high pressure stationary steam, refrigeration, or compressor plant or any combination of such, the registration horsepower of which does not exceed 200, as engineer in charge thereof, or act as shift engineer under the direction of a certificated chief engineer in any stationary plant, the registration horsepower of which does not exceed 600.

He shall also be entitled to take charge and operate any low pressure stationary steam plant, the registration horsepower of which does not exceed 600, or act as shift engineer in a low pressure plant of any capacity, and perform any of the duties of the previous grades.

SECOND CLASS

(d) A person within this classification shall be entitled to take charge and operate, as chief engineer, any high pressure stationary steam, refrigeration, or compressor plant, or any combination of such, the registration horsepower of which does not exceed 600, or act as shift engineer under the direction of a certificated chief engineer in any stationary plant of unlimited horsepower.

He shall also be entitled to take charge and operate any low pressure plant of unlimited horsepower as engineer in charge thereof, and perform any of the duties of the previous grades.

FIRST CLASS

(e) A person within this classification shall be entitled to take charge and operate any stationary steam, refrigeration, or compressor plant, or any combination of such of unlimited horsepower as chief engineer thereof.

He shall also be entitled to perform the duties of any stationary engineer.

HOISTING ENGINEER

(f) A person within this classification shall be entitled to take charge and operate a steam boiler and engine or an internal combustion engine or an engine driven by air or an electric motor when used as the motive power for operating shovels, cranes, derricks, excavators, hoists or other similar apparatus which constitute a hoisting plant, as defined by the Act.

He shall also be entitled to operate a steam concrete mixer, a boiler supplying steam to pumps used in connection with excavating work, air compressors on construction work, heating plants temporarily installed, asphalt plants, and portable saw mills.

HOISTING ENGINEER

(Electric and Internal Combustion)

(g) A person within this classification shall be entitled only to take charge and operate a hoisting plant, within the meaning of the Act, wherein the motive power is supplied by an electric motor or an internal combustion engine.

TRACTION ENGINEER

(h) A person within this classification shall be entitled to take charge and operate a steam boiler and engine when used as the motive power for operating road rollers, traction engines, locomotives (other than chartered railroads) and other similar self-propelling apparatus which constitutes a traction plant, as defined by the Act.

He shall also be entitled to operate a steam concrete mixer, a boiler supplying steam to pumps used in excavating work, air compressors on construction work, heating plants temporarily installed, asphalt plants, and portable saw mills.

HOISTING AND TRACTION ENGINEER

(Duplex)

(i) A person within this classification shall be entitled to perform the combined duties of a Hoisting and Traction Engineer.

REFRIGERATION OPERATOR—4TH CLASS

(j) A person within this classification shall be entitled to take charge and operate a *Refrigeration Plant only*, wherein the motive power of which is other than steam and wherein the total horsepower of the driving units is over 25 and does not exceed 75, or act as shift operator under the direction of a chief operator in such a Refrigeration Plant not exceeding 200 motive horsepower. The operation of steam boilers within the meaning of the Act is always excepted under this classification.

REFRIGERATION OPERATOR—3RD CLASS

(k) A person within this classification shall be entitled to take charge and operate a *Refrigeration Plant only*, the motive power of which is other than steam and wherein the total horsepower of the driving units does not exceed 200, or act as shift operator under the direction of a certified chief operator in such a Refrigeration Plant not exceeding 600 motive horsepower, or perform the duties of the previous grade. The operation of steam boilers within the meaning of the Act is always excepted under this classification.

REFRIGERATION OPERATOR—2ND CLASS

(l) A person within this classification shall be entitled to take charge and operate a *Refrigeration*

Plant only, the motive power of which is other than steam and wherein the total horsepower of the driving units does not exceed 600, or act as shift operator under the direction of a certified Chief Engineer in such a Refrigeration Plant of unlimited capacity, or perform the duties of the previous grades. The operation of steam boilers within the meaning of the Act is always excepted under this classification.

Refrigeration Plants in excess of 600 motive horsepower shall require a First Class Stationary Engineer in a charge capacity.

THE FORMS OF CERTIFICATES OF QUALIFICATION

4. The Minister may issue, upon the recommendation of the Board, the following certificates of qualification, viz.:

A certificate designated—

- "Fireman"
- "Stationary Engineer, Fourth Class"
- "Stationary Engineer, Third Class"
- "Stationary Engineer, Second Class"
- "Stationary Engineer, First Class"
- "Hoisting Engineer"
- "Hoisting Engineer, Electric and Internal Combustion Only"
- "Traction Engineer"
- "Hoisting and Traction Engineer, Duplex"
- "Stationary Engineer, Fourth Class, Refrigeration Only"
- "Stationary Engineer, Third Class, Refrigeration Only"
- "Stationary Engineer, Second Class, Refrigeration Only"

REGULATIONS GOVERNING EXAMINATIONS

5. An applicant for examination for such certificates of qualification shall be required to fulfil the following requirements:

GENERAL

(All Classifications and Grades)

- (a) That he fill in the required form, stating accurately and in detail all the mechanical and electrical training and experience he has acquired relative to the examination for which he is a candidate.
- (b) To satisfy the Board as to his character and ability.
- (c) That he has attained the age required and stated hereinafter.
- (d) To take an affidavit attesting that his statement is true.
- (e) To write the answers to examination questions presented and obtain at least the percentage of marks required as stated hereinafter.
- (f) To pay the required fee as stated hereinafter, upon application for examination or at the time his examination takes place.

- (g) Operating engineers in His Majesty's Armed Forces who held a current certificate at the time of their enlistment, and who have been honourably discharged, and who present themselves for examination for a higher grade of certificate, shall be allowed, at the discretion of the Board of Examiners, such time served with the forces, or part thereof, as time served in accordance with the requirements of these regulations.
- (h) Men who have been honourably discharged from His Majesty's Armed Forces and who complete the six months' course in stationary engineering at any Training and Re-establishment Institute, or six months' operating experience in a stationary steam plant within the meaning of the Act, shall be eligible to write the examination for an Ontario fourth-class stationary engineer's certificate. (S. 3, cl. d.)

FIREMAN CLASS

5A. Experience Required—Twelve months actual firing in a boiler plant coming within the meaning of the Act and defined in the Regulations.

Age—To be at least 18 years of age.

Percentage of Marks—To obtain at least sixty per cent.

Fee—Three Dollars.

STATIONARY ENGINEER—4TH CLASS

5B. Experience Required—At least twelve months practical operating experience in a high pressure steam plant, within the meaning of the Act and defined in the Regulations, firing on a regular shift, or twelve months firing on regular shift in a low pressure plant of over 100 horsepower.

Age—To be at least 19 years of age.

Percentage of Marks—To obtain at least sixty per cent.

Fee—Three Dollars.

STATIONARY ENGINEER—3RD CLASS

5C. Experience Required—At least two years practical operating experience in a high pressure stationary steam plant of 75 horsepower or over on a regular shift of which at least twelve months must be actual firing experience in the boiler room, and to be the holder of an Ontario fourth class, hoisting or traction certificate of the current year, or a third class certificate of current issue by any other Province of the Dominion of Canada.

Age—To be at least 21 years of age.

Percentage of Marks—To obtain at least sixty per cent.

Fee—Five Dollars.

STATIONARY ENGINEER—2ND CLASS

5D. Experience Required—At least five years practical operating experience in a high pressure stationary steam plant on a regular shift of which at least three years must have been in the boiler room of a steam plant of over 200 horsepower, and to be the holder of an Ontario third class stationary certificate of the current year, or a second class certificate of current issue by any other Province of the Dominion of Canada.

Percentage of Marks—To obtain at least sixty per cent.

Fee—Seven Dollars.

STATIONARY ENGINEER—1ST CLASS

5E. Experience Required—At least ten years practical operating experience in a high pressure stationary steam plant on a regular shift, at least seven years of which must have been as chief or shift engineer. Included in the above experience a candidate must show at least four years operating experience as engineer in a stationary steam plant of not less than 350 horsepower and one year's experience as engineer in a plant of over 600 horsepower with at least three years in the boiler room and one year in the engine or compressor room, and to be the holder of an Ontario second class stationary certificate of the current year, or a first class certificate of current issue by any other Province of the Dominion of Canada.

Deductible Time—At the discretion of the Board, in the case of a skilled mechanic trained in the building of steam engines or boilers, or of a candidate who has completed a course in engineering in any recognized University, a period not exceeding three years may be deducted from actual operating experience.

Percentage of Marks—To obtain at least seventy per cent.

Fee—Ten Dollars.

HOISTING ENGINEER

5F. Experience Required—At least eighteen months practical operating experience in a high pressure steam plant which shall include at least twelve months experience in a hoisting plant.

Age—To be at least 19 years of age.

Percentage of Marks—To obtain at least sixty per cent.

Fee—Five Dollars.

HOISTING ENGINEER

(Electrical and Internal Combustion)

- 5G. Experience Required—At least eighteen months practical operating experience on hoisting machinery, twelve months of which must have been in connection with such machinery wherein the prime mover is an internal combustion engine or an electric motor.

Age—To be at least 19 years of age.

Percentage of Marks—To obtain at least sixty per cent.

Fee—Five Dollars.

TRACTION ENGINEER

- 5H. Experience Required—At least eighteen months practical operating experience in a high pressure steam plant, at least twelve months of which must be experience in a steam traction plant.

Age—To be at least 19 years of age.

Percentage of Marks—To obtain at least sixty per cent.

Fee—Five Dollars.

HOISTING AND TRACTION ENGINEER
(Duplex)

- 5I. A candidate passing the examination for Hoisting Engineer and also the examination for Traction Engineer shall be issued one certificate designated "Hoisting and Traction Engineer".

REFRIGERATION OPERATOR—4TH CLASS

- 5J. Experience Required—At least twelve months practical operating experience in a refrigeration plant, as defined by the Regulations, wherein the motive power is other than steam.

Age—To be at least 19 years of age.

Percentage of Marks—To obtain at least sixty per cent.

Fee—Three Dollars.

REFRIGERATION OPERATOR—3RD CLASS

- 5K. Experience Required—At least two years practical operating experience in a refrigeration plant, as defined by the Regulations, wherein the motive power is other than steam and the total brake horsepower of the driving motors is in excess of 75, and to have been engaged upon regular shift, and to be the holder of an Ontario fourth class Refrigeration Stationary certificate of the current year, or a third class stationary certificate of current issue by any other Province of the Dominion of Canada.

Age—To be at least 21 years of age.

Percentage of Marks—To obtain at least sixty per cent.

Fee—Five Dollars.

REFRIGERATION OPERATOR—2ND CLASS

- 5L. Experience Required—At least five years practical operating experience in a refrigeration plant as defined by the Regulations wherein the motive power is other than steam and the total brake horsepower is in excess of 200, and to have been engaged upon a regular shift, and to be the holder of an Ontario third class Refrigeration Stationary certificate of the current year or a second class stationary certificate of current issue by any other Province of the Dominion of Canada.

Percentage of Marks—To obtain at least sixty per cent.

Fee—Seven Dollars.

COMPRESSOR OPERATORS

- 5M. (a) Notwithstanding anything to the contrary in these Regulations, a person trained in the operation of air or gas compression machines, other than refrigeration, may at the discretion of the Board be examined for a Compressor Operator's Certificate provided the applicant has had at least eighteen months practical compressor operating experience, has attained the age of nineteen years and is unable to comply with the requirements of entrance to any examination for a stationary, steam hoisting or steam traction engineer's certificate conducted by this Board.

- (b) The holder of such a certificate shall not operate or have charge of any steam or refrigeration plant within the meaning of the Act, and shall perform only such work as may be inscribed upon such certificate.

B.O.T. MARINE CERTIFICATES

6.—(a) A person who possesses a B.O.T. Marine Certificate may at the discretion of the Board be examined for a certificate one grade lower than his Marine Certificate, provided that his experience covers the same period of time required for the stationary grade which he tries, providing, also, that his experience includes two years boiler operating experience in a stationary plant of over 200 horsepower, when applying for second class examination, and two years boiler operating experience in a stationary plant of over 350 horsepower, and one years experience as shift engineer in a stationary steam plant of over 600 horsepower when applying for first class examination.

AS TO REFERENCES

- (b) The Board may demand an applicant for examination or the holder of a certificate to produce references from his present and past employers as to time and nature of his service.

AS TO APPLICATION FOR EXAMINATION

7.—(a) When a candidate's application for examination has been accepted he will be notified in due course as to the time and place of the Examining Board's next visit to his nearest centre. Applicants living in Toronto district may be examined at Toronto Office without notice.

(b) Application forms for examination of engineers will be supplied by the Board upon request.

AS TO EXAMINATIONS

8.—(a) Examination questions shall be furnished only at the time of examination and under no circumstances shall they be furnished by mail.

(b) No person shall be allowed in the examination rooms during the examinations, other than those whose duties require them to be present.

(c) Examinations shall be written but should the Board deem it necessary they may subject the applicant to an oral examination and may have him demonstrate his knowledge of a steam, refrigeration, compressor, traction or hoisting plant.

(d) In the event of an applicant failing on his examination, ninety days shall elapse before he becomes eligible for re-examination.

(e) If a candidate fails on his examination, the Board at its discretion may issue a certificate of one grade lower.

AS TO CERTIFICATES OF QUALIFICATION

9.—(a) All certificates, with the exception of plant registration and those issued provisionally from a duly accepted certificate of current issue from one of the other Provinces of the Dominion of Canada, and those issued by examination on or after October 15th, shall expire on the 31st day of December of the year in which such certificates are issued.

A Provisional certificate is good for one year from date of issue and is not renewable.

(b) All holders of certificates engaged in the operation of plants must renew their certificates annually before the 31st day of December of each year. A certificate holder who has not registered with the Board on or before the 1st day of February next ensuing shall be granted a certificate only on payment of TWO DOLLARS, and ONE DOLLAR shall be added for each additional year that the certificate remains unrenewed, or until cancelled.

(c) A certificate which is not renewed for five consecutive years shall be cancelled, and shall be placed in good standing again by examination only.

(d) A certificate issued by examination on or after October 15th of any year shall be good for the remainder of the year and the next ensuing year.

(e) A certificate issued by the Board, with or without examination, and classified in the year 1920, shall have the same status as a certificate issued by the Board upon examination since January 1, 1920.

(f) The holder of a certificate classified without examination in 1920 shall be allowed to continue in the position he at that time held, but should he make any change in his position, either by promotion or by transferring his duties to another plant which requires a certificate of a higher grade than that which he now holds, he must apply for and obtain a certificate of the grade demanded by the foregoing sections of the Regulations before he assumes his new position.

(g) When the horsepower of a plant is increased to the extent that there is a change in classification, it shall not be compulsory that an operating engineer in said plant shall immediately obtain a certificate of the grade required caused by the enlargement of the plant, provided he has been operating in the plant for three consecutive years immediately previous to the change, but he shall present himself for examination within a time limit set by the Board.

(h) Certificates are subject to cancellation or suspension:

(a) If the holder is habitually intemperate, or addicted to the use of drugs;

(b) if he operates a plant while he is in an intemperate condition;

(c) if he becomes insane or physically incapacitated;

(d) if he has proven incompetent or negligent in the discharge of his duties;

(e) if he has obtained his certificate through misrepresentation or fraud;

(f) if he maliciously destroys his employer's property;

(g) if he allows another to operate under his certificate;

(h) if he is proven to be dishonest;

(i) if he impersonates another and thereby attempts to secure a certificate by false means for a person other than himself;

(j) if he absents himself from his plant before ascertaining that all machinery is properly shut down and all boiler fires are properly pulled or banked, or that he is relieved of his duties by the proper person;

(k) if he signs an application form of a candidate for examination without personally knowing that the written statement of engineering experience is true;

(l) if he allows his certificate to lapse for more than FIVE consecutive years.

PLANT REGISTRATION AND CERTIFICATES

10.—(a) On the recommendation of the Board and on payment of the fees prescribed by the Regulations, the Minister may issue to the owner of any kind of plant to which this Act applies, a Certificate of Registration.

(b) The Registration Certificate shall show the total horsepower of the plant to which it is applicable, such horsepower having been computed as follows:

A High Pressure Steam Plant—

"The Sum of the boiler horsepower installed PLUS the brake horsepower rating of the motive power driving all compressors other than air PLUS one-half of the brake horsepower rating of the motive power driving air compressors. The horsepower of steam driven compressors being always excepted."

A High Pressure Steam Plant when combined with A Low Pressure Steam Plant—

"The Sum of the high pressure boiler horsepower installed PLUS the brake horsepower rating of all compressors other than air PLUS one-half the SUM of the low pressure boiler horsepower PLUS one-half the brake horsepower rating of the motive power driving air compressors."

A Low Pressure Steam Plant—

"The sum of the boiler horsepower installed plus the brake horsepower rating of the motive power driving all compressors other than air plus one half the brake horsepower rating of the motive power driving all air compressors."

A "Refrigeration Plant" wherein the motive power is other than steam and no steam boiler equipment, within the meaning of the Act, is included—

"The Sum of the brake horsepower rating of the motive power unit or units driving the compressor or compressors."

A "Compressor Plant" other than air, wherein the motive power is other than steam and no steam boiler equipment, within the meaning of the Act, is included—

"The Sum of the brake horsepower rating of the motive power unit or units driving the compressor or compressors."

An "Air Compressor Plant, Stationary" wherein the motive power is other than steam and no steam boiler equipment, within the meaning of the Act, is included—

"The Sum of the brake horsepower rating of the motive power unit or units driving the air compressor or air compressors."

AS TO FEES

11.—(a) The fee for examination for Fireman's Certificate (including certificate, if granted) shall be Three Dollars;

(b) the fee for examination for Stationary Fourth Class Certificate (including certificate, if granted) shall be Three Dollars;

(c) the fee for examination for Stationary Third Class Certificate (including certificate, if granted) shall be Five Dollars;

(d) the fee for examination for Stationary Second Class Certificate (including certificate, if granted) shall be Seven Dollars;

(e) the fee for examination for Stationary First Class Certificate (including certificate, if granted) shall be Ten Dollars;

(f) the fee for examination for Hoisting Engineer's Certificate (including certificate, if granted) shall be Five Dollars, except where the applicant is the holder of a Traction Engineer's Certificate of current issue, when the fee shall be Two Dollars;

(g) the fee for examination for Hoisting (Electrical and Internal Combustion) Engineer's Certificate (including certificate, if granted) shall be Five Dollars;

(h) the fee for examination for Traction Engineer's Certificate (including certificate, if granted) shall be Five Dollars, except where the applicant is the holder of a Hoisting Engineer's Certificate of current issue, when the fee shall be Two Dollars;

(i) the fee for examination for Refrigeration Fourth Class Certificate (including certificate, if granted) shall be Three Dollars;

(j) the fee for examination for Refrigeration Third Class Certificate (including certificate, if granted) shall be Five Dollars;

(k) the fee for examination for Refrigeration Second Class Certificate (including certificate, if granted) shall be Seven Dollars;

(l) the fee for examination for Special Compressor Certificate (including certificate, if granted) shall be Five Dollars;

(m) the fee for re-examination for Fireman's Certificate (including certificate, if granted) shall be One Dollar;

(n) the fee for re-examination for Fourth Class Certificate, under all classifications (including certificate, if granted) shall be One Dollar;

(o) the fee for re-examination for Third Class Certificate, under all classifications (including certificate, if granted) shall be Three Dollars;

(p) the fee for re-examination for Second Class Certificate, under all classifications (including certificate, if granted) shall be Five Dollars;

(q) the fee for re-examination for First Class Certificate (including certificate, if granted) shall be Seven Dollars;

(r) the fee for re-examination for Hoisting Engineer's Certificate (including certificate, if granted) shall be Three Dollars, except where the applicant is the holder of a Traction Engineer's Certificate of current issue, when the fee shall be Two Dollars;

(s) the fee for re-examination for Hoisting (Electrical and Internal Combustion) Engineer's Certificate (including certificate, if granted) shall be Three Dollars;

(t) the fee for re-examination for Traction Engineer's Certificate (including certificate, if granted)

shall be Three Dollars, except where the applicant is the holder of a Hoisting Engineer's Certificate of current issue, when the fee shall be Two Dollars;

(u) the fee for re-examination for Special Compressor Certificate (including certificate, if granted) shall be Three Dollars;

(v) the annual renewal of a certificate shall be One Dollar;

(w) the fee for renewing a certificate which the holder has failed to renew by the 1st day of February next ensuing shall be TWO DOLLARS and the fee shall increase at the rate of ONE DOLLAR per year until such time as the certificate is renewed or cancelled;

(x) the fee for issuing a Duplicate Certificate shall be One Dollar;

(y) the fee for issuing a Plant Registration Certificate shall be One Dollar;

(z) the fee for issuing a Provisional Certificate shall be Five Dollars.

GENERAL REGULATIONS

12.—(a) *Plant Operation by Shifts*—When a plant is operated in two or more shifts the chief engineer shall arrange that a shift engineer holding a certificate not less than *one* grade lower than required to operate such plant as chief engineer, according to the registration horsepower, take charge and operate during his temporary absence from the plant.

(b) *Sickness and Holidays*—In the temporary absence of an engineer due to sickness or holidays an engineer holding a certificate of not less than *one* grade lower may take charge and operate in his stead for a period not exceeding 21 days in any one year. Under special circumstances this period may be extended upon application to the Board.

(c) When a high pressure stationary steam, or refrigeration plant, or any combination of steam, refrigeration, or compressor equipment is in operation, of 25 horsepower but not exceeding 75 horsepower, an engineer possessing at least a fourth class certificate issued by the Board shall be required as chief or engineer in charge thereof.

(d) When a high pressure stationary steam, compressor, or refrigeration plant, or any combination of steam, refrigeration, or compressor equipment is in operation of over 75 horsepower but not exceeding 200 horsepower, an engineer possessing at least a third class certificate issued by the Board shall be required as chief engineer in charge thereof.

(e) When a high pressure stationary steam, compressor, or refrigeration plant, or any combination of steam, refrigeration or compressor equipment is in operation of over 200 horsepower but not exceeding 600 horsepower, an engineer possessing at least a second class certificate issued by the Board shall be required as chief or engineer in charge thereof.

(f) When a high pressure stationary steam, compressor, or refrigeration plant or any combination of steam, refrigeration, or compressor equipment is in

operation, of over 600 horsepower, an engineer possessing a first class certificate issued by the Board shall be required as chief or engineer in charge thereof.

(g) When a steam plant of a portable nature is in operation consisting of a steam boiler, or boiler and engine, machinery and equipment used in connection therewith, and such boiler is not permanently attached to a solid base, and used in the operation of portable saw mills, drills, temporary asphalt plants, pumps, heating systems temporarily installed during construction work, or other similar apparatus not self-propelling and of a portable nature, an engineer possessing a steam certificate issued by the Board shall be required to operate and take charge thereof.

(h) *Separate Ownership*—Steam engine or engines, turbine or turbines or any combination of such where the steam is supplied to drive said machinery from boiler or boilers situated on premises not owned and operated by the owner of the steam engines or turbines, shall be deemed to be a separate plant, and the horsepower rating of such plant shall be the combined brake horsepower of the engines or turbines at full load.

(i) *Absence of Engineer*—When a stationary plant is in operation of over 200 horsepower and the chief or shift engineer absents himself from the boiler, engine, or compressor room while occupied on matters concerning other machinery or equipment of the plant, as defined in the Act, it must be arranged that a person possessing an engineer's certificate of not less than one grade lower than that required to operate such a plant as shift engineer be present and in charge of all boilers, engines and compressors.

(j) When a stationary plant is in operation of 200 horsepower or less, and the chief or shift engineer absents himself from the boiler, engine, or compressor room for a period exceeding fifteen minutes, while occupied on matters concerning machinery or equipment of the plant, as defined in the Act, it must be arranged that a person possessing a fireman's or engineer's certificate be present and in charge of all boilers, engines or compressors.

(k) *Portable Air Compressors*—Air compressor plants of a portable nature, or temporarily installed during construction work, wherein the brake horsepower rating of the motive power is 75 or over and wherein the motive power is other than steam, must be in charge of a person holding a hoisting or traction engineer's certificate.

Air compressor plants of a portable nature situated on or near a public highway in villages, towns or cities must be in the charge of a person holding a hoisting or traction engineer's certificate if the motive power is other than steam and the brake horsepower rating of the motive power exceeds 35.

(l) *Low Pressure Plant Operation*—When a low pressure stationary steam plant of 75 horsepower, but not exceeding 100 horsepower, is in operation, a person possessing at least a fireman's certificate issued by the Board shall be required to take charge and operate.

(m) When a low pressure stationary steam plant of over 100 horsepower, but not exceeding 200 horsepower is in operation, an engineer possessing at least a

fourth class certificate issued by the Board shall be required to take charge and operate.

(n) When a low pressure stationary plant of over 200 horsepower, but not exceeding 600 horsepower is in operation, an engineer possessing at least a third class certificate issued by the Board shall be required to take charge and operate.

(o) When a low pressure stationary steam plant of over 600 horsepower is in operation, an engineer possessing at least a second class certificate issued by the Board shall be required to take charge and operate.

(p) *Stationary Air Compressor Plant*—In a stationary air compressor plant of 75 horsepower or over wherein there is no steam boiler equipment, the class of certificate required may be *one* grade lower than that required in a steam plant of equal horsepower.

DEFINITIONS

13.—(a) *Boiler Horse Power Installed* shall mean the Sum of the individual boiler horsepower of boilers so connected as to be possible of supplying steam.

(b) *A Boiler Plant* shall mean either or each or any combination of a "high pressure steam plant" and a "low pressure steam plant" irrespective of whether such plant is a "stationary steam plant" or a "hoisting plant" or in anywise portable.

(c) *A High Pressure Steam Plant* shall mean a boiler plant of 25 horsepower or over where the safety valves are set to relieve the pressure at over 15 pounds per square inch.

(d) *A Low Pressure Steam Plant* shall mean a boiler plant of 75 horsepower or over where the safety valves are set to relieve the pressure at 15 pounds per square inch or under.

(e) *Compressor Plant* shall mean, for the purpose of these Regulations, any plant wherein the compression of air or other gases is performed for any purpose other than a refrigeration process. Total motive horsepower of below 25 is not covered by this Act, steam power plants being always excepted.

(f) *Compressor Plant Horsepower*, for the purpose of these Regulations, is computed as follows:—For gases other than air the horsepower shall be the Sum of the brake horsepower rating of the driving units connected to such compressors, steam power always excepted.

For Air the horsepower shall be the Sum of the brake horsepower rating of the driving units connected to such air compressors, steam power always excepted.

(g) *Refrigeration Plant* shall mean the compressor (mechanical or thermal) together with such component parts as constitute equipment necessary to perform a refrigeration process irrespective of the gas used as a refrigerant.

(h) *Refrigeration Plant Horsepower*, for the purposes of these Regulations, is defined as follows:—For motive power, other than steam, the Sum of the brake horsepower rating of the driving units connected to refrigeration compressors.

For steam-driven compressors—Where the boilers are integral with the refrigeration plant the prime mover horsepower shall not be added to the plant horsepower.

For steam-driven compressors—Where the boilers are separately owned and remote from the refrigeration plant the prime mover horsepower, at full load, shall be included in the plant horsepower

(i) *Registration Horsepower* shall mean the total plant horsepower as computed by the provisions of the Act and as shown upon the face of the Registration Certificate.

(j) *Chief Engineer or Engineer in Charge* shall mean a qualified operating engineer who has charge of, and at all times has the full responsibility of the care and operation of boilers, engines, compressors, pumps, machinery and equipment, and things connected therewith, pertaining to the power plant.

(k) *Shift Engineer* shall mean a qualified operating engineer who operates and takes charge of the boilers, engines, compressors, pumps, machinery and equipment and things connected therewith under the direction of a chief engineer.

Regulations 475

(Ontario Regulations 41/44)

REGULATIONS MADE UNDER THE PLANT DISEASES ACT

TITLE

1. These regulations may be cited as *The Bacterial Ring Rot Regulations*.

INTERPRETATION

2. In these regulations,—

- (a) "Act" shall mean *The Plant Diseases Act* and amendments thereto;
- (b) "Director" shall mean Director appointed under the Act;
- (c) "inspector" shall mean an inspector appointed under the Act to carry out the provisions of these regulations;
- (d) "Minister" shall mean Minister of Agriculture for Ontario.

BACTERIAL RING ROT

3. Bacterial ring rot in potatoes is hereby designated a plant disease within the meaning of the Act.

DISPOSAL OF POTATOES

4. Whenever any bacterial ring rot in potatoes is found on any farm or other lands upon which any potatoes are produced, all potatoes on such farm or such other lands shall be disposed of in such manner and at such time as the Director may prescribe.

5. Every person who operates or is in charge of any premises used as a warehouse, storage or processing plant for potatoes or as wholesale or retail premises or other premises for keeping potatoes shall whenever any bacterial ring rot in potatoes is found on any such premises dispose of all the potatoes on the said premises in such manner and at such time as the Director may prescribe.

DISINFECTION

6. Every person who operates or is in charge of any premises upon which any bacterial ring rot in potatoes

is found shall disinfect such premises and all equipment pertaining thereto including machinery, bags and containers in such manner and with such disinfectant as the Director may prescribe.

7. When any potato machinery or other potato equipment, except sprayers and dusters, has been moved from one farm to another farm, such machinery or equipment shall not be used in the production, planting, cultivating or harvesting of potatoes until the machinery or equipment has been disinfected in such manner as the Director may prescribe.

DUTIES OF INSPECTORS

8. The Director may authorize any inspector to carry out such duties and undertakings as he may determine and may prescribe the manner in which such duties and undertakings shall be performed.

9. One of the inspectors may be appointed as "Chief Inspector" and it shall be the duty of any such chief inspector, subject to such directions as the Director may prescribe, to supervise the carrying out of the provisions of these regulations.

FAILURE TO COMPLY

10. If the owner or lessee of any property affected by the provisions of the Act or of these regulations, fails to comply with such Act or regulations, or if the owner or lessee of such property is out of the Province or his whereabouts are unknown to the inspector, the inspector with the approval of the Director may make such arrangements as he deems necessary to have such control measures or treatment carried out and any expense incurred shall be payable by and recoverable from the owner or lessee of any such property in accordance with the provisions of the Act.

TRANSPORTATION

11. No person shall transport upon any common and public highway, street, avenue, parkway or driveway, designed or intended for or used by the general public for the passage of vehicles, any potatoes produced on any farm upon which bacterial ring rot in potatoes has been found or any potatoes received from any other premises upon which such rot in potatoes has been found, except in paper bags.

Regulations 476

(Ontario Regulations 40/44; 7/45)

REGULATIONS MADE UNDER THE PLANT DISEASES ACT

INTERPRETATION

1. Within the meaning of this Act, the following are designated as plant diseases:

- Apple Maggot (*Rhagoletis pomonella*),
- Black Knot (*Dibotryon morbosum*),
- Corn Borer (*Pyrausta nubilalis*),
- Oriental Fruit Moth (*Laspeyresia molesta*),
- Pear Blight (in nurseries) (*Erwinia amylovorus*),
- San Jose Scale (*Aspidiotus perniciosus*),
- Wheat Rust (*Puccinia graminis*),
- White Pine Blister Rust (*Peridermium strobi*),
- Ribes Rust (*Cronartium ribes*),
- Yellows and Little Peach (virus),
- "X" Disease of Peach (Yellow-Red Virosis).

DUTIES OF OFFICIALS

2. The Provincial Entomologist shall furnish assistance to all inspectors appointed under this Act and shall see that all such inspectors are instructed in the methods to be adopted for controlling and eradicating disease. All inspectors shall be under the supervision and control of the Provincial Entomologist and shall not advocate any control measures contrary to the recommendations of the Department of Agriculture.

FAILURE TO COMPLY

3. If the owner or lessee of any property affected by the provisions of the Act or of these regulations, fails to comply with such Act or regulations, or if the owner or lessee of such property is out of the Province or his whereabouts are unknown to the inspector, the inspector with the approval of the Provincial Entomologist or of the municipality may make such arrangements as he deems necessary to have such control measures or treatment carried out and any expense incurred shall be payable by and recoverable from the owner or lessee of any such property in accordance with the provisions of the Act.

EXPENSE

4. Such expense shall not in any case exceed the actual cost of removal, destruction or treatment of such plants.

CONFISCATION

5. Where plants affected by disease have been brought into the Province, all such plants may be subject to confiscation and destruction or may be treated according to the recommendations of the Department of Agriculture.

PAYMENTS TO LOCAL INSPECTORS

6. All municipalities which have received approval from the Minister for the appointment of local inspectors under section 4 of the Act shall on or before January 15th furnish to the Director a statement of the amounts paid to such inspectors which shall be

certified to by an inspector of the Department of Agriculture. The Minister may reimburse such municipalities for such expenditures up to but not to exceed fifty per cent. of the amount paid out during the twelve months next preceding the said date.

NURSERY REGULATIONS

7. No nursery shall grow or sell or offer for sale any stock unless such nursery has first been registered with the Department of Agriculture and has received a permit therefrom.

8. Any nursery operating contrary to the regulations shall be liable to the cancellation of its permit and the seizure and destruction of its stock.

9. Every nursery, in areas where San Jose scale can thrive, shall be inspected at least once before September 15th each year, and all trees and shrubs showing the presence of San Jose scale and pear blight shall be broken down by the inspectors and removed each day during such inspection and burned forthwith.

10. All trees and shrubs subject to San Jose scale infection, not in the nursery rows, whether within the nursery grounds or within a radius of one-half mile of the nursery, shall be inspected early in the season, and where diseased, the owners shall be notified and be required either to treat them effectively in accordance with the instructions given by the Provincial Entomologist or to cut down and burn them within ten days after such notice.

11.—(1) The owner or proprietor of every nursery shall attach to every box and every package of nursery stock produced in Ontario a certificate in the following form:

CERTIFICATE OF INSPECTION UNDER THE PLANT DISEASES ACT

This is to certify that the nurseries of have been inspected during the year 19.... under the provisions of *The Plant Diseases Act* and regulations thereunder and have been found to be apparently free from disease.

Dated at Guelph, Ontario, this.....day of 19....

.....
Provincial Entomologist.

(2) A copy of such certificate shall be furnished to any purchaser who requests the same.

APPLE MAGGOT REGULATIONS

12. Any apple grower may apply to the Director of the Fruit Branch for registration of his orchard and shall then be entitled to fall inspection of the fruits for apple maggot in accordance with the export require-

ments of the Dominion Department of Agriculture, provided,—

- (a) that the orchard in question has been sprayed according to the recommendations of the Department of Agriculture;
- (b) that all apple trees or hawthorns on his own premises, located within 300 yards of said orchards, have been sprayed according to the recommendations of the Department of Agriculture or have been destroyed.

13. Any person having apple trees or hawthorns on his premises within 300 yards of any orchard whose owner has applied for registration, shall either destroy such trees before July 1st or spray them according to the recommendations of the Department of Agriculture.

14. Any group of 15 or more registered growers, whose properties are located within an area where eradication of the apple maggot is considered feasible may, with the approval of the Director of the Fruit Branch, have a definite zone delimited. In such case all apple trees and hawthorns within such zone, and also all such trees outside the said zone but within 600 yards of any orchard of the zone, shall be sprayed by the owners or lessees thereof in accordance with the recommendations of the Department of Agriculture or destroyed.

BLACK KNOT REGULATIONS

15 In municipalities where any inspector has been appointed, all black knots on plum and cherry trees shall be cut out and burned before March 1st each year.

CORN BORER REGULATIONS

16. All corn stalks, pieces of stalks and shelled cobs of the preceding year's crop, whether in the field, barn, feeding paddock or elsewhere, shall, if not ensiled or shredded, be destroyed by burning or be ploughed under completely.

17. All corn stubble, unless cut level with the ground, shall be ploughed under completely, and, if dragged up later when cultivating or sowing, shall be gathered and burned.

18. If corn is cut level with the ground, ploughing stubble shall be optional, provided that all the crop has been removed and all corn remnants in the field gathered and burned.

19. Manure in which corn remnants are present shall, if not wanted for use later, be hauled out and ploughed under completely, and if the corn remnants are dragged up later in cultivating the soil or sowing, they shall be gathered and burned; or, if wanted for use later, the manure shall be piled neatly and the heap at once covered to a depth of not less than eight inches with earth or well rotted manure free from corn remnants. This cover shall remain intact until July 10th.

20. All the above regulations shall have been complied with before May 20th of the year succeeding the corn crop.

21. Any person planting winter wheat on land on which the immediately preceding crop was corn, shall either clean off and destroy all the corn remnants or plough the wheat under before May 1st following.

22. The above regulations shall apply to land not being used for immediate cropping as well as to land being so used and shall apply to urban as well as rural municipalities.

ORIENTAL FRUIT MOTH REGULATIONS

23. Every canning or other factory utilizing peaches shall thoroughly sterilize with live steam, before December 1st, all containers used in bringing in or storing peaches, and such sterilization shall be done in the presence of a duly appointed inspector.

24. Every canning or other factory utilizing peaches shall treat all peach refuse in such a way as to satisfy the inspector that all insects present have been destroyed.

SAN JOSE SCALE REGULATIONS

25. All trees and shrubs infested with San Jose scale and so situated that they are a menace to other trees or shrubs in the vicinity, shall either be sprayed according to the recommendations of the Department of Agriculture or shall be destroyed.

WHEAT RUST REGULATIONS

32. No person shall grow, sell or have on his premises any plants of the common barberry shrub of the species *berberis vulgaris* and its varieties such as *berberis vulgaris atropurpurea*, as this species acts as a host for the fungus *puccinia graminis* which causes the disease known as wheat rust.

WHITE PINE BLISTER RUST AND RIBES RUST REGULATIONS

33. *The Plant Diseases Act* and the regulations thereunder, in so far as the above diseases are concerned, shall be applicable only to such areas as may be designated by the Minister.

YELLOWS AND LITTLE PEACH REGULATIONS

34. All peach orchards in districts in which municipal inspectors for yellows and little peach have been appointed, shall be inspected at least once each year for these diseases, and if any infested trees are found, they shall be marked and the grower notified to remove them within ten days.

35. All nurserymen shall take the necessary precautions to secure budding material only from trees which are free from both diseases.

36. Any grower shall be entitled to appeal to the Provincial Entomologist against the ruling of an inspector.

"X" DISEASE OF PEACH REGULATIONS

37. All peach orchards in districts in which municipal inspectors for yellows and little peach have been appointed shall be inspected also at least once each year for "X" disease, and if any infected trees are found, they shall be marked and the grower notified to remove them within ten days.

38. All chokecherries (*prunus virginiana*) and certain other wild cherries, within 500 feet of any peach orchard or of any peach nursery, shall be destroyed, preferably by means of a chemical weed killer.

39. All nurserymen shall take the necessary precautions to secure budding material only from trees which are free from this disease.

Regulations 477

(Ontario Regulations 42/44)

REGULATIONS MADE UNDER THE PLANT DISEASES ACT

TITLE

1. These regulations may be cited as The Sugar Beet Nematode Regulations.

INTERPRETATION

2. In these regulations,—

- (a) "Act" shall mean *The Plant Diseases Act* and amendments thereto;
- (b) "Director" shall mean the Director of the Fruit Branch of the Department of Agriculture for Ontario;
- (c) "inspector" shall mean an inspector appointed under the Act;
- (d) "Minister" shall mean Minister of Agriculture for Ontario;
- (e) "Provincial Entomologist" shall mean Provincial Entomologist appointed under the Act;
- (f) "sugar beets" shall mean sugar beets of every variety produced in Ontario.

SUGAR BEET STRAIN

3. The nematode, *heterodera schachtii* (sugar beet strain) is hereby designated a plant disease within the meaning of the Act.

DUTIES OF OFFICIALS

4. The Provincial Entomologist shall furnish assistance to all inspectors appointed under this Act and shall see that all such inspectors are instructed in the methods to be adopted for controlling and eradicating the nematode, *heterodera schachtii* (sugar beet strain). All inspectors shall be under the supervision and control of the Provincial Entomologist and shall not advocate any control measures contrary to the recommendations of the Department of Agriculture.

INFESTED LAND

5. Sugar beets shall not be grown on land known to be infested by the nematode, *heterodera schachtii* (sugar beet strain) as determined by the presence of such nematode in beet crops, until a suitable rotation, approved by the Department of Agriculture, has been followed.

PRECAUTIONARY AREA

6. The area in the Township of Sarnia, in the County of Lambton, bounded on the north by Lake Huron; on the east by the Brigden sideroad from Lake Huron to the King's Highway No. 7; on the south commencing at the Brigden sideroad by the King's Highway No. 7 in a westerly direction to where the

said Highway curves south, thence continuing along the old road which continues westerly from the point the King's Highway No. 7 curves south to the sideroad between lots 21 and 22; and on the west commencing at the said old road in a northerly direction to Lake Huron along the sideroad between Lots 21 and 22, and as continued northerly to Lake Huron, is hereby designated a "precautionary area."

TRANSPORTATION

7. Sugar beets within the precautionary area shall not be transported, except by railway cars, outside of such area and sugar beets from outside such area shall not be transported into the precautionary area provided that sugar beets outside the precautionary area may, with the written approval of the Provincial Entomologist, be transported to the London Road shipping station.

HARVESTING

8. Sugar beets on any field which is found to be infested with the nematode, *heterodera schachtii* (sugar beet strain), shall be harvested as early as possible and shipped in as few railway cars as may be arranged.

9.—(a) Wagons and trucks used in the precautionary area in the handling and delivering of sugar beets shall have boxes with tight fitting bottoms and tight fitting sides and ends for four inches above the bottoms and shall be free from holes and cracks of sufficient size for dirt to sift through.

(b) In the precautionary area sugar beets shall be forked from the boxes of the wagons and trucks and all the dirt remaining in the boxes shall in each case be weighed out with the wagons and trucks.

VEHICLES

10. In the precautionary area dirt shall be returned to the field from which the sugar beets were harvested.

11. Earth from railway cars used in the transportation of sugar beets from the precautionary area shall be completely removed by washing at the sugar factory and all such earth and water shall be disposed of in a manner approved by the Provincial Entomologist.

SEED

12. Beet seed shall not be grown within the precautionary area.

FAILURE TO COMPLY

13. If the owner or lessee of any property affected by the provisions of the Act or of these regulations, fails to comply with the Act or these regulations, or if the owner or lessee of such property is out of the Province or his whereabouts are unknown to the inspector, the inspector, with the approval of the Provincial En-

tomologist, may make such arrangements as he deems necessary to have such control measures or treatment carried out and any expense incurred shall be payable by and recoverable from the owner or lessee of any such property in accordance with the provisions of the Act.

EXPENSE

14. Such expense shall not in any case exceed the actual cost of removal, destruction or treatment of the nematode, *heterodera schachtii* (sugar beet strain).

DIRT

14a. Dirt contained in or attached to trucks, crates and other containers used in the transportation of table beets and carrots produced in the precautionary area to processing plants and storages located in the counties of Essex, Kent, Lambton, Middlesex and Huron shall be removed from such trucks and containers at the processing plant or storage and placed in covered containers or closed buildings and such dirt shall be treated

in such manner and at such times as the Provincial Entomologist may determine.

REVOCATION

15.—(1) Section 1 of the said regulations made under the said Act is amended by striking out the words "Sugar Beet Nematode (*heterodera schachtii*)".

(2) Sections 26 to 31, both inclusive, of the regulations made under the said Act and approved by Order-in-Council on the 12th day of August, 1941, and being all the sections under the heading "Sugar Beet Nematode Regulations", are repealed.

COMMENCEMENT

16. These regulations shall come into force on the day upon which they are approved by the Lieutenant-Governor in Council.

(Note: All except 14a were approved the 13th of October, 1943; and regulation 14a was approved the 18th of August, 1944).

Regulations 478

(Ontario Regulations 4/47; 50/49)

REGULATIONS MADE UNDER THE POLICE ACT, 1946

1. In these regulations,—

- (a) "council" means council of a village or of a county, township or town not having a board, and includes the trustees of a police village; and
- (b) "police force" means a police force established under Part II of the Act.

PART I

DISCIPLINE

2. This part, except regulation 4, does not apply to a police force under a board.

3. In this part "chief constable" includes, where no chief constable has been appointed, the head of the council.

4. In a police force there shall be published a code of offences against discipline contained in appendix A (herein called the "code").

5. A member of the police force against whom a report or complaint has been made accusing him of an offence against the code shall forthwith be informed by the chief constable in writing of the exact charge against him.

6. The written charge shall disclose an offence against the code and give such details of time and place as to leave the accused under no misapprehension as to the offence with which he is charged.

7. The written charge, in form 1, and the report or complaint on which the charge is founded and all reports thereon, whether confidential or otherwise, or copies thereof shall be handed or sent as soon as practicable to the accused, who shall acknowledge receipt thereof in writing.

8. The accused may offer an explanation to the chief constable orally or in writing.

9. Where the chief constable is satisfied with the explanation of the accused he may dismiss the charge but if he is not so satisfied the accused shall state in writing upon form 1 whether he admits or denies the charge.

10. Where the accused admits the charge the chief constable may forthwith impose the punishment provided by regulation 15 but subject to approval of the council as provided in regulation 13.

11.—(1) Where the accused denies the charge the chief constable shall order the accused to appear before him at a fixed time and place and the accused may state in writing the names of witnesses he desires to have present at the hearing.

(2) Any witnesses who are members of the police force shall be ordered to attend; and any witnesses who

are not members of the police force shall be given due notice by the chief constable of the time and place of the hearing and that their attendance is desired.

(3) At the hearing before the chief constable the accused shall have an opportunity of hearing the evidence against him and of cross-examining the witnesses, calling witnesses in his defence and presenting his argument; but if he absconds or refuses or neglects without good and sufficient cause to attend the hearing at the time and place fixed the case may be decided in his absence.

(4) The accused may have another serving member of the force selected by himself to assist him in presenting his case before the chief constable or where there is an appeal, before the council.

12. The decision of the chief constable shall be written upon form 1 and forthwith served upon the accused who shall acknowledge receipt thereof in writing.

13.—(1) The decision of the chief constable shall be,—

(a) to dismiss the charge; or

(b) to find the accused guilty and award a punishment under regulation 15.

(2) Any punishment shall be subject to approval of the council; and the council may alter or confirm the punishment.

14.—(1) A member of a police force who feels aggrieved by the decision of the chief constable may appeal to the council against the decision by serving notice in writing upon the chief constable within seven days from the time of service of the decision.

(2) The council hearing the appeal shall enquire into the facts in the presence of the accused who shall have an opportunity of cross-examining witnesses, calling witnesses in his defence and presenting his argument.

(3) The council shall determine whether or not the accused is guilty of the offence charged and if guilty may confirm the punishment awarded by the chief constable or impose any other punishment under regulation 15.

(4) The hearing of the appeal shall, if required by the accused, be open to the public; but where the council is of the opinion that a public hearing would be detrimental to the administration of justice it may direct that the hearing be in camera.

15.—(1) A member of a police force guilty of an offence against the code may be punished by,—

(a) dismissal;

- (b) being required to resign forthwith or at such date as may be ordered;
- (c) reduction in rank;
- (d) reduction in pay; or
- (e) reprimand by the chief constable.

(2) A reduction in pay shall be limited to a definite period, not to exceed 12 months, stated in the decision by which the punishment is imposed.

16.—(1) There shall be kept in his office by the chief constable a disciplinary report book in which he shall cause to be entered, directly it comes to his knowledge, every report or complaint alleging an offence against the code by a member of the police force, other than an anonymous allegation unsupported by evidence, together with the result of his inquiry and any disciplinary action taken in consequence.

(2) All such entries shall be initialled by the chief constable.

PART II GENERAL QUALIFICATIONS

17. No constable or chief constable shall be appointed to a police force unless he is,—

- (a) a British subject;
- (b) between the ages of 21 and 35 years or, in case of a chief constable, between the ages of 21 and 45 years; except where he has had previous experience in police work for a period of time not less than the difference between his age and the upper age-limit specified;
- (c) at least 5 feet and 8 inches in height;
- (d) certified by a legally qualified medical practitioner to be in good health, mentally and physically, and fit for duty as a member of a police force;
- (e) qualified educationally to enter a High School; and
- (f) of good moral character and habits.

CLOTHING AND EQUIPMENT

18. A board or council shall supply and keep supplied every chief constable and constable with,—

- (a) a tunic, trousers, great-coat and head-dress of appropriate colour and material and of a distinctive design suitable for a chief constable or constable; and
- (b) such other clothing and equipment as may be necessary to enable him to perform his duties.

19. A constable, while on duty, shall wear the tunic, trousers and head-dress described in regulation 18 except when engaged in a special duty at the direction of the chief constable, or if none, the head of the council.

BOARDS OF POLICE COMMISSIONERS

20. The municipal council shall pay to each member of the board appointed or designated by the Lieutenant-Governor in Council,—

- (a) in cities having a population not exceeding 100,000 according to the last revised assessment roll, not less than \$300 a year;
- (b) in cities having a population exceeding 100,000 and not exceeding 500,000 according to the last revised assessment roll, not less than \$500 a year;
- (c) in cities having a population exceeding 500,000 according to the last revised assessment roll, not less than \$1,000 a year; and
- (d) in municipalities other than cities, not less than \$100 a year.

21. The board shall hold at least one regular meeting every three months.

22.—(1) No chief constable or constable shall take or act upon any order, direction or instruction of a member of a board or of a council unless authorized so to do by the board or council.

(2) Notwithstanding the provisions of the code a chief constable or constable shall report forthwith to the Crown Attorney of the county or district in which the police force has jurisdiction the particulars of any order, direction or instruction which he is prohibited from taking or acting upon under subregulation 1; and the Crown Attorney shall report the particulars to the Attorney-General.

23. The chief constable, or if none, the member of the police force having charge thereof, shall prepare and transmit to the Commissioner before the last day of January in each year,—

- (a) an annual crime return in form 2; and
- (b) an annual police return in form 3.

(Note.—Regns. 24 and 25 revoked by O. Reg. 127/50)

PART IV

ONTARIO PROVINCIAL POLICE FORCE

26. In this part "Force" means the Ontario Provincial Police Force.

APPOINTMENT TO THE FORCE

27. Applications for appointment to the Force shall be made in writing to the Commissioner.

28. No person shall be appointed to the Force unless he,—

- (a) is a British subject;
- (b) is between the ages of 25 and 35 years and produces a birth certificate or other proof of age, subject to the minimum age-limit being

reduced to 21 years where the nature of his services with the armed forces warrants the Commissioner in recommending his appointment;

- (c) is at least 5 feet and 9 inches in height;
- (d) weighs not less than 160 pound and not more than 200 pounds;
- (e) is certified by a legally qualified medical practitioner in the public service of Ontario to be in good health, mentally and physically, and fit for duty as a member of the Force;
- (f) produces satisfactory proof of at least 2 years of High School education or its equivalent and passes the educational test required by the Commissioner; and
- (g) is of good moral character and habits and submits at least three satisfactory references as to his character and previous employment.

29.—(1) The Commissioner may require the applicant to appear personally before him in order to determine his suitability for appointment.

(2) The Commissioner shall not be obliged to give any reason for the rejection of an applicant.

30.—(1) All articles of uniform and equipment necessary for the performance of duty shall be provided at the public expense but where damage or loss is occasioned by the fault of any member of the Force, the cost of replacement shall be borne by him.

(2) The sum of \$35 shall be deducted from the first month's pay of every provincial constable to be held as a guarantee that he will on leaving the Force return all articles of uniform and equipment in good order and shall be paid to him upon his compliance with subregulation 2 of regulation 45.

DISCIPLINE

31. Regulation 4 applies to the Force and in the code for the purpose of this part,—

- (a) "chief constable" means the Commissioner; and
- (b) "police force" means the Force.

32. A violation of the Act or of this part by a member of the Force shall be an offence against the code.

33. The Commissioner may suspend from duty any member of the Force charged with an offence against the code until the charge has been disposed of and during the period of suspension the member shall not,—

- (a) exercise any power or authority vested in him as a member of the Force; or
- (b) wear or use any article of clothing or equipment issued to him as a member of the Force.

34. Every member of the Force against whom a report or complaint suggesting the commission of an

offence against the code is made, shall as soon as possible, be informed in writing of the exact charge against him and of the names of the witnesses to be called.

35. The written charge shall disclose an offence against the code with such details as to time and place as to leave the accused under no misapprehension as to the offence with which he is charged.

36.—(1) The Commissioner shall order the accused to appear before him at a fixed time and place and the accused may state in writing the names of witnesses he desires to have present at the hearing.

(2) The Commissioner shall where practicable procure the attendance of such witnesses.

(3) At the hearing before the Commissioner the accused shall have an opportunity of hearing the evidence against him and of cross-examining the witnesses, calling witnesses in his defence and presenting his argument; but if he absconds or refuses or neglects without good and sufficient cause to attend the hearing at the time and place fixed, the case may be decided in his absence.

37. The decision of the Commissioner shall be,—

- (a) to dismiss the charge; or
- (b) to find the accused guilty and to award a punishment under regulation 39.

38. The accused shall be notified in writing of the decision of the Commissioner.

39.—(1) A member of the Force found guilty of an offence against the code may be punished by,—

- (a) reprimand;
- (b) subject to the approval of the Attorney-General, a deduction from pay not exceeding 30 days' pay deductible at a rate not exceeding 5 days' pay a month, but the whole amount due shall be deductible forthwith in the event that the member leaves the Force;
- (c) dismissal;
- (d) being required to resign; or
- (e) reduction in pay, seniority or rank.

(2) If the Commissioner decides that punishment under clause *c*, *d* or *e* of subregulation 1 should be imposed he shall recommend accordingly to the Attorney-General who may cause the punishment to be brought into effect.

(3) A reduction in pay shall be limited to a definite period not exceeding twelve months.

40. In the absence of, or at the direction of the Commissioner, the Deputy Commissioner of Police for Ontario shall hear and determine any complaint of an offence against the code and for this purpose shall have the same powers and duties as the Commissioner to try the accused and impose punishment.

GENERAL

41.—(1) A member of the Force may communicate to the Commissioner through the proper channels of communication within the Force, any grievance, complaint, appeal or representation relating to the Force, but he shall not communicate the grievance, complaint, appeal or representation to any other person.

(2) A complaint shall be in writing.

(3) No complaint of a trivial or fault-finding nature shall be made or considered.

42. Every member of the Force shall devote his whole time and attention to the service of the Force and shall not engage directly or indirectly in any other occupation or calling.

43. No member of the Force shall,—

- (a) join or associate himself with any union connected with any labour organization or any body not belonging to or affiliated with the Force or Civil Service, except where membership in the organization or body is authorized by the Attorney-General.
- (b) take an active part in politics or occupy an official position in a party organization, but this shall not affect the right of the member to private political views or his right to vote;
- (c) sign any petition on any subject to the Government;
- (d) cause or permit any person not a member of the Force to make requests in his behalf relating to the Force but shall make his own applications through the proper channels to the Commissioner; or
- (e) contract debts which he is unwilling or unable to discharge and which may interfere with the performance of his duties as a member of the Force.

SERVICE

44.—(1) A service badge shall be granted to a member of the Force for each 5-year period of continuous service.

(2) The member shall be paid a money allowance of \$2 a month for each service badge to which he is entitled.

45.—(1) Without the consent of the Commissioner no member of the Force shall resign unless he has given two weeks' notice in writing to the Commissioner.

(2) Upon the resignation or retirement of any member of the Force, he shall return to the Force in good order all articles of uniform and equipment with which he has been provided.

(3) No allowance shall be made for transportation from the point at which any member leaves the Force.

46. A certificate of service and character may be issued by the Commissioner to any member who has

left the Force after having served at least two years with the Force and has not been dismissed or required to resign by reason of disciplinary action, and no duplicate of the certificate shall be issued.

PART V

47. Ontario Regulations 36/44 and 25/45 are revoked.

APPENDIX A

CODE OF OFFENCES AGAINST DISCIPLINE

1. It shall be an offence against the discipline of a police force if a member is guilty of,—

(a) discreditable conduct, that is to say, if he acts in a disorderly manner, or in a manner prejudicial to discipline or likely to bring discredit on the reputation of the police force;

(b) insubordinate or oppressive conduct, that is to say, if he,—

(i) is insubordinate by word, act or demeanour;

(ii) is guilty of oppressive or tyrannical conduct towards an inferior in rank;

(iii) uses obscene, abusive or insulting language to another member of the police force;

(iv) wilfully or negligently makes a false complaint or statement against a member of the police force;

(v) assaults another member of the police force;

or

(vi) overholds a complaint or report against a member of the police force;

(c) disobedience of orders, that is to say, if he disobeys, or without good and sufficient cause omits or neglects to carry out any lawful order, written or otherwise;

(d) neglect of duty, that is to say, if he,—

(i) neglects, or without good and sufficient cause omits, promptly and diligently to attend to or perform anything which is his duty as a member of the police force;

(ii) idles or gossips while on duty;

(iii) fails to work in accordance with orders, or leaves his area, detachment, detail or other place of duty, otherwise than strictly on duty and without due permission;

(iv) by carelessness or neglect permits a prisoner to escape;

(v) fails, when knowing where an offender is to be found, to report the same or to make due exertions for making him amenable to justice;

(vi) fails to report a matter which it is his duty to report;

(vii) fails to report anything he knows concerning a criminal or other charge, or fails to disclose any evidence which he or any person within his knowledge can give for or against any prisoner or defendant; or

(viii) omits to make a necessary entry in any official document or book;

(e) falsehood or prevarication, that is to say, if he,—

(i) knowingly makes or signs a false statement in an official document or book;

(ii) wilfully or negligently makes a false, misleading or inaccurate statement pertaining to his duties; or

(iii) without good and sufficient cause destroys or mutilates an official document or record, or alters or erases an entry therein;

(f) breach of confidence, that is to say, if he,—

(i) divulges a matter which it is his duty to keep secret;

(ii) gives notice, directly or indirectly to a person against whom a warrant or summons has been issued, except in the lawful execution of the warrant or service of the summons;

(iii) without proper authority communicates to the public press, or to an unauthorized person, a matter connected with the police force;

(iv) without proper authority shows to a person not a member of the police force a book or written or printed paper, document or report, the property of the police force;

(v) makes an anonymous communication to the chief constable or a superior officer;

(vi) canvasses a person with regard to a matter concerning the police force;

(vii) signs or circulates a petition or statement with regard to a matter concerning the police force except through the proper official channel or correspondence to the chief constable; or

(viii) calls or attends an unauthorized meeting to discuss a matter concerning the police force;

(g) corrupt practice, that is to say, if he,—

(i) takes a bribe;

(ii) fails to account for or make a prompt and true return of money or property received by him in his official capacity;

(iii) directly or indirectly solicits or receives a gratuity, present, pass, subscription, or testimonial without the consent of the chief constable;

(iv) places himself under a pecuniary or other obligation to a licensee concerning the granting or refusing of whose licence a member of the police force may have to report or give evidence;

(v) improperly uses his character and position as a member of the police force for his private advantage;

(vi) in his capacity as a member of the police force writes, signs or gives without the sanction of the chief constable a reference or recommendation to a member or ex-member of the police force or any other police force; or

(vii) without the sanction of the chief constable supports in any way an application for a licence of any kind;

(h) unlawful or unnecessary exercise of authority, that is to say, if he,—

(i) without good and sufficient cause makes an unlawful or unnecessary arrest;

(ii) uses unnecessary violence to a prisoner or other person with whom he may be brought into contact in the execution of his duty; or

(iii) is uncivil to a member of the public;

(i) malingering, that is to say, if he feigns or exaggerates sickness or injury with a view to evading duty;

(j) absence without leave or being late for duty, that is to say, if he, without reasonable excuse, is absent without leave from or is late for parade, court or any other duty;

(k) uncleanness, that is to say, if he while on duty is improperly dressed, or is dirty or untidy in his person, clothing or equipment;

(l) damaging clothing or other equipment supplied, that is to say, if he,—

(i) wilfully or by carelessness causes waste, loss or damage to any article of clothing or equipment, or to any book, document or other property of the police force; or

(ii) fails to report the waste, loss or damage however caused;

(m) drunkenness, that is to say, if he while on or off duty is unfit for duty through drinking intoxicating liquor;

(n) drinking on duty or soliciting drink, that is to say, if he,—

(i) without the consent of his superior officer in the discharge of duty, drinks or receives from any other person intoxicating liquor while he is on duty; or

(ii) demands, persuades or attempts to persuade another person to give him or to purchase or obtain for him any intoxicating liquor while he is on duty;

(o) entering licensed premises, while on duty, that is to say, if he enters while on duty a licensed public place except in the execution of duty;

(p) lending, borrowing or accepting, that is to say, if he,—

CLASS OF OFFENCE	NUMBERS		Persons Convicted
	Re-reported	Persons Charged	
CLASS VI. — Other Offences No Included in the Foregoing Classes			
Dangerous or Reckless Driving.....			
Driving Car While Drunk.....			
Gambling and Lotteries			
Keeping Bawdy Houses and Inmates.....			
All Other Offences.....			
Totals, Class VI.....			
GRAND TOTALS.....			

NON-INDICTABLE OFFENCES

CLASS OF OFFENCE	NUMBERS		
	Re-reported	Persons Charged	Persons Convicted
Common Assault.....			
Game and Fishery Acts, offences against.....			
Liquor, prohibition and temperance Acts, offences against,—			
(a) Canada Temperance Act.....			
(b) Liquor Control Act (Ontario)			
(i) Drunkenness...			
(ii) Other offences..			
(c) Liquor License Act (Ontario).....			
Highway Traffic Act, Offences Against.....			
Breaches of by-laws.....			
Non-support of family and neglecting children			
Contributing to delinquency of children.....			
Vagrancy.....			
Frequenting bawdy houses			
Loose, idle, disorderly conduct, and disturbing the peace.....			
All other offences.....			
Totals.....			

FORM 3

The Police Act, 1946

To the Commissioner of Police for Ontario,
Parliament Buildings, Toronto.

Annual Police Return

of the Police Force
for the year ended December 31, 19

PERSONNEL

CLASSIFICATION	Remuneration per annum			Number Employed
	Salary	Fees	Total	

Total Number Employed

EQUIPMENT

TYPE	DESCRIPTION	QUANTITY
Radio.....		
Tear Gas Supplies...		
Firearms—All types		
Pistols and revolvers.....		
Rifles.....		
Riot-guns.....		
Automatic weapons.....		
Automobiles.....		
Motor cycles.....		

.....
Chief Constable.

Regulations 479

(Ontario Regulations 22/44; 6/48)

REGULATIONS MADE UNDER THE PRIVATE HOSPITALS ACT

GENERAL

1. No private hospital shall conduct a training school for nurses or issue any diploma for nursing or practical nursing.

2. No private hospital shall engage in, or permit its name to be used in or in connection with, any undertaking, occupation, scheme or business other than that for which it is licensed.

3. No patient shall be admitted to or treated in any private hospital without being under the active care of a legally qualified medical practitioner.

4. Every private hospital shall submit any publication, writing, advertising or other material, including any letter heads or cards, which is intended or likely to attract the attention of the public, to the Minister for his approval, and the Minister may refuse to approve any material which, in his opinion, is not in the interest of the public.

SUPERINTENDENT

5. For every private hospital there shall at all times be a superintendent resident on the premises who may be the licensee if qualified under this Act, but shall be either a legally qualified medical practitioner or a registered nurse.

STAFF

6. The hospital staff shall consist of such graduate nurses, servants and employees as are necessary to give adequate nursing care to the number and type of patients for which the license is granted.

ADMISSIONS

7. No private hospital shall admit any person as a patient who, by reason of any fact, may constitute a danger to other patients.

RESTRAINT

8. The superintendent of a private hospital shall not physically restrain any patient or cause or permit any patient to be physically restrained.

ORDERS FOR TREATMENT

9. Subject to the provisions of these regulations, every order for treatment shall be in writing, either on the treatment sheet or in the order book provided for such purpose, and shall be signed by a legally qualified medical practitioner.

CASE RECORDS

10. A complete history with report of physical examination and provisional diagnosis of every patient shall be written within thirty-six hours of the patient's admission to hospital.

11. The attending physician shall be responsible for the preparation of a complete medical record, including identification, complaint, present history, family history, physical examination, special reports, including reports of consultations, laboratory examinations, X-ray, provisional diagnosis, medical or surgical treatment, pathological findings, progress notes, reports of operations and anaesthesia, final diagnosis, condition on discharge and follow-up records.

12. The superintendent, for the time being, of every private hospital shall retain and preserve in a place of safe keeping all records relating to every patient of the hospital.

EXAMINATION OF TISSUES REMOVED AT OPERATION

13.—(1) Any tissues or sections of tissues removed at operation or curettage shall be immediately set aside by the surgeon operating and shall be forwarded by the superintendent with a short history of the case and a statement of the findings at the operation to a laboratory approved by the Minister for examination, provided that any tonsil, appendix, tooth, frenum, hemorrhoid, finger, toe, hand, foot, arm or leg removed or amputated shall not be so forwarded unless the surgeon desires a special examination.

(2) The pathological report received from the laboratory shall become part of the patient's case record.

OPERATIONS

14. No surgical operation shall be performed on any patient in a private hospital without the consent in writing signed by the patient or his legally qualified representative provided that where the patient is unable to give consent and where, in the opinion of the surgeon, delay would endanger the patient's life, such consent shall not be necessary.

15.—(1) A complete history, physical examination and a written pre-operative diagnosis shall be furnished by the operating surgeon or any legally qualified medical practitioner authorized by him before a patient is submitted to any anaesthetic or surgical operation.

(2) Where the surgeon is of opinion that the delay that would be occasioned in obtaining the foregoing information would be detrimental to the patient, he shall so state in writing but, in such event, the pre-operative diagnosis shall be furnished in writing signed by the operating surgeon.

16. Every operation performed in a private hospital shall be fully described in writing by the surgeon and such written description shall form part of the patient's record.

17. The anaesthetist shall be a legally qualified medical practitioner and shall furnish a record showing the type of anaesthetic given, amount used, length of anaesthesia and the condition of the patient following the operation.

18. In any case where a patient is admitted in the condition of abortion, or threatening abortion, or where therapeutic abortion is indicated or wherever emptying of the uterus is indicated for whatever reason, two legally qualified medical practitioners shall examine the patient and shall make and sign records of their findings and recommendations before any operative interference is carried out.

19. The superintendent of every private hospital shall, within twenty-four hours after the death of any patient therein directly or indirectly resulting from pregnancy, report such death upon the prescribed form to the Department.

20. The superintendent of every private hospital shall, within twenty-four hours of any curettage or emptying of the uterus of a patient, report such curettage or emptying of the uterus in writing to the Director of Maternal and Child Hygiene, giving the reason therefor and the name of operating surgeon and consultants.

21. No major surgical procedure shall be performed in any private hospital which does not provide sterilization, operating and other equipment to the satisfaction of the inspector.

22. No surgical procedure shall be attempted within a private hospital without sufficient qualified assistants.

REST HOMES

23. The license issued to a private hospital may provide that such hospital shall be a rest home and any hospital licensed as a rest home shall be subject to the provisions of these regulations respecting rest homes.

24. Clauses 3, 5, 9, 10, 11, 13, 14, 15, 16, 17, 18, 20, 21, and 22 of these regulations shall not apply to rest homes, but the remaining clauses of these regulations shall apply to rest homes.

25.—(1) Any hospital licensed as a rest home shall not admit as a patient therein any person requiring surgical treatment or active medical care, or any maternity cases.

(2) Any patient in a rest home who requires any surgical or maternity care shall be transferred to any institution qualified to provide such care.

26. Any patient in a rest home who requires any medical care shall be under the active care of a duly qualified medical practitioner.

27. Notwithstanding the provisions of clause 6 of these regulations, the Inspector may exempt any rest home from employing graduate nurses.

28. No person to whom a license is issued for the purpose of operating a rest home shall employ the word "hospital" in its name, letterhead, or advertising, or in any written or oral reference to the rest home.

HOSPITALS FOR ALCOHOLIC PATIENTS

29. The license issued to a private hospital may provide that such hospital shall be a hospital for alcoholic patients, and any hospital so licensed shall be

subject to all the provisions of these regulations, including regulations numbered 29 to 33 inclusive respecting hospitals for alcoholic patients.

30. Any hospital licensed as a hospital for alcoholic patients shall admit only patients who require treatment for alcoholism.

31. No person shall be admitted as a patient in any such hospital without the certificate of a duly qualified medical practitioner certifying that such person requires treatment for alcoholism, and is a suitable subject for treatment in such hospital, and that such treatment is advisable.

32. The register kept by every such hospital shall show the name and address of a duly qualified medical practitioner who has charge of the treatment of every patient.

33. The medical practitioner in charge of any patient shall see such patient at least twice in each week during the time that such patient is in the hospital, and the medical practitioner shall make an entry in the records of the hospital showing the condition of the patient at the time of every such visit.

LICENSES

34. Every license issued or renewed under *The Private Hospitals Act* for the year commencing on the 1st day of October, 1940, and ending on the 30th day of September, 1941, shall, unless suspended or revoked, remain in force until the 31st day of December, 1941, and every license issued or renewed under the said Act for a subsequent year shall, unless sooner suspended or revoked, expire on the 31st day of December in the year for which such license was issued or renewed.

HOSPITAL EMPLOYEES

35.—(1) For the purpose of these regulations hospital employees are divided into Group 1 and Group 2.

(2) Group 1 employees shall be composed of:

- (a) graduate and student nurses;
- (b) internes;
- (c) graduate and student physiotherapists;
- (d) graduate and student occupational therapists;
- (e) nurses' assistants, ward maids and ward orderlies;
- (f) laboratory technicians;
- (g) X-ray technicians; and
- (h) school teachers.

(3) Group 2 employees shall be composed of all hospital employees not listed in subregulation 2.

36.—(1) Every Group 1 employee now employed shall receive a tuberculin test and an X-ray film of the lungs within 30 days of the date this regulation comes into force.

(2) An employee referred to in subregulation 1 who has been tested and has been found to have a positive reaction shall not be required to take another tuberculin test.

(3) Every Group 1 employee hereafter employed shall receive a tuberculin test and an X-ray film of the lungs within 30 days of employment.

(4) A physical examination of student nurses shall be made annually.

(5) Every Group 1 employee who has a negative tuberculin reaction shall receive an additional tuberculin test within 6 months from the date of the first test and shall receive an additional test within 6 months from the date of each test where the result of the test is negative.

(5) Every Group 1 employee who has a negative tuberculin reaction shall receive an additional tuberculin test within 6 months from the date of the first test and shall receive an additional test within 6 months from the date of each test where the result of the test is negative.

(6) Employees referred to in subregulation 5 shall receive an X-ray film of the lungs annually.

(7) Every Group 1 employee who is found to have a positive tuberculin reaction shall receive an X-ray film of the lungs forthwith and every 6 months thereafter.

(8) Every Group 1 employee whose X-ray film shows evidence of abnormal shadowing shall forthwith receive further examination to determine the nature of the disease.

(9) No tests other than the intradermal (Mantoux) test, using 1/20 of a milligram of Old Tuberculin, or the patch test shall be used in the test given under this regulation.

(10) Notwithstanding the provisions of subregulations 1 and 3, the record of the result of the tuberculin test and the X-ray film of the lungs of an employee, if the employee was examined within 4 months prior to the date this regulation comes into force, may be accepted in place of the tests and X-ray films prescribed by subregulations 1 and 3.

37.—(1) Every Group 2 employee now employed shall receive an X-ray film of the lungs within 30 days of the date this regulation comes into force and annually thereafter.

(2) Every Group 2 employee hereafter employed shall receive an X-ray film of the lungs within 30 days of employment and annually thereafter.

(3) Notwithstanding the provisions of subregulations 1 and 2, the record of the result of the tuberculin test and the X-ray film of the lungs of an employee,

if the employee was examined within 4 months prior to the date this regulation comes into force, may be accepted in place of the X-ray films prescribed by subregulations 1 and 2.

(4) Every Group 2 employee whose X-ray film shows evidence of abnormal shadowing shall receive forthwith further examination to determine the nature of the disease.

38. No employee found to be suffering from active tuberculosis shall be permitted to work in the hospital and the superintendent shall report the case within 24 hours to the medical officer of health of the municipality in which the employee resides.

39. Where any duly qualified medical practitioner believes or suspects that any person admitted to the hospital is suffering from tuberculosis he shall notify the superintendent forthwith.

40. No employee shall be detailed to care for a patient believed or suspected to be suffering from tuberculosis until he has received instruction as to the necessary technique to protect himself and others against infection, and where possible the employee so detailed shall be a reactor to tuberculin.

41. Every employee who has been employed for 4 months or more shall receive an X-ray film of the lungs upon ceasing to be employed.

RECORD OF EMPLOYEE EXAMINATIONS

42.—(1) The superintendent shall keep a permanent record of all examinations and tests of every employee of the hospital and if requested shall send a copy of every record, including the X-ray films, to The Workmen's Compensation Board or to the Department.

(2) Any officer authorized by the Deputy Minister of Chairman of The Workmen's Compensation Board may inspect the medical records of employees at any time.

43. The hospital shall be responsible for the examination of the employees and any expenses thereby incurred.

44. Where an employee shows evidence of tuberculosis the superintendent shall give written notice thereof and a complete report of the medical findings within 7 days of the time of diagnosis to The Workmen's Compensation Board.

45. Nothing contained in regulations 35 and 44, both inclusive, shall prevent an employee from being employed in a hospital when his disease is inactive.

Regulations 480

(Ontario Regulations 4/50)

REGULATIONS MADE UNDER THE PROVINCIAL PARKS ACT

CREATION OF PROVINCIAL PARKS

1. The tracts of land described in the schedules, being the property of the Crown and not suitable for settlement or agricultural purposes, are withdrawn from sale, settlement and occupancy under the provisions of *The Public Lands Act*, and *The Mining Act*, and each is reserved and set apart as a public park and forest reserve, health resort and pleasure ground for the benefit, advantage and enjoyment of the people of Ontario, and for the protection of the fish, birds, game and fur-bearing animals therein, and each tract described in the schedule in Column 1 shall be known as a provincial park and called by the name set opposite thereto in Column 2:

Column 1	Column 2
Schedule 1	Lake Superior Provincial Park
Schedule 2	Quetico Provincial Park
Schedule 3	Sibley Provincial Park

SCHEDULE 1

LAKE SUPERIOR PROVINCIAL PARK

In the Territorial District of Algoma and described as follows:

COMMENCING at a point in the high-water mark of Agawa Bay of Lake Superior where it is intersected by the westerly boundary of Township 28, Range 15; thence southerly along the westerly boundary of Township 28, Range 15, to the south-west angle thereof; thence easterly along the southerly boundary of that township to its intersection with the northerly bank of the Montreal River; thence in a general north-easterly direction along the northerly bank of the Montreal River to its intersection with the westerly boundary of the Township of Home; thence northerly along the last-named boundary to the north-west angle of the Township of Home; thence westerly along the southerly boundary of Township 27, Range 16, to the south-west angle thereof; thence northerly along the westerly boundary of the last-named township to its intersection with the southerly limit of the right of way of the Algoma Central & Hudson's Bay Railway; thence in a general westerly, north-westerly and easterly direction along the southerly, westerly and northerly limits of that right of way to the intersection of the northerly limit of that right of way with the easterly boundary of Township 28, Range 16; thence northerly along the last-named boundary to the north-east angle of Township 28, Range 16; thence westerly along the northerly

boundary of the last-named township to the south-east angle of Township 29, Range 17; thence northerly along the easterly boundary of Township 29, ranges 17 and 18, to the south-west angle of Township 28, Range 19; thence easterly along the southerly boundary of the last-named township to its intersection with the westerly limit of the right of way of the Algoma Central & Hudson's Bay Railway; thence in a general northerly direction along the westerly limit of that right of way to its intersection with the southerly boundary of Township 28, Range 21; thence westerly along the southerly boundary of townships 28 and 29, Range 21, to the south-west angle of the last-named township; thence northerly along the westerly boundary of Township 29, Range 21, to the north-west angle thereof; thence westerly along the southerly boundary of Township 29, Range 22, to the south-west angle thereof; thence northerly along the westerly boundary of the last-named township to its intersection with the southerly bank of the Michipicoten River; thence in a general north-westerly direction along the last-named bank to the high-water mark on the easterly shore of Lake Superior; thence in a general southerly direction along the last-named high-water mark to the point of commencement;

EXCEPTING therefrom lands patented before the 15th of November, 1949, and lands held under a lease from the Crown made before the 15th of November, 1949, but only during the term of the lease.

SCHEDULE 2

QUETICO PROVINCIAL PARK

In the Territorial District of Rainy River and described as follows:

COMMENCING where the boundary line between the territorial districts of Rainy River and Thunder Bay is intersected by the southerly limit of the right of way of the Canadian National Railway; thence in a general westerly direction along the southerly limit of that right of way to its intersection with the centre line of the travelled road extending southerly from Kawene railway station to Eva Lake; thence southerly along the last-named centre line 80 chains, more or less, to the high-water mark on the northerly shore of Eva Lake; thence in a general westerly, southerly and easterly direction along that high-water mark to the portage extending southerly to a small lake lying southerly and about opposite the centre of the main body of water of Eva Lake; thence southerly along that portage 6 chains, more or less, to the high-water mark on the northerly shore of the small lake; thence in a general westerly and south-easterly direction along the last-named high-water mark 40 chains, more or less, to the westerly bank of the stream connecting the small lake to French Lake; thence in a general southerly and south-easterly direction along that bank

to the high-water mark on the westerly shore of French Lake; thence in a general south-westerly direction along the last-named high-water mark to the northerly bank of the river connecting French Lake and Pickerel Lake; thence in a general westerly direction along the northerly or right bank downstream of the last-named river to the high-water mark on the northerly shore of Pickerel Lake; thence in a general westerly direction along the high-water mark on the northerly or right shore of Pickerel Lake and Pickerel Narrows to the high-water mark on the easterly shore of the body of water comprising the most southerly part of Batchewaung Lake; thence in a general northerly, north-easterly and north-westerly direction along the high-water mark on the easterly or right shore of Batchewaung Lake to the westerly extremity of a peninsula forming a narrows, distant 80 chains, more or less, north astronomically, from the most southerly shore of Batchewaung Lake; thence west astronomically across the narrows, 20 chains, more or less, to the high-water mark on the westerly shore of Batchewaung Lake; thence in a general south-westerly, north-westerly and westerly direction along the high-water mark on the northerly or right shore of Batchewaung Lake to a point in that high-water mark at the most westerly extremity thereof; thence west astronomically 20 chains, more or less, to the high-water mark on the easterly shore of a small lake; thence in a general easterly, northerly and westerly direction along the last-named high-water mark to a point in that high-water mark at the most westerly extremity of the shore of the small lake; thence west astronomically 40 chains, more or less, to the north-westerly bank of a stream flowing south-westerly into a small lake lying easterly of Smudge Lake; thence in a general south-westerly direction along the last-named bank to the high-water mark on the easterly shore of the small lake lying easterly of Smudge Lake; thence in a general easterly, northerly and westerly direction along the last-named high-water mark to the northerly bank of a stream flowing into Smudge Lake; thence westerly along the last-named bank to the high-water mark on the south-easterly shore of Smudge Lake; thence in a general north-easterly, north-westerly and westerly direction along the last-named high-water mark to the northerly bank of a stream flowing into Sohoe Lake; thence westerly along the last-named bank to the high-water mark on the easterly shore of Sohoe Lake; thence in a general westerly direction along the high-water mark on the northerly or right shore of Sohoe Lake to the northerly bank of a strait connecting Sohoe Lake and Cirrus Lake; thence westerly along the last-named bank to the high-water mark on the easterly shore of Cirrus Lake; thence in a general westerly and south-westerly direction along the high-water mark on the north-westerly or right shore of Cirrus Lake to the northerly bank of a small stream flowing into Beaverhouse Lake; thence south-westerly along the last-named bank to the high-water mark on the north-easterly shore of Beaverhouse Lake; thence in a general south-westerly direction along the high-water mark on the north-westerly or right shore of Beaverhouse Lake to the north-westerly bank of the Quetico River; thence in a general south-westerly direction along the north-westerly or right bank downstream of the Quetico River to its junction with Namakan River; thence in a general south-easterly direction along the north-easterly or left bank downstream of the Namakan River to the high-water mark on the northerly shore of Lac la Croix; thence south astronomically to the boundary between Canada and United States; thence

in a general south-easterly, easterly and north-easterly direction along the last-named boundary to the intersection with the boundary between the territorial districts of Rainy River and Thunder Bay; thence north astronomically along the last-named boundary 2840 chains, more or less, to the point of commencement;

EXCEPTING therefrom

- (a) the Neguaguon Lake Indian Reserve Number 25D on Lac la Croix;
- (b) lands lying northerly and westerly of French Lake, French Portage and Windigoostigwan Lake patented before the 24th of November, 1941, and lands held under a lease from the Crown made before the 24th of November, 1941, but only during the term of the lease; and
- (c) lands lying within the limits of the rest of the area patented before the 1st of April, 1909, and lands held under a lease from the Crown made before the 1st of April, 1909, but only during the term of the lease.

SCHEDULE 3

SIBLEY PROVINCIAL PARK

In the Township of Sibley in the Territorial District of Thunder Bay and described as follows:

COMMENCING at a point in the high-water mark of Thunder Bay where it is intersected by the northerly boundary of the Township of Sibley; thence easterly along the northerly boundary of the township to the north-east angle of mining location V.13; thence southerly along the easterly limit of mining location V.13 to a point thereon equidistant from the northerly and southerly limits of lot 1, Concession VI; thence east in a straight line to the line between concessions V and VI; thence southerly along the line between concessions V and VI to the northerly limit of lot 11; thence easterly along the northerly limit of lot 11 across concessions V and IV to the high-water mark of Black Bay; thence in a general southerly direction along the high-water mark to the line between mining locations A and B lying south of Concession VII; thence northerly along that line to the southerly limit of lot 27, Concession VII; thence westerly along the southerly limit of lot 27, across concessions VII and VIII to the easterly limit of mining location T lying at the easterly limit of Wood's Location; thence northerly along the easterly limit of mining location T to the north-east angle thereof; thence south-westerly along the northerly limits of mining location T and Wood's Location to the westerly limit of mining location D; thence northerly along the westerly limit of mining location D to the high-water mark of Thunder Bay; thence in a general north-easterly direction along the high-water mark to the point of commencement.

EXCEPTING therefrom lands patented before the 15th of November, 1949, and lands held under a lease from the Crown made before the 15th of November, 1949, but only during the term of the lease.

Regulations 481

(Ontario Regulations 13/44)

REGULATIONS MADE BY THE MINISTER UNDER THE PUBLIC HEALTH ACT

INTERPRETATION

1. In these Regulations,—

- (a) "bolster," "cushion," "feather bed" or "pillow" shall include any bag, case or covering made of cotton, leather or other textile material, and stuffed, filled or partly filled with excelsior, straw, hay, grass, corn husks, moss, fibre, cotton, wool, hair, jute, feathers, feather down, kapok or other soft materials to be used on a bed, hammock, chair, couch, divan, sofa lounge, or other articles of upholstered furniture for sleeping, reclining or resting purposes;
- (b) "comforter" shall include any cover, quilt, or quilted article made of cotton or other textile material and stuffed, filled or partly filled with fibre, cotton, wool, hair, jute, feathers, feather down, kapok, or other soft materials;
- (c) "converted" as applied to any material shall mean any otherwise new material which has been dyed or coloured but not further manufactured than to be spun into yarn or knit or woven into fabric and subsequently cut up, torn up, broken up or ground up and shall include coarse cotton mill gunny;
- (d) "label" shall mean a label required to be affixed to any article under the provisions of these regulations;
- (e) "mattress" shall include any quilted pad, mattress, mattress pad, mattress protector, bunk, quilt of box spring, stuffed, filled or partly filled with excelsior, straw, hay, grass, corn-husks, moss, fibre, cotton, wool, hair, jute, kapok or other soft material, to be used on a couch or other bed for sleeping or reclining purposes;
- (f) "new" as applied to any material or article shall mean any material or article which has not been previously manufactured or used for any purpose but shall not include converted material;
- (ff) "renovated" as applied to any "bolster," "cushion," "feather bed," "pillow," "comforter," "mattress," or "upholstered furniture," shall mean any "bolster," "cushion," "feather bed," "pillow," "comforter," "mattress," or "upholstered furniture," remade, repaired or renovated not for sale but for return to the owner for his own use;
- (fff) "re-processed" as applied to used feathers or used hair shall mean any used feathers or used hair which have been subsequently treated by a process approved by an officer of the Department;

- (g) "second-hand" as applied to any material or article shall mean any material which is neither new nor converted. "Second-hand" shall not apply to re-processed feathers or to reprocessed hair;
- (h) "upholstered furniture" shall mean upholstered furniture that is,—
- (i) provided with removable or semi-detached cushions or bolsters; or
 - (ii) of such a size and nature that it can be used for resting, reclining or sleeping purposes.

APPLICATION

2. Every person who constructs, manufactures, builds, puts together, or renovates any mattress, pillow, bolster, cushion, feather bed, comforter or upholstered furniture shall affix a label thereto in accordance with these regulations.

NO SALE WITHOUT LABEL

3.—(1) No person shall at wholesale or retail or otherwise directly or indirectly sell, offer or expose for sale, deliver, rent, consign, lease or otherwise commercially dispose of or have in his possession with intent to so dispose of it, any mattress, pillow, bolster, cushion, feather bed, comforter, or upholstered furniture unless such article is labelled according to these regulations.

(2) Sub-regulation 1 shall not apply to any person who is not a manufacturer, retailer, second-hand dealer or in any way engaged in the manufacture, sale, delivery, rental or renovating of articles enumerated therein.

FORM OF LABEL

4.—(1) Every mattress, bolster, feather bed and every article of upholstered furniture shall be labelled with a label approved by the Department, made of muslin or linen, not less than six square inches sewn by all four sides to a conspicuous part of each article.

(2) The label shall be lettered in English and shall give the following information,—

- (a) The name and address of the manufacturer; and
- (b) (i) Where new materials are used exclusively the article shall be labelled, "contains new material only" on a white label;
- (ii) Where "converted" materials are used exclusively or with new material the article shall be labelled "contains converted material" on a blue label; and

- (iii) Where "second-hand" materials are used in part or in whole the article shall be labelled "contains second-hand material" on a yellow label.
- (iv) Where "re-processed" feathers or hair are used exclusively or with "new" or "converted" material the article shall be labelled "contains re-processed material" on a grey label.
- (c) Where a "mattress," "bolster," "feather bed," or article of upholstered furniture has been renovated, paragraphs *a* and *b* shall not apply, but it shall be labelled "renovated" on a green label, and the label shall give the name and address of the owner and of the renovator.

(3) The designations "contains new material only," "contains converted material," "contains second-hand material," "contains re-processed material," and "renovated" shall be printed on labels in black letters at least $\frac{1}{4}$ " in height and other lettering shall be $\frac{1}{8}$ " in height and no trade name or other printing shall appear on the label.

(4) The provisions of this regulation shall apply to pillows, cushions and comforters except that the label may be sewn by only one side to the article.

ALTERATION, REMOVAL OF LABEL

5.—(1) No person shall remove, deface or alter or attempt to remove, deface or alter any label or use any label in any manner other than in accordance with the provisions of these regulations.

(2) Sub-regulation 1 shall not apply to any person who is not a manufacturer, retailer, second-hand dealer or in any way engaged in the manufacture, sale or renovating of articles enumerated in these regulations.

DISINFESTING

6. Any officer of the Department of Health or any local medical officer of health or sanitary inspector may require any second-hand upholstered furniture to be disinfested to the satisfaction of such officer.

UNCLEAN MATERIAL

7. No unclean or vermin-infested material shall be used for the manufacture of any mattress, pillow, bolster, cushion, feather bed, comforter or upholstered furniture, and no person shall sell, offer or expose for sale, or have in his possession with intent to sell any such article containing unclean or vermin-infested material.

BEDDING FROM INSTITUTIONS

8. No mattress, pillow, bolster, cushion, feather bed or comforter from any institution caring for the sick shall be sold or renovated unless sterilized by a process approved by an officer of the Department or a medical officer of health, or treated to his satisfaction.

COMMUNICABLE DISEASE

9. No mattress, pillow, bolster, cushion, or feather bed which has been in contact with a person suffering from any communicable disease shall be sold or renovated unless sterilized by a process approved by an officer of the Department or a medical officer of health, or treated to his satisfaction.

CLEANING

10.—(1) All feathers or feather products whether new or second-hand shall be thoroughly washed, rinsed, steamed and dried by methods approved by an officer of the Department or a medical officer of health, before being used in any mattress, pillow, bolster, cushion, feather bed, comforter or upholstered furniture.

(2) Any approval by a medical officer of health under this regulation shall be subject to cancellation or revision by an officer of the Department.

ARTICLE "OFF SALE"

11. Where any officer of the Department or any medical officer of health suspects that any mattress, pillow, bolster, cushion, feather bed, comforter or article of upholstered furniture is not labelled in accordance with the provisions of these regulations he may prohibit the sale of such article by affixing a label thereto bearing the words "off sale" and no such article shall be sold or offered for sale until such label has been removed by an officer of the Department or a medical officer of health.

INSPECTION OF PREMISES

12. Every building or place where mattresses, pillows, bolsters, cushions, feather beds, comforters or upholstered furniture are made, remade, renovated or where such articles are sold and every conveyance upon which such articles are transported, shall be subject to inspection and any such articles in such a place or upon such a conveyance may be opened and examined and seized and held for examination by an officer of the Department or a medical officer of health, and every such officer or medical officer of health may cut or deface any article to such an extent as is necessary to examine it.

COMMENCEMENT

13. These regulations shall come into force on the 28th day of December, 1938, but shall not apply to any retail sale prior to March 1st, 1939.

Regulations 482

(Ontario Regulations 14/44; 73/45)

REGULATIONS MADE BY THE MINISTER UNDER THE PUBLIC HEALTH ACT

INTERPRETATION

1. In these regulations,—

- (a) "camp" shall mean any camp, works or other premises established to house workmen employed in any lumbering, mining or other work or occupation, and shall include a standard camp;
- (b) "contract physician" shall mean a legally qualified medical practitioner who has entered into a medical contract or a sanitation contract with an employer;
- (c) "employer" shall mean an employer of labour in lumbering camps, mining camps, on railway construction works and other works where labour is employed;
- (d) "inspector" shall mean a provincial sanitary inspector appointed under *The Public Health Act*;
- (e) "medical contract" shall mean a contract entered into under these regulations between an employer and a contract physician for the medical and surgical care and treatment of the workmen of such employer;
- (f) "sanitation contract" shall mean a contract entered into under these regulations between an employer and a contract physician for the sanitary control over and inspection of a standard camp;
- (g) "standard camp" shall mean a camp in which more than fifteen workmen, exclusive of one foreman and one clerk, are usually housed;
- (h) "unorganized district" shall mean those parts of the territorial districts which are without municipal organization;
- (i) "workmen" shall mean persons including foremen and clerks in the employ of an employer in a camp.

APPLICATION OF REGULATIONS

2. These regulations shall apply and have force in every unorganized district.

DUTY OF MANAGER, AGENT, ETC.

3. It shall be the duty of every employer and every person acting on behalf of an employer as a superintendent, manager, agent, or in other supervisory capacity in charge of any camp to observe, perform and carry out these regulations and to cause these regulations to be observed, performed and carried out.

REGULATIONS TO BE ON FILE

4. A copy of these regulations shall be obtained from the inspector and kept on file in every standard camp and shall be open to inspection by every workman employed therein.

ORDERS AND DIRECTIONS BY INSPECTOR

5.—(1) For the due observance, performance and enforcement of these regulations and to ensure that the proper sanitary conditions shall prevail in camps and that the health of workmen employed therein shall be safeguarded and to prevent nuisances arising or communicable diseases being spread in the unorganized districts, an inspector may make such orders and give such directions as may appear to him to be necessary and it shall be the duty of every person for the time being in charge of any camp, forthwith to comply with the terms of any such order or direction.

(2) The inspector shall send a copy of any such order or direction to the employer.

(3) The employer of any person for the time being in charge of any camp who fails to comply with any such order or direction, after notice has been given by the inspector to such person and the employer, shall be guilty of an offence and subject to the penalties set out in regulation 39.

(4) Where the inspector is satisfied that an employer or person for the time being in charge of a camp has failed or neglected to carry out any order or direction of the inspector after reasonable notice thereof, the inspector may, by an order directed to and served upon the person for the time being in charge of the camp, require that such camp be closed and that no further operations shall be carried out in such camp until the order or direction has been complied with to the satisfaction of the inspector.

SANITATION REGULATIONS APPLICABLE TO ALL CAMPS

6. An inspector may declare any camp which is not a standard camp (within the meaning of these regulations) to be a standard camp for the purposes of these regulations.

7. Every camp shall be located and established with due regard to sanitation and health, and no camp shall be located within 100 feet of any lake, stream or other water except with the written consent of an inspector.

8. Stables or buildings housing animals, attached to any camp, shall be located not less than 150 feet from any other camp building used to house workmen, or for the storage, preparation or consumption of food, or from any water supply, and shall be so located that there shall be no drainage therefrom to any water supply.

9. Manure, garbage and refuse of every camp shall be kept, until disposed of, in a sanitary manner and as an inspector may approve, and shall be collected and conveyed to a suitable place and there buried or otherwise disposed of to the satisfaction of an inspector.

10. Every camp and all buildings, tents, structures and other erections therein shall be located, established, constructed, altered and maintained to the satisfaction and approval of an inspector.

SANITATION REGULATIONS APPLICABLE
TO STANDARD CAMPS

11. Unless an inspector otherwise orders, a standard camp in which the usual or expected period of employment of the workmen is in the case of mining operations for less than six months and in the case of other operations for less than four months, shall not be subject to regulations numbered 12 to 15.

12. Any person who establishes, re-establishes or re-opens a standard camp in an unorganized district shall, before commencing operations at such a camp, notify an inspector in writing of the:

- (a) location, nature and accommodation of the camp;
- (b) means of access thereto;
- (c) nature, extent and expected duration of the operations to be conducted at or from the camp;
- (d) the lay-out of the camp, including a plan showing the location of the water supply and sewage disposal in relation to the buildings to be erected;
- (e) name, occupation and address of the person to be in charge of the camp and the scope of his authority;
- (f) medical and sanitation contracts to be entered into;
- (g) hospital facilities available to the workmen at the camp;
- (h) the estimated number of workmen to be housed in the camp, and the number to be employed but not housed at the camp;
- (i) name and address of employer to whom communications by an inspector or the Department shall be sent.

13. Every person in charge of a standard camp shall notify an inspector in writing of any material change in any of the particulars required under the preceding regulations forthwith after the occurrence of such change.

14. Every person in charge of a standard camp shall within thirty days of its establishment, re-establishment, re-opening or closing notify the inspector in writing of the fact.

15. Every standard camp shall comply with the following specifications:

- (a) **CONSTRUCTION MATERIALS**—Shall be constructed of logs or lumber or other weather-proof materials.
- (b) **ROOFS AND FLOORS**—Shall be constructed of lumber, tightly fitted, unless an inspector specially permits poles to be used. The floor shall be at least one foot above the ground, which shall be properly drained.
- (c) **WALLS**—Where logs are used the outer walls shall be properly chinked so as to render them weatherproof. The interior surface of the logs shall be peeled. If lumber is used the walls shall be weatherproofed with suitable material. The walls shall be at least eight feet high above the floor level.
- (d) **WINDOWS**—There shall be one square foot of window area for every twenty square feet of floor area. All windows shall be constructed so that they may be opened or closed at all times. Roof windows shall not be located over bunks:
- (e) **VENTILATION**—Every bunkhouse in a camp shall contain at least 300 cubic feet of air space for each occupant thereof, and the number of occupants in any bunkhouse shall be deemed to be the number for whom sleeping accommodation has been provided. In addition to windows there shall be in each bunkhouse a separate ventilating system consisting of one fresh air duct not less than 10" by 6" inside measurement to each stove. Ventilator outlets shall be located in the roof sufficient to provide three square inches of sectional area per occupant.
- (f) **BUNKS AND BEDDING**—Bunks shall be separate, either single or double-deck, and so arranged that on at least one side of each there shall be a passage not less than eighteen inches wide, and on the other side a space not less than eight inches wide. Clean ticks or mattresses in good condition and clean blankets shall be supplied in sufficient quantity and maintained in a clean and sanitary condition.
- (g) **WHITE WASHING**—The interior of every camp or camp building shall be treated with a coat of lime-wash or other suitable material at the time of re-establishment or re-opening before it is re-occupied, or as required by an inspector.
- (h) **COOK'S QUARTERS**—Separate quarters shall be provided for the cook and his staff. If partitioned off from the cookery a door shall be hung at the entrance to the cook's quarters.
- (i) **STORAGE**—A room for storing perishable food-stuffs shall be provided, and a door shall be hung at its entrance. Food shall be protected from flies at all times.
- (j) **LAUNDRY AND WASHING**—Suitable washroom, bath and laundry and drying accommodation shall be provided to the satisfaction of the inspector either in a portion of the bunkhouse partitioned off or in an adjoining or separate building. Facilities for heating water shall be provided.

- (k) **DRAINAGE**—Drainage from all sinks, wash basins and tubs shall be conveyed to a covered cesspool located at least twenty feet from the nearest dwelling and located so as to avoid drainage toward any source of water supply.
- (l) **PRIVIES**—There shall be provided privies adequate for the simultaneous accommodation of ten per cent of workmen employed. Privies shall be located so as not to contaminate the water supply. They shall not be located within fifty feet of the nearest dwelling in Winter or one hundred and fifty feet in Summer unless permitted by the inspector. Where camps are operated during the summer, privies shall be made fly-proof. The type of privy used shall meet the requirements of an inspector.
- (m) **WATER SUPPLY**—If water supply is obtained from a lake or river the intake shall be located at least two hundred feet from the nearest building and in a direction upstream from the camp, and a container for drinking water shall be supplied with a well-fitting cover and tap, to prevent contamination.

SANITATION CONTRACTS

16. No employer shall operate or maintain a standard camp unless he has entered into a sanitation contract in respect of such camp.

17. It shall be the duty of every physician entering into a sanitation contract to ensure that the standard camps covered by the contract are at all times kept and maintained in an efficient sanitary condition and that nuisances are prevented from arising or, if they arise, are promptly abated, and to carry out, observe and perform within such camps and all buildings and premises forming any part thereof, the duties of a medical officer of health under *The Public Health Act* with respect to the prevention and abatement of nuisances.

18. A contract physician entering into a sanitation contract shall, by himself or an assistant contract physician, make a thorough sanitary and health inspection of every standard camp in actual operation or use, covered by the contract, at least once a month, and oftener if required by an inspector, and shall on the first day of every month transmit to an inspector, a report of inspections made in the preceding month and according to the form provided for such purpose by the Department.

18a. Regulations 16, 17 and 18 shall not apply to a camp in any locality which forms part of a health unit.

19. The inspector may by reason of difficulty of access or other sufficient cause, waive the necessity for monthly inspections of any camp to the extent he may deem advisable.

MEDICAL, SURGICAL AND HOSPITAL CARE OF WORKMEN

20.—(1) Every employer of workmen in a standard camp may enter into a medical contract with a contract physician for medical, surgical and hospital care of workmen in his employ, but whether or not any such

contract is entered into, the duty of providing medical, surgical and hospital care and treatment and maintenance while under such care or treatment for every workman in the employ of such an employer shall primarily be and remain the responsibility of the employer subject to the limitations hereinafter set out whether or not such workmen are housed in the camp and whether or not such workmen reside in an unorganized district.

(2) In the case of an employer or a number of employers with camps located in a group who usually employ more than five hundred workmen, the Minister may authorize an arrangement whereby the employer or employers may use the sums deducted from the wages of workmen in their employ for the establishment and maintenance of an industrial medical service, including such particulars as the Minister may direct and authorize.

(3) Where a standard mining camp is located in close proximity to or with ready means of access to established medical, surgical and hospital services and upon submission to the Department of arrangements by an employer for medical, surgical and hospital care of his employees the Minister may authorize that section 21 shall not apply except that all sums deducted from wages for medical, surgical and hospital care shall be applied to that purpose, but the Minister may at any time by notice in writing to such employer revoke such authorization.

(4) When an employer has entered into a medical contract he shall notify every workman in his employ of the name and address of the contract physician.

20a.—(1) Notwithstanding the provisions of subregulation 1 of regulation 20, when any workman who is a discharged member of the Armed Forces gives to his employer notice in writing,—

- (a) that the workman is entitled to medical, surgical and hospital care at the expense of the Dominion of Canada for the period of time which shall be stated in the notice; and
- (b) that the workman disclaims any right to the medical, surgical and hospital care and treatment and maintenance that his employer is required to provide under these regulations,

the employer shall be relieved of the responsibility of providing the workman with care and treatment and maintenance for the period of time stated in the notice.

(2) The employer shall retain all notices given to him under subregulation 1.

(3) The contract physician and any inspector or officer of the Department may inspect the notices at any reasonable time.

21.—(1) During the currency of a medical contract or an arrangement authorized by the Minister under section 20, subsection 2, an employer may deduct and retain from the pay or wages due to any workman entitled to the benefits of such contract a sum not exceeding \$1 per month commencing from his first pay and once a month thereafter during the period of employment, and all sums so deducted and retained shall, without rebate or reduction, be paid monthly by

the employer to the contract physician, or as the Minister may authorize in an arrangement under section 20, subsection 2.

(2) The employer shall keep records showing a separate accounting of all sums deducted from the wages of workmen in his employ for medical and surgical care, and showing the disbursement of such sums, and such records shall be open to inspection at any reasonable time by the contract physician or an inspector.

(3) The Department may require statements signed by the employer showing, for such period of time as the Department may deem necessary, the number of workmen employed by the employer, the number of such workmen from whose wages any deduction for medical and surgical care has been made by the employer, the sums deducted by the employer from the wages of workmen in his employ for medical and surgical care, the sums paid pursuant to a medical contract to a contract physician, the sums paid pursuant to a sanitation contract to a contract physician, and the sums paid pursuant to an arrangement under section 20, subsections 2 and 3.

(4) The Department may authorize any inspector or any officer of the Department to inspect and audit the payrolls and books of any employer insofar as they are affected by these regulations.

21a. No employer shall deduct any sum from the pay or wages of any workman who is a discharged member of the Armed Forces and who has given a notice to his employer pursuant to subregulation 1 of regulation 20a for the period of time stated in the notice.

22.—(1) Every contract physician entering into a medical contract with an employer shall supply medical and surgical care, treatment and medicine to every workman of the employer entitled thereto under the terms of the contract and in accordance with these regulations unless the contract as approved by the Department specifies otherwise.

(2) Every contract physician shall report at the end of each month to the Department on the physician's report form all cases of sickness and non-industrial accidents among employees under his care.

(3) Every contract physician who employs or engages any other physician to perform any services other than consultant services in connection with a medical contract shall notify the Department and the Department may require the employer, contract physician and other physician, or any of them, to furnish such information as may be necessary and may require further or other contracts to be entered into.

23. The contract physician shall cause a notice to be posted in a camp a reasonable time in advance of his visits to such camp so that the workmen in the camp may have an opportunity to consult him.

24.—(1) Every employer shall provide facilities for the isolation of workmen suffering from a communicable disease, to the satisfaction and approval of an inspector, and the employer or contract physician shall arrange for general hospital accommodation and facilities where necessary for the treatment of workmen suffering from sickness or injury.

(2) The employer shall provide and pay for transportation of any workman when necessary for medical and surgical treatment to which he is entitled under these regulations except as provided in section 26 (g).

25. Within a reasonable time after the admission of any workman as a patient in a public hospital, the superintendent of the hospital shall notify the employer of the workman of such admission, giving such particulars as may be ascertainable to enable the employer to identify the employee, and in the event that the superintendent neglects to notify the employer, the Department may exempt the employer from any liability imposed upon him by these regulations for the maintenance charges for maintaining the workman in the hospital.

26. The responsibility and liability of an employer under the provisions of regulations 20 to 24 shall be subject to the following limitations:

- (a) In cases where the workman has been in his employ for less than three months out of the six months immediately preceding the need for medical, surgical or hospital care arising, and the illness and consequent inability to work is the result of a chronic or degenerative disease or of an infection or defect arising prior to the commencement of employment, the employer shall be responsible only to return and pay the cost of return of the workman to the municipality in which he was last resident in Ontario within the meaning of *The Public Hospitals Act*, or, in the event of no such residence existing and the workman being without means, the employer shall be responsible for returning and paying the cost of return of the workman to the place from which he was engaged, and for providing such medical care and treatment and maintenance as the workman may need until he is returned to such municipality or other place.
- (b) In cases where any workman has been in his employ for three months or more out of the six months immediately preceding the need for medical, surgical or hospital care arising, the employer shall be responsible and liable for providing such care and for the maintenance of the workman for a period not exceeding thirty days, and where the workman is not indigent and is not receiving hospital care, the employer shall be responsible and liable for providing only medical and surgical care for the said period.
- (c) In cases where the workman becomes ill and by reason thereof need for medical, surgical or hospital care and treatment arises within thirty days after the workman has ceased employment with the employer and such illness is proved to have originated or been occasioned during the course of such employment and such workman is an indigent person the employer shall be responsible and liable for such medical, surgical and hospital care and for the maintenance of the workman within the period of thirty days after such workman has ceased employment and not afterwards, provided that if the workman had not completed one month's employment in the camp of the operator the

employer will have no responsibility after employment ceases.

- (d) In cases of communicable disease coming under section 26, subsections *b*, *c* and *g*, the employer shall be responsible for a period not exceeding ninety days.
- (e) The employer shall not be liable for the payment of the charges for treatment of any workman in a sanatorium under *The Sanatoria for Consumptives Act*.
- (f) In cases where the workman is suffering from an accident for which the employer is not responsible under *The Workmen's Compensation Act*, the employer shall be responsible and liable for medical and surgical care and treatment, but not for maintenance in any hospital.
- (g) Should the workman while away from the area served by the contract physician suffer an accident for which the employer is not responsible under *The Workmen's Compensation Act* or become sick with other than a communicable disease, he shall not be entitled to treatment under the regulations unless he returns to the camp or other place of residence from which he carries on his work or unless he returns to a hospital serving the area.

27. Any dispute which may arise between any workman, employer or contract physician with respect to the responsibility or liability of an employer or the contract physician for the medical, surgical or hospital care or for the maintenance of the workman under the provisions of these regulations, may be referred to the Department by the workman, employer or contract physician and the decision of the Department therein evidenced by its certificate shall be final and binding on all persons affected thereby and shall not be open to question.

28. Nothing in these regulations shall in any way render an employer or a contract physician responsible or liable for the medical, surgical or hospital care and treatment or for the maintenance of any workman in cases where the illness or injury of such workman arises as a result of acute alcoholism, drug addiction or venereal disease.

29. Nothing in these regulations shall in any way relate to or affect matters of compensation determinable under *The Workmen's Compensation Act*, or render an employer or a contract physician responsible or liable for medical, surgical or hospital care and treatment or for the maintenance of any workman in cases to which the said Act applies.

30. Any employer of workmen who makes any deduction from the wages of such workmen for medical, surgical or hospital care shall be subject to the provisions of regulations 20 to 29 to the same extent as an employer of workmen in a standard camp.

MEDICAL AND SANITATION CONTRACTS

31.—(1) The Department may prescribe the form of sanitation contract to be entered into between an employer and a contract physician pursuant to these regulations, and may permit variation from such form

in any case where the Department is of opinion that the circumstances so warrant.

(2) Every employer entering into a medical contract or sanitation contract with a contract physician shall transmit by registered post to the Department or an inspector a copy of such contract signed by the parties thereto within thirty days after the same has been executed and shall notify the Department or an inspector at the same time that the contract physician is notified of cancellation or expiration of the contract.

32.—(1) Every medical contract and sanitation contract entered into pursuant to the regulations shall be subject to the approval of the Department and shall be amended or determined as the Department may at any time require, provided, however, that, except as in the next subsection and in regulation 33 is provided, the Department shall specify the amendments or determination which it may require within thirty days after the copy of the contract entered into has been transmitted by registered post to the Department or an inspector.

(2) If the Department is not satisfied that any employer entering into a medical contract or a sanitation contract is in fact the employer of the workmen, the Department may refuse to approve or may revoke any such contract.

(3) In any case, approval of a medical contract shall be given only after a sanitation contract has been submitted to the Department.

32a. Subregulation 3 of regulation 32 shall not apply to a camp situated in a locality which forms part of a health unit.

33. Notwithstanding the provisions of the preceding regulation or the terms of any medical contract or sanitation contract, the Department may, by reason of neglect or inability on the part of the contract physician to observe, perform or carry out the terms of such contracts or the provisions of *The Public Health Act* and the regulations made thereunder either from the distance at which he resides or practises from the camp or for any other cause which the Department deems sufficient, require the contracts to be determined and cancelled as of date set by the Department.

COMMUNICABLE DISEASES AND NUISANCES

34. Every employer establishing or operating a camp and every contract physician shall, in addition to any other duties or responsibilities cast upon him under these regulations, have, observe, and perform the same duties, obligations and responsibilities with respect to communicable diseases and their care, prevention and abatement as lies upon a householder and attending physician respectively under the provisions of *The Public Health Act* and regulations made thereunder.

35. Every employer establishing or operating a camp shall, in addition to any other duties or responsibilities cast upon him under these regulations, have, observe and perform the same duties, obligations and responsibilities with respect to nuisances and their prevention and abatement as lies upon the owners or occupants of premises under the provisions of *The Public Health Act* and regulations made thereunder.

36. Upon an outbreak or suspected outbreak of any communicable disease occurring in any camp, the employer who established or operates such camps shall forthwith notify the contract physician, if any, and an inspector, and every contract physician who is or is made aware of any such outbreak shall forthwith notify the inspector.

37.—(1) Upon an outbreak or suspected outbreak of any communicable disease occurring in any camp, every workman shall upon the request of an inspector, forthwith furnish to the inspector evidence satisfactory to the inspector that he has been successfully vaccinated or re-vaccinated within a period of seven years immediately preceding such request and evidence satisfactory to the inspector that he has been inoculated against typhoid and paratyphoid fevers within a period of two years immediately preceding such request.

(2) If an inspector, after such request has been made by him, is not satisfied that every workman in a camp has been so vaccinated or re-vaccinated, he may quarantine such camp and every person therein until he is so satisfied, and any person not observing the quarantine placed upon the camp or upon him shall be guilty of a breach of these regulations.

OFFENCES AND PENALTIES

38. Any employer who signs any return, report or statement required by the Department, knowing or having reason to know that any such return, report or statement contains any false information or statement of fact, shall be guilty of an offence and subject to a penalty of not less than \$200 for the first offence and not less than \$500 for any subsequent offence.

39. Any employer or contract physician who contravenes any provision of these regulations for which no other penalty is provided or fails or neglects to carry out or obey any order or direction lawfully made by an inspector shall incur a penalty of not less than \$25 nor more than \$200 for each offence.

40. Any person other than an employer or contract physician who contravenes any provision of these regulations for which no other penalty is provided or fails or neglects to carry out or obey any order or direction lawfully made by an inspector shall incur a penalty of not less than \$5 nor more than \$100 for each offence.

Regulations 483

(Ontario Regulations 58/45; 140/48)

REGULATIONS MADE BY THE MINISTER FOR THE CONTROL OF COMMUNICABLE DISEASES UNDER THE PUBLIC HEALTH ACT R.S.O. 1937, Chapt. 299

DEFINITIONS

1. In these regulations,—

- (a) "carrier" shall mean a person who, without symptoms of a communicable disease, harbours and disseminates the specific micro-organisms
- (b) "cleansing" shall mean the removal by scrubbing and washing, as with hot water, soap and washing soda, of organic matter on which and in which bacteria may find favourable conditions for prolonging life and virulence;
- (c) "concurrent disinfection" shall mean the application of disinfection to all discharges, where indicated, during the illness of the patient;
- (d) "contact" shall mean any person or animal known to have been sufficiently near to an infected person or animal to have been exposed to transfer of infectious material directly, or by articles freshly soiled with such material;
- (e) "dairy products" shall mean milk, butter, cheese or cream;
- (f) "delousing" shall mean the process by which a person and his personal apparel are treated so that neither the adults nor the eggs of pedulus corporis or pediculus capitis survive;
- (g) "disinfection" shall mean the destroying of pathogenic micro-organisms by chemical or physical means;
- (h) "disinfesting" shall mean any physical or chemical process by which insects or rodents known to be capable of conveying or transmitting infection and living on the body, or in, or around human habitations, may be destroyed upon the person, or his clothing or his environment;
- (i) "food handler" shall mean any person who in the course of his usual employment handles any food intended for human consumption;
- (j) "isolation" shall mean the separation of persons having a communicable disease or, who are carriers of infecting organisms, from other persons in such a manner as will prevent the direct or indirect conveyance of the disease, or infecting organisms, to others;
- (k) "psittacine bird" shall include parrot, parakeet, lovebird and budgerigar;
- (l) "quarantine" shall mean the restriction to their places of residence of persons who have been exposed to a communicable disease for a period of time equal to the incubation period of the disease to which they have been exposed;

- (m) "suspect" shall mean a person whose medical history and symptoms suggest that he may now have or be developing a communicable disease, the existence of which may be established by clinical observation and laboratory procedures;
- (n) "terminal disinfection" shall mean the application of disinfection after the termination of the period of isolation, and shall include the personal clothing and immediate physical environment of the patient.

REPORTING

2.—(1) It shall be the duty of every medical practitioner to report forthwith to the medical officer of health the existence of any of the following communicable diseases:

1. Actinomycosis
2. Anthrax
3. Botulism
4. Cerebro-Spinal Meningitis (Meningococcus)
5. Chancroid (special regulations—*Venereal Diseases Prevention Act*)
6. Chickenpox
7. Cholera (Asiatic)
8. Conjunctivitis (Ophthalmia Neonatorum)
9. Diphtheria
10. Dysentery (Amoebic) (Bacillary)
11. Encephalitis—Infectious (Specify type if known)
12. Erysipelas
13. Gonorrhoea (special regulations—*Venereal Diseases Prevention Act*)
14. Influenza (Epidemic Type)
15. Infectious or Epidemic Jaundice
16. German Measles
17. Glanders
18. Leprosy
19. Malaria
20. Measles
21. Mumps
22. Plague
23. Poliomyelitis
24. Psittacosis
25. Puerperal Septicaemia
26. Rabies
27. Rocky Mountain Spotted Fever
28. Scarlet Fever
29. Septic Sore Throat—Epidemic Type
30. Smallpox
31. Syphilis (special regulations—*Venereal Diseases Prevention Act*)
32. Tetanus
33. Tick Paralysis
34. Trachoma
35. Trichinosis
36. Tuberculosis
37. Tularemia
38. Typhoid Fever—Paratyphoid—A.B.C.—and other Salmonella Infections

39. Typhus Fever
40. Undulant Fever
41. Whooping Cough
42. Yellow Fever

(2) Section 50 of the Act shall apply to the diseases listed in subregulation (1).

APPLICATION OF THE ACT

3.—(1) Sections 59, 60, 62, 66 to 69 of the Act shall apply to the communicable diseases mentioned in Schedules A and B of these regulations in the manner and to the extent therein stated.

(2) Section 64 and subsection (1) of section 73 of the Act shall apply to the diseases mentioned in Schedules A and B of these regulations.

RESTRICTING USE OF PREMISES

4. The medical officer of health of every municipality where a patient is suffering from any of the communicable diseases as set out in Schedule A of these regulations or wherein communicable disease contacts are residing shall forbid any person except the attending physician, health officer, clergyman, nurse, sanitary inspector or, in the case of death, the undertaker from going into or leaving the premises without his permission, or the carrying off or causing to be carried off any material or article whereby such disease may be conveyed, until after the disease has abated, or quarantine has been lifted, and premises, dwelling, clothing and other contents have been rendered free from danger, by means of such cleansing and disinfection as the Department may direct, and he shall prescribe the precautions to be taken.

NOTICE WHERE ORDER NOT COMPLIED WITH

5. Whenever an order or direction of the medical officer of health requiring the disinfection, cleansing or destruction of articles or the cleansing of premises is not complied with, the medical officer of health shall forthwith cause to be placed upon the door of the premises a placard in word and form as follows:

NOTICE

These premises have been occupied
by a person affected with.....
They must not again be occupied
until the orders for cleansing have
been complied with.
....., M.D.
M.O.H.

Place and date

PREVENTING ACCESS TO MUNICIPALITY

6. When any of the communicable diseases named in Schedule A of these regulations exist in any municipality, any officer of the Department authorized by the Minister may prevent any person or persons from passing to or from such municipality, and may for this purpose prevent the transportation of any person or persons to or from such municipality by means of any boat, vessel, steam, electric or other car, carriage, vehicle or premises.

REPORTING, BURIALS AND TRANSPORTATION OF THE DEAD

7. Every physician shall report forthwith, to the secretary of the local board of health, the death from any communicable disease of any person under his care, within twelve hours thereafter.

8. The body of anyone who has died of smallpox, scarlet fever, diphtheria, bubonic plague, cholera, epidemic cerebro-spinal meningitis or poliomyelitis shall be interred within 24 hours, except as hereinafter provided, and in no case shall exposure of the body be allowed or a public funeral held.

9. The body of anyone who has died of smallpox, scarlet fever, diphtheria, bubonic plague, cholera, epidemic cerebro-spinal meningitis or poliomyelitis shall in no case be transported by railway, boat or other public conveyance, unless such body has been enclosed in an hermetically sealed coffin to the satisfaction of the medical officer of health, whose certificate to this effect shall appear upon the outside of the coffin and the coffin shall not subsequently be opened.

10. The body of anyone who has died of any of the aforesaid diseases shall not be disinterred for any reason except by order of the Attorney-General, unless for the purpose of transportation or re-interment within Ontario in which case the precautions named in regulation numbered 9 shall be complied with under the supervision of and with the consent of the medical officer of health.

11. The body of anyone having died of a disease other than one of those mentioned in regulation numbered 8 may be received for transportation within the province or beyond it, when enclosed in a sound coffin or casket and enclosed in a strong outside wooden box, provided it will reach its destination within 72 hours from the time of death and where transportation cannot be completed within that period, the body shall not be accepted for transportation unless it has been embalmed by a licensed embalmer, or is enclosed in a sealed metal or metal-lined coffin or casket and enclosed in a strong outside wooden box.

PREVENTION OF CONJUNCTIVITIS IN NEWBORN CHILDREN

12. Every physician in attendance upon a lying-in woman shall, immediately following birth, instil into the eyes of the newly born child a sufficient quantity (a few drops) of 1 per cent. solution of nitrate of silver (supplied free by the Department), or a 40 per cent. solution of argyrol, or such other substance as the Deputy Minister may authorize.

13. If within two weeks after the birth of a child one or both eyes shall become reddened, inflamed, swollen or show any discharge, every physician, midwife, nurse or person in charge of a maternity or other hospital where such child is, and every person in charge of a child shall forthwith report in writing to the medical officer of health the name, age and address of such child together with the circumstances of the case.

14. The medical officer of health shall, upon receipt of the report referred to in regulation numbered 13, and if the child is not under the care of a legally qualified medical practitioner, direct the parents or whoever

has charge of the child, to immediately place it in charge of a legally qualified medical practitioner, or if the parents or person in charge are unable to pay the cost of such attendance, the medical officer of health shall provide the necessary treatment at the cost of the municipality.

PREVENTION AND CONTROL OF PSITTACOSIS

15. No part of a shipment or cargo of birds, animals or other pet stock received into the Province shall be offered, displayed or advertised for sale, or sold by any person without the written consent of the medical officer of health of the municipality in which such person conducts his business.

16. Such medical officer of health shall have the power and authority to require and enforce the quarantine and isolation of any such shipment or cargo of birds, animals, other pet stock, or any part thereof, to prevent the spread of infection therefrom, which may be dangerous to the public health, and every person in charge or control of any shipment or cargo of birds, animals or other pet stock or any part thereof, shall at his own cost, expense and charge, comply with any or all of such requirements of such medical officer of health as to quarantine, isolation or destruction thereof.

17. Upon failure of any person to comply with such requirements, the medical officer of health, at the expense of the municipality, shall seize and take possession of any birds, animals or other pet stock which in his judgment are or are likely to be infected, and shall quarantine and isolate such birds, animals or other pet stock until he can ascertain whether or not any of them are infected and dangerous to public health.

18. If he finds any of them infected and dangerous to public health, he shall forthwith destroy such infected birds, animals or other pet stock, and the municipality may recover the cost of such quarantine, isolation and destruction from the owner of such birds, animals or other pet stock by action in any court of competent jurisdiction.

19.—(1) Every owner of a psittacine bird shall report to the medical officer of health of the municipality in which he resides the number of psittacine birds under his control and the address of the premises where such birds are kept, together with such other information as the medical officer of health may require.

(2) Every such owner shall report to the medical officer of health, upon forms supplied by the Department, every purchase or sale or change of ownership of any psittacine bird and the medical officer of health shall send a copy of the report to the Department.

20.—(1) Every owner of a psittacine or other bird which is infected with psittacosis, or is a carrier thereof or which has at any time been kept on the same premises as a psittacine bird which was infected with psittacosis or which was a carrier thereof shall deliver such bird to the medical officer of health to be disposed of by the medical officer of health in such a manner as the medical officer of health shall determine.

(2) Every owner of a psittacine bird shall report to the medical officer of health of the municipality in which he resides any illness or death of such bird.

(3) Where the medical officer of health is of the opinion that the illness or death may be caused by psittacosis the medical officer of health shall send the bird to the Director Laboratories of the Department of Health, Parliament Buildings, Toronto, for examination.

21. Every dealer and every breeder of psittacine birds shall register with the Department his name and address and the address of the premises where he keeps psittacine birds and shall disclose to the Department upon request any information available to him as to the sources from which he secures or has secured any psittacine bird, and shall upon request give a record of the disposal by him of any psittacine bird.

22. Every dealer and every breeder of psittacine birds shall keep a record of the source from which he secured any psittacine bird and a record of the disposal of any psittacine bird and shall report immediately such source, sale or transfer to the medical officer of health.

(Note.—*regn. 23 revoked by O. Reg. 1/51*)

24. No breeder of psittacine birds shall permit colony breeding.

25. The medical officer of health or other person appointed by him in writing for that purpose, may enter in and upon any house, out-house or premises at any time, for the purpose of making enquiry and examination with respect to the health of any psittacine or other bird known or suspected to be therein and may cause the destruction of every psittacine or other bird found to be infected or believed to be infected with psittacosis and may cause the destruction of any or every psittacine or other bird that has been in the same premises and may cause the cages and utensils which have been used by such bird to be disinfected.

26. Every breeder of or dealer in psittacine birds shall deliver at any time upon request of the medical officer of health or any other person appointed by him in writing, for the purpose of laboratory investigation, not exceeding ten per cent. of the birds in his control.

ANIMALS SUSPECTED OF RABIES

27. When any animal suspected of having rabies has bitten a human being, the fact shall be immediately reported to the medical officer of health, who shall secure or cause to be secured such animal alive and without injury, if possible.

28.—(1) The animal shall at once be securely chained up or confined to a safe and comfortable place, and a report giving full particulars concerning the action taken sent to the Department.

(2) This report shall include the name of the locality in which the biting occurred (city, town, village or township), the date of biting, the name, residence and address of the owner of the animal, the full name of the person bitten, together with the place of residence and the names, addresses and residence of all owners of animals which have been bitten by the animal in question, together with a list and description of the animals bitten and the disposition made of the same.

29. Such suspected rabid animal shall be kept under careful observation by the medical officer of health for at least fourteen days.

REPORTING INFECTED ANIMALS

30. The owner of any animal which is infected or believed to be infected with any communicable disease which may affect both animals and man, shall report the particulars to the Department of Agriculture, in addition to notifying the Department.

MINOR COMMUNICABLE DISEASES

31. Any person found to be suffering from epidemic conjunctivitis (pink eye), Vincent's angina (trench mouth), ringworm, scabies, pediculosis capitis, impetigo contagiosa, or any other communicable disease of the skin shall so conduct himself as to meet the requirements of the medical officer of health.

EXCLUSION FROM SCHOOL

32.—(1) When a pupil in any school is discovered or suspected to be suffering from epidemic conjunctivitis (pink eye), Vincent's angina (trench mouth), ringworm, scabies, pediculosis capitis, impetigo contagiosa or any other communicable disease of the skin, such pupil shall be excluded from attendance at school.

(2) When a pupil is discovered to be suffering from any of the diseases mentioned in regulation numbered 32 by the school medical officer or the public health nurse, a report shall be made to the principal of the school who shall immediately send the pupil home and advise the medical officer of health.

(3) In the absence of a school medical officer or public health nurse, the principal shall when suspecting any pupil to be suffering from any of such diseases immediately send the pupil home and advise the medical officer of health.

(4) The parent or custodian of the child so excluded shall be required to take whatever measures are necessary to effectively care for the condition and meet the requirements for the child's readmission to school.

READMISSION TO SCHOOL

33.—(1) Within a period of one week following his exclusion from school the pupil shall report to the public health nurse or school medical officer or, in the absence of these, to the principal who shall satisfy himself that the pupil is showing no visible evidence of the condition for which the pupil was excluded.

(2) In the event that the condition is not corrected, the principal shall exclude the pupil for a further period of one week and refer the matter to the medical officer of health who shall require of the parent or custodian a satisfactory explanation of his failure to carry out the requirements of the regulations and, if not satisfied as to the validity of the reason offered, shall report the matter to the Children's Aid Society.

CONTROL OF TUBERCULOSIS

34.—(1) Whenever any legally qualified medical practitioner knows any person, whom he is called upon to attend, has tuberculous disease, he shall, within

twenty-four hours, give notice thereof on the prescribed form to the medical officer of health or the secretary of the board of health of the municipality in which such diseased person resides.

(2) This regulation shall apply to the medical superintendent or person in charge of any general or other hospital or clinic for diseases of the lungs.

35.—(1) The medical officer of health shall copy the information received onto the form prescribed for medical officers of health and forward it to the Department.

(2) The notifications received from the attending physician, hospital or clinic, shall be kept on file either in the office of the medical officer of health or that of the secretary of the board of health of the municipality.

36. If the diseased person resides in unorganized territory, the attending medical practitioner shall notify the Department direct, using either the form prescribed for the use of medical officers of health or attending medical practitioners.

37. Immediately on receipt of a notice the Department may, upon request of the medical officer of health or the attending medical practitioner, mail to the address of the patient such instructions for the care and prevention of the disease as may, from time to time, be authorized by the Department.

38. Where, in the opinion of the medical officer of health, any person operating or residing in a boarding house or rooming-house is dangerous to others by reason of tuberculous disease, the medical officer of health shall have power to order such person to discontinue operating or residing in such house.

39. Subject to the approval of the Minister, the medical officer of health shall have power to exclude persons whom he believes to be dangerous to others by reason of tuberculous disease from school, occupation or business.

40. The medical officer of health may, when he deems necessary, inspect any premises occupied by any person suffering from tuberculosis for the purpose of determining that such premises are suitable for the care of the diseased person and the protection of those in contact.

41.—(1) The attending medical practitioner or the person in charge of a tuberculous patient, shall at once notify the medical officer of health of any changes in residence of the patient.

(2) In case such person shall remove to another municipality, province, state or country, the medical officer of health shall notify the Department.

(3) On receipt of such information the Department shall at once notify the medical officer of health of the municipality, or the appropriate officer of the province, state or country, to which such patient has removed.

42. All information furnished to the medical officer of health, or local board of health, and the entries made by the medical officer of health, and all subsequent reports furnished with respect to any case of tuberculosis, shall, as far as possible, be treated confidentially.

SALMONELLA CARRIERS

43.—(1) In the case of patients who are found to be excreting salmonella organisms in stool or urine subsequent to an attack of salmonella infection, such information shall be reported to the Department, giving the full name, age, occupation and address of such patients.

(2) Whenever in an epidemiological investigation, a person is suspected as the source of one or more cases of salmonella infection, he shall submit one or more specimens of urine and feces to a provincial laboratory for examination as to the presence or absence of salmonella organisms and in the event of refusal, he shall be deemed a carrier until proved otherwise.

(3) If upon such an examination, such person is found to be excreting salmonella organisms, he shall be declared a carrier by the medical officer of health of the municipality in which such carrier resides, and he shall be served with a report form declaring him to be a salmonella carrier, and setting forth the type of organism found.

(4) The medical officer of health, upon determination that a person is a salmonella carrier, shall immediately report the fact to the Department, giving the full name, age, occupation and address of such carrier, together with any other information relating to possible or probable infection of others.

(5) The medical officer of health shall also inform such carrier, or in the case of a minor—his guardian, that he is a salmonella carrier, and shall give instructions in detail to the carrier as to precautions to be observed in preventing the spread of salmonella infection.

(6) No carrier shall conduct or be employed in any restaurant, hotel or boarding house or reside in any boarding home for children.

(7) No carrier shall engage in occupation of nurse, cook, housemaid, waiter or in any occupation involving the handling of dairy products or of utensils used in the production thereof.

(8) No carrier shall reside on any premises from which milk or cream is sold or shipped for sale to any dairy, creamery, butter or cheese factory unless a written guarantee endorsed by the producer or shipper is obtained from such carrier that they shall not engage in any way in the production of milk or care of the cattle or in handling any of the utensils used in milk production.

(9) No carrier shall change his place of residence without giving due notice to the medical officer of health of such proposed change and the medical officer of health shall give notice of such change of residence to the medical officer of health of the municipality in which the carrier proposes to reside; and also to the Department.

(1) The release of any person who has been declared a salmonella carrier other than typhoid and paratyphoid A.B.C. shall be made only as directed by the Department.

PARATYPHOID AND TYPHOID CARRIERS

44. Section 60a of the Act shall apply to paratyphoid fever and typhoid fever.

45. Whenever in the epidemiological investigation of a case of typhoid or paratyphoid fever any person is suspected of being a typhoid or paratyphoid carrier, the medical officer of health may require the person whom he believes to be a carrier to submit two specimens of feces and urine for examination as to the presence or absence of typhoid or paratyphoid organisms.

46. If upon such examination the person is found to be excreting typhoid or paratyphoid organisms, he shall be declared a typhoid or paratyphoid carrier by the medical officer of health of the municipality in which such carrier resides and shall be served with a notice declaring him to be a typhoid or paratyphoid carrier.

47.—(1) The medical officer of health upon the determination that a person is a typhoid or paratyphoid carrier shall immediately report the fact to the Department, giving the full name, age, occupation and address of such carrier, together with any other information relating to possible or probable infection of others.

(2) The medical officer of health shall also inform such person, or in the case of a minor under eighteen years of age, his guardian, that such person is a typhoid or paratyphoid carrier and shall give instructions in detail to the carrier as to the precautions to be observed in preventing the spread of typhoid or paratyphoid fevers.

48.—(1) Any convalescent carrier or chronic carrier who is deprived of his means of livelihood by any order given by the medical officer of health may be entitled to compensation from the Department on the following basis:

(a) For unmarried person, not exceeding twenty dollars per month;

(b) For married man with dependants under the age of sixteen years, not exceeding twenty dollars per month plus five dollars per month for each dependant.

(2) The decision as to who shall be eligible for compensation and the amount shall rest with the Minister whose decision shall be final, unless amended or revoked by him.

49.—(1) The release of any person who has been declared a chronic typhoid or paratyphoid carrier shall be made only by the Department.

(2) To obtain release from isolation restrictions, the Department shall be satisfied that,—

(a) the gall bladder has been removed;

(b) that subsequent to the removal of the gall bladder each of three specimens of the duodenal contents taken in a hospital at intervals of not less than twenty-four hours, has been examined by a provincial laboratory and found to contain no typhoid or paratyphoid bacilli;

- (c) further that subsequent to the removal of the gall bladder each of at least eight successive specimens of liquid feces taken in a hospital on successive days and under circumstances which do not permit of substitution, has been examined by a provincial laboratory and found to contain no typhoid or paratyphoid bacilli;
- (d) where the gall bladder has not been removed, eight successive negative stool and urine specimens taken one week apart, under the direction of the medical officer of health, are required.

(3) The specimens required by this regulation are to be examined by a provincial laboratory and shall be taken in circumstances which do not permit of substitution.

SCHEDULES

50. The provisions contained in the schedules hereto annexed, entitled Schedule A and Schedule B, shall form part of these regulations.

REVOCATION

51. Ontario Regulations 280/44 are revoked.

SCHEDULE "A"
REPORTABLE AND PLACARDABLE COMMUNICABLE DISEASES

DISEASE	ISOLATION REQUIRED PATIENT (a) Diagnosed Case (b) Suspect or Doubtful	QUARANTINE—CONTACTS	DISINFECTION (a) Concurrent (b) Terminal	SPECIAL REQUIREMENTS
1. MENINGOCOCCUS MENINGITIS and ACUTE MENINGOCOCCEMIA	<p>(a) <i>Diagnosed Case</i>: Yes—until clinically recovered.</p> <p>(b) <i>Suspect or Doubtful</i>: Yes—until conclusively proved non-communicable.</p>	<p>1. <i>Immediate Contacts</i>—For 10 days after last exposure, except: Breadwinner and other adult members of household if patient is hospitalized or by change of residence.</p> <p>2. The medical officer of health may require the carrying out of any recognized diagnostic procedure prior to release.</p>	<p>(a) <i>Concurrent</i>: Yes. All discharges from nose, throat and mouth shall be collected on disposable material and burned.</p> <p>(b) <i>Terminal</i>: Yes. Bedding, personal clothing, contents of and room itself shall be cleansed as directed by the medical officer of health.</p>	<p>See Regulation No. 7. (Transportation and Burial).</p>
2. DIPHTHERIA	<p>(a) <i>Diagnosed Case</i>: Yes—for 10 days from date of clinical onset, if two successive cultures taken from nose and throat or other site of lesion within not less than a 12-hour interval are proven to the satisfaction of the medical officer of health to be negative.</p> <p>(b) <i>Suspect or Doubtful</i>: Yes, until diagnosis is satisfactorily confirmed or disproved; so called <i>Membranous Group</i> included.</p> <p>In unorganized territory, where a bacteriological examination is not possible, the patient may be released after a period of 3 weeks isolation if convalescence is complete and no sore throat or nasal discharges remain.</p>	<p>1. <i>All Contacts</i>: including breadwinners, household, school teachers, school children, food handlers—<i>for 7 days.</i></p> <p><i>Unless</i> Proof is submitted to the medical officer of health that one swab taken from nose and throat or other site of lesion of each contact has been reported by a recognized laboratory approved by the Department to be negative and contact with patient has been satisfactorily broken by patient's removal to hospital or change of residence of contacts.</p> <p>2. The medical officer of health may require additional swabs from any or all contacts for further laboratory examination before release.</p> <p>3. No person from quarantined premises shall handle, sell or give away any dairy product to any party or for delivery to any creamery, butter or cheese factory or any other place of business or handle other foods for human consumption except under precautions laid down by the medical officer of health.</p> <p>4. Members of household attending a case isolated at home require one negative swab before release.</p>	<p>(a) <i>Concurrent</i>: Yes. All discharges from nose, throat and mouth as well as those from other sites of lesion shall be collected on disposable material and burned. All articles which have been in contact with patient or soiled by discharges therefrom shall be treated according to accepted procedure.</p> <p>(b) <i>Terminal</i>: Yes. Bedding, personal clothing, contents of and room itself shall be cleansed as directed by the medical officer of health.</p>	<p>No milk container from quarantined premises shall be returned until so directed by the medical officer of health.</p> <p>See Regulation No. 7. (Transportation and Burial).</p>

SCHEDULE "A"—Continued
REPORTABLE AND PLACARDABLE COMMUNICABLE DISEASES

DISEASE	ISOLATION REQUIRED PATIENT (a) Diagnosed Case (b) Suspect or Doubtful	QUARANTINE—CONTACTS	DISINFECTION (a) Concurrent (b) Terminal	SPECIAL REQUIREMENTS
3. SCARLET FEVER	<p>(a) <i>Diagnosed Case:</i> Yes—for 21 days, minimal, from the appearance of the rash, if no sore throat, nasal or aural discharges persist. If the medical officer of health considers it in the interest of control of this disease, a further period of 7 days isolation may be required.</p> <p>(b) <i>Suspect or Doubtful:</i> Yes—until diagnosis is conclusively confirmed or disproved.</p>	<p>1. <i>Immediate Contacts</i>—7 days—Except</p> <p>(a) Breadwinner if not a food handler.</p> <p>(b) Adults other than household attendants upon patient, if not food handlers.</p> <p>(c) School teachers and school children—on satisfactory proof of having had Scarlet Fever and change of residence acceptable to the medical officer of health and these may continue at school.</p> <p>(d) School teachers and school children (for whom no satisfactory proof has been submitted), 7 days from last exposure and contact with case satisfactorily broken by their change of address or removal of patient to hospital.</p> <p>(e) Food Handlers: After 7 days from last exposure if contact is satisfactorily broken.</p> <p>2. No person from quarantined premises shall handle, sell, or give away any dairy product to any party or for delivery to any creamery, butter or cheese factory or any other place of business or handle other foods for human consumption except under precautions laid down by the medical officer of health.</p>	<p>(a) <i>Concurrent:</i> Yes. All discharges from nose, throat and mouth as well as those from other sites of lesion shall be collected on disposable material and burned. All articles which have been in contact with patient or soiled by discharges therefrom shall be treated according to accepted procedure.</p> <p>(b) <i>Terminal:</i> Yes. Bedding, personal clothing, contents of and room itself shall be cleansed as directed by the medical officer of health.</p>	<p>No milk container from quarantined premises shall be returned until so directed by the medical officer of health.</p> <p>See Regulation No. 7. (Transportation and Burial).</p>

SCHEDULE "A"—Continued
REPORTABLE AND PLACARDABLE COMMUNICABLE DISEASES

DISEASE	ISOLATION REQUIRED PATIENT } (a) Diagnosed Case (b) Suspect or Doubtful	QUARANTINE—CONTACTS	DISINFECTION } (a) Concurrent (b) Terminal	SPECIAL REQUIREMENTS
4. ACUTE ANTERIOR POLIOMYELITIS	<p>(a) <i>Diagnosed Case</i>. Yes—until 7 days after onset, or until acute clinical symptoms have subsided and the temperature is normal.</p> <p>(b) <i>Suspect or Doubtful</i>: Yes—until diagnosis is conclusively confirmed or disproved.</p>	<p>1. <i>Household Contacts</i>—for 7 days after last exposure, except:</p> <p>(a) Breadwinner and other adult members providing contact is satisfactorily broken by change of residence or hospitalization of patient.</p> <p>(b) Those submitting satisfactory proof to the medical officer of health of previous attack and change of residence and/or other satisfactory breaking of contact.</p> <p>2. No person from quarantined premises shall handle, sell, or give away any dairy product to any party or for delivery to any creamery, butter or cheese factory or any other place of business or handle other foods for human consumption except under precautions laid down by the medical officer of health.</p>	<p>(a) <i>Concurrent</i>: Yes. All discharges from nose, throat and mouth as well as those from other sites of lesion shall be collected on disposable material and burned. All articles which have been in contact with patient or soiled by discharges therefrom shall be treated according to accepted procedure. Sanitary disposal of all bowel and urinary excreta.</p> <p>(b) <i>Terminal</i>: Yes. Bedding, personal clothing, contents of and room itself shall be cleansed as directed by the medical officer of health.</p>	<p>No milk container from quarantined premises shall be returned until so directed by the medical officer of health.</p> <p>See Regulation No. 7. (Transportation and Burial).</p>
5. WHOOPING COUGH	<p>(a) <i>Diagnosed Case</i>: Yes — for 3 weeks from date of first whoop or development of paroxysmal cough.</p> <p>(b) <i>Suspect or Doubtful</i>: Yes—until diagnosis is conclusively confirmed or disproved.</p>	<p>1. <i>Immediate Contacts</i>: For 14 days from last exposure except:</p> <p>(a) Breadwinner, teachers, adults—no restrictions.</p> <p>(b) Children 12 years of age or over—may continue at school if symptomless. Change of residence not required.</p> <p>(c) Children under 12 may be released if satisfactory proof is submitted to the medical officer of health of previous attack. Change of residence not required.</p>	<p>(a) <i>Concurrent</i>: Yes. All discharges of nose and throat including vomitus shall be satisfactorily destroyed and all articles soiled therewith suitably disinfected.</p> <p>(b) <i>Terminal</i>: Thorough cleaning of room and contents.</p>	

SCHEDULE "A"
REPORTABLE AND PLACARDABLE COMMUNICABLE DISEASES

DISEASE	ISOLATION REQUIRED PATIENT	QUARANTINE—CONTACTS	DISINFECTION	SPECIAL REQUIREMENTS
	(a) Diagnosed Case (b) Suspect or Doubtful		(a) Concurrent (b) Terminal	
6. SMALL POX	<p>(a) <i>Diagnosed Case</i>: Yes—until all scales have fallen off and lesions are healed—minimum 21 days.</p> <p>(b) <i>Suspect or Doubtful</i>: Yes—until diagnosis is confirmed or conclusively disproved.</p> <p>Isolation quarters—to be properly screened.</p>	<p>1. <i>All Contacts</i>: For 16 days except:</p> <p>(a) Those showing satisfactory proof of previous attack or previous successful vaccination and are re-vaccinated and upon change of residence.</p> <p>(b) Those showing satisfactory proof of successful vaccination if contact is satisfactorily broken—provided height of reaction is passed.</p> <p>2. No person from quarantined premises shall handle, sell or give away any dairy product to any party or for delivery to any creamery, butter or cheese factory or any other place of business or handle other foods for human consumption.</p> <p>3. All contacts shall be vaccinated.</p>	<p>(a) <i>Concurrent</i>: Yes. All body discharges shall be suitably disinfected. No article to leave the surroundings of the patient without boiling or equally effective disinfection.</p> <p>(b) <i>Terminal</i>: Yes. Thorough cleansing and acceptable disinfection of premises—together with bedding, personal clothing and articles in contact with patient.</p>	<p>No milk container from quarantined premises shall be returned until so directed by the medical officer of health.</p> <p>See Regulation No. 7. (Transportation and Burial).</p>
7. CHOLERA	<p>(a) <i>Diagnosed Case</i>: Yes—until clinical recovery following which five successive negative stool examinations at 24 hour intervals shall be required; aperients to be given before 1st, 2nd, 3rd and 4th collection of specimen and a final purge before the 5th. Samples of each specimen shall be plated on media available from the Provincial Department of Health laboratory within six hours and forwarded for bacteriological examination.</p> <p>(b) <i>Suspect or Doubtful</i>: Yes—until diagnosis is confirmed or conclusively disproved.</p> <p>Patients preferably isolated in hospital or in properly screened room if unable to hospitalize.</p>	<p>1. <i>All Contacts</i>: Until three successive negative stools at 24 hour intervals have been secured and contact satisfactorily broken; including bread-winner, teachers, children, or for 10 days following first inoculation with approved vaccine. Prompt immunization measures shall be instituted for all contacts.</p> <p>2. No person from quarantined premises shall handle, sell or give away any dairy product to any party or for delivery to any creamery, butter or cheese factory or any other place of business or handle other foods for human consumption.</p>	<p>(a) <i>Concurrent</i>: Yes. Prompt and thorough disinfection of vomitus and stools before removal from room and sanitary disposal thereof. Food remnants shall be burned; articles soiled by body discharges or in contact with patient shall be suitably disinfected.</p> <p>(b) <i>Terminal</i>: Yes. Bedding, personal clothing, contents of and room itself shall be cleansed as directed by the medical officer of health.</p>	<p>No milk container from quarantined premises shall be returned until so directed by the medical officer of health.</p> <p>See Regulation No. 7. (Transportation and Burial).</p>

SCHEDULE "A"—Continued
REPORTABLE AND PLACARDABLE COMMUNICABLE DISEASES

DISEASE	ISOLATION REQUIRED PATIENT } (a) Diagnosed Case (b) Suspect or Doubtful	QUARANTINE—CONTACTS	DISINFECTION } (a) Concurrent (b) Terminal	SPECIAL REQUIREMENTS
8. LEPROSY	(a) <i>Diagnosed Case</i> : Yes—until clinical recovery. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is confirmed or conclusively disproved. Diagnosed case shall be isolated in a recognized lazaretto or leprosarium.	No restrictions	(a) <i>Concurrent</i> : Yes. All discharges from nose, throat, mouth or open lesions shall be collected on disposable material and burned. All articles which have been in contact with patient or soiled by discharges therefrom shall be disinfected as directed by the medical officer of health. (b) <i>Terminal</i> : Yes. Bedding, personal clothing, contents of, and room itself, shall be cleansed as directed by the medical officer of health.	No milk container from quarantined premises shall be returned until so directed by the medical officer of health.
9. PLAGUE	(a) <i>Diagnosed Case</i> : Yes—in hospital if practicable—if not, in a properly screened room free from vermin. (b) <i>Suspect or Doubtful</i> : Yes—in a properly screened room free from vermin until diagnosis is conclusively proved or disproved.	<i>All Contacts</i> : <i>Pneumonic Plague</i> —6 days—and prompt inoculation with approved vaccine. <i>Bubonic Plague</i> —not communicable from person to person.	(a) <i>Concurrent</i> : Yes. In pneumonic type. Discharges from nose, throat and mouth shall be collected on disposable material and burned. All articles soiled therewith, suitably disinfected. (b) <i>Terminal</i> : Yes. Thorough cleaning followed by fumigation to destroy rats and fleas. Handling of bodies dying of plague shall be under strict antiseptic precautions.	Investigation as to source and destruction of rats and fleas. See Regulation No. 7. (Transportation and Burial).
10. TYPHUS	(a) <i>Diagnosed Case</i> : Yes—for 42 days, following complete delousing, in vermin free quarters. (b) <i>Suspect or doubtful</i> : Yes—until diagnosis is conclusively confirmed or disproved and complete delousing.	<i>Immediate Contacts</i> : Including breadwinner, teachers, school children—for 14 days and complete delousing following 1st inoculation with approved vaccine.	(a) <i>Concurrent</i> : Destruction of all vermin and eggs thereof on body, clothing, bedding and like articles of patient. Particularly applicable to body lice. (b) <i>Terminal</i> : None should be necessary if concurrent disinfection is adequately effected.	
11. YELLOW FEVER	(a) <i>Diagnosed Case</i> : Yes—for first four days of fever in special hospital quarters where practicable, otherwise in mosquito-proof room. (b) <i>Suspect or Doubtful</i> : Yes—mosquito-proof quarters until diagnosis is confirmed or disproved.	Not practical nor required.	(a) <i>Concurrent</i> : Yes—Destruction of mosquitoes (<i>Aedes Aegypti</i>). (b) <i>Terminal</i> : None.	

SCHEDULE "B"
REPORTABLE COMMUNICABLE DISEASES (NO PLACARD)

DISEASE	ISOLATION REQUIRED PATIENT (a) Diagnosed Case (b) Suspect or Doubtful	QUARANTINE—CONTACTS	DISINFECTION (a) Concurrent (b) Terminal	SPECIAL REQUIREMENTS
1. ACTINOMYCOSIS	(a) <i>Diagnosed Case</i> : None if patient is under adequate medical supervision. (b) <i>Suspect or Doubtful</i> : As under (a).	None	(a) <i>Concurrent</i> : Yes. Of all discharges from lesions and articles soiled therewith. (b) <i>Terminal</i> : Yes. Thorough cleansing of room occupied by patient as directed by the medical officer of health.	
2. ANTHRAX	(a) <i>Diagnosed Case</i> : Yes—until lesions have healed. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is conclusively confirmed or disproved.	None	(a) <i>Concurrent</i> : Yes. Of all discharges from lesions and articles soiled therewith. (b) <i>Terminal</i> : Yes. Thorough cleansing of quarters occupied by patient as directed by the medical officer of health.	Investigation of source. See regulations under <i>Animal Contagious Diseases Act</i> .
3. BOTULISM	(a) <i>Diagnosed Case</i> : None required. (b) <i>Suspect or Doubtful</i> : As in (a).	None	(a) <i>Concurrent</i> : None. (b) <i>Terminal</i> : None.	Investigation of source.
4. CHANCROID	See Special Requirements.			See special regulations under <i>The Venereal Diseases Prevention Act</i> .
5. CHICKEN POX	(a) <i>Diagnosed Case</i> : Yes—until all scales have disappeared and lesions are healed. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is confirmed or disproved.	None	(a) <i>Concurrent</i> : Yes. Of all discharges from nose and throat and lesions and articles soiled therewith. (b) <i>Terminal</i> : Yes. Thorough cleansing of isolation quarters as directed by the medical officer of health.	

SCHEDULE "B"—Continued
REPORTABLE COMMUNICABLE DISEASES (NO PLACARD)

DISEASE	ISOLATION REQUIRED } (a) Diagnosed Case } PATIENT } (b) Suspect or Doubtful	QUARANTINE—CONTACTS	DISINFECTION } (a) Concurrent } (b) Terminal	SPECIAL REQUIREMENTS
6. CONJUNCTIVITIS (OPHTHALMIA NEONATORUM)	(a) <i>Diagnosed Case:</i> Yes—until clinical recovery and bacteriological proof that communicability no longer persists. (b) <i>Suspect or Doubtful:</i> Yes—until diagnosis is confirmed or disproved.	None	(a) <i>Concurrent:</i> Yes. Of all discharges from lesions—preferably collected on disposable material and burned. (b) <i>Terminal:</i> Yes. Thorough cleansing of isolation quarters as directed by the medical officer of health.	See Regulation No. 12.
7. DYSENTERY (1) Amoebic (2) Bacillary	1. (a) <i>Diagnosed Case:</i> None required. (b) <i>Suspect or Doubtful:</i> As in (a). 2. (a) <i>Diagnosed Case:</i> Yes—during communicable period. (b) <i>Suspect or Doubtful:</i> Yes—until diagnosis is confirmed or disproved. Isolation where required should be screened quarters. Protection of food from contamination by handling, dust and flies. Within five days of clinical recovery of a patient from Bacillary Dysentery, the medical officer of health shall submit to a Provincial Laboratory for examination four specimens of feces taken not less than 24 hours apart. In the case of food handlers, eight such negative specimens are required. No milk container shall be returned from any premises until recovery of the patient.	Amoebic—None. Bacillary—None. No quarantine of contacts, except: No person from a home in which there is a patient suffering from Amoebic or Bacillary Dysentery shall handle food, milk, butter or other dairy products which are to be sold or given for home consumption, or to be delivered to any creamery, butter factory or cheese factory. Milk and dairy products to be distributed from the premises in which Dysentery exists are to be distributed only under precautions laid down by the medical officer of health.	(a) <i>Concurrent:</i> Yes. And sanitary disposal of bowel discharges, aseptic nursing and care of personal hygiene. (b) <i>Terminal:</i> Yes. Thorough cleansing of quarters as directed by the medical officer of health. All feces from a patient suffering from Dysentery shall be treated with some disinfecting agent for 30 minutes before being disposed of in a sanitary manner and to the satisfaction of the medical officer of health.	Investigation of source.
8. ENCEPHALITIS	(a) <i>Diagnosed Case:</i> Yes—until temperature becomes normal. (b) <i>Suspect or Doubtful:</i> Yes—until diagnosis is confirmed or disproved. Isolation quarters should be screened.	None	(a) <i>Concurrent:</i> None. (b) <i>Terminal:</i> None.	Type to be specified when known.

SCHEDULE "B"—Continued
REPORTABLE COMMUNICABLE DISEASES (NO PLACARD)

DISEASE	ISOLATION REQUIRED PATIENT } (a) Diagnosed Case (b) Suspect or Doubtful	QUARANTINE—CONTACTS	DISINFECTION } (a) Concurrent (b) Terminal	SPECIAL REQUIREMENTS
9. ERYSIPELAS	(a) <i>Diagnosed Case</i> : Yes—until clinical recovery. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is confirmed or disproved.	None	(a) <i>Concurrent</i> : Yes. As applicable. (b) <i>Terminal</i> : Yes. Thorough cleansing of isolation quarters as directed by the medical officer of health.	1. No milk container from such premises shall be returned until so directed by the medical officer of health. 2. No one from such premises shall handle, sell or give away any dairy product to any party or for delivery to any creamery, butter, or cheese factory or any other place of business or handle other foods for human consumption except under precautions laid down by the medical officer of health.
10. GLANDERS	(a) <i>Diagnosed Case</i> : Yes—until clinical recovery. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is confirmed or disproved.	None	(a) <i>Concurrent</i> : Yes. Of discharges from lesion and articles soiled therewith. (b) <i>Terminal</i> : Yes. Thorough cleansing of isolation quarters as directed by the medical officer of health.	Search for source among horses.
11. GONORRHOEA	See Special Requirements.	None	(a) <i>Concurrent</i> : Yes. Of all discharges from lesions and articles soiled therewith. (b) Not required.	See special regulations under <i>The Venereal Diseases Prevention Act</i> .
12. INFLUENZA EPIDEMIC	(a) <i>Diagnosed Case</i> : Yes—until clinical recovery. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is confirmed or disproved.	None	(a) <i>Concurrent</i> : Yes. Of all discharges of nose and throat and articles soiled therewith. (b) <i>Terminal</i> : Thorough cleansing of isolation quarters as directed by the medical officer of health.	(Type to be specified when known).

SCHEDULE "B"—Continued

REPORTABLE COMMUNICABLE DISEASES (NO PLACARD)

DISEASE	ISOLATION REQUIRED } (a) Diagnosed Case PATIENT } (b) Suspect or Doubtful	QUARANTINE—CONTACTS	DISINFECTION } (a) Concurrent (b) Terminal	SPECIAL REQUIREMENTS
13. JAUNDICE INFECTION	(a) <i>Diagnosed Case</i> : Yes—until clinical recovery. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is confirmed or disproved.	None	(a) <i>Concurrent</i> : Yes. (b) <i>Terminal</i> : Yes—As directed by the medical officer of health.	
14. MALARIA	(a) <i>Diagnosed Case</i> : Yes—in screened quarters until blood is free of demonstrable parasites. (b) <i>Suspect or Doubtful</i> : Yes—in screened quarters until diagnosis is proved or disproved.	None.	(a) <i>Concurrent</i> : Destruction of anopheline mosquito. (b) <i>Terminal</i> : Destruction of anopheline mosquito.	Destruction of all possible breeding grounds of anopheline mosquitoes.
15. MEASLES (RED)	(a) <i>Diagnosed Case</i> : Yes—for 7 days from appearance of rash. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is either confirmed or disproved.	<i>Contacts</i> : No quarantine restrictions except where the medical officer of health chooses to impose measures due to unsatisfactory isolation of patient or other conditions which are within his discretionary powers.	(a) <i>Concurrent</i> : Yes. As applicable to discharges from nose and throat or other sites of open lesions. (b) <i>Terminal</i> : Yes. Thorough cleansing as directed by the medical officer of health.	
16. MEASLES (GERMAN)	(a) <i>Diagnosed Case</i> : Yes—for 6 days from appearance of rash.	<i>Contacts</i> : No quarantine restrictions.	(a) <i>Concurrent</i> : Yes. As applicable. (b) <i>Terminal</i> : Yes. Thorough cleansing as directed by the medical officer of health.	Care to be exercised that it be not confused with S.F.
17. MUMPS	(a) <i>Diagnosed Case</i> : Yes—for 16 days from onset of swelling if such has subsided. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is either confirmed or disproved.	<i>Contacts</i> : No quarantine restrictions.	(a) <i>Concurrent</i> : Yes. As applicable. (b) <i>Terminal</i> : Yes. Thorough cleansing as directed by the medical officer of health.	

SCHEDULE "B"
REPORTABLE COMMUNICABLE DISEASES (NO PLACARD)

DISEASE	ISOLATION REQUIRED PATIENT (a) Diagnosed Case (b) Suspect or Doubtful	QUARANTINE—CONTACTS	DISINFECTION (a) Concurrent (b) Terminal	SPECIAL REQUIREMENTS
18. PSITTACOSIS	(a) <i>Diagnosed Case</i> : Yes—until clinical recovery. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is confirmed or disproved.	<i>Contacts</i> : No quarantine restrictions.	(a) <i>Concurrent</i> : Yes. All discharges to be immediately and suitably destroyed. Removal from the premises harbouring this illness, or destruction of all psittacine birds—parrots, parakeets, love birds and canaries, and thorough disinfection by approved methods, of room and contents where birds have been kept. Attendants to wear proper masks of protective mesh and rubber gloves. (b) <i>Terminal</i> : Yes. Thorough cleansing as directed by the medical officer of health.	See Regulation No. 15. (Psittacine Birds).
19. PUERPERAL SEPTICAEMIA	(a) <i>Diagnosed Case</i> : Yes—until clinical recovery. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is confirmed or disproved.	<i>Contacts</i> : No quarantine restrictions, except—no person from a house in which a case of puerperal sepsis is isolated shall handle, sell or give away any dairy product to any party or for delivery to any creamery, butter or cheese factory or any other place of business or handle other foods for human consumption.	(a) <i>Concurrent</i> : Yes. Lochial discharges shall be burned; other excreta, bowel and urinary, to be disinfected and disposal thereof acceptably made. (b) <i>Terminal</i> : Thorough cleansing as directed by the medical officer of health.	No milk container from premises harbouring this disease shall be returned until so directed by the medical officer of health.
20. RABIES	(a) <i>Diagnosed Case</i> : Yes—until clinical recovery. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is confirmed or disproved.	<i>Contacts</i> : No quarantine restrictions.	(a) <i>Concurrent</i> : Yes. For all discharges from nose, throat and mouth, and articles soiled by patient. (b) <i>Terminal</i> : None.	See Regulation No. 27. (Re rabid animals).
21. ROCKY MOUNTAIN SPOTTED FEVER	(a) <i>Diagnosed Case</i> : Yes—until clinical recovery. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is confirmed or disproved.	<i>Contacts</i> : No quarantine restrictions.	(a) <i>Concurrent</i> : Yes. Disinfestation of patient. (b) <i>Terminal</i> : Yes. Thorough cleansing of quarters, as directed by the medical officer of health.	Vaccine therapy as control measure.

SCHEDULE "B"—Continued
REPORTABLE COMMUNICABLE DISEASES (NO PLACARD)

DISEASE	ISOLATION REQUIRED PATIENT } (a) Diagnosed Case (b) Suspect or Doubtful	QUARANTINE—CONTACTS	DISINFECTION } (a) Concurrent (b) Terminal	SPECIAL REQUIREMENTS
22. SEPTIC SORE THROAT (EPIDEMIC)	(a) <i>Diagnosed Case</i> : Yes—until clinical recovery. (Usual duration of communicability 14 days.) (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is confirmed or disproved.	<i>Contacts</i> : No person from a house in which a case of septic throat is isolated shall handle, sell, or give away any dairy product to any party or for delivery to any creamery, butter or cheese factory or any other place of business or handle other foods for human consumption.	(a) <i>Concurrent</i> : Yes. For all discharges and all articles soiled by patient as applicable. (b) <i>Terminal</i> : Yes. Thorough cleansing of isolation quarters as directed by the medical officer of health.	No milk containers from quarantined premises shall be returned until so directed by the medical officer of health.
23. SYPHILIS	See special requirements.			See regulations pursuant to <i>The Venereal Diseases Prevention Act</i> .

REPORTABLE ONLY—NO RESTRICTIONS

DISEASE	ISOLATION REQUIRED PATIENT } (a) Diagnosed Case (b) Suspect or Doubtful	QUARANTINE—CONTACTS	DISINFECTION } (a) Concurrent (b) Terminal	SPECIAL REQUIREMENTS
24. TICK PARALYSIS				
25. TRACHOMA	(a) <i>Diagnosed Case</i> : Yes—until under adequate medical supervision and treatment and instruction regarding care of eye secretions.	None	(a) <i>Concurrent</i> : Yes. For all eye and nose discharges and articles soiled therewith. (b) <i>Terminal</i> : None.	
26. TETANUS	(a) <i>Diagnosed Case</i> : None. (b) <i>Suspect or Doubtful</i> : None.	No restrictions	(a) <i>Concurrent</i> : Yes. For all discharges and articles soiled therewith as applicable. (b) <i>Terminal</i> : Yes. Thorough cleansing as directed by the medical officer of health.	
27. TRICHINOSIS	(a) <i>Diagnosed Case</i> : None. (b) <i>Suspect or Doubtful</i> : None.	No restrictions	(a) <i>Concurrent</i> : Yes—For all bowel discharges and sanitary disposal thereof. (b) <i>Terminal</i> : None indicated.	See Regulation No. 30.

SCHEDULE "B"—Continued
REPORTABLE COMMUNICABLE DISEASES (NO PLACARD)

DISEASE	ISOLATION REQUIRED PATIENT (a) Diagnosed Case (b) Suspect or Doubtful	QUARANTINE—CONTACTS	DISINFECTION (a) Concurrent (b) Terminal	SPECIAL REQUIREMENTS
28. TUBERCULOSIS	(a) <i>Diagnosed Case</i> : See Special requirements. (b) <i>Suspect or Doubtful</i> : See special requirements.	See special requirements	(a) <i>Concurrent</i> : Yes. Of all discharges. (b) <i>Terminal</i> : Yes. As directed by the medical officer of health.	See Regulation No. 34. No person with active or infectious tuberculosis or suspected to have same shall handle, sell or give away any dairy product to any party or for delivery to any creamery, butter or cheese factory or any other place of business or handle other foods for human consumption.
29. TULAREMIA	(a) <i>Diagnosed Case</i> : None. (b) <i>Suspect or Doubtful</i> : None.	No restrictions	(a) <i>Concurrent</i> : Yes. For all discharges from ulcer, lymph glands or conjunctival sac. (b) <i>Terminal</i> : Yes. Thorough cleansing as directed by the medical officer of health.	Investigation of source. See Regulation No. 30.
30. TYPHOID, PARATYPHOID A, B, C, and other SALMONELLA INFECTIONS	(a) <i>Diagnosed Case</i> : Yes—in fly screened room, preferably in hospital. Within 5 days after a patient has become afebrile following an attack of salmonella infection, the medical officer of health shall cause to be submitted to a provincial laboratory or a laboratory approved by the Department, specimens of urine and feces for examination for the presence or absence of salmonella organisms. Two such examinations shall be negative for these organisms, with specimens taken at least 4 days apart. In the case of patients employed in the handling of food or dairy products, 4 negative specimens shall be required before the patient shall be released from isolation restrictions. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is conclusively confirmed or disproved.	<i>Contacts</i> : None—except no one from a household in which there exists a case of salmonella infection or any carrier of these organisms shall engage in the production or handling of food, milk, butter, cheese or any other dairy product which is to be sold or given to any party, or delivered to any creamery or butter factory or cheese factory. Any of these products may be distributed under precautions laid down by the medical officer of health.	(a) <i>Concurrent</i> : Yes. As applicable including all bowel and urinary tract discharges and articles soiled there-with. All feces and urine from a patient suffering from salmonella infection shall be disinfected with some suitable disinfectant for at least thirty minutes before being disposed of in a sanitary manner, and to the satisfaction of the medical officer of health. (b) <i>Terminal</i> : Yes. As applicable under directions of the medical officer of health.	See Regulations Nos. 43, 44. No milk container from a house harbouring a case of salmonella infection shall be returned to any dairy or milk vendor until permission has been given by the medical officer of health.

SCHEDULE "B"—Continued
REPORTABLE COMMUNICABLE DISEASES (NO PLACARD)

DISEASE	ISOLATION REQUIRED PATIENT (a) Diagnosed Case (b) Suspect or Doubtful	QUARANTINE—CONTACTS	DISINFECTION (a) Concurrent (b) Terminal	SPECIAL REQUIREMENTS
31. UNDULANT FEVER	(a) <i>Diagnosed Case</i> : Yes—during period of illness. (b) <i>Suspect or Doubtful</i> : Yes—until diagnosis is either confirmed or disproved.	No restrictions	(a) <i>Concurrent</i> : Yes. Of all urinary and bowel discharges and all articles soiled therewith. (b) <i>Terminal</i> : Yes. As applicable under directions of the medical officer of health.	Milk from a producer upon whose premises there is a case of diagnosed undulant fever, must not be distributed unless pasteurized.

Regulations 484

(Ontario Regulations 260/50)

REGULATIONS MADE BY THE MINISTER UNDER THE PUBLIC HEALTH ACT

INTERPRETATION

1. In these regulations

- (a) "agreement" means an agreement entered into by a school board with a local board for dental inspection and dental treatment under subsection 2 of section 91 of the Act;
- (b) "cost of dental inspection" means
 - (i) money paid by a local board for dental services,
 - (ii) the cost of supplies, and
 - (iii) the cost of dental equipment;
- (c) "dental inspection" includes dental treatment;
- (d) "Director" means the Director of Dental Services of the Department;
- (e) "grant" means the payment to a local board of money appropriated or voted by the Legislature for dental inspection;
- (f) "population" means population ascertained from the last revised assessment roll; and
- (g) "secretary" means the secretary of the local board.

SCHOOL DENTAL-SERVICE GRANTS

2.—(1) Upon written application therefor the Minister may make a grant to a local board that

- (a) has made an agreement, and
- (b) has established or increased the existing services for dental inspection since the 1st of April, 1938.

(2) Notwithstanding subregulation 1, where a local board

- (a) applied for a grant under Ontario Regulations 44/44 and the application was approved thereunder, and
- (b) has continued to receive a grant down to the date when these regulations come into force,

the Minister may continue to make the grant in accordance with these regulations.

3. The amount of the grant shall be

- (a) 20 per cent of the cost of dental inspection where the population under the jurisdiction of the local board exceeds 5000, or
- (b) 30 per cent of the cost of dental inspection where
 - (i) the population under the jurisdiction of the local board is under 5000,

- (ii) two or more townships have united for dental inspection, or
- (iii) the jurisdiction of the local board extends over a township,

but the total grant paid to a local board in any one year shall not exceed \$1000.

4.—(1) When a local board provides dental inspection under subregulation 1 of regulation 8, not more than one-tenth of the cost of equipment shall be included in the computation of the amount of any instalment of the grant referred to in regulation 7.

(2) The secretary may include in each requisition one-tenth of the cost of the equipment.

APPLICATION FOR GRANT

5.—(1) The application for a grant shall be in form 1.

(2) The secretary shall submit the application to the Director with a copy of the agreement.

REQUISITION FOR PAYMENT OF GRANT

6.—(1) When an application has been approved the Director shall notify the secretary.

(2) After receiving notice of approval the secretary may submit a requisition to the Director on the 1st day of March, June, September and December of each year.

(3) Where the local board provides dental inspection in accordance with subregulation 1 of regulation 8 the requisition shall be in form 2, but where the local board does not so provide the dental inspection the requisition shall be in form 3.

7. After receipt of the requisition the grant shall be paid to the local board in instalments on the last day of March, June, September and December of each year.

DENTAL INSPECTION

8.—(1) Every local board receiving a grant shall provide

- (a) the services of dentists, and
- (b) accommodation, equipment and supplies for dental inspection.

(2) The local board of a municipality having a population under 20,000 may arrange with the dentists engaged in the dental inspection to provide equipment and supplies for dental inspection.

REPORT OF DENTIST

9.—(1) A dentist engaged in dental inspection shall prepare a report in form 4 on the 1st day of March, June, September and December of each year showing

- (a) the names of,
- (b) a description of the work done on, and

(c) the time spent in performing the dental inspection for

each pupil on whom the dentist has performed dental inspection during the preceding 3 months.

- (2) The dentist shall send a copy of the report to
 - (a) the local board,
 - (b) the school board which has made the agreement, and
 - (c) the Director,

before the 15th day of the month in which the report was made.

RECORDS OF SECRETARY

- 10.—(1) The secretary shall keep a record of all receipts and disbursements made for dental inspection.
- (2) The Director may audit or cause to have audited the records of the secretary at any time.

REVOCATION

11. Ontario Regulations 44/44 are revoked.

M. PHILLIPS
Minister of Health

FORM 1

The Public Health Act

APPLICATION FOR GRANT FOR DENTAL INSPECTION

The.....
(name of local board)
applies for a grant for dental inspection and dental treatment under the Act and states:

- 1. Population of area under jurisdiction of local board.....
- 2. Schools receiving dental inspection:

Name	Location	Number of Pupils in attendance	Approximate Number of Pupils Requiring Dental Services

- 3. The local board provides or proposes to provide dental inspection
 - (a) in accordance with subregulation 1 of regulation 8 of the regulations, or
 - (b) in accordance with subregulation 2 of regulation 8 of the regulations by arrangement with a dentist.

Date.....19...

.....
(Signature of secretary of local board of health)

FORM 2

The Public Health Act

REQUISITION

The.....
(name of local board)
requires that an instalment of a grant in the amount of \$....., being.....per cent of the total cost of dental inspection during the preceding 3 months made up as follows:

- 1. Total remuneration paid for dental services during the preceding 3 months:
 - Remuneration for
(Annual Remuneration preceding 3 months)
- 2. Total cost of supplies used during the preceding 3 months:
- 3. Total cost of equipment
 - (a) purchased since grant approved:
 - (b) purchased during the preceding 3 months:

Total
10% of total cost

TOTAL
=====

CERTIFIED

Dated the 1st of.....19....

.....
(Signature of secretary of local board of health)

APPROVED

.....
Director of Dental Services

Dated.....19....

FORM 3
The Public Health Act

REQUISITION

The.....requires that an instalment of a grant in the amount of \$.....,
(name of local board)
being.....per cent of the total cost of dental inspection during the preceding 3 months made up as follows:

Name of Dentists	Number of Hours Engaged in Dental Services	Fee per Hour	Cost

Total Cost of Dental Inspection

Dated the 1st of.....19....

APPROVED

Director of Dental Services

Dated.....19....

CERTIFIED

.....
(Signature of secretary of local board of health)

Regulations 485

(Ontario Regulations 15/44; 108/49)

REGULATIONS MADE BY THE MINISTER UNDER THE PUBLIC HEALTH ACT

APPLICATION FOR LICENSE

1.—(1) Every applicant for a license shall submit to the medical officer of health of the municipality in which he resides an application and a certificate signed by a qualified medical practitioner that such applicant is in good health and physically fit to perform the fumigation of premises.

(2) If, in the opinion of the medical officer of health, a license should be issued, the medical officer of health shall transmit to the Minister the application and certificate together with his recommendation.

(3) The Minister may require the applicant or the medical officer of health to furnish him with such further or other information regarding the applicant as he may desire and may require the applicant to attend before an officer of the Department at such place as he may designate and to submit himself to such examination as he may prescribe.

(4) If the Minister is satisfied that the applicant is a fit and proper person to be licensed, he may cause a license to issue to him.

(5) Every license shall be issued for a term of one year from the date of such issue and may be renewed from time to time for a similar period, and on every application for renewal the Minister may require the certificate mentioned in subsection 1 and such information and attendance as is provided for by subsection 3.

1a. Where the clerk of a municipality as defined in *The Municipal Act* gives notice in writing to the Minister that the municipality proposes to conduct a campaign for the destruction of rodents, the Minister may issue a temporary licence in accordance with regulation 1b to persons engaged to carry on fumigation operations for the purposes of that campaign.

1b.—(1) Notwithstanding regulation 1, the Minister may issue a temporary licence in Form 1 to any person who,—

- (a) is recommended to be so licensed by the medical officer of health in accordance with subregulation 2 of regulation 1;
- (b) makes application therefor in accordance with subregulation 1 of regulation 1;
- (c) is not licensed under regulation 1; or
- (d) is not engaged in the business of fumigation.

(2) Regulation 2 shall not apply to an applicant for a temporary licence.

(3) A licence shall expire six months from the date of issue.

1c. The holder of a temporary licence shall not carry on fumigation operations in a municipality other than the municipality where he is engaged for the purpose of the campaign or inside any building,—

- (a) used for human habitation;
- (b) adjoining a building used for human habitation; or
- (c) so located that the fumigation thereof constitutes an actual or potential hazard to occupants of other buildings.

INSURANCE

2.—(1) Every applicant for a license shall furnish a policy of insurance in a form approved by the Superintendent of Insurance.

(2) Every policy shall insure the applicant against any liability imposed by law arising out of the death of any employee or the injury to or death of any other person resulting from the fumigation of any building or premises in a negligent manner,—

- (a) in the case of any employee to the limit of at least \$3,500; and
- (b) in the case of any one other person to the limit of at least \$10,000 and in the case of two or more other persons to the limit of at least \$20,000.

(3) Upon cancellation or discontinuance of any such policy of insurance, the license of the insured shall be automatically cancelled and shall not be renewed within one year from the date of issue.

(4) The Minister may exempt any applicant from the provisions of this section on the condition that such applicant shall not conduct the fumigation of any of the buildings referred to in clauses (a), (b) and (c) of subsection 1 of section 4.

SUSPENSION, REVOCATION OF LICENSE

3.—(1) A license may at any time be suspended or revoked upon the order of the Minister and such order shall be final and conclusive and there shall be no appeal therefrom.

(2) No fumigator whose license has been suspended or revoked or who has been refused a permit by the local medical officer of health shall be engaged in or perform any fumigation or any activity connected with the preparation of or actual fumigation of any premises.

WARNING GAS

4.—(1) Fumigation of the following classes of buildings shall not be conducted without the simultaneous use of a warning and expulsive gas,—

- (a) buildings used for human habitation;
- (b) buildings adjoining buildings used for human habitation;
- (c) buildings so located that the fumigation of the same constitutes an actual or potential danger to the occupants of other buildings; and
- (d) any buildings designated by the local medical officer of health.

(2) For fumigation of premises referred to in subsection 1, no substances shall be used until the composition, quantity and kinds of gases evolved therefrom, manufacture, method of using the same and the amount to be used have been approved by the Minister.

PERMIT TO FUMIGATE

5.—(1) Every fumigator shall obtain a permit from the local medical officer of health at least twenty-four hours before each fumigation and no fumigation shall be conducted unless a permit to conduct the same has been obtained.

(2) The application for the permit shall be in writing and shall contain the following information,—

- (a) the date of the proposed fumigation, the hour at which fumigation will commence, and the hour before which the building will not be opened for airing out, except in case of accident;
- (b) the name and amount of the fumigating materials to be used;
- (c) the location of the building or portion thereof to be fumigated, and the number of cubic feet capacity of such building or portion;
- (d) whether such building is a detached or semi-detached house, an apartment or a portion thereof, or other premises;
- (e) what other portions of the building or of adjacent buildings will be affected by or require to be vacated during the fumigation;
- (f) the date upon which the applicant has inspected the building and premises which will be affected by the fumigation; and
- (g) the name, address and duties of any person who will be employed by or assist the fumigator in the course of such fumigation.

(3) Only one permit shall be required for the fumigation of adjoining buildings or buildings owned by the same person and located on the same parcel of land provided such buildings are fumigated at the same time.

(4) For fumigation of buildings other than the buildings described in subsection 1 of section 4, the medical officer of health may issue a permit for such term and upon such conditions as the medical officer of health may deem expedient.

(5) Every fumigator shall perform the fumigation of any premises in accordance with the method and

particulars set out in the application for a permit and shall not alter or vary such method or particulars without permission of the local medical officer of health.

REFUSAL, CANCELLATION OF PERMIT

6. Where it is made to appear to a medical officer of health that a fumigator is unfit to perform the fumigation of premises or has conducted a fumigation in an improper or unsatisfactory manner, and in every case where death occurs, the medical officer of health may refuse to issue further permits to such fumigator and may cancel any unused permit already issued to him and shall advise the Minister of all the facts in his possession relating to the fumigation in question and shall make a recommendation to the Minister respecting the suspension or revocation of the license of such fumigator.

DEATH FROM FUMIGATION

7. In every case where death occurs under circumstances which indicate that such death might have been caused by fumigation operations, the fumigator conducting such operations shall forthwith report the circumstances of such death and particulars of such operations to the Minister.

SEALING

8. All cracks, crevices, flues, drains, pipe-openings, hot-air registers and ventilators and any openings into adjacent or adjoining premises shall be sealed so as to completely and effectively prevent the escape of gas from the building or portion thereof being fumigated during the fumigating process.

REMOVAL OF SUBSTANCES

9. The fumigator shall remove from the premises to be fumigated all substances such as water, plants or food-stuffs which may absorb hydrocyanic acid gas or any substance used in the process of fumigation.

TIME OF FUMIGATION

10. No fumigation shall be commenced after the hour of 10 o'clock in the forenoon within any of the classes of buildings set out in section 4.

TEMPERATURE

11. The temperature in the building to be fumigated shall be maintained at not less than 70 degrees Fahr. throughout the whole period of fumigation.

EXAMINATION OF PRÉMISES

12. Just before the gas is released, the fumigator shall make a careful examination of,—

- (a) all parts of the buildings to be fumigated;
- (b) all parts of all buildings adjoining buildings to be fumigated;
- (c) all buildings so located that the fumigation of any other buildings constitutes an actual or potential hazard to the occupants of buildings so located;

and the fumigator shall satisfy himself that there is no human being in such buildings.

PLACARDS

13.—(1) After excluding all occupants and before taking the materials for generating the gas into the buildings to be fumigated, the fumigator shall attach to each door or entrance leading into the buildings a placard at least 14 inches in length and 10 inches in width designed to attract immediate attention bearing the word "Danger" in red coloured block letters at least 2½ inches in height and indicating that the buildings are being fumigated with a poisonous substance, and every such placard shall be illuminated from sundown until sunrise.

(2) The fumigator, in addition, shall place similar placards on the buildings mentioned in section 12.

(3) No placard shall be removed until the buildings are fit for reoccupancy and shall be removed only by or on the instructions of the fumigator.

PREVENTING ENTRANCE TO BUILDING

14.—(1) The fumigator shall prevent every person other than a medical officer of health, sanitary inspector, or other inspector appointed to administer *The Public Health Act* or these regulations or a person who is engaged by him and who is protected in accordance with the provisions of section 15, from entering the buildings which are being fumigated, as well as such adjoining or adjacent buildings as may be vacated for the fumigation, from the time at which the occupants are excluded until after the fumigation when the buildings are, in the opinion of the fumigator, fit for reoccupancy.

(2) For the purpose of carrying out the provisions of subsection 1 the fumigator shall employ locks or barricades and shall employ one or more capable adult persons as guards; female guards shall not be employed after 11 o'clock at night nor before 6 o'clock in the morning.

INQUIRY BY OFFICERS

14a. Any medical officer of health, sanitary inspector, and any inspector appointed to administer *The Public Health Act* or these regulations may enter into and upon any premises for the purpose of making an inquiry and examination with respect to any fumigation which is being performed thereon or where there is reason to believe that any fumigation is being performed thereon.

GAS MASKS

15.—(1) From the time the gas is about to be released until leaving the building to be fumigated, and from the time the building is re-entered until it is fit for reoccupancy, the fumigator and all persons employed by him while in such building shall wear such a gasmask of a type approved by the Minister for fumigation purposes, and after fumigation of any premises having a capacity exceeding 15,000 cubic feet outside measurement, two or more persons, each wearing such a gasmask, shall reopen and re-enter such premises in the presence of each other.

(2) The fumigator shall provide refills for the canisters of the masks at each fumigating job and shall keep an accurate record of the length of time during which

the gas canister has been used in order that it may be replaced as required.

AIRING BUILDING

16. Every building which has been fumigated shall be thoroughly aired for a period of not less than twelve hours after fumigation before reoccupancy. In no case shall a building be reoccupied before 6 o'clock on the morning after the fumigation was commenced.

PILLOWS, CUPBOARDS, ETC.

17.—(1) After every fumigation the fumigator shall cause all mattresses, pillows and cushions to be compressed and shaken or beaten to remove gas, and shall cause all bed-clothing to be shaken in the open air and shall take all necessary precautions to render the clothing and bedding of babies and small children free from gas.

(2) The fumigator shall cause all closets, cupboards, wardrobes, drawers, trunks, boxes and other enclosures and containers to be opened and thoroughly aired, and shall cause fresh air to be circulated to all parts of the building, paying particular attention to those parts of the building where pockets of gas are likely to form.

(3) The fumigator shall take all necessary precautions to prevent the gas from entering adjoining buildings.

DESTRUCTION OF SEALING MATERIALS

18. Unless otherwise authorized in writing by the local medical officer of health, the residue from materials used for fumigation and sealing cracks and crevices shall be burnt or buried.

COMMERCIAL FUMIGATION VAULTS

19. Vaults, chambers or other enclosed compartments for commercial fumigation shall be located, constructed and ventilated in such a manner as to meet the requirements of the local medical officer of health.

FORM 1

The Public Health Act

TEMPORARY LICENCE TO FUMIGATE

Under *The Public Health Act* and the regulations, and subject to the limitations thereof, this temporary

licence is issued to..... of the..... of.....

to carry on fumigation operations in..... (name of municipality)

This licence expires six months from the date of issue.

Issued at Toronto,

this day

of , 19 .

..... Minister of Health.

Regulations 486

(Ontario Regulations 224/44)

ORDER IN COUNCIL MADE UNDER THE PUBLIC HEALTH ACT

Order-in-Council approved by the Honourable the Lieutenant-Governor, dated the 29th day of September, A.D. 1937.

Upon the recommendation of the Honourable the Minister of Health, the Committee of Council advise that, pursuant to clause (i) of section 6 of *The Public Health Act*, the Department of Health be authorized to supply such medical aid, medicine and other articles and accommodations as the Department may deem necessary for preventing or mitigating an outbreak of anterior poliomyelitis and, without lessening the generality of the foregoing, the Department is particularly authorized to establish one or more hospitals in the Province for the treatment of persons suffering or believed to be suffering from anterior poliomyelitis, and to pay all expenses connected with the establishment and maintenance of such hospitals.

Regulations 487

(Ontario Regulations 16/44)

REGULATIONS MADE BY THE MINISTER UNDER THE PUBLIC HEALTH ACT

APPLICATION

1. These regulations shall apply only to a medical officer of health, a sanitary inspector or public health nurse who is appointed after the date upon which these regulations shall come into force.

MEDICAL OFFICERS OF HEALTH

2. No person shall be appointed as a full-time medical officer of health unless prior to his appointment he has secured a certificate or diploma issued by a Canadian university, following not less than one year's full-time post-graduate study of public health, or a similar qualification issued by a university outside Canada and accepted as equivalent by a Canadian university; or has had at least five years' experience as medical officer of health in a comparable municipality in the Province of Ontario.

3. No person shall be appointed as a part-time medical officer of health for a municipality with a population exceeding 4,000 unless prior to his appointment he has devoted not less than one month to a course of instruction designated by the Minister of Health, and completed to his satisfaction, or has had at least five years' experience as medical officer of health in a comparable municipality in the Province of Ontario.

4. Any part-time medical officer of health for a municipality having a population of less than 4,000 shall within one year after his appointment as medical officer of health complete a course of instruction designated by the Minister of Health.

SANITARY INSPECTORS

5. In these regulations the term "sanitary inspector" shall include milk inspector, plumbing inspector, food inspector.

6. No person shall be appointed as a full-time sanitary inspector unless he is a veterinary surgeon, or unless, prior to his appointment, he has secured the certificate granted by The Canadian Public Health Association or by certifying organizations recognized by the Association for this purpose.

7. The qualifications of every part-time sanitary inspector shall be reviewed by the Department of Health of Ontario, and any inspector who is deemed by the Department not to have the necessary qualifications or experience may be required to secure such experience or qualifications in a municipality designated for this purpose by the Department.

PUBLIC HEALTH NURSES

8. No person shall be engaged as a public health nurse unless she has the qualifications hereinafter mentioned.

9.—(a) Registration under *The Nurses' Registration Act*;

(b) A certificate from a university certifying that the nurse has satisfactorily completed a course of not less than one year in public health nursing.

Regulations 488

(Ontario Regulations 37/44)

REGULATIONS MADE BY THE MINISTER UNDER THE PUBLIC HEALTH ACT

INTERPRETATION

1. In these regulations,—

- (a) "Department" shall mean Department of Health;
- (b) "distributor" shall mean any person who engages in and carries on the business of distributing and selling milk to the consumer, either directly or through resale by a peddler or storekeeper, and, except, as provided by these regulations shall include a peddler, storekeeper, producer-distributor and any other person who retails milk to the consumer;
- (c) "employee" shall mean every person employed in a pasteurization plant or milk plant;
- (d) "operator" shall mean every person who by himself or by his agents owns or operates a pasteurization plant;
- (e) "pasteurization" shall mean the process of heating every particle of milk to a temperature of not less than 143 degrees Fahrenheit, of holding it at such temperature for not less than 30 minutes, and of cooling it immediately thereafter to 50 degrees Fahrenheit or lower in a manner and with equipment and apparatus approved by the Department of Health, and every term of like import shall have a corresponding meaning: "pasteurization" shall also mean, as an alternative method, the process of heating every particle of milk to a temperature of not less than 161 degrees Fahrenheit, and of holding it at such temperature for not less than 16 seconds, and of cooling it immediately thereafter to 50 degrees Fahrenheit or lower in a manner and with equipment and apparatus approved by the Department of Health, and every term of like import shall have a corresponding meaning;
- (f) "pasteurization plant" shall include every plant in which milk is pasteurized and every building, machine, apparatus, equipment and appurtenance employed in or necessary for the pasteurization, heating, storing, cooling, processing, packaging or in any way handling milk in such plant, and forming part of or connected with such plant, provided that where milk is pasteurized in any part of a plant the entire plant shall be deemed to be a pasteurization plant;
- (g) "peddler" shall mean and include any person who for resale to the consumer, purchases milk from a distributor and distributes and sells such milk to the consumer;
- (h) "person" shall include partnership, association, firm and corporation;

- (i) "producer" shall mean and include any person who produces milk which is sold for human consumption;
- (j) "producer-distributor" shall mean a producer who distributes and sells to the consumer, milk of which he is the producer;
- (k) "processor" shall mean and include any person carrying on the business of pasteurizing, homogenizing, bottling or in any other way processing milk for human consumption;
- (l) "storekeeper" shall mean and include any person who from or at a store or shop kept by him sells or offers for sale milk to the consumer, which milk has been purchased for resale from a licensed distributor;
- (m) "Director" shall mean the Director of the Sanitary Engineering Division of the Department of Health, or any other person designated by the Minister to act for him.

CONDITIONS FOR ISSUANCE OF CERTIFICATE OF APPROVAL OF PASTEURIZATION PLANT

2.—(1) Upon proof satisfactory to the Director that any pasteurization plant has complied with the requirements of these regulations, the Director shall issue a certificate of approval in the prescribed form.

(2) Every certificate shall expire on the last day of the calendar year in which the certificate is issued, and may be renewed by the Director if he is satisfied that the plant has complied with these regulations.

(3) The Department may suspend or revoke any certificate or renewal thereof if the Department is satisfied that the plant for which the certificate is issued does not comply with any provisions of these regulations.

FORMS

3. The form in the schedule to these regulations entitled "Approval of Pasteurization Plant" is hereby approved as the certificate of approval referred to in clause (zb) of section 5 of *The Public Health Act*.

PASTEURIZATION, ETC., SUBJECT TO APPROVAL

4. Every pasteurization plant, every pasteurization, and every operation connected with the handling of milk shall be subject to the inspection and approval of the Director or any other officer of the Department.

USE OF WORD "PASTEURIZATION"

5. No person shall use any word or term stating or indicating, either verbally or in writing, that such milk is pasteurized unless such milk has been pasteurized

and handled in a pasteurization plant in accordance with the provisions of these regulations.

ESTABLISHMENT, ETC., OF PLANT

6.—(1) No person shall establish, erect, reconstruct, alter or enlarge a pasteurization plant unless the approval of the Department has been obtained.

(2) Where an application for approval is made under subsection (1) the applicant shall furnish to the Department a copy of the plans and specifications therefor together with such other material and information as the Department may require.

BUILDINGS AND LOCATION

7. The location of every pasteurization plant shall be satisfactory to the Department and shall be free from any objectionable conditions including smoke, fumes, dust, odours, flies, and other conditions of nature which might injuriously affect the quality of the milk, and there shall be ready access to and from every building.

CONSTRUCTION OF BUILDINGS

8. The buildings shall be of substantial construction, of adequate size for the operations involved, free from excessive dust, readily cleaned and well lighted.

DOORS AND WINDOWS

9.—(1) All outside openings in every building forming part of a pasteurization plant shall be effectively screened, or otherwise protected against the entrance of flies during the period from May 1st to November 1st.

(2) Window and door screens shall be tight-fitting and shall be kept in good repair, and all doors shall be equipped as far as possible with self-closing devices.

(3) Openings through which cans, crates and other articles are passed in rapid succession shall be equipped with flaps, fans or similar devices to exclude flies.

(4) Such additional precautions for the control of flies as may be reasonably necessary or as the Department may require, shall be provided.

LIGHTING AND VENTILATION

10.—(1) Every room in which the processing or handling of milk is conducted or in which equipment is operated shall be adequately lighted by natural or artificial light or both.

(2) Every room shall be adequately ventilated through windows, doors or ventilating ducts so as to prevent water of condensation forming on walls, ceiling and equipment.

FLOORS, WALLS AND CEILINGS

11.—(1) The floors of every room in which milk is handled or stored shall be constructed of concrete, tile, brick, or other good quality, impervious material and the surface shall be smooth, readily cleaned, sloped to convenient outlets, and free from joints and depressions in which water or dirt may collect and the joints between walls and floors shall be covered.

(2) Floors shall be kept clean and free from materials and equipment not regularly used in the room.

(3) Suitably trapped drains of sufficient size and so located as to rapidly remove drainage shall be provided.

(4) The walls and ceilings of rooms in which milk is handled or stored shall have smooth surfaces of impervious and washable material, light in colour, and such surfaces shall be kept clean.

ROOMS IN PASTEURIZATION PLANTS

12.—(1) Separate rooms shall be provided in every pasteurization plant for,—

- (a) pasteurization, cooling and bottling operations;
- (b) washing and bactericidal treatment of containers and miscellaneous equipment.

(2) Cans of unpasteurized milk shall not be unloaded directly into or stored in the pasteurizing room.

(3) Self-closing doors as far as possible shall be provided on the pasteurizing room, and such doors shall not open directly into any stable, garage, or living quarters.

(4) Cleaned utensils and containers shall be stored in a room or compartment which is kept free from flies, dust, odours and other contamination.

FACILITIES FOR USE OF EMPLOYEES

13. Every pasteurization plant shall, for the purposes of the employees, be equipped with,—

- (a) adequate soap and hot and cold water;
- (b) clean towels or towels of such kind and quantity that not more than one employee shall use the same towel;
- (c) washing facilities which shall be conveniently located and shall not be used in any way in the operation of the pasteurization plant or the handling of milk;

- (d) such toilet rooms as may be necessary and such rooms shall be conveniently located, properly equipped, of a sanitary condition, in good repair, provided with adequate ventilation and lighting, and shall not open directly into any room in which milk, equipment or containers are used, or handled, and where privies are used they shall be separated from any other building, flytight and equipped with self-closing doors.

WATER SUPPLY

14. Adequate and satisfactory water and drainage facilities shall be provided.

DISPOSAL OF WASTES

15.—(1) All wastes and drainage from the operation of any pasteurization plant shall be disposed of in a sanitary manner.

(2) Refuse shall not be permitted to accumulate in the building or on or near the premises except in properly covered containers or receptacles.

(3) Stables shall not be erected or maintained in such proximity to the pasteurization plant as to adversely affect the process, and all manure and garbage shall be treated with a fly larvicide during the fly season.

HANDLING, PROCESSING AND STORAGE EQUIPMENT

16. The equipment and containers used in the handling, processing or storage of milk shall be so constructed and kept in repair as to facilitate cleaning and bactericidal treatment, and any surfaces of such equipment and containers with which milk comes in contact shall be of smooth, non-corroded metal or vitreous material, free from accumulation of milk solids and other foreign substances, self-draining and readily accessible for cleaning, and every joint in any such equipment or container shall be made flush with the surface or otherwise constructed so as to avoid open seams.

17.—(1) Every pasteurization plant shall have equipment of sufficient capacity for the maximum output of the plant.

(2) Any equipment used for processing or storing milk shall be constructed of such material and so maintained as not to adversely affect the quality or taste of the milk.

(3) Holding vats shall be adequately insulated to prevent undesirable heat losses.

(4) Tight fitting covers shall be provided for the equipment, and shall be so arranged as to prevent the entrance of drainage or water of condensation from the outside into the milk, when in either the open or closed position.

(5) Milk receiving vats shall be so placed and protected as to prevent contamination of the milk.

VALVES AND PIPE CONNECTIONS

18. Every inlet and outlet valve and pipe connection to pasteurization holders shall meet the following requirements,—

- (a) every valve and pipe line used in inlet and outlet connections on pasteurizers or holders shall be of metal not affected by milk to the extent of corroding or pitting the material, and shall not affect the flavour of milk by electrolysis or by other means;
- (b) every surface in contact with the milk shall be smooth and free from pits, crevices, cracks, open seams or threads;
- (c) passages shall be constructed to prevent pocketing;
- (d) every part shall be readily disassembled for cleaning;
- (e) every inlet valve shall be of the leak-protector type and every inlet valve and connection shall

be so constructed and located as to prevent leakage or short circuiting of unpasteurized milk into the pasteurized, or into a pasteurizer or holder other than that being filled;

- (f) every groove on an inlet valve for diverting leakage shall be of ample dimensions and so arranged to permit free drainage;
- (g) every pipe line between any inlet valve and pasteurizer or holder shall be as short as possible and shall be sloped or otherwise arranged to drain freely;
- (h) every outlet valve shall be of the leak-protector type and shall have the valve seat either flush with the inner wall of the pasteurizer or so closely coupled that all milk in the valve pocket is within the influence of the agitation created by the stirring equipment;
- (i) every outlet valve shall prevent leakage past the valve seat into the milk outlet, and grooves for diverting leakage shall be of ample dimensions and so arranged to permit free drainage;
- (j) sterilizing connections shall be provided where the construction of the outlet valve makes this necessary and they shall be non-clogging and shall not terminate in a channel through which milk is flowing;
- (k) valves shall be provided with necessary stops and guides to insure proper operation.

MILK PIPING

19. Milk piping and connections shall meet the following requirements,—

- (a) the piping and connections shall be of such size and material that they may be readily cleaned;
- (b) the piping and connections shall be smooth, free from corrosion and all joints shall be soldered flush;
- (c) the length of piping shall be reduced to a minimum;
- (d) no piping, pumps or equipment shall be used for both unpasteurized and pasteurized milk.

THERMOMETERS

20.—(1) Both indicating and recording thermometers of satisfactory type shall be installed and used on each holder in which the holding time is not automatically controlled and in both inlet and outlet manifolds of vat, pocket or continuous flow installations in which the milk is brought to the final pasteurization temperature before entering the holder and in which the time is automatically controlled.

(2) The bulbs of the indicating thermometer and the recording thermometer shall be as close together as practicable.

(3) Indicating thermometers shall be easily read and shall be accurate within one-half of one degree Fahrenheit.

(4) Recording thermometers shall be moisture proof, easily read, with scale divisions of not less than one-sixteenth of one inch for each degree between 140 and 145 degrees Fahrenheit, and the smallest time-scale division shall not exceed ten minutes and every chart shall be graduated for and shall make one revolution in 12 hours.

FOAM IN PASTEURIZERS

21. The equipment used in milk processing shall be such as to preclude as far as possible the formation of foam in pasteurizers or holders and where foam collects in milk holders means shall be employed to keep the atmosphere above the milk at a temperature at least 5 degrees Fahrenheit higher than the pasteurizing temperature.

MILK FILTERS

22. Milk shall be filtered or strained before pasteurization only and no filters, other than metal screens, shall be placed on the outlet side of the pasteurizer or be used on milk after pasteurization.

MILK COOLERS

23.—(1) Milk cooling equipment shall be provided of sufficient capacity and type to cool the milk from each pasteurizer or holding vat in a period not exceeding one and one-half hours.

(2) The temperature of the pasteurized milk shall not be reduced to lower than 120 degrees Fahrenheit before passing through the cooling equipment.

(3) The milk shall be cooled to 50 degrees Fahrenheit or lower within a period not exceeding one and one-half hours and held at or below this temperature until delivery.

(4) Surface coolers shall be built of suitable material and so constructed as to afford ready access for cleaning and provision shall be made to prevent water of condensation coming in contact with the milk or the cooling surfaces.

(5) Any open surface coolers shall be either located in separate well-ventilated rooms, free from flies, dust, drip, splash, manual contact and other sources of contamination, or provided with tight fitting covers or shields, and such covers or shields shall be so arranged as to afford ready access for cleaning the cooler.

(6) Regenerative heater-coolers shall be so constructed and maintained as to prevent access of the unpasteurized milk into the pasteurized milk.

(7) Solder shall not be used on the metal separating the pasteurized milk from the unpasteurized milk.

BOTTLING EQUIPMENT

24. Milk shall be bottled and capped at the plant where pasteurization takes place and in accordance with the following conditions,—

(a) bottling shall be done in mechanical equipment which can be readily cleaned and which does not expose the milk to contamination during the operation;

(b) the equipment and the operation shall be such that a uniform mixture of the milk is added to each bottle;

(c) no unpasteurized milk shall be bottled or come in direct contact with bottling equipment used for pasteurized milk.

CAPPING EQUIPMENT

25. Bottles shall be capped by mechanical equipment and hand capping shall not be permitted.

COLD STORAGE FACILITIES

26. Adequate cooling facilities and cold storage shall be provided in the pasteurization plant for the pasteurized milk and that held in storage prior to processing.

CLEANSING EQUIPMENT

27. Containers and other equipment used in the processing or handling of milk shall be washed and disinfected in equipment satisfactory to the Department.

PASTEURIZATION

28.—(1) The operation of the pasteurizer or holding vat shall be such that the variation in temperature between the hottest and coldest sections of the milk shall not exceed one degree Fahrenheit.

(2) The temperature of the milk in the pasteurizer at any time shall be taken as that shown on the indicating thermometer rather than the recorder.

(3) The temperature shown by the recording thermometer shall be checked daily by the operator against the indicating thermometer and shall be adjusted to read at no time higher than the indicating thermometer.

(4) The bulbs of the thermometers shall be placed as close together as practicable and at the point of lowest temperature in the pasteurizer or holder.

29.—(1) No recording chart shall be used for a period which will interfere with the clarity of the record or which will permit overlapping of graphs.

(2) The person in charge of the recorder shall sign every chart and shall see that the following information is recorded thereon,—

(a) the date of each operation of the pasteurizer or holder;

(b) the number of the pasteurizer or holder, if more than one is in use, to which the recorder was attached;

(c) a recording of the indicating thermometer at some time corresponding with a marked point in the holding period.

(3) Where more than one recording thermometer is in use, the chart shall be numbered in such a manner as to indicate the recording thermometer which was used for such chart.

(4) The operator shall keep every chart for a period of three months after the date thereof.

30. The cover of the pasteurizer shall be kept closed, during the holding period and until the milk is removed, except in case of emergency.

31.—(1) Any milk which has been contaminated subsequent to pasteurization shall be repasteurized, but milk which has come into contact with contaminated machinery or has overflowed from routine operations shall not be used for domestic consumption.

(2) If any milk accidentally passes through equipment without proper treatment such equipment shall be sterilized before it is used again.

32.—(1) Any equipment used for pasteurization and subsequent handling of the milk shall be given a bactericidal treatment by steam, hot water or other disinfectant approved by the Department when assembled, immediately prior to the day's operations.

(2) Every valve shall be thoroughly steamed or disinfected before being used.

33.—(1) No piping, pumps or equipment with which pasteurized milk comes into contact shall be used in the handling of unpasteurized milk or other contaminated material, nor shall any connection be permitted between unpasteurized and pasteurized milk.

(2) Every valve and pipe connection to or from a pasteurizer or holder shall be disconnected during the holding period, and when not in actual use.

COOLING MILK BEFORE PASTEURIZATION

34. Milk which is or is likely to be held for more than two hours in the plant before pasteurization shall be cooled to 50 degrees Fahrenheit or lower upon arrival, and shall be held at such temperature until pasteurization begins.

UNPASTEURIZED AND PASTEURIZED MILK IN THE SAME PLANT

35. No unpasteurized milk shall be bottled in any pasteurization plant or placed in containers for delivery to consumers.

PRODUCTS OTHER THAN MILK

36. No products other than milk products and products of which milk is a substantial component shall be handled or processed in a pasteurization plant unless equipment entirely separate from equipment used in pasteurization is used and the handling or processing is carried on in a separate room.

CLEANING OF EQUIPMENT IN THE PLANT

37.—(1) Every container and any equipment which comes into contact with or is used in the handling of milk shall be thoroughly cleaned and subjected to effective bactericidal treatment after each use, and at least once each day.

(2) All demountable apparatus including piping, pump parts, valves and pipe fittings shall be taken down daily for cleaning, and after cleaning, shall be stored on racks or other places protected from contamination.

(3) Every can, tank and other container used for transporting milk to a pasteurization plant shall be thoroughly cleaned and subjected to effective bactericidal treatment before leaving the plant, and such can, tank and other container shall not be used for transporting milk or other products from the pasteurization plant.

STORAGE AND HANDLING OF CONTAINERS

38.—(1) All bottles, cans, containers and equipment shall be stored, after cleaning, in such manner as to protect against drainage, dust, flies and other contamination.

(2) During storage and when in operation the interior of every container and any surface thereof exposed to milk shall be protected against manual contact and other sources of contamination.

STORAGE OF BOTTLE CAPS

39. All bottle caps and other paper or parchment which comes into contact with milk shall be purchased and stored in sanitary tubes or cartons, and shall be kept free from contamination and in a clean dry place until used.

QUALITY OF MILK REACHING THE PLANT

40.—(1) Unpasteurized milk reaching a pasteurization plant for pasteurization or processing shall be clean, cool and of good quality.

(2) Any milk which is tainted, soured, unpalatable, or otherwise unsatisfactory shall be rejected at the pasteurization plant, and shall be returned to the shipper or disposed of at his direction.

41.—(1) Milk which is to be, or is intended to be pasteurized shall be cooled within two hours after milking to a temperature of 50 degrees Fahrenheit or lower, and the milk reaching the pasteurization plant, unless to be pasteurized within two hours after milking, shall not have a temperature higher than 60 degrees Fahrenheit.

(2) Where there is a long interval between milking and delivery to the plant the temperature shall be kept below 50 degrees Fahrenheit.

DELIVERY OF MILK

42. All milk, except that sold in wholesale quantities, shall be delivered in glass bottles or other containers satisfactory to the Department, and every such container shall be labelled with the word "pasteurized", and the name of the operator in capital letters of eight point size or larger.

43.—(1) Every vehicle used for transportation or delivery of pasteurized milk shall be so constructed and maintained as to protect the milk from excessive heat and contamination.

(2) Every such vehicle shall be kept clean and shall not be used for transporting anything likely to cause contamination of the milk or the containers.

PERSONNEL IN PASTEURIZATION PLANTS

44. Every pasteurizing and processing operation shall be under the direct supervision of a person having an adequate knowledge of such operations.

45.—(1) Every person whose work brings him into contact with the pasteurizing, processing or handling of milk, or the handling of containers or equipment shall be free from, and shall not be a carrier of, any disease which may be spread through the medium of milk.

(2) Every such person shall satisfy the medical officer of health of the municipality of which the milk is sold or delivered as to his freedom from such diseases, and shall submit to such examinations and tests as the medical officer of health or the Department may require.

(3) When any operator believes or suspects that any employee is suffering from any such disease the operator shall forthwith notify the medical officer of health of the municipality in which the milk is sold or delivered.

(4) Upon evidence satisfactory to the Department that any such person has failed to satisfy any of the requirements of this section, the Department may direct the operator of the plant in which such person is employed to see that such person is not employed in any work which may bring him into contact with the pasteurizing, processing or handling of milk or the handling of containers or equipment, and every such operator shall carry out the direction of the Department.

46.—(1) Any person employed in a pasteurization plant shall be clean in habits, wear clean, washable outer garments, and keep his hands clean while engaged in work.

(2) No person shall spit, smoke or use tobacco in any form in any part of the plant in which milk is processed or handled.

(Regulation 47 revoked by Ontario Regulation 86/51)

CERTIFICATE

Certificate No..... Form P.

Approval of Pasteurization Plant

It is HEREBY CERTIFIED THAT the pasteurization plant operated by..... at..... has complied with the regulations made pursuant to clause (zb) of section 5 of *The Public Health Act*, and that the Department hereby issues its certificate of approval for the said pasteurization plant. This certificate expires on.....

Dated at Toronto this.....day of..... 19.....

Crest and Seal

Director, Sanitary Engineering Division for the Ontario Department of Health.

Regulations 489

(Ontario Regulations 231/44)

REGULATIONS MADE BY THE MINISTER UNDER THE PUBLIC HEALTH ACT

INTERPRETATION

1. In these regulations,—

- (a) "Department" shall mean Department of Health;
- (b) "operator" shall mean every person who by himself or by his agents owns or operates a summer camp; and
- (c) "summer camp" shall mean a camp or summer resort consisting of one or more tents, cabins, vehicles, buildings or other structures together with the land appertaining thereto, established or maintained as living quarters, with or without charge, for ten or more persons for temporary occupancy of three or more days but not labour camps, agricultural camps, construction camps or other premises commonly known as highway tourist camps or boarding houses and lodging houses for tourists.

LICENSE

2.—(1) No summer camp shall be opened, operated or accommodation offered until a license so to do has been obtained from the Department by the operator.

(2) Every license shall expire on the last day of the calendar year in which the license is issued and shall be renewed each year.

(3) The Department may suspend or revoke any license if the Department is satisfied that the summer camp for which the license was issued does not comply with these regulations.

DUTY OF OPERATOR

3. It shall be the duty of the operator to see that these regulations are observed.

SITE OF CAMP

4. Every summer camp shall be located on a site that is well drained, and not in an environment prejudicial to health.

EMPLOYMENT OF PERSONS

5. No person suffering from or known to be capable of transmitting a communicable disease shall be admitted to or employed in any summer camp.

DUTIES OF ATTENDANT

6. Every summer camp shall be under the continuous supervision of an attendant who shall exercise every reasonable effort to keep the camp in a clean and sanitary condition and to afford reasonable protection to those using the camp.

SUPERVISION

7. Every summer camp accommodating children under sixteen years of age shall be under the direct care and supervision of a responsible and competent adult.

MEDICAL CARE

8. Adequate medical care shall be provided at or conveniently available to all summer camps.

BUILDINGS

9. Adequate sleeping accommodation shall be provided for each occupant of the camp and the arrangement of sleeping places, the number of beds in relation to floor area and ventilation in tents and other buildings shall meet generally accepted standards.

10. Ventilation in sleeping quarters, kitchens, dining rooms and other buildings shall be such as to provide a reasonable movement of air and to assure the comfort of the occupants.

11. The doors and windows of kitchens, dining rooms and other buildings shall be adequately screened.

12. All permanent buildings in which persons are housed shall provide ready exit in case of fire and shall be equipped with sufficient fire extinguishers or other fire fighting apparatus.

WATER SUPPLY

13.—(1) Every summer camp shall be provided with an adequate water supply for drinking and domestic purposes and only water which is of safe, sanitary quality shall be delivered to the camp or be accessible to the occupants for drinking or domestic use.

(2) The water supply shall be readily available for camp use and shall be placarded as the camp water supply.

(3) Wells or springs used as sources of water supply shall be so constructed and located as to preclude their pollution by seepage or drainage from any source.

(4) No common drinking cup shall be used but sanitary drinking fountains or individual drinking cups may be used.

SANITARY FACILITIES

14. All tents, buildings and grounds of summer camps shall be maintained in a clean and sanitary condition at all times.

15. Every summer camp shall be provided with convenient and sufficient sanitary accommodation properly designated for each sex, and such facilities shall be so located, constructed and maintained that they

will not be offensive, become breeding places for flies or cause pollution of any adjacent waters.

16. All toilet seats shall be thoroughly scrubbed daily with soap or alkali solutions and all privies and buildings containing sanitary accommodation shall be equipped with self-closing, tight-fitting doors and all windows, doors and other openings shall be screened against flies.

17. Sewage, night-soil from privies, sink wastes, laundry water, bath water and other liquid wastes from the camp shall be disposed of in a sanitary manner and all such deposited material shall be covered immediately with earth to a depth of at least nine inches, and shall not be deposited in any area likely to cause pollution of any water supply.

18. Laundry operations shall not be carried on in natural waters adjacent to or within any summer camp.

MILK AND FOOD SUPPLIES

19. Only milk, cream or other milk products which have been pasteurized in a pasteurization plant to which a certificate of approval has been issued under the regulations regarding milk pasteurization plants shall be sold, offered for sale, delivered to or used in any summer camp.

20. Adequate facilities shall be provided for storage, handling and protection of food and milk supplies and cold storage shall be available for storing all perishable foods.

DISHWASHING

21.—(1) Adequate facilities including a plentiful supply of hot water shall be provided for washing all dishes and utensils used at the camp.

(2) Dishes and utensils shall be washed free from all grease and film, using soap or other washing compounds, and shall then be immersed for at least two minutes in warm water containing at least one hundred parts per million of available chlorine.

REFUSE

22. Covered, water-tight metal receptacles shall be provided in convenient locations for depositing refuse and camp litter and all such refuse shall be collected daily and burned, buried or removed so that no nuisance or offence is created.

BATHING FACILITIES

23.—(1) Children under the age of sixteen years shall not be permitted to bathe at swimming pools or bathing beaches unless under the supervision of a competent attendant trained in life saving procedure.

(2) Suitable life saving equipment shall be available at such swimming pools or bathing beaches.

(3) Where swimming pools are provided they shall be operated in conformity with the regulations of the Province for such pools.

(4) Where bathing beaches or other bathing areas are in use the water shall be free from dangerous pollution.

LIGHTING

24. All buildings and all sanitary accommodation in summer camps shall be adequately lighted.

REVOCATIONS

25. All regulations heretofore made under clause *ze* of section 5 of *The Public Health Act* are revoked.

Regulations 490

(Ontario Regulations 197/44)

REGULATIONS MADE BY THE MINISTER UNDER THE PUBLIC HEALTH ACT

INTERPRETATION

1. In these regulations "pool" shall mean a swimming pool operated in connection with any school, hospital or educational institution, or any Y.M.C.A. or Y.W.C.A., or any athletic association and a swimming pool to which public patronage is invited but shall not include a pool used only for therapeutic purposes.

TEMPERATURE

2. The water in a swimming pool shall not be artificially heated to a temperature above seventy-two degrees Fahrenheit.

3. The room containing the pool shall be ventilated in a manner satisfactory to the local medical officer of health.

4. The temperature of the air at an artificially heated pool shall not be permitted to become more than eight degrees Fahrenheit warmer or more than two degrees Fahrenheit cooler than the water in the pool, at any time when the pool is in use except in the case of a pool operated in the summer as an open air pool.

SANITATION

5.—(1) The owner of a pool shall provide facilities for the effective cleaning of the person of all bathers before entering the pool and the use of such facilities shall be compulsory.

(2) The owner of every pool shall maintain, in connection therewith, sanitary conveniences located adjacent to and opening into the dressing or shower bath rooms.

(3) Such facilities and sanitary conveniences shall be inspected and approved by the local medical officer of health.

APPROVAL

6. A pool shall not be used without the approval of the local board in writing and under the signatures of the local medical officer of health.

CAPACITY OF POOL

7.—(1) The number of bathers using a pool during any twenty-four hour interval shall not exceed twenty persons for each thousand gallons of clean water added to such pool during that period, and at no time shall the number of bathers exceed three persons per one thousand gallons total capacity.

(2) The term clean water as used shall be interpreted to mean new, clean water used to refill the pool or new, clean water used to replace loss by splashing or during cleaning or water taken from such pool and

returned after effective filtration, or any combination of such waters.

WATER IN POOL

8. At all times when the pool is in use the water shall be reasonably free from algae growths and sufficiently clear to permit a black disk six inches in diameter, on a white field, when placed at the bottom of the pool at the deepest point, to be clearly visible from the side-walks of the pool at all distances up to ten yards measured from a line across the pool through said disk.

9. There shall be maintained in the water of a pool during the bathing period, an amount of available excess chlorine not less than 0.2 parts per million, and such excess shall not be more than 0.5 parts per million, as determined colorometrically with recognized standard ortho-tolidin solution.

10. Whenever alum or sulphate of alumina are used in connection with the purification or re-purification of pool waters, the water at all times, when the pool is in use, shall show an alkaline reaction to methyl red.

RE-CIRCULATION OF WATER

11. The connection for the re-circulation of water in a pool shall be made at a point which will permit of effective drainage of the floor of the pool, and every pool shall be provided with a scum gutter at or near water level of sufficient depth to preclude re-entry of drainage, and all such gutters shall be connected through a handhole trap to a sewer.

FLOORS

12. The floors of all areas adjacent to a pool, shower and dressing rooms shall be drained to the satisfaction of the local medical officer of health and every such floor shall be constructed of impervious material.

BATHING SUITS AND TOWELS

13. Bathing suits and towels shall be washed and handled in a manner satisfactory to the local medical officer of health.

SUPERVISION

14. Each swimming pool shall be under the supervision of a responsible and trained operator and no bathing shall be permitted in the absence of such supervision.

REVOCATION

15. All regulations relating to pools heretofore made under section 5 of *The Public Health Act* are revoked.

Regulations 491

(Ontario Regulations 106/50; 212/50)

REGULATIONS MADE UPON THE RECOMMENDATION OF THE MINISTER UNDER THE PUBLIC HOSPITALS ACT

1. Notwithstanding any regulation made under this Act relating to capital grants, where a hospital in Group B in a city in a territorial district builds an addition whereby the number of beds is increased by at least 120, a capital grant in an amount not exceeding \$2,500 for each bed may be paid to that hospital.

(Note: Regulation 2, setting an expiry date, was revoked by O.Reg. 212/50.)

Regulations 492

(Ontario Regulations 43/45; 5/48)

REGULATIONS MADE BY THE LIEUTENANT-GOVERNOR IN COUNCIL UPON THE RECOMMENDATION OF THE MINISTER UNDER THE PUBLIC HOSPITALS ACT, R.S.O. 1937, CHAP. 390

MANAGEMENT AND OPERATION

1.—(1) Every hospital shall be governed and managed by a board appointed or elected in accordance with the provisions of the authority whereby the hospital is established.

(2) The president of the medical staff of the hospital shall be *ex officio* a member of the board.

(3) The board shall have power to govern, manage and operate the hospital and shall be responsible for the due observance and enforcement of the Act, the regulations, and the by-laws.

SUPERINTENDENT

2.—(1) The superintendent of a hospital shall be responsible to the board for the due observance and enforcement of the Act, the regulations, and the by-laws, and he shall be the officer representing the hospital with whom the Minister, the inspector and the other officers of the Department shall ordinarily deal with regard to hospital matters.

(2) Subject to the by-laws and directions of the board, the superintendent shall have control over the admission, discharge and accommodation to be furnished to patients.

(3) Where, in the opinion of the medical practitioner attending a patient, the condition of such patient makes it advisable for the relatives of the patient or any other persons to be present in the hospital, the superintendent shall be responsible for the notification of such relatives or other persons of the patient's condition.

BY-LAWS

3. Every board shall pass by-laws for the purpose of carrying out the provisions of the Act and the regulations, and unless the Lieutenant-Governor in Council otherwise directs, the by-laws of every board shall provide for,—

- (a) the appointment of and prescribe the functions of the superintendent;
- (b) the appointment of and prescribe the functions of a medical and surgical advisory committee and a medical and surgical staff, referred to in these regulations as the "medical staff";
- (c) the appointment of and prescribe the functions of a nursing staff;
- (d) the establishment of an administrative and accounting system; and
- (e) the appointment of an auditor.

FISCAL YEAR

4. Notwithstanding any provision of the by-laws of any hospital, the fiscal year of every hospital shall be the calendar year.

ANNUAL MEETING

5. Notwithstanding any provision of the by-laws of any hospital, or any provision of any general or special act under which any hospital was created, established or incorporated, the annual meeting of every hospital shall be held between the first day of January and the last day of April, on a date to be determined by the board.

6. Notwithstanding any provision of the by-laws of any hospital, or any provision of any general or special act under which any hospital was created, established or incorporated, the board shall have authority to determine the dates on which all meetings of the board are to be held.

7. Notwithstanding any provision of the by-laws of any hospital, or any provision of any general or special act under which any hospital was created, established or incorporated, the words "medical and surgical advisory board" where they appear therein shall mean "medical and surgical advisory committee."

8. Notwithstanding any provision of the by-laws of any hospital or any provisions of any general or special act under which any hospital was created, established or incorporated, the board shall have power to suspend or dismiss at any time any member of the medical staff of such hospital upon the recommendation or with the consent of the medical and surgical advisory committee.

INSPECTION

9.—(1) The inspector shall perform the duties assigned to him by the Minister or Deputy Minister and shall have power with respect to any hospital to,—

- (a) administer and enforce the Act and the regulations;
- (b) inspect and make inquiries regarding the premises, management and operation;
- (c) require that returns, reports, statements and other information relating to the hospital be furnished to him or to the Minister, periodically or otherwise, by the superintendent or any other officer or member of the staff of the hospital;
- (d) collect and compile such information and make such reports, returns and statements as the Minister may require;

- (e) examine and audit books, accounts, records and funds, and, where necessary, remove them into the custody of the Department;
- (f) investigate the financial condition of any person who is an indigent patient and require information with respect to the financial condition of such person to be furnished to him by any person in possession of such information;
- (g) investigate any matter affecting a hospital or hospitals in general and require information with respect to any such matter to be furnished to him by any person in possession of such information.

10. Every application, report, return, statement or other written communication required to be made or furnished to the Minister, Deputy Minister, inspector or Department under the Act or these regulations shall be sent to the Inspector of Hospitals, Department of Health, Parliament Buildings, Toronto.

ESTABLISHMENT

11. Every application for the approval of the Lieutenant-Governor in Council of the creation, establishment, incorporation, operation or use as a hospital of any institution, building or other premises or place shall be in writing and shall be forwarded to the inspector together with such plans, drawings, specifications, particulars and other information as the Minister may require.

ENLARGEMENT

12. No hospital shall be altered by enlarging or remodelling unless the Minister has given his approval in writing, and every application therefor shall be made in writing and shall be forwarded to the inspector together with such plans, drawings, specifications, particulars and other information as the Minister may require.

APPLICATION OF R.S.O. 1937, c. 199

13. Every contract for the construction, remodeling, renewal, repair or demolition of a hospital shall comply with the provisions of *The Government Contracts Hours and Wages Act*, R.S.O. 1937, c. 199.

FIRE PRECAUTIONS

14. In every hospital there shall be a system of fire control and provision for fire extinguishment.

15. Unless exempted by the Minister, every hospital shall be equipped with an electrically or manually operated fire alarm system so installed as to effectively attract the attention of persons in every part of the hospital except those portions which the Minister may exclude from the provisions of this regulation.

16. The superintendent shall cause the nurses and employees of the hospital to be instructed as to the location and operation of fire-fighting equipment.

17. The superintendent of every hospital shall cause all nurses and employees to be regularly instructed and trained in their duties in case of a fire alarm, particu-

larly with respect to the handling of mattresses and stretchers and the removal of patients from the hospital.

18. Such stretchers as may be required for the removal of patients from the hospital in case of fire or other emergency shall be kept in convenient locations in the hospital.

19. In every hospital there shall be at least two independent means of egress from every floor and from every separate section of a floor.

20. In every hospital all exit facilities and fire escapes shall be of a type suitable for the removal of patients in case of fire and shall be so lighted that they may be used with safety at night.

21. Nitrocellulose x-ray films shall not be used or stored in the hospital, provided that such quantity of films as may be necessary for current reference may be kept within the hospital in a fireproof container.

22. In every hospital, sheets used for tenting in steaming treatments shall be so treated that they will not burn with a flame.

23. Where possible, every hospital shall be equipped with sufficient standpipes and hose to permit of effective fire fighting in any part of the hospital, including the basement, without using hose of a greater length than seventy-five feet, and shall also be equipped with sufficient chemical or other hand-operated fire extinguishers to afford ample protection against an incipient fire in any part of the hospital.

24. The superintendent shall charge the engineer or some other qualified person with the inspection of the hospital at least once each month and such person shall submit to the superintendent on forms prescribed by the Minister, a written report on conditions pertaining to fire hazard, fire-fighting equipment and facilities and provisions for the removal of patients in case of fire or other emergency, and such reports shall be kept on file by the superintendent for a period of not less than two years.

EQUIPMENT

25. Every hospital shall be furnished and equipped in a manner and to a degree consonant with the character of and the hospitalization service carried on by the hospital.

ISOLATION

26.—(1) Every hospital shall provide suitable accommodation for the temporary isolation of patients suspected of suffering from a communicable disease until a proper diagnosis can be made.

(2) When a patient is found to be suffering from a communicable disease, immediate steps shall be taken to isolate such patient to prevent the spread of the disease.

NURSING STAFF

27. Every hospital shall employ a sufficient nursing staff and at least one registered nurse shall be on duty at all times.

PATIENTS' REGISTER

28. Every hospital shall keep a register of patients in the form prescribed by the Minister.

29.—(1) An index number shall be issued to every patient upon his admission to the hospital, such numbers to be issued in numerical order, and all records pertaining to a patient shall be indicated by such number followed by the final two digits of the hospital year for which the number is issued.

(2) The index numbers shall commence with number one at the beginning of each hospital year, provided that a patient remaining in the hospital at the end of the hospital year shall retain the index number assigned to him upon admission.

(3) For the purposes of this regulation, a baby born in a hospital shall be deemed to be an admitted patient.

STAFF MEETING

30.—(1) The members of the medical staff shall each year hold a general meeting.

(2) At such meeting the members of the medical staff shall by a majority vote,—

- (a) determine a time and place at which a meeting of such staff shall be held each month;
- (b) elect a president and secretary;
- (c) determine the time and place of subsequent annual meetings at each of which a president and secretary shall be elected.

31.—(1) The secretary shall present at each meeting a report of the professional work done in the hospital since the preceding meeting, and shall keep a record of the proceedings at each meeting.

(2) The regular business of the meeting shall include a discussion of the report submitted by the secretary, and there shall be no abstract discussion of a scientific or medical subject until such business has been determined.

(3) The secretary shall present in writing to the superintendent for the information of the board a copy of the report mentioned in subregulation 1 with any recommendations made by the medical staff.

FEES

32. No medical practitioner who is a member of the staff of the hospital shall give to or receive from any practitioner any part of the fees received from a patient unless the division of such fee is clearly indicated on the account rendered the patient.

33. No medical practitioner shall charge any fee for attendance upon any patient for whose treatment a municipality is liable under the provisions of *The Public Hospitals Act* except where a patient is admitted to a public ward as a municipal charge and

- (a) during treatment it becomes known to the superintendent that such a patient is not indigent, such patient may select the medical

practitioner who shall attend him, and the attending medical practitioner whether so selected or not, may then charge a fee for his attendance; or

- (b) where a medical practitioner who is a member of the staff examines and certifies concerning the incapacitation of such patient under the provisions of *The Mothers' Allowances Act* and the regulations thereunder.

DUTIES IN CASE OF ILLNESS OR ABSENCE

34. In the event that any member of the medical staff of a hospital is unable through illness, absence or other cause, to perform his hospital duties, he shall immediately notify the chief of the service in which he is engaged, or the president or secretary of the medical staff, who shall notify the superintendent, and such chief of service, president or secretary shall arrange for the appointment of a substitute to take care of public patients.

35. Any medical practitioner who is in charge of the treatment of any private patient shall, in the event that he is unable to fulfil his duties with respect to such patient, arrange for a substitute practitioner satisfactory to the patient or his relatives or his friends, and shall so advise the superintendent.

36. In the event that the superintendent has reason to believe that a medical practitioner is unable by reason of illness, absence or other cause, to fulfil his duties with respect to a private patient, the superintendent shall inform the president or secretary of the medical staff who shall notify the patient or his relatives or his friends.

ADMISSIONS

37. No person shall be admitted as a patient in any hospital without the consent of the superintendent or person acting in his place.

38. Every medical practitioner who sends any person to a hospital to be admitted as a patient therein shall be responsible for giving such information to the superintendent or person acting in his place as may be necessary to assure the protection of others from any such person who, by reason of any fact, may constitute a danger to other patients.

39. Any patient for whose treatment the hospital receives any payment from a municipality shall be attended by the active medical staff and shall be assigned to the appropriate service or if there is no service division such patients shall be assigned to the active medical staff in rotation.

40. Any patient for whose treatment the hospital receives no payment from a municipality and who has no attending medical practitioner shall be assigned to members of the active medical staff on service in rotation, but in the case of any patient requiring special care, assignment shall be at the discretion of the chief of service or, if there be no division into service, at the discretion of the president of the medical staff.

41.—(1) Any person who has been admitted to any hospital for treatment or observation shall, after such treatment or observation has been completed, or when discharged, immediately leave the hospital premises.

(2) Where a child actually or apparently under sixteen years of age has been admitted to a hospital for treatment or observation, the parent, guardian or other person who is under a legal duty to provide necessities for the child, shall, after such treatment or observation has been completed or when the child is discharged, immediately remove him from the hospital premises.

LABORATORY

42. A clinical laboratory shall be provided in the hospital and special examinations which cannot be made in such laboratory shall be referred to a competent laboratory and the reports shall become part of the patient's case record.

43.—(1) Any tissues or sections of tissues removed at operation or curettage shall be immediately set aside by the surgeon operating and shall be forwarded by the superintendent with a short history of the case and a statement of the findings at the operation to a competent laboratory for examination, provided that any tooth, tonsil, prepuce, hemorrhoid, finger, toe, hand, foot, arm or leg removed or amputated shall not be so forwarded unless the surgeon desires a special examination.

(2) The pathological report received from the laboratory shall become part of the patient's case record.

ORDERS FOR TREATMENT

44. Subject to the provisions of these regulations, all orders for treatment shall be in writing either on the treatment sheet or in the book provided for this purpose and shall be signed by a medical practitioner.

45.—(1) Telephone orders may be dictated to persons designated by the superintendent.

(2) Such orders shall be recorded and signed by the person receiving them, with date, time and the name of the medical practitioner giving the order.

(3) Upon the medical practitioner's next attendance at the hospital any such order shall be signed by him or any medical practitioner authorized by him.

CASE RECORDS

46. A medical history, with result of physical examination and provisional diagnosis, shall be made in writing within seventy-two hours of the patient's admission to the hospital.

47. The board of every hospital shall be responsible for the preparation of a complete medical record of every patient, including identification, complaint, present history, family history, physical examination, special reports such as reports of consultations, laboratory examinations, x-ray, provisional diagnosis, medical or surgical treatment, pathological findings, progress notes, reports of operations and anaesthesia, final diagnosis, condition on discharge and follow-up records, and in the event of death, a copy of the death certificate, and the board shall require the medical staff, medical internes or clinical clerks of the hospital to prepare such records.

48. No record which is the property of any hospital shall be removed or inspected, nor shall information

contained therein be disclosed to any person except under the following circumstances:

- (a) upon the request of the superintendent of any other hospital, or the patient's attending physician;
- (b) to any person upon a written request signed by the patient;
- (c) in the event of the death or incapacity of the patient, upon a written request signed by the next of kin;
- (d) upon the direction of the inspector;
- (e) for academic or teaching purposes by the medical staff of the hospital;
- (f) upon the order of a court of competent jurisdiction;
- (g) upon the request of the Department of Veterans Affairs (Canada) made with respect to a patient who is a member or ex-member of the military, naval, or air force of Canada.

OPERATIONS

49. No surgical operation shall be performed on any patient in a hospital without the consent in writing signed by the patient or his legally qualified representative provided that where the patient is unable to give consent and where, in the opinion of the surgeon, delay would endanger the patient's life, such consent shall not be necessary.

50. A complete history, a complete physical examination, any necessary laboratory investigations, and a written pre-operative diagnosis shall be furnished by the operating surgeon or any medical practitioner authorized by him before a patient is submitted to any anaesthetic or surgical operation, provided that where the surgeon is of opinion that the delay occasioned in obtaining such history and examination would be detrimental to the patient, he shall so state in writing and in such event the pre-operative diagnosis shall be furnished in writing and signed by the operating surgeon.

51. Every operation performed in a hospital shall be fully described in writing by the surgeon or any medical practitioner authorized by him and such written description shall form part of the patient's record.

52. Every anaesthetist shall furnish a record showing the type of anaesthetic given, amount used, length of anaesthesia and the condition of the patient before and following the operation.

53.—(1) Where a patient is admitted to a hospital in the condition of abortion, or threatened abortion, or where therapeutic abortion is indicated, or where a dilatation or curettage is to be performed, two legally qualified medical practitioners shall examine the patient and shall make and sign records of their findings and recommendations before any operative interference is carried out.

(2) This regulation shall not apply in the case of a patient in the post-menopausal period.

54. Before any major operation is performed on any indigent patient, a member of the surgical staff shall be called into consultation and shall record his opinion in writing and such opinion shall form part of the patient's record.

BLOOD DONORS

55. In the case of every professional donor, that is, every person who receives any money for donating his blood to be transfused into any patient, the hospital shall keep a record showing,—

- (a) the name and address of the professional donor;
- (b) the record of a blood Wasserman or blood Kahn test at least every six months;
- (c) a record of the test showing the blood-grouping of the donor;
- (d) the date and quantity of blood removed from such donor at each transfusion.

MATERNITY PATIENTS

56. The medical practitioner attending any maternity patient shall report to the chief of the obstetrical service, or, if there be no division into service, to the superintendent of the hospital the existence or suspected existence of puerperal sepsis or puerperal fever in any such patient.

57. It shall be the duty of the chief of the obstetrical service or, if there be no division into service, it shall be the duty of the superintendent to take such action as will ensure effectual isolation of any such patient.

58. Any nurse having the care or partial care of any such patient shall be excluded from nursing any other obstetrical or surgical patient.

59. Any maternity patient who is admitted to the hospital in labour or just prior to labour and who shows evidence of being infected shall be treated both before and after delivery in a room separated from other patients, and any nurse having the care or partial care of any such patient shall be excluded from nursing any other obstetrical or surgical patient.

60. The superintendent shall, within twenty-four hours of any death occurring in the hospital as a direct or indirect result of pregnancy, forward to the Minister a report of such death on forms furnished by the inspector.

61. The superintendent shall, within twenty-four hours after a stillbirth or neo-natal death occurring in the hospital, forward to the Minister a report of such stillbirth or neo-natal death on forms furnished by the inspector.

62. A consultation shall be held by two or more members of the active staff on every indigent patient who is critically ill and the findings shall be recorded on the medical record of such patient.

63. A consultation shall be held by two or more members of the active staff on every indigent patient remaining in the hospital for more than thirty days, and thereafter at least every three weeks during the

entire stay of the patient, and the findings shall be recorded on the medical record of such patient.

POST MORTEM EXAMINATIONS

64. When a post mortem examination has been performed on the body of any patient, an autopsy report signed by the medical practitioner who has performed such examination shall be filed in the patient's record by the superintendent of the hospital.

HOSPITAL EMPLOYEES

65.—(1) For the purpose of these regulations hospital employees are divided into Group 1 and Group 2.

(2) Group 1 employees shall be composed of:

- (a) graduate and student nurses;
- (b) internes;
- (c) graduate and student physiotherapists;
- (d) graduate and student occupational therapists;
- (e) nurses' assistants, ward maids and ward orderlies;
- (f) laboratory technicians;
- (g) X-ray technicians; and
- (h) school teachers.

(3) Group 2 employees shall be composed of all hospital employees not listed in subregulation 2.

66.—(1) Every Group 1 employee now employed shall receive a tuberculin test and an X-ray film of the lungs within 30 days of the date this regulation comes into force.

(2) An employee referred to in subregulation 1 who has been tested and has been found to have a positive reaction shall not be required to take another tuberculin test.

(3) Every Group 1 employee hereafter employed shall receive a tuberculin test and an X-ray film of the lungs within 30 days of employment.

(4) A physical examination of student nurses shall be made annually.

(5) Every Group 1 employee who has a negative tuberculin reaction shall receive an additional tuberculin test within 6 months from the date of the first test and shall receive an additional test within 6 months from the date of each test where the result of the test is negative.

(6) Employees referred to in subregulation 5 shall receive an X-ray film of the lungs annually.

(7) Every Group 1 employee who is found to have a positive tuberculin reaction shall receive an X-ray film of the lungs forthwith and every 6 months thereafter.

(8) Every Group 1 employee whose X-ray film shows evidence of abnormal shadowing shall forthwith receive further examination to determine the nature of the disease.

(9) No tests other than the intradermal (Mantoux) test, using 1/20 of a milligram of Old Tuberculin, or

the patch test shall be used in the test given under this regulation.

(10) Notwithstanding the provisions of sub-regulations 1 and 3, the record of the result of the tuberculin test and the X-ray film of the lungs of an employee, if the employee was examined within 4 months prior to the date this regulation comes into force, may be accepted in place of the tests and X-ray films prescribed by subregulations 1 and 3.

67.—(1) Every Group 2 employee now employed shall receive an X-ray film of the lungs within 30 days of the date this regulation comes into force and annually thereafter.

(2) Every Group 2 employee hereafter employed shall receive an X-ray film of the lungs within 30 days of employment and annually thereafter.

(3) Notwithstanding the provisions of subregulations 1 and 2, the record of the result of the tuberculin test and the X-ray film of the lungs of an employee, if the employee was examined within 4 months prior to the date this regulation comes into force, may be accepted in place of the X-ray films prescribed by subregulations 1 and 2.

(4) Every Group 2 employee whose X-ray film shows evidence of abnormal shadowing shall receive forthwith further examination to determine the nature of the disease.

68. No employee found to be suffering from active tuberculosis shall be permitted to work in the hospital and the superintendent shall report the case within 24 hours to the medical officer of health of the municipality in which the employee resides.

69. Where any duly qualified medical practitioner believes or suspects that any person admitted to the hospital is suffering from tuberculosis he shall notify the superintendent forthwith.

70. No employee shall be detailed to care for a patient believed or suspected to be suffering from tuberculosis until he has received instruction as to the necessary technique to protect himself and others against infection, and where possible the employee so detailed shall be a reactor to tuberculin.

71. Every employee who has been employed for 4 months or more shall receive an X-ray film of the lungs upon ceasing to be employed.

RECORD OF EMPLOYEE EXAMINATIONS

72.—(1) The superintendent shall keep a permanent record of all examinations and tests of every employee of the hospital and if requested shall send a copy of every record, including the X-ray films, to The Workmen's Compensation Board or to the Department.

(2) Any officer authorized by the Deputy Minister or Chairman of The Workmen's Compensation Board may inspect the medical records of employees at any time.

73. The hospital shall be responsible for the examination of the employees and any expenses thereby incurred.

73a. Where an employee shows evidence of tuberculosis the superintendent shall give written notice thereof and a complete report of the medical findings within 7 days of the time of diagnosis to The Workmen's Compensation Board.

73b. Nothing contained in regulations 65 to 73a, both inclusive, shall prevent an employee from being employed in a hospital when his disease is inactive.

(Note: Regulation 74 was revoked by O. Reg. 96/47.)

PROVINCIAL AID

75.—(1) Where a hospital named in schedule 1 has its total bed capacity and public-ward bed capacity set forth in schedule 1, provincial aid by way of maintenance grant may be paid to it based upon a *per diem* grant for each public-ward bed shown in schedule 1.

(2) The maintenance grant shall be computed by applying the percentage of annual occupancy of the public ward to the difference between the municipal statutory *per diem* grant and the average daily *per capita* cost of each group, including depreciation on equipment but excluding depreciation on buildings, and exchange and interest on capital debt, and by applying to the result so obtained the percentage which the public-ward bed capacity bears to the total bed capacity of the hospital.

(3) In computing the maintenance grant, the average daily *per capita* cost for a hospital in the groups referred to in schedule 1 shall be as follows:

Group A hospital—	\$4.43
Group B hospital—	3.84
Group C hospital—	3.40
Group D hospital—	3.40
Group E hospital—	2.94
Group F hospital—	2.30
Group G hospital—	2.23

(4) Notwithstanding the provisions of sub-regulation 1, the *per diem* grant to a hospital in each group for each public-ward bed shall not exceed the following amounts:

Group A hospital—	\$1.00
Group B hospital—	.75
Group C hospital—	.60
Group D hospital—	.60
Group E hospital—	.60
Group F hospital—	.64
Group G hospital—	.60

(5) For the purposes of these regulations "maintenance grant" shall mean that portion of provincial aid paid to a hospital for maintenance of patients in its public wards.

76. A maintenance grant may be paid to any hospital which does not receive a maintenance grant under regulation 75 for the treatment of every patient who is an indigent patient or the dependant of an indigent person at the rate of 75 cents for every day up to sixty days that such patient receives treatment in a hospital, and thereafter at the rate of 50 cents a day.

77. In addition to the maintenance grant payable under regulations 75 or 76, a grant may be paid for the treatment of every patient,—

- (a) who is an indigent patient; or
- (b) who is a dependant of an indigent person;

who has actually resided in unorganized territory for the period of three months within the period of six months next prior to admission to a hospital, an amount equal to the amount for which a municipality is liable under section 16 of the Act for each day the patient receives treatment.

78.—(1) Where,—

- (a) a municipality, other than a city, is located in a territorial district; and
- (b) in any year the liability of the municipality for the payment of the charges for treatment under section 16 of the Act exceeds a sum equal to two mills on the total assessment of the municipality;

a maintenance grant equivalent to the excess may be distributed and may be paid to the hospitals to which the municipality is liable in proportion to the liability of the municipality to the hospital.

(2) Upon payment of the amount of the maintenance grant referred to in subregulation 1, the municipality shall be relieved of liability to the extent of the payment.

(Note A: Regulation 79 was revoked by O. Reg. 54/50.)

(Note B: As to capital grants see Ontario Regulations 106/50, *infra*.)

79a. Where the inspector, upon investigation, is of the opinion that any patient admitted to a hospital

was a person liable to be deported under the immigration laws of Canada, and that no steps were taken by the superintendent of the hospital to inform the Department of Immigration of the admission of the patient, no maintenance grant shall be payable for the treatment of the patient.

HOSPITALS FOR INCURABLES

80. No hospital for incurables shall admit as a patient any indigent person except upon two written certificates, each signed by a different legally qualified medical practitioner upon forms furnished by the inspector.

81. If upon investigation of the condition of any patient admitted to a hospital for incurables, the inspector obtains the advice in writing of a duly qualified medical practitioner, that such patient no longer requires to be treated in the hospital as an incurable person, he may issue a certificate in writing to such effect, and thereupon provincial aid and municipal liability shall cease in respect of any further treatment of such patient as an incurable person, until the inspector cancels the certificate issued by him hereunder.

UNPASTEURIZED MILK PROHIBITED

82. No hospital shall use or permit within the hospital premises the use of milk which has not been pasteurized, as provided in section 95a of *The Public Health Act*.

CLASSIFICATION

(Note: Regulation 83 was revoked by O. Reg. 96/47.)

84. Ontario Regulations 215/44 are revoked.

Regulations 493

(Ontario Regulations 59/44; 228/44; 52/45; 17/46; 117/47; 51/48; 29/49)

REGULATIONS MADE UNDER THE PUBLIC LANDS ACT

INTERPRETATION

1. In these regulations,—

“Act” shall mean *The Public Lands Act*;

“adjacent” shall mean within a distance of one and one-quarter miles by land measurement;

“applicant” shall mean and include any person entitled to apply to acquire lands under the provisions of the Act and regulations;

“cultivation” shall mean the clearing, stumping, ploughing and putting land under crop, but the cropping of marsh hay areas shall not be classed as cultivation;

“Department” shall mean the Department of Lands and Forests;

“Deputy Minister” shall mean the Deputy Minister of Lands and Forests;

“dispose” shall mean to vest, sell, locate, lease or cover by license of occupation, public lands;

“lease” shall mean a demise of public lands for the term therein expressed made by His Majesty under the authority of the Act and regulations;

“lessee” shall mean a person to whom public lands have been demised by His Majesty;

“licensee” shall mean a person who has been permitted to occupy public lands under a license of occupation;

“license of occupation” shall mean a license issued under the hand of the Minister or Deputy Minister and the seal of the Department permitting a licensee to occupy the public lands therein described for any purpose approved by the Minister during the pleasure of the Crown;

“locatee” shall mean a locatee as defined by section 35 of the Act;

“Minister” shall mean the Minister of Lands and Forests;

“owner” shall mean a person who is a legally registered owner of lands however acquired;

“permit” shall mean a permit to cut timber on lands located or sold under the Act;

“person” shall include any body, corporate or politic;

“patentee” shall mean an applicant to whom public lands have been sold or located and patent has been issued under the provisions of the Act and regulations;

“purchaser” shall mean an applicant to whom public lands have been sold or located under the provisions of the Act and regulations;

“renewal certificate” shall mean a certificate issued under the provisions of these regulations signed by the Minister or Deputy Minister granting a renewal of a lease of public lands;

“settler” shall mean and include a locatee or purchaser of public lands who is engaged in performance of settlement duties required by the Act and these regulations;

“timber” shall mean all trees having a diameter of 6 inches or more on trunk of tree at 18 inches above ground level.

PREVIOUS REGULATIONS

2. All regulations heretofore made under *The Public Lands Act* are revoked except in so far as regards sales or locations made or authorized prior to the date of the passing of these regulations.

APPLICATION

3. These regulations shall not apply to public lands, which are staked out and are being held under the provisions of *The Mining Act*, nor, save as hereinafter provided, to public lands which have been withdrawn from location, sale or other disposal, by the Lieutenant-Governor in Council.

AGRICULTURAL LANDS

WHAT LAND IS AVAILABLE

4. Before opening any public lands for sale for agricultural purposes, such lands shall be inspected by competent persons appointed by the Minister for that purpose who shall report as to the kinds and quantities of timber thereon, the possible existence of valuable minerals, and the proportion of the lands suitable for cultivation.

5. Unless at least fifty per cent of the land applied for is suitable for agricultural purposes, and is situated,—

(a) within one mile of a public travelled road and within three miles of a school;

(b) within three miles of a school-bus road; or

(c) within an established school-section;

the lands shall not be disposed of under conditions of settlement requiring residence thereon except under clause *b* of regulation 6, clause *c* of regulation 7, clauses *b* and *c* of regulation 8, or regulation 16.

ACQUISITION; CONSIDERATION; CONDITIONS

6.—(a) **FIRST LANDS**—Except as otherwise provided in these regulations all public lands lying north of Lake Nipissing, the Mattawa and French Rivers and Georgian Bay, appropriated for sale for agricultural purposes pursuant to the Act, shall be sold at a minimum price of fifty cents an acre in cash. Except as provided in section 7, 160 acres, more or less, of public lands shall be sold to a purchaser for agricultural purposes and this area shall consist of a lot or half lot, depending on the manner in which the township or territory is surveyed. No person shall, at any time, be permitted to hold or control in any manner whatsoever more than the said amount, namely 160 acres, more or less, of unpatented land, either direct from the Crown or by assignment from or under the original purchaser or by purchase at a tax sale. Save as herein varied, the purchaser of a lot or part lot in townships so surveyed shall perform the duties imposed by section 25 in order to obtain letters patent. Ten per centum of the said lot or part lot shall be placed under cultivation.

(b) **ADDITIONAL LANDS**—The resident owner of not more than 160 acres more or less of patented lands however acquired may buy an additional 160 acres more or less of adjacent agricultural lands in those parts of Ontario referred to above. Letters patent to such additional lands shall not issue until at least ten per centum of it has been placed under cultivation, nor until the expiry of three years from the date of acquiring authorized rights to such lands from the Crown. A purchaser of additional lands shall not be required to go into residence thereon so long as he or she shall continue to own and live on his or her adjacent patented lands.

7.—(a) In the Districts of Timiskaming and Cochrane lots in townships appropriated pursuant to the Act for sale for agricultural purposes shall be divided into lots, half lots, or quarter lots, containing eighty acres, more or less, quarter lots to be designated as the northeast, northwest, southeast and southwest quarters, except where, because of the rocky, broken, or swampy nature of the lands or for any other reason, a different division of lots is deemed advisable by the Minister.

(b) **FIRST LANDS**—In the said Districts of Timiskaming and Cochrane an eligible applicant may be permitted to purchase one lot, or half, or quarter lot, containing eighty acres more or less for agricultural purposes at a minimum price of fifty cents an acre in cash, and no one entitled to purchase land under the Act and these regulations shall be permitted to hold more than one lot, half or quarter lot, containing eighty acres more or less of unpatented lands in the said Districts, either direct from the Crown or by assignment from or under the original purchaser, or by purchase at a tax sale. Save as herein varied, the purchaser of a lot or part lot in townships so surveyed shall perform the duties imposed by section 25 in order to obtain letters patent. Fifteen acres of the said lot or part lot shall be placed under cultivation.

(c) **ADDITIONAL LANDS**—The resident owner of not more than eighty acres, more or less, of patented lands in either of the said Districts, however acquired, who has under cultivation fifty acres may purchase an additional lot, half or quarter lot of agricultural lands

containing eighty acres, more or less, lying adjacent to his or her patented lands. In order to obtain letters patent to such additional lands the purchaser shall bring it under cultivation at the rate of at least three acres per annum until thirty acres have been cultivated. The cultivation of an acreage of the patented lands, up to twenty acres, shall be accepted as part performance of the requirement of cultivation of the additional lands, but the purchaser in any event shall bring under cultivation at least ten acres of the additional lands. A purchaser shall not be required to go into residence thereon so long as he or she continues to own and live on his or her adjacent patented lands. No patent to such additional lands shall issue until three years have elapsed from the date of acquiring authorized rights to such lands from the Crown and no timber shall be cut thereon except in accordance with the provisions of the Act and these regulations.

8.—(a) **FIRST LANDS**—In the case of townships appropriated pursuant to the Act for sale for agricultural purposes, which have been surveyed into lots of 100 or 200 acres, more or less, except in the Districts of Cochrane and Timiskaming, an applicant may be permitted to purchase one regularly surveyed lot or part lot not in excess of one hundred acres. Save as herein varied, a purchaser of a lot or part lot in townships so surveyed shall perform the duties imposed by section 25 in order to obtain letters patent. Fifteen acres of the said lot or part lot shall be placed under cultivation.

(b) **ADDITIONAL LANDS**—The resident owner of 100 acres, more or less, of lands patented for agricultural purposes may apply for and purchase an additional area not exceeding 100 acres, more or less, of adjacent unpatented agricultural lands. In order to obtain letters patent to such additional lands the purchaser or any person acquiring authorized rights thereto from the Crown shall bring it under cultivation at the rate of at least two acres per annum until ten per centum of the area has been cultivated, and shall not be required to go into residence thereon so long as he or she continues to own and live on his or her adjacent patented lands. Letters patent to such additional lands shall not issue until the expiry of three years from the date of acquiring authorized rights thereto from the Crown.

(c) Any person who has obtained letters patent to lands under the provisions of subsections *a* and *b* or who has acquired the interest of the patentee to such lands may apply to purchase a further area of 100 acres, more or less, of adjacent unpatented agricultural lands and such purchaser shall comply with the requirements mentioned in subsection *b* hereof before obtaining letters patent to such lands.

WHO MAY SECURE LANDS

9. An applicant desiring to acquire lands under the Act and these regulations for agricultural purposes shall be eighteen years of age and in the case of a female shall be the sole head of a family with a child or children under eighteen years of age residing with her. The Minister may permit a married woman who has been deserted by her husband for three or more years, and who has a child or children under eighteen years of age residing with her, to acquire land, or may order the transfer to her of any land for which her husband has been an applicant and upon which he has been performing settlement duties. Except in the Districts

of Timiskaming and Cochrane, any person who is the owner, however acquired, of 300 acres or more of lands shall not be eligible to acquire or hold additional unpatented agricultural lands. In the Districts of Timiskaming and Cochrane any person who is the owner, however acquired, of 160 acres or more of agricultural lands, shall not be eligible to acquire or hold additional unpatented agricultural lands. Any person having previously purchased lands from the Crown whose sale or location has been cancelled for non-performance of settlement duties, or who has assigned his or her interests therein, shall not be eligible to purchase further lands until such time as he or she shall have given satisfactory explanation to the Minister for his or her failure to complete settlement duties upon the lands previously located or purchased.

10. An application to purchase public lands for agricultural purposes made by anyone who is not a British subject shall not be entertained unless the applicant signifies his intention of becoming naturalized as soon as he or she is eligible, and in any event patent to any such lands located or sold shall not issue to anyone who is not a British subject by birth or naturalization.

LANDS TO WAR SERVICE MEN

11.—(1) In this regulation "former member of the forces" means a person who,—

- (a) at the time of enlistment was domiciled in Canada;
- (b) served in a theatre of actual war in His Majesty's Active Service Forces or in the Active Service Forces of any of His Majesty's Allies, during the war of,—
 - (i) 1914 to 1918; or
 - (ii) 1939 to 1945; and
- (c) has been,—
 - (i) honourably discharged; or
 - (ii) permitted honourably to resign or retire from His Majesty's Active Service Forces or the Active Service Forces of any of His Majesty's Allies.

(2) In subregulation 1 "theatre of actual war" means,—

- (a) in respect of World War I,—
 - (i) a zone of His Majesty's Active Service Forces or Active Service Forces of any of His Majesty's Allies on the continents of Europe, Asia or Africa, as applied to the military or air forces; and
 - (ii) the high seas or wherever contact has been made with forces of the enemy, as applied to the naval forces.
- (b) in respect of World War II,—
 - (i) any place outside the Western Hemisphere;

- (ii) any place in a sea-going ship of war; or
- (iii) any place in an aircraft outside Canada and the United States of America and the territorial waters thereof.

(3) For the purposes of subclause i of clause b of subregulation 2, "Western Hemisphere" means the continents of North and South America, the islands forming part thereof, and the territorial waters thereof, including Newfoundland, Bermuda and the West Indies, but excluding Greenland, Iceland and the Aleutian Islands.

(4) Application for a free grant of public lands by a former member of the forces shall be in Form 2 and shall be accompanied by a certificate of discharge, resignation or retirement.

(5) Where a former member of the forces makes application for a free grant of public lands, he shall be entitled, subject to subregulations 8, 9, 10 and 11, to a free grant not exceeding 160 acres of public lands appropriated for agricultural purposes.

(6) A free grant under this regulation may be made on the terms and conditions that the applicant,—

- (a) reside on the land for 6 months of the period from the 1st of April to the 30th of November for 3 consecutive years following location;
- (b) construct a habitable house having at least 320 square feet of floor space; and
- (c) clear, stump and cultivate at least 2 acres of new land in each year until 10 per cent of the total area is under cultivation.

(7) If the free grant is made under subregulation 9 and is of additional land of not more than 80 acres, the applicant need not reside on the additional land.

(8) An applicant who is,—

- (a) the owner of 300 acres or more;
- (b) the locatee or purchaser of 160 acres; or
- (c) the patentee of public lands under regulation 12a,

shall not be entitled to a free grant of public lands.

(9) An applicant who is the owner of less than 300 acres, or the locatee or purchaser of less than 160 acres, may apply for a free grant of additional land where the additional land comprises a whole lot or an aliquot part of a lot.

(10) A free grant of additional land under subregulation 9 shall not increase the total land held by an owner beyond 300 acres, or the total unpatented land held by a locatee or purchaser beyond 160 acres.

(11) Subject to subregulation 9, a former member of the forces shall not be entitled to more than one free grant of public lands.

(12) The provisions of Part II of *The Public Lands Act* shall apply to free grants to former members of

the forces, except those contained in section 34; subsections 1 to 6, both inclusive, of section 36; sections 37, 38, 39, 41, 42, 42a and 44; subsections 2 to 5, both inclusive of section 45; subsection 2 of section 46; section 48 and section 50.

12. Where a person, having purchased lands from the Crown, subsequently becomes eligible to acquire lands under regulation 11, that person, or the widow of that person, where he has died on active service, may apply and shall be entitled to have any balance or arrears of the purchase price and interest owing cancelled.

12a. A person who,—

- (a) purchased or located Crown lands for agricultural purposes and resided thereon before or during the recent World War, and who subsequently enlisted in or entered His Majesty's Active Service Forces or any of the Allied Armies;
- (b) has served outside of Canada, or in Canada for a period of not less than one year; and
- (c) after discharge has resumed residence on those lands,

may apply for cancellation of any balance of purchase price and improvement charges and interest thereon, and for letters patent to the land, on a form prescribed by the Minister, and the Minister may thereupon grant the application, notwithstanding non-completion of any settlement duties prescribed at the date of sale or location.

PROXY SETTLEMENT

13. An applicant desiring to purchase unpatented lands for agricultural purposes may apply to place an agent or proxy, approved by the Minister or Deputy Minister, on the lands to carry out the requirements of the Act and these regulations. If settlement by proxy is authorized, the applicant shall be required to bring under cultivation double the amount of lands stipulated in sections 6, 7 and 8 before letters patent thereto shall issue. Settlement by proxy shall be limited to one parcel, as defined in subsections 6 (a), 7 (b) and 8 (a).

RESIDENCE AND CULTIVATION REQUIREMENTS

14. Unless otherwise provided in these regulations, any person who has been admitted to purchase lands for agricultural purposes, or his or her approved agent or proxy, shall enter upon the lands within six months from the date of purchase or immediately in the case of an assignee upon acceptance of the assignment by the Minister and shall place under cultivation at least two acres in case of purchaser, and five acres in case of proxy, each year and shall reside thereon continuously until the issue of letters patent thereto. Absence from the lands for a period of not more than six months in any one year, except during the period from April 1st to November 30th, shall not be deemed to be an interruption of continuous residence on the lands.

15. If the purchaser of lands for agricultural purposes fails to go into residence and to perform the

duties specified in these regulations, or to pay the purchase price of the lands or abandons the lands, the Minister or Deputy Minister may order that the sale to such purchaser be cancelled and any monies received in connection with such sale by the Crown may be forfeited. Where a sale has been cancelled, the Minister or Deputy Minister may deal with the lands or any improvements thereon as shall be deemed expedient in accordance with the Act and these regulations.

PASTURE AND WOODLOT LANDS

16.—(a) Except in the Districts of Timiskaming and Cochrane where it appears to the satisfaction of the Minister that a lot, half or quarter lot of unpatented lands in territory open for disposition is less than fifty per centum fit for agricultural purposes, and is not chiefly valuable for its mines, minerals or timber, or as summer resort lands and is not under timber license, the Minister may sell such lot or parcel, or any portion thereof, but not exceeding 160 acres, more or less, to a settler requiring the lands as a wood lot or pasturage, who lives within a radius of four miles, and who is the owner of not more than three hundred acres of lands and resides thereon and has at least 25 acres of it under cultivation. The purchase price shall be fifty cents per acre, in cash, upon receipt of which patent may issue.

(b) Notwithstanding the fact that a settler otherwise eligible has not 25 acres of lands under cultivation, he may apply for and may purchase additional lands not exceeding 160 acres, more or less, for a wood lot or pasturage, subject to meeting the requirements imposed by subsection a hereof within such time as the Minister may allow, and letters patent to such land shall not issue until the settler has complied with such requirements.

(c) Any person who is the purchaser or locatee of unpatented lands is not eligible to acquire lands under this section of these regulations.

RIGHTS OF SETTLERS TO CUT TIMBER ON LANDS ACQUIRED BY THEM WHERE LETTERS PATENT HAVE NOT ISSUED

17.—(a) PINE TREE RESERVATION—Except in the case of lands purchased or located under section 51 of the Act or of lands in the districts of Kenora and Rainy River, all pine trees growing or being upon lands sold under the said Act and these regulations shall be reserved from sale and letters patent. All lands so patented shall contain a reservation of all pine trees standing or being on the lands and they shall remain the property of the Crown except as provided in sections 48, 49 and 50 of these regulations. A settler shall be entitled to cut trees or timber on lands acquired by him which remains unpatented, free of Crown charges, for use on such lands for building and fencing or as a supply of fuelwood, for his own use and not for sale or barter.

(b) Except as provided in subsection c timber or trees cut by a settler on his or her unpatented lands in the process of clearing the lands for cultivation shall be free of Crown charges.

(c) Red and white pine trees and timber cut by a settler on his unpatented lands in the process of clearing the lands for cultivation and sold or disposed of to others shall be subject to the payment to the Crown of simple Crown dues.

18. PERMITS TO CUT TREES—No settler may cut trees or timber for sale on lands acquired by him under the Act and these regulations which remain unpatented unless he has first secured a permit from the District Forester which shall specify the types and quantities of timber to be cut from a defined portion of the said lands, the period during which cutting may proceed, and the amount of Crown charges to be paid for the material cut.

19. Subject to the provisions of section 51 of the Act and of sections 17, 18 and 20 of these regulations a settler who has gone into actual occupation of his lands, has built a habitable house thereon sixteen by twenty feet, or its equivalent in size, has resided thereon for six months between April 1st and November 30th, and has cleared and put under cultivation a minimum of two acres thereof or in the case of proxy settlement, five acres, may apply to the District Forester and obtain a permit to cut and remove therefrom for disposal to others any designated quantity and type of timber.

20. Permits to cut timber not in the process of clearing lands for cultivation and for disposal to others may be granted to a settler from time to time by the District Forester consistent with the progress being made by the settler in the performance of his settlement duties and his compliance with the requirements of the Act and these regulations for the purpose of assisting such settler until he or she becomes self-supporting from farm products, provided however that no such permit shall include red, white or jack pine, if the lot is under timber license.

21. Where a locatee has purchased additional lands under the provisions of Part II, section 36, subsections 3 and 4, of the Act or where anyone has acquired lands in the free grant territory subject to section 42 of the Act, no timber shall be cut on such lands except under a permit issued by the District Forester in accordance with these regulations.

22. SALE OF TREES OR TIMBER CUT UNDER PERMIT—No sale of trees or timber cut from a settler's lands shall be effective nor shall any delivery thereof be made to a purchaser until permit therefor has been issued by the District Forester. A clearance of the timber cut under permit shall be withheld by the District Forester where a settler is in default in the performance of settlement duties or where the cutting has been improperly done or where disposal of slash and debris has not been made as required, or where a settler is in arrears of his payment for his lands or for the timber cut, to the Department, a clearance may be issued when the default has been corrected or when a holdback of the purchase price of the timber or portion thereof has been arranged for and such holdback shall be held by the purchaser of the timber until a release has been issued by the District Forester. If such default is not remedied within such period of time as the District Forester thinks reasonable, the holdback may be applied against the indebtedness of the settler for lands, or where he is not indebted for lands, as a charge levied on the timber.

23. RIGHTS OF TIMBER LICENSEES—Holders of timber licenses, their servants and agents, shall have the right to haul their timber or logs over the uncleared portion of any lands located as a free grant, or sold under the Act and these regulations, and to make such

roads thereon as may be necessary for that purpose, doing no unnecessary damage, and to use all slides, portages, roads, or other works previously constructed or existing on any lands so located or sold.

24. Where a lot or parcel of lands covered by a license to cut timber is sold or has been located under the Act for agricultural purposes, the rights of the timber licensee to cut all timber on the lot or parcel of land sold under Part I of the Act, and to cut timber other than pine on the lot or parcel sold or located under Part II of the Act, prior to the passing of these regulations, shall cease as of the 31st day of March following the date of sale or location.

25. CONDITIONS OF PATENT ISSUANCE—Letters patent to land disposed of for agricultural purposes shall not issue unless and until the following requirements are met:

- (a) the purchaser or proxy has resided on the lands for three years from date of sale;
- (b) the areas required under section 6, 7, 8, or 13 of these regulations have been brought under cultivation;
- (c) a habitable house of the dimensions of at least 16 feet by 20 feet or its equivalent in size has been erected on the land;
- (d) the provisions of section 14 as to residence have been satisfied.

LANDS FOR SPECIAL USE

26.—(a) Where it appears to the satisfaction of the Minister that any lands, whether in surveyed or unsurveyed territory, have no particular value for minerals, timber, water power, as summer resorts or as townsites and are sought for lumbering or mining depots, for railway rights-of-way and station grounds, for sawmill yards, for pipe and pole lines, for store and warehouse sites, for reforestation, for sheep, cattle or fur-bearing animal ranching, or for any other purposes, the Minister may, if he deems it in the public interest, grant, sell, lease, or cover by license of occupation any lot or part lot or parcel of lands at such prices or for such rental or fee, and under such other terms and conditions as he may see fit to impose, provided however that where a sale is permitted, the minimum price for lands sold hereunder shall not be less than \$1.00 an acre, or fraction thereof and the trees and timber shall be reserved from all such sales, and in the case of any sale to a railway or mining company all mines and minerals shall also be reserved.

In the case of sales of land for reforestation, or where the Minister deems it advisable in the case of sales of land for other purposes, the trees and timber on such lands may be included in such sales.

(b) Where any lot or parcel of land applied for under subsection a forms part of any area of lands withdrawn or reserved from disposition by order of the Lieutenant-Governor in Council, the Minister may permit the disposition of such lot or parcel of lands for any of the purposes mentioned in subsection a hereof provided that such disposition is not contrary to or does not defeat the purpose for which such area has been so withdrawn or reserved.

(c) Where an application is made for any lot or part thereof, valuable for summer resort purposes, for use in the establishment of a recreational camp for boys or girls, to be sponsored, maintained and operated without monetary profit by a charitable institution or service club, the Minister may authorize the sale, lease or license of occupation thereof upon such conditions as he may determine, and the consideration therefor shall be one-sixth of the charges and rates set out in sections 32, 33, 34 and 44.

LAND-USE PERMIT BY DISTRICT FORESTER

27. Any officer of the Department authorized by the Minister may permit the occupation of such portions of the public lands as he may designate for any period not exceeding one year.

In addition to the basic acreage charge or rental, there shall be payable an amount equal to One percent (1%) of the value of all buildings, improvements, substructures, superstructures and fixtures placed or erected upon such public land, in areas in which municipal organization has not been erected.

TIMBER RESERVATION

28. Where the Crown retains an interest in the timber and trees on lands disposed of for agricultural purposes, one-fifth of the area shall be maintained in forest.

SUMMER RESORT LANDS

LANDS AVAILABLE

29. Suitable areas of the public lands may be designated by the Minister and may be sold, leased, covered by a license of occupation or permit, as locations for summer cottages, hunting or fishing lodges, or other similar purposes, referred to in these regulations as "summer resort purposes." Summer resort locations as designated by the Minister shall consist of three classes:

- (a) "mainland" which shall include an island, point, peninsula, or irregular area, having an area in excess of ten acres.
- (b) "islands," having an area not in excess of ten acres;
- (c) "irregular areas" shall be parcels of land not exceeding ten acres, where, due to the nature of the ground, it is not feasible to survey a parcel having three boundaries excluding the shore line, or, parcels of land not exceeding ten acres having three or more boundaries excluding the shore line where the frontage exceeds twice the parcel width.

WHO MAY SECURE LANDS

30. Any person or corporation entitled to acquire and hold lands in the Province of Ontario shall be eligible to purchase, lease or obtain a license of occupation for lands under sections 29 and 44.

SYSTEM OF SURVEY AND FEES

31. An applicant for a summer resort location shall comply with the Survey Instructions from time to

time issued by the Department of Lands and Forests with the approval of the Minister.

32. Summer resort locations classified as "mainland" shall be sold in parcels on a frontage basis at the rate of thirty cents per foot. Save as otherwise provided in these regulations, a summer resort location for private purposes shall not be laid out, surveyed, or disposed of having a greater width than 300 feet and in the case of a summer resort location sought for commercial purposes, 600 feet. If the nature of the ground permits the depth of any one location shall not exceed twice the width thereof and in no case shall the width exceed the depth.

33. Summer resort locations classified as "islands" shall be sold on an acreage basis at the rate of \$45.00 an acre and the minimum charge for any parcel shall be \$45.00. An island may be divided into more than one parcel, and such parcels may be sold for summer resort purposes on a frontage or acreage basis, or both, as the Minister shall determine. No area of an island greater than five acres shall be sold for private summer resort use to one person.

34. Summer resort locations classified as "irregular areas" shall be sold on an acreage and frontage basis at the rate of \$22.50 per acre and a frontage charge of 15c per foot, minimum charge \$45.00. In computing the price to be paid for an irregular area, such price shall not exceed on the average an amount equivalent to \$50.00 per acre for the area involved. An irregular area may be divided into more than one parcel, as the Minister shall determine. No area of an irregular parcel greater than five acres shall be sold for private summer resort use to one person.

35. The Minister in his discretion may authorize a sale, lease, or may grant license of occupation of an area having dimensions in excess of areas defined in sections 32, 33, 34 and 44, or notwithstanding survey instructions may authorize the survey of a summer resort location in such a manner as the nature of the ground may warrant.

36.—(a) Where an applicant desires to acquire a parcel, lot or island already surveyed by the Crown, he shall, in addition to the purchase price, pay,—

- (i) a survey charge of \$25 with respect to each parcel, lot or island shown on subdivision plans of record in a Land Titles Office or Registry Office on or before the 23rd day of June, 1942; and
- (ii) a survey charge of \$40 for each parcel, lot or island shown on a subdivision plan of similar record after the 23rd day of June, 1942;

(aa) Where an applicant desires to acquire Crown land not being a parcel, lot or island already surveyed by the Crown, he shall pay in addition to the purchase price a survey charge of \$80 for each parcel, lot or island.

(b) Where an application is made for a summer resort location which is unsurveyed, the applicant may cause a survey to be made in accordance with the survey instructions or may request the Department to have the land surveyed. If the applicant desires to

have the survey made through the Department he shall make application accordingly and shall designate on the ground, by staking its limits to the satisfaction of the Department, the area of lands covered in his application.

CONDITIONS OF PURCHASE

37.—(1) An application for a parcel of land for summer resort purposes shall be made on form 1.

(2) If the land has been surveyed, the purchase price and the survey charges shall be paid in full within 30 days from the date of notification of acceptance of the application.

(3) If the land is unsurveyed and the applicant requests the Department to arrange for the survey, and the application is accepted, a survey charge of \$80 and a deposit of \$25 shall be paid immediately, and the balance of the purchase price shall be paid in full within 30 days from the date of notification to the applicant that the survey has been received in the Department.

(4) If the applicant undertakes to have the land surveyed, he shall pay a deposit of \$25 within 15 days from the date of acceptance of the application, and the balance of the purchase price within 30 days of notification that the survey has been received in the Department and has been approved.

(5) An applicant shall have a period of 3 months from the date of acceptance of his application to file a survey of the land in the Department.

(6) Upon default by the applicant, any money paid by him under this regulation shall be forfeited to and become the property of the Crown.

38. Buildings of the value of not less than Five Hundred Dollars shall be erected upon the land, if sold for private purposes, and Two Thousand Dollars if sold for commercial purposes, within eighteen months from the date of sale. If said buildings are not erected within the said period of eighteen months, the sale may be cancelled without notice to the purchaser and all monies paid shall be forfeited to the Crown and such lands and any improvements thereon may be sold or dealt with as the Minister may direct.

39. All trees and minerals on or in any summer resort location shall be reserved to the Crown and the Crown shall have the right to enter upon the land and operate for and remove the said trees, and dispose of the minerals as provided for in *The Mining Act*. No trees shall be cut by the purchaser except in the process of clearing for building sites and then only after permit has been obtained from the District Forester. Any trees cut and used for building purposes or in the course of clearing shall be paid for at such price as the Minister may fix. Cutting without authority will be treated as a trespass and subject to the Crown regulations in respect to proceedings that may be taken.

40. Where lands bordering on Rainy Lake, Lake of the Woods, the Winnipeg River, or the tributary waters thereof, including islands, or on other waters that the Minister may designate, are sold, leased, covered by a license of occupation or permit, a reservation of the

right to flood and injuriously affect such land shall be taken in the letters patent, lease, sale, license of occupation or permit to such lands up to such elevation as the Minister may designate.

41. Such reservations of allowances for roads or rights-of-way shall be made from the area of summer resort locations and along the shore in front of such locations as the Minister may deem advisable in view of the nature of the land. Any reservations thus made shall, so far as it is practicable, be indicated on the plan of survey of such summer resort locations.

CONDITIONS OF PATENT ISSUANCE FOR SUMMER RESORT LANDS

42. Upon completion of the building requirements and payment of all monies owing, the applicant shall submit an application in the form prescribed by the Minister for letters patent to the lands, and if the Minister is satisfied that the applicant has met the requirements of the Department, he may order the issue of letters patent to such lands.

ACQUISITION OF ADDITIONAL AREAS OF SUMMER RESORT LANDS

43.—(a) Where an applicant desires to acquire a parcel of land having a width in excess of that permitted by section 32 of these regulations, or an owner desires to add to a parcel of land, the Minister may entertain such application provided that the total area shall not have a width in excess of 600 feet in the case of private summer resort and 1,200 feet in the case of commercial summer resort. The applicant for an additional area, if it is for private purposes, shall be required to increase the value of the buildings erected or to be erected on the lands by Five Hundred Dollars for each 100 feet of additional width or portion thereof allowed to him or her. In the case of an application for additional lands for commercial purposes, the applicant shall be required to increase the value of the buildings at the rate of Two Thousand Dollars for each 100 feet of additional width or portion thereof allowed to him or her.

(b) Where areas have a width in excess of that provided by section 32 of these regulations, the depth of the parcel shall not exceed, in the case of a private summer resort, 600 feet, and in the case of a commercial summer resort, 1,200 feet.

44. The Minister may lease land for summer resort purposes for a period not exceeding twenty-one years, or grant a license of occupation to land for a period of one year, at an annual rental, payable in advance, at the rates of 10c. per foot frontage for mainland, \$10.00 per acre for islands, and \$5.00 per acre and 5c. per foot frontage for irregular areas. Minimum rental in each case shall be \$10.00 per annum. Width of parcel on mainland, which may be leased or covered by license of occupation for private summer resort purposes, shall not exceed 300 feet and, for commercial summer resort purposes, 600 feet, the acreage of islands and irregular areas, which may be leased, shall not exceed five acres in size except as provided for in section 3 of these regulations. If however such area contains more than one parcel adequate for more than one cottage site, this area may be further subdivided. All trees, mines, and minerals on such lands shall be reserved to the Crown.

45. The use of parcels of lands not exceeding two acres in size for short periods in each year as sites for hunting camps may be permitted at an annual rental at the rate of Five Dollars per acre per annum, payable in advance, minimum charge \$5.00.

46. A survey of a summer resort shall be made in accordance with the survey instructions issued by the Department and shall only be undertaken after an application has been received and accepted in accordance with the Act and these regulations.

47. Where, in any lease of public land, an option to renew is included, the Minister or Deputy Minister may grant such renewal by a renewal certificate under his hand and the seal of the Department.

PINE TREES

CONDITIONS UNDER WHICH PINE TREES MAY BE INCLUDED IN LETTERS PATENT

48.—(a) The pine trees growing or being upon any lot or part lot of public lands or sold for agricultural purposes may be included in the letters patent to such lot or part lot issued to an applicant in actual residence if the lot or part lot is not under timber license for the pine trees and if the content of the pine trees on the lot or part lot does not exceed, on the average, 250 feet board measure per acre on 160-acre lots, or 400 feet board measure per acre on lots containing 100 acres or 80 acres.

(b) In determining the amount of pine on any lot, the board measure content of all pine trees six inches or over in diameter on trunk of tree at 18 inches above ground level shall be taken into account.

49. Where, in letters patent to any lot or part lot located or sold for agricultural purposes, the pine trees have been reserved to the Crown, the owner, if he is in actual residence on the lot or part lot, and the said lot or part lot is not under timber license for the pine, and provided that the amount of pine on such land does not exceed the quantity stipulated in section 48 hereof, may apply for an order releasing and discharging the land from the reservation of the pine timber thereon, or if the owner is not in residence on the said lot or part lot he may apply to purchase the pine at a price to be determined by the Minister, and the Minister may make such order, which shall be registered in the proper registry division of land titles office, and shall have the same effect as if the letters patent had not contained or been subject to any reservation of the pine trees.

HOW PINE TREES RESERVED IN PATENTS MAY BE OBTAINED ON LANDS REFORESTED BY OWNER

50.—(a) If the owner, whether in residence or not, of land upon which the pine trees only have been reserved to the Crown and which is not under timber license, plants at least ten per centum of the area with trees, as a private reforestation project, to the satisfaction of the Minister, then, upon application by the owner, the Minister may make an order releasing and discharging the land from the reservation of all pine timber thereon, which shall be registered in the proper registry division or land titles office, and shall have the same effect as if the letters patent had not contained

or been subject to any reservation of the pine trees, provided that the pine trees, exclusive of those planted by the owner, do not exceed on an average five hundred feet board measure per acre.

(b) In determining the amount of pine on any lot or part lot, the board measure content of all pine trees six inches or over in diameter on trunks of trees at 18 inches above ground level, exclusive of pine trees planted by the owner or his predecessors in title, shall be taken into account.

GENERAL

CANCELLATIONS

51. Where an applicant fails to carry out the terms and conditions upon which public lands have been disposed of to him, the Minister or Deputy Minister may cancel any sale or other disposition and forfeit any payments made in connection therewith to the Crown and such land and any improvements thereon may be sold or dealt with as the Minister may direct.

52. Every building or other structure placed by any person upon Crown lands without the written authority of an officer of the Department shall forthwith become the property of the Crown.

53.—(a) Where anyone who has occupied public lands without lawful authority and has proceeded to make use of them and subsequently applies to purchase the said lands, in the event of such application being accepted, interest may be charged at the rate of six per centum per annum on the purchase price from the date of such occupation but interest shall not be charged for any occupation for a period greater than ten years. The purchaser shall, in addition, be required to pay any other charges or penalties as the Minister or Deputy Minister may direct.

(b) Where anyone who has occupied public lands without lawful authority and has proceeded to make use of them and subsequently applies for a lease or license of occupation or permit to the said lands, in the event of such application being accepted, the applicant shall pay such sum as the Minister or Deputy Minister shall determine, in addition to the rent or annual fee reserved in any lease or license of occupation or permit issued therefor for the period during which he was not entitled so to occupy.

54. Where any public lands have been disposed of under the provisions of the Act and these regulations and default has been made in the performance of any of the terms and conditions imposed under any sale, location, or other disposal thereof, or the said lands have been abandoned, the Minister or Deputy Minister may entertain an application to cancel such location, sale, or other disposal thereof, and permit such applicant to acquire the said lands under the provisions of the Act and these regulations and upon such additional terms and conditions as he may see fit to impose.

55. All lands disposed of under the Act or these regulations shall be deemed to be subject to the provisions of any statute or regulations heretofore or hereafter enacted or made to preserve the forests from destruction by fire or to control the use of fire.

56. All lands disposed of under the Act or these regulations shall reserve from sale, lease, license of occupation, or patent, any public or colonization roads, or any highways crossing the said lands.

57. Any person applying for public lands shall state the use intended to be made thereof, and shall submit evidence satisfactory to the Minister proving that there is no adverse claim to or occupancy of such lands.

58. All forms required under the provisions of the Act and these regulations shall be prescribed and approved by the Minister.

59. These regulations shall not apply to lands in provincial parks.

FORM 1

The Public Lands Act

APPLICATION TO PURCHASE LAND FOR SUMMER RESORT PURPOSES

To the District Forester for the district in which the land applied for hereunder is located:

1. I, (Fill in name of Applicant in block letters, surname first)

of (Address)

, being of the full age of (Occupation)

21 years or over, apply to purchase that certain parcel or tract of land, being part of Lot Number in the Concession of the Township of or Island.

in (River, Lake or Bay),

opposite Lot Number in the

Concession of the Township of

containing acres; or, if in unsurveyed territory,

lands described as:

2. Attached is a sketch showing approximately the location of the land applied for.

3. The land is to be used exclusively for:

(a) private cottage purposes only; ; or

(b) commercial purposes;

(State whether tourist-outfitter's camp or over-night cabins; or, if for any other use, give complete detail.)

4. I will, if the land is sold to me, erect on the land buildings of the value as provided for in Ontario Regulations 59/44 (Regulations under The Public Lands Act) to the amount of \$.

5. I have not heretofore received from the Crown by purchase or otherwise any summer-resort land or island (except).

6. I do not own any summer-resort land or island purchased other than from the Crown (except).

7. I am not aware of any adverse claim to the said part lot (or island) on the grounds of occupation, improvement or otherwise (except.

valued at \$.

Witness:

} Applicant.

FORM 2

The Public Lands Act

APPLICATION FOR A FREE GRANT OF PUBLIC LANDS BY A FORMER MEMBER OF THE FORCES

Full name of Applicant Official Number (print in block letters)

Post Office Address Occupation

1. I desire to locate Lot No., Concession No., Township of County District of containing acres.

2. I am a male years of age. female

3. I enlisted in the at.

on the day of, 19.....,
 and served in His Majesty's Active Service Forces
 or in the Active Service Forces of
 in and was
 (state name of actual theatre of war)

.....
 (state whether honourably discharged or permitted
 honourably to resign or retire)

from service on the day of 19.....

4. The land is wholly unoccupied and unimproved,
 (except.....).
5. I have previously been located for or purchased the
 following Crown lands:

Lot No.	Con. No.	Township	County District	Acre-age
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

of which acres are patented;
 acres are unpatented;
 acres were cancelled for the following
 reasons:

6. Other agricultural lands owned by me are:

Lot No.	Con. No.	Township	County District	Acre-age
.....
.....
.....

.....
 (Signature of Applicant)

AFFIDAVIT

IN THE MATTER OF THE PUBLIC LANDS ACT

CANADA } I,
 Province of Ontario } of the of
 County } of } in the of
 District } }
 To WIT: } make oath and say:—

1. THAT I am the applicant herein for a free grant,
 and I signed the application.
2. THAT the statements made by me in the application
 are true.

SWORN BEFORE ME at the
 of
 in the
 of
 this day of
 A.D. 19 .

A Commissioner for taking Affidavits, &c.

Recommendation:

.....
 (District Forester)

Regulations 494

(Ontario Regulations 6/45)

REGULATIONS MADE BY THE MINISTER OF LANDS AND FORESTS PURSUANT TO THE PUBLIC LANDS ACT

1. These rules and regulations shall not apply to water privileges which in their natural condition at the average low stage of water have no greater capacity than one hundred and fifty horsepower.

2.—(1) The applicant for a water privilege situated on Crown lands shall file in the Department,—

(a) a plan and field notes by an Ontario land surveyor of survey thereof;

(b) a report by a competent engineer satisfactory to the Minister showing,—

(i) the location of the water privilege applied for and a description of the land required in connection therewith,

(ii) the height of the fall or rapid, the volume of water at the average high and low stages of same, the estimated capacity in horsepower of the fall or rapid in its natural condition at the average low stage of water, the height of the dams or weirs, if any, which it is proposed to construct and the increase in the level of the water which such dams or weirs will bring about,

(iii) the plan by which the applicant proposes to develop the water privilege, showing the dams, weirs, tunnels, races, flumes, sluices, pits and other structures or works which it is proposed to build or make in connection therewith, the estimated cost thereof and the form in which the power is to be used or transmitted, that is, whether by direct energy, electricity, compressed air or otherwise, and

(iv) the land or lands which would be overflowed or otherwise affected by the raising of the water or the construction of the dams, weirs, sluices, races or other works in connection with the development or use of such water privilege, and the owner or owners thereof;

(c) a statement showing the nature and location of the business, plant or manufactory in connection with which it is proposed by the applicant to utilize the water privilege and the number of horsepower which the applicant proposes to develop and utilize;

(d) proof satisfactory to the Minister,—

(i) that the water privilege is required for the applicant's own mechanical or industrial purposes or to supply an actual or anticipated demand for power in the neighbourhood of the privilege, and

(ii) of his financial standing and ability and intention to develop the water privilege.

(2) The Minister may dispense with the requirements of any of the provisions of subregulation 1 where the plan, notes, report or statement required to be furnished is or are already in the possession of the Department.

3. If so required by the Minister, the applicant shall furnish at his own expense,

(a) all such measurements, plans, specifications, descriptions, levels, profiles, elevations and other information as he may deem necessary for the proper consideration of the application; and

(b) the plans and specifications showing the proposed works for the development of the said privilege,

and such works shall not be proceeded with until the Minister has approved the same.

4. Before the lease of a water power is granted the Minister may require the applicant to deposit with the Treasurer of Ontario a sum of money to be named by the Minister, conditional upon the carrying out of the works of construction and development specified in the lease within the period therein named and such sum shall be returned to the lessee upon the due fulfilment of the conditions, but otherwise shall be forfeited to His Majesty in right of Ontario.

5. Upon compliance with the foregoing regulations and upon approval of the application by the Minister in writing he may order a lease of the water privilege to be issued to the applicant upon such terms and conditions and at such rental as may be fixed by the Minister and the rental reserved by any such lease or any renewal thereof shall be payable yearly in advance.

6.—(1) No such lease except a lease to The Hydro-Electric Power Commission of Ontario shall be granted for a longer term than twenty years, but the lessee shall have the right of renewal of such lease for two further and successive terms of ten years each upon such terms and conditions as may be agreed upon or may be fixed by the Minister.

(2) A lease may be granted to The Hydro-Electric Power Commission of Ontario for a term of forty years with the right of renewal for three further and successive terms of twenty years each, upon such terms and conditions as may be agreed upon or fixed by the Minister.

7. The right of timber owners and others to drive their logs or timber down any river, stream or other body of water shall not be interfered with, lessened or restricted by the granting of any such lease, and if any dam, weir or other structure is erected or built under

the authority of any such lease with the object, intention or effect of damming the water or impeding the flow thereof, full and proper provision shall be made by the lessee for the safe and convenient passage of logs and timber over or through the dam, weir or other structure.

8. The lessee under any such lease shall not destroy or obstruct the navigation of any river, stream or body of water previously navigable but shall provide such locks, canals, passages and other means as may be necessary for the proper and safe surmounting or passing of any dam, weir or other work made or erected by the lessee and as may be required for purposes of navigation by the Government of Canada.

9. In addition to any other conditions or provisions required by the Minister every lease under these regulations shall contain conditions and provisions to the following effect:

- (a) requiring the development and use within a period or periods to be named in the lease of a specified quantity or quantities of power or energy estimated in horsepower;
- (b) if the quantity of power required by the lease to be developed within a period or periods therein named is less than the full capacity of the privilege, upon report thereof being made by the Minister to that effect, and also that there is a *bona fide* demand for power which can be supplied therefrom, the Lieutenant-Governor in Council may require the lessee to develop the said privilege to its full capacity or to such other extent as he may deem proper or requisite within a period or periods of time to be named in the Order-in-Council;
- (c) for the use by other parties than the lessee of surplus or unused water or power not required by him for the purposes of his business, plant or manufactory on such terms as may be agreed upon;
- (d) failing an agreement between the parties concerned as to the rates or conditions for supplying power by the lessee to any person, company or corporation, or by any person, company or corporation receiving power from the said lessee, and any other person, company or corporation, either party may submit the matter to the Minister and any Order made by the Lieutenant-Governor in Council upon report thereon by the said Minister, fixing and determining the said rates and conditions shall be final and conclusive and binding upon all parties concerned;
- (e) in case of submission to the Minister under clause c, the lessee on being so required by the Minister shall produce all books, accounts, records and statements verified by affidavit, showing the cost of constructing, equipping and maintaining the works for the development of the said privilege and delivering the power therefrom;
- (f) upon complaint in writing being made that any municipal corporation is granting bonuses by supplying power, light or heat below cost to manufacturers or others, whether the corporation is the lessee of a water privilege or is receiving power therefrom, from or through such lessee, the Lieutenant-Governor in Council may refer the matter to the Minister who may cancel the lease or take such other action as he deems advisable in the circumstances;
- (g) for the purpose of ascertaining the quantity of power actually developed or capable of development from any water privilege or the amount of rental payable under a lease thereof, the Minister or any engineer appointed by him for that purpose shall have free access to all parts of the works, and all books, plans or records bearing on the quantity of power, and may make measurements and take observations, and any calculation as to the quantity of power so developed or capable of development made by the Minister or by such engineer shall be binding upon the lessee;
- (h) the power and authority to acquire water powers and works by purchase, lease or otherwise, or without the consent of the owners thereof conferred upon The Hydro-Electric Power Commission of Ontario by *The Power Commission Act* shall be exercisable by the said Power Commission in respect of any water power leased under these regulations or any works connected therewith;
- (i) during the construction of the works for the development of any water power the Minister or any engineer appointed by him for that purpose shall have free access to all parts of the works for the purpose of inspecting them and of ascertaining that the construction thereof is in accordance with the plans and specifications approved by the Minister;
- (j) for the erection and maintenance by the lessee of a durable and efficient fishway when so required by the proper officer or authority in that behalf;
- (k) during the continuance of the lease, the lessee shall keep and maintain all dams, weirs, tunnels, races, flumes, sluices, pits and other structures and works necessary for the development and use of such privilege in good repair and condition, and shall not wilfully or otherwise injure or destroy the same or any part thereof, but at the expiry or sooner determination of the lease, shall leave all such structures and works in good repair and condition, reasonable use and wear thereof and damage by fire and tempest only excepted, and so that their subsequent usefulness shall not be lessened by any act of the said lessee;
- (l) at the expiry or sooner determination of the lease, the water privilege shall revert to and become the property of the Crown as fully as if no such lease had been granted, together with all dams, weirs, tunnels, races, flumes, sluices, pits and other structures or works made or erected by the lessee in connection therewith, and all buildings erected on land covered by the lease; but the lessee shall be allowed a reasonable time, to be fixed by the Minister, in

which to remove all machinery employed by him in the development and use of the privilege, failing which removal, such machinery shall become the property of the Crown, provided that where any such buildings or structures are of a permanent character and necessary or useful for the proper development or utilization of the water privilege, the Lieutenant-Governor in Council may upon report in that behalf by the said Minister, pay the lessee by way of compensation therefor and purchase thereof such sum or sums as he may deem proper out of such moneys as may be appropriated for the purpose by the Legislative Assembly; and

(m) the lease shall at all times be subject to any general regulations thereafter made by the Lieutenant-Governor in Council affecting the construction and operation of works for the development of water privileges or the supply of water therefrom.

10. The Lieutenant-Governor in Council may cancel any lease issued under these regulations,—

(a) for non-payment of rental within ninety days after it became due and payable whether or not payment has been demanded; or

(b) upon report by the Minister that,—

(i) the conditions as to construction of the works or the development or supply of power has not been complied with, or

(ii) at any time after the water privilege has been developed, either in whole or to the extent to which the lessee is bound or re-

quired to develop it, the lessee has continuously failed or neglected for the space of one year effectually to produce power from the privilege either for his own use or that of other persons, unless hindered by unavoidable accident, or

(iii) that the lessee has failed or neglected to comply with any of the conditions of the lease or any Order-in-Council respecting any matter or thing arising under the lease concerning which such Order is made,

and publication of notice in THE ONTARIO GAZETTE of an Order-in-Council cancelling such lease shall be insufficient proof that it has been duly and lawfully cancelled, provided that due notice shall be given a lessee before such cancellation in order that he may have an opportunity of being heard should he so desire.

11. Where a water privilege is applied for by a municipal corporation for the purpose of supplying water, power, light or heat for the use of the inhabitants of the municipality, the Minister may issue a lease of the privilege to the corporation if it is otherwise entitled to receive and hold the privilege on such special terms and conditions and at such rental as he may deem proper.

12. The Minister may refer to The Hydro-Electric Power Commission of Ontario any application for the leasing of any water privilege or any matter arising out of such application or any lease made in pursuance thereof, whether hereafter or heretofore issued, for consideration, investigation and report.

All regulations in force under section 60 of *The Public Lands Act* at the date of the coming into force of these regulations are revoked.

Regulations 495

(Ontario Regulations 36/48; 148/48; 65/49; 88/49; 1/50)

REGULATIONS MADE UNDER THE PUBLIC SERVICE ACT, 1947

PART I

PUBLIC SERVICE

LIST OF APPLICANTS AND DESIGNATION OF APPOINTEES

1.—(1) The Commission shall establish and maintain a list of applicants eligible for appointment to the civil service in the classes in Schedule 1.

(2) No appointments in respect of the classes in Schedule 1 shall be made to a position in the civil service at the seat of government in Toronto except from the list.

(3) Persons appointed to the service of the Crown as set out in Schedule 2 are designated appointees who shall not be civil servants.

PREFERENCE TO VETERANS

2. Where the qualifications of applicants for any position in the civil service are equal, preference shall be given to those who were honourably discharged or retired from active service in His Majesty's forces in respect of the,—

- (a) War of 1914 to 1918; or
- (b) War of 1939 to 1945.

OFFICE HOURS

3.—(1) Civil Servants on the administrative staff of the civil service shall attend,—

- (a) on each day other than Saturdays, holidays and any other days set apart for holidays from 8.30 a.m. to 4.30 p.m.; and
- (b) on Saturdays from 8.30 a.m. to 12 noon.

(2) Civil Servants may take a recess for refreshments each day except Saturday from 12.30 p.m. to 1.45 p.m., or at such other time between 11.30 a.m. and 2.15 p.m. in special cases or to meet the requirements of the office, as the official in charge, with the approval of the deputy minister, may determine.

(3) The deputy ministers shall cause all public offices in their departments to be kept open during the recess.

CREDIT SYSTEM FOR REGULAR ATTENDANCE

4.—(1) A system of credits is established under which a civil servant shall be entitled to a credit of one and one-half days for each month of regular attendance.

- (2) The credits shall be,—
 - (a) cumulative; and

- (b) entered into a register in form 1 to be maintained in the office in which the civil servant is employed.

(3) Where a civil servant has heretofore accumulate sick-leave credits the civil servant shall be entitled to credits equal in number to the sick-leave credits in addition to any credits to which he may become entitled under subregulation 1.

(3a) Where a civil servant,—

- (a) was appointed before the 1st of June, 1931;
- (b) has completed 25 years of service; and
- (c) was not entitled to a superannuation allowance on the 3rd of February, 1949,

he shall be entitled to further credit of 60 days.

(4) Commencing with the 1st of August, 1944, there may be paid to a person not then entitled to a superannuation allowance having more than 5 years' service who ceases to be a civil servant, or to his personal representative or, failing a personal representative, to such other person as the Commission may determine, an amount computed on the basis of his pay at the date of leaving the service for a period equal to 50 per cent of the value of his credits or fraction thereof, but the amount shall not

- (a) exceed 6 months' pay; or
- (b) be computed on any credit earned by a civil servant after he ceases to contribute to the Fund.

(5) No credits shall be given to a civil servant in any month who is absent from duty in that month,—

- (a) for more than 6 days for any reason other than vacation leave-of-absence; or
- (b) without leave.

LEAVE OF ABSENCE

5.—(1) Subject to subregulation 2, no civil servant shall receive pay for absence caused by sickness in excess of his accumulated credits.

(2) Where a civil servant has served more than 1 year in the service he may be granted pay for absence caused by sickness to the extent of 30 days in excess of his credits.

(3) Any payments in excess of credits made under subregulation 2 shall be charged against the future credits to which the civil servant may become entitled.

(4) After 3 days' absence caused by sickness no leave with pay shall be allowed unless a certificate of

a duly qualified medical practitioner is forwarded to the deputy minister of the department, certifying to the inability of the civil servant to attend to his official duties.

(5) Notwithstanding subregulation 4, the Commission may require a civil servant to submit the certificate required under subregulation 4 for a period of absence of less than 3 days.

(6) A minister may grant leave of absence with pay for not more than 6 days in any fiscal year to a civil servant in the department presided over by the Minister upon any special or compassionate grounds and the period of the leave shall be charged against the credits of the civil servant.

(7) Where a civil servant,—

- (a) is absent by reason of injuries caused by another person for a period in excess of the civil servants' accumulated credits; and
- (b) recovers damages by way of action or settlement from the other person in excess of the amount required to pay the civil servants' actual out-of-pocket expenses caused by his injuries,

the civil servant shall refund to the extent of the excess to the Treasurer any payments of salary received in excess of his credits.

SPECIAL LEAVE OF ABSENCE

6. A minister may grant a leave of absence,—

- (a) without pay for not more than 6 months to a civil servant in the department presided over by the Minister;
- (b) for 12 days of which 6 days shall be with pay, in any fiscal year to a civil servant in the department presided over by the Minister for the purpose of taking a naval, military or air-force training; and
- (c) upon the certificate of the Commission and subject to the approval of the Lieutenant-Governor in Council, any additional leave of absence with or without pay.

VACATIONS

7.—(1) Vacation leave-of-absence for civil servants shall,—

- (a) accumulate at the rate of one and one-half days for each month of service;
- (b) be taken within 18 months,—
 - (i) of his appointment to the civil service; or
 - (ii) from the date of return to duty from the last vacation leave,
 whichever is the later date; and
- (c) be taken at such time as the deputy minister may determine.

(2) A civil servant shall not be entitled to a vacation leave-of-absence under subregulation 1 until he has completed 6 months service in the civil service.

(3) Subject to the approval of the deputy minister of a department a civil servant in the department may accumulate vacation leave-of-absence for a period of not more than 2 years, and the deputy minister shall report forthwith his approval of the accumulation to the Commission.

(4) Special holidays granted during vacation leave-of-absence shall be computed as part thereof, but no other holidays shall be computed therein.

ATTENDANCE

8.—(1) Each department shall maintain an attendance register in form 2.

(2) A civil servant whose regular duties are discharged in the office in which he is employed, except a deputy minister and a civil servant exempted by the Minister presiding over the department in which the civil servant is employed, shall register in person upon his arrival and departure and at the recess in the attendance register.

(3) The attendance register shall be accessible only at the time set for the daily,—

- (a) arrival;
- (b) departure; and
- (c) recess,

of civil servants.

(4) A civil servant exempted from signing the attendance register shall,—

- (a) complete a personal attendance register in form 3;
- (b) certify the personal attendance register; and
- (c) deliver the register at the end of each week to the official in charge of attendance records in his department.

(5) No civil servant shall absent himself from duty during office hours unless he,—

- (a) obtains permission of the deputy minister of his department or the official in charge of his branch; and
- (b) registers the time of leaving and enters into the remarks column of the attendance register the rank of the person granting him permission.

(6) A civil servant whose regular duties lie partly inside and partly outside the office shall,—

- (a) register in the regular way when employed inside the office; and
- (b) comply with the provisions of subregulation 4 in respect of the time spent in the discharge of his duties outside the office.

(7) Where a civil servant works overtime, compensating leave of absence may be granted by his deputy minister during the fiscal year in which the overtime was worked or in the following fiscal year.

(8) The deputy minister of a department shall,—

- (a) be responsible for keeping the attendance registers in the special branches or offices of his department; and
- (b) send to the Minister and the Commission on or before the 15th of each month an attendance report in form 4 for the preceding month.

OFFENCES AND PENALTIES

9. Where a civil servant,—

- (a) is habitually late in the time of his arrival;
- (b) absents himself without leave from duty during office hours; or
- (c) uses,—
 - (i) the long-distance telephone service for a personal call; or
 - (ii) postage stamps for personal mail,

at the expense of Ontario,

the Minister presiding over the department in which the civil servant is employed or his deputy upon the authorization of the Minister may, after a hearing, impose upon the civil servant a fine equal in amount to not more than 6 days' pay or a penalty of suspension from duty without pay for more than 12 days.

DEATH OF CIVIL SERVANT

10. Where a civil servant who has served more than 6 months dies, there shall be paid to his personal representative or, failing a personal representative, to such person as the Commission may determine the salary

- (a) for the balance of the month in which he died; and
- (b) for any vacation leave-of-absence accruing to the civil servant in excess of the period represented by the amount paid.

TRANSFERS OF CIVIL SERVANTS

11. Upon the certificate of the Commission,—

- (a) a civil servant appointed by the Lieutenant-Governor in Council may be changed in class or salary, or transferred, only by the Lieutenant-Governor in Council; and
- (b) a civil servant appointed by a Minister may be changed in class or salary, or transferred, by the Minister.

(2) A civil servant shall not be transferred from one department to another except upon the request of the deputy ministers of the departments concerned.

(3) A transfer of a civil servant from one department to another to a position in the same class shall not carry with it a higher rate of salary than the civil servant is receiving in the department from which he is transferring.

OUTSIDE EMPLOYMENT

12. Except after application in writing to the Commission and with the consent of the Minister of the Department, a civil servant shall not engage in any professional, trade or business undertakings for personal gain.

OATH OF ALLEGIANCE

13. The persons holding the appointments set out in Schedule 3 are designated as persons to administer the oath of allegiance and the oath of office and secrecy.

JOINT ADVISORY COUNCIL

14. The Joint Advisory Council heretofore established is continued.

15. It shall consist of 7 members, 3 of whom shall be appointed by the Ontario Civil Service Association, 3 of whom shall be appointed by the Provincial Secretary, and 1 of whom shall be a member of the Commission who shall act as chairman.

16. The functions of the Joint Advisory Council shall be,—

- (a) to study and consider, with regard to the civil service,—
 - (i) the general principles governing appointment, promotion, remuneration, vacations, hours of work, superannuation and discipline, including suspension and dismissal;
 - (ii) the improvement of methods for carrying on the public business and the provision of means whereby the ideas and experiences of the members of the civil service may be considered and utilized;
 - (iii) the development of a career service, including methods for training members of the civil service along lines which will better fit them for promotion and for charting and publicizing the avenues along which members of the civil service in various classifications may progress to higher positions within the service; and
 - (iv) proposals for legislation affecting members of the civil service with relation to their employment; and
- (b) to make such recommendations to the Executive Council as may be deemed proper and advisable.

17. The Joint Advisory Council may appoint sub-committees of its members or of other persons or both and establish departmental committees for such purposes as it may deem proper.

BOARD OF REVIEW

18.—(1) There shall be an advisory committee, to be known as the Civil Service Board of Review, composed of,—

- (a) the Commissioner, but where the Commission has more than 1 member, one member thereof to be designated by the Lieutenant-Governor in Council;
- (b) one member to be appointed by the Ontario Civil Service Association; and
- (c) one member to be appointed by the Lieutenant-Governor in Council,

one of whom may be appointed as chairman by the Lieutenant-Governor in Council.

(2) Whenever it is proposed to dismiss a civil servant, the deputy minister of his department shall deliver to him a notice of the proposed dismissal, setting forth therein the reasons therefor, and the civil servant, if he is of the opinion that he is being dismissed unjustly may, within seven days of the delivery thereof, deliver to the chairman of the Board a notice of application to the Board in which the reasons for his opinion shall be set forth.

(3) No recommendation to the Lieutenant-Governor in Council for the dismissal of any civil servant shall be made until after the lapse of the time herein limited for delivery of the notice of application, or, where such notice has been delivered, until after the report of the Board has been considered by the Minister concerned.

(4) When a notice of application to the Board is filed,—

- (a) the chairman of the Board shall deliver a copy thereof to the deputy minister concerned;
- (b) the deputy minister concerned shall deliver a copy of the notice of the proposed dismissal to the chairman of the Board; and
- (c) the chairman of the Board shall fix a time, which shall be not later than seven days after the delivery of the notice of application, and a place for the hearing, and shall deliver notice thereof to the civil servant and the deputy minister concerned.

(5) The Board shall have all the powers that may be conferred upon a commissioner under *The Public Inquiries Act*.

(6) When an application has been heard, the Board shall make a report of its findings to the Minister concerned and any recommendation to the Lieutenant-Governor in Council for the dismissal of the civil servant shall be accompanied by the report of the Board.

(7) A copy of the report of the Board shall be delivered to the civil servant by the deputy minister concerned,—

- (a) when the Minister or the Lieutenant-Governor in Council decides against dismissal of the civil servant; or

(b) when the Lieutenant-Governor in Council dismisses the civil servant.

(8) The delivery of any document mentioned herein shall be effected by personal service or by sending it by prepaid registered mail addressed to the person to whom it is to be delivered at his last known address.

(9) Where a department has no deputy minister, the expression "deputy minister" in this regulations means the senior officer of the department.

(10) This regulation shall not apply to civil servants,—

- (b) whose period of service is less than one year;
- (b) who were not appointed by the Lieutenant-Governor in Council; or
- (c) who are members of the Ontario Provincial Police Force.

19. Ontario Regulations 323/44, 329/44, 2/46, 3/46, 68/46 and 29/48 are revoked.

PART II

DESIGNATIONS UNDER SECTIONS 15 AND 35 OF THE ACT

20. Each of the following branches of the civil service having a special fund and the fund are designated for the purposes of subsection 2 of section 15 of the Act,—

- (a) The Province of Ontario Savings Office;
- (b) office of the Commissioner of Agricultural Loans;
- (c) office of the Public Trustee;
- (d) office of the Official Guardian; and
- (e) office of the Accountant of the Supreme Court of Ontario.

21. The following boards or commissions are designated under section 35 of the Act,—

- (a) the Liquor Control Board of Ontario;
- (b) the Liquor Licence Board of Ontario;
- (c) the Niagara Parks Commission; and
- (d) the Teachers' and Inspectors' Superannuation Commission.

SCHEDULE 1

1. Clerk Typist, Group 1
2. Clerk Typist, Group 2
3. Senior Clerk Typist
4. Clerk Stenographer, Group 1
5. Clerk Stenographer, Group 2
6. Senior Clerk Stenographer
7. Secretarial Stenographer

SCHEDULE 2

1. Persons who are employed,—
 - (a) part-time;
 - (b) in a consultation capacity;
 - (c) at hourly, daily or weekly rates of pay.
2. Persons who resign or are dismissed before taking the oath of allegiance and the oath of office and secrecy.
3. Persons employed in The Department of Highways in the classes of

Labourer	Instrumentman
Unit Operator	Resident Engineer
Patrolman	Road Superintendent
Handyman	All Apprentices
Road Foreman	Apprentice Draughtsman
Messenger	" Sign Painter
Warehouseman	" Mechanic
Road Inspectors	Painter
Axeman	Weighman Checker
Chainman	Cleaner
Rodman	Ferry Operator
Levelman	Deck Hand
	Bridge Operator

SCHEDULE 3

1. Deputy ministers of departments.
1. Assistant deputy ministers of departments.
3. In the Department of Agriculture,—
 - (1) President of The Ontario Agricultural College and Experimental Farm;
 - (2) Principal of the Ontario Veterinary College;
 - (3) Director of the Western Ontario Experimental Farm;
 - (4) Director of the Horticultural Experiment Station;
 - (5) Principal of the Kemptville Agricultural School; and
 - (6) Director of Extension, Agricultural Representatives Branch.
4. In the Department of the Attorney-General,—
 - (1) Crown Attorneys;
 - (2) Clerks of the Peace; and
 - (3) Departmental Accountant and Personnel Officer.
5. In the Department of Education,—
 - (1) Superintendent of the Ontario School for the Deaf;
 - (2) Superintendent of the Ontario School for the Blind;

- (3) Principals of Normal Schools;
- (4) Principal of the Provincial Institute of Mining;
- (5) Principal of the Provincial Institute of Textiles;
- (6) Principal of the Lakehead Technical Institute;
- (7) Regional Director of Canadian Vocational Training;
- (8) Assistant Director of Physical and Health Education Community Programmes;
- (9) Supervisors of Correspondence Courses; and
- (10) Principal Clerk.
6. In the Department of Health,—
 - (1) Solicitor;
 - (2) Bursars of Ontario Hospitals;
 - (3) Bursar of the Psychiatric Hospital;
 - (4) Officer in charge, Branch Laboratory; and
 - (5) Officer in charge, Tuberculosis Prevention Clinic.
7. In the Department of Highways,—
 - (1) Assistant to Deputy Minister;
 - (2) Personnel Officer;
 - (3) Civil Engineer, Grade 5a; and
 - (4) Civil Engineer, Grade 5b.
8. In the Department of Labour,—
 - (1) Accountant,
9. In the Department of Lands and Forests,—
 - (1) Regional Foresters;
 - (2) District Foresters;
 - (3) Chief of the Division of Operation and Personnel; and
 - (4) Personnel Officer.
10. In the Department of Mines,—
 - (1) Chief of the Mining Lands Branch; and
 - (2) Supervisor of the Mining Lands Branch.
11. In the Department of Municipal Affairs,—
 - (1) Registrar of Vital Statistics.
12. In the Department of Planning and Development,—
 - (1) The Minister.
13. In the Department of the Prime Minister,—

Regulations 496

(Ontario Regulations 229/44)

REGULATIONS MADE UNDER THE ONTARIO PUBLIC TRUSTEE ACT

PUBLIC TRUSTEE'S OFFICE

1. There shall be a branch of the Public Service of the Government of Ontario to be known as the Public Trustee's Office.

ATTACHED TO ATTORNEY-GENERAL

2. This Branch shall be attached to the Attorney-General, and shall be under the direction and control of the Minister in charge of that Department.

POWERS

3. The Public Trustee is hereby authorized to accept or undertake the trusts and duties provided for in *The Crown Administration of Estates Act*, *The Escheats Act*, *The Hospitals for Insane Act*, and *The Charities Accounting Act*, and the amendments thereto.

CHARGES

4. For the services rendered by the Public Trustee in the management of the property or estates pursuant to the provisions of *The Hospitals for Insane Act* and *The Charities Accounting Act*, charges may be made for such services with the approval of the Advisory Committee.

FEES AND DISBURSEMENTS

The Public Trustee may deduct from the property or estates coming into his hands pursuant to *The Crown Administration of Estates Act*, all disbursements made by him with respect to such estates and an amount not exceeding five per cent (5%) of the total value of such property or estate.

6. The Public Trustee may deduct from the property or estates coming into his hands pursuant to *The Escheats Act*, all disbursements made by him with respect to such estates and an amount not exceeding ten per cent (10%) of the total value of such property or estate, with the approval of the Lieutenant-Governor in Council.

PAYMENTS BY CHEQUE

7. All moneys shall be paid out upon the cheque of the Attorney-General, or the Public Trustee and countersigned by the Chief Accountant or Assistant Accountant.

INTEREST

8. Interest shall not be credited to any funds unless and until same shall have been in the hands of the Public Trustee for one month and then only at the rate of 3% per annum on the minimum quarterly balance exceeding Five Hundred Dollars (\$500.00), interest to be computed from the 1st of the month next after receipt of money to the last day of the quarter preceding the date of payment out.

Provided, however, that with respect to Crown estates being administered by the Public Trustee the interest to be allowed shall be at the rate of 1½% per annum.

8a. With regard to moneys held by the Public Trustee under the provisions of *The Children of Unmarried Parents Act*, notwithstanding the provisions of regulation No. 8, interest shall be allowed on the same upon the minimum quarterly balance of each account of whatever amount and at a rate to be fixed by the Advisory Board from time to time, but not to exceed in any event 3% per annum.

9. Moneys transferred to the credit of Escheats Fund shall cease to bear interest.

SURPLUS INCOME

10. Surplus income from investments made by the Public Trustee shall from time to time be placed to the credit of the Public Trustee Administration Fund.

PROPERTY IN PUBLIC TRUSTEE'S HANDS

11. All property which may come into the hands of the Public Trustee from time to time shall be transferred in the manner provided for in *The Crown Administration of Estates Act*, *The Escheats Act*, *The Hospitals for Insane Act*, and *The Charities Accounting Act*, and the amendments thereto.

BOOKS AND RECORDS

12. All such books and records shall be kept as may be directed by the Minister, and the forms used for directions and cheques shall be subject to his approval.

AUDITOR

13. An auditor shall be appointed by the Minister and shall act in accordance with instructions received from the Minister.

ASSURANCE FUND

14. An assurance fund shall be established by transfer from the Public Trustee Administration Fund of such amounts as the Advisory Committee shall from time to time deem proper.

SALARIES AND EXPENSES

15. The salaries and expenses of the Public Trustee Office shall be paid out of the amounts appropriated by the Legislature for that purpose.

16. At the end of each month an amount equal to the salaries and expenses paid out as provided under regulation 15 for such month shall be paid to the Treasurer of Ontario out of the Public Trustee Administration Fund.

Regulations 497

(Ontario Regulations 230/44)

ORDER-IN-COUNCIL MADE UNDER THE ONTARIO PUBLIC TRUSTEE AMENDMENT ACT, 1921

Upon the recommendation of the Honourable the Attorney-General, the Committee of Council advise that, pursuant to subsection 1 of section 2 of *The Ontario Public Trustee Amendment Act*, applications to the Surrogate Court for Letters of Administration in favour of the Public Trustee shall be made in accordance with the forms set forth in Schedule "A" and "B" hereto attached.

The forms set forth in Schedule "B" shall be filed in duplicate and the Surrogate Registrar shall forthwith, upon receipt thereof, forward the duplicate original to the Solicitor under *The Succession Duty Act*, at Toronto.

Schedule "A"

IN THE SURROGATE COURT OF

IN THE MATTER OF

Deceased,

THE PETITION of the Public Trustee for Ontario SHEWETH

(1) That late of the of in the county, deceased, died on or about the day of A.D. 19, at the of in the County, and that the said deceased at the time of h death had h fixed place of abode at the of

in the County of

(2) The deceased left no Will, Codicil, or Testamentary paper whatsoever.

(3) The deceased left h surviving the following and no other next of kin and heirs-at-law, namely:

Name in Full	Relationship	Age	Address

(4) The Public Trustee claims to be entitled to administration of the estate pursuant to the provisions of *The Public Trustee Act* and the amendments thereto.

(5) That the value of the whole property of the said deceased which h in any way died possessed of or entitled to is dollars, consisting of dollars, personality, and dollars, realty.

(6) Wherefore the Public Trustee prays that administration of the property of the said deceased may be granted and committed to him.

Dated the day of A.D. 19 By Solicitor for Public Trustee.

Schedule "B"

IN THE SURROGATE COURT OF THE

IN THE ESTATE OF

deceased

I, of the City of in the County of Esquire, Make oath and say:

(1) That the Public Trustee is the applicant for grant of administration to the property of

the said deceased.

(2) That I am informed and believe that

late of the of in the of deceased, died on or about the day of

of in the of, and had at the time of h death h fixed place of abode at the of in the of and intestate, and left h surviving the following and no other next of kin and heirs-at-law, namely:

Name in Full	Relationship	Age	Address

Regulations 498

(Ontario Regulations 85/46; 111/46; 121/48; 119/49)

REGULATIONS MADE UNDER THE REAL ESTATE AND BUSINESS BROKERS ACT

REGISTRATION OF BROKERS AND SALESMEN

1.—(1) An application for registration as a broker shall be upon Form 1.

(2) An application for registration as a salesman shall be upon Form 2.

AMOUNT OF BOND

2.—(1) The amount of the bond required under section 9 of the Act shall be as follows:

- (a) where the applicant is a broker, \$1,000; and
- (b) where the applicant is a salesman, \$500.

(2) The bond shall be in Form 3, Form 4 or Form 4A, as the case may be.

CLASSES OF NEGOTIABLE SECURITY

2a. The classes of negotiable security which may be accepted as collateral security for a bond shall be,—

- (a) bonds issued or guaranteed by Canada; or
- (b) bonds issued or guaranteed by any province of Canada.

3. The following fees shall be paid to the Registrar:

- (a) for registration of a broker \$10.00
- (b) for registration of a salesman 3.00
- (c) for filing notice of employment of salesman by registered broker with Registrar 1.00

EXAMINATION OF BROKERS

4.—(1) An applicant for first registration as a broker shall be required to pass a written examination based on the Act and the contents of Schedules 1 and 2, and such further material as may be prescribed by the Superintendent.

(2) The examination shall be conducted in the presence of a presiding officer appointed by the Superintendent.

(3) The examination papers shall be marked by the Superintendent or his nominee.

(4) Not less than 75 per cent shall be considered a pass mark for the examination.

(5) In the case of an applicant who was a registered broker prior to the first day of June, 1946, or whose registration hereafter lapses, the Superintendent may waive the written examination, or require an oral examination in lieu thereof.

LISTS OF PERSONS REGISTERED

5.—(1) The list of persons registered under the Act shall be in Form 5 and shall contain,—

- (a) the name and address of each broker; and
- (b) the name, address and name of employer of each salesman.

(2) The list shall be published as of the first day of May in each year, commencing with the year 1946, and shall be distributed to all brokers and salesmen registered as of that date, and to such others as the Superintendent may determine.

EXEMPTIONS

5a. Every person is exempted from registration in respect of any trades in real estate by the Public Trustee.

5b. Trust companies registered under *The Loan and Trust Corporations Act, 1949*, and their salesmen are exempt from filing a bond when making application for registration.

6. Ontario Regulations 217/44 and 218/44 are revoked.

FORM 1.

PROVINCE OF ONTARIO

THE REAL ESTATE AND BUSINESS BROKERS ACT, 1946

BROKER'S APPLICATION

Date of application 19

Application of

.....
name under which business will be carried on

The undersigned applies to the Registrar for registration as a broker under *The Real Estate and Business Brokers Act, 1946*, and for the purpose of procuring registration gives the following information:

1. The applicant is an individual and will carry on business alone. His name in full, being the name under which he proposes to trade in real estate, and his business and home addresses and telephone numbers, are set forth below; or

The applicant is a partnership and the name under which the partnership proposes to trade in real estate, the address of the main office, the names in full and the business and home addresses of

every partner and limited partner and the office (if any) held by each, and telephone numbers, are set forth below; or

The applicant is a corporation. The name of the company, its chief office in Ontario, the names and addresses of its directors and officials, and telephone numbers are set forth below:

Name in full	Residence Address	City or Town	Res. Tel. No.
--------------	-------------------	--------------	---------------

Business address of individual, partnership, or corporation

.....

.....
Business telephone number

- 2. Address for service in Ontario:
- 3. Ontario branches (if any):
- 4. Have you heretofore been registered or applied for registration as a real estate broker or salesman? If so, give particulars:
- 5. Have you ever been refused a licence or registration or has your licence or registration been revoked or suspended in any province or state? If so, give particulars:
- 6. The following is a short business record, during the past three years of,—
 - (a) the applicant (individual)
 - (b) each partner of the applicant-partnership and of the partnership
 - (c) each officer of the applicant-company and of the company.

IMPORTANT NOTE: State age and nationality of each person mentioned.

- 7. During the year immediately prior to the date of this application, the place of residence of the applicant (individual) or each partner of the applicant-partnership, or each officer of the applicant-company was as follows:

- 8. Will you be engaged, occupied or employed in any business other than real estate? If so, give particulars:
- 9. To each of the following named persons the business reputation of the applicant is WELL KNOWN, and reference may be made to them for further information

Name	City or town	Street address	Business or occupation
------	--------------	----------------	------------------------

N.B. At least three names must be given.

- 10. The applicant has credit at the following banks: (state branch. If no credit arranged, state bank and branch through which business is transacted).
- 11. Have you arranged to keep proper books and accounts, and to maintain a trust account under section 32 of *The Real Estate and Business Brokers Act, 1946*?
- 12. Is there any unpaid judgment against the applicant, partners, directors or officials?
- 13. Has the applicant or any partner of the applicant-partnership, or any director or officer of the applicant-corporation, or the corporation, been,—
 - (a) charged, indicted or convicted under any law of any country, or state, or province thereof, regarding the sale of real estate or businesses, or for fraud or theft in connection therewith, or named in any injunction in connection with proceedings taken on account of fraud arising out of any trades in real estate or businesses, or are there any proceedings now pending which may lead to a conviction or injunction? If so, give particulars.
 - (b) charged, indicted or convicted, *under any other law* of any country or state or province thereof? If so, give particulars.

- 14. Which of the applicant's employees, directors or officials will trade in real estate?

The applicant asks for registration for the period ending on the 31st day of March, 19.....

.....
 Witness
 By
 Address

N.B. If the applicant is a partnership, the application must be signed by all the partners, or if a corporation by all the officials in addition to the signing officers of the company.

AFFIDAVIT

(by individual applicant, or by one of the partners or officers, as case may be)

Province of Ontario } I,
County of } in the
To Wit: } County of

make oath and say:

1. I am the applicant (or a partner or officer of the applicant) herein for registration as a broker, and I signed the foregoing application.

2. The information given by me in the application is true.

SWORN before me at the in the County of this day of 19.....

A Commissioner

FORM 2

PROVINCE OF ONTARIO

THE REAL ESTATE AND BUSINESS BROKERS ACT, 1946

SALESMAN'S APPLICATION

Date of application.....19..... Application of for registration as a salesman of name of employer

I, hereby make application for registration under The Real Estate and Business Brokers Act, 1946, as a salesman of, a registered broker, and in support of this application give the following information:

1. During the year immediately prior to the date of this application I have resided at the following places:

2. My present business address is (city, street and number)

3. My address for service in Ontario is (city, street and number)

4. My country of birth is

5. My nationality is

6. I am single married..... Number of persons, if any, dependent on me for support

7. Following are particulars of my occupation during the past three years:

Table with 5 columns: Name and address of employer, Nature of business of employer, Nature of my employment, Period of employment. Give exact dates from to, Residence during said employment (city, street and number)

8. Will you be engaged or employed in any business or occupation other than real estate? If so, give particulars.

9. Have you ever been convicted of a criminal offence? (give particulars)

10. Has any judgment been rendered against you in any civil court for damages arising from fraud? (give particulars)

11. Have you ever been discharged by an employer for cause involving any criminal offence, or fraud in connection with a trade in real estate..... (give particulars)

- 12. (a) Have you ever been licensed or registered to trade in real estate in the Province of Ontario or elsewhere?
-
- (b) Has any licence or registration so held by you ever been refused, suspended or cancelled?
-
- (give particulars).....
- 13. Have you ever used, operated under, or carried on business under any name, other than your name hereto subscribed as applicant? If so, give particulars.....
-

GIVE DETAILED DESCRIPTION

Age.....Height.....Hair.....Eyes.....
 Complexion.....Weight.....Build.....
 Special marks.....

Witness.....
 Address of
 Witness..... Applicant

AFFIDAVIT

Province of Ontario } I,
 County of } of the.....
 To Wit: } in the County of

make oath and say:

- 1. I am the applicant herein for registration as a salesman, and I signed the foregoing application.
- 2. The information given by me in the application is true.

SWORN before me at the

 in the County of.....
 this.....day of.....
 19..

A Commissioner

CERTIFICATE OF EMPLOYER

TO THE REGISTRAR:

I,
 (name of intended employer)

hereby certify that the information given by

 (name of applicant)
 in the foregoing application is to the best of my knowledge and belief true, and request that the application be granted.

Employer

by.....

Title of Official signing

Address of employer

FORM 3

The Real Estate and Business Brokers Act, 1946

BOND OF A GUARANTEE COMPANY

Approved under
 The Guarantee Companies Securities Act

Bond No..... Amount \$.....

KNOW ALL MEN BY THESE PRESENTS, that we
 (hereinafter called the Principal) as Principal and

 (hereinafter called the Surety) as Surety are held and firmly bound unto His Majesty in right of Ontario (hereinafter called the Obligee) in the sum of Dollars (\$.....) of lawful money of Canada, to be paid unto the Obligee, his successors and assigns, for which payment well and truly to be made, I,
 (Name of Principal)

bind myself, my heirs, executors, administrators and assigns, and we.....
 (Name of Surety)

bind ourselves, our successors and assigns jointly and firmly by these presents.

The total liability imposed upon the Principal or Surety by this Bond and any and all renewals thereof shall be concurrent and not cumulative and shall in no event exceed the penal sum written above or the amount substituted for such penal sum by any subsequent endorsement or renewal certificate.

SEALED with our seals and dated this..... day of.....

THE CONDITION of the above obligation is such that if the said obligation does not by reason of any act, matter or thing at any time hereafter become or be forfeit under *The Real Estate and Business Brokers Act, 1946*, then the obligation shall be void but otherwise shall be and remain in full force and effect and shall be subject to forfeiture as provided by the Act.

SIGNED, SEALED AND
 DELIVERED } Principal.....

in the presence of

.....

.....
 } Surety.....

NOTE:

Section 17 of *The Real Estate and Business Brokers Act, 1946*, states:

Cancellation of bond. (2) A bond may be cancelled by any person bound thereunder by giving to the Registrar at least two months' notice in writing of intention to cancel and it shall be deemed to be cancelled on the date stated in the notice, which date shall be not less than two months after the receipt of the notice by the registrar.

Term of bond. (3) For the purposes of every act and omission occurring during the period of registration or the period prior to cancellation under subsection 2, every bond shall continue in force and the collateral security, if any, shall remain on deposit for a period of two years after the lapse or cancellation of the registration to which it relates, or the cancellation of the bond, which ever occurs first.

FORM 4

The Real Estate and Business Brokers Act, 1946

PERSONAL BOND

Bond No. Amount \$.....

KNOW ALL MEN BY THESE PRESENTS that I, (hereinafter called the Obligor) am held and firmly bound unto His Majesty in the right of Ontario (hereinafter called the Oblige) in the sum of Dollars (\$.....) of lawful money of Canada, to be paid unto the Oblige, his successors and assigns, for which payment well and truly to be made, I

Name of Obligor bind myself, my heirs, executors, administrators and assigns, and I

Name of Obligor deposit with the Oblige. as collateral security to this Bond.

The total liability imposed upon the Obligor by this Bond and any and all renewals thereof shall be concurrent and not cumulative and shall in no event exceed the penal sum written above or the amount substituted for such penal sum by any subsequent endorsement or renewal certificate.

SEALED with my seal and dated this..... day of.....

The Condition of the above obligation is such that if the said obligation does not by reason of any act, matter or thing at any time hereafter become or be forfeit under *The Real Estate and Business Brokers Act, 1946*, then the said obligation shall be void but otherwise shall be and remain in full force and effect and shall be subject to forfeiture as provided by the said Act.

SIGNED, SEALED AND DELIVERED in the presence of

Obligor.....

NOTE:

Section 17 of *The Real Estate and Business Brokers Act, 1946*, states:

Cancellation of bond. (2) A bond may be cancelled by any person bound thereunder by giving to the Registrar at least two months' notice in writing of intention to cancel and it shall be deemed to be cancelled on the date stated in the notice, which date shall be not less than two months after the receipt of the notice by the registrar.

Term of bond. (3) For the purposes of every act and omission occurring during the period of registration or the period prior to cancellation under subsection 2, every bond shall continue in force and the collateral security, if any, shall remain on deposit for a period of two years after the lapse or cancellation of the registration to which it relates, or the cancellation of the bond, which ever occurs first.

FORM 4A

The Real Estate and Business Brokers Act, 1946

BOND OF GUARANTOR, OTHER THAN GUARANTEE COMPANY

Bond No. Amount \$.....

KNOW ALL MEN BY THESE PRESENTS, that we, (hereinafter called the Principal) as Principal and (hereinafter called the Guarantor) as Guarantor are held and firmly bound unto His Majesty in the right of Ontario (hereinafter called the Oblige) in the sum of Dollars (\$.....) of lawful money of Canada, to be paid unto the Oblige, his successors and assigns, for which payment well and truly to be made, I,

Name of Principal bind myself, my heirs, executors, administrators, and I, the said

Name of Guarantor guarantee the payment of the sum of Dollars (\$.....) to the Oblige and I,

Name of Guarantor bind myself, my heirs, executors, administrators and assigns jointly and firmly by these presents and by depositing with the Oblige. as collateral security to this Bond.

The total liability imposed upon the Principal or Guarantor by this Bond and any and all renewals thereof shall be concurrent and not cumulative and shall in no event exceed the penal sum written above or the amount substituted for such penal sum by any subsequent endorsement or renewal certificate.

SEALED with our seal and dated this..... day of.....

The Condition of the above obligation is such that if the said obligation does not by reason of any act, matter or thing at any time hereafter become or be forfeit under *The Real Estate and Business Brokers Act,*

1946, then the said obligation shall be void but otherwise shall be and remain in full force and effect and shall be subject to forfeiture as provided by the said Act.

SIGNED, SEALED AND DELIVERED
in the presence of
.....
.....
.....

Principal.....
Guarantor.....

Seal

NOTE:

Section 17 of *The Real Estate and Business Brokers Act, 1946*, states:

Cancellation of bond. (2) A bond may be cancelled by any person bound thereunder by giving to the Registrar at least two months' notice in writing of intention to cancel and it shall be deemed to be cancelled on the date stated in the notice, which date shall be not less than two months after the receipt of the notice by the registrar.

Term of bond. (3) For the purposes of every act and omission occurring during the period of registration or the period prior to cancellation under subsection 2, every bond shall continue in force and the collateral security, if any, shall remain on deposit for a period of two years after the lapse or cancellation of the registration to which it relates, or the cancellation of the bond, which ever occurs first.

SCHEDULE I.

GLOSSARY

The following words and phrases are frequently used in respect to real estate transactions. The definition given pertains to the real estate meaning. The word "property" refers to real property.

- Abstract.** a written history of the title to a parcel of real estate as recorded in a Land Registry Office.
- Administrator.** a person appointed by the Court to manage the estate of a deceased person who did not by Will appoint an executor.
- Adverse possession.** when an individual, not the owner, takes actual possession of the property, hostile to and without the owner's consent.
- Agent.** One who legally represents a person or company in business transactions.
- Agreement of sale.** a contract by which one party agrees to sell and another agrees to purchase.
- Agreement to lease.** a contract by which one party agrees to rent real estate to another party for a rental or other compensation.
- Amortization of a mortgage.** arrangements for the paying off of a mortgage by instalments or periodic payments to a sinking fund.
- Appurtenances.** all the rights which go with the property although not within the limits of the deed.
- Assessed value or assessment.** valuation placed on property by a municipality for taxation purposes.

- Chattels.** movable possessions, personal property (generally items that may be removed without injury to the freehold estate).
- "Cloud" on title.** any encumbrance or claim that affects title to real property.
- Commission.** remuneration paid to agent on sale or lease of property, usually as a percentage of the amount involved.
- Consideration.** compensation, payment.
- Contract.** an agreement between two or more parties to do or refrain from doing some act (if affecting real estate, it must be in writing).
- Deed.** a written instrument which has been signed, sealed and delivered.
- Deposit.** payment of money or other valuable consideration as pledge for fulfillment of contract.
- Depreciation.** amount by which property over a period of time has decreased in value.
- Easement.** a right to some use of adjoining land or buildings, e.g., a right of way or a right to light.
- Encumbrance.** outstanding claim or lien recorded against property or any legal right to the use of the property by another person who is not the owner.
- Equity.** the difference between the market value of the property and the mortgages, liens, etc., against the property.
- Executor.** Person appointed by testator to carry out the provisions of his Will.
- Exclusive listing.** the giving of the sole right to sell the described property according to the terms of the agency agreement.
- Fee simple.** the highest estate or absolute right in real property.
- Fixtures.** permanent improvements to property which may not be removed at the expiration of the term of lease or tenure.
- Grantee.** the person who receives the legal transfer of property from another.
- Grantor.** the person who conveys or legally assigns property to another.
- Joint tenancy.** ownership of land by two or more persons whereby on the death of one, the survivor takes the whole estate.
- Judgment.** the decision of the Court.
- Landlord.** the person from whom another holds tenancy.
- Lease.** contract between landlord (lessor) and tenant (lessee) for the occupation or use of the landlord's property by the tenant for a specified time and for a specified consideration (rental).
- Lessee.** tenant under a lease.
- Lessor.** the person who grants use of property under lease to tenant.
- Lien.** a right or encumbrance affecting any property.
- Lis Pendens.** (legal phrase, Latin)—notice of the commencement of a Court action recorded on the title of property in the Land Registry Office.
- Mechanic's Lien.** a claim filed in the Land Registry Office by a mechanic, individual or company for labour and/or material supplied for the improvement of the property.
- Mortgage.** a conveyance of property to a creditor as security for payment of a debt with a right of redemption at a specified date.

Mortgagee.	the one to whom property is conveyed as security for the payment of a debt; the lender or creditor.
Mortgagor.	the one who makes the mortgage; the borrower or debtor.
Option.	a right given by the owner of property to another (for a valuable consideration) to buy certain property within a limited time at an agreed price.
Personal property.	all property, except land and the improvements thereon, goods and chattels.
Power of attorney.	delegated written authority to a person to legally act on behalf of another.
Principal.	the person or company who employs the agent; re money—constitutes the original sum invested or loaned.
Quit Claim Deed.	a general release of all claims or rights to a parcel of land.
Real Property.	real estate; land and/or buildings.
Survey.	the accurate mathematical measurement of land and buildings thereon made by the aid of instruments.
Tenant.	one who occupies land or tenement under a landlord.
Tenants-in-common.	ownership of land by two or more persons; unlike joint tenancy in that interest of deceased does not pass to survivor, but is treated as an asset of the deceased's estate.

SCHEDULE II.

1. Define the following terms, giving the meaning which pertains to real estate,—

- (a) assessment or assessed value;
- (b) amortization of mortgage;
- (c) cloud on title;
- (d) easement;
- (e) equity;
- (f) exclusive listing;
- (g) fixtures;
- (h) fee simple;
- (i) joint tenancy;
- (j) tenancy in common;
- (k) mortgagor;
- (l) mortgagee;
- (m) option;
- (n) quit claim deed;
- (o) real property; and
- (p) title.

2. Explain the difference between a broker and a salesman. What may a broker do that a salesman may not do?

3. When did *The Real Estate and Business Brokers Act, 1946*, come into force?

4. Under the Act may a person or corporation sell businesses without a licence?

5. For offences against the Act what is the maximum penalty?

6. May a broker or salesman promise or guarantee,—

- (a) that he will re-sell property offered by him for sale;

- (b) that he will sell the purchaser's own property; or
- (c) that he will obtain for the purchaser a mortgage, extension of mortgage, lease or extension of lease?

7. May a broker or salesman continue in business after March 31st of any year if he has not renewed registration?
8. May a registered broker or salesman pay a commission to a person or corporation not registered?
9. May a salesman trade with or through the office of a broker other than his employer?
10. May he trade as an agent on his own behalf?
11. Under what circumstances only may a registered broker or salesman buy for himself, or option to himself, property or business listed with him for sale?
12. Is a registered broker or salesman required to notify the Registrar immediately of change of address?
13. May a registered broker trade in real estate under any other name other than that which appears on his licence?
14. What information must a broker keep in his books of account? Be specific.
15. Under *The Real Estate and Business Brokers Act, 1946*, may a broker enter suit for collection of a commission with relation to sale of real estate if he has not obtained a signed agreement to pay commission?
16. Is it necessary in case of a married man selling real property registered in his name, to have his wife sign the contract? Why?
17. Has the Registrar the right to examine books and records of licensees?
18. Is it compulsory that a broker or salesman give forthwith to a vendor signing a listing agreement, a true copy thereof?
19. Is it compulsory that a broker or salesman deliver to both purchaser and vendor, or to their designated legal representatives, an original or a true copy of an accepted offer to purchase.
20. Are deposits received by a registered broker or salesman trust funds? Where must such funds be placed, pending lawful disbursement by the broker?
21. What is the annual rate of interest on a \$5,000. loan when the quarterly interest payments are \$68.75?
22. What is the amount of commission due a salesman on a \$7,000. sale where the broker receives 3½%

commission, and the salesman 55% of the broker's commission?

23. The owner employs a registered broker to sell his farm, and gives an agreement in writing to pay to the broker a commission of 5% of the selling price.

There is a mortgage on the farm dated June 1st, 1941, in the amount of \$2,000., bearing interest at 6% per annum, which mortgage in its status as at the closing date the purchaser is assuming.

Two instalments,—the purchaser finds—each in the amount of \$250.00, have been paid off the principal.

The interest on the mortgage has been paid by the vendor to June 1st, 1943.

The broker secures a purchaser and the vendor agrees to sell for \$3,500. The date of closing is June 30th, 1943.

- (a) What is the amount of commission, in dollars, due the broker?
- (b) What is the amount of interest owing to the purchaser by the vendor as at the date of closing?
- (c) Assuming that the vendor has paid the annual taxes of \$110.00 in full for the year ending December 31st, 1943, and that there were no arrears in taxes, what is the amount of adjustment or allowance with relation to taxes due to the vendor by the purchaser as at the date of closing?

FORM 5

LIST OF BROKERS AND SALESMEN

Registered under *The Real Estate and Business Brokers Act, 1946*, as of 1st day of May, 19...

1. List of Brokers (in alphabetical order)

Name	City or Town	Street number

2. List of Salesmen (in alphabetical order)

Name	Home address	Name and address of employer

Regulations 499

(Ontario Regulations 6/44 and 259/47)

REGULATIONS MADE UNDER THE SECURITY TRANSFER TAX ACT

INTERPRETATION

1. In these regulations,—

- (a) "bank" shall mean any Chartered Bank in Canada and the Bank of Canada;
- (b) "bond dealer" and "stock broker" shall include any person, firm or corporation which engages in the business of buying and selling securities either as principal or agent, but shall not include an investment trust, holding company, investment company, person, firm or corporation acting solely in a fiduciary capacity as purchasing or selling agent;
- (c) "trust company" shall mean company constituted or operated for the purpose of agent, executor, administrator, liquidator, assignee, guardian of a minor's estate, or committee of a mentally incompetent person's estate;
- (d) "transfer agent" shall include any person, firm or corporation which undertakes to record or register changes of ownership of securities;
- (e) "bond" shall include "debenture" and "share of debenture stock"; and
- (f) "Treasurer" shall mean the Treasurer of Ontario.

SALES BY STOCK BROKERS

2. Every stock broker who effects, as agent, the sale of any security shall compute the amount of the tax payable, and shall collect such amount from the vendor, transferor or assignor, and every stock broker who sells as principal, any security, shall compute the amount of the tax payable, and,—

- (a) if the sale is effected upon a stock exchange, shall remit such amount to such exchange; or
- (b) if the sale is effected otherwise than upon a stock exchange, shall remit such amount to the Treasurer, either by cash or by affixing Ontario Security Transfer Tax Stamps of the requisite value to the duplicate memorandum of sale, retained on file in his office.

SALES BY BANKS, BOND DEALERS AND TRUST COMPANIES

3. Every bank, bond dealer or trust company which effects, as agent, the sale of any security, shall compute the amount of the tax payable, and shall collect such amount from the vendor, transferor or assignor, and every bank, bond dealer or trust company which sells as principal any security shall compute the amount of the tax payable, and shall remit such amounts to the Treasurer, either by cash or by affixing Ontario Security Transfer Tax Stamps of the requisite value to the duplicate memorandum of sale retained on file in its office.

SALES TO BANKS, BOND DEALERS, STOCK BROKERS AND TRUST COMPANIES

4. Every bank, bond dealer, stock broker or trust company which buys either as principal or agent, any security from any person other than a bank, bond dealer, stock broker or trust company, shall compute the amount of the tax payable, and shall collect such amount from the vendor, transferor or assignor, and shall remit such amount to the Treasurer, either by cash or by affixing Ontario Security Transfer Tax stamps of the requisite value to the duplicate memorandum of purchase retained on file in its office.

SALES BY PERSONS OTHER THAN BANKS, BOND DEALERS, STOCK BROKERS AND TRUST COMPANIES TO PERSONS OTHER THAN BANKS, BOND DEALERS, STOCK BROKERS AND TRUST COMPANIES

5. Any person, firm or corporation, other than a bank, bond dealer, stock broker or trust company effecting the sale of any security to a person, firm or corporation other than a bank, bond dealer, stock broker or trust company, shall compute the amount of the tax payable and shall pay such amount to the Treasurer, either by cash or by affixing Ontario Security Transfer Tax Stamps of the requisite value to the duplicate memorandum of sale retained on file in his or its office.

BANKS, BOND DEALERS, STOCK BROKERS, TRUST COMPANIES AND PERSONS ACTING AS DEPOSITARIES FOR EFFECTING EXCHANGE OF SECURITIES

6. Every person, bank, bond dealer, stock broker or trust company which, acting as depositary for the exchange of securities, receives, either from himself or itself as owner, or from any other person, firm or corporation, a security to be exchanged for another security, shall compute the amount of the tax payable, and shall collect such amount from such person, bank, bond dealer, stock broker, trust company or such other person, firm or corporation respectively, and shall remit such amount to the Treasurer, either by cash or by affixing Ontario Security Transfer Tax Stamps of the requisite value to the duplicate memorandum of receipt retained on file in the office of such depositary, provided that this regulation shall not apply if the nature of the transaction is such that the tax payable is collectible under the provisions of one of the regulations numbered 2, 3, 4, 5 or 7.

DELIVERIES BY CUSTODIANS OF SECURITIES HELD IN ONTARIO FOR ACCOUNT OF NON-RESIDENTS OF CANADA

7. The custodian of a security held in Ontario for the account of a non-resident of Canada shall, upon delivery of such security to a purchaser, transferee or assignee or the agent of such purchaser, transferee or assignee, compute the amount of the tax payable and shall collect such amount from such non-resident and shall remit such amount to the Treasurer, either by cash or by affixing Ontario Security Transfer Tax

Stamps of the requisite value to a duplicate memorandum of delivery retained on the file of the custodian, provided that this regulation shall not apply if the nature of the transaction is such that the tax payable is collectible under the provisions of one of the regulations numbered 2, 3, 4, 5 or 6.

TRANSFERS RECORDED BY TRANSFER AGENTS

8. Any person, firm or corporation which is duly appointed as transfer agent for the issued shares, bonds or debenture stock of a company or corporation shall before recording a change of ownership of any such security, determine whether the amount of the tax payable upon the transaction which caused such change has been paid and, if not, shall compute the amount of such tax and shall collect such amount from the vendor, transferor or assignor and shall remit such amount to the Treasurer, either by cash or by affixing Ontario Security Transfer Tax Stamps of the requisite value to the cancelled certificates retained on its file.

TRANSFERS RECORDED BY COMPANIES, CORPORATIONS, ASSOCIATIONS AND SYNDICATES NOT EMPLOYING A TRANSFER AGENT

9. Any company, corporation, association or syndicate which records the transfer of its own issued securities, shall, before recording a change of ownership of any such security, determine whether the amount of the tax payable upon the transaction which caused such change has been paid and, if not, shall compute the amount of such tax and shall collect such amount from the vendor, transferor or assignor and shall remit such amount to the Treasurer, either by cash or by affixing Ontario Security Transfer Tax Stamps of the requisite value to the cancelled certificates retained on its file.

DUTIES OF TRANSFER AGENTS AND OF COMPANIES, CORPORATIONS, ASSOCIATIONS OR SYNDICATES NOT EMPLOYING A TRANSFER AGENT EFFECTING THE FIRST ISSUE OF A SECURITY

10. Every transfer agent and every company, corporation, association or syndicate not employing a transfer agent effecting the first issue of a security shall keep on file,—

- (a) a certified copy of the minutes of allotment of the security being issued; and
- (b) (i) a certificate of any two officers of the company, corporation, association or syndicate issuing the security to the effect that the security is being sold on a commission basis for the company, corporation, association or syndicate; or
- (ii) a certificate of the underwriter or optionee to the effect that the Ontario Security Transfer Tax has been paid; or
- (iii) a certificate of any two officers of the company, corporation, association or syndicate that the company, corporation, association or syndicate has sold the security direct to the allottee.

DUTIES OF STOCK EXCHANGE

11.—(1) Every stock exchange shall cause each of its members to file a report in writing at the close of trading on each day setting forth complete detail of all sales effected through the exchange on such day and of the amount of tax payable thereon and to remit such amount to the exchange.

(2) The secretary or other responsible officer of each stock exchange shall, not later than Thursday of each week, deliver to the Treasurer a report in writing showing the amounts of the tax collected, by days, upon the sales effected through the exchange by each member thereof during the previous calendar week and the total of such amounts, and such report shall be verified by the certificate of such officer certifying that the amounts of tax shown as collected by such report are the correct amounts payable and that all amounts payable have been collected and are included in such report.

(3) Every stock exchange shall send with the report required by subregulation 2 the difference between the amounts of the tax shown as collected in such report and a commission of three percentum of such amount, provided that such commission shall be deducted only if the exchange has complied in every particular with the provisions of this regulation.

SALES RECORDS TO BE KEPT BY BANKS, BOND DEALERS, STOCK BROKERS AND TRUST COMPANIES

12. Every bank, bond dealer, stock broker and trust company which sells a security, either as principal or agent, shall,—

- (a) prepare a memorandum in duplicate of such sale;
- (b) deliver one copy of such memorandum to the purchaser;
- (c) retain one copy on file until such time as permission is given by the Treasurer for its destruction; and
- (d) maintain records in detail of all sales deliveries.

PURCHASE RECORDS TO BE KEPT BY BANKS, BOND DEALERS, STOCK BROKERS AND TRUST COMPANIES

13. Every bank, bond dealer, stock broker and trust company which buys a security, either as principal or agent from a person, firm or corporation other than a bank, bond dealer, stock broker or trust company, shall,—

- (a) prepare a memorandum in duplicate of the purchase;
- (b) deliver one copy of such memorandum to the vendor;
- (c) retain one copy on file in its office until such time as permission is given by the Treasurer for its destruction; and
- (d) maintain records in detail of all purchases and deliveries.

RECORDS TO BE KEPT BY BANKS, BOND DEALERS, STOCK BROKERS, TRUST COMPANIES AND PERSONS ACTING AS DEPOSITARIES FOR EFFECTING EXCHANGE OF SECURITIES

14. Every bank, bond dealer, stock broker, trust company and person acting as depositary for effecting exchange of securities shall,—

- (a) prepare a memorandum of receipt in duplicate covering details of the security being deposited;
- (b) deliver one copy of such memorandum to the person depositing such security; and
- (c) retain one copy on file until such time as permission is given by the Treasurer for its destruction.

RECORDS TO BE KEPT BY CUSTODIAN HOLDING SECURITIES FOR ACCOUNT OF NON-RESIDENTS OF CANADA

15. Custodians of securities held for account of non-residents of Canada shall,—

- (a) maintain records in detail of all securities held for account of every such non-resident of Canada;
- (b) prepare a memorandum of all deliveries made; and
- (c) retain such memorandum in its office until such time as permission is given by the Treasurer for its destruction.

RECORDS TO BE KEPT BY TRANSFER AGENTS AND COMPANIES, CORPORATIONS, ASSOCIATIONS AND SYNDICATES NOT EMPLOYING A TRANSFER AGENT

16. Every transfer agent shall maintain a separate file for each class of security issued by each company, corporation, association or syndicate for which such agent acts and the secretary of every company, corporation, association or syndicate which does not employ a transfer agent shall maintain a separate file for each class of its issued securities and every such transfer agent and secretary shall retain in each such file in chronological order of date of transfer the cancelled securities until such time as permission is granted by the Treasurer for their destruction.

AFFIXING AND CANCELLATION OF ONTARIO SECURITY TRANSFER TAX STAMPS

17.—(1) Every person, firm or corporation remitting the tax by affixing Ontario Security Transfer Tax Stamps shall,—

- (a) affix the stamps securely to whatever document is prescribed under the provisions of regulations 2 to 9;
- (b) cancel every stamp used by it by perforating every such stamp together with the document to which it is affixed; and
- (c) provide an instrument for perforating the stamps.

(2) The perforation of every such stamp shall be in the form of,—

- (a) six holes, each of which shall be not less than one-eighth of one inch in diameter;
- (b) the word "cancelled" or a part thereof; or
- (c) the initial of the name of such person, firm or corporation.

AGENCY TRANSACTIONS

18.—(1) Every bank, bond dealer, stock broker, trust company or person acting in the capacity of an agent for the sale or purchase of a security shall,—

- (a) prepare a memorandum in duplicate of the transaction as of the same date as it is effected, setting forth in detail,—
 - (i) the name and class of security involved;
 - (ii) the actual sale or purchase price of such security;
 - (iii) the amount of usual or stipulated commission or brokerage, if any, being charged; and
 - (iv) in the case of a sale, the amount of the tax payable;
- (b) deliver one copy of such memorandum to the principal;
- (c) retain one copy of such memorandum on file in its office until permission is given by the Treasurer for its destruction;
- (d) keep on file in its office a signed order from the principal, or the confirmation from such principal of the same date as the agent's memorandum, expressed substantially in the terms "You have this day sold for our account", or "You have this day purchased for our account", and setting forth in detail the name and class of security, the actual sale or purchase price, less or plus only usual or stipulated commission or brokerage, if any, and in the case of a sale the tax payable;
- (e) retain such signed order or confirmation from such principal on file in its office until permission is given by the Treasurer for its destruction; and
- (f) furnish evidence that no profit or loss, other than such usual commission or brokerage, if any, or interest incidental to the completion of transaction, has been realized.

(2) Every bank, bond dealer, stock broker, trust company or other person who fails to comply with the provisions of subregulation 1 in respect of any transaction shall, for the purposes of such transaction, be deemed to be a principal and not an agent.

FIRST ISSUE OF SECURITIES

SYNDICATE AGREEMENT BETWEEN SECURITY DEALERS

19.—(1) The underwriting of a security or the first transaction whereby ownership or control of a security

is established shall be deemed not to constitute a sale, transfer or assignment within the meaning of the Act but a first issue thereof.

(2) If an original issue of securities is distributed or marketed through the medium of a group or groups of security dealers acting under a written syndicate agreement or agreements, by which members of the syndicate or syndicates are obliged to draw down and pay for the whole or a definite portion of the issue, the distribution of such security to any member of the syndicate or syndicates or the transfer of such securities by any member of the syndicate or syndicates to any other member in order to carry out the terms of the syndicate agreement or agreements, shall be deemed not to constitute a sale, transfer or assignment within the meaning of the Act.

FOREIGN SALES

20. The sale, transfer or assignment of any bond guaranteed by the Government of Canada or of any Province of Canada, by a person engaged in the business of a broker, within the meaning of *The Securities Act* or of a bank or of an investment dealer, in Ontario, acting as principal, to a purchaser, transferee or assignee, resident outside of Canada, shall be deemed not to constitute a sale, transfer or assignment within the meaning of the Act, provided that such sale, transfer or assignment is carried into effect by a delivery of the certificate or instrument of title to a point outside of Canada and that proof of such delivery to a point outside of Canada, satisfactory to the Treasurer, is kept on file in the office of such broker.

ORDERS

21.—(1) The execution outside of Ontario of an order received by a person resident within Ontario or by an officer or agent resident within Ontario of any firm or corporation from a person resident within Ontario or from an officer or agent resident within Ontario of any firm or corporation shall be deemed to constitute a sale, transfer or assignment within the meaning of the Act.

(2) The execution outside of Ontario of an order received by a person resident within Ontario or by an officer or agent resident within Ontario of any firm or corporation from a person resident outside of Ontario or from an officer or agent resident outside of Ontario of any firm or corporation shall be deemed to constitute a sale, transfer or assignment within the meaning of the Act if,—

- (a) such order is for the sale, transfer or assignment of a security held in Ontario for the account of such non-resident person or of the firm or corporation having such officer or agent resident outside of Ontario; or
- (b) the proceeds from the sale, transfer or assignment of the security, wherever held, which is the subject of such order, are received in Ontario for the credit of such non-resident person or of the firm or corporation having such officer or agent resident outside of Ontario or for the credit of the attorney, trustee or agent of such person, firm or corporation.

DELIVERY

22. Where any person acting either as the owner of a security, or as attorney, trustee or agent for a person, firm or corporation, wherever resident or wherever having its head office, which is the owner of a security, does any act within Ontario which has the effect of depriving such owner of the control or right to possession of such security, such act shall be deemed to constitute a sale, transfer or assignment within the meaning of the Act.

CHANGES IN RECORDED OWNERSHIP OF SECURITIES

23.—(1) When a certificate representing a security is presented for transfer to a transfer agent or the secretary of any company, corporation, association or syndicate accompanied by a written statement signed by the transferor or transferee or the agent thereof to the effect that the transfer is being made,—

- (a) from a client to a broker for purpose of sale;
- (b) from a broker to a client, no sale having been made;
- (c) from a client to a broker as security for a loan;
- (d) from a broker to a client, the loan, for which security was held by the broker, having been paid;
- (e) from a client to a broker for safekeeping account of client;
- (f) from a broker to a client from safekeeping account of client;
- (g) from a broker to a broker for the account of the same client;
- (h) from a broker to a nominee of the same broker, provided that this clause shall not apply unless such written statement certifies that no change of ownership is involved and unless a certified copy of the trust agreement between the broker and his nominee is on file in the office of such transfer agent or such secretary;
- (i) from a nominee of a broker to another nominee of the same broker, provided that this clause shall not apply unless such written statement certifies that no change of ownership is involved, and unless a certified copy of the trust agreement between the broker and his new nominee is on file in the office of such transfer agent or such secretary.
- (j) from a nominee of a broker to the same broker provided that this clause shall not apply unless such written statement certifies that no change of ownership is involved and unless a certified copy of the trust agreement between the broker and his nominee is on file in the office of such transfer agent or secretary;
- (k) from the maiden name of a woman to her married name, provided that this clause shall not apply in respect of any such person domiciled in the Province of Quebec unless such written statement is accompanied by evidence proving her separation as to property;

- (l) from the former name of a person to a name which he has acquired by complying with the requirements of the law;
- (m) from the old name of a company, corporation, association or syndicate to such new name of the same company, corporation, association or syndicate as has been authorized by supplementary letters patent, or in other manner authorized by law;
- (n) from the name of a company, corporation, association or syndicate to the name of the liquidator, receiver or trustee of the property, or any of it, of such company, corporation, association or syndicate where such property is transferred for liquidation purposes under the provisions of the *Bankruptcy Act* (Canada), the *Winding Up Act* (Canada), or the Act of any state or province providing for the winding up of companies, or for purposes of control for the benefit of creditors by order of the court;
- (o) from the name of the liquidator, receiver or trustee of the property or any of it of a company, corporation, association or syndicate to the name of a new liquidator, receiver or trustee of the same property;
- (p) from the name of the liquidator, receiver or trustee of the property or any of it of a company, corporation, association or syndicate to the name of the same company, corporation, association or syndicate;
- (q) from the name of a person, firm or corporation or an agent thereof, to the name of a trust company or corporation for administrative purposes only under a duly executed power of attorney;
- (r) from the name of a trust company or corporation having been held for administrative purposes only under a duly executed power of attorney of a person, firm or corporation to another trust company or corporation for administrative purposes only under another duly executed power of attorney of the same person, firm or corporation;
- (s) from the name of a trust company or corporation having been held for administrative purposes only under a duly executed power of attorney of a person, firm or corporation to the name of the same person, firm or corporation;
- (t) from the name of a person, firm or corporation to a trustee for the benefit of the same person, firm or corporation provided that this clause shall not apply unless such transfer agent or such secretary has on file or receives for his file a certified copy of the duly executed trust agreement between such person, firm or corporation and the trustee;
- (u) from the name of a trustee for a person, firm or corporation to the name of a new trustee for the same person, firm or corporation provided that this clause shall not apply unless such transfer agent or such secretary has on file or receives for his file a certified copy of the duly executed trust agreement between such person, firm or corporation and the new trustee;
- (v) from the name of a trustee for a person, firm or corporation to the name of the same person, firm or corporation;
- (w) from the name of an incapable person to a tutor, curator or committee of the estate of the incapable person;
- (x) from the name of a tutor, curator, or committee of the estate of an incapable person to a new tutor, curator or committee of the estate of the same incapable person;
- (y) from the name of a tutor, curator or committee of the estate of an incapable person to the same person upon being adjudged capable;
- (z) from the name of a decedent to the names of the executors, administrators or trustees under his will;
- (za) from the name of a person who died intestate to the administrator or trustee appointed by the court;
- (zb) from the name of an executor, administrator or trustee under a will or of a person acting under appointment of the court for a decedent who died intestate, to the name of a new executor, administrator or trustee of the estate of the same decedent;
- (zc) from the name of a tutor or guardian of a person, being a minor, to the name of the same person, upon such person reaching his majority or upon the date upon which the trust agreement appointing such tutor or guardian stipulates that the tutorship or guardianship is to be terminated;
- (zd) from the name of a tutor or guardian of a person being a minor to the name of a new tutor or guardian for the same person;
- (ze) from the name of an association, partnership or syndicate to the names of the individual members thereof upon dissolution of such association, partnership or syndicate, provided that where the distribution of the property of such association, partnership or syndicate amongst such members is not distributed in the same proportion as the *pro rata* interest of each member in the total of such property at the time of dissolution, the amount of the securities transferred to any individual member which is in excess of the proportion to which he would be entitled according to such *pro rata* interest, shall be deemed to constitute a sale, transfer or assignment within the meaning of the Act;
- (zf) from the name of an officer of a company or corporation who has been holding the issued security of such company or corporation in trust for an employee of such company or corporation, such employee having purchased such security, payment therefor to be made by instalments, to the name of such employee at the time when he has made his final payment for

the security; provided that this clause shall not apply unless such security represents an original issue by the company or corporation or unless, such security not representing an original issue of such company or corporation, the tax imposed by the Act was paid, either at the time of sale to the employee or at the time of transfer to the officer of such company or corporation to be held in trust for such employee; or

(zg) solely to correct an error;

such transfer shall be deemed not to constitute a sale, transfer or assignment within the meaning of the Act.

(2) In this regulation the word "broker" shall include bank, trust company and bond dealer.

SECURITIES ENTITLED TO EXEMPTION FROM TAX AT TIME OF TRANSFER

24. No further tax under the Act shall be payable when the certificate representing a security is presented to a transfer agent or to the secretary of any company, corporation, association or syndicate for transfer, if such certificate,—

(a) bears thereon a properly signed and dated certificate of a broker being a member of any securities' exchange in Ontario to the following effect:

"We hereby certify that the Ontario Security Transfer Tax payable on the sale of the security represented by this certificate has been paid to the.....

(Name of Securities' Exchange)

Date..... Signed.....";

(b) bears thereon a properly signed and dated certificate of any stock broker, bank, trust company or bond dealer in Ontario to the following effect:

"We hereby certify that the Ontario Security Transfer Tax payable on the sale of the security represented by this certificate has been paid,—

(i) by affixing Ontario Security Transfer Tax Stamps to the duplicate memorandum of sale or purchase retained on file in our office; or

(ii) by cash direct to the Treasurer of Ontario. Date..... Signed....."; or

(c) bears thereon a properly signed and dated certificate of any stock broker, bank, trust company or bond dealer to the following effect;

"We hereby certify that the security represented by this certificate is shown by our records as having been purchased for the account of the transferee, and, as such, that no change of ownership is involved in this transfer.

Date..... Signed.....";

provided that this regulation shall not apply to the transfer of any security bearing the certificate referred to in clause (c) if the security is issued by any company, corporation, association or syndicate and the record of its transfer is being made within Ontario, when such transfer is carrying into effect the sale of such security made outside of Ontario.

CANCELLED SALES

25. If by reason of any person being unable or unwilling to pay for securities which he has undertaken to purchase, it is necessary for the vendor to repurchase technically such securities from such person without profit or loss, the transaction in question shall be regarded as a "cancelled sale" and neither the sale nor the repurchase of such securities shall be deemed to constitute a sale, transfer or assignment within the meaning of the Act, provided that it can be shown,—

- (a) that the securities have at no time been delivered either to such person or to any agent of such person;
- (b) that the full amount of the repurchase price has been credited to such person; and
- (c) that no profit or loss or other consideration has accrued to such person.

DISTRIBUTION OF ASSETS

26. If any company, corporation, association or syndicate for any reason makes distribution of or assigns to its shareholders assets consisting of taxable securities, such distribution or assignment shall be deemed to constitute a sale, transfer or assignment of such securities within the meaning of the Act.

SINKING FUND ASSETS

27. A sale, transfer or assignment of a security, issued by a company, corporation, association or syndicate and subject to retirement out of a sinking fund, to such company, corporation, association or syndicate for deposit in such sinking fund shall not be deemed to constitute a sale, transfer or assignment within the meaning of the Act, provided that this exemption shall only apply where such security is held in the sinking fund until it is redeemed or cancelled by such company, corporation, association or syndicate.

CONDITIONAL REPURCHASE LOANS

28. A sale made by a broker within the meaning of The Securities Act of any bond to a bank, trust company or loan company, subject to repurchase by such broker from such bank, trust company or loan company at a date specified in a written repurchase agreement, shall not constitute a sale, transfer or assignment within the meaning of the Act provided that,—

- (a) such sale is made conditional to a repurchase of the bond by such broker in accordance with such agreement setting forth such condition and the date of such repurchase;
- (b) such bond is repurchased by such broker from the bank, trust company or loan company on the date specified in such agreement at a price which will produce the same rate of interest as that earned by the bank, trust company or loan company pursuant to such agreement;
- (c) no profit accrues to the bank, trust company or loan company other than the interest produced in accordance with such agreement; and
- (d) proof that such sale is a *bona fide* conditional repurchase sale, satisfactory to the Treasurer, is kept on file by the broker.

(Note: Regulation 29 and Form 1 was added by O. Regs. 259/47 but clause b of section 19 of the Act (1939, c. 45), which conferred power to make regulations as to forms, was repealed by Stats. Ont. 1948, c. 83, s. 2.)

29. The annual return under section 9 of the Act shall be in form 1.

FORM 1

The Security Transfer Tax Act, 1939

ANNUAL RETURN

For the fiscal year ended.....19....

1. Full name of company or corporation.....

2. Address of head office.....
 (Street and Number) (City or Town) (Province)

3. Address of chief office in Ontario.....
 (Street and Number) (City or Town)

4. Nature of business.....

5. Province or country where incorporated..... Date of incorporation.....

6. Share capital and funded debt:

	Authorized	Issued	Par Value	No Par Value Shares Book Value
Preferred	No. of shares.....	No. of shares.....	.....a share	
Common	No. of shares.....	No. of shares.....	.....a share	.....a share

Bonds Authorized \$..... Issued \$..... Redeemed \$..... Outstanding \$.....

Syndicate units, mineral deeds, oil royalties, guaranteed trust certificates and investment receipts.
 Issued \$.....

7. Investments:

- (a) Total sale value of securities sold during 19.... fiscal year \$.....
- (b) Total book value of securities held at end of 19.... fiscal year \$.....

8. Name and address of each transfer and sub-transfer agent of the company or corporation.....

If the company or corporation has no transfer agent, give address of each office when a register of the transfer of securities is kept.....

9. Every sale, transfer or assignment of registered securities issued by the company or corporation made or carried into effect in Ontario together with the amount of tax collected under the Act during the period covered by this return is listed in the case of a,—

- (a) bond, debenture or debenture stock in Schedule 1;
- (b) share in Schedule 2; and
- (c) syndicate unit, mineral deed, oil royalty, guaranteed trust certificate or investment receipt in Schedule 3, appended hereto.

10. Was tax paid by,—

- (a) affixing security transfer tax stamps?.....
- (b) cash remittance?.....
- (c) stock broker, bond dealer, bank, trust company, person, company or corporation selling, transferring or assigning a security or taking or making delivery of a security on behalf of any person?.....

11. I hereby certify on behalf of the above named company or corporation that the statements in this return are in agreement with the books and records of the company or corporation and that the schedules and

Regulations 500

(Ontario Regulations 195/44)

REGULATIONS AS PREPARED BY THE COMMITTEE ON CANADIAN BOILER CODE
ADOPTED BY THE PROVINCE OF ONTARIO BY ORDER IN COUNCIL
PURSUANT TO THE STEAM BOILER ACT, R.S.O. 1937, c. 343

SECTION 1—SCOPE AND APPLICATION OF REGULATIONS

Rule 101

The standards that shall be used in these regulations for the **design**, construction, welding, installation, identification and inspection of **boilers**, pressure vessels, piping and **fittings**, shall, subject to the approval of the Authority having jurisdiction, be those of the Canadian Engineering Standards Association's specifications for material and construction of **boilers** or pressure vessels.

Note: See "Adoption of Publications of the American Society of Mechanical Engineers, relative to Boilers and Pressure Vessels"—Page 8.

Rule 102

These regulations shall apply to all steam **boilers**, **heat exchangers**, air receivers, **liquid receivers**, oil stills, **refrigerating plants**, **steam plants**, **steam processors**, or any other pressure vessel fitting or piping, insofar as the same is provided for by **the Act** or defined in these regulations.

Rule 103

These regulations, except where otherwise provided by **the Act**, shall not apply to **boilers** and pressure vessels operated by railways under the supervision of the Board of Transport Commissioners nor to any **boilers** or pressure vessels subject to inspection under the Dominion "Steamboat Inspection Act" nor to any **steam heating plant** with a capacity not exceeding 30 sq. ft. of heating surface, nor to **steam heating plants** in private residences. Rooming houses (as defined by the **Department**) and apartment houses shall not be considered as private residences.

Rule 104

The **Chief Inspector** shall have the power to formulate rules in cases where formulae have not been provided in these regulations or where circumstances render desirable an alteration to or modification of the regulations.

Rule 105

Any **Inspector**, appointed under **the Act**, may, with the approval of the **Chief Inspector**, increase the Factor of Safety on any **boiler** or pressure vessel when he considers the workmanship, material, condition or installation is such that an increased Factor of Safety is necessary.

Rule 106

All **fittings** attached to any **boiler** or pressure vessel or used in any **steam plant** or **refrigeration**

plant shall, after the coming into force of these regulations, be such as are sanctioned by these regulations.

SECTION 2—DEFINITIONS*

Rule 201

For the purpose of these regulations, the following terms shall have the meanings assigned, respectively to them:

Boiler: Any vessel in which steam is generated and which has a greater capacity than 3 cu. ft., or 20 sq. ft. of heating surface.

Chief Inspector: A person appointed under the provisions of **the Act** to inspect **boilers** or pressure vessels, and to have general supervision over the **Inspectors** as well as over all matters and things in connection with **the Act**.

Department: The Department or Branch of the Provincial Government having supervision of **the Act**.

Design: This term includes the blue prints and specifications, specimens, or models submitted to the **Chief Inspector** for approval and registration.

**Note: Defined terms are indicated in bold face type throughout the text.*

Fittings: Safety-valves, stop-valves, automatic stop-and check-valves, blow-down valves, reducing-valves, water-gauges, gauge-cocks and pressure-gauges.

Heat Exchanger: A condenser, evaporator, liquid-heat or brine-cooler (including hot-water storage-tanks over 24 in. in diameter), when the pressure exceeds 15 lbs. to the sq. in., but does not include a **heat exchanger** in a private residence occupied by not more than 2 families.

Inspector: Any **Inspector** of Steam Boilers appointed under **the Act**, or any **Inspector** authorized by the **Chief Inspector** to carry out the shop inspection and tests of any **boiler**, pressure vessel or material.

Liquid Receiver: Any vessel in which a liquid refrigerant is stored under a pressure exceeding 15 lbs. per sq. in., and having a capacity exceeding 1½ cu. ft.

Oil Still: An apparatus for separating, evaporating, cracking, or refining oil, or any of the constituents thereof.

Refrigerating Plant: The complete installation of machinery by which refrigerants are vaporized,

compressed and liquefied in their refrigerating cycle and within the scope and meaning of the C.E.S.A. Mechanical Refrigeration Code, No. B 52-1939.

Steam Processor: Any-vessel having a capacity exceeding $1\frac{1}{2}$ cu. ft., when such vessel is used for the purpose of raising the temperature of any material placed therein by means of steam having a pressure exceeding 15 lbs. per sq. in.

Steam Plant: The complete installation of boilers, engines, machinery and appliances of all descriptions operated by steam and under the same management and in the same undertaking.

The Act: The Boiler Inspection Act of the respective Provinces adopting these regulations.

C.E.S.A.: Canadian Engineering Standards Association.

Unfired Pressure Vessel: A vessel over 6 in. in diameter or $1\frac{1}{2}$ cu. ft. capacity used for containing or storing air, gas, inflammable or lethal liquids, or steam at a pressure of more than 15 lbs. per sq. in.

SECTION 3—REGISTRATION OF DESIGNS

(Drawings and Specifications)

Rule 301

Blue prints and specifications of **designs** in triplicate must be submitted to the **Chief Inspector**, for all **boilers**, pressure vessels and **fittings**; also for proposed **refrigeration** or **steam plants**, including piping arrangements and their specifications.

Rule 302

Drawings and specifications must state the maximum operating pressure and temperature, also the standard of materials and method of fabrication.

Rule 303

Before commencing construction of any **boiler** or pressure vessel to be built under these regulations, complete drawings and specifications must be submitted to the **Chief Inspector** by the manufacturers, for approval.

Rule 304

Drawings or blue prints, submitted with applications for registration, must be provided with a blank or white space 3 in. by 4 in. on which to place official approval stamp.

Rule 305

Specification forms will be supplied by the **Department** on request.

Rule 306

Fees for survey, according to scale of charges as outlined in Section 5, must accompany drawings and specifications when they are submitted to the **Department** for approval.

Rule 307

Designs, when finally approved, will be given registration numbers for the Province, and from such registered **designs** vessels may be made by the manufacturer in any number, full reference being made to the registration number when submitting affidavit of construction accompanying such vessels.

Rule 308

Any number of vessels may be built from a registered design until changes are made in the regulations, when notice will be given to the person who submitted the design that, within 12 months, it should be made to comply with the changes. During this period, the change, or changes, in the regulations shall not affect any registered **design**, but no **boiler** will be approved if built to such design after the expiration of 12 months' notice, when the registered **design** shall be cancelled.

Rule 309

Notwithstanding the fact that a **design** has been approved by the **Department**, if it be afterwards found to be defective in any particular, the manufacturer shall be notified accordingly, and shall thereupon revise the design to meet the approval of the **Chief Inspector**.

Rule 310

All designs submitted after the adoption of these regulations shall comply with the new requirements, but existing registered designs will continue to be acceptable so long as such designs remain unchanged.

Rule 311

Changes made by manufacturers in **designs** already approved and registered will necessitate the submitting of new drawings and specifications, together with fees, in the same manner as if they were original **designs**.

Rule 312

When a **design** is submitted and not approved, a report on the same will be sent to the person by whom it was submitted, who must forward new blue prints and specifications which shall conform with the provisions of these regulations; and when the **design** is finally passed it will again be reported on, and the vessels may then be built to such approved **design**.

Rule 313

In cases where **boilers** or pressure vessels are of unusual **design** and construction, and where a doubt exists as to the direction and magnitude of the stresses, permission may be given to build one **boiler** or pressure vessel which may be subjected to experimental tests by the **Department**, the cost of which tests shall be borne by the manufacturer. The **design** will be passed when the tests satisfy the **Chief Inspector** that the **boiler** will safely withstand the stresses to which it will be subjected during operation at the permissible pressure.

Rule 314

The approval of drawings will not in any way relieve the manufacturer of responsibility in the constructing

of a **boiler**, pressure vessel or **fitting** according to these regulations.

Rule 315

In cases where **boilers** or pressure vessels, either new or second-hand, have not been built for operation under the jurisdiction of the **Act**, but are afterwards required for such purpose, complete drawings, accompanied by the affidavit, should be forwarded to the **Chief Inspector**; but if information by drawings and affidavits from the manufacturer for good and valid reasons is not obtainable, the **Inspector** making the examination of the **boiler** or pressure vessel shall be so informed, and he shall add to the Factor of Safety as provided in Section I, Rule 105.

Rule 316

When a **boiler** or pressure vessel is delivered to a purchaser in any Province, an affidavit of shop foreman and **inspector** under whose supervision the **boiler** or pressure vessel was built, fully filled out and sworn to, as per form (which will be supplied by the **Department** on request) shall be forwarded to the **Chief Inspector**. Such form shall show the name and address of the purchaser, and location of installation, and may be filled in by the sales agent.

SECTION 4—DESIGNS OF BOILER ACCESSORIES

Rule 401

Blue prints, in triplicate, from complete drawings of **fittings** to be used on **boilers**, pressure vessels or pipe lines carrying pressure, shall be sent to the **Chief Inspector** before any **fitting** is used, on which all sizes and thicknesses of metal must be shown, also specifications in triplicate, stating composition of all materials, thicknesses, tensile strength, compressive strength of all parts which are subject to compression, maximum working pressure and temperature, also the pressure to which the **fitting** was tested by the maker and at what pressure a sample **fitting** ruptured when tested to destruction.

Rule 402

All standard globe-, angle-, gate- and check-valves, and pipe-**fittings**, such as ells, tees, unions and flanges, are not required to have each separate **design** registered, providing they comply with the requirements of these regulations as to material for the service for which they are intended.

Rule 403

Should an **Inspector** find that a manufacturer is supplying **fittings** that do not fully comply with the requirements of these regulations, the registration number shall be cancelled immediately and the **Chief Inspector** may refuse to consider any further application for registration of **fittings** from such manufacturer.

Rule 404

For registration of **fittings** the fee shall be \$3.00 for each size registered; provided that where a number of sizes of the same pattern are fully shown on one blue print, giving the complete dimensions of each size, a maximum fee of \$10.00 will be charged for registration.

Rule 405

When the **Chief Inspector** considers it necessary, sample **fittings** must be sent at the expense of the party registering and may be returned by the **Department** at the registering party's expense.

Rule 406

The **Chief Inspector** may select any registered and approved **fittings** in an agent's stock and test them, and should a number of **fittings** made from any registered **design** prove to be faulty, the **Chief Inspector** may cancel the registration of same.

SECTION 5—FEES

Rule 501

The minimum fees for surveying **designs** of **Steam Plants, Refrigeration Plants** and any **boiler** or **un-fired pressure vessel** for approval and re-registration shall be as follows:

- (a) Any air receiver, liquid receiver, oil still, steam processor or similar pressure vessel, not exceeding 48 in. in diameter and 10 ft. in length or of equivalent volume..... \$ 3.00
- (b) Exceeding 48 in. in diameter or 10 ft. in length, but not exceeding 60 in. in diameter or 20 ft. in length or of equivalent volume..... 5.00
- (c) Exceeding 60 in. in diameter or 20 ft. in length or of equivalent volume..... 7.50
- (d) Any boiler or heat exchanger not exceeding 100 sq. ft. of heating surface... 5.00
- (e) Exceeding 100 sq. ft. but not exceeding 500 sq. ft. of heating surface..... 7.50
- (f) Exceeding 500 sq. ft. but not exceeding 2,000 sq. ft. of heating surface..... 10.00
- (g) Exceeding 2,000 sq. ft. but not exceeding 5,000 sq. ft. of heating surface..... 15.00
- (h) Exceeding 5,000 sq. ft. of heating surface 20.00
- (i) Any steam plant piping not exceeding 200 h.p..... 5.00
- (j) Exceeding 200 h.p. but not exceeding 500 h.p..... 7.50
- (k) Exceeding 500 h.p. but not exceeding 1,000 h.p..... 10.00
- (l) Exceeding 1,000 h.p. but not exceeding 2,000 h.p..... 15.00
- (m) Exceeding 2,000 h.p., \$15.00 plus \$5.00 for each additional 1,000 h.p. or fraction thereof.....
- (n) Any refrigeration plant piping, not exceeding 50 tons..... 5.00
- (o) Exceeding 50 tons but not exceeding 100 tons..... 7.50
- (p) Exceeding 100 tons but not exceeding 500 tons..... 10.00
- (q) Exceeding 500 tons in capacity..... 15.00

Rule 502

Designs for **steam plants** need not be submitted for approval when the capacity does not exceed 100 h.p., unless requested by the **Chief Inspector**, but such **steam plants** shall otherwise comply fully with the requirements of these regulations.

Rule 503

Designs for refrigeration plants need not be submitted for approval when the capacity does not exceed 15 tons, unless requested by the **Chief Inspector**, but such **refrigeration plants** shall otherwise comply fully with the requirements of these regulations.

SECTION 6—REGISTRATION NUMBERS

Rule 601

Registration numbers will be allotted by the **Department** to **designs** and specifications when approved and registered, the Province in which the **design** is registered being indicated by a figure following a decimal point.

Rule 602

When a **design** which has been registered in any Province is subsequently registered in another Province, the original registration number will be retained, but an additional figure or figures indicating the second or other Provinces in which the **design** may be subsequently registered shall be added after the decimal point.

Rule 603

The provinces shall, respectively, be indicated by the following figures:

- | | |
|-------------------------|------------------|
| 1. British Columbia | 5. Ontario |
| 2. Alberta | 6. Quebec |
| 3. Saskatchewan | 7. New Brunswick |
| 4. Manitoba | 8. Nova Scotia |
| 9. Prince Edward Island | |

Rule 604

For example, a **design** registered in Ontario and allotted the number 357 will be registered as Design number 357.5. If this **design** is subsequently registered in Alberta the registration number will be 357.52 and if afterwards registered in Manitoba the registration number will then become 357.524, the first number being the original registration number and the numbers following the decimal point indicating the Provinces in which the **design** has been registered, in the order of the dates of registration.

Rule 605

Persons submitting **designs**, which have already been registered in any Province, for registration in another Province, must give the names of the Provinces in which the **designs** have, previously, been registered, together with the registration number and date of registration.

SECTION 7—IDENTIFICATION

Rule 701

Every **boiler** or other pressure vessel built under these regulations shall conform to them in every detail and shall be distinctly stamped, as follows:

- (a) With the letters "C.E.S.A." as shown in Fig. 1, not less than $\frac{1}{2}$ in. in size, denoting that the **boiler** has been constructed in accordance with these regulations.

At the right hand of the letters "C.E.S.A." shall be stamped the registered number of the **design**.



Fig. 1

In addition to the above stamping, and immediately below it, each **boiler** built under these regulations shall be stamped as follows:

- (i) Builder's name and shop number of **boiler**.
 - (ii) The name of plate manufacturer, quality of plate, and lowest tensile strength of any shell-plate in the **boiler** with "S" for steel and "I" for iron.
 - (iii) The date of construction, thus: Day of month, numerical order of month, last two figures of year.
- (b) If the boiler be built under inspection, the foregoing shall be followed by:

Initials of the Engineer Surveyor who supervised the construction and tests of the **boiler**, with his serial number

- (c) The figures and letters of the above stamping shall be at least $\frac{1}{4}$ in. in size.
- (d) A sample stamping is indicated below (Fig. 2). It shall be legible and fully into the plate of the **boiler** itself (not of the smoke box):



357.524

Fig. 2

SMITH BOILER CO. 23456

CARNEGIE FLANGE. 55000 S
26.10.19.

Rule 702

The location of stamping shall be as follows:

- (a) On horizontal return tubular **boilers**, on centre of each head above tubes.
- (b) On portable and locomotive types, on right side of fire door clear of attachments.
- (c) On water tube **boilers**, on the end of steam drum above manhole door.
- (d) On internally fired **boilers** with circular furnaces, on right side of fire door, if practicable.
- (e) On vertical **boilers**, over fire door.

Rule 703

For **boilers** on which stamping is not practicable in locations as above, the required information must be stated on affidavit form.

Rule 704

All new heating **boilers** must be stamped "For Heating Purposes Only," in addition to the regular stamping.

Rule 705

On cast iron sectional **boilers**, the following sample of identification shall be cast thereon: "C.E.S.A. 00.123456 FOR HEATING PURPOSES ONLY."

Rule 706

All **boiler fittings** required to be registered must have working pressure and letters "C.E.S.A." stamped or cast thereon.

Rule 707

For **boilers**, where location is not practicable as required in Rule 702, it must be so indicated on the Manufacturers' Specification Report form.

Rule 708

Any identification stamping as outlined in this section must be kept free of any covering so that the stamping is freely accessible to the **Inspector** at all times.

Rule 709

Every **unfired pressure vessel** of welded, brazed or forged construction or that has welded pressure parts built under these Regulations shall conform in every detail to them and shall be distinctly stamped with symbol and registration number, the number of the paragraph under which construction complies, shell and head thicknesses, manufacturer's name, manufacturer's serial number, the date of construction and the **Inspector's** initials, if built under inspection. These markings shall be legibly stamped on a nameplate with letters and figures at least $\frac{1}{8}$ in. high. The nameplate shall be at least 5 in. by $3\frac{3}{4}$ in. in size and brazed or otherwise irremovably attached to some conspicuous portion of the vessel, preferably near a manhole, or handhole, if any.

Vessels intended for use as hot-water storage tanks or hydro-pneumatic tanks which, as to material specifications, are not constructed in accordance with these regulations, shall be stamped to indicate that they are for hot-water storage or for hydro-pneumatic purpose, only.

SECTION 8—BLOW OFF TANKS

Rule 801

When the blow-down from any **boiler** is discharged into a closed sewer pipe, an approved blow-off tank shall be placed between the **boiler** and sewer for the purpose of reducing the pressure and temperature of the water entering the sewer.

Rule 802

Where **blow-off** tanks are provided, they shall be of approved **design**, and have a capacity not less than 20 cu. ft.

Rule 803

The outlet shall be at least twice the area of the inlet pipe to the blow-down tank and made to extend internally to within 6 in. from the bottom of the tank. A vent pipe of at least equal diameter to the outlet connection shall lead to the atmosphere from the top of the tank, and for convenience in cleaning the tank, a manhole shall be provided.

Rule 804

All pipe connections between the **boiler** and tank shall be made as direct as possible and be equipped with sweep bends having a radius of bend at least 4 times the diameter of the pipe.

Rule 805

All **designs** submitted and allotted a registration number shall be built to carry a pressure equal to 50 per cent of the maximum **boiler** pressure under the regulations for unfired pressure vessels

SECTION 9—SIDE LUG AND SETTINGS FOR HORIZONTAL CYLINDRICAL BOILERS

Rule 901

The following rules shall be observed in the setting of cylindrical externally-fired **boilers**:

- (a) No **boiler** shall be suspended from the crown or allowed to stand on a pedestal at the back end.
- (b) All externally-fired **boilers** up to and including 12 ft. in length and less than 48 in. in diameter may be supported upon 4 cast iron or steel brackets resting upon substantial plates set in the brickwork, the back lugs resting upon rollers between the lugs and plate to provide for the expansion of the **boiler**.
- (c) **Boilers** over 12 ft. long and 48 in. and over in diameter shall be suspended at the front and back by side lugs set in pairs, or by approved double-wing, single hangers with wings double-ripped. All lugs and brackets shall be located at each side above the fire-line and properly fitted to the curvature of the shell. The shearing stress of rivets attaching lugs and brackets must not exceed 8 per cent of the shearing strength of the rivets.
- (d) All lugs shall be of steel plate or of pressed steel design located at equal distances from the centre line of each course.
- (e) Suspension, when required by the preceding clauses, shall be from wrought iron or steel beams, which shall be carried by and secured to iron or steel columns having bases bolted to substantial foundations.

Suspension beams or supporting columns shall not rest on the side walls of the brick setting.

The maximum fibre stress for suspension beams shall not exceed 12,500 lbs. per sq. in.

Recommended sizes of beams and columns are shown in Table 1.

TABLE I
Recommended Sizes of Suspension Beams and Columns for Horizontal Return Tubular Boilers

Diam. Boiler	48"	54"		60"		66"		72"		78"	
Length	14'0"	14'0"	16'0"	14'0"	16'0"	16'0"	18'0"	16'0"	18'0"	18'0"	20'0"
Single Setting	2-7" [s] at 9.8*	2-8" [s] at 11.5*	2-8" [s] at 11.5*	2-9" [s] at 13.4*	2-9" [s] at 13.4*	2-10" [s] at 15.3*	2-10" [s] at 13*	2-12" [s] at 20.7*	2-12" [s] at 20.7*	2-12" [s] at 20.7*	2-12" [s] at 25*
Double Setting	2-9" I's at 21.8*	2-12" I's at 31.8*	2-12" I's at 31.8*	2-12" I's at 31.8*	2-12" I's at 40.8*	2-15" I's at 42.9*	2-15" I's at 42.9*	2-18" I's at 54.7*	2-18" I's at 54.7*	2-20" I's at 65.4*	2-20" I's at 65.4*
Single or Double	4" H at 13.8*	5"H at 18.9*		5"H at 18.9*		5"H at 18.9*		6"H at 20*		6"H at 20*	
Minimum Diameter of Suspension Rods	1 1/8"	1 1/4"		1 3/8"		1 3/4"		2"		2"	

Sections of equal or greater strength may be substituted to suit Manufacturer's current stock.

In no case may the ratio $\frac{\text{Height of column in inches}}{\text{Least radius of gyration}}$ exceed 120.

Columns 14 feet high and over must be braced.
*Represents lbs.

(f) Supporting columns for externally-fired boilers shall not be enclosed within the brickwork which is subject to the heat from the furnace. Columns shall be placed not less than 1 in. clear of the outer walls of the boiler or battery of boilers, so that these columns and the brickwork behind them can be readily inspected.

SECTION 10—SUSPENSION RODS

Rule 1001

The maximum fibre stress for suspension rods computed at the minimum net section at the bottom of the thread shall not exceed 12,500 lbs. per sq. in. for iron rods or 15,000 lbs. per sq. in. for steel rods.

Rule 1002

In the case of Horizontal Return Tubular boilers suspended from 4 points, since any slackening of one support throws the whole weight of the boiler on 2 rods, each suspension rod shall be sufficiently strong to carry one-half the total weight of the boiler without exceeding the fibre stress specified in the preceding Rule. If a link arrangement be used, the link is subjected to bending and shearing stresses in addition to the direct pull on the rods and, consequently, in calculating the size of link required, allowance shall be made for these stresses. Usually the suspension link will be sufficiently strong if the direct pull on the net sectional area of the rod of which the link is made, does not exceed 6,200 lbs. per sq. in. for iron link rods, or 8,500 lbs. per sq. in. for steel link rods.

SECTION 11—CONSTRUCTION AND GRADUATION OF STEAM AND VACUUM GAUGES

Rule 1101

All gauges shall be registered and should, preferably, be restricted to the following classifications:

Rule 1102

The dials should be of the following sizes: 2 1/2, 3 1/2, 4 1/2, 5, 6, 6 3/4, 8 1/2, 10, 12 and 18 in.

Rule 1103

The identification letters and numbers shall be stamped and filled on the gauge dial, the same as the graduations and scale, together with the manufacturer's name.

Rule 1104

All gauges shall be accurately and correctly graduated up to and including the last division of the scale.

Rule 1105

The total graduation of the scale on the dial shall be at least twice the working pressure allowed on the boiler or pressure vessel on which it is working.

Rule 1106

The case may be of brass, iron or steel. The hair spring may be of steel or bronze metal, and all of the moving parts, except the pointer, must be made of non-ferrous metals. Sector pinion shaft and pinion and sector shaft shall be of bronze metal and must be well

fitted. The sector shall have milled teeth, at least 0.125 in. wide across the face of the teeth in all gauges over 60 lbs. pressure. Under 60 lbs. pressure, the sector shall have milled teeth at least 0.100 in. wide across the face of the teeth. The frame of the movement shall be fitted with bronze bearings for both ends of the pinion shaft and the sector shaft.

Rule 1107

Connecting links or plates shall be of bronze metal and not less than 0.075 in. in thickness by 0.185 in. in width where gauges are used for over 60 lbs., and 0.050 in. in thickness by 0.185 in. in width for gauges 60 lbs. and under. The pinion shaft shall have a tapered end to receive the pointer, the smaller end of the taper being not less than 0.075 in. in diameter. The pinion shaft and the sector shaft shall be not less than 0.100 in. in diameter.

Rule 1108

Special gauges of other materials, sizes, graduations or construction, will be permitted for any special service where the **Department** considers that such other size ensures greater accuracy of working or observation, or increased durability.

Rule 1109

The dial shall be made of non-ferrous metal, silvered or lacquered, having all letters, figures and scale markings clearly cut or stamped and filled with black enamel. The dial shall be secured in an approved manner so that it will not be possible to change it in such a way as to affect the accuracy of the reading. Where screws are used to attach the dial, at least 3 screws shall be required.

When non-ferrous metal is unobtainable for the manufacture of dials, white processed iron may be substituted in all sizes, and phenolic compound in sizes 4½ in., 5 in. and 6 in., provided that the iron is so processed as to preclude corrosion of the metal, or injury to the coating by variations in temperature, and provided that the phenolic compound is of such composition and quality as to preclude the occurrence of emanations of any nature that may injure any part of the gauge or decrease its efficiency.

Letters, figures and scale markings on processed iron or phenolic compound dials shall be conspicuous and of a permanent nature.

Rule 1110

Tubes shall be so fitted at the sockets and the tips that these parts will be fully as strong as the rest of the tube.

Rule 1111

All moving parts shall be as light as possible, consistent with the above requirements.

Rule 1112

Pressure gauges for stationary **boilers** may have seamless Bourdon single or double tubes. All gauges for traction or portable **boilers** shall have seamless Bourdon double tubes.

Rule 1113

The workmanship and material in all gauges shall be of the best quality throughout.

SECTION 12—TESTS FOR GAUGES

Rule 1201

Steam gauges will be tested by the **Department** as follows: Gauges shall withstand for 6 hours a pressure equal to the maximum pressure marked on the dial without the tube showing a permanent set of more than 0.5 per cent at the end of one hour after the release of the pressure.

Rule 1202

Calibration tests shall show an accuracy within 2 per cent on the lower and upper fifth of the graduated scale, and within 1 per cent on the other three-fifths of the scale. Before the calibration test is made the pointer shall be set accurately at the point of maximum working pressure.

Rule 1203

These tests shall be made on all sample gauges sent in with the application for registration.

Regulations 501

(Ontario Regulations 196/44)

REGULATIONS AS PREPARED BY THE COMMITTEE ON MECHANICAL REFRIGERATION
ADOPTED BY THE PROVINCE OF ONTARIO BY ORDER-IN-COUNCIL
PURSUANT TO THE STEAM BOILER ACT, R.S.O. 1937, c. 343

SECTION 2—SCOPE AND PURPOSE

Rule 201

Purpose

The application of this Code is intended to ensure the safe design, construction, installation, operation and inspection of every **Refrigerating System** employing a fluid which is vaporized and liquefied in its refrigerating cycle, which may be used for the extraction of heat for any purpose.

Rule 202

Scope

This Code shall apply to all **Refrigerating Systems** installed subsequent to its adoption, and to parts replaced in or added to **refrigerating systems** that have been installed prior to its adoption, except as provided in Rule 203.

Rule 203

Used Equipment

This Code shall apply to used or second-hand refrigerating equipment, both the ownership and location of which have been or will be changed. If sold for re-use, re-installed or used again, it shall be made to comply with the provisions of this Code. This clause shall not apply to unit systems or self-contained domestic refrigerators.

Rule 204

Safety

This Code is intended to provide reasonable safeguards to life, limb, health, and property; to correct certain practices which are inconsistent with safety; and to prescribe standards of safety which will influence but not retard future progress and developments in **Refrigerating Systems**.

SECTION 3—DEFINITIONS*

*Note: Defined or classified terms are shown in bold face type throughout the text of this Code.

Absorber—A vessel in which the **refrigerant** is absorbed by another substance.

Air Conditioning—For the purpose of this Code shall mean the cooling of air for human comfort by means of mechanical refrigeration.

Approved—Acceptable to the authorities having jurisdiction.

Brazed Joint—For the purpose of this Code, a brazed joint is a gas-tight joint, obtained by the joining of metal parts with alloys, which melt at temperatures higher than 1,000° F. but less than the melting temperatures of the joined parts.

Brine—Any liquid which is used for the transmission of heat without a change in its state and whose flash point is not below 150° F.

Competent Authority—The authority having jurisdiction in any specific place.

Compressor—A mechanical device used in a **Refrigerating System** for the purpose of increasing the pressure upon the **refrigerant**.

Condenser—A vessel or arrangement of pipe or tubing in which vaporized **refrigerant** is liquefied by the removal of heat.

Condensing Unit—A specific refrigerating machine combination consisting of a **compressor** or **generator**, a **condenser**, with or without an **absorber**, a **liquid receiver**, and the regularly furnished accessories.

Container—A vessel which is used for the transportation of **refrigerant** and constructed to conform to the specifications of the **Competent Authority**.

Design Working Pressure—The maximum allowable working pressure for which a vessel is designed by employing the factors of safety, stresses and dimensions designated in the C.E.S.A. Regulations for Construction and Inspection of Boilers and Pressure Vessels. (No. B51-1939).

Note: The relationship between various pressures referred to in this Code is best shown by an example.

Assume that the **Design Working Pressure** of a vessel used for ammonia is 300 lbs., then the relationship between the various pressures will be as follows:

1. **Design Working Pressure** (assumed). 300 lbs.
2. Clause 1503—**Test Pressure** (Table 3) of the Code gives minimum field test pressure (high side) for ammonia. 300 lbs.
3. Clause 1402 (b) of the Code requires construction in accordance with certain formulae referred to in the definition of **Design Working Pressure**. By this formula and standard practice of boiler inspectors, the vessel will,—
 - (a) If riveted, be subjected to a test of . . . 450 lbs. (Note: 50 per cent in excess of **Design Working Pressure**).

(b) *If welded, be subjected to a test of . . . 600 lbs. (Note: 100 per cent in excess of Design Working Pressure).*

4. *The above-mentioned formulae require a factor of safety of 5 in relation to the Design Working Pressure—(5 times 300). 1,500 lbs. stress*

The design working pressure for various refrigerants will be selected by the manufacturer for the specific service in which the equipment is to be employed.

Duct—A conduit for conveying air.

Evaporator—That part of the system in which liquid refrigerant is vaporized to produce refrigeration.

Expansion Coil—An evaporator constructed of pipe and/or tubing.

Fusible Plug—A device to relieve excessive pressure by fusing at a predetermined temperature.

Generator—Any device equipped with a heating element used in the Refrigerating System to increase the pressure of the refrigerant in its gas or vapour state for the purpose of liquefying the refrigerant.

Inspector—An officer of the Competent Authority duly appointed to inspect, test or approve work done under this Code, or to enforce its observance.

Liquid Receiver—A vessel permanently connected to a system by inlet and outlet pipes for the storage of liquid refrigerant.

Machinery—Refrigerating equipment, including any or all of the following: compressor or generator, condenser, absorber, receiver, connecting pipe, evaporator, and all fittings or apparatus attached thereto, or a complete Unit System.

Machinery Room—A room in which is permanently installed and operated a Refrigerating System but not including evaporators located in a cold storage room, refrigerator box, air cooled space, or other enclosed space. Closets solely contained within and opening only into a room shall be considered a part of such room.

Machinery Room, Class T—A room in which machinery other than open flame apparatus is permanently installed and operated and which conforms to requirements as follows:

- (1) Doors shall be tight fitting, fire-resisting, and self-closing.
- (2) Walls, ceiling, and floor shall be tight and of fire resistive construction.
- (3) An exit door shall be provided opening directly to the outer air or through a vestibule-type exit equipped with self-closing, tight-fitting doors opening outwards.
- (4) Exterior openings shall not be under any fire escape or any open stairway.

(5) All pipes piercing the interior walls, ceiling or floor of such room shall be tightly sealed to the walls, ceiling or floor through which they pass.

(6) Emergency remote controls to stop the action of the refrigerant compressor or generator shall be located immediately outside of the machinery room.

(7) Mechanical means for ventilation shall be provided and shall have emergency remote controls located outside the machinery room.

Mechanical Joint—For the purpose of this Code, a mechanical joint is a gas-tight joint, obtained by the joining of metal parts through a positive holding mechanical construction.

Piping—Pipe or tube mains for interconnecting the various parts of a Refrigerating System.

Pressure Limiting Device—A pressure or temperature actuated mechanism designed to automatically stop the operation of the compressor or generator at a predetermined pressure.

Pressure Relief Device—A valve or rupture member designed to automatically relieve excessive pressure.

Pressure Relief Valve—A valve held closed by a spring or other means and designed to automatically relieve pressure in excess of its setting.

Pressure Vessel—Any refrigerant-containing receptacle of a Refrigerating System other than expansion coils, headers, piping and pipe connections.

Refrigerant—A substance used to produce refrigeration by its expansion or vaporization.

Refrigerating System—A combination of interconnected refrigerant-containing parts in which a refrigerant is circulated for the purpose of extracting heat.

Rupture Member—A device that will automatically rupture at a predetermined pressure.

Soldered Joint—For the purpose of this Code a soldered joint is a gas-tight joint, obtained by the joining of metal parts with metallic mixtures or alloys, which melt at temperatures below 1,000° F. and above 350° F.

Stop Valve—A shut-off valve for controlling the flow of refrigerant.

Tenant—As herein used a tenant shall be construed as a person, firm, or corporation possessed with the legal right to occupy premises.

Welded Joint—For the purpose of this Code, a welded joint is a gas-tight joint, obtained by the joining of metal parts in the plastic or molten state.

SECTION 4—CLASSIFICATION OF BUILDING OCCUPANCIES

Rule 401

Locations in which Refrigerating Systems may be placed are hereby grouped by occupancy as follows:

Rule 402

Institutional occupancy (see Section 7) shall apply to that portion of a building in which persons are harboured to receive medical, charitable, educational or other care or treatment, or in which persons are held or detained by reason of public or civic duty, including, among others, hospitals, asylums, sanitariums, police stations, jails, court houses with cells, and similar occupancies.

Rule 403

Public Assembly occupancy (see Section 8) shall apply to that portion of the premises in which persons congregate for civic, political, educational, religious, social, recreational purposes; including among others, hockey, skating and curling rinks, auditoriums, assembly rooms, armories, ball rooms, bath houses, broadcasting studios, colleges, court houses without cells, churches, dance halls, exhibition halls, fraternity halls, lodge rooms, mortuary chapels, museums, schools, libraries, passenger depots, subway stations, bus terminals, theatres, and similar occupancies.

Rule 404

Residential occupancy (see Section 9) shall apply to that portion of a building in which sleeping accommodations are provided for more than two families, including, among others, multiple storey apartments, tenements, hotels, lodging houses, dormitories, convents, studios, club houses, and similar occupancies.

Rule 405

Commercial occupancy (see Section 10) shall apply to that portion of a building used for the transaction of business; for the rendering of professional services; for the supplying of food, beverages and other bodily needs and comforts; for manufacturing purposes or for the performance of work or labour, except as included under **Industrial occupancies**, including among others, banks, office buildings, professional buildings, post offices, markets, restaurants, laboratories, bake shops, fur storages, loft buildings, retail stores and shops, and similar occupancies.

Rule 406

Industrial occupancy (see Section 11) shall apply to an entire building when used by a single **tenant** for manufacturing, processing, or storage of materials or products, including, among others, abattoirs, meat packing plants, chemical, food and milk processing plants, candy and ice cream factories, ice making plants, refineries, perishable food warehouses, and similar occupancies where a single **tenant** is defined as a single authority which operates and maintains the entire **refrigerating systems**.

Rule 407

Mixed occupancy shall apply to a building occupied or used for different purposes in different parts. When the occupancies are cut off from the rest of the building by tight walls, floors, and ceiling and protected by self-closing doors, the requirements for each type of occupancy shall apply for its portion of the building. When the occupancies are not so separated, the occupancy carrying the more stringent requirements shall govern.

SECTION 5—CLASSIFICATION OF REFRIGERATING SYSTEMS BY TYPE

Rule 501

Refrigerating Systems shall be divided into classes, descriptive of the method employed for extracting heat as follows:

Rule 502

Direct System is one in which the **evaporator** is in direct contact with the material or space refrigerated or is located in air circulating passages communicating with such spaces.

Rule 503

Unit System is one which has been assembled and tested prior to its installation and which is installed without connecting any **refrigerant**-containing parts.

Rule 504

Indirect System is one in which a liquid, such as **brine** or water, cooled by the **refrigerant**, is circulated to the material or space refrigerated or is used to cool air so circulated. Indirect Systems which are distinguished by the type or method of application are as follows:

Rule 505

Indirect Open Spray System is one in which a liquid, such as **brine** or water, cooled by an **evaporator** located in an enclosure external to a cooling chamber, is circulated to such cooling chamber and is sprayed therein.

Rule 506

Indirect Closed Surface System is one in which a liquid, such as **brine** or water, cooled by an **evaporator** located in an enclosure external to a cooling chamber is circulated to and through such a cooling chamber in pipes or other closed circuits.

Rule 507

Indirect Vented Closed Surface System is one in which a liquid, such as **brine** or water, cooled by an **evaporator** located in a vented enclosure external to a cooling chamber, is circulated to and through such cooling chamber in pipes or other closed circuits.

Rule 508

Double Indirect Vented Open Spray System is one in which a liquid, such as **brine** or water, cooled by an **evaporator** located in a vented enclosure, is circulated through a closed circuit to a second enclosure where it cools another supply of a liquid, such as **brine** or water, and this liquid in turn is circulated to a cooling chamber and is sprayed therein.

Rule 509

Indirect Absorptive Brine System is an Indirect Open Spray System in which the **brine** will chemically absorb the **refrigerant** in the system, and the chemical compound so formed in the solution will be stable at

temperatures up to 100° F. The brine shall be of such quantity and such concentration that it will absorb twice the total quantity of refrigerant in the system. An approved automatic device shall be provided for shutting down the system when the brine concentration becomes such that the brine will absorb only one and one-half times the total quantity of refrigerant in the system.

Rule 510

Double Refrigerant System is one in which a refrigerant is used in the secondary circuit instead of brine or water. For the purpose of this Code, each circuit shall be considered as a separate direct refrigerating system.

Rule 511

The **Direct** and various **Indirect Systems** referred to above are illustrated in Diagram 1.

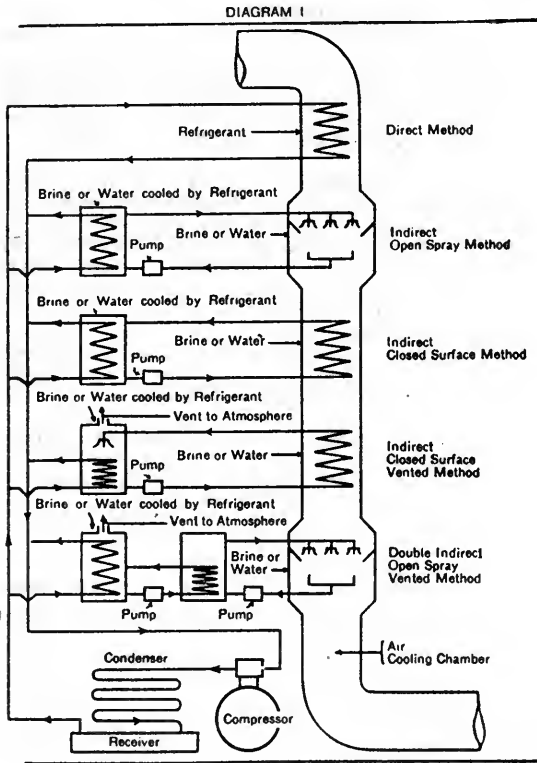


Diagram 1

Refrigerating Systems

SECTION 6—CLASSIFICATION OF REFRIGERANTS

Rule 601

Refrigerants shall, for purposes of this Code, be divided into groups as follows:

- (a) **Group 1—**
 - Carbon Dioxide..... CO₂
 - Dichlorodifluoromethane.... (Freon-12) CCl₂F₂
 - Dichloromonofluoromethane... (Freon-21) CHCl₂F
 - Dichlorotetrafluoroethane... (Freon-114) C₂Cl₂F₄
 - Dichloromethane (Carrene No. 1)..... CH₂Cl₂
 - Trichloromonofluoromethane (Freon-11) (Carrene No. 2)..... CCl₃F
- (b) **Group 2—**
 - Ammonia..... NH₃
 - Dichloroethylene..... C₂H₂Cl₂
 - Ethyl chloride..... C₂H₅Cl
 - Methyl chloride..... CH₃Cl
 - Methyl formate..... HCOOCH₃
 - Sulphur dioxide..... SO₂
- (c) **Group 3—**
 - Butane..... C₄H₁₀
 - Ethane..... C₂H₆
 - Ethylene..... C₂H₄
 - Isobutane..... (CH₃)₃CH
 - Propane..... C₃H₈

SECTION 7—INSTITUTIONAL OCCUPANCIES

(See Rule 402)

Rule 701

General

No refrigerating system shall be installed in or on public stairways, hallways, lobbies, entrances or exits.

Rule 702

Group 1 Refrigerants

- (a) No refrigerating system containing a **Group 1 refrigerant** may be installed in any room other than as hereinafter provided for unless it be a unit system containing not more than 10 lbs. of refrigerant and then only when a window or other means of ventilation is provided.
- (b) Systems, each containing not more than 50 lbs. of a **Group 1 refrigerant**, may be installed in kitchens, laboratories and mortuaries.
- (c) Systems, other than those provided for in Clauses 702 (a) and 702 (b), containing **Group 1 refrigerants**, shall be of the **indirect** type with all refrigerant parts installed in a tight **machinery room** used for no other purpose and in which no open flame is present and where no apparatus to produce an open flame is installed.
- (d) When a **Group 1 refrigerant**, other than carbon dioxide, is used in a system any portion of which is in a room where there is apparatus for producing an open flame, then such refrigerant shall be classed in **Group 2** unless the flame producing apparatus be provided with a hood and flue capable of removing the products of combustion to the open air. Flames by matches, cigarette lighters, small alcohol lamps and similar devices, shall not be considered as open flames.

Rule 703

Group 2 Refrigerants

- (a) No **refrigerating system** containing a **Group 2 refrigerant** may be installed in any room other than as hereinafter provided unless it be a unit system containing not more than 10 lbs. of **refrigerant** and then only when a window or other means of ventilation is provided.
- (b) Systems each containing not more than 20 lbs. of a **Group 2 refrigerant** may be installed in kitchens, laboratories and mortuaries.
- (c) Systems other than those provided for in Clauses 703 (a) and 703 (b) and containing not more than 500 lbs. of a **Group 2 refrigerant** shall be of the **indirect** type with all **refrigerant** containing parts installed in a separate **machinery room**.
- (d) Systems each containing more than 500 lbs. of a **Group 2 refrigerant** shall be of the **indirect** type with all **refrigerant** containing parts installed in a **Class T machinery room**, vented to the outer air.
- (e) **Group 2 refrigerants** shall not be used in a **direct** system for **air conditioning** except as provided for in 703 (a).

Rule 704

Group 3 Refrigerants

Group 3 refrigerants shall not be used in **institutional occupancies**.

SECTION 8—PUBLIC ASSEMBLY OCCUPANCIES

(See Rule 403)

Rule 801

General

- (a) No **refrigerating system** shall be installed in or on public stairways.
- (b) No **refrigerating system** shall be installed in public hallways, lobbies, entrances or exits, except Unit Systems each containing not more than 25 lbs. of a Group 1 or 6 lbs. of a Group 2 **refrigerant**, and then only provided free passage is not obstructed.

Rule 802

Group 1 Refrigerants

- (a) The maximum quantity of a **Group 1 refrigerant** in a Direct System used for **air conditioning** for human comfort shall be limited by the volume of the space to be air conditioned as follows:

Refrigerant		Maximum Quantity in lbs. per 1,000 cu. ft. of air-conditioned space*
Name	Chemical Formula	
Carbon Dioxide.....	CO ₂	12
Dichlorodifluoromethane (Freon-12).....	CCl ₂ F ₂	30
Dichloromethane (Carrene-1)	CH ₂ Cl ₂	6
Dichloromonofluoromethane (Freon-21).....	CHCl ₂ F	13
Dichloroetrafluoroethane (Freon-114).....	C ₂ Cl ₂ F ₄	40
Trichloromonofluoromethane (Freon-11).....	CCl ₃ F	35

**Notes:*

- (1) When the **refrigerant-containing parts** of a system are located in one or more enclosed air-conditioned spaces, the cubical content of the smallest enclosed air-conditioned space shall be used to determine the permissible quantity of **refrigerant** in the system, unless such space is connected to an adjoining air-conditioned space by an unobstructed opening.
- (2) When the **evaporator** is located in a **duct** system, the cubical content of the smallest enclosed air-conditioned space served by the **duct** system shall be used to determine the permissible quantity of **refrigerant** in the system except as hereinafter provided. If the air flow to any enclosed air-conditioned space served by the **duct** system cannot be reduced below one quarter of its maximum, then the cubical contents of the entire-air-conditioned space served by the **duct** system shall be used to determine the permissible quantity of **refrigerant** in the system.
- (b) A system containing more than 50 lbs. of a **Group 1 refrigerant**, other than carbon dioxide, and which includes air **ducts**, shall be of the **indirect** type unless it conforms to the following requirements:
 - (1) Positive automatic fire damper or dampers shall be provided to cut off the **refrigerant-containing apparatus** from the **duct** system.
 - (2) Automatic means shall be provided to close the damper or dampers and to stop the fan whenever the temperature of the air reaches 210° F., at the damper on the discharge side of a system containing a heating coil, and/or 125° F. at the damper on the suction side of the system.
- (c) A system containing more than 1,000 lbs. of a **Group 1 refrigerant** shall be of the **indirect** type.

When a **Group 1 refrigerant**, other than carbon dioxide, is used in a system, any portion of which is in a room where there is apparatus for producing an open flame, then such **refrigerant** shall be classed in **Group 2** unless the flame producing apparatus is provided with a hood and flue capable of removing the products of combustion to the open air. Flames by matches, cigarette lighters,

small alcohol lamps and similar devices, shall not be considered as open flames.

Rule 803

Group 2 Refrigerant

- (a) No refrigerating system containing a Group 2 refrigerant may be installed in any room other than as hereinafter provided unless it be a unit system containing not more than 10 lbs. of refrigerant and then only when a window or other means of ventilation is provided.
- (b) Systems each containing not more than 20 lbs. of a Group 2 refrigerant may be installed in kitchens and service areas not directly connected to the public portions of the building.
- (c) Systems other than those provided for in Clauses 803 (a) and 803 (b) and containing not more than 500 lbs. of a Group 2 refrigerant shall be of the indirect type with all refrigerant containing parts installed in a separate machinery room.
- (d) Systems each containing more than 500 lbs. of a Group 2 refrigerant shall be of the indirect type with all refrigerant-containing parts installed in a Class T machinery room vented to the outer air.
- (e) Group 3 refrigerants shall not be used in a direct system for air conditioning except as provided for in 803 (a).

Rule 804

Group 3 Refrigerants

- (a) Group 3 refrigerants shall not be used in Public Assembly occupancies.

SECTION 9—RESIDENTIAL OCCUPANCIES

(See Rule 404)

Rule 901

General

- (a) No refrigerating system shall be installed in or on public stairways.
- (b) No refrigerating system shall be installed in public hallways, lobbies, entrances or exits except Unit Systems each containing not more than 25 lbs. of a Group 1 or 10 lbs. of a Group 2 refrigerant and then only provided free passage is not obstructed.

Rule 902

Group 1 Refrigerants

- (a) The maximum quantity of refrigerant in a direct system used for air-conditioning for human comfort, shall be limited by the volume of the space to be air-conditioned as follows:

Refrigerant		Maximum Quantity in lbs. per 1,000 cu. ft. of air-conditioned space*
Name	Chemical Formula	
Carbon Dioxide.....	CO ₂	12
Dichlorodifluoromethane (Freon-12).....	CCl ₂ F ₂	30
Dichloromethane (Carrene-1).....	CH ₂ Cl ₂	6
Dichloromonofluoromethane (Freon-21).....	CHCl ₂ F	13
Dichloroetrafluoroethane (Freon-114).....	C ₂ Cl ₂ F ₄	40
Trichloromonofluoromethane (Freon-11).....	CCl ₃ F	35

*Notes:

- (1) When the refrigerant-containing parts of a system are located in one or more enclosed air-conditioned spaces, the cubical content of the smallest enclosed air-conditioned space shall be used to determine the permissible quantity of refrigerant in the system, unless such space is connected to an adjoining air-conditioned space by an unobstructed opening.
- (2) When the evaporator is located in a duct system, the cubical content of the smallest enclosed air-conditioned space served by the duct system shall be used to determine the permissible quantity of refrigerant in the system except as hereinafter provided. If the air flow to any enclosed air-conditioned space served by the duct system cannot be reduced below one quarter of its maximum, then the cubical contents of the entire-air-conditioned space served by the duct system shall be used to determine the permissible quantity of refrigerant in the system.
- (b) A system containing more than 50 lbs. of a Group 1 refrigerant, other than carbon dioxide, and which includes air ducts, shall be of the indirect type unless it conforms to the following requirements:
 - (1) Positive automatic fire damper or dampers shall be provided to cut off the refrigerant containing apparatus from the duct system.
 - (2) Automatic means shall be provided to close the damper or dampers and to stop the fan whenever the temperature of the air reaches 210° F. at the damper on the discharge side of a system containing a heating coil, and/or 125° F. at the damper on the suction side of the system.
- (c) A system containing more than 1,000 lbs of a Group 1 refrigerant shall be of the indirect type.

Rule 903

Group 2 Refrigerants

- (a) No system containing more than 6 lbs. of any Group 2 refrigerant shall be located in sleeping rooms or spaces connected with sleeping rooms.

- (b) **Group 2 refrigerant** shall not be used in a direct system for **air conditioning**.
- (c) Systems, each containing more than 20 lbs. but not more than 500 lbs. of a **Group 2 Refrigerant**, shall be of the indirect type with all **refrigerant**-containing parts installed in a separate **machinery room**.
- (d) Systems each containing more than 500 lbs. of a **Group 2 refrigerant** shall be of the indirect type with all **refrigerant**-containing parts installed in a **Class T machinery room**.

Rule 904

Group 3 Refrigerants

- (a) **Group 3 refrigerants** shall not be used except in Unit Systems each containing not more than 6 lbs. of a **refrigerant**.

SECTION 10—COMMERCIAL OCCUPANCIES

(See Rule 405)

Rule 1001

General

- (a) No **refrigerating system** shall be installed in or on a public stairway.
- (b) No **refrigerating system** shall be installed in public hallways, lobbies, entrances, or exits, except Unit Systems each containing not more than 25 lbs. of **Group 1** or 10 lbs. of a **Group 2 Refrigerant**, and then only provided free passage is not obstructed.

Rule 1002

Group 1 Refrigerants

- (a) A **direct system** containing more than 25 lbs. of a **Group 1 refrigerant**, when used for **air conditioning** for human comfort, shall be limited by the volume of the space to be air conditioned as follows:

Refrigerant		Maximum Quantity in lbs. per 1,000 cu. ft. of air-conditioned space*
Name	Chemical Formula	
Carbon Dioxide.....	CO ₂	12
Dichlorodifluoromethane (Freon-12).....	CCl ₂ F ₂	30
Dichloromethane (Carrene-1)	CH ₂ Cl ₂	6
Dichloromonofluoromethane (Freon-21).....	CHCl ₂ F	13
Dichloroetrafluoroethane (Freon-114).....	C ₂ Cl ₂ F ₄	40
Trichloromonofluoromethane (Freon-11).....	CCl ₃ F	35

*Notes:

- (1) When the **refrigerant**-containing parts of a system are located in one or more enclosed air-conditioned spaces, the cubical content of the smallest enclosed air-conditioned space shall be used to determine the permissible quantity of **refrigerant** in the system, unless such space is connected to an adjoining air-conditioned space by an unobstructed opening.
- (2) When the **evaporator** is located in a **duct system**, the cubical content of the smallest enclosed air-conditioned space served by the **duct system** shall be used to determine the permissible quantity of **refrigerant** in the system except as hereinafter provided. If the air flow to any enclosed air-conditioned space served by the **duct system** cannot be reduced below one quarter of its maximum, then the cubical contents of the entire-air-conditioned space served by the **duct system** shall be used to determine the permissible quantity of **refrigerant** in the system.
- (b) A system containing more than 50 lbs. of a **Group 1 refrigerant**, other than carbon dioxide, and which includes air ducts, shall be of the **indirect type** unless it conforms to the following requirements:
 - (1) Positive automatic fire damper or dampers shall be provided to cut off the **refrigerant** containing apparatus from the duct system.
 - (2) Automatic means shall be provided to close the damper or dampers and to stop the fan whenever the temperature of the air reaches 210° F. at the damper on the discharge side of a system containing a heating coil and/or 125° F. at the damper on the suction side of the system.
- (c) A system containing more than 1,000 lbs. of a **Group 1 refrigerant** shall be of the **indirect type**.

Rule 1003

Group 2 Refrigerants

- (a) No **refrigerating system** containing a **Group 2 refrigerant** may be installed in any room other than as hereinafter provided unless it be a unit system containing not more than 20 lbs. of **refrigerant** and then only when a window or other means of ventilation is provided.
- (b) A system containing more than 600 lbs. of a **Group 2 refrigerant** shall have all **refrigerant**-containing parts installed in a **Class T machinery room**.

Rule 1004

Group 3 Refrigerants

- (a) **Group 3 refrigerants** shall not be used except in unit systems each containing not more than 6 lbs. of **refrigerant**.

SECTION 11—INDUSTRIAL OCCUPANCY

(See Rule 406)

Rule 1101

There shall be no restriction on the quantity or kind of refrigeration used in an **Industrial occupancy**.

SECTION 12—INSTALLATION REQUIREMENTS

Rule 1201

Condensing Units

- (a) Not more than two (2) **condensing units** shall be located one above the other within the same floor area between floor and ceiling.
- (b) All moving **machinery** shall be provided with adequate guards, in accordance with the local Safety Code.
- (c) Adequate illumination and space for inspection and servicing of **condensing units** shall be provided.
- (d) **Condensing units** within enclosures shall be readily accessible for servicing and inspection.

Rule 1202

Water Connections

- (a) No connection shall be made with the public water supply which is inconsistent with the regulations of the **Competent Authority** having jurisdiction. Water used for removing heat from a **refrigerating system** shall not be discharged into any water supply where the water is used for human consumption.
- (b) Discharge water lines from **condensers** or other equipment shall not be directly connected to the waste or sewer system in such a manner as to permit siphoning of the waste water into the water supply lines. The waste or discharge from such equipment shall be over and above the rim of a properly trapped and vented plumbing fixture.

Rule 1203

Electrical Wiring

- (a) The installation of all electrical equipment, work and wiring shall, subject to the approval of the Authority having jurisdiction, be done in accordance with the requirements of the latest edition of the Canadian Electrical Code, Part I. (C.E.S.A. No. C22.1.)

Rule 1204

Gas Devices

- (a) The installation of all gas fuel devices and equipment used with **refrigerating systems** shall be in accordance with the requirements of the **Competent Authority**.

Rule 1205

Open Flames

- (a) No open flame, device to produce an open flame or hot surface above 800° F. shall be permitted in a room in which the amount of **refrigerant** in any one **refrigerating system** exceeds, for each 1,000 cu. ft. of room volume, values as follows:

Refrigerant		Maximum Quantity in lbs. per 1,000 cu. ft. of room volume
Name	Chemical Formula	
Butane.....	C ₄ H ₁₀	3
Ethane.....	C ₂ H ₆	3
Ethyl Chloride.....	C ₂ H ₅ Cl	6
Ethylene.....	C ₂ H ₄	3
Isobutane.....	(CH ₃) ₃ CH	3
Methyl Chloride.....	CH ₃ Cl	10
Methyl Formate.....	(HCOOCH ₃)	7
Propane.....	C ₃ H ₈	3

Rule 1206

Machinery Rooms

- (a) Each refrigerating **machinery room** shall be provided with tight-fitting door or doors and have no partitions or openings that will permit the free passage of the **refrigerant** to other parts of the building.
- (b) Each refrigerating **machinery room** shall be provided with emergency means for ventilation to the outer air. The ventilation shall consist of windows or doors opening to the outer air, of the size shown in Table I, or of mechanical means capable of removing the air from the room in accordance with Table I. The amount of ventilation for **refrigerant** removal purpose shall be determined by the weight of the **refrigerant** in the largest system in the **machinery room**.
- (c) When mechanical means of ventilation are used, they shall consist of a power driven exhaust fan, which shall be capable of removing from the refrigerating **machinery room** the amount of air specified in Table I. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate outside of the building. When air **ducts** are used on either the inlet or discharge side of the fan they shall each have an area not less than specified in Table I.

Table I

Areas of Air Ducts, Doors and Windows

Weight of Refrigerant in System (lbs.)	Mechanical Cu. ft. per Minute Discharge	Mechanical sq. ft. Duct Area	Window or Door Area in sq. ft.
Up to 20	150	$\frac{1}{4}$	4
50	250	$\frac{1}{3}$	6
100	400	$\frac{1}{2}$	10
150	550	$\frac{2}{3}$	12½
200	680	$\frac{2}{3}$	14
250	800	1	15
300	900	1	17
400	1,100	1¼	20
500	1,275	1¼	22
600	1,450	1½	24
700	1,630	1½	26
800	1,800	2	28
900	1,950	2	30
1,000	2,050	2	31
1,250	2,250	2¼	33
1,500	2,500	2¼	37
1,750	2,700	2¼	38
2,000	2,900	2¼	40
2,500	3,300	2½	43
3,000	3,700	3	48
4,000	4,600	3¾	55
5,000	5,500	4½	62
6,000	6,300	5	68
7,000	7,200	5½	74
8,000	8,000	5¾	80
9,000	8,700	6¼	85
10,000	9,500	6½	90
12,000	10,900	7	100
14,000	12,200	7½	109
16,000	13,300	7¾	118
18,000	14,300	8	125
20,000	15,200	8¼	130
25,000	17,000	8¾	140
30,000	18,200	9	145
35,000	19,400	9¼	150
40,000	20,500	9½	155
45,000	21,500	9¾	160

- (d) **Class T. machinery rooms** in basements or sub-basements shall have adequate mechanical ventilation operating continuously which may be considered as a part of the emergency ventilation required in section 1206 (b) of this Code. They shall not be construed as part of the **refrigerating system**, but shall be approved for design and construction by the **Competent Building Authority**.

Rule 1207

Emergency Discharge

- (a) All systems containing 100 lbs. or more of a **Group 1 refrigerant**, or 25 lbs. or more of a **Group 2** or **Group 3 refrigerant** shall be so constructed that the **refrigerant** may, by a manually operated valve, be discharged in case of emergency to the atmosphere at a location not closer than 10 ft. from the nearest opening.

SECTION 13—REFRIGERANT PIPING, VALVES, FITTINGS, AND RELATED PARTS

Rule 1301

Materials

- (a) All materials used in the construction and installation of **Refrigerating Systems** shall be suitable for the **refrigerant** used, and no material shall be used that will deteriorate due to the **chemical** action of the **refrigerant** or the oil, or the combination of both.

Rule 1302

Valves, Flanges and Fittings

- (a) Valves, flanges and fittings may be made of cast iron, malleable iron, bronze or steel castings, hot forged or drop forged steel, wrought copper, bronze or brass or other **approved** material. They shall be **approved** in accordance with the **Competent Code** for such fittings and shall be of the design and material listed by the manufacturer for the particular **refrigerant** service. Cast iron shall conform to C.E.S.A. standards or to American Society for Testing Materials, Specification No. A-126-30, "Gray-Iron Castings for Valves, Flanges and Pipe Fittings," Class B higher strength gray iron with not less than 30,000 lbs. per square inch tensile strength.
- (b) Bushings may be used for reducing pipe sizes provided that if they are not made of steel they shall be flush.

Rule 1303

Pipe Bends

- (a) Pipe bends shall be substantially circular in section and free from injurious wrinkles, buckles, kinks and creases. This shall not be construed as prohibiting corrugated pipe bends made of suitable material.

Rule 1304

Welds

- (a) Welds shall conform to the Current C.E.S.A. standards.

Rule 1305

Steel and Wrought Iron Pipe

- (a) Standard weight butt-weld steel pipe, air tested, to specifications of the **Canadian Engineering**

Standards Association, or of the American Society for Testing Materials, may be used for working pressures not exceeding 125 lbs. per square inch, air, gas or steam pressures, in sizes up to and including 2 in. nominal pipe size. Over 2 in. nominal pipe size shall be lapwelded or seamless pipe. Extra heavy butt-weld steel pipe, air tested to specifications of the C.E.S.A. or A.S.T.M., shall be used for working pressures not exceeding 250 lbs. per sq. in., air, gas or steam pressures in sizes up to and including 2 in. nominal pipe size; over 2 in. nominal pipe size shall be lapwelded or seamless pipe.

- (b) Pipe joints may be screwed, flanged or welded. Screw joints shall conform to the current C.E.S.A. standards. Exposed threads shall be tinned or otherwise coated to efficiently inhibit corrosion.

Rule 1306

Brass and Copper Pipe, Tubing and Fittings

- (a) Standard pipe size copper or red brass (not less than 80 per cent copper) may be used.
- (b) Copper tubing used for **refrigerant piping** erected on the premises shall conform to American Society for Testing Materials, Specification No. B88-33, grades "K" or "L", for dimensions and shall be absolutely free from scale and dirt.
- (c) Copper tubing $\frac{1}{8}$, $\frac{1}{4}$, and $\frac{5}{8}$ in. nominal pipe size in the same standard series as "K" or "L" of B88-33 shall be considered as meeting the requirements of Clause 1306 (b).
- (d) Soft annealed copper tubing used for **refrigerant piping** erected on the premises shall conform to American Society for Testing Materials, Specification No. B88-33, grades "K" or "L", except that when used for carbon dioxide at 1,000 lbs. pressure per sq. in. it shall have a minimum wall thickness of 0.049 in. It shall not be used in sizes greater than $\frac{3}{4}$ in. nominal diameter.

- (e) Threaded joints on pipe made of copper or brass of standard pipe sizes shall be made with extra heavy brass fittings. Joints on annealed copper tubing not exceeding $\frac{3}{4}$ in. outside diameter may be made with flared compression fittings of **approved** type, provided that all such fittings shall be exposed for visual inspection. Joints on hard drawn copper tubing, if of the full sweated capillary type, may be made with an alloy having a melting point greater than 1,000° F. or with a solder melting at a point below 500° F. and above 350° F. Fittings used in sweated capillary joints may be of copper or brass and must be of an **approved** type which will make up mechanically rigid without solder, the solder being used as a seal only.

Rule 1307

Enclosures for Soft Copper Tubing

- (a) Rigid or flexible metal enclosures, securely anchored, shall be provided for soft annealed copper tubing used for **refrigerant piping** erected on the premises. No enclosures shall be required for con-

nections within 6 ft. of the **condensing unit** or in refrigerated spaces.

Rule 1308

Stop Valves

- (a) **Stop valves** shall be installed on all systems containing more than 25 lbs. of **refrigerant** at locations as follows:
 - (1) Each inlet and each outlet pipe of each **compressor**.
 - (2) Each outlet of each **liquid receiver**.
 - (3) Each inlet and each outlet pipe of each flooded type **evaporator** which can be removed as a unit.
- (b) **Stop valves** used with copper tubing shall be securely mounted independent of tubing fastenings or supports.
- (c) **Stop valves** placed where it is not obvious what they control shall be suitably labelled. Numbers may be used to label the valves provided that a key to the numbers be located near the valves.

Rule 1309

Pipe and Tube Supports

- (a) All **piping** and tubing shall be securely supported by means of metal hangers, brackets, straps, clamps or pedestals, in such manner as to relieve joints of harmful strains and vibration. The supports shall be used for no other purpose. Hangers for **piping** or tubing above $\frac{7}{8}$ in. outside diameter shall not be less than 0.125 sq. in cross section.

Rule 1310

Location of Refrigerant Piping

- (a) **Refrigerant piping** or tubing crossing an open space which affords passageway in any building shall not be less than $7\frac{1}{2}$ ft. above the floor unless against the ceiling of such space.
- (b) **Refrigerant piping** or tubing, other than for emergency relief purposes, shall not be placed in a hallway, lobby, stairway, elevator or dumb-waiter shaft, excepting that such **piping** or tubing may pass across a hallway or through an elevator or dumb-waiter shaft if there be no joints in the sections, except **welded joints**, in the hallway, or elevator or dumb-waiter shaft, and provided that non-ferrous **piping** of all sizes and ferrous **piping** of nominal pipe-size of one (1) in. or less be contained in a rigid metal enclosure.
- (c) All joints except **welded joints** in **refrigerant piping** or tubing shall be accessible for inspection and servicing.

SECTION 14—DESIGN, CONSTRUCTION AND SAFETY DEVICES

Rule 1401

Design and Construction

- (a) Every part of a **Refrigerating System**, except pressure gauges and control mechanisms, shall be constructed and assembled to withstand test pressures (applied hydro-statically at the factory), at least 50 per cent in excess of the **Design Working Pressure** without being stressed beyond one-third of its ultimate strength.

Rule 1402

Proof of Conformity

- (a) Listing of equipment by an engineering testing laboratory recognized by the **Competent Authority** or the **Competent Inspector's** symbol on **pressure vessels** will be taken as prima facie evidence that the equipment so marked, or listed, conforms to the requirements of Clause 1401 (a).
- (b) For **refrigerant**-containing vessels which are not listed by an engineering testing laboratory recognized by the **Competent Authority**, the manufacturer shall furnish evidence that the vessels are designed, constructed with materials and fabricated in accordance with the C.E.S.A. Regulations for Construction and Inspection of Boilers and Pressure vessels (No. B51-1939), except that compliance with Clauses U2 to U10, inclusive, and U65 and U66* of the aforesaid C.E.S.A. Regulations shall not be required.

**(A.S.M.E., "Code for Unfired Pressure Vessels," is incorporated in C.E.S.A. No. B51-1939).*

Rule 1403

Evaporators in Ducts

- (a) Any **evaporator** located in an air duct of an air-conditioning system for human comfort shall be constructed to withstand, without leakage, a temperature of 1,000° F.

Rule 1404

Pressure Relief Devices

- (a) Each **pressure vessel** having a net volume exceeding 5 cu. ft., unless its diameter does not exceed 6 in., containing liquid **refrigerant**, and which may be shut off from all other parts of the system shall be protected by an **approved pressure relief device** of adequate capacity (see 1407 (c)). In addition thereto, and in parallel therewith, a similar **approved pressure relief valve** of adequate capacity, or an **approved rupture member** of adequate capacity, shall be provided on each vessel. It may be necessary on large vessels to use more than one relief device in parallel to obtain the required minimum rated capacity. Such relief devices in parallel shall be considered as a unit, and, therefore, as one relief device.

Rule 1405

Where Pressure Relief Devices are Required

- (a) Each **pressure vessel** having a net volume of 5 cu. ft. or less, containing liquid **refrigerant** and which may be shut off by valves, shall be protected by an **approved relief device** or an **approved fusible plug**.
- (b) The requirements of Clauses 1404 (a) and 1405 (a) shall not apply to flooded **evaporators** when insulated, or located in an insulated space.
- (c) Every system, except as provided in Clauses 1404 (a), 1405 (a) and 1405 (b), shall be protected by a **pressure relief device** unless so constructed that pressure due to fire conditions will be relieved safely by **soldered joints**, lead gaskets, **fusible plugs**, or other parts of the system.
- (d) **Compressors** other than provided for in 1405 (e) operating above 15 lbs. per sq. in. gauge and having a displacement exceeding 100 cu. ft. per minute, shall be equipped by the manufacturer with a **pressure relief device** of adequate size to prevent rupture of the **compressor**, located between the **compressor** and **stop valve** on the discharge side. The discharge from such relief device may be vented to the atmosphere or into the low pressure side of the system.
- (e) **Condensing units** which are built integral with the **liquid receiver** shall be exempt from the provisions of Clause 1404 (a), but shall, in lieu thereof, be equipped by the manufacturer with a **pressure relief device** of adequate size to prevent rupture if the displacement of the **compressor** exceeds 50 cu. ft. per minute. The discharge from such relief device may be vented to the atmosphere or into the low pressure side of the system.

Rule 1406

Construction of Pressure Relief Devices

- (a) All **pressure relief devices** for **refrigerant**-containing vessels shall be directly pressure-actuated.
- (b) The seats and discs of **pressure relief devices** for **refrigerant**-containing vessels shall be constructed of suitable material to resist **refrigerant** corrosion.

Rule 1407

Capacity Ratings of Pressure Relief Devices

- (a) The rated discharge capacity of a **pressure relief valve**, expressed in pounds of air per minute, shall be 1/5 of its discharge capacity, determined by test with the outlet open to the atmosphere and with a differential pressure across the restraining member equal to twice the marked pressure setting of the relief valve.
- (b) The rated discharge capacity of **rupture members** with discharge **piping** shall be as given in Table II.

- (c) The minimum required rated discharge capacity of a **pressure relief device** for a **refrigerant**-containing vessel shall be determined by the following formula:

$(C=fDL.)$

Where C = Minimum required rated discharge capacity of the relief device in pounds of air per minute.

D = Outside diameter of the vessel in feet.

L = Length of the vessel in feet.

f = Factor dependent upon kind of **refrigerant** as follows:

Name of Refrigerant	Value of "f"
Ammonia (NH ₃).....	0.1
Dichlorodifluoromethane (Freon 12) ..	0.3
All other refrigerants	0.2

Rule 1408

Pressure Setting of Pressure Relief Devices

- (a) All **pressure relief valves** for **refrigerant**-containing vessels shall be set to function at a pressure not to exceed the **design working pressure** of the vessel.
- (b) All **rupture members** used in parallel with **pressure relief valves** on **refrigerant**-containing vessels shall be set to function at a pressure not to exceed 90 per cent above the **design working pressure** of the vessel.

Rule 1409

Pressure Setting Test

- (a) The pressure setting of relief devices for **refrigerant**-containing vessels shall be tested with the outlet open to the atmosphere and the relief device shall function at a pressure not more than 10 per cent above the pressure marked thereon, if such marking be 100 lbs. per sq. in. or more, or at not more than 10 lbs. per sq. in. above the pressure marked thereon, if such marking be less than 100 lbs. per sq. in.

Rule 1410

Marking of Pressure Relief Devices

- (a) All **pressure relief valves** for **refrigerant**-containing vessels shall be set and sealed by the manufacturer and shall have cast or stamped on the device, or on a metal plate permanently attached thereto, the nominal pipe size of the inlet, the name or trade mark of the manufacturer, the pressure setting expressed in pounds per square inch gauge, and the rated discharge capacity expressed in pounds of air per minute. Adjustment, re-testing and re-setting of all such devices shall be made in a manner to meet the approval of the **Competent Authority**.

- (b) All **rupture members** for **refrigerant**-containing vessels shall have cast or stamped on the device or on a metal plate permanently attached thereto, the nominal pipe size of the inlet, the name or trade mark of the manufacturer, and the bursting pressure expressed in pounds per square inch gauge.

Rule 1411

Installation of Pressure Relief Devices

- (a) A **rupture member** may be located between a **pressure relief valve** and a pressure vessel provided the pressure at which the **rupture member** will relieve is not in excess of the pressure setting of the relief valve.
- (b) No stop valve shall be located between any automatic **pressure relief device** and the part or parts of the system protected thereby except when parallel relief devices (see Clause 1404 (a)) are so arranged that only one can be rendered inoperative at a time for testing or repair purposes.
- (c) All **pressure relief devices** shall be connected as nearly as practicable directly to the pressure vessel or other parts of the system protected thereby, and shall be placed above the liquid **refrigerant** level.

Rule 1412

Discharge from Pressure Relief Devices

- (a) **Pressure relief devices** and **fusible plugs**, except those used on systems containing less than 50 lbs. of a **Group 1 refrigerant**, those used to protect **compressors** and **rupture members** used as provided for in 1411 (a), shall discharge to the outside of the building at a location not closer than 10 ft. to the nearest opening.
- (b) The size of the discharge opening and pipe from the **pressure relief device** shall not be less than the size of the relief device inlet. The discharge from more than one relief device may be run into a common header, the area of which shall be not less than the sum of the areas of the pipes connected thereto; except that with the parallel relief device arrangement (see Clause 1404 (a)) the pipe size of the common discharge line from the same shall be not less than the larger pipe connected thereto.

Ammonia Discharge

- (c) When ammonia is used, the discharge may be into a tank of water which shall be used for no purpose except ammonia absorption. At least one gallon of fresh water shall be provided for every 1 pound of ammonia, in the system. The water used shall

be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than 1/8-in. or No. 11 U.S. Gauge iron or steel. No horizontal dimension of the tank shall be greater than one-half of the height. The tank shall have a hinged cover, or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the **pressure relief valves** shall discharge the ammonia in the centre of the tank near the bottom.

Sulphur Dioxide Discharge

- (d) When sulphur dioxide is used, the discharge may be into a tank of absorptive **brine** which shall be used for no purpose except sulphur dioxide absorption. There shall be one gallon of standard dichromate **brine** (2½ lbs. sodium dichromate per gallon of water) for each pound of sulphur dioxide in the system. **Brines** made with caustic soda or soda ash may be used in place of sodium dichromate provided the quantity and strength give the equivalent sulphur dioxide absorbing power. The tank shall be substantially constructed of not less than 1/8 in. or No. 11 U.S. Gauge iron or steel. The tank shall have a hinged cover, or, if of the enclosed type, shall have a vent hole at the top.

All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valve shall discharge the sulphur dioxide in the centre of the tank near the bottom.

Rule 1413

Pressure Limiting Devices

- (a) **Pressure limiting devices** are required on all systems containing more than 20 lbs. of **refrigerant** and operating above atmospheric pressure, and on all **Water Cooled Systems** so constructed that the **compressor** or **generator** is capable of producing a pressure in excess of the test pressure.
- (b) **Pressure limiting devices** shall stop the action of the **compressor** or **generator** at a pressure less than 90 per cent of the **pressure relief device** setting.
- (c) **Pressure limiting devices** shall be connected between the **compressor** and the **stop valve** on the discharge side.

Rule 1414

Gauge Glasses

- (a) Liquid level gauge glasses, except those of the bull's-eye type, shall have automatic closing shut-off valves, and such glasses shall be adequately protected against injury.

TABLE II
Rated Discharge Capacity of Rupture Members with Discharge Piping in Pounds of Air per Minute

Design Working Pressure of Vessel Lbs. per sq. in. Gauge	Equivalent Pipe Length in Feet	Nominal Pipe Sizes in Inches*					
		½	¾	1	1¼	1½	2
25	50	1.3	2.6	4.8	9.4	13.9	26.0
	100	.9	1.8	3.4	6.7	9.8	18.4
	200	.6	1.3	2.4	4.7	7.0	13.0
	300	.5	1.0	1.9	3.9	5.7	10.6
50	50	2.6	5.2	9.6	19.0	27.8	52.0
	100	1.8	3.6	6.8	13.4	19.8	36.8
	200	1.4	2.6	4.8	9.6	14.0	26.0
	300	1.0	2.2	4.0	7.8	11.4	21.2
75	50	3.8	7.8	14.2	28.4	41.8	78.2
	100	2.8	5.4	10.4	20.2	29.6	55.4
	200	2.0	3.8	7.0	14.2	21.0	39.0
	300	1.6	3.2	5.8	11.6	17.0	31.8
100	50	5.2	10.2	19.0	37.8	55.6	106.0
	100	3.6	7.2	13.6	26.8	39.4	74.0
	200	2.6	5.2	9.6	19.0	27.8	52.0
	300	2.2	4.2	7.8	15.6	22.8	43.2
150	50	7.8	15.4	28.6	56.8	83.4	158.0
	100	5.4	11.0	20.4	40.2	59.0	110.0
	200	4.0	7.8	14.4	28.4	41.8	78.2
	300	3.2	6.4	11.8	23.2	34.0	64.0
200	50	10.4	20.4	38.0	75.6	111.2	212.0
	100	7.2	14.4	27.2	53.6	78.8	148.0
	200	5.2	10.4	19.2	38.0	55.6	106.0
	300	4.2	8.4	15.6	31.2	45.6	86.4
250	50	13.0	26.0	48.0	95.0	139.0	260.0
	100	9.0	18.0	34.0	67.0	98.0	184.0
	200	7.0	13.0	24.0	48.0	70.0	130.0
	300	5.0	11.0	20.0	39.0	57.0	106.0
500	50	26.0	52.0	96.0	190.0	278.0	520.0
	100	18.0	36.0	68.0	134.0	198.0	368.0
	200	14.0	26.0	48.0	96.0	140.0	260.0
	300	10.0	22.0	40.0	78.0	114.0	212.0
1000	50	52.0	104.0	190.0	378.0	556.0	1060.0
	100	36.0	72.0	136.0	268.0	394.0	740.0
	200	28.0	52.0	96.0	190.0	278.0	520.0
	300	20.0	44.0	80.0	156.0	228.0	432.0
1500	50	78.0	154.0	286.0	568.0	834.0	1580.0
	100	54.0	110.0	204.0	402.0	590.0	1100.0
	200	42.0	84.0	144.0	284.0	418.0	782.0
	300	30.0	64.0	118.0	232.0	340.0	640.0

*Free area through **rupture member** to be not less than free area through **piping** connected thereto.

SECTION 15—TESTS

Rule 1501

Tests Required

- (a) Every **refrigerant**-containing part of every system shall be tested and proved tight by the manufacturer at not less than the minimum test pressures indicated in Table III.
- (b) Every **refrigerant**-containing part of every system containing more than 25 lbs. of **Group 1 refrigerant** that is erected on the premises, except unit systems, **compressors**, safety devices, pressure gauges, and control mechanisms, which are factory tested, shall be tested, and proved tight

after complete installation and before operation, at not less than the minimum pressures shown in Table III.

- (c) **Refrigerant**-containing vessels, the shells of which have been previously tested under hydrostatic pressure of not less than $1\frac{1}{2}$ times the **design working pressure** may be finally tested with pneumatic pressure at a pressure not exceeding the **design working pressure**, instead of hydrostatic pressure.

Rule 1502

Test Medium

- (a) Oxygen or any combustible gas or combustible mixture of gases shall not be used for testing.

Rule 1503

Test Pressures

- (a) Minimum pressures for tests made in the field shall be according to Table III, for the **refrigerants** listed therein:

TABLE III
Minimum Pressures for Field Tests

Refrigerant		Min. Field Test Pressure in lbs. per Sq. In.	
Name	Chemical Formula	High Pressure Side	Low Pressure Side
Ammonia.....	NH ₃	300	150
Butane.....	C ₄ H ₁₀	90	50
Carbon Dioxide.....	CO ₂	1,500	1,000
Dichlorodifluoromethane "Freon-12".....	CCl ₂ F ₂	235	145
Dichlorotetrafluoroethane "Freon-114".....	C ₂ Cl ₂ F ₄	80	50
Lichloromethane (Carrene No. 1) Methylene Chloride.....	CH ₂ Cl ₂	30	30
Dichloromonofluorome- thane "Freon-21".....	CHCl ₂ F	70	50
Dichloroethylene.....	C ₂ H ₂ Cl ₂	30	30
Ethane.....	C ₂ H ₆	1,100	600
Ethylene.....	C ₂ H ₄	2,000	2,000
Ethyl Chloride.....	C ₂ H ₅ Cl	60	50
Isobutane.....	(CH ₃) ₃ CH	130	75
Methyl Chloride.....	CH ₃ Cl	215	125
Methyl Formate.....	HCOOCH ₃	50	50
Propane.....	C ₃ H ₈	325	210
Sulphur Dioxide.....	SO ₂	170	95
Trichloromonofluoro- methane "Freon-11"....	CCl ₃ F	50	30

- (b) For **refrigerants** not listed in Table III, the test pressure for the high pressure side shall be not less than the saturated vapour pressure of the **refrigerant** at 150° F. The test pressure for the low pressure side shall be not less than the saturated vapour pressure of the **refrigerant** at 115° F. In no case shall the test pressure be less than 30 lbs. per sq. in. by gauge.

Rule 1504

Posting of Tests

- (a) A dated declaration of test, referred to in Clause 1501 (b), signed by the installer, shall be mounted in a frame, protected by glass, and posted in a conspicuous place adjacent to the **compressor**. If an **inspector** is present at the tests he shall also sign the declaration.

SECTION 16—SPECIAL INSTRUCTIONS

Rule 1601

User's Responsibilities

- (a) **Cleanliness**.—All **Refrigerating Systems** shall be maintained in a cleanly manner, free from accumulation of oily dirt, waste, and other debris, and shall be kept readily accessible at all times.
- (b) **Safety Guards**.—All moving **machinery** shall be protected by guards in accordance with the local Safety Code.

Rule 1602

Posting of Instructions

- (a) It shall be the duty of the person in charge of the premises on which a **Refrigerating System** containing more than 25 lbs. of **refrigerant** is installed, to place a card conspicuously and as near as practicable to the **refrigerant**-condensing unit giving directions for the operation of the system, including precautions to be observed in case of a breakdown or leak, as follows:
 - (1) Instructions for shutting down the system in case of emergency.
 - (2) The name, address and day and night telephone number for obtaining service.
 - (3) The name, address and telephone number of the Inspection Department having jurisdiction and instructions to notify said department immediately in case of emergency.

Rule 1603

Name-plates

- (a) Each **Refrigerating System** shall be provided with an easily legible metal name-plate permanently attached and easily accessible, indicating thereon the name and address of the manufacturer or installer, the kind and total number of pounds of **refrigerant** contained in the system, and the field test pressure applied.

- (b) Each **refrigerant**-condensing unit, **compressor** and each separately sold **refrigerant**-containing vessel larger than 5 cu. ft. in volume shall carry a name-plate marked with the manufacturer's name and address, model number, name of **refrigerant** used, and the manufacturer's test pressure applied.

Rule 1604

Identification of Pipes and Valves

- (b) Systems containing more than 100 pounds of **refrigerant** shall be provided with metal signs having letters of not less than $\frac{1}{2}$ in. in height designating the main shut-off valves to each vessel, main steam or electrical control, remote control switch, and **pressure limiting device**. All exposed high pressure and low pressure **refrigerant piping** where installed outside the **machinery room** shall be identified in each room either by signs, as above, with the name of the **refrigerant** and the letters "HP" or "LP" to indicate the high or low pressure sides of the system, or in accordance with the C.E.S.A. Standard Code for Identification of Piping Systems (No. B53-1939).

Rule 1605

Gas Helmets and Masks

- (a) It shall be the duty of the person in charge of the premises to provide and maintain one mask or helmet where amounts of **Group 2** or **Group 3 refrigerants** between 100 lbs. and 1,000 lbs., inclusive, are employed. If more than 1,000 lbs. of any **refrigerant** are employed, at least two masks or helmets shall be provided and maintained.
- (b) Only complete helmets or masks marked as **approved** by the **Competent Authority** and suitable for the **refrigerants** employed shall be used and they shall be kept in a suitable cabinet located immediately outside the **machinery room** or in some other **approved** accessible location.

- (c) Canisters or cartridges of helmets or masks shall be renewed immediately after having been used or the seal broken and, if unused, must be renewed at least once every two (2) years. The date of filling shall be marked thereon.

Rule 1606

Refrigerant Storage

- (a) Not more than 300 lbs. of **refrigerant** in **containers** as prescribed by the **Competent Authority** for the transportation of the **refrigerant** shall be stored in a **machinery room**.
- (b) No **refrigerant** shall be stored in a room in which less than 25 lbs. are used in the system.
- (c) **Refrigerants** on the user's premises in excess of that permitted in the **machinery room** shall be stored in a fireproof shed or room used for no other purpose.

Rule 1607

Charging and Discharging Refrigerants

- (a) A **refrigerant container** shall not remain connected to a system except during the process of charging or withdrawing **refrigerant**.
- (b) **Refrigerants** withdrawn from **refrigerating systems** shall be transferred to **containers** only as prescribed by the regulations of the **Competent Authority** for the transportation of such **refrigerant**. No **refrigerant** shall be discharged to a sewer.
- (c) **Refrigerant containers** must be carefully weighed each time they are used to charge or discharge **refrigerants** into or from **refrigerating systems**. Such **containers** must not be filled in excess of the permissible filling weights for such **containers** and such **refrigerants** as are prescribed by the **Competent Authority** for the transportation of **refrigerants**.

Regulations 502

(Ontario Regulations 37/45)

Order-in-Council, approved by the Honourable the Administrator of the Government of the Province of Ontario, dated the 18th day of April, A.D. 1945.

Upon the recommendation of the Honourable the Minister of Agriculture, the Committee of Council advise that, pursuant to the provisions of section 13 of *The Stock Yards Act, 1944*, the attached regulations be approved.

The Committee of Council further advise that the regulations made pursuant to section 13 of *The Stock Yards Act, 1944*, approved by His Honour the Lieutenant-Governor, dated the 18th day of July, 1944, be revoked.

REGULATIONS MADE PURSUANT TO THE STOCK YARDS ACT, 1944, BY THE MINISTER OF AGRICULTURE

1. The officers of the Ontario Stock Yards Board shall include manager, secretary, and a treasurer and assistant secretary.

2. The manager shall do and perform the duties and exercise the powers which, from time to time, may be assigned to or vested in him by the said Board.

3. The secretary shall keep a record of all meetings of the members of the said Board and shall give notice of all meetings of the said Board and shall perform such other duties as may, from time to time, be assigned to him by the said Board.

4. The treasurer and assistant secretary shall have the custody of the cash, securities, books and accounts of the said Board and shall perform such other duties as may, from time to time, be assigned to him by the said Board.

5. Cheques, drafts, bills of exchange and orders for the payment of money shall be signed by such officer or officers, or person or persons, and in such manner, as the said Board may, from time to time, determine.

6. The seal, an impression of which is stamped in the margin hereof, shall be the Corporate Seal of the Ontario Stock Yards Board and it shall be authenticated, whenever used, by the hand of the chairman and secretary of the said Board.

(Seal)

THOMAS L. KENNEDY,
Minister of Agriculture.

Dated at Toronto,
this 16th day of April, A.D. 1945.

(Note: In the regulations filed the words and parentheses (Seal) do not appear but there is an embossed impression of two concentric circles, the inner one whereof is composed of period-marks and the outer is of gross hachure lines; at the center thereof is a quinquifoliate symbol and in the periphery between the 2 circles are the following words and symbol: ONTARIO STOCK YARDS BOARD+.)

Regulations 503

(Ontario Regulations 46/44; 71/46; 75/46; 52/48; 163/49; 78/50)

REGULATIONS MADE UNDER THE SUCCESSION DUTY ACT, 1939

AFFIDAVIT OF VALUE AND RELATIONSHIP

1.—(1) The affidavit required by subsection 2 of Section 12 of the Act shall be in accordance with form 1.

(2) Where the aggregate value does not exceed \$5000, the affidavit may be in accordance with form 2.

2. The affidavit required by subsection 1 of Section 12 of the Act shall be in accordance with form 1, form 1 "A" or form 2.

3. Where the deceased died domiciled outside Ontario the affidavit required by Section 12 of the Act may be in accordance with form 2.

DECEASED OUTSIDE OF ONTARIO

5. Where the deceased dies domiciled outside Ontario full particulars may be given only of property situate in Ontario passing on the death of the deceased and property in respect of which a disposition is made in Ontario on or after the 1st day of July, 1892, but the gross value of all the property passing on his death and of all dispositions shall be set out in a lump sum in the affidavit.

INTEREST IN EXPECTANCY

6. Where an interest in expectancy falls into possession and the duty has not been previously paid, the trustee or the person acting in the administration or the person who benefits by such interest in expectancy shall forthwith furnish to the Treasurer a statement in detail, verified by affidavit, showing particulars of the property in respect of which such interest in expectancy exists and the value thereof at the time of falling into possession.

SECURITY FOR DUTY

7. Security for any duty which may appear to be due, whether it has become payable or not, may be given by a deposit with the Treasurer of a sufficient sum of money, provided that if the duty has not become payable, security may be by way of deposit with the Treasurer of any securities acceptable to him and in an amount which he shall deem to be sufficient and provided further that security for any duty with respect to any interest in expectancy which is not to be paid until such interest falls into possession or for any duty which is not ascertainable until some future date, may be by way of bond acceptable to the Treasurer and in such penal sum as he shall deem to be sufficient or by deposit with him of any securities acceptable to him and in an amount which he shall deem to be sufficient.

7a.—(1) Where any payment is made as security for any duty, the part of such payment which is subsequently applied in payment of duty, shall be deemed to be a payment of duty made as of the date when such payment as security was made.

(2) Where any payment of duty is purported to be made and only part thereof is subsequently applied in payment of duty, the part thereof not so applied in payment of duty shall be dealt with pursuant to subsection 2 of section 14 of *The Succession Duty Act, 1939*, as though the payment so purported to be made had been made as security for duty.

8. Where the bond mentioned in regulation 7 is given by an executor or trustee such bond shall be in accordance with form 3 and where none of such persons is a company or corporation which the courts are empowered by order-in-council to appoint as trustee or administrator without security, the bond shall also be executed by a guarantee company approved by order-in-council under *The Guarantee Companies Security Act* and in all other cases such bond shall be in accordance with form 4 and shall be executed by a guarantee company approved by order-in-council under *The Guarantee Companies Securities Act* and every such bond shall be filed with the Treasurer.

CONSENT OF TREASURER (REGISTRY ACT)

11. The consent of the Treasurer or of someone authorized by him, referred to in subsection 4 of section 56 of *The Registry Act* shall be in accordance with form 6.

AFFIDAVIT OF DEBTS

12. A statement under oath of the deductions allowed under subsection 5 of section 2 may be filed with the Treasurer and shall be in accordance with form 7.

CONSENT OF TREASURER

13. The consent of the Treasurer under or to be attached under,—

- (a) section 8 of the Act;
- (b) subsection 6 of section 56 of *The Registry Act*; or
- (c) section 62 of *The Land Titles Act*,

shall be in form 8, bearing the written signature of the Treasurer or a facsimile thereof and shall be countersigned by an officer authorized by the Treasurer for the purpose.

ENDORSED CONSENT OF TREASURER

14. The consent of the Treasurer to be endorsed under,—

- (a) subsection 6 of section 56 of *The Registry Act*; or
- (b) section 62 of *The Land Titles Act*,

shall be in form 10.

GENERAL CERTIFICATE (REGISTRY ACT)

15. The general certificate referred to in subsection 7 of section 56 of *The Registry Act* shall be in accordance with form 11, bearing the signature or facsimile signature of the Treasurer written, printed or stamped thereon and countersigned by any officer authorized by the Treasurer for such purpose.

INSURANCE MONEYS

16. The notice required by subsection 2 of section 8, when payment of insurance moneys exceeding \$600.00 and not exceeding \$1,100.00 has been made, shall be in accordance with form 12.

JOINT DEPOSIT ACCOUNT

17. The notice required by subsection 3 of section 8, with respect to payment of money in a joint deposit account, shall be in accordance with form 13.

CONSENTS RE SAFETY DEPOSIT BOXES

18. The consent of the Treasurer, required by section 9, shall be in accordance with form 14A or 14B (as the case may be), bearing the signature or facsimile signature of the Treasurer written, printed or stamped thereon and shall be countersigned by any officer authorized by the Treasurer for such purpose.

APPOINTMENT OF SPECIAL INVESTIGATOR

19. The appointment of a special investigator under subsection 2 of section 25 shall be in accordance with form 15, bearing the signature or facsimile signature of the Treasurer, written, printed or stamped thereon and countersigned by any officer authorized by the Treasurer for such purpose.

APPOINTMENT OF COMMISSIONER

20. The appointment of a commissioner under subsection 1 of section 26 shall be in accordance with form 16 and shall be signed by the Treasurer.

NOTICE TO PRODUCE

21. The notice to produce pursuant to the provisions of section 26 shall be in accordance with form 17.

AFFIDAVIT ON PRODUCTION

22. The affidavit on production pursuant to the provisions of section 26 shall be in accordance with form 18.

SUBPOENA

23. The subpoena to witness pursuant to the provisions of section 26 shall be in accordance with form 19.

CONSENT TO DESTRUCTION OF PROPERTY WHEN ESTATE UNDER INVESTIGATION

24. The consent of the Treasurer required by section 29 shall be in accordance with form 20 bearing the signature or facsimile signature of the Treasurer written, printed or stamped thereon and countersigned by any officer authorized by the Treasurer for such purpose.

FORMS RE PROCEDURE UNDER SECTION 31

25. The notice of appeal pursuant to the provisions of subsection 3 of section 31 shall be in accordance with form 21.

26. The notice of the Treasurer's decision pursuant to the provisions of subsection 4 of section 31 shall be in accordance with form 22 and shall be signed by the Treasurer or any officer delegated by him to sign such notice.

27. The notice of dissatisfaction pursuant to the provisions of subsection 5 of section 31 shall be in accordance with form 23.

28. The reply of the Treasurer pursuant to the provisions of subsection 6 of section 31 shall be in accordance with form 24 and shall be signed by the Treasurer or any officer delegated by him to sign such reply.

WARRANT

29. The warrant provided for by section 32 shall be in accordance with form 25 and shall be signed by the Treasurer.

NOTICE OF DISCONTINUANCE

30. The notice of discontinuance provided for by subsection 2 of section 33 shall be in accordance with form 26 and shall be signed by the Treasurer or any officer delegated by him to sign such notice.

CONSENT TO DESTRUCTION OF PROPERTY WHERE AGGREGATE VALUE EXCEEDS \$50,000.

31. The consent of the Treasurer required by section 36 shall be in accordance with form 27 bearing the signature or facsimile signature of the Treasurer written, printed or stamped thereon and countersigned by any officer authorized by the Treasurer for such purpose.

CERTIFICATE OF DISCHARGE

32. The certificate of discharge provided for by section 38 shall be in accordance with form 28 and shall be signed by the Treasurer and countersigned by any officer authorized by the Treasurer for such purpose. Where the deceased dies domiciled outside Ontario such certificate shall have a statement of duty attached.

AFFIDAVITS—WHO MAY TAKE

33. Affidavits required under the provisions of this Act may be sworn or affirmed before any person authorized to take affidavits for use in Ontario, provided that no affidavit shall be sworn before any person on whose behalf it is offered, provided further that no affidavit which is to be filed in any action or proceeding in any Court in Ontario shall be sworn before the solicitor for the person on whose behalf it is filed nor before the partner or clerk of such solicitor.

DEFINITION OF SECURITY

34. Security, in extension of the definition contained in clause *r* of section 1, shall include any title to or interest in the capital, assets, property, profits,

earnings or royalties of any undertaking or enterprise commonly evidenced by a certificate or other like document.

35. The following jurisdictions,—

- (a) the United Kingdom of Great Britain and Northern Ireland;
- (b) the Union of South Africa;
- (c) the Commonwealth of Australia;
- (d) Eire;
- (e) the Dominion of New Zealand;
- (f) the provinces of,—
 - (i) Alberta;
 - (ii) British Columbia;
 - (iii) Manitoba;
 - (iv) New Brunswick;
 - (v) Nova Scotia;
 - (vi) Prince Edward Island;
 - (vii) Quebec; and
 - (viii) Saskatchewan;
- (g) the District of Columbia; and
- (h) each of the states of the United States of America;

are designated as jurisdictions to which the provisions of section 7 of the Act, as re-enacted by section 5 of *The Succession Duty Amendment Act, 1946*, shall apply.

36.—(1) Under subsection 4 of section 2 of the Act it is determined,

- (a) that every annuity, term of years, life estate, income or other estate and any interest in expectancy, other than those mentioned in clause b, shall be valued according to The 1937 Standard Annuity Tables (Males) of The Actuarial Society of America, and at a rate of compound interest of 4 per cent a year; and
- (b) that every annuity, term of years, life estate, income or other estate and any interest in expectancy, payable or arising under a contract of insurance within the meaning of The Insurance Act, shall be valued according to the standard of mortality and at the rate of interest on which it is based.

(2) Subregulation 1 shall apply where the deceased died on or after the 1st of January, 1950.

FORM 1

This affidavit is to be made by all persons applying for Probate, Letters of Administration or other like grant.

AFFIDAVIT OF VALUE AND RELATIONSHIP

Section 12 (2)

THE SUCCESSION DUTY ACT, 1939

CANADA: }
PROVINCE OF ONTARIO }

In the Matter of the Estate of

late of the _____ of _____ deceased.
in the _____ of _____,
(occupation)

I, (or we) _____ of _____,
in the _____ of _____,
and _____ of _____,
in the _____ of _____,
and _____ of the _____ Company
(severally) make oath and say:

1. THAT
a the applicant for letters
in the Estate of the above deceased who died on or
about the _____ day of _____, 19____,
domiciled in _____

2. That to the best of _____ knowledge, informa-
tion and belief, the schedule hereto annexed and marked
Schedule "A" contains an inventory of all property
passing on the death of the above named deceased and
such inventory shows the value of such property.

3. That to the best of _____ knowledge, informa-
tion and belief the schedule hereto annexed and marked
Schedule "B" contains particulars of all gifts and dis-
positions made during the lifetime of the above named
deceased and shows the value of such gifts and disposi-
tions.

4. That to the best of _____ knowledge, informa-
tion and belief, the schedule hereto annexed and marked
Schedule "C" contains the name, place of residence
and degree of relationship to the deceased of every
person to whom or for whose benefit any property
passes on the death of the above named deceased and
such other information as is required by Schedule "C".

5. That the value at the date of the death of the
deceased of all property passing on his death, wherever
situate, was \$ _____

SEVERALLY SWORN BEFORE ME }
at the _____ of _____ }
in the _____ of _____ }
this _____ day of _____ }
_____ 19____ }

.....
A Commissioner, etc., or Notary Public, etc.

This affidavit is filed by

.....
Solicitor.
.....
Address

NOTE:—If the deceased died domiciled outside Ontario give full particulars of the Ontario assets in the space applicable in Schedule "A" but totals only of assets situate outside Ontario.

FORM 1—SCHEDULE A

Inventory in Detail of Property Wheresoever Situate
THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of
late of the _____ of _____ in the
of _____, (Occupation) deceased,

SUMMARY

The total of each class of assets must be carried to the proper place in this summary, and the summary totalled.

	TOTAL	
	\$	c.
Real Estate.....		
Land Mortgages and Agreements for Sale.....		
Chattel Mortgages and Lien Notes.....		
Book Debts and Promissory Notes.....		
Insurance and Annuities.....		
Cash on Hand and Money on Deposit.....		
Bonds and Debentures.....		
Stocks and Shares.....		
Other Assets.....		
Total.....		

This is Schedule "A" referred to in the Affidavit of Value and Relationship of _____ Sworn before me on the _____ day of 19 _____

.....
A Commissioner, etc., or a Notary Public, etc.

REAL ESTATE

Date of Death:

Give the registered description of each parcel in Ontario. If the registered description is long, the parcel may be identified by giving the lot and plan or concession number and the number of a registered instrument containing the description, and the place of registration and, in the case of property under the Land Titles System, the parcel number should also be given. In either case, the area or dimensions of the property must be shown. *The street and number must be given where possible.*

Foreign realty must be included on this sheet.

In the outside column, give the value as at time of death of the deceased's interest in the property less the amount of any lien, encumbrance, mortgage or balance owing under purchase agreement.

If the space reserved for any class of assets is not large enough, use additional pages.

Particulars	Assessed Value		Value of Equity	
	\$	c.	\$	c.
Total.....				

LAND MORTGAGES AND AGREEMENTS FOR SALE

Mortgages and agreements for sale covering both Ontario parcels and foreign parcels, will be included. The instructions under the heading of Real Estate regarding descriptions will apply here.

Give, in each case, the name of mortgagor, or purchaser, as the case may be.

Give also the date of the instrument, the original amount, rate of interest and date from which interest has been accruing.

Extend to proper columns in each case the balance of principal and interest as at death and extend the total.

Particulars	Principal		Interest Accrued		Total	
	\$	c.	\$	c.	\$	c.
Total.....						

CHATTEL MORTGAGES AND LIEN NOTES

Extend to proper columns, in each case, the balance of principal and interest as at death and extend the total.

Name of Mortgagor	Address	Particulars, including date of instrument, original amount, rate of interest and date from which interest has been accruing.	Principal		Interest Accrued		Total	
			\$	c.	\$	c.	\$	c.
		Total.....						

INSURANCE AND ANNUITIES

It is essential that full particulars be given as indicated in the columns below.

No. of Policy or Contract	Issued by	Name of Beneficiaries	Relationship to deceased	Other particulars including face value, bonuses, dividends and earned profits, loans against policy, accrued interest to date of death or number and amount of annuity payments	Amount	
					\$	c.
				Total.....		

BOOK DEBTS AND PROMISSORY NOTES

Name of Deceased..... Date of Death.....

Extend to the proper columns in each case, the balance of principal and interest as at death and extend the total.

Debtor Name and Address	Particulars	Principal or balance of principal	Interest accrued	Total	For use of Department only
	Including date debt was incurred, or date of note, original amount, rate of interest, date from which interest has been accruing.				
		\$	\$	\$	
		Total.....	\$	\$	\$

CASH ON HAND AND MONEY ON DEPOSIT

Give particulars of joint accounts.

Account Number	Name of Bank or Depository	Address or Branch	Principal		Interest		Total	
			\$	c.	\$	c.	\$	c.
		Total .						

BONDS AND DEBENTURES

Name of Deceased.....Date of Death.....

Serial Numbers	Face Value	Description Name and Head Office of Issuing Authority, Interest Rate, Maturity and Interest Dates, Special Privileges of the Issue, etc.	Value		For Use of Department only		
			Per Unit	Interest Accrued to date of death	Total	Consent	Increase or Decrease
	\$		\$	\$	\$		\$
Total.....			\$	\$			\$

STOCKS AND SHARES

Name of Deceased.....Date of Death.....

Certificate Numbers	Number of Shares	Description Name and Head Office of Issuing Authority, Class of Stock, Par Value, Rate of Preferred Dividend, Privileges of Conversion, Redemption, etc.	Value		For Use of Department only	
			Per Unit	Total	Consent	Increase or Decrease
			\$	\$		\$
Total.....			\$	\$		\$

OTHER ASSETS	VALUE
Household goods and furniture.....	\$ c.
Pictures, plate and jewellery.....	
Farm implements, produce and stock.....	
Automobiles and other vehicles (make, model, year and serial number).....	
Interests in Trusts and other Estates (attach full particulars).....	
Interest in partnership or unincorporated business.....	
Any other property.....	
Total.....	

FORM 1—SCHEDULE C

DISTRIBUTION OF ESTATE

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of
late of the of in the
, deceased.

NOTE:—Trace exact relationship of beneficiaries other than those in direct line, or brothers or sisters, e.g., nephew, child of sister.

Name	Relation-ship	Address	Age of Life Tenant or Annuitant	Nature of Bequest or Property Passing	Value

SUMMARY	
Real Estate.....	\$
Mortgages, etc.....	
Book Debts and Promissory Notes.....	
Insurance and Annuities.....	
Money on Deposit.....	
Stocks and Bonds.....	
Other Assets.....	
Total.....	

FORM 1A—SCHEDULE B

Trace exact relationship of beneficiaries other than those in direct line, or brothers or sisters,—e.g., nephew, child of sister.

Name	Relationship	Address	Age of Life Tenant or Annuitant	Nature of Benefit	Value or Amount

FORM 2

This Form is not to be used where an Application is being made to an Ontario Surrogate Court. Send direct to the Succession Duty Office, Parliament Buildings, Toronto, Ontario. Do not file in duplicate.

AFFIDAVIT OF VALUE AND RELATIONSHIP
THE SUCCESSION DUTY ACT, 1939

CANADA
Province of Ontario: } In the matter of the estate of
late of the _____ of _____
in the _____ of _____, deceased.
(Occupation)
I, _____, of the _____ of _____,
in the _____ of _____, (Occupation)
make oath and say:

1. That the above named deceased died on or about the _____ day of _____, 19____, domiciled in _____.

2. That to the best of my knowledge, information and belief, the within schedule marked "A" contains an inventory of all the property passing on the death of the above named deceased and such inventory shows the value of all the property.

3. That the gross value, at the date of the death of the deceased, of all the property passing on his death, wherever situate, was \$ _____.

4. That the following are, to the best of my knowledge, information and belief, particulars of all gifts or dispositions made during the lifetime of the above named deceased, together with the value of such gifts or dispositions,—

5. That to the best of my knowledge, information and belief, the within schedule marked "B" contains the name, place of residence and degree of relationship to the deceased of every person to whom or for whose benefit any property passes on the death of the above named deceased and such other information as is required by Schedule "B".

SWORN BEFORE ME
at the _____ of _____
in the _____ of _____
this day of _____, 19____, (Deponent signs here)

A Commissioner or Notary Public, etc.

This affidavit is filed by:—

- (1) Name
- (2) Occupation
- (3) Street and Number
- (4) City or Town

NOTE:—If deceased died domiciled outside Ontario, give full particulars of the Ontario assets but totals only of assets situate outside Ontario, in the following Schedule:

FORM 2—SCHEDULE A

REAL ESTATE Give Lot and Plan and Instrument Number of each Parcel, as well as Street and Number. Show Encumbrances.	Assessed Value	Value of Equity
Total		

FORM 3

BOND BY EXECUTORS, ADMINISTRATORS OR TRUSTEES

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of late of the of of in the of (Occupation), (Deceased), who died on or about the day of 19

KNOW ALL MEN BY THESE PRESENTS that of the of in the of of the of in the of and Company, are jointly and severally bound unto His Majesty, the King, in the sum of \$ to be paid to the Treasurer of Ontario, and for which payment well and truly to be made, bind themselves and each of them for the whole and their and each of their heirs, executors, administrators, successors and assigns, respectively by these presents.

The condition of this obligation is such that if the above named and the executors of the will of the above named deceased or the administrators of the property passing on the death of the above named deceased or the trustees in the estate of the above named deceased (or as the case may be) comply with the provisions of section 24 of *The Succession Duty Act, 1939*, then this obligation shall be void and of no effect, otherwise the same to remain in full force and effect.

IN WITNESS WHEREOF the above named A.B. and C.D. have hereunto set their hands and seals and the said Company has hereunto caused to be affixed its corporate seal attested by the hands of its proper officers in that behalf, this day of 19

SIGNED, SEALED AND DELIVERED
In the presence of:

AFFIDAVIT OF EXECUTION

Ontario }
County of } I,
To Wit: } in the County of
make oath and say as follows:

1. I am the person whose name is subscribed to the annexed bond as the attesting witness to the execution thereof, and the signature set and subscribed thereto as such attesting witness is of my proper handwriting, and my name and addition are correctly above set forth.
2. I was present and did see the said bond duly signed and executed by therein named.
3. I am well acquainted with the said

Sworn before me
at the of
in the of
this day of
19

A Commissioner or Notary Public, etc.

FORM 4

BOND BY BENEFICIARIES AND DONEES

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of late of the of of in the of (Occupation) (Deceased), who died on or about the day of 19

KNOW ALL MEN BY THESE PRESENTS that A.B. of the of in the of and Company are jointly and severally bound unto His Majesty, the King, in the sum of \$ to be paid to the Treasurer of Ontario and for which payment well and truly to be made bind themselves and each of them for the whole and their and each of their heirs, executors, administrators, successors and assigns respectively by these presents.

The condition of this obligation is such that if the above named A.B., a person to whom or for whose benefit property passes on the death of the above named deceased or to whom a disposition is made (or as the case may be) do well and truly pay or cause to be paid to the Treasurer of Ontario, all duty payable by him under the provisions of *The Succession Duty Act, 1939*, within the time or times provided by the said Act or if the said A.B., not having paid such duty within such time or times do well and truly pay or cause to be paid to the Treasurer of Ontario all such duty together with any interest thereon, then this obligation shall be void and of no effect, otherwise the same to remain in full force and effect.

IN WITNESS WHEREOF the above named A.B. has hereunto set his hand and seal, and the said Company has hereunto caused to be affixed its Corporate Seal, attested by the hands of its proper officers in that behalf, this day of 19

SIGNED, SEALED AND DELIVERED
In the presence of:

AFFIDAVIT OF EXECUTION

PROVINCE OF ONTARIO } I,
County of } in the County of
To Wit: } make oath and say as follows:

1. I am the person whose name is subscribed to the annexed bond as the attesting witness to the execution thereof, and the signature set and subscribed thereto as such attesting witness is of my proper handwriting, and my name and addition are correctly above set forth.

2. I was present and did see the said bond duly signed and executed by therein named.

3. I am well acquainted with the said

Sworn before me at the in this 19 of of of day of

A Commissioner or Notary Public, etc.

FORM 6

CONSENT TO REGISTRATION

(Subsection 4, Section 56, Registry Act)

I hereby consent to registration of the within document.

FORM 7

AFFIDAVITS OF DEBTS

THE SUCCESSION DUTY ACT, 1939

Section 2 (5)

In the matter of the Estate of , deceased.

I, in the of the of make oath and say:

That I have in the first part of the within Schedule, marked "A", set forth full and true particulars of the debts, encumbrances and other allowances authorized by and in accordance with subsection 5 of section 2 of The Succession Duty Act, 1939.

That I have in the second part of such Schedule set forth full and true particulars of such debts, encumbrances and other allowances which are in dispute or which have not yet been paid.

Sworn before me at the in this 19 of of of day of

A Commissioner or Notary Public, etc.

FORM 7—SCHEDULE OF DEBTS

FIRST PART

Table with 4 columns: Name of Creditor, Address, Nature of Claim, Amount Paid or Payable. Includes a Total row.

SECOND PART

Table with 5 columns: Name of Creditor, Address, Nature of Claim, Amount, Reason for Non-payment. Includes a Total row.

This is Schedule "A" referred to in the Affidavit of Debts, of

Sworn before me on the day of , 19

A Commissioner, etc.

FORM 8

The Succession Duty Act, 1939

CONSENT OF TREASURER

In the matter of the Estate of , deceased, who died on or about the . . . day of . . . , 19 . . .

Under The Succession Duty Act, 1939, and the regulations, I consent to the delivery, assignment, transfer, payment of the following property or to the registration of any instrument or the making of any entry affecting the following property:

Countersigned Treasurer of Ontario

Note: This does not apply to a safety deposit box or other repository mentioned in section 9 of the Act.

(Form 9 revoked by O. Reg. 52/48.)

FORM 10

I hereby consent to the registration of the within instrument.

Countersigned: _____ Treasurer of Ontario.

FORM 11

CERTIFICATE FOR REGISTRATION

No. _____

In pursuance of the provisions of subsection (7) of section 56 of *The Registry Act*, R.S.O. 1937, c. 170:

I certify that all Duty, payable in respect of the following lands forming part of the Estate of _____ late of the _____ of _____ in the _____ of _____

, deceased, who died on or about _____, has been paid and satisfied or that security for such payment has been given.

Dated at Toronto, this _____ day of _____, 19 _____.

Countersigned: _____ Treasurer of Ontario.

FORM 12

NOTICE WHEN PAYMENT OF INSURANCE MONEYS EXCEEDING \$600.00 AND NOT EXCEEDING \$1,100.00 HAS BEEN MADE

Section 8 (2)

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of _____ late of the _____ of _____ in the _____ of _____, deceased, who died on or about the _____ day of _____, 19 _____, domiciled in _____.

To the Treasurer of Ontario:

Take notice that, pursuant to subsection 2 of section 8 of *The Succession Duty Act, 1939*, the Company did on the _____ day of _____, 19 _____, pay to _____ \$ _____, under Policy No. _____ on the life of _____ and that the total amount payable, as at the date of death of above named deceased, on said Policy was \$ _____.

Dated at _____, 19 _____, this _____ day of _____.

Insurance (or Assurance) Company. Per _____

FORM 13

NOTICE OF PAYMENT OF ANY MONEY IN A JOINT DEPOSIT ACCOUNT

Section 8 (3)

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of _____ late of the _____ of _____ in the _____ of _____, deceased, who died on or about the _____ day of _____, 19 _____.

To the Treasurer of Ontario:

Take notice that, pursuant to subsection 3 of section 8 of *The Succession Duty Act, 1939*, the _____ (_____ Branch) did on the _____ day of _____, 19 _____, pay to _____ out of joint deposit account No. _____, standing in the name of the above mentioned deceased, and the sum of \$ _____, and that the total amount standing to the credit of the said account as at date of death of the above named deceased was \$ _____.

Dated at _____, 19 _____, this _____ day of _____.

Manager.

FORM 14A

CONSENT TO OPENING OF SAFETY DEPOSIT BOX

Section 9 (1)

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of _____ late of the _____ of _____ in the _____ of _____ (deceased), who died on or about the _____ day of _____, 19 _____, domiciled in _____.

I consent to the opening of the following safety deposit box for the purpose of listing the contents thereof and to withdrawal of the will of the deceased:

Dated at Toronto, this _____ day of _____, 19 _____.

Countersigned: _____ Treasurer of Ontario.

FORM 14B

CONSENT TO WITHDRAWAL OF CONTENTS FROM SAFETY DEPOSIT BOX

Section 9 (1)

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of _____ late of the _____ of _____ in the _____ of _____.

of (deceased),
who died on or about the day of
19 , domiciled in

I consent to the withdrawal of all the contents from
the following safety deposit box:

Dated at Toronto, this day of
19 .

Countersigned: Treasurer of Ontario.

FORM 15

APPOINTMENT OF SPECIAL INVESTIGATOR

Section 25 (2)

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of
late of the of in the
of of , deceased,
who died on or about the day of
19 .

Pursuant to the provisions of *The Succession Duty Act, 1939*, I hereby appoint
of
in the of
Special Investigator, with full power to act in accordance with the provisions of the said Act.

Dated at Toronto, this day of
19 .

Countersigned: Treasurer of Ontario.

FORM 16

APPOINTMENT OF COMMISSIONER

Section 26 (1)

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of
late of the of in the
deceased, who died on or about the day of
, 19 .

Pursuant to the provisions of *The Succession Duty Act, 1939*, I hereby appoint
of the of in the
of of ,
a Commissioner.

Dated at Toronto, this day of
19 .

Treasurer of Ontario.

FORM 17

NOTICE TO PRODUCE

Section 26

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of
late of the of in the
of of , who died on
or about the day of , 19 .

Take notice that, pursuant to the provisions of section 26 of *The Succession Duty Act, 1939*, you are hereby required forthwith after the service of this notice upon you to produce and deposit with me, verified by affidavit, all documents, records and things which in any way relate to property passing or deemed to pass on the death of the above named deceased or to any disposition, which are in your possession, power or control, and further to show in such affidavit all such documents, records and things which have been but are not now in your possession, power or control, with the names of the persons to whom and the dates on which they were mailed, sent or delivered.

Dated at , this day of
, 19 .

Commissioner.

To:

FORM 18

AFFIDAVIT ON PRODUCTION

Section 26

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of
late of the of in the
of of , who died on
or about the day of , 19 .

I, of the of
in the of
, make oath and say:

1. That I have in my possession, power and control, the documents, records and things set forth in the first part of the Schedule hereto attached marked "A".
2. That I have had, but have not now in my possession, power of control, the documents, records and things set forth in the second part of the said Schedule.
3. That the last mentioned documents, records and things were last in my possession, power or control, on or about the respective dates set opposite to each:
4. That the last mentioned documents, records and things were, on or about such dates, mailed or sent or delivered to the persons whose names are respectively set opposite thereto, or destroyed (as the case may be).
5. According to the best of my knowledge and belief I have not now and never had in my possession,

power or control, any documents, records and things which in any way relate to property passing or deemed to pass on the death of the above named deceased, or to any disposition, except the documents, records and things set forth in the said schedule.

Sworn before me at the of in the this day of 19

A Commissioner or Notary Public, etc.

FORM 18—SCHEDULE OF DOCUMENTS, RECORDS AND THINGS

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of late of the of , deceased. in the

FIRST PART

Table with 2 columns: Documents Records and Things (Specify fully and state in each case whether original or copy) and Dates of Documents, Records and Things

SECOND PART

Table with 4 columns: Documents, Records and Things (Give particulars as above), Dates of documents, records and things, Dates when last in possession of deponent, Names of persons to whom they were mailed, sent or delivered. If destroyed so state.

This is Schedule "A" referred to in the affidavit on production of

Sworn before me on the day of 19

A Commissioner or Notary Public, etc.

FORM 19

SUBPOENA TO WITNESS

Section 26

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of late of the of in the deceased. of ,

To:

Greeting:

I COMMAND YOU to attend before me at the Sittings of a Commission in at the in the of at the hour of o'clock in the noon, on day the day of , 19 , and so from day to day, to give evidence in connection with an examination, investigation or inquiry to be made by me by virtue of my appointment as a Commissioner under the provisions of The Succession Duty Act, 1939, in the above matter and also to bring with you and produce at the time and place aforesaid all documents, records and things relating to property passing or deemed to pass on the death of the above named deceased or to any disposition and in particular the following,—

.....

Dated at this day of , 19

Commissioner.

FORM 20

CONSENT OF THE TREASURER TO THE DESTRUCTION OF DOCUMENTS OR RECORDS OR TO THE REMOVAL OF PROPERTY, ETC.

Section 29

THE SUCCESSION DUTY ACT, 1939

In the matter of the Estate of late of the of in the deceased, who died on or about the day of , 19

Pursuant to section 29 of The Succession Duty Act, 1939, I consent to the disposal by you in any manner you may see fit of anything mentioned in said section (or as the case may be).

Dated at Toronto, this day of 19

Treasurer of Ontario.

Countersigned:

To:

FORM 21

The Succession Duty Act, 1939

NOTICE OF APPEAL

In the matter of The Succession Duty Act, 1939, and in the matter of the estate of... deceased, and in the matter of... of the... in the County of... Appellant.

To the Treasurer of Ontario:

TAKE NOTICE that I appeal with respect to the statement of the Treasurer served upon me on the day of... 19 pursuant to the provisions of subsection 1 of section 31 of The Succession Duty Act, 1939, and my objection to such statement and the reasons therefor are as follows:

.....

My address in Ontario for service is.....

Dated at... 19... this... day of...

Appellant.

FORM 22

The Succession Duty Act, 1939

NOTICE OF THE TREASURER'S DECISION

In the matter of The Succession Duty Act, 1939, and in the matter of the estate of... deceased, and in the matter of... of the... of the... in the County of... Appellant.

TAKE NOTICE that the Treasurer confirms (or amends) the statement served upon you on the day of... 19... pursuant to the provisions of subsection 1 of section 31 of The Succession Duty Act, 1939. (If the statement is to be amended the paragraph hereunder will be added.)

The following are the nature and particulars of such amendment:

.....

Dated at Toronto, this... day of... 19...

To:

.....

Appellant.

Treasurer of Ontario.

FORM 23

The Succession Duty Act, 1939

NOTICE OF DISSATISFACTION

In the matter of The Succession Duty Act, 1939, and in the matter of the estate of... deceased, and in the matter of... of the... of the... in the County of... Appellant.

To the Treasurer of Ontario,—

TAKE NOTICE that I am dissatisfied with the decision of the Treasurer, notice of which was served upon me on the day of... 19.

The following are the further facts, statutory provisions and reasons in support of my appeal:

.....

Dated at... 19... this... day of...

Appellant.

FORM 24

The Succession Duty Act, 1939

REPLY OF THE TREASURER

In the matter of The Succession Duty Act, 1939, and in the matter of the estate of... deceased, and in the matter of... of the... of the... in the County of... Appellant.

TAKE NOTICE that the Treasurer confirms (or amends) the amount of duty, interest and penalties set out in the statement served on you on the day of... 19... pursuant to the provisions of subsection 1 of section 31 of The Succession Duty Act, 1939, or set out in notice of the Treasurer's decision served on you on the day of... 19... pursuant to the provisions of subsection 4 of section 31 of The Succession Duty Act, 1939. (As the case may be).

Regulations 504

(Ontario Regulations 60/44; 1/48; 24/48; 265/48)

REGULATIONS MADE BY THE BOARD OF GOVERNORS UNDER THE TEACHING PROFESSION ACT, 1944

AFFILIATED BODIES AND ASSOCIATIONS

1.—(1) The Ontario Secondary School Teachers' Federation, The Federation of Women Teachers' Associations of Ontario, The Ontario Public School Men Teachers' Federation, L'Association de l'Enseignement Francais de l'Ontario and The Ontario English Catholic Teachers' Association shall be the affiliated bodies of the Federation and are referred to in these regulations as "the affiliated bodies".

(2) All district and local associations having membership in any of the affiliated bodies shall be affiliated with the Federation.

EXECUTIVE

2.—(1) The executive shall be elected by the Board of Governors at its annual meeting.

(2) At a meeting of the executive prior to the annual meeting of the Board of Governors, the executive shall name a nominating committee which shall include a representative of each of the affiliated bodies.

(3) The nominating committee shall meet before the annual meeting of the Board of Governors to prepare nominations for the offices of president, first vice-president, second vice-president and treasurer from among the members of the Board of Governors for the coming year as submitted by their respective affiliated bodies.

(4) There shall always be on the executive of the Ontario Teachers' Federation at least one representative from each of,—

- (a) The Ontario Secondary School Teachers' Federation;
- (b) The Federation of Women Teachers' Associations of Ontario;
- (c) The Ontario Public School Men Teachers' Federation; and
- (d) L'Association de l'Enseignement Francais de l'Ontario and The Ontario English Catholic Teachers' Association.

(5) The convener of the nominating committee shall present the report of its nominations to the Board of Governors and upon these and other nominations which may be submitted from the floor by any member of the Board of Governors a secret ballot shall be taken.

(6) The Board of Governors may fill any vacancy which occurs on the executive during any year.

(7) The Board of Governors shall at the annual meeting appoint a secretary on an annual contract and salary as determined by the Board of Governors after

considering recommendations previously submitted by the executive.

(8) In 1944,—

- (a) the nominating committee shall consist of a representative named by the president of each of the affiliated bodies;
- (b) the Board of Governors may elect the executive at any general meeting; and
- (c) the Board of Governors shall elect one of its members to serve on the executive in lieu of the immediate past president.

FEES

3.—(1) Subject to subregulation 2, every member of the Federation shall pay to the Federation an annual membership fee based on his salary, upon the following scale,—

(a) secondary school teachers,—

on salaries of \$3,000 and over.....	\$16.00
\$2,500 to \$2,999.....	14.00
\$2,000 to \$2,499.....	12.00
\$1,500 to \$1,999.....	10.00
on salaries up to and including \$1,499.....	8.00

(b) public school men teachers..... 10.00

(c) public school women teachers,—

on salaries of \$3,000 and over.....	\$15.00
\$2,500 to \$2,999.....	10.00
\$1,800 to \$2,499.....	8.00
on salaries up to and including \$1,799.....	6.00

(d) separate school teachers,—

on salaries of \$2,000 and over.....	\$ 9.00
\$1,600 to \$1,999.....	8.00
\$1,100 to \$1,599.....	7.00
\$ 801 to \$1,099.....	6.00
on salaries up to and including \$800.....	5.00

(2) Where with the approval of the Minister French is a subject of instruction in a public or separate school, the French-speaking teacher of the public or separate school shall pay to the Federation an annual membership fee based on his salary, upon the following scale,—

on salaries of \$2,400 and over.....	\$10.00
\$2,000 to \$2,399.....	9.00
\$1,600 to \$1,999.....	8.00
\$1,200 to \$1,599.....	7.00
\$ 801 to \$1,199.....	6.00
\$ 600 to \$ 800.....	5.00
on salaries up to and including \$599.....	4.00

UNPROFESSIONAL CONDUCT

4. Members of the Federation shall conduct themselves with due regard to the honour and dignity of the teaching profession and it shall be considered unprofessional conduct for a member,—

- (a) to break a contract or to violate a verbal agreement to enter a contract with a board of trustees;
- (b) to make a report on a fellow-member of the Federation criticizing him adversely, if such a report might involve his dismissal or demotion or affect his salary, without first having shown him a written statement and given him an opportunity of replying thereto; or
- (c) to accept employment with a board of trustees whose relations with the Federation are unsatisfactory to the Federation, except with the specific consent of the Minister and the onus shall be upon the member to ascertain from the Federation whether such an unsatisfactory relationship exists.

RELATIONS AND DISCIPLINE COMMITTEE

5.—(1) The Board of Governors shall appoint annually a Relations and Discipline Committee which shall deal with matters of relations, unprofessional conduct and discipline referred to it by the executive.

(2) On receipt of a report from the Relations and Discipline Committee and after consideration thereof, the Board of Governors may recommend to the Minister that he suspend or cancel the certificate of a teacher or, with the approval of the Minister, may impose such other disciplinary measure as the Board of Governors deems appropriate.

APPEAL

6. Any teacher who has been disciplined by the Board of Governors may request a review of his case by the Board of Governors which shall review it at its next regular meeting and report its findings to the Minister and to the teacher concerned.

BOARD OF GOVERNORS

7.—(1) The Board of Governors shall consist of forty members selected as follows:

- (a) from The Ontario Secondary School Teachers' Federation, the president, immediate past president, first vice-president, second vice-president, and secretary, and five representatives elected annually at the annual meeting of The Ontario Secondary School Teachers' Federation. In 1944, the five representatives shall be selected by the executive of The Ontario Secondary School Teachers' Federation;
- (b) from The Federation of Women Teachers' Associations of Ontario, the president, immediate past president, first vice-president, second vice-president, and secretary, and five representatives elected annually at the annual meeting of The Federation of Women Teachers' Associations of Ontario;

(c) from The Ontario Public School Men Teachers' Federation, the president, immediate past president, first vice-president, second vice-president, and secretary, and five representatives elected annually at the annual meeting of The Ontario Public School Men Teachers' Federation;

(d) from L'Association de l'Enseignement Francais de l'Ontario, five representatives elected annually at the annual meeting of L'Association de l'Enseignement Francais de l'Ontario, and from the Ontario English Catholic Teachers' Association, five representatives elected annually at the annual meeting of The Ontario English Catholic Teachers' Association.

(2) The Board of Governors shall take office at the conclusion of business of the annual meeting.

(3) In the event of a vacancy occurring on the Board of Governors during a year, the vacancy shall be filled by the executive of the affiliated body concerned.

MEETINGS

8.—(1) The annual meeting of the Board of Governors shall be held during the week prior to Labour Day, at a time and place to be determined by the executive.

(2) The Board of Governors shall also meet during the Christmas and Easter vacations and at such other times and places as the executive shall decide.

(3) Any one of the three regular meetings of the Board of Governors may be omitted on a recommendation made by the executive and approved by at least twenty-five members of the Board of Governors.

(4) Except with the unanimous consent of the executive, notice of meeting of the Board of Governors shall be given by the Secretary two weeks in advance.

(5) At a meeting of the Board of Governors twenty-five members shall constitute a quorum.

9.—(1) The executive shall meet before and after the three regular meetings of the Board of Governors and at such other times as the president shall decide.

(2) At a meeting of the executive four members shall constitute a quorum.

(3) Notice of meetings of the executive shall be given by the Secretary at least one week in advance.

PROCEDURE AT MEETINGS

10.—(1) The order of procedure at meetings of the Board of Governors and of the executive shall be as follows:

- (a) call to order;
- (b) reading and confirming of minutes of last meeting;
- (c) business arising from minutes;
- (d) reading of correspondence and action thereon;
- (e) appointment of steering and other temporary committees;

- (f) reports of officers;
- (g) reception of delegations;
- (h) reports from affiliated bodies;
- (i) reports of standing and special committees;
- (j) general business;
- (k) elections;
- (l) installation of officers; and
- (m) adjournment.

(2) Any one or more of the items of procedure may be omitted from the agenda of any meeting.

(3) The order of procedure in sub-regulation (1) may be changed at any time by majority vote of the members present.

REPORTS

11. The Board of Governors shall require from each affiliated body an annual report to be filed not later than the end of June, for submission to the annual meeting.

EXPENSES

12. The treasurer shall pay the necessary expenses of members of the Board of Governors and the executive upon the instructions of the executive.

RESOLUTIONS

13.—(1) A resolution of any of the affiliated bodies for presentation to the Minister or to any public body shall first be submitted to the Federation and shall be brought before the Board of Governors for discussion.

(2) The Board of Governors may present such resolution to the Minister or to the public body concerned, in the name of the Federation, or may refer it to a standing or special committee or to the affiliated body presenting it.

(3) If after study, the resolution is not approved by the Board of Governors but the affiliated body presenting it still wishes to proceed, it may do so as a minority report through the Federation.

(4) In the case of urgent matters requiring immediate attention, a resolution from one of the affiliated bodies may be submitted to the executive for action at its discretion.

REPORTS OF MISCONDUCT

14. In the case of reported unprofessional conduct by any member, the secretary, on instruction from the president or another member of the executive designated by him, may transmit the information received to the Minister, to the chairman of the board of trustees, to the member and to the affiliated body concerned.

VOLUNTARY MEMBERSHIP

15. Where a person other than an inspector, an instructor in a teacher-training institution or a person employed to teach in a school for a period not exceeding one month,—

- (a) holds a teacher's certificate;
- (b) is engaged in an educational capacity; and

- (c) makes application to the Board of Governors for membership in the Federation,

the Board may admit him to voluntary membership therein.

(Note.—Regn. 16 revoked by O. Reg. 24/48.)

APPLICATION FOR MEMBERSHIP

17. A teacher who has withdrawn from membership and thereafter wishes to become a member shall make application to the Board of Governors and such application shall be considered by the Board of Governors after reference to the appropriate affiliated body and if the application is accepted, the Secretary shall notify the Minister.

COMMITTEES

18.—(1) The Board of Governors shall at the annual meeting appoint the following standing committees:

- (a) budget;
- (b) educational finance;
- (c) educational research and policies;
- (d) legislation;
- (e) publicity and education week;
- (f) relations and discipline; and
- (g) superannuation;

and such special committees as may from time to time appear necessary.

(2) The standing committees shall be made up of the conveners of the corresponding committees in each of the affiliated bodies, together with the president and secretary of the Federation.

(3) The convenership of the standing committees shall rotate annually among the representatives of the affiliated bodies except with the unanimous consent of the Board of Governors.

REGULATIONS

19. Regulations or resolutions made by the Board of Governors may be evidenced by the signatures of the president and secretary.

SPECIAL WAR SERVICE

20. Service in the following organizations:

- (a) Canadian Legion;
- (b) Civilian Meteorological Service;
- (c) Knights of Columbus;
- (d) Merchant Marine;
- (e) Red Cross;
- (f) Salvation Army;
- (g) St. John's Ambulance Brigade;
- (h) Young Men's Christian Association;
- (i) Young Men's Hebrew Association; and
- (j) Young Women's Christian Association,

is designated as special war service which shall be deemed to be special war service for the purposes of subsection 2 of section 4 of the Act, but only where the teacher was engaged full-time on the service in the organization.

Regulations 505

(Ontario Regulations 10/44)

REGULATIONS MADE UNDER THE THEATRES AND CINEMATOGRAPHS ACT

DEFINITIONS

1. In these regulations,—

(a) "approved Class A fire doors" shall mean hollow metal, metal clad, sheet metal, steel or 3-ply tin-clad doors approved by the Fire Marshal for protection of openings in fire walls;

(b) "approved Class B fire doors" shall mean hollow metal, metal clad, sheet metal, steel or 2-ply tin-clad doors approved by the Fire Marshal for protection of vertical communications and stairs;

(c) "approved shipping containers," for cases with capacity not over 12,000 feet of 35 mm. film, shall mean shipping containers within the following specifications:

- (i) material to be steel or aluminum-manganese alloy at least 18-gauge;
- (ii) seams to be welded or rivetted, or lock-seamed;
- (iii) cover to have at least one inch lap on body and to fit with clearance not over 1/32nd of an inch and lapped corners to be welded;
- (iv) two hinges, two fastening devices of sufficient strength and efficiency to prevent injury or unfastening in tests or in transit, and two carrying handles required;
- (v) hinges to be of continuous loop type with loops of steel wire at least 7-gauge, welded and hinge straps of at least 18-gauge securely welded or rivetted; and
- (vi) cases completely filled as for shipment must be capable of withstanding four successive drops onto solid concrete from a height of six feet without rupture of case or permanent damage to or unfastening of closing devices;

(d) "approved shipping containers", for cases with capacity not over 9,000 feet of 35 mm. film, shall mean shipping containers within the specifications prescribed within clause c except that 20-gauge material and one fastening device and one carrying handle is authorized;

(e) "approved shipping containers", for cases with capacity not over 8,000 feet of 35 mm. film, shall mean shipping containers within the specifications prescribed in clause d except that 22-gauge material is authorized;

(f) "approved shipping containers", for cases with capacity for one single or double reel, shall mean shipping containers within the specifications prescribed in clause d except that 24-gauge material and one hinge is authorized;

(g) "Act" shall mean The Theatres and Cinematographs Act;

(h) "Board" shall mean the Board of Censors appointed under the Act;

(i) "film exchange" shall include any person, corporation or firm renting, leasing, selling, distributing or agreeing or contracting to rent, lease, sell or distribute motion picture or cinematograph film;

(j) "fire resistive construction" shall mean a type of construction in which all walls, floors, ceilings, stairways and partitions are of entirely incombustible material;

(k) "Minister" shall mean the Treasurer of Ontario;

(l) "inspector" shall mean inspector appointed under the Act and except for matters involving the issuing or cancellation of licenses or the approval of building plans shall include assistant inspectors appointed under the Act and also the Fire Marshal, Deputy Fire Marshal, district deputy fire marshals, inspectors and assistants to the fire marshal appointed under *The Fire Marshals Act* who are hereby appointed inspectors under the Act and the regulations;

(m) "motion picture projector" shall mean any type of machine adaptable for the projection of motion pictures;

(n) "projectionist" shall mean any person ordinarily engaged in operating a motion picture projector;

(o) "projection room" shall include the room where projection equipment is installed, battery room, rewind room, generator room, toilet room and any other room in which projection or sound equipment or apparatus is installed and which is directly connected with or adjacent to the room housing the projector equipment;

(p) "reel" shall mean motion picture film not exceeding one thousand linear feet in length;

(q) "silent film subjects" shall mean subjects not adapted for the reproduction of synchronized dialogue, music or any other sound effects;

(r) "sound film subjects" shall mean subjects adapted for the reproduction of synchronized dialogue, music or any other sound effects;

(s) "standard film" shall mean any film thirty-five mm or more in width;

(t) "theatre" shall mean a building or hall or any premises, room or place used for dramatic, operatic, vaudeville or spectacular representation, performance or performances, or for displaying motion pictures; and

(u) "vaudeville" shall mean entertainments consisting of songs, dances, gymnastics, mimicry, farces, short light dramatic pieces or other specialties disconnected with each other.

EXEMPTIONS

2. The provisions of the regulations shall not apply to special miniature motion picture projectors or other similar apparatus owned and used by schools or churches for secular or religious education and instruction, or used in private homes provided that such projectors and apparatus are designed so as not to be adaptable to make use of 35 mm. film used in the standard machines, and film used is slow-burning, non-inflammable film of less width and different perforation than standard film.

ELECTRICAL REQUIREMENTS

3. All electrical work and apparatus excepting projection machines and appliances shall be installed and maintained in accordance with the rules and regulations of the Hydro-Electric Power Commission of Ontario.

FIRE, PANIC

4. In any theatre where a fire, panic or accident occurs the licensee or manager shall immediately notify the inspector by telephone or telegraph.

LICENSES

5.—(1) Every owner, lessee, licensee or manager of a theatre or film exchange, every person or persons owning or managing or having control of a motion picture projector, and every projectionist shall obtain a license from the Treasurer of Ontario as hereinafter provided.

(2) All licenses issued under the Act shall expire on the thirty-first day of May of each year.

(3) Applicants for licenses under the Act shall by affidavit furnish to the Minister evidence of British citizenship either by birth or naturalization and no license shall be granted to other than British subjects; provided however, that the Minister may, in his discretion, grant a license or licenses to citizens of the United States of America.

(4) All licenses shall be issued subject to the implied condition that no exhibition or performance shall be permitted to take place on Sunday.

DISPLAY OF LICENSES

6. Theatre licenses shall be constantly exhibited in a conspicuous place at the entrance to the theatre licensed, and all other licenses issued under the Act shall be produced on demand for inspection to any provincial or municipal officer or the inspector.

ASSIGNMENT OF LICENSES

7.—(1) Projectionists' licenses shall not be assignable and all other licenses shall only be assigned or transferred on the written consent of the Minister or the inspector.

UNLICENSED PROJECTIONISTS

(2) No owner, licensee or manager of a theatre shall employ a projectionist who is not licensed under the Act.

LICENSE ENFORCEMENT

8. It shall be the duty of all municipal and provincial police officers and the inspectors,—

- (a) to examine the license of any person using or operating a motion picture projector or similar apparatus; and
- (b) to prosecute the owner, lessee, licensee, manager or other person having control of any theatre or film exchange for which a license has not been obtained.

APPROVAL OF PROJECTORS

9. No motion picture projector or similar device shall, at any time, be operated in any building or enclosure nor shall the public be admitted to the audience room in which such moving picture exhibit is to be given until the installation of such projector or device and the arrangement of such audience room and its accessories conform with the provisions of the Act and the regulations, nor until after approval by the inspector.

DUTY AND POWERS OF INSPECTOR

10. It shall be the duty of the inspector to enforce the provisions of the Act and the regulations, and he is hereby empowered and it shall be his duty to prohibit the use of any motion picture projector installed or operated in violation of the provisions of the regulations, and to cause the prosecution of any person violating the provisions of the Act or the regulations.

SEIZURE OF EQUIPMENT

11. Any motion picture projector, or motion picture film installed or being used contrary to the provisions of the Act or the regulations shall be liable to seizure by the inspector and any motion picture projector or films so seized shall be disposed of as directed by the Minister.

INSPECTOR'S RIGHT OF ENTRY

12. The inspector may at any time enter any theatre, public hall, or film exchange and no person shall obstruct or interfere with the inspector while in performance of his duties.

DUTY OF PROPRIETOR OR MANAGER

13. The proprietor or in his absence the manager or other person in control of any room or building to which the public is admitted, and in which theatrical entertainments or an exhibition of motion pictures is given, shall render such room or building in full compliance with these regulations before it is opened to the public.

POLICE, ETC., RIGHT OF ENTRY

14. The Inspector, the provincial police, the municipal police and the chief of the local fire department

shall have the right of entry to any place licensed under the Act for purpose of their respective duties of inspection during any regular performance or exhibition.

MUNICIPAL POPULATIONS

15. For the purpose of the regulations the population of a municipality may be ascertained and fixed according to the last municipal statistics furnished by the Department of Municipal Affairs.

FORFEITURE OF LICENSE

16. Any licensee who contravenes any of the regulations or is guilty of an offence against the Act shall be liable, in addition to all other penalties, to the forfeiture of his license.

SPECIAL LICENSES

17. The Minister may in his discretion issue a license or licenses for buildings or performances not specifically provided for in the regulations and the fee for such licence or licenses shall be fixed by the Minister.

THEATRE LICENSES

18.—(1) Regulations 18 to 42 shall apply to theatres.

(2) The fee payable for theatre license shall be as follows:—

- (a) Grade 1, in municipalities of 10,000 population or over, twenty-five cents for each seat or chair;
- (b) Grade 2, in municipalities of 3,000 population or over, and not more than 10,000 population, twenty cents for each seat or chair;
- (c) Grade 3, in municipalities of 1,500 population or over, and not more than 3,000 population, fifteen cents for each seat or chair; and
- (d) Grade 4, in municipalities under 1,500 population, ten cents for each seat or chair.

(3) Where benches are used instead of seats or chairs, every twenty-four inches shall be deemed to be a seat or chair.

(4) For licenses issued after September first and before December 1st, in each license year, the fee shall be four-fifths of that for the year; and for those issued after December first and before March first the fee shall be one-half of that for the year; and for those issued after March first the fee shall be one-quarter of that for the year.

(5) For transfer of theatre license, a fee of five dollars shall be paid.

THEATRE CLASSIFICATIONS

19. Theatre licenses issued under the Act shall be classified as follows:

- (1) class "A" shall mean any building, hall, premises, room or place used for dramatic, operatic, vaudeville or spectacular representation or

performance and for the display of motion pictures;

- (b) class "B" shall mean any building, hall, premises, room or place used for dramatic, operatic, vaudeville or spectacular representation or performance;

- (c) class "C" shall mean any building, hall, premises, room or place used for the display of motion pictures and vaudeville where no movable scenery is used; and

- (d) class "D" shall mean any building, hall, premises, room or place used for the display of motion pictures only.

BUILDING PLANS

20.—(1) Before erecting or altering any building which is intended for use as a theatre the owner shall submit for approval to the inspector complete plans in duplicate, drawn to scale of not less than one-eighth inch to the foot by a registered architect, which shall be sufficient to enable the inspector to obtain full and complete information as to the extent and character of the proposed work.

(2) Such plans shall consist of a plot plan showing proposed location of building with means of egress to public street or lane a floor plan for every floor of the building, and a longitudinal section and be accompanied by specifications of construction.

(3) If the inspector finds that the plans provide for the fulfillment of the requirements of the Act and the regulations he shall certify his approval thereon and the owner shall not proceed with the erection of or alteration to such building without the inspector's approval.

MUNICIPAL BUILDING INSPECTOR

21. In any municipality where there is a building by-law, the plan approved by the inspector shall be submitted to the municipal building inspector for his approval as to construction and the construction or alteration of such building shall be under the municipal building inspector's supervision during the period of construction or alteration.

OUTSIDE WALLS

22. The outside wall of every theatre shall be of brick, stone or other fireproof material.

FLOORS

23. All auditorium, balcony, gallery and other floors in every theatre shall be of concrete, steel or other incombustible material and shall be of fire-proof construction throughout and all steel used shall be protected with at least two inches of concrete.

ROOFS

24. Roof and roof supports of every theatre shall be of fire-proof material; provided that where the seating capacity does not exceed 500 seats and the population of the municipality is not over 2,000 the roof may be constructed of steel beams and wood joists.

CEILINGS

25. Ceilings of theatres shall be of expanded metal lath or gypsum lath covered with fire-proof plaster.

PARTITIONS AND DOORS

26.—(1) All partitions forming lobbys, foyers, vestibules, stage and exits shall be of fire-proof construction but other partitions if over concrete floors may be of wood studding lathed on both sides with metal lath or gyproc and plastered and plaster shall run from floor to ceiling and behind all trim.

(2) Entrance doors may be of wood construction and all doors in lobbys, foyers, stage and exits shall be Kalamein or metal clad doors.

(3) All Kalamein or metal clad doors shall be fitted in metal clad frames and equipped with self-closing devices of a type approved by the inspector.

PROJECTION, BATTERY AND GENERATOR ROOMS

27.—(1) The projection room shall be constructed of hollow tile, cement, brick or other fire-proof material and shall be not less than sixteen feet in width, twelve feet in depth and ten feet in height, and there shall be an adjoining fire-proof rewind room, not less than six feet in width by eight feet in depth, with emergency exit therefrom.

(2) All doors to be used as fire doors shall open outwards and be equipped with check springs and shall not be fastened during a performance, and all port hole openings shall be protected with automatic self-closing shutters of not less than one sixteenth inch steel.

(3) Such shutters shall be controlled with fusible links and shall be installed in such manner that they may be lowered individually as well as collectively and there shall also be provided a master release cord controlling the releasing of all port hole shutters and such release cord shall be situated immediately adjacent to the entrance doorway.

(4) The projection room shall be provided with overhead ventilators at least eighteen inches in diameter and the rewind room with ventilators at least nine inches in diameter and such ventilators shall be equipped with automatic devices to insure their opening in case of fire.

(5) Metal pipes shall lead from all lamp houses and shall be connected to a ventilator leading to the open air.

(6) There shall be toilet conveniences provided adjacent to every projection room and such conveniences shall include a lavatory bowl and wash-basin with running water.

(7) Where battery or generator rooms are provided they shall be of such size as may be determined reasonable by the inspector and shall be ventilated to the open air.

FURNACE AND FUEL ROOMS

28.—(1) The furnace room of every theatre shall be so located as to be satisfactory to the inspector and

shall be enclosed with walls of masonry at least nine inches thick and the entranceway to the furnace room shall be protected with an automatically controlled fire door.

(2) The fuel room shall be separated from the furnace room and be enclosed with fire-proof walls and the opening protected with automatically controlled fire door.

STAGES

29.—(1) Where in any theatre movable scenery is used a fire wall of brick (less the proscenium opening), not less than fourteen inches in thickness, shall separate the auditorium from the stage and it shall extend at least four feet above the stage and auditorium roofs.

(2) Above the proscenium opening there shall be an iron or steel girder of sufficient strength to carry the entire load above it, and such girder shall be covered with fire-proof material to protect it from the heat in case of fire, and the proscenium opening shall be protected with a fire-proof curtain, which curtain shall extend at least twelve inches beyond the proscenium opening, be kept in place with guide wires, and shall be enclosed on the sides with strong metal channels, and such curtains shall be raised at the commencement of performances and lowered at the conclusion.

(3) Stage floors shall be of concrete construction but may be covered with wood flooring, such flooring to be laid directly against the concrete and without any air space between.

(4) There shall be a skylight or ventilating device extending at least five feet above the roof of the stage and such skylight or ventilating device shall be controlled manually from the stage floor as well as being equipped with an automatic device to insure the opening of the ventilator in case of fire.

(5) Grids and fly-galleries shall be constructed of fire-proof material only and a means of emergency egress shall be provided from such grids or fly-galleries.

(6) Dressing rooms shall be of fire-proof material, of ample room for comfort and well lighted, ventilated to the open air and shall contain wash-basins with running water.

(7) There shall be provided from every stage an emergency exit at least three feet six inches in width in the clear.

(8) Lavatory accommodation shall be provided for use of stage employees and artists.

(9) Where a stage platform is installed for vaudeville or other similar attractions and movable scenery is not used, the entire construction shall be of fire-proof material and provisions shall be made for at least two dressing rooms of ample room for comfort and such rooms shall be equipped with wash-basins and running water shall be ventilated to the open air, well lighted and provided with lavatory accommodation.

(10) All scenic effects or scenery, if not of fire resistant construction, shall be treated with an effective flame proofing solution.

RETIRING ROOMS

30. In every theatre located in a municipality where there is a waterworks system there shall be separate retiring rooms provided, one room for male patrons and one room for female patrons and such rooms to be provided with toilets and wash-basins with running water and shall be ventilated to the open air.

STAIRWAYS

31.—(1) All stairways throughout the theatre shall be of concrete, steel or similar fire-proof construction, without winders, and all turns in stairways shall be rounded to a radius of at least eighteen inches and shall have solid risers and treads.

(2) The risers for each step shall not exceed seven and one-half inches and the treads shall be not less than ten inches exclusive of nosing.

(3) No stairway shall be less than three feet six inches in width and all stairways used shall be enclosed in fire-proof walls and equipped with continuous hand rails on each side.

SEATING

32.—(1) All seats in theatres, except those used in boxes, shall be securely fastened to the floor, shall not be less than eighteen inches in width and shall be spaced not less than thirty-two inches from back to back.

(2) A row of seats having an aisle at one end shall contain not more than eight seats and a row of seats having an aisle at either end shall contain not more than fifteen seats.

SPECIFICATIONS OF AISLES

33.—(1) All aisles shall extend from the front to rear of the auditorium and where the seating capacity on any one floor is three hundred or less there shall be not less than one centre aisle three feet six inches in width in the clear.

(2) Where seating capacity on any one floor is more than three hundred but less than five hundred there shall be not less than two aisles each three feet six inches in width in the clear.

(3) Where seating capacity on any one floor is more than five hundred and less than seven hundred and fifty there shall be not less than two aisles each four feet six inches in width in the clear.

(4) Where the seating capacity on any one floor is greater than seven hundred and fifty and less than one thousand there shall be not less than two aisles each five feet six inches in width in the clear.

(5) Where the seating capacity on any one floor exceeds one thousand there shall be not less than three aisles each five feet six inches in width in the clear.

(6) Cross aisles shall be provided to all emergency exits and such cross aisles shall be five feet in width in the clear.

PLAN AND CLEARANCE OF AISLES

34.—(1) In every theatre all aisles, approaches, passageways, emergency exits and stairways shall be kept free and unobstructed and the public shall not be permitted to stand in any aisle or approach thereto, except in designated standing areas, a plan of which has been approved by the inspector and such plan shall be properly displayed in manager's office for inspection by proper officials.

(2) Plans in triplicate of proposed standing area shall be drawn by a registered architect at a scale of not less than one eighth of an inch to one foot and submitted to the inspector for approval.

ENTRANCE AND LOBBY

35. In every theatre the entrance and lobby from the street line shall have not less than ten feet of door width and the lobby shall be not less than ten feet in width.

EXITS

36.—(1) In every theatre suitable emergency exits situated at the side or rear shall be provided.

(2) Where seating capacity on one floor is not more than seven hundred and fifty seats there shall be two exits each not less than five feet in width in the clear.

(3) Where seating capacity on one floor is more than seven hundred and fifty seats there shall be additional exit space of five feet provided for every additional three hundred seats or less.

(4) Where an auditorium, balcony or gallery is situated more than six feet above grade level the means of emergency egress from such auditorium, balcony or gallery shall be by fire-proof ramps or stairs in well lighted, enclosed smoke-proof towers and no ramp shall have a greater rise than one foot in six feet.

(5) Where in an existing theatre the auditorium, balcony or gallery is situated above grade level and it is impossible to provide smoke-proof towers and where the means of egress is via fire escapes such escapes shall be of substantial metal construction, provided with a fire-proof canopy or covering to protect the stairway and landings from the weather, and shall be scraped and painted with a weather-resisting paint at least once every twelve months.

(6) All emergency exits that do not open directly on a street shall lead by well lighted, level courtways to a public lane or street and such courtways shall be kept unobstructed at all times and shall be of at least six feet in width.

(7) All doors shall open outwards and all doors except entrance doors shall be provided with panic bolts of the push bar or other type, approved by the inspector, and no door shall be fastened by other than approved panic bolts during a performance.

(8) All emergency exit doors shall be opened and tested daily.

(9) Streets or lanes immediately in front of any theatre entrance or exit shall be kept unobstructed.

(10) All exits shall be denominated by an "EXIT" light and sign and the letters of such sign shall be not less than six inches high and their combined length shall be at least twelve inches long and such sign shall be illuminated by a red light during the entire performance and no other red lights shall be used inside the premises.

EMERGENCY LIGHTS

37.—(1) Emergency lights shall be provided for all corridors, stairways, emergency exits, passageways and courtways and shall be kept lighted during the entire time the theatre is open to the public and shall be controlled on a separate circuit from the main lighting of the building.

(2) An emergency lighting system having storage batteries as a source of supply and controlled from the projection room shall be installed in all theatres to be available in case of failure of the main lighting circuit. The illumination shall be to the satisfaction of the inspector.

LIGHTING OF AUDITORIUM

38. During any performance in any theatre the auditorium of such building shall be lighted to the satisfaction of the inspector.]

FIRE-FIGHTING EQUIPMENT

39.—(1) In every theatre there shall be at least four approved liquid fire extinguishers, two at the stage end and two at rear of auditorium or in foyer.

(2) In every municipality where there is a water-works system all theatres with stages equipped or used for acts shall be equipped with stand pipes properly attached to such water system and with proper hose attachments.

(3) There shall be two of such stand pipes on the stage with extensions to each floor above the stage.

(4) The size and location of such stand pipes shall be determined by the chief of the fire department of the municipality whose duty it shall be to see that such stand pipes are properly installed, located and equipped and the hose attachments shall be tested annually by the chief of the fire department.

ACOUSTICAL TREATMENT MATERIAL

40.—(1) Where any theatre requires acoustical treatment, samples of the material to be used shall be submitted to the inspector for approval and none other than approved material shall be used.

(2) The inspector may grade and classify such material and provide under what circumstances approved types and quantity of material may be used.

(3) The grading of acoustical material shall be as follows:

(a) grade 1,—material composed wholly of fire-proof substances; and

(b) grade 2,—material composed of substances that are not in themselves fire-proof but have been

chemically treated to be fire retardant or flame proof and which will not under disintegration give off any toxic gases or objectionable odours.

(4) Grade 1 material may be used to correct acoustical defects in any portion of a theatre.

(5) Grade 2 material may be used only for ceilings or that portion of auditorium walls situated more than seven feet above the highest seating tier in the auditorium.

(6) Acoustical treatment shall only be permitted when the material is solidly fastened to fire-proof walls or ceiling and shall not be installed in such manner that an air space is permitted between acoustical treatment and wall or ceiling.

(7) If upon inspection at any time it is found that grade 2 material has lost its fire retardant qualities, such material shall forthwith be either retreated or removed.

(8) All curtains or draperies used for decorative purposes or for acoustical treatment shall, if not of fire-proof material, be treated with an effective flame-proofing material.

(9) Fibre boards or pulpboards that have been sprayed with flame-proofing solution may be used as follows:

(a) over plaster applied with mastic;

(b) over masonry applied with mastic; or

(c) over masonry on wood strips where concrete floor occurs, provided wood strips are flame-proof.

HEATING, VENTILATING, AIR CONDITIONING

41.—(1) This regulation shall apply to air duct systems in which air is conveyed for heating, ventilating or air conditioning in theatres.

(2) Plans of systems shall be submitted to the inspector for approval before work is started.

(3) In this regulations,—

(a) "blower" shall mean a fan used to force air under pressure into an area, or to withdraw air from an area under suction;

(d) "ducts" shall mean tubes, passageways or other channels used for the purpose of conveying air; and

(c) "incombustible materials" shall mean any fire-proof material approved by the inspector.

(4) The ducts of any air conveying system shall be of incombustible material and so constructed as to provide structural strength and durability at least the equivalent of galvanized sheet iron or steel of the thickness specified in the following table:

Round Ducts, Diameter inches	Rectangular Ducts, Width inches	Minimum Thickness, U.S. Gauge
6 to 10	Up to 12	26
11 to 29	13 to 30	24
30 to 39	31 to 60	22
40 to 49	61 to 118	20
50 and above	119 and above	18

(5) In all gravity heating, air-conditioning and ventilating systems there shall be automatically closing heat-actuated fire dampers on all supply and branch ducts, and in leading or main supply ducts there shall be a heat actuated device with an audible alarm so as to sound in the projection room.

(6) A heat-actuated automatic cut-out shall be provided at each blower in all forced-draft systems so that in the event of fire or undue heat in that location the blower will automatically stop.

(7) In all forced-draft systems an audible alarm actuated by a heat control at or near the blower shall be installed so as to sound in the projection room.

(8) A manually operated control shall be installed at a convenient location, approved by the inspector, remote from the ventilating or air conditioning plant, by which the blower can be shut off in case of fire or other necessity.

(9) All filters shall be of fire resistive materials and bear the approval of the inspector.

(10) Filters shall be of a type which will not give off toxic gases under heat conditions.

(11) Liquid adhesive coatings on filters shall have a flash point of not less than 350 degrees Fahrenheit open cup tester.

(12) When flexible connections are provided in a duct system they shall consist of flexible woven asbestos or sleeve joints with asbestos packing or other approved non-combustible material.

(13) Where any lining or cover is placed in or on any duct inside the building the same shall be of incombustible material.

(14) When located less than seven feet above the floor air inlet and outlet openings shall be protected by a substantial grill or screen of not more than one-inch mesh.

(15) Outside air intake openings shall be protected with approved automatic fire doors or shutters, if required by the inspector on account of an exposure fire hazard, with, in cases of extended fresh air intakes, the fire dampers being placed at the roof or fire wall.

(16) Fire dampers shall be made and installed so that they will remain tightly closed after the operation of the heat-actuated closing device, hinged dampers shall be equipped with spring catches and hinge pins shall be of corrosion resistive material.

(17) Automatically-closing heat-actuated fire dampers shall be provided in the ducts at locations near to the discharge side of the blower in all forced-draft systems and at each point where the ducts pass through a fire wall.

(18) When the air conditioning or ventilating system is connected with projection room there shall not be any return duct from the projection room to the system but exhaust from the projection room shall be to the outside of the building.

(19) Supply ducts entering projection, re-wind, rectifier, or generator rooms shall have fire dampers at the supply.

(20) A heating unit for heating the air that is forced or drawn through the ducts shall be installed in compliance with the requirements for other heating units and their appurtenances in theatres.

(21) Unless refrigeration which is non-toxic, non-irritant, non-explosive and non-inflammable when used in connection with any installation for air conditioning, the evaporator or the coils containing the refrigerant shall not be placed in an air conditioning duct or in any location where in case of leakage the refrigerant could pass through the ducts into the room or other places served.

PROJECTION ROOM EQUIPMENT

42.—(1) All types of equipment adaptable for the projection of motion pictures or for the reproduction of sound with motion pictures in theatres, or for furnishing sources of illumination, or current to operate such equipment shall be approved by and installed to the satisfaction of the inspector.

(2) Fire preventing or safety devices for such equipment and the location and installation of all such equipment or devices shall be to the satisfaction of the inspector.

(3) All furniture or fixtures in the projection room shall be of fire-proof construction only.

(4) The projection room shall be kept clean and free from all articles not required for operating motion picture projectors, sound reproducing equipment or other associated apparatus.

(5) Four one-quart carbon tetrachloride hand pump type fire extinguishers shall be at all times kept in good working order and available for use in the projection room.

(6) The arc lamp or other source of illumination used with a motion picture projector or other similar apparatus shall be of the standard type for the projector with which it is intended to be used and no changes or alterations shall be made to the arc lamp or other source of illumination until such changes or alterations have been approved by the inspector.

(7) Conductors supplying current to arc lamp shall not be smaller than No. 4 B. and S. gauge or its equivalent.

(8) Stranded conductors provided with approved lugs shall be used between the lamp and permanent wiring.

(9) A fire-proof insulation shall be used on conductors inside lamp house and those connected to the arc lamp and resistance.

(10) Conductors passing through walls of lamp house shall be protected with approved bushings.

(11) All resistance devices shall be kept not less than two feet from any inflammable material and from the projector or shall be separated from them by a slab of slate or marble and in no case shall they be kept on the floor of the projection room but shall be elevated at least eighteen inches above the floor.

(12) The resistance device shall be surrounded with a substantially attached metal guard having a mesh not larger than one-half inch, which guard is to be kept at least one inch from outside frame of resistance device.

(13) All motion picture projectors shall be of metal or other fire-proof material and shall be equipped with fire-proof magazines, automatic fire shutters, upper and lower film guards and proper rheostats.

(14) The electric motor used for driving the projector shall be an approved type and installed to the approval of the inspector and such motor shall be securely attached to the machine supports, satisfactorily enclosed and separately fused.

(15) All electrical devices shall be securely mounted on fire-proof supports, and be enclosed to the satisfaction of the inspector.

PROJECTIONIST CLASSIFICATIONS

43. Projectionist licenses shall be issued as follows: first-class; second-class and apprentice.

LICENSED PROJECTIONIST TO BE IN CHARGE

44. Where motion pictures of standard size are shown, either in public or private, the projection equipment shall be in charge of the holder of a first-class or second-class license.

FIRST-CLASS LICENSES

45. A first-class license may be obtained by the holder of a second-class license by completing the first-class examination papers and practical test prescribed by regulation 51.

SECOND-CLASS LICENSES

46.—(1) A second-class license may be obtained by,—

- (a) serving as an apprentice for not less than twelve months on standard projection equipment; and
- (b) successfully completing the second-class and apprenticeship examination papers and practical tests prescribed by regulation 51.

(2) The inspector may in his discretion permit a person who has held a projectionist license in any other province or country or who has completed a course of instruction approved by the inspector to try the second-class written examination and practical test without having served the apprenticeship term.

(3) A second-class projectionist may take charge of projection equipment for a period of two years after the issuance of the license but thereafter shall not be

in charge until he has obtained a first-class license, except by special permission of the inspector.

APPRENTICE LICENSES

47. An apprentice license may be issued to anyone who,—

- (a) is of the full age of eighteen years; and
- (b) has furnished to the inspector, in such manner as the inspector may require, proof of age, evidence of his physical ability to handle projection, sound and fire-fighting equipment and a medical certificate that he does not suffer from epilepsy in any form.

APPRENTICES

48.—(1) An apprentice may be employed to assist the holder of a first or second-class license in any theatre.

(2) The apprentice shall not be permitted to take charge of the projection equipment and may only handle such equipment when under the direct supervision of a first or second-class projectionist.

(3) An apprentice shall remain in the projection room during the entire time the projectors are in operation.

(4) The apprentice after serving six months in the projection room may write his apprenticeship examination and try the practical test as prescribed by regulation 51.

RE-WRITING EXAMINATIONS

49. Upon failure to pass the examination of any class a projectionist may write such examination a second time after having served a further six months' period in the projection room but shall not try such examination a third time except by special leave of the Inspector.

TIME OF EXAMINATIONS

50. Examinations upon all classes of papers as well as the practical test shall be held on the first Mondays of January, April, July and October.

SUBJECTS OF EXAMINATIONS

51.—(1) The following shall be the subjects of the examination for first class licenses,—

- (a) Projection and Film:
 - (i) knowledge of projection-lenses, construction, selection, use, adjustment and care;
 - (ii) ability to secure and maintain a clear field on the screen;
 - (iii) ability to secure correct definition for best results on the screen at a minimum expense; and
 - (iv) types of arc lamp reflector mirrors;

(b) Electricity:

- (i) systems of transmission, sizes and insulation of wires and cables, theatre wiring systems;
- (ii) general knowledge of generators, rectifiers, rheostats and their care;
- (iii) testing for open, shorted and grounded circuits, also other defects; connection of lamp circuits, motor-generators, rectifiers and similar apparatus. General knowledge of the lamp-house, carbons, connections, faults and their remedies; and
- (iv) care of storage batteries;

(c) Mechanism:

- (i) specific knowledge of the machine parts, their uses, care, adjustments and renewal of parts;
- (ii) various types of intermittent movements, their care and adjustment;
- (iii) the machine safety devices, their action, care and adjustment;
- (iv) the revolving shutter, its principle of operation and adjustment;

(d) Safety:

knowledge of safety appliances connected with projection machine apparatus, auxiliary safety appliances, their use and care, construction of projection rooms, installation of electrical and projection equipment therein, ventilation and other matters; and

(e) Sound:

- (i) principles of amplification, knowledge of vacuum tubes, methods of sound reproduction, speaker operation; and
- (ii) ability to test for sound trouble and apply remedies.

(2) The following shall be the subjects of the examination for second class licenses,—

(a) Projection and film:

- (i) projection-lenses, general knowledge of construction, selection, care and use;
- (ii) ability to secure correct definition and to maintain a clear field on the screen; ability to hold picture in focus and maintain the maximum amount of light on the screen; and
- (iii) care and revision of film;

(b) Electricity:

- (i) sizes and insulation of wires and cables, general knowledge of electrical equipment used in motion picture work;
- (ii) testing for short circuits, open circuits and grounds; testing of fuses;
- (iii) knowledge of wiring and connections from supply to lamp;
- (iv) knowledge of lamp-house, its care and faults and the remedy; and
- (v) care of storage batteries;

(c) Mechanism:

- (i) general knowledge of the machine head, its component parts, their adjustment and care, care of individual parts;
- (ii) various types of intermittent movements, general knowledge of their care and adjustment;
- (iii) safety devices, their action, care and common faults;
- (iv) threading, framing and focusing devices, their use and care; and
- (v) revolving shutter, its principle and adjustment;

(d) Safety:

- (i) knowledge of safety appliances connected with motion picture machines, auxiliary appliances, their use and care;
- (ii) construction of projection rooms, installation of electrical and projection equipment, ventilation of rooms; and
- (iii) types of arc lamps reflector mirrors.

(e) Sound:

photo electric cells, amplifier tubes, horns, wiring, batteries and rectifiers.

(3) The following shall be the subjects of the examination for apprenticeship licenses,—

(a) Projection and film:

- (i) projection lenses, general knowledge of the construction and care;
- (ii) ability to secure correct definition and to maintain even illumination on the screen; and
- (iii) care of film, proper method of revising film;

(b) Electricity:

- (i) general knowledge of electrical devices used as source of arc lamp supply;

- (ii) wire sizes and types of insulation;
 - (iii) general knowledge of electrical terms;
 - (iv) connection of arc lamps from source of supply through resistance; and
 - (v) testing of circuits, fuses and other devices;
- (c) Mechanism:
- (i) general knowledge of machine head construction and operation;
 - (ii) intermittent movement construction, action and care; and
 - (iii) threading, framing and focusing;
- (d) Safety:
- (i) projection room construction requirements;
 - (ii) types of projection equipment;
 - (iii) safety appliances on projection machines, their use and action; and
 - (iv) auxiliary safety devices necessary; and
- (e) Sound:
- (i) method of securing sound from film track;
 - (ii) construction and action of photo electric cell;
 - (iii) construction and action of a three-element amplifier tube; and
 - (iv) construction and action of exciter lamp.

APPLICATIONS FOR EXAMINATION FEES

52.—(1) Applications to write examinations shall be made at least thirty days prior to the date of examination on a form supplied by the inspector and shall be accompanied by a fee of five dollars.

(2) The inspector may require any projectionist to appear for re-examination.

(3) The fee for each class of projectionists' license and for each renewal thereof shall be five dollars.

NUMBER OF PROJECTIONISTS

53.—(1) In every theatre where there is more than one motion picture projector installed there shall be licensed projectionists employed according to the following schedule and in this regulation "projectionist" shall mean the holder of a first-class projectionist license or a second-class projectionist license and this regulation shall be subject to sub-regulation (3) of regulation 46:

- (a) in any theatre where the seating capacity is one thousand or more two projectionists shall be employed; and

- (b) in any theatre where the seating capacity is less than one thousand one projectionist shall be employed and in addition an apprentice may be employed.

(2) The inspector may alter the class of licensed projectionist required to be employed in any projection room where the building or other circumstances warrant such alteration.

PROJECTIONIST IN CHARGE

54. Where in any theatre projectionists of different classes are employed the higher class projectionist shall have complete charge of the projection room including the equipment therein, and in all other cases each projectionist shall have control of the equipment under his care and all shall be equally responsible for the proper operation and care of the equipment and projection room.

CONDUCT OF PROJECTIONISTS

55. No projectionist shall,—

- (a) smoke or permit smoking in the projection room at any time;
- (b) read or have reading material other than licenses and regulations in the projection room;
- (c) permit an unlicensed person other than the manager, the inspector or an official of a police force or fire department to be or remain in the projection room while an audience is in the building;
- (d) permit film to remain exposed in the projection room at any time;
- (e) allow films to be rewound in the room housing the projectors;
- (f) permit over-fusing or make improper electrical connections;
- (g) loan his projectionist license to any person;
- (h) fail to produce on demand by proper officials projectionist license where motion picture apparatus is being used;
- (i) fail to test apparatus and electrical connections prior to each performance;
- (j) fail to inspect and repair all films while at the theatre;
- (k) operate or permit to be operated defective projection or sound equipment;
- (l) allow a dirty projection room or equipment;
- (m) fasten doors on inside, remove handle from outside of doors or otherwise delay access to authorized persons;
- (n) fail to report promptly to the department the occurrence of any film fire and the apparent cause thereof;

- (o) use any habit forming drug;
- (p) display films without bands or approval certificates of the Board of Censors of Motion Pictures;
- (q) use defective or overloaded reels;
- (r) permit port hole shutters to be in a defective condition;
- (s) fail to test the working of all port hole shutters daily; or
- (t) fail to have fire extinguishers in good working order.

APPROVAL OF EQUIPMENT

56. No projectionist shall operate or cause to be operated a projection machine or sound equipment device which is not installed in accordance with the regulations.

EXAMINATION OF EQUIPMENT

57. Every projectionist shall examine his projection machine and sound equipment daily and shall devote his whole attention to and remain at the projector while it is in operation.

EXCLUSION FROM PROJECTION ROOM

58. No projectionist shall permit any person to enter or remain in the projection room during a performance except a provincial or municipal police officer, the manager, the local fire chief or the inspector.

INTOXICATION OF PROJECTIONIST

59. No projectionist or apprentice shall operate a motion picture projector while under the influence of liquor.

DUTY OF EXHIBITOR

60. No exhibitor shall permit any projectionist to operate a motion picture projector while the projectionist is under the influence of liquor or permit any projectionist to violate the provisions of the Act or regulations.

PROJECTOR SPEED

61. No projectionist shall permit any film to travel through the projector at a greater speed than ninety feet to the minute.

REWIND ROOM

62. Films shall be rewound or revised only in the rewind room constructed for that purpose, and, films shall not be exposed at any time except when being transferred to or from the projection machine or being rewound or revised, and all spare reels of films shall be kept in a fire-resistive container which shall have separate individual compartments and a self-closing lid.

LEADERS AND TRAILERS

63. All leaders, trailers, announcements and other extra films shall be kept in fire-resistive containers.

FILM EXCHANGE LICENSES

64.—(1) Regulations 64 to 79 shall apply to 35 mm film exchanges and depots, save and except that regulations 65 and 67 and sub-regulation 6 of regulation 72 shall not apply to film exchanges licensed on the 1st day of December, 1943, insofar as the premises in which they are then located are concerned.

(2) The fee payable for 35 mm film exchange license shall be \$100.00 provided that if the license is issued after September 1st and before December 1st, in each license year, the fee shall be four-fifths of that for the year; and if issued after December 1st, and before March 1st, the fee shall be one-half of that for the year; and if issued after March 1st, the fee shall be one-quarter of that for the year.

(3) For transfer of film exchange license a fee of \$5.00 shall be paid.

(4) No person shall lend a film exchange license for any purpose.

(5) No film exchange or distributor of films shall supply any film of a standard size to any person who does not hold a theatre license or special permit from the inspector.

(6) Every application for a license shall be accompanied with a certificate from the inspection department of the appropriate Hydro-Electric Power Commission dated within two months of such application, certifying that all wiring and electrical appliances have been inspected and approved by such inspection department.

FILM EXCHANGE REQUIREMENTS

65. A license to operate a film exchange shall be granted only when the building in which such exchange is located is:

- (a) of fire-proof construction in that portion of the building in which films are stored or handled;
- (b) not more than two storeys in height;
- (c) situated at least 50 feet distant from the nearest wall of any building occupied as a school, theatre, church, hospital or other place of public assembly; and
- (d) not occupied as a private dwelling, multiple dwelling or hotel.

ERECTION OF FILM EXCHANGE BUILDING

66.—(1) Before erecting or altering any building which is intended for use by a film exchange the owner shall submit for approval to the inspector complete plans in duplicate drawn to scale of not less than one-eighth inch to the foot, which shall be sufficient to enable the inspector to obtain full and complete information as to the extent and character of the proposed work.

(2) Such plans shall consist of a plot plan showing proposed location of building with means of egress to public street or lane, a floor plan for every floor of the building, a longitudinal section and shall be accompanied by specifications of construction.

(3) If the inspector finds that the plans conform to the Act and the regulations he shall certify his approval thereon, and the owner shall not proceed with the erection of or alterations to such building without such approval.

OTHER OCCUPANCY OF FILM EXCHANGE BUILDING

67. No portion of a film exchange building shall be given over for occupancy to any other business except on permit from the Inspector.

ARRANGEMENT OF FILM EXCHANGE BUILDING

68.—(1) Film storage vaults, revising rooms, shipping rooms and other areas where film is handled shall be separated from the administrative portion of the building by fire walls, and all door openings in such fire walls are to be equipped with approved Class A fire doors.

(2) All rooms in which film is handled shall have two or more exits remote from each other and opening outwards.

(3) At least one exit from revising rooms shall lead directly to the open air or to outside the area where films are handled or stored and shall be equipped with panic hardware.

(4) Revising rooms or rooms where films are examined or handled shall have a floor area of not less than 35 square feet for each person regularly working therein.

(5) All furniture and fixtures where films are handled or stored shall be of metal or other fire-resistive material.

(6) Every room in which film is stored or handled, except film vaults and projection rooms, shall be provided with first-aid fire appliances of types using water or water solutions and other areas shall have first-aid fire appliances of a type suitable for the hazards involved.

SPRINKLER AND HEATING SYSTEMS

69.—(1) All areas in which film is stored or handled, except the motion picture projection suite, shall be equipped with an automatic sprinkler system of the wet pipe type or the empty pipe system with open heads.

(2) The spacing of sprinkler heads shall not exceed one head for each 64 square feet of floor space, except in film vaults where there shall be at least one sprinkler head for each 62½ cubic feet of vault space, and equipped with baffles if a wet pipe system is installed.

(3) All radiators, heating coils, pipes and returns in film handling or storage areas shall be effectively screened so that no film can come within 4 inches of the heating surface.

(4) Heating of vaults, when required to prevent sprinkler pipes freezing, shall be by hot water or low pressure steam with automatic control limiting steam pressure to ten pounds and the vault temperature to not in excess of seventy degrees Fahrenheit.

(5) Radiators shall be placed at the ceiling, over aisle space, with pipes and radiators protected with wire guards so arranged that no film can be placed within twelve inches of such pipes or radiators.

SCREENING ROOM

70.—(1) Screening rooms and projection suites shall be of fireproof construction and each shall be provided with unobstructed means of egress to the satisfaction of the inspector.

(2) Screening rooms shall have seating capacity for not more than 35 persons.

(3) Projection suites for screening rooms shall comply with the regulations for theatre projection booths insofar as in the opinion of the inspector it is structurally possible.

STORAGE OF POSTERS

71. All posters, heralds, hand bills and other similar advertising matter shall be stored in a separate room on metal racks or in metal cabinets.

FILM EXCHANGE VAULTS

72.—(1) Vaults shall be constructed in accordance with plans submitted to and approved by the Inspector.

(2) No vault shall exceed 750 cubic feet in inside dimensions.

(3) Vault walls and floors shall be constructed of not less than eight inches of brick or six inches of reinforced concrete.

(4) Vaults shall be supported by masonry or steel of sufficient strength to carry the load safely. Beams shall rest at both ends on steel girders, iron or steel columns or walls or piers of masonry.

(5) The vault room shall be of reinforced concrete at least six inches thick; where the floor or roof above is equivalent to this it may serve as the vault roof; a heavy wire screen of not less than two inches mesh or its equivalent may be installed below the required roof to limit the interior vault space of 750 cubic feet.

(6) Vaults shall be provided with suitable drains or scuppers to the outside of the building.

(7) Proximity to stacks and other sources of heat shall be avoided.

(8) Vault door openings shall be protected with approved class A fire doors, one on each face of the wall.

(9) The interior door shall be self-closing. The outer door shall be of the swinging type, self-closing and close into a metal frame or otherwise made tight to prevent the passage of flame around the edges.

(10) Film vaults shall be equipped with metal racks arranged for the storage of single or double reel containers and approved shipping containers placed on edge, and racks shall not obstruct vent openings.

VAULT VENTS

73.—(1) Film vaults shall be provided with a separate vent having a minimum effective sectional area of 14 square inches per 100 pounds of film capacity. The vent area for a vault of 750 cubic feet shall be not less than 1400 square inches.

(2) Vent flues inside the building shall be constructed of five inches of reinforced concrete or the equivalent. Exterior flues shall be of a construction equivalent to that of smoke stacks.

(3) The outlet of each vent shall be five feet above the roof and constructed to face the street, court or other clear opening which will give a distance of at least 50 feet to any window or other opening exposed thereby at the same or higher level, and all outlets shall be a distance of at least 25 feet from any fire escape on the same or higher level.

(4) Each vent shall be protected against the weather by glass not more than 1/16 of an inch in thickness and each pane of glass shall not be less than 200 square inches in area. The sash for such glass shall open automatically to its full area in case of fire by means of a heat-actuated releasing device placed inside the vault.

(5) A light wire screen not coarser than 1/8 of an inch mesh shall be placed in each vent and so arranged as not to interfere with the automatic operation of the sash.

FILM EXCHANGE LIGHTS, ELEVATORS AND STAIRWAYS

74.—(1) All lights in film vaults shall be at the ceiling and of the fixed marine type with vapor-proof globes and switches and conduit wiring. All switches controlling vault lights shall be located outside the vault and arranged with a pilot light to indicate whether lights are on or off.

(2) All lights in revising rooms shall be equipped only with vapor-proof globes and switches.

(3) Exit lights throughout film exchanges shall be on a separate circuit to the remainder of the electrical system for the exchange.

(4) Elevators in film exchanges shall be of the fully-enclosed type for both shaft and cage.

(5) All stairways in film exchange buildings shall be fully enclosed, with openings at each floor level protected by self-closing approved class B fire doors.

STORAGE OF FILM IN EXCHANGES

75.—(1) All film in film exchanges shall be kept in closed metal containers except during the actual time of examining or revision.

(2) All films in vaults shall be in single or double reel metal containers or approved shipping containers and kept on edge on the racks. Materials other than film and film cement shall not be stored in the vaults.

(3) Films prepared for shipment shall be in approved shipping containers and placed in the shipping or holding room.

(4) All films in the revising room except those in the actual process of revision shall be in approved shipping containers or metal cabinets and such cabinets shall not have a capacity of more than 25 reels of film, but in no case shall more than two reels, single or double, be exposed by any one revisor at one time.

(5) All film scraps or cuttings from films shall be deposited in self-closing standard metal waste receptacles kept at least one-half filled with water which shall be emptied daily and all film departments shall be cleared of waste paper or similar inflammable debris daily.

(6) Junk film shall be stored in metal or wooden closed containers having a capacity of not more than 200 pounds each and film in such containers shall not be kept overnight except in film vaults to an amount not exceeding 500 pounds.

(7) Every film exchange shall appoint a chief revisor and it shall be his duty to instruct his assistants in the care, handling and inspection of film.

(8) Any compound of collodion and amyl acetate or similar inflammable cements inside the building shall not exceed one gallon in quantity.

SMOKING IN EXCHANGE

76. Smoking shall not be permitted in any film exchange or depot other than in the business office.

FIRE LOSS

77. Every person in charge of a film exchange shall report within 24 hours to the inspector the date, place and other details of any loss by fire in the exchange premises or elsewhere of property belonging to the film exchange.

FILM DEPOTS, ETC.

78. Film depots or firms or persons assembling film for trans-shipment shall conform to the regulations for shipping rooms of film exchanges.

POWER OF INSPECTOR

79.—(1) The inspector may inspect any films to be used in Ontario and may enter any film exchange for that purpose, and the approval of the Board of Censors of Ontario of any film which he deems to be in a dangerous or unsafe condition shall be suspended until such time as the inspector shall notify the owner thereof in writing that such suspension is cancelled.

(2) Every person, corporation and firm having in or under his or its possession or control films which have been passed by the Board of Censors of Motion Pictures for exhibition in Ontario, shall, upon demand, make a return to the inspector in the form of a statutory declaration, showing the names and number of such films and any other information, and in such form as the inspector may require.

16MM FILM EXCHANGES AND MOTION PICTURE SHOWS

80.—(1) The fee for 16mm., film exchange license shall be \$50 per year.

(2) For transfer of 16mm. film exchange license a fee of \$5 shall be paid.

(3) For the purpose of carrying out the provisions of this regulation every company, association or dealer in 16mm. or miniature motion picture projectors and supplies and equipment shall furnish the inspector with a monthly report in writing of the names and addresses to whom 16mm. machines and films have been rented, leased, sold or supplied, together with the addresses at which it is intended to use these machines and films.

(4) The license fee payable for 16mm. motion picture show, travelling or otherwise, shall be in the amount of \$10 per year.

(5) No person shall operate a 16mm. motion picture projector in any hall, building or place of amusement until he has secured a license from the Minister.

APPROVAL OF FILMS BY BOARD

81.—(1) All films intended for exhibition in Ontario shall be submitted to the Board who shall thereupon approve or disapprove of them, or indicate the changes required to be made, to meet the approval of the Board, and every subsequent copy of such film shall be accompanied by a declaration that it is a true copy of the original previously passed by the Board.

(2) The Board shall not examine any film submitted by a film exchange until the fees applying to such film exchange have been paid.

(3) The authorization of the Board for the exhibition of any film shall be stamped upon such film in such manner as may be determined by the Board and such authorization shall indicate whether or not the film has been approved for universal exhibition, and for each reel there shall be issued a certificate signed by the Chairman of the Board, which certificate shall accompany the film at all times, and be produced on demand of any authorized person.

SEIZURE OF UNAUTHORIZED FILMS

82. Any film exhibited without the authorization and the certificate aforesaid shall be liable to seizure by any police officer or inspector and any film so seized shall be disposed of as directed by the Minister.

APPEALS FROM BOARD

83.—(1) An appeal from a decision of the Board may be made within thirty days after notice has been given to the owner or agent of the film subject that such subject has not been approved, provided that the time for appeal may be extended by the Minister.

(2) All appeals shall be made to the Chairman in writing setting forth therein the reasons for such appeal together with a statement setting forth what alterations, if any, have been made to such film subject since it was received back from the Board, and if alterations have been made then such statement shall include a complete list of all alterations, indicating where they occur, and accompanied by all portions of film which have been cut from the subject in making such alterations.

(3) The Board may investigate any complaint made against any film subject being exhibited.

(4) All decisions rendered on any appeal shall be final, except in the case of a film having been re-arranged or the subject reconstructed, when further consideration may be given upon application in writing to the Minister who may grant such further consideration upon payment of the appeal fee.

CENSORSHIP FEES

84. Fees payable for censorship of film subjects submitted by licensed film exchanges shall be as follows,—

- (a) silent film subjects, \$3.00 per reel not exceeding one thousand feet; and \$6.00 per reel not exceeding two thousand feet;
- (b) silent advertising, commonly known as silent trailer, 50c per subject;
- (c) sound film subjects of British origin, \$3.00 per reel not exceeding one thousand feet; and \$6.00 per reel, not exceeding two thousand feet;
- (d) sound film subjects of foreign origin, \$6.00 per reel not exceeding one thousand feet; and \$12.00 per reel not exceeding two thousand feet;
- (e) copies of films printed in Canada from foreign negatives shall be deemed to be of foreign origin;
- (f) sound advertising, commonly known as trailers, of five hundred feet or less, \$3.00 each when of foreign origin and \$1.50 each when of British origin;
- (g) sound trailers over five hundred feet and not more than one thousand feet, \$6.00 each when of foreign origin and \$3.00 each when of British origin;
- (h) sound advertising, commonly known as trailers, of one hundred feet or less, \$1.00 each, either of British or foreign origin;
- (i) fees payable for censorship of sixteen mm. film; sound or silent film subjects of English dialogue, \$2.00 per reel not exceeding four hundred feet, first copy; \$1.50 per reel not exceeding four hundred feet, each duplicate copy; sound or silent film subject, other than English dialogue, \$3.00 per reel not exceeding 400 feet;
- (j) sound news weeklies, commonly known as news reels, \$1.00 per reel not exceeding one thousand feet; and \$2.00 per reel not exceeding two thousand feet;
- (k) sound advertising, commonly known as trailers, 16mm. width of 200 feet or less 50 cents each.

CENSORSHIP FEES IN OTHER CASES

85. For all film subjects not submitted through a licensed film exchange the fee for censoring shall be determined by the Minister.

APPEAL FEES

86. For an appeal from a decision of the Board, the following fees shall be paid:

- (a) "silent film subjects" \$5.00 per reel; and
- (b) "sound film subjects" \$10.00 per reel.

DUPLICATE CERTIFICATES

87. Where certificates of approval of the Board have been lost or destroyed application for duplicates shall set forth the title of the film subject concerned and the number of certificates lost or destroyed and a fee of \$1.00 shall be paid for each duplicate.

ALTERATION OF FILMS

88. No person shall alter or cause to be altered any film from its state as approved by the Board.

ADVERTISING—APPROVAL FEES

89. An approval fee of \$1.00 on all advertising including posters, slides, newspaper cuts, hand bills, lobby displays, etc., for each approved film subject in connection with films and film displays shall be paid, provided however, that where a subject is shown serially by chapters or episodes a fee of \$1.00 shall be paid for censoring such advertising for each chapter or episode.

CENSORSHIP OF ADVERTISING

90.—(1) All posters, heralds, hand-bills, cuts, newspaper and periodical advertising, banners, slides, photographs, lobby displays and all other advertising matter in connection with films and film displays shall be submitted to the Censor of Advertising, who shall thereupon approve or disapprove thereof, and shall indicate in such manner as the Board may require that the film has or has not been approved for universal exhibition.

(2) No person shall use or display any film advertising matter and no person in charge of a film exchange shall send out any such matter for display purposes unless it has been approved by the Censor of Advertising.

CENSORSHIP OF SLIDES

91.—(1) No person shall exhibit slides for projected illustration by means of any lantern or machine in connection with any lecture, entertainment or public meeting unless such slides have been approved by the Board.

(2) The Board may deal with such slides in the same manner as films, provided that it shall not be required to attach any stamp to any such slide, but may authorize exhibition by the issuing of a certificate signed by the Chairman of the Board, provided further that the Board may in lieu of examining slides accept and pass upon the subject matter to be illustrated by such slides.

(3) Any slide not approved by the Board and exhibited shall be liable to seizure and forfeiture.

Regulations 506

(Ontario Regulations 292/44)

REGULATIONS MADE BY ORDER-IN-COUNCIL UNDER THE TRADE SCHOOLS REGULATION ACT, 1938

APPLICATION FOR REGISTRATION

1.—(1) Every application for registration of a trade-school shall be accompanied by,—

- (a) a certified cheque payable to the Treasurer of Ontario for the amount of the registration fee;
- (b) a copy of the form of application and contract for the taking of a course of instruction used or proposed to be used by the trade-school;
- (c) a statement of the courses of instruction offered or proposed to be offered by the trade-school and of the particulars of each;
- (d) a statement of the fees payable for each course of instruction;
- (e) a statement of all texts, books and other supplies or equipment required by each student taking a course of instruction and the charge made to the student therefor;
- (f) a copy of every catalogue, sales circular and other advertisement used or proposed to be used in connection with the trade-school;
- (g) a copy of any form of certificate used or proposed to be used by the trade-school; and
- (h) certificates of appropriate local or other authorities as to the construction and sanitary condition of all buildings and as to the condition of all equipment, tools and machinery having regard to the safety of teachers and students.

(2) Upon registration of a trade-school no change shall be made in any course of instruction or the fees payable in respect thereof or in the requirements relating to texts, books or other supplies or equipment required to be purchased by a student or the charge made therefor or in any catalogue, sales circular, advertisement or certificate used in connection with or issued by the trade-school, without the approval of the Minister.

APPLICATIONS FOR RENEWAL OF REGISTRATION

2. Every application for a renewal of registration shall be accompanied by,—

- (a) a certified cheque payable to the Treasurer of Ontario for the amount of the renewal fee; and
- (b) a statement indicating any changes made or proposed to be made in any of the matters referred to in clauses (b) to (h) of regulation 1.

REGISTRATION FEE

3. The fee payable upon registration, or any renewal thereof, for each school shall be dependent upon the number of courses offered for sale.

- (a) The fee payable for one course shall be Fifty Dollars (\$50.00).
- (b) The fee payable for each additional course shall be Ten Dollars (\$10.00).
- (bb) Where a registered school operates one or more branch schools the fee payable for the registration of each branch school shall be Ten Dollars (\$10.00).
- (c) The maximum fee collected from any school shall not exceed Two Hundred Dollars (\$200.00).

SECURITY

4. Every keeper or operator of a trade-school shall deposit with the Minister security for the due performance of his contracts in the sum of One Thousand Dollars in a form satisfactory to the Minister.

5.—(1) For the purpose of satisfying any judgment which has become final, rendered by any court of Ontario against the keeper or operator of a trade-school in any action brought in respect of any course of instruction or contract for a course of instruction, the Minister may pay to the judgment creditor the amount of such judgment out of the security provided by such keeper or operator.

(2) For the purpose of paying the amount of any judgment in accordance with the provisions of this regulation, the Minister may sell and realize the security deposited by the keeper or operator at such price and in such manner as he deems proper.

(3) Where the Minister pays the amount of any judgment out of the security provided by the owner or operator of a trade-school, such owner or operator shall forthwith provide further security in a form satisfactory to the Minister to restore the security in the hands of the Minister to the full amount of One Thousand dollars.

RETENTION AND REPAYMENT OF FEES

6.—(1) Where a person who has contracted to take a course of instruction offered by a trade-school gives notice in writing to the keeper or operator of the trade-school or to his agent or representative or any teacher of the trade-school of his intention to cease taking such course,—

- (a) if the fee for such course is a fixed amount for the complete course the keeper or operator shall not retain any moneys paid for or on account of fees from such person except those payable for the then current quarter of the course and shall forthwith repay all moneys in excess thereof paid by or on behalf of such person;
- (b) if the fee for such course is payable on a weekly or monthly basis for an indefinite period of time, the keeper or operator shall not retain any moneys paid for or on account of fees from such person except those payable for the then current week and the seven weeks next following or for the then current month and the month next following, as the case may be, and shall forthwith repay all moneys in excess thereof paid by or on behalf of such person.

(2) For the purpose of this regulation a course shall be divided into quarters on the basis of the estimated period of the course as expressed in the contract relating thereto or if no estimated period is so expressed, on the basis of the total number of lessons constituting the course.

(3) For the purpose of this regulation the fees payable in respect of any quarter of a course of instruction shall be deemed to be equal to the fees payable in respect of any other quarter.

(4) Where any matter of dispute arises in the administration, interpretation or enforcement of this regulation, the Minister shall decide such dispute and his decision shall be final.

7. Notwithstanding any provision contained in a contract in respect of a course of instruction in a trade-school, the keeper or operator of a trade-school shall not retain any moneys paid for or on account of instruction given by such trade-school where,—

- (a) such keeper or operator is not registered under the Act; or
- (b) such keeper or operator or his agent or representative has made any false or misleading statement regarding any course offered by the trade-school or regarding the nature of the contract for the purpose of inducing the person who has paid such moneys to take a course of instruction or to enter into such contract,

and all such monies so received shall be repaid to the person who has paid them.

REQUIREMENTS OF TRADE SCHOOLS

8.—(1) In every trade-school,—

- (a) the qualifications of teachers as to general education as well as practical experience;
- (b) the standards and methods of shop, laboratory and class-room instruction;
- (c) the requirements for admission of students;
- (d) the length of courses;
- (e) the nature and conditions of all buildings as to safe construction and sanitary arrangements having regard to the nature of their use;

- (f) the use of proper safety devices to render all equipment, tools and machinery safe for school purposes; and
- (g) the suitability of the premises and equipment for the teaching of the courses offered;

shall be subject to the approval of the Minister.

(2) Any appointment to or change in the teaching staff of a trade-school shall be forthwith reported in writing to the Minister.

AGE OF STUDENTS

9. No person under the age of sixteen years shall be admitted to any course offered by a trade-school except with the written consent of the school attendance officer appointed under *The School Attendance Act* and such consent shall not be given where the person will not reach his sixteenth birthday before the completion of the course.

SALE OF COURSES

10.—(1) No person shall sell or offer for sale any course of instruction by a trade-school unless,—

- (a) he has obtained a certificate certifying that he has applied to be approved as a salesman of courses offered by the trade-school and has been approved by the Minister; and
- (b) such trade-school is registered under the Act.

(2) Every person who makes application to the Minister to be approved as a salesman of courses offered by a trade-school shall furnish such information as the Minister may require, verified in such manner as the Minister may deem advisable.

(3) Every such certificate of approval shall expire on the 31st day of December next following and every holder of a certificate may apply to the Minister for renewal thereof.

(4) The fee payable upon every application for approval and upon every application for renewal of a certificate of approval shall be \$1.

GUARANTEEING POSITIONS PROHIBITED

11.—(1) No keeper or operator of a trade-school and no agent or representative thereof shall either verbally or in writing guarantee a position to any student or prospective student of the trade-school.

(2) Every application and every contract for a course of instruction offered by a trade-school shall contain clauses in bold face type stating,—

- (a) that the owner or operator of the trade-school is prohibited by law from guaranteeing a position to any student or prospective student; and
- (b) that the application or contract, as the case may be, is subject to the provisions of *The Trade-Schools Regulation Act, 1938*, and the regulations passed thereunder.

ADVERTISING

12.—(1) No person shall publish any advertisement relating to a trade-school which by affirmative statement or illustration or by omission misleads or tends to mislead the public.

(2) No person shall publish any advertisement relating to a trade-school without first submitting such advertisement in duplicate to the Minister for approval.

REFERENCES TO GOVERNMENT APPROVAL

13. No stationery or other printed matter and no advertising of any kind, of or relating to a trade-school, shall refer to the approval by the Minister of the trade-school or any of its courses of instruction except by the use of the following words "Registered as a trade-school under *The Trade-Schools Regulation Act, 1938* (Ontario)."

CERTIFICATE TO BE DISPLAYED

14. The certificate of registration of a trade-school shall be displayed under glass in a conspicuous location at the entrance thereof.

REPORTS TO MINISTER

15. Every keeper or operator of a trade-school shall annually submit a statistical statement and financial report to the Minister at a time and in a form satisfactory to the Minister.

FLYING CLUBS

16. Flying clubs in the Province of Ontario which are subsidized by the Government of the Dominion of Canada, and whose activities are restricted to employees of the said clubs and club members only shall be exempt from the operation of *The Trade-Schools Regulation Act, 1938*, during the period in which they are receiving such subsidy.

OCCUPATIONS, ETC., DESIGNATED AS TRADES

17.—(1) The following are hereby designated as "trades" under clause (k) of section 12 of *The Trade-schools Regulation Act, 1938*:

1. Advertising.

2. Aeroplane Construction and Operation.
3. Air Conditioning and Refrigeration.
4. Broadcasting Practice.
5. Business and Office Practice.
6. Civil Service Occupations.
7. Commercial and Industrial Art.
8. Concrete Construction.
9. Dairy, Poultry and other Farm Work.
10. Detective and Secret Service Work.
11. Diamond Drilling.
12. Diesel and other Internal Combustion Engines.
13. Dress and Garment Designing, including Millinery.
14. Electric and Acetylene Welding.
15. Foot Correction.
16. Foundry Practice.
17. Hand, Machine and Power Machine Sewing Operation.
18. Hotel Management and other Hotel, Cafe and Hostess Occupations.
19. Industrial and Business Management.
20. Journalism and Story Writing.
21. Landscape Gardening.
22. Machine Shop Practice.
23. Mechanical Dentistry.
24. Painting and Interior Decoration.
25. Photography.
26. Plastics.
27. Printing and Bookbinding.
28. Pulp and Paper Making.
29. Radio and Wireless Communication.
30. Railway Station Agents and other Railway Occupations.
31. Salesmanship.
32. Sheet Metal Work.
33. Sound-Picture Projection.
34. Sound Projection and Motion Picture Operation.
35. Speech and Oratory.
36. Stationary and Marine Engineering.
37. Telegraphy.
38. Television.
39. Theoretical and Industrial Chemistry.
40. Theoretical and Industrial Electricity.
41. Theoretical and Practical Engineering.
42. Woodworking and Cabinet Making.

(2) Subsection (1) of this section shall not apply to privately operated schools which are directed and controlled by a religious organization or by a Board of Management legally constituted and which do not operate for gain.

Regulations 507

(Ontario Regulations 68/44)

REGULATIONS MADE UNDER THE UNWROUGHT METAL SALES ACT

PART I

GENERAL

1. Every application for a license shall be in the prescribed form, and shall be signed by the applicant and shall contain the certificate of recommendation signed by two responsible persons, one of whom shall be the manager of a local branch of a chartered bank, resident in the municipality in which applicant carries on his business.

2. Every licence issued pursuant to the Act shall be in the prescribed form and shall expire on the 31st day of March following the date of issue.

3. A license shall not be transferable to another person without the consent, in writing, of the Minister.

4. The fee payable for a license shall be \$2.00.

5. A license may be renewed from year to year, at the discretion of the Minister, upon the payment of a fee of \$2.00.

6. The Minister may at any time, with or without hearing, revoke, cancel or suspend any licence issued pursuant to the Act, and he may also prohibit the carrying on of the business of a licensee in any particular locality or for any particular period or during any stated hours of the day.

7. Every licensee under the Act shall keep a register, in the prescribed form in which he shall enter and record the particulars of every purchase, sale, acquisition or disposal of unwrought metal made by him.

8. The register of the licensee shall, at all times, be open to inspection and examination by the Minister or by any person authorized by the Minister to make such inspection or examination.

9.—(a) Every licensee shall not later than the tenth day of every month, without notice or demand, furnish the Minister with a return, in the prescribed form, in duplicate, containing the particulars of every purchase, sale, acquisition or disposal of unwrought metal made by such licensee during the preceding month, and where no purchase, sale, acquisition or disposal of unwrought metal has been made by the licensee during the preceding month, information to that effect shall be inscribed upon the return so submitted.

(b) The provisions of clause (a) of this regulation shall not apply to any sales or disposals of unwrought metal in a form suitable for use in any art, profession, science or industry where such sale or disposal is made by a licensee to any person regularly engaged in such art, profession, science or industry nor shall the said provisions apply to any purchase or acquisition made by any licensee from another licensee for direct use in

any art, profession, science or manufacturing process, other than the refining or alloying of precious metals.

(c) Every monthly return shall contain all the particulars recorded in the licensee's register pertaining to the transactions reported and shall be certified by the licensee as being a full, true and correct report of his dealings in unwrought metal for the period indicated.

PART II

EXTRA-PROVINCIAL PURCHASES

10. Every licensee in Ontario purchasing or acquiring unwrought metal from any person outside Ontario shall require such person to provide a certificate in the prescribed form.

11. Except as provided in regulation 15, no licensee in Ontario shall accept a shipment of unwrought metal from a point outside Ontario unless the same is accompanied by the certificate provided for in regulation No. 10.

11A. No licensee in Ontario shall purchase in Ontario, or in any manner acquire possession of, or be in possession in Ontario of, unwrought metal purchased or acquired from any person, residing, sojourning or carrying on business in the Province of Quebec unless such person is licensed or authorized under the Unwrought Metal Sales Act of the Province of Quebec.

11B. The provisions of regulations numbers 10 and 11 shall not apply to the acquisition or purchase of unwrought metal from the holder of a license under the Unwrought Metal Sales Act of the Province of Quebec, provided, however, that in recording or reporting any such acquisition or purchase, every licensee in Ontario shall record and report, in addition to the name and address of the party within the Province of Quebec with whom he conducts any such transaction, the number of the license held by such party under the Unwrought Metal Sales Act of the Province of Quebec.

12. Notwithstanding the provisions of these regulations, the Minister may, at any time, prohibit any licensee from purchasing or acquiring unwrought metal from any person or persons outside Ontario.

13. Every licensee in Ontario shall keep a register in the prescribed form in which he shall enter and record particulars of every purchase or acquisition of unwrought metal made by him from outside Ontario and the provisions of regulations 7 and 8 shall, *mutatis mutandis*, apply thereto.

14. Every licensee in Ontario shall make a separate return, in duplicate, to the Minister containing the particulars of every purchase made outside of Ontario and the provisions of regulation 9 shall, *mutatis mutandis*, apply thereto.

15. Nothing in these regulations shall apply to the purchase or acquisition by a licensee in Ontario from a person outside of Ontario of unwrought metal of an amount not exceeding three troy ounces in any calendar month.

PART III

FORMS

16. The forms set out in the Schedule hereto are the prescribed forms under these regulations.

FORM 1

To the Minister of Mines, Parliament Buildings, Toronto, Ontario.

I hereby apply for a license under The Unwrought Metal Sales Act, R.S.O. 1937, Chapter 52.

I reside at... in the (Street) (City, etc.) (Name) in the Province of Ontario, and carry on business at (Street, Number and Place)

I hereby agree to observe the provisions of The Unwrought Metal Sales Act and all regulations that are now or may hereafter be made thereunder.

(Signature of Applicant)

Enclosed herewith is fee of Two Dollars.

CERTIFICATE OF RECOMMENDATION

We, the undersigned... (Name)

and... certify that the (Name)

within-named applicant is known to us, and we hereby recommend him as a fit and proper person to receive a license under The Unwrought Metal Sales Act.

Dated at... this... day of... (Place) (Date) (Month)

(Signature) (Business or Occupation) (P.O. Address)

(Signature) (Business or Occupation) (P.O. Address)

FORM 2

License No... Toronto, ..., 19...

The Minister of Mines for the Province of Ontario

To

The above named having applied for license under The Unwrought Metal Sales Act, and having paid the required fee and undertaken to duly observe the provisions of the said Act and the regulations thereunder is hereby granted this license to deal in Unwrought Metal in accordance with the said Act and the regulations passed thereunder.

This License shall be in force until and including the 31st day of March next following the date hereof unless earlier cancelled.

(Minister of Mines)

License No...

THE UNWROUGHT METAL SALES ACT R.S.O. 1937, Ch. 52

Name... Address... Date...

APPLICATION FOR RENEWAL OF LICENSE

To the Minister of Mines, Parliament Buildings, Toronto, Ontario.

I hereby apply for renewal of license No... issued under The Unwrought Metal Sales Act, R.S.O. 1937, Chapter 52, on... of... (Day) (Month)

19..., and enclose herewith fee of Two Dollars for such renewal.

(Signature of Applicant)

FORM 6

MONTHLY RETURN OF TRANSACTIONS WITH PARTIES OUTSIDE THE PROVINCE OF ONTARIO

Year.....

Month.....

Firm.....

License No.

DATE		CONSIGNOR		CONSIGNER	GOODS					
Day of Month	Name	Address	Name	Description	Source of Metal (as given in consignor's certificate)	Weight (Troy)	Assay	Value	How paid (cash, cheque, etc.)	Disposal

CERTIFICATE

I, holder of License No. under *The Unwrought Metal Sales Act, R.S.O. 1937, Ch. 52*, hereby certify that the foregoing is a true and correct copy of the entries in the book of Register for transactions with parties outside the Province of Ontario kept by me for the month of, 19.....

Dated at.....this.....day of....., 19.....

Signature of Licensee.

FORM 7

CERTIFICATE OF EXEMPTION

I,, Minister of Mines, for the Province of Ontario, pursuant to *The Unwrought Metal Sales Act, R.S.O. 1937, Chapter 52, Section 6*, hereby exempt..... from the provisions of the said Act.

(Minister of Mines)

Dated at the City of Toronto, in the County of York, this day,, A.D. 19.....

FORM 8

CERTIFICATE

I, of the of (City, Town, etc.) of the Province of hereby certify,

1. That I am engaged in the business of.....
2. That I am the consignor of a quantity..... of (Approx. weight, troy ounces) (Describe consignment) containing gold, silver, platinum or other precious metals to..... (Name of consignee) of the..... of..... in the Province of Ontario.
3. That the particulars as to the source of the precious metal in the consignment are as follows:
4. That the disposal of this consignment of precious metal is not contrary to law.

Dated at.....in the Province of.....this.....day of....., 19.....

(Witness)

(Signature of Consignor)

Regulations 508

(Ontario Regulations 62/44)

REGULATIONS MADE UNDER THE VENEREAL DISEASES PREVENTION ACT

INTERPRETATION

1. In these regulations,—
 - (a) "local board of health" shall mean the local board of health for any municipality or of a health unit;
 - (b) "Minister" shall mean Minister of Health for Ontario;
 - (c) "public health nurse" shall mean a registered nurse within the meaning of *The Nurses' Registration Act*, with such additional qualifications as may be required by the Minister.

EXAMINATION

2. The examination to ascertain whether or not a person is infected with venereal disease, or to ascertain the extent of venereal disease infection,—

- (a) in the case of gonorrhoea or suspected gonorrhoea, shall include a physical examination of the person with microscopical and, wherever possible, cultural examinations of the urethral and prostatic discharges of the male; and of the urethral, Bartholinic, vaginal and uterine discharges of the female;
- (b) in the case of syphilis, or suspected syphilis, shall include a physical examination of the person, and an examination of the blood by one or more of the standard serological tests; a dark field microscopical examination, or a complete examination of the cerebro spinal fluid when either are deemed advisable, or are ordered or directed by the medical officer of health or the Minister; and
- (c) In the case of chancroid or suspected chancroid, the examination shall correspond to that detailed under clause (b) with the addition of the dark field microscopical examination, india ink preparation, or one of the recognized stains for *trypomonas pallidum*.

NOTICE

3. Every notice required or permitted to be given to any person under the Act may be given by sending it by registered post addressed to the person at his last known address.

INFORMATION FOR PUBLIC

4. Every local board of health shall provide for public advertising and placarding of such information relative to the cause, manifestations, treatment and cure of venereal disease and of the places where proper treatment may be procured, as the Minister may prescribe.

5. Whenever required by the Minister, every local board of health shall procure and provide for the putting up, in such places as may be deemed advisable, notices and placards relating to venereal diseases, their cause, manifestation, treatment and cure, but no such notice or placard shall be so used unless approved by the Minister.

PHYSICIANS' REPORT

6. Whenever required by the Minister, every physician shall report in such form and with such detail as the Minister may require with respect to the condition and treatments of persons infected with venereal disease who are or who have been under the diagnosis, treatment, care or charge of such physician.

PHYSICIANS' FEES

7. Except in the case of public institutions (other than gaols and prisons) receiving Government aid, or which are maintained by the Government, every physician making an examination and report as required under section 4 of *The Venereal Diseases Prevention Act* shall be paid by the municipality over which the medical officer of health directing such examination has jurisdiction, the sum of Five Dollars, and where examination of the spinal fluid is advised, or required, the fee for taking the specimen and rendering a complete laboratory report on such shall be an additional Five Dollars.

INFORMATION FOR PHYSICIANS

8. The Minister may distribute to every physician and every hospital requiring it such information respecting venereal disease as may be determined upon by the Minister, and every physician and hospital receiving such information shall distribute it in such manner as may be prescribed by the Minister.

METHODS AND REMEDIES

9. The following shall be deemed approved methods and remedies for the treatment, alleviation and cure of venereal diseases:

(1) Gonorrhoea:

- (a) sulphonamide compounds, or other approved chemical therapy;
- (b) local treatment by instillations, irrigations, massage and topical applications;
- (c) fever therapy.

(2) Syphilis:

- (a) arseno-benzol preparations;
- (b) bismuth, administered intramuscularly;

- (c) mercury, administered orally, intramuscularly, or by inunction;
- (d) iodides, administered orally or intravenously;
- (e) fever therapy, by malarial inoculation or physical induction.

CLINICS

10. A clinic may be established for the treatment, alleviation and cure of venereal disease in any municipality where the Minister deems it necessary or advisable, and no clinic which has been established or which may hereafter be established, shall continue if the Minister in his sole discretion deems that it should be discontinued, nor shall any clinic be established without the approval of the Minister first having been obtained.

GRANTS FOR CLINICS

11.—(1) The Minister may grant financial assistance in the establishment and maintenance of venereal disease clinics which meet the requirements of the Act and these regulations and whose personnel has the approval of the Minister.

(2) Grants for this purpose shall not exceed the following amounts:

- (a) \$1,000 for special furnishings, apparatus and equipment and any necessary alterations;
- (b) \$500 per year towards the salary of the public health nurse;
- (c) \$1,200 per year honorarium for the director of the clinic, in exceptional cases subject to such increase as the Minister may deem advisable;
- (d) such amounts as the Minister may decide to medical assistants in the clinic, where such are deemed necessary. These amounts not to exceed \$800 to any one assistant, subject in exceptional cases to such increases as the Minister may deem advisable.
- (e) 25c. for each out-patient treatment for gonorrhoea or syphilis not exceeding one treatment per day;
- (f) when the irrigation method of treatment of gonorrhoea is required, payment will be made by the Department at the rate of one treatment per day, for a period not exceeding four weeks, providing that one or more treatments are given on each day charged for, and providing that the patient is seen at least twice weekly during the period of treatment by a physician.
- (g) unless administered by a physician, no treatment such as prostatic massage, passage of sounds, deep instillations or topical applications, will be paid for.
- (h) the Minister may establish in general hospitals, in public hospitals, or in such place or places where he considers it necessary or advisable, a clinic for the treatment of venereal disease by means of physical therapy.

PERSONNEL OF CLINICS

(3) The personnel of such a clinic, the members of which shall hold office during the pleasure of the Minister, shall consist of,—

- (a) a director for fever therapy, who shall, whenever possible, be one of the medical personnel of a venereal disease clinic, who shall be granted an honorarium, the amount of which shall be determined by the Minister in each case, and whose duties shall be to select suitable patients, and to supervise the treatment and the after-care of patients suitable for fever therapy; and
- (b) one or more nurse technicians specially trained in fever therapy, who shall be employed by the Department of Health.

REQUIREMENTS OF CLINICS

12. Where a clinic has been or is established by a hospital or local board of health, the Minister shall approve of the personnel who shall hold office during his pleasure, and the following requirements shall apply to such clinic:

- (a) the accommodation, furnishings and apparatus of the clinic shall be approved by the Minister;
- (b) that the medical personnel of the clinic shall be appointed by the hospital or local board of health and that such medical personnel shall be approved by the Minister;
- (c) There shall be at least one public health nurse who shall carry out her duties under the hospital or local board of health by whom she is employed;
- (d) such nurses, orderlies and clerical help as are deemed advisable by the Minister and meet with his approval, shall be employed;
- (e) treatment shall be given to all patients who apply for and require it, and such treatment shall be free unless the Minister authorizes the payment of fees, which shall in no case exceed One Dollar for each treatment;
- (f) when collection of fees has been authorized by the Minister, an amount not exceeding One Dollar shall be collected as the Minister may direct, and shall be entered in a special account which shall be dispersed only as the Minister may direct and such special account shall be open to and audited by the Government auditors at such time or times as the Minister may direct;
- (g) at least one night and two day clinics are to be held weekly at hours satisfactory to the Minister;
- (h) out-patient treatments shall be given to patients from other municipalities when they apply for and require it;
- (i) men and women shall be treated in the clinic at separate hours;

- (j) a monthly report shall be furnished to the Minister on the prescribed form;
- (k) the clinic, including records, apparatus, social service work, treatment, and general administration, shall at all times be open to inspection by and subject to the requirements of the Minister;
- (l) at least 6 months' notice shall be given of the intention of a hospital or local board of health to close a clinic, and where a clinic is closed in less than two years from the time of its establishment, any special furnishings, apparatus and equipment shall be returned to the Minister;
- (m) the public health nurse shall follow up cases and arrange for the examination of contacts under the direction of the local medical officer of health;
- (n) spinal punctures shall be done by physicians on the clinical staff, who shall be approved by the Minister; and
- (o) clinic accounts for, or relating to, treatment of patients shall be rendered monthly to the Minister on the prescribed monthly report form.

INDIGENTS

13.—(1) Patients suffering from venereal disease, who are unable to pay for treatment by a private physician, shall be referred for necessary treatment to a venereal disease clinic, if such is available, but if no clinic is available, authorization for treatment shall be given by the local medical officer of health to a physician.

(2) The scale of fees to be paid to physicians for the treatment of such patients shall be, for syphilis, \$2.00 for each intravenous injection, and \$1.00 for each intramuscular injection, and for gonorrhoea, \$1.00 for each office consultation or treatment, not to exceed a total of \$12.00, except in cases where local treatment has been authorized by the Minister.

(3) In the treatment of gonorrhoea, the cost of the drugs used shall be included in the fees so prescribed.

(4) The fee for taking a spinal fluid examination and rendering a complete laboratory report shall be \$5.00.

(5) The account of the physician shall be rendered quarterly to the local medical officer of health, who shall present it to the local board of health with his certificate as to the accuracy thereof for payment forthwith, without disclosing the name of the patient, and a copy of the account as approved shall be forthwith forwarded to the Department, after payment to the physician has been made.

(6) Where it is necessary for the physician to attend the patient at some place other than the physician's office, he shall be entitled to mileage at the rate of 25 cents per mile, one way, in addition to the above-mentioned fees, but before granting authorization to a physician for such mileage allowance the local medical officer of health shall first receive the approval of the Minister.

(7) The municipality paying such fees and mileage to the physician shall be entitled to a reimbursement from the Department of Health of 75% of the amount so paid.

(8) Upon the municipality making claim for each reimbursement from the Department, the patient shall be indentified in the account by the Departmental registration number, which the physician may obtain from the Department on request, and before presenting the bill to the municipality.

PUBLIC WARD PATIENTS

14.—(1) Where patients suffering from syphilis have been admitted to the public ward of a general hospital for any of the following:

- (a) intensive treatment of early syphilis;
- (b) fever therapy of neurosyphilis; or
- (c) lumbar puncture,

the hospital shall refer its account for such hospitalization directly to the Minister of Health who may authorize payment thereof.

(2) Such account shall not exceed in any case \$3.00 per day.

(3) In cases of five or six day intensive treatment of early syphilis the account shall not exceed \$30.00 without the approval of the Minister.

(4) In cases of less intensive treatment of early syphilis, the account shall not exceed \$63.00 without the approval of the Minister.

(5) In cases of fever therapy the account shall not exceed \$72.00 without the approval of the Minister.

(6) The payment of hospitalization for lumbar puncture cases suffering from syphilis will be for one day only.

(7) The decision as to the payment in every case mentioned in this regulation shall be in the entire discretion of the Minister.

(8) The Provincial aid under *The Public Hospitals Act* is included in the above rates.

COST OF DETENTION

15.—(1) Where a medical officer of health has, with or without the approval of the Minister of Health, ordered the detention of a person suffering from venereal disease in a reformatory or gaol, the account for the cost of the maintenance and treatment of such person for the time he is detained after the expiration of any sentence he may be serving, shall upon being approved by the local medical officer of health and the Minister of Health be paid out of the Consolidated Revenue Fund.

(2) The cost of such treatment shall conform with the fees prescribed in regulation 13.

SUPPLY OF PREPARATIONS

16. The Minister shall supply such therapeutic preparations for the treatment of venereal disease as he may deem advisable to all physicians making a request therefor on the approved requisition form.

INSTRUCTION; CHANGE OF ADDRESS

17.—(1) It shall be the duty of every physician who attends upon or prescribes for, or treats any patient infected with venereal disease, to instruct such patient in all measures necessary for preventing the spread of, and the exposure of other persons to such disease, and in addition he may give him a copy of the circular of the information obtainable for this purpose from the Department of Health.

(2) No person infected with venereal disease shall change his place of residence without giving due notice of such proposed change, with the new address, to the attending physician.

APPEAL

18.—(1) In case of an appeal from any action or decision of the medical officer of health under this Act, an application for appeal shall be made in writing to the Minister, who shall thereupon set a date for the hearing within two weeks from the receipt of the application.

(2) Notice shall be given by the Minister in writing by registered post, of the date and place of hearing to all parties concerned.

(3) The hearing shall be in camera.

(4) The decision of the Minister shall be final.

19. Every person who has been infected with or is under treatment for syphilis shall submit to a spinal fluid examination at such intervals as may be directed by the Minister or medical officer of health.

FORMS

20. The following forms are prescribed under *The Venereal Diseases Prevention Act, 1942.*

REVOCATION

21. The regulations heretofore in force are revoked.

FORMS

FORM 1 V.D.

NOTICE TO PERSONS SUSPECTED TO BE INFECTED OR EXPOSED TO INFECTION WITH VENEREAL DISEASE

To.....
Of.....

Under authority of *The Venereal Diseases Prevention Act*, you are hereby directed to present yourself to and submit to an examination by a physician within twenty-four hours after receipt of this notice. You are further directed to procure and produce to me a

satisfactory report or certificate of the aforesaid physician within.....hours following the examination that you are or are not infected with venereal disease, and if so, in what form. The above examination shall (shall not) include an examination of the spinal fluid.

(Signed)
.....
(Medical Officer of Health)
Address.....

Date.....

PENALTY FOR NON-COMPLIANCE—A fine of not less than \$100 nor more than \$500 and in default of immediate payment, imprisonment for a period not exceeding twelve months.

FORM 2 V.D.

NOTICE TO PHYSICIAN TO EXAMINE AND REPORT UPON A PERSON SUSPECTED TO BE INFECTED WITH VENEREAL DISEASE

To.....
(Name of Physician)
Of.....

You are hereby authorized under *The Venereal Diseases Prevention Act* to examine and report to me withinhours following the examination, as to whether or not.....
of.....is infected with venereal disease, and if so, in what form.

(Signed)
.....
(Medical Officer of Health)
Address.....

Date.....

FORM 3 V.D.

CERTIFICATE OF PHYSICIAN ON EXAMINATION OF A PERSON SUSPECTED TO BE INFECTED WITH VENEREAL DISEASE

I hereby certify that on the.....
day of.....19.....
I examined.....
of.....

infected
and found.....not infected with venereal
disease in the form of.....
(Signed)
.....

(Name and Address of Physician)

Date.....

FORM 4 V.D.

NOTICE RESPECTING THE COURSE OF CONDUCT OF A PERSON INFECTED WITH VENEREAL DISEASE

Under the provisions of *The Venereal Diseases Prevention Act*, you.....
of.....are hereby
notified and required to present yourself to.....
.....M.D.

of.....
a legally qualified medical practitioner for treatment.
You are required to continue under treatment until
the degree of treatment secured is considered adequate
by the attending physician and the Minister.

(Signed)
.....
(Medical Officer of Health)
Address.....

Date.....

FORM 5 V.D.

AUTHORITY TO ENTER IN AND UPON
A HOUSE OR PREMISES

Under the authority of *The Venereal Diseases Pre-
vention Act*, I hereby authorize you to enter in and upon
the house, outhouse or premises at.....
in the day time for the purpose of making enquiry and
examination with respect to the state of health of
.....
and submit to me a report thereon.

(Signed)
.....
(Medical Officer of Health)
Address.....

Date.....

FORM 6 V.D.

REPORT OF VENEREAL DISEASE

Name or Initials of Patient.....
Municipality.....
Year of Birth..... Sex.....
Marital Status.....
Source of infection in this case:
Name.....
Address.....

Gonorrhoea: Acute..... Chronic.....
Syphilis:
Early (up to 2 years).....
Late—With clinical signs.....
“ positive blood only.....
Neurosyphilis..... Congenital.....

Is patient continuing under treatment with you?.....
If not, give name and address of physician who will
treat patient.....

Has patient been treated previously? Yes.....No.....
Name of last physician.....
Address.....
Date of last treatment.....

Signature.....
(Physician, Supt. or Head of Institution)
Address..... Date.....

FORM 7 V.D.

REPORT OF DISCONTINUANCE OF TREAT-
MENT FOR VENEREAL DISEASE

Name.....
Address.....

This patient has been under treatment with me for
Syphilis.....Gonorrhoea.....and has
failed to report for treatment within seven days of ap-
pointment.

Date of last treatment from me.....
Was advised to return to me for further treatment on
.....

Address..... M.D.

Date.....

FORM 8 V.D.

PROGRESS REPORT ON PATIENT UNDER
TREATMENT FOR SYPHILIS

Registration No..... Date.....
Name or Initial of Patient.....
Year of Birth..... Sex..... Married or Single.....
Municipality.....
Is Patient still under your care for Syphilis?
Yes.....No.....
If not, give name of Physician or Clinic.....
Address of Physician or Clinic.....
Summary of Treatment since.....
Number of Injections Arsenicals.....
Specify.....
Number of Injections Heavy Metals.....
Specify.....
Fever Therapy (Number of hours).....
Other Treatment.....
Date of last Blood Serology.....
Results:

Kahn..... Quantitative Kahn.....
Wasserman.....
Is this Patient,—
(a) On Active Treatment? Yes..... No.....
(b) On Rest Period? Yes..... No.....
(c) On Observation only? Yes..... No.....

Date of last Spinal Fluid Examination.....
Results.....
If a case of Neurosyphilis, is Fever Therapy indicated?
.....

State in which Group this Case belongs:
(1) Early (up to 2 years).....
(2) Over 2 years with positive blood only.....
(3) Over 2 years with clinical signs.....
(4) Neurosyphilis.....
(5) Congenital.....

Have contacts been examined?.....
If Patient has discontinued treatment against advice
give name and address:

Name.....
Address..... Name..... M.D.
Address.....

Date.....
(Private and Confidential)

FORM 9 V.D.

ORDER FOR APPREHENSION AND DETEN-
TION OF PERSON INFECTED WITH
VENEREAL DISEASE

Date.....
To.....
WHEREAS.....

of.....
was on or about the..... day of
..... physically examined by
..... M.D.
a duly licensed and qualified physician.

AND WHEREAS it appears by the report or certificate made by the said physician made under date of that the said is infected with venereal disease.

AND WHEREAS it is necessary and desirable in the public interest that the said should be prevented from infecting others with the said disease.

NOW THEREFORE, I do order you to apprehend the said and safely to convey to at and there to deliver to the superintendent or keeper thereof, together with this order.

And you, the said are hereby ordered to receive the said into your custody and safely to keep until the course of treatment prescribed or to be prescribed from time to time is completed and the said is adequately treated.

(Signed)
.....
(Medical Officer of Health)
Municipality of

FORM 10 V.D.

DISCHARGED CASES FROM CLINIC

Date of Report.....
Name.....
Address.....
Syphilis..... Gonorrhoea.....
Sex..... Marital Status.....
Date of Birth.....
Date admitted to Clinic.....
Date discharged.....
Discharged:
Cured.....
To another physician..... If so,
Name..... Address.....
Other reasons (give particulars).....
Date of last blood test.....
Result.....
Date of last smear.....
Result.....
Date of Spinal Fluid.....
Result.....
Remarks.....

Signed.....
(Clinic Director)
Name of Clinic.....
Address.....

Regulations 509

(Ontario Regulations 2/44)

REGULATIONS MADE UNDER THE VETERINARY SCIENCE PRACTICE ACT

INTERPRETATION

1. In these regulations,—

- (a) "Council" shall mean Council of the Association;
- (b) "electoral district" shall mean electoral district established by regulation 2; and
- (c) "member" shall mean member of the Association who is the holder of a certificate issued under the Act for the current year.

ELECTORAL DISTRICTS

2. For the purposes of these regulations and the Act the province shall be divided into three electoral districts, as follows:

District 1, comprising the counties of Brant, Bruce, Elgin, Essex, Haldimand, Huron, Kent, Lambton, Lincoln, Middlesex, Norfolk, Oxford, Perth, Waterloo, Welland, Wellington and Wentworth;

District 2, comprising the counties of Dufferin, Durham, Gray, Halton, Hastings, Northumberland, Ontario, Peel, Peterborough, Prince Edward, Simcoe, Victoria and York, the provisional county of Haliburton and all the territorial districts; and

District 3, comprising the counties of Carleton, Dundas, Frontenac, Glengarry, Grenville, Lanark, Leeds, Lennox and Addington, Prescott, Renfrew, Russell and Stormont.

THE COUNCIL

3. There shall be a Council of the Association which shall consist of nine members, of whom three shall reside in each of the electoral districts.

4. The Council shall—

- (a) have general control of the affairs of the Association and may originate plans for whatever it may deem necessary or advantageous to the welfare and good government of the Association, and may make recommendations to the Association accordingly;
- (b) have general control of the finances of the Association and shall examine all accounts and when found correct authorize payment thereof by the Secretary-Treasurer; and
- (c) shall render to the annual meeting of the Association a full account of all its proceedings.

5. Elections for the Council shall be held annually during the months of October and November.

6. Every member shall be entitled to one vote for a candidate in the electoral district in which he resides.

7. Nominations of candidates for the Council shall be sent or delivered to the Registrar so as to reach his office in the month of October and any nomination paper received by the Registrar after the 31st day of October shall be null and void.

8. Each nomination paper shall contain the nomination of only one member and shall be signed by not less than five other members residing and entitled to vote in the electoral district for which such member is nominated.

9. Where only one member is nominated in an electoral district he shall be deemed to be elected to the Council.

10. Where more than one member is nominated in an electoral district, the Registrar shall, not later than the 12th day of November, send by prepaid mail to each member of the Association residing in such electoral district a voting paper containing the name and address of each of the persons nominated for the electoral district.

11. Each member shall cast his vote by marking an X on the ballot paper opposite the name of the person for whom he is voting and sending such ballot paper by prepaid mail to the Registrar.

12. Any ballot paper received by the Registrar after the 30th day of November shall be null and void and shall not be counted in determining the result of the election.

13. The Council shall appoint two members of the Association to act with the Registrar in the counting of the ballots and the determining of the result of the election and all questions arising in connection therewith shall be determined by a majority of such three persons.

14. The person receiving the most votes in each electoral district shall be elected to the Council.

15. In the event of an equal number of votes being cast for any two candidates in any electoral district, the Council shall by vote of its members determine which shall take office.

16. Each member of the Council shall hold office from the 1st day of January next following the election at which he is elected and shall continue in office for a period of three years.

17. The president, vice-president and second vice-president of the Association shall be the chairman, vice-chairman and second vice-chairman of the Council.

18. The registrar shall be the secretary of the Council.

19. The first meeting of the Council in each year, at which the executive for such year shall be elected, shall be held before the annual meeting of the Association and the second meeting of the Council shall be held immediately after the annual meeting.

20. A meeting of the Council may be called by the chairman or any two members of the Council for such purpose and at such time and place as the chairman or such two members, as the case may be, may determine.

21. The chairman or other members calling a meeting of the Council shall advise the Registrar in writing of the purpose for which the meeting is called.

22. The Registrar shall send a notice in writing of every meeting of the Council to every member thereof by prepaid post, at least ten days prior to the holding of such meeting, indicating briefly therein the purpose for which the meeting is called.

23. At any meeting of the Council five members shall constitute a quorum.

24. In the event of the death, resignation or inability to act of any member of the Council, the vacancy shall be filled by the Council by the appointment of a member residing in the same electoral district who shall hold office for the unexpired portion of the term.

25. In the event of a vacancy in the Council being caused by the death, resignation or inability to act of the president, vice-president or second vice-president the members of the Council shall, upon the vacancy in the Council being filled, elect a president, vice-president or second vice-president as the case may be.

26. Members of the Council shall receive no remuneration for their services but shall be entitled to receive reasonable travelling and living expenses incurred in attending meetings of the Council.

27. Where any complaint is made to the Council in writing with respect to the manner of the election of any member of the Council, the Council shall have full authority to investigate such complaint and to make such disposition thereof, including the holding of a further election, as it deems advisable and its decision shall be final but the member whose election is under investigation shall not take part in any of the deliberations of the Council in connection therewith or vote on any question arising therefrom.

27a. Notwithstanding the provisions of any other regulation,—

- (a) the election to be held in 1944 shall be held in the months of February and March and the provisions of these regulations relating thereto shall apply *mutatis mutandis*;
- (b) the three candidates receiving the highest number of votes in each electoral district shall be members of the Council and their terms of office shall commence on the 1st day of May, 1944;
- (c) the candidate receiving the highest number of votes in each electoral district at such election shall hold office until the 31st day of December, 1947;

(d) the candidate receiving the second highest number of votes in each electoral district at such election shall hold office until the 31st day of December, 1946:

(e) the candidate receiving the third highest number of votes in each electoral district at such election shall hold office until the 31st day of December, 1945;

(f) in the event of only three candidates being nominated in any electoral district, their respective terms of office shall be determined at the first meeting of the Council by drawing lots; and

(g) the President of the Association shall appoint two members of the Association to act with the Registrar in the counting of the ballots and the determining of the result of the election and all questions arising in connection therewith shall be determined by a majority of such three persons.

THE BOARD

28. The Veterinary Practice Board shall consist of three members who shall be elected at the annual meeting of the Association.

29. The Council or any member of the Association may make nominations for membership on the Board.

30. The Board shall appoint one of its members as chairman.

31. The Registrar shall be the secretary of the Board.

32. A meeting of the Board may be called by the chairman or the other two members for such purpose and at such time and place as the chairman or the other two members, as the case may be, may determine.

33. The chairman or other members calling a meeting of the Board shall advise the Registrar in writing of the purpose for which the meeting is called.

34. The Registrar shall send a notice in writing of every meeting of the Board to every member thereof by prepaid post, at least ten days prior to the holding of such meeting, indicating briefly therein the purpose for which the meeting is called.

35. At any meeting of the Board, two members shall constitute a quorum.

36. Members of the Board shall receive no remuneration for their services but shall be entitled to receive reasonable travelling and living expenses incurred in attending meetings of the Board.

OFFICERS, AUDITORS, EMPLOYEES, AGENTS

37. At the first meeting of the Council in each year the members thereof shall elect a president, vice-president and second vice-president of the Association from among the members of the Council and they shall hold office until their successors are elected.

38. The officers of the Association shall receive no remuneration for their services but shall be entitled to receive reasonable travelling and living expenses incurred in attending meetings of the Association.

39. The Registrar shall be the secretary-treasurer of the Association and shall—

- (a) keep a faithful record of the proceedings of the Association and preserve in order all papers and documents belonging thereto;
- (b) keep a correct register of the membership of the Association and a record of payment of the prescribed fees payable by each member;
- (c) deposit promptly to the account of the Ontario Veterinary Association in a chartered bank approved by the council, all receipts of the Association received by him;
- (d) attend to the payment of all accounts of the Association payment of which has been authorized by the Council;
- (e) maintain proper books of account which, with all vouchers, shall be available for audit at all times;
- (f) furnish a bond of indemnity of a guarantee company approved by the Council in an amount fixed by the Council, for the faithful performance and discharge of the duties of his office, the cost of which bond shall be borne by the Association; and
- (g) deliver to his successor in office immediately upon such successor's appointment all books, vouchers, cash on hand and other property of the Association in his possession or under his control.

40. The Registrar, for his services as registrar and secretary-treasurer of the Association, secretary of the Council and secretary of the Board shall receive such remuneration as the Council may determine.

41. One or more persons who are not members of the Council shall be chosen by vote at the annual meeting of the Association to audit the books of the Association and nominations therefor may be made by the Council or by any member of the Association, and such person or persons shall be paid such remuneration as the Council may determine.

42. The Council may appoint and employ such employees, agents and other assistance as it deems necessary upon such terms as it deems proper.

43. Cheques on the account of the Association shall be signed by the President, or in case of his inability to act, by a vice-president of the Association and by the Registrar.

MEETINGS OF THE ASSOCIATION

44. The annual meeting of the Association shall be held in the month of January at a time and place to be determined by the Council.

45. The order of business at the annual meeting shall be,—

1. President's address.
2. Report of the Council.
3. Report of the Board.
4. Report of the Registrar and Secretary-Treasurer.
5. Appointment of Registrar.
6. Reports of Committees.
7. Report of Auditors.
8. Unfinished business.
9. Installation of new Council, Board and Executive.
10. New business.
11. Reading of papers.

46. Any member who proposes to introduce a matter of new business at the annual meeting of the Association shall not later than the 15th day of December preceding such meeting advise the Registrar in writing, stating the nature of such business, but this regulation shall not apply to a matter of new business introduced by the Council.

47. A special meeting of the Association may be called by the Council for such purpose and at such time and place as it may determine.

48. The chairman of the Council shall advise the Registrar in writing of the purpose for which any special meeting of the Association is being called by the Council.

49. The Registrar shall send a notice in writing of every meeting of the Association to every member thereof by prepaid post at least fifteen days prior to the holding of such meeting, indicating briefly therein, in the case of the annual meeting any new business which any member proposes to introduce and in the case of a special meeting, the purpose for which the meeting is called.

50. At any meeting of the Association, thirty-five members shall constitute a quorum.

EXAMINATIONS

51. Examinations conducted pursuant to clause *b* of section 7 of the Act shall be held at such time and place as the Board may determine.

52. Every candidate shall pay an examination fee of twenty-five dollars.

53. Every person desiring to be a candidate at an examination conducted by the Board shall make application to the Board in writing stating his full name, address, previous addresses covering a period of ten years, previous experience and qualifications and every such application shall be accompanied by a marked cheque payable to the Association covering the examination fee.

54. Where the Board refuses to permit any applicant to try an examination the amount of the fee shall be returned to the applicant.

55. For the purpose of such examinations the Board may appoint presiding officers and examiners who shall be paid such remuneration as the Board may determine.

INVESTIGATIONS

56. The Board may make such investigation as it deems advisable of any matter pertaining to the con-

duct of any member of the Association in the practice of his profession or of any other person in connection with the practice of veterinary science or may appoint one or more members of the Association or employ such person or persons as it deems advisable to conduct any such investigation.

57. Any member or members appointed or person or persons employed to make an investigation under regulation 56 shall report the result of such investigation in writing to the Board.

APPEALS FROM BOARD

58. Where the Board decides to recommend the cancellation of a certificate under section 9 of the Act, it shall, before making such recommendation, send a notice in writing of its decision by prepaid registered mail to the holder of such certificate.

59. If the holder of the certificate desires to appeal the Board's decision he shall send a notice in writing thereof together with a marked cheque in the sum of two hundred dollars payable to the Association, as security for costs by prepaid registered mail to the Registrar within ten days of the receipt of the notice of the Board's decision.

60. Upon receipt of a notice under regulation 59 the Registrar shall arrange for a hearing of the appeal by not less than five of the members of the Council who are not members of the Board, herein referred to as the Board of Appeal, and shall notify the appellant of the time and place of the hearing by prepaid registered mail.

61. Upon hearing the Board or its representative and the appellant, if he desires to be heard either personally or through his representative, and such other

persons as the Board of Appeal may deem necessary or advisable, the Board of Appeal may make such finding or ruling or give such direction to the Registrar as it deems proper and there shall be no appeal therefrom.

62. The Board of Appeal may make such disposition of the amount deposited as security for costs as it deems proper.

COMMITTEES

63. The Council may appoint special committees to study or investigate any matter and report to the Council.

64. The Association may appoint such standing committees as it deems advisable.

GRANTS TO ORGANIZATIONS

65. The Council may in each year appropriate from the funds of the Association an amount to be divided among organizations of veterinarians recognized by the Council and which have among their objects the advancement of veterinary science, in proportion to the respective memberships of such organizations or in such other manner as it deems advisable.

EXISTING REGULATIONS REVOKED

66. All regulations which are in force under *The Veterinary Science Practice Act* at the date of the coming into force of these regulations are revoked.

COMMENCEMENT

67. These regulations shall come into force on the 1st day of February, 1944.

Regulations 510

(Ontario Regulations 61/44)

REGULATIONS MADE BY THE MINISTER UNDER THE VOCATIONAL EDUCATION ACT

ESTABLISHMENT OF INSTITUTE

1. There shall be an institute of mining at the town of Haileybury to be known as The Provincial Institute of Mining.

BOARD

2. There shall be a Board consisting of F. S. Rutherford, Director of Vocation Education, who shall be the chairman, H. C. Rickaby, Deputy Minister of Mines, and the Principal of the Institute, and the Board shall, subject to the direction of the Minister, have full control of the administration of the Institute.

ADVISORY COMMITTEE

3.—(1) The Board shall be assisted by an Advisory Committee.

(2) From the opening of the Institute to June 30th, 1946, the members of the Advisory Committee shall be as follows:

(a) to represent boards of education in the areas of Ontario adjacent to the lines of the Temiskaming and Northern Ontario Railway,—

W. P. Murdock,
S. S. Saxton,
D. A. Mutch, and
Eric Holt;

(b) to be members at large,—

E. L. Longmore,
R. J. Henry,
N. Morissette,
H. J. Beattie, and
Melville Robb;

(c) to represent organized labour,—

W. D. Twatio.

RESPONSIBILITY OF BOARD

4. The Board shall have full responsibility for all matters connected with the establishment, organization and management of the Institute, including,—

- (1) appointment of staff;
- (2) opening of the Institute;
- (3) courses to be offered;
- (4) subject matter and extent of the courses;
- (5) conditions of admission;
- (6) fees, if any, to resident and non-residents of the province;
- (7) equipment and supplies;
- (8) preparation of annual budget; and
- (9) scholarships and bursaries.

FUNCTIONS OF ADVISORY COMMITTEE

5. The Advisory Committee shall give advice to the Board on all matters concerning the operation and management of the Institute, the property in connection therewith, the furniture, equipment, supplies, text-books, qualifications of staff, courses of study and any other matter which may be referred to the Committee by the Board.

Regulations 511

(Ontario Regulations 238/44)

REGULATIONS RELATING TO NATURAL GAS AND OIL WELLS UNDER THE WELL DRILLERS ACT

APPLICATION

1.—(1) These regulations shall apply to natural gas wells and oil wells.

(2) If natural gas or oil is encountered in any drilling operations where other minerals or substances are being sought, such operations shall come under these regulations and shall not be continued until a license has been obtained.

LICENSES; REPORTS; RECORDS

2.—(1) The fee for a license shall be \$5.

(2) Every license shall expire on the last day of the year for which it is issued.

3. The Minister may cancel the license of any person who contravenes any of these regulations.

4. The owner or operator of every drilling rig shall forward to the Commissioner,—

- (a) unwashed samples, as collected, of rock cuttings in every well drilled, taken at approximately every five feet and such samples shall be plainly marked with the identity of the well, date and depths, on the receptacles which shall be furnished by the Commissioner on application;
- (b) a log of the well on a form prescribed and supplied by the Commissioner upon application showing the exact location and all other information required by such form; and
- (c) samples of all mineral water encountered at different depths, in quart bottles or other suitable containers, plainly marked with the location of the well and the depth and formation from which it originated.

5. At least two weeks before commencing operations to drill a well the person carrying on such operations shall report the location thereof to the Commissioner upon a form prescribed and supplied by the Commissioner upon application.

PLUGGING

6. An abandoned well shall not be plugged until the owner or other person in possession or control thereof has given the Commissioner at least two weeks' notice by registered mail of the date on which the plugging is to be done, so as to enable the Commissioner or inspector to be present and approve the method of plugging, and in the case of a gas well he shall, at least two weeks immediately before such date, close the well in such a manner that no gas may escape.

7.—(1) Wooden plugs shall be round and of seasoned pine or cedar that is sound and shall be at least

three feet in length and of sufficient size to completely fill the drill hole.

(2) Where driven in casing seats, the top of the wooden plug shall be the size of the drill hole above the casing seat and the bottom of the wooden plug shall be the size of the drill hole below the casing seat.

8.—(1) In the case of gas wells having a pressure of more than one pound per square inch for every ten feet of depth to the gas horizon the drill hole shall be filled with clay to a point about ten feet above the gas producing formation on top of which shall be placed a wooden plug.

(2) Where the rock pressure is over one hundred pounds,—

- (a) two wooden plugs separated by ten feet of tamped clay shall be used;
- (b) immediately above and touching such wooden plug shall be deposited, so as to make a perfect bond with the wall of the well, sufficient pure cement mixed with water to the consistency of a thick paste, to completely fill the well for a height of twenty feet above the wooden plug;
- (c) immediately above and touching the cement shall be placed another wooden plug the full size of the drill hole; and
- (d) the drill hole to the casing seat above shall be filled with clay and the remainder of the well treated as in regulation 9.

(3) All cement shall be so deposited in a well that it shall not come in contact with any water while being so deposited.

(4) Wherever possible cement plugs shall be put in before the casing is removed so that it may not come in contact with any water.

(5) No containers shall be left in the cement after it is deposited and it shall not be agitated in any way after it is in place.

(6) Lead plugs may be used in place of cement, as directed in regulation 11.

(7) The method of plugging known as "mud fluid method" may be used, provided that a pressure of two hundred pounds greater than the gas or hydrostatic pressure in the well is maintained for at least twenty-four hours after the rock has taken up all the mud fluid it will readily hold.

9. In the case of wells that have no gas pressure or where the rock pressure is less than one pound per square inch for each ten feet of depth from the surface to the gas horizon, a tapered wooden plug shall be driven where each string of casing is seated as in sub-

regulation 2 of regulation 7 and the drill hole shall be completely filled with clay to the surface.

10.—(1) Where in a producing well a known gas or oil bearing formation has been penetrated and water is encountered below such gas bearing formation, the drill hole shall be filled with clay to a point five feet above such water horizon and a wooden plug driven firmly on top of the clay filling, and the hole shall then be bailed dry to ensure that the plug is satisfactory.

(2) Where the method of plugging prescribed in subregulation 1 fails to shut off the water, the drill hole shall be plugged in the manner prescribed in subregulation 2 of regulation 11.

11.—(1) Where water is encountered,—

- (a) at the base of the Trenton formation; or
- (b) below any gas or oil horizon,

the hole shall be filled with clay and stone to a point five feet above such water horizon, on top of which a wooden plug shall be placed and the drill hole shall

then be plugged in the manner prescribed in subregulation 2.

(2) Two lead plugs the full size of the drill hole and at least nine inches in length and separated by five feet of iron cuttings or lead wool shall be placed on top and touching the wooden plug and each lead plug shall be struck at least one thousand full blows with a drill of the same weight as was used in drilling at the depth that the plug is set.

12. Other plugs may be used only on the approval of the inspector, who may vary these regulations to meet any special case.

13. On the completion of the plugging of every gas or oil well the owner of such gas or oil well shall forthwith send to the Commissioner a report of such plugging on a form prescribed and supplied by the Commissioner upon application.

REVOCATION

All regulations in force under *The Well Drillers Act* on the date of the coming into force of these regulations are revoked.

SCHEDULE A

SHOWING THE REGULATIONS FILED UNDER *The Regulations Act, 1944*, THAT ARE REVOKED IN WHOLE OR IN PART FROM THE DAY UPON WHICH THE CONSOLIDATED REGULATIONS OF ONTARIO, 1950, TAKE EFFECT AND THE EXTENT OF THE REVOCATION.

THIS SCHEDULE DOES NOT REVOKE THE COMMENCEMENT REGULATIONS OF THE REGULATIONS OR PARTS OF REGULATIONS, AND NO REFERENCE IS MADE TO THE COMMENCEMENT REGULATIONS IN THIS SCHEDULE.

Ontario Regulations	Extent of Revocation	See.— <i>Consolidated Regulations of Ontario, 1950, Regulations Numbered</i>
1/44	The whole.	352
20/44	The whole.	246
21/44	The whole.	277
13/45	The whole.	258
22/45	The whole.	27
26/45	The whole.	267
27/45	The whole.	249
28/45	The whole.	252
35/45	The whole.	250
36/45	The whole.	8
38/45	The whole.	282
41/45	The whole.	268
42/45	The whole.	276
49/45	The whole.	353
50/45	The whole.	280
57/45	The whole.	335
59/45	The whole.	247
62/45	The whole.	335
64/45	The whole.	278
65/45	The whole.	335
68/45	The whole.	290
75/45	The whole.	15
79/45	The whole.	284
82/45	The whole.	274
92/45	The whole.	144
101/45	The whole.	335
104/45	The whole.	335
11/46	The whole.	335
16/46	The whole.	349
20/46	The whole.	253
21/46	The whole.	279
23/46	The whole.	335
32/46	The whole.	12
36/46	The whole.	251
37/46	The whole.	254

Ontario Regulations	Extent of Revocation	Sec.— <i>Consolidated Regulations of Ontario, 1950, Regulations Numbered</i>
38/46	The whole.	256
51/46	The whole.	59
53/46	The whole.	87
56/46	The whole.	335
58/46	The whole.	86
61/46	The whole.	335
79/46	The whole.	334
86/46	The whole.	130
90/46	The whole.	87
94/46	The whole.	335
95/46	The whole.	311
97/46	The whole.	335
99/46	The whole.	333
113/46	The whole.	248
117/46	The whole.	77
118/46	The whole.	333
119/46	The whole.	335
124/46	The whole.	266
129/46	The whole.	327
156/46	The whole.	318
164/46	The whole.	240
165/46	The whole.	239
166/46	The whole.	241
7/47	The whole.	335
8/47	The whole.	338
11/47	The whole.	32
14/47	The whole.	335
15/47	The whole.	335
20/47	The whole.	350
21/47	The whole.	33
23/47	The whole.	141
24/47	The whole.	295
32/47	The whole, except regulation 6.	23
36/47	The whole.	335
38/47	The whole.	372
39/47	The whole, except s. 4 of the schedule.	117
40/47	The whole.	118
43/47	The whole.	37
44/47	The whole.	36
45/47	The whole.	44
50/47	The whole.	79
51/47	The whole.	297
54/47	The whole.	1
55/47	The whole.	355
56/47	The whole.	23
57/47	The whole.	35
68/47	The whole.	224
70/47	The whole.	38
71/47	The whole.	67

Ontario Regulations	Extent of Revocation	See.— <i>Consolidated Regulations of Ontario, 1950, Regulations Numbered</i>
72/47	The whole.	68
73/47	The whole.	25
74/47	The whole.	66
76/47	The whole.	335
77/47	The whole.	86
82/47	The whole.	315
83/47	The whole.	144
84/47	The whole.	39
85/47	The whole.	63
86/47	The whole.	70
89/47	The whole.	295
94/47	The whole.	330
95/47	The whole.	46
98/47	The whole, except s. 4 of the schedule.	102
99/47	The whole.	103
100/47	The whole.	144
104/47	The whole.	41
106/47	The whole.	13
107/47	The whole.	82
108/47	The whole.	26
109/47	The whole.	83
110/47	The whole.	301
111/47	The whole.	22
112/47	The whole.	306
115/47	The whole.	31
123/47	The whole.	9
124/47	The whole.	83
125/47	The whole.	23
129/47	The whole.	4
134/47	The whole.	24
135/47	The whole.	352
136/47	The whole.	22
137/47	The whole.	215
140/47	The whole.	43
147/47	The whole.	220
148/47	The whole.	58
149/47	The whole.	72
151/47	The whole.	298
175/47	The whole.	14
187/47	The whole.	47
189/47	The whole.	71
191/47	The whole.	325
192/47	The whole.	40
193/47	The whole.	87
195/47	The whole.	60
197/47	The whole.	10
208/47	The whole.	370
209/47	The whole.	98
210/47	The whole.	99
218/47	The whole.	227

Ontario Regulations	Extent of Revocation		See.— <i>Consolidated Regulations of Ontario, 1950, Regulations Numbered</i>
219/47	The whole.		130
223/47	The whole.		50
226/47	The whole.		34
227/47	The whole.		332
234/47	The whole.		227
236/47	The whole.		141
240/47	The whole.		48
249/47	The whole.		227
251/47	The whole.		53
255/47	The whole.		219
256/47	The whole.		345
257/47	The whole.		54
258/47	The whole.		55
268/47	The whole.		145
3/48	The whole.		227
7/48	The whole.		203
8/48	The whole, except regulation 5.		7
9/48	The whole.		227
10/48	The whole.		141
15/48	The whole.		205
22/48	The whole.		56
23/48	The whole.		57
32/48	The whole.		23
33/48	The whole.		22
38/48	The whole.		20
40/48	The whole.		202
42/48	The whole.		314
43/48	The whole.		354
44/48	The whole, except regulation 2.		356
45/48	The whole.		237
46/48	The whole.		227
47/48	The whole.		372
49/48	The whole.		44
53/48	The whole.		16
54/48	The whole.		227
56/48	The whole.		14
60/48	The whole.		190
61/48	The whole.		227
62/48	The whole.		138
63/48	The whole.		227
64/48	The whole.		80
65/48	The whole.		365
66/48	The whole.		151
67/48	The whole.		166
70/48	The whole.		51
71/48	The whole.		52
74/48	The whole.		296
79/48	The whole.		155
80/48	The whole.		167

Ontario Regulations	Extent of Revocation		See.— <i>Consolidated Regulations of Ontario, 1950, Regulations Numbered</i>
81/48	The whole.		174
82/48	The whole.		191
83/48	The whole.		5
86/48	The whole.		172
87/48	The whole.		227
91/48	The whole.		361
93/48	The whole.		364
94/48	The whole.		58 and 68
95/48	The whole.		1
97/48	The whole.		227
101/48	The whole.		178
102/48	The whole.		182
103/48	The whole.		190
105/48	The whole.		143
111/48	The whole.		227
112/48	The whole.		189
113/48	The whole.		188
116/48	The whole.		196
123/48	The whole.		337
126/48	The whole.		227
127/48	The whole.		330
128/48	The whole.		135
130/48	The whole.		149
131/48	The whole.		156
132/48	The whole.		176
133/48	The whole.		169
134/48	The whole.		177
135/48	The whole.		227
141/48	The whole.		75
144/48	The whole.		227
146/48	The whole.		201
149/48	The whole.		347
152/48	The whole.		227
153/48	The whole.		194
154/48	The whole.		159
155/48	The whole.		180
156/48	The whole.		162
157/48	The whole.		210
160/48	The whole.		118
166/48	The whole.		233
167/48	The whole, except s. 4 of the schedule.		115
168/48	The whole.		116
170/48	The whole.		189
171/48	The whole.		196
172/48	The whole.		240
174/48	The whole.		183
175/48	The whole.		199
176/48	The whole.		161
178/48	The whole.		197
179/48	The whole.		225

Ontario Regulations	Extent of Revocation	See.— <i>Consolidated Regulations of Ontario, 1950, Regulations Numbered</i>
181/48	The whole.	335
182/48	The whole.	23
183/48	The whole.	327
185/48	The whole.	103
186/48	The whole.	263
187/48	The whole.	272
188/48	The whole.	257
189/48	The whole.	265
190/48	The whole.	291
191/48	The whole.	270
192/48	The whole.	273
193/48	The whole.	286
194/48	The whole.	271
195/48	The whole.	287
196/48	The whole.	285
197/48	The whole.	281
198/48	The whole.	1
199/48	The whole.	72
202/48	The whole.	155
203/48	The whole.	185
204/48	The whole.	160
205/48	The whole.	217
206/48	The whole.	222
208/48	The whole.	335
210/48	The whole.	307
211/48	The whole.	58
212/48	The whole.	227
216/48	The whole.	87
217/48	The whole.	363
218/48	The whole.	264
219/48	The whole.	255
220/48	The whole.	171
221/48	The whole.	165
222/48	The whole.	192
223/48	The whole.	181
225/48	The whole.	131
226/48	The whole.	227
227/48	The whole.	227
228/48	The whole.	289
232/48	The whole.	204
233/48	The whole.	209
236/48	The whole.	309
237/48	The whole.	302
238/48	The whole.	367
240/48	The whole, except regulation 13.	64
241/48	The whole.	63
244/48	The whole.	227
246/48	The whole.	69
252/48	The whole.	49
253/48	The whole.	65

Ontario Regulations	Extent of Revocation	See.— <i>Consolidated Regulations of Ontario, 1950, Regulations Numbered</i>
254/48	The whole.	81
255/48	The whole.	228
256/48	The whole.	229
257/48	The whole.	231
258/48	The whole.	230
260/48	The whole.	179
261/48	The whole.	150
263/48	The whole, except regulation 1.	227
267/48	The whole.	157
269/48	The whole.	74
274/48	The whole.	17
277/48	The whole.	235
278/48	The whole.	245
282/48	The whole.	213
284/48	The whole.	335
286/48	The whole.	216
291/48	The whole.	28
1/49	The whole.	123
6/49	The whole.	187
7/49	The whole.	200
10/49	The whole.	234
12/49	The whole.	116
13/49	The whole.	335
14/49	The whole, except regulations 2 and 3.	70
17/49	The whole.	227
18/49	The whole.	356
19/49	The whole.	184
20/49	The whole.	48
21/49	The whole.	62
22/49	The whole.	343
24/49	The whole.	238
26/49	The whole.	227
27/49	The whole.	294
31/49	The whole.	140
34/49	The whole.	16
35/49	The whole.	227
44/49	The whole.	227
45/49	The whole.	39, 47 and 66
46/49	The whole.	146
52/49	The whole.	18
53/49	The whole.	123
54/49	The whole.	227
58/49	The whole.	84
59/49	The whole.	85
61/49	The whole.	42
63/49	The whole.	22
68/49	The whole.	130
69/49	The whole.	366
71/49	The whole.	168

Ontario Regulations	Extent of Revocation	See.— <i>Consolidated Regulations of Ontario, 1950, Regulations Numbered</i>
72/49	The whole.	170
74/49	The whole.	335
76/49	The whole.	85
78/49	The whole.	310
79/49	The whole.	358
85/49	The whole.	294
86/49	The whole, except s. 4 of the schedule.	106
87/49	The whole.	107
90/49	The whole.	354
93/49	The whole, except s. 4 of the schedule.	104
94/49	The whole.	105
98/49	The whole.	240
100/49	The whole, except s. 4 of the schedule.	113
101/49	The whole.	114
102/49	The whole.	100
103/49	The whole.	101
105/49	The whole.	207
107/49	The whole.	354
109/49	The whole.	16
111/49	The whole.	358
112/49	The whole.	46, 48 and 64
113/49	The whole.	319
114/49	The whole.	87
118/49	The whole.	30
121/49	The whole.	372
122/49	The whole.	323
123/49	The whole.	125
125/49	The whole.	198
127/49	The whole.	3
129/49	The whole.	308
130/49	The whole.	164
134/49	The whole.	62
136/49	The whole.	234
148/49	The whole.	49
152/49	The whole.	19
156/49	The whole, except regulation 2.	232
157/49	The whole.	226
158/49	The whole.	114
161/49	The whole.	227
165/49	The whole.	227
166/49	The whole.	9
169/49	The whole.	326
170/49	The whole.	321
174/49	The whole.	359
175/49	The whole.	19
177/49	The whole, except s. 4 of the schedule.	119
178/49	The whole.	120
179/49	The whole.	227
180/49	The whole.	127
183/49	The whole.	221

Ontario Regulations	Extent of Revocation	See.— <i>Consolidated Regulations of Ontario, 1950, Regulations Numbered</i>
184/49	The whole.	198
186/49	The whole.	123
187/49	The whole.	227
190/49	The whole.	369
194/49	The whole.	360
197/49	The whole.	227
198/49	The whole.	152
199/49	The whole.	214
200/49	The whole.	292
202/49	The whole.	354
203/49	The whole.	227
204/49	The whole.	130
205/49	The whole.	234
207/49	The whole.	259
208/49	The whole.	260
209/49	The whole.	275
210/49	The whole.	269
212/49	The whole.	300
215/49	The whole.	299
217/49	The whole.	6
221/49	The whole, except s. 4 of the schedule.	111
222/49	The whole.	112
223/49	The whole.	94
224/49	The whole.	95
2/50	The whole, except s. 4 of the schedule.	109
3/50	The whole.	110
6/50	The whole.	76
9/50	The whole.	331
10/50	The whole.	211
11/50	The whole.	154
12/50	The whole.	163
13/50	The whole.	147
14/50	The whole.	173
15/50	The whole.	153
16/50	The whole.	175
17/50	The whole.	158
18/50	The whole.	316
21/50	The whole.	142
22/50	The whole.	212
23/50	The whole.	141
27/50	The whole.	89
28/50	The whole.	90
30/50	The whole.	91
31/50	The whole.	92
33/50	The whole.	123
35/50	The whole, except regulations 2, 6 and 7.	42, 62 and 63
37/50	The whole.	305
38/50	The whole.	296
39/50	The whole.	227

Ontario Regulations	Extent of Revocation	See.— <i>Consolidated Regulations of Ontario, 1950, Regulations Numbered</i>
40/50	The whole.	294
45/50	The whole.	346
47/50	The whole.	368
48/50	The whole.	73
50/50	The whole.	130
51/50	The whole.	361
52/50	The whole.	244
53/50	The whole.	131
54/50	The whole.	341
57/50	The whole.	206
64/50	The whole.	186
65/50	The whole.	304
71/50	The whole.	96
72/50	The whole.	97
76/50	The whole.	238
79/50	The whole.	295
83/50	The whole.	347
84/50	The whole.	148
85/50	The whole.	262
87/50	The whole.	307
93/50	The whole.	86
95/50	The whole.	108
96/50	The whole.	227
97/50	The whole.	363
98/50	The whole.	323
99/50	The whole.	99, 101, 103, 105, 107, 114, 116, 118 and 120
100/50	The whole.	234
101/50	The whole.	359
102/50	The whole.	343
103/50	The whole.	344
107/50	The whole.	342
109/50	The whole.	107
110/50	The whole.	303
114/50	The whole.	357
115/50	The whole.	261
116/50	The whole.	11
117/50	The whole.	29
120/50	The whole.	345
121/50	The whole.	134
122/50	The whole.	132
124/50	The whole.	352
125/50	The whole.	328
127/50	The whole.	320
128/50	The whole.	133
130/50	The whole.	126
132/50	The whole.	350
133/50	The whole.	351
134/50	The whole.	45

Ontario Regulations	Extent of Revocation	See.— <i>Consolidated Regulations of Ontario, 1950, Regulations Numbered</i>
135/50	The whole.	193
136/50	The whole.	358
138/50	The whole.	283
139/50	The whole.	370
141/50	The whole.	21
142/50	The whole.	348
144/50	The whole.	114
145/50	The whole.	335
152/50	The whole.	136
153/50	The whole.	130
154/50	The whole, except regulation 19.	371
156/50	The whole.	317
157/50	The whole.	81
158/50	The whole.	335
159/50	The whole.	340
160/50	The whole.	335
161/50	The whole.	335
162/50	The whole.	90
166/50	The whole.	341
167/50	The whole.	122
168/50	The whole.	329
170/50	The whole.	312
171/50	The whole.	353
175/50	The whole.	144
177/50	The whole.	348
178/50	The whole.	124
179/50	The whole.	128
180/50	The whole.	129
181/50	The whole.	92
182/50	The whole.	336
184/50	The whole.	134
187/50	The whole.	121
191/50	The whole.	313
192/50	The whole.	269
193/50	The whole.	317
195/50	The whole.	335
196/50	The whole.	339
198/50	The whole.	343
199/50	The whole.	344
200/50	The whole.	223
201/50	The whole.	227
202/50	The whole.	236
203/50	The whole.	320
210/50	The whole, except regulation 11.	362
215/50	The whole.	105
216/50	The whole.	242
217/50	The whole.	78
218/50	The whole.	139
221/50	The whole.	93
222/50	The whole.	88

Ontario Regulations	Extent of Revocation		See.— <i>Consolidated Regulations of Ontario, 1950, Regulations Numbered</i>
223/50	The whole.		242
224/50	The whole.		123
225/50	The whole.		137
226/50	The whole.		208
227/50	The whole.		195
228/50	The whole.		134
229/50	The whole.		92
230/50	The whole.		243
231/50	The whole, except regulation 2.		324
232/50	The whole.		293
236/50	The whole.		218
238/50	The whole.		345
239/50	The whole.		61
240/50	The whole.		127
241/50	The whole.		126
243/50	The whole.		90, 92, 95, 97, 99, 101, 103, 107, 110, 112, 114, 116, 118 and 120
246/50	The whole.		288
248/50	The whole.		322
250/50	The whole.		22
251/50	The whole.		2
252/50	The whole.		317
259/50	The whole.		—
262/50	The whole.		—
268/50	The whole.		—

SCHEDULE B

SHOWING THE REGULATIONS AND PARTS OF REGULATIONS THAT ARE REVOKED,
REPEALED AND SUPERSEDED OTHER THAN THOSE IN THE CONSOLIDATED
REGULATIONS OF ONTARIO, 1950, AND SHOWING THE REGULATIONS AND
PARTS OF REGULATIONS THAT ARE NOT CONSOLIDATED.

ABBREVIATIONS.—* *See footnotes*
 Exp., *Expired through effluxion of time:*
 N. C., *Not consolidated and not revoked:*
 Rev., *Revoked by O. Reg.:*
 Rep., *Repealed by statute:*
 Rpld., *Replaced but not revoked by O. Reg.:*
 Rvkg., *Revoking regulation only:*
 Sup., *Superseded by statute:*
 Vac., *Filing vacated by statute.*

Ontario Regulations	Disposal	Ontario Regulations	Disposal
2/44	N. C. <i>See Regns. 509</i>	36/44	Rev. 4/47
3/44	Rev. 116/50	37/44	N. C. <i>See Regns. 488</i>
4/44	Exp.	38/44	Sup. R.S.O. 1950, c. 276, Sched. D.
5/44	Exp.	39/44	
6/44	N. C. <i>See Regns. 499</i>	40/44	N. C. <i>See Regns. 476</i>
7/44	Rev. 115/50	41/44	N. C. <i>See Regns. 475</i>
8/44	Rev. 92/45	42/44	N. C. <i>See Regns. 474</i>
9/44	Rev. 48/47	43/44	Rev. 251/50
10/44	N. C. <i>See Regns. 505</i>	44/44	N. C. (<i>Rev. 260/50</i>)
11/44	N. C. <i>See Regns. 379</i>	45/44	Rev. 55/50
12/44	Rev. 100/46	46/44	N. C. <i>See Regns. 503</i>
13/44	N. C. <i>See Regns. 481</i>	47/44	Rev. 56/50
14/44	N. C. <i>See Regns. 482</i>	48/44	Rev. 115/49
15/44	N. C. <i>See Regns. 485</i>	49/44	Rev. 115/49
16/44	N. C. <i>See Regns. 487</i>	50/44	N. C. <i>See Regns. 384</i>
17/44	N. C.	51/44	N. C. <i>See Regns. 402</i>
18/44	Rev. 42/48	52/44	Rev. 47/47
19/44	Rev. 237/48	53/44	Rev. 47/47
22/44	N. C. <i>See Regns. 479</i>	54/44	Rev. 47/47
23/44	Rev. 46/45	55/44	N. C. <i>See Regns. 381</i>
24/44	Rev. 46/45	56/44	N. C.
25/44	Rev. 46/45	57/44	N. C.
26/44	N. C. <i>See Regns. 466</i>	58/44	N. C. <i>See Regns. 388</i>
27/44	Exp.	59/44	N. C. <i>See Regns. 493</i>
28/44	Rev. 240/48	60/44	N. C. <i>See Regns. 504</i>
29/44	Rev. 240/48	61/44	N. C. <i>See Regns. 510</i>
30/44	N. C. <i>See Regns. 390</i>	62/44	N. C. <i>See Regns. 508</i>
31/44	Rev. 106/46	63/44	N. C. <i>See Regns. 383</i>
32/44	Rev. 143/46	64/44	Rev. 52/49
33/44	Rev. 210/50	65/44	Rev. 152/49
34/44	Rev. 236/48	66/44	N. C. <i>See Regns. 374</i>
35/44	Rev. 37/45	67/44	N. C. (<i>Rev. 118/51</i>)

Ontario Regulations	Disposal	Ontario Regulations	Disposal
68/44	N. C. <i>See Regns. 507</i>	119/44	Rev. 220/48
69/44	Rev. 74/48	120/44	Rev. 14/50
70/44	N. C. <i>See Regns. 470</i>	121/44	Rev. 13/50
71/44	N. C. <i>See Regns. 469</i>	122/44	Rev. 81/48
72/44	Rev. 215/49	123/44	Rev. 16/50
73/44	Rev. 151/47	124/44	Rev. 89/46
74/44	N. C. <i>See Regns. 468</i>	125/44	Rev. 26/46
75/44	Rev. 175/47	126/44	Rev. 24/45
76/44	Rev. 175/47	127/44	Rev. 260/48
77/44	Rev. 175/47	128/44	Rev. 72/46
78/44	Rev. 24/47	129/44	Rev. 9/46
79/44	Rev. 24/47	130/44	Rev. 8/46
80/44	Rev. 89/47	131/44	Rev. 102/48
81/44	Rev. 24/47	132/44	N. C. <i>See Regns. 418</i>
82/44	Rev. 24/47	133/44	Rev. 281/44
83/44	Rev. 24/47	134/44	N. C. <i>See Regns. 419</i>
84/44	Rev. 24/47	135/44	Rev. 102/46
85/44	Rev. 24/47	136/44	Rev. 151/46
86/44	Rev. 24/47	137/44	Rev. 86/48
87/44	Rev. 24/47	138/44	Rev. 105/46
88/44	Rev. 24/47	139/44	Rev. 78/46
89/44	Rev. 24/47	140/44	Rev. 6/49
90/44	Rev. 24/47	141/44	N. C. <i>See Regns. 421</i>
91/44	Rev. 24/47	142/44	Rev. 123/46
92/44	Rev. 24/47	143/44	Rev. 13/46
93/44	N. C. <i>See Regns. 411</i>	144/44	Rev. 74/46
94/44	N. C. <i>See Regns. 412</i>	145/44	N. C. <i>See Regns. 423</i>
95/44	Rev. 19/49	146/44	N. C. <i>See Regns. 426</i>
96/44	Rev. 130/48	147/44	N. C. <i>See Regns. 425</i>
97/44	Rev. 66/48	148/44	Rev. 70/45
98/44	Rev. 15/50	149/44	Rev. 27/46
99/44	Rev. 11/50	150/44	N. C. <i>See Regns. 428</i>
100/44	Rev. 73/46	151/44	Rev. 82/48
101/44	Rev. 131/48	152/44	Rev. 198/49
102/44	N. C. <i>See Regns. 413</i>	153/44	Rev. 28/46
103/44	Rev. 150/46	154/44	N. C. <i>See Regns. 429</i>
104/44	Rev. 101/46	155/44	N. C. <i>See Regns. 430</i>
105/44	Rev. 204/48	156/44	N. C. <i>See Regns. 431</i>
106/44	Rev. 7/46	157/44	Rev. 50/46
107/44	Rev. 130/49	158/44	N. C. <i>See Regns. 432</i>
108/44	Rev. 110/46	159/44	Rev. 6/46
109/44	N. C. <i>See Regns. 415</i>	160/44	Rev. 30/45
110/44	Rev. 109/46	161/44	N. C. <i>See Regns. 433</i>
111/44	Rev. 81/46	162/44	N. C. <i>See Regns. 437</i>
112/44	Rev. 154/48	163/44	Rev. 54/45 and 161/46
113/44	Rev. 39/46	164/44	Rev. 161/46
114/44	Rev. 81/45	165/44	Rev. 108/46
115/45	N. C. <i>See Regns. 417</i>	166/44	N. C. <i>See Regns. 440</i>
116/44	Rev. 71/49	167/44	N. C. <i>See Regns. 442</i>
117/44	Rev. 60/46	168/44	Rev. 54/45
118/44	Rev. 153/46	169/44	N. C. <i>See Regns. 445</i>

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170/44	N. C. <i>See Regns. 444</i>	221/44	Rev. 210/48
171/44	Rev. 152/46	222/44	N. C. <i>See Regns. 385</i>
172/44	N. C. <i>See Regns. 446</i>	223/44	N. C. <i>See Regns. 396</i>
173/44	Rev. 242/47	224/44	N. C. <i>See Regns. 486</i>
174/44	N. C. <i>See Regns. 447</i>	225/44	Rev. 9/45
175/44	Rev. 31/47	226/44	Rev. 278/48
176/44	Rev. 162/46	227/44	Rev. 292/44
177/44	Rev. 233/48	228/44	N. C. <i>See Regns. 493</i>
178/44	Rev. 46/46	229/44	N. C. <i>See Regns. 496</i>
179/44	Exp.	230/44	N. C. <i>See Regns. 497</i>
180/44	Exp.	231/44	N. C. <i>See Regns. 489</i>
181/44	Rev. 53/45	232/44	Rev. 57/45
182/44	Rev. 10/50	233/44	N. C. <i>See Regns. 389</i>
183/44	N. C. <i>See Regns. 450</i>	234/44	Exp.
184/44	N. C. (Rev. 57/51)	235/44	Rev. 154/50
185/44	Rev. 5/46	236/44	N. C. <i>See Regns. 471</i>
186/44	Rev. 170/46	237/44	N. C. <i>See Regns. 472</i>
187/44	N. C. <i>See Regns. 452</i>	238/44	<i>Regns. 14 and 15, rev. 47/50</i>
188/44	N. C. <i>See Regns. 453</i>		<i>See Regns. 511</i>
189/44	Rev. 146/47	239/44	N. C. <i>See Regns. 474</i>
190/44	N. C. <i>See Regns. 455</i>	240/44	Rev. 291/48
191/44	N. C. <i>See Regns. 456</i>	241/44	Rev. 10/45
192/44	Rev. 12/46	242/44	Rev. 22/45
193/44	N. C. <i>See Regns. 457</i>	243/44	Rev. 22/45
194/44	Rev. 48/46	244/44	Rev. 274/48
195/44	N. C. <i>See Regns. 500</i>	245/44	N. C. <i>See Regns. 387</i>
196/44	N. C. <i>See Regns. 501</i>	246/44	Rev. 129/46
197/44	N. C. <i>See Regns. 490</i>	247/44	Rev. 254/48
198/44	N. C. <i>See Regns. 463</i>	248/44	Rev. 210/50
199/44	Rev. 156/49	249/44	Rev. 30/48
200/44	Rev. 156/49	250/44	Rev. 254/50
201/44	Rev. 156/49	251/44	Rev. 107/46
202/44	Rev. 156/49	252/44	Rev. 82/46
203/44	Rev. 156/49	253/44	Rev. 16/47
204/44	Rev. 156/49	254/44	Rev. 57/46
205/44	Rev. 156/49	255/44	Rev. 95/45
206/44	Rev. 86/46	256/44	Rev. 95/45
207/44	Rev. 90/48	257/44	Rev. 117/50
208/44	Rev. 90/48	258/44	Rev. 164/46
209/44	N. C. (Rev. 60/51)	259/44	Rev. 88/46
210/44	Rev. 106/45	260/44	Rev. 6/45
211/44	N. C. <i>See Regns. 391</i>	261/44	N. C. <i>See Regns. 464</i>
212/44	Rev. 148/47	262/44	N. C. <i>See Regns. 373</i>
213/44	Rev. 240/48	263/44	N. C. <i>See Regns. 386</i>
214/44	N. C. <i>See Regns. 394</i>	264/44	N. C. <i>See Regns. 407</i>
215/44	Rev. 43/45	265/44	N. C. <i>See Regns. 408</i>
216/44	Rev. 52/49	266/44	N. C. <i>See Regns. 409</i>
217/44	Rev. 85/46	267/44	Rev. 9/50
218/44	Rev. 85/46	268/44	Rev. 45/50
219/44	Rev. 45/47	269/44	Rev. 40/45
220/44	N. C. <i>See Regns. 378</i>	270/44	N. C. <i>See Regns. 405</i>

Ontario Regulations	Disposal	Ontario Regulations	Disposal
271/44	N. C. (<i>Rev. 71/51</i>)	336/44	Rev. 2/46
272/44	Vac. 1947, c. 102, s. 9 (4)	337/44	Rev. 2/46
273/44	Vac. 1947, c. 102, s. 9 (4)	338/44	Rev. 2/46
274/44	N. C. <i>See Regns. 473</i>	339/44	Rev. 2/46
275 (a)/44	Vac. 1947, c.102, s. 9 (4)	340/44	Rev. 2/46
275 (b)/44		341/44	Rep. 1949, c. 95, s. 8
276/44	Vac. 1947, c. 102, s. 9 (4)		
277/44	Vac. 1947, c. 102, s. 9 (4)	1/45	Rev. 57/45
278/44	Rev. 63/45	2/45	Rev. 71/45
279/44	Rev. 88/46	3/45	Rev. 12/47
*		4/45	N. C. <i>See Regns. 465</i>
281/44	N. C. (<i>Rev. 108/51</i>)	5/45	Rev. 104/46
282/44	N. C. <i>See Regns. 410</i>	6/45	N. C. <i>See Regns. 494</i>
283/44	N. C. <i>See Regns. 401</i>	7/45	N. C. <i>See Regns. 476</i>
284/44	Rev. 156/50	8/45	Rev. 24/49
285/44	N. C. <i>See Regns. 375</i>	9/45	Rev. 118/47
286/44	Rev. 254/50	10/45	Rev. 277/48
287/44	Rev. 9/45 and 10/45	11/45	Rev. 2/48
288/44	Rev. 10/45	*	
289/44	Rev. 9/45 and 10/45	14/45	Rev. 246/50
290/44	Sup. R.S.O. 1950, c. 5, Sched. A and B	*	
291/44	N. C. (<i>Rev. 128/51</i>)	21/45	Rev. 47/47
292/44	N. C. <i>See Regns. 506</i>	*	
*		24/45	Rev. 101/48
294/44	N. C. <i>See Regns. 377</i>	25/45	Rev. 4/47
295/44	N. C. <i>See Regns. 380</i>	29/45	N. C. <i>See Regns. 382</i>
296/44	N. C. <i>See Regns. 376</i>	30/45	Rev. 118/47
*		31/45	Exp.
300/44	Rev. 91/46	32/45	Exp.
301/44	Rev. 83/46	33/45	Rev. 154/50
302/44	Rev. 114/46	34/45	Rev. 89/45
303/44	N. C. <i>See Regns. 397</i>	37/45	N. C. <i>See Regns. 502</i>
304/44	N. C. <i>See Regns. 398</i>	39/45	N. C. <i>See Regns. 406</i>
305/44	N. C. (<i>Rev. 42/51</i>)	40/45	Rev. 121/50
306/44	Rev. 8/45	43/45	N. C. <i>See Regns. 492</i>
307/44	(<i>Rev. 125/50</i>)	44/45	N. C. <i>See Regns. 434</i>
*		45/45	Rev. 88/46
323/44	Rev. 36/48	46/45	N. C. <i>See Regns. 395</i>
324/44	Rev. 3/46	47/45	Rev. 22/46
325/44	Rev. 3/46	48/45	Exp.
326/44	Rev. 3/46	51/45	Rev. 57/46
327/44	Rev. 3/46	52/45	N. C. <i>See Regns. 493</i>
328/44	Rev. 3/46	53/45	Rev. 267/50
329/44	Rev. 36/48	54/45	N. C. <i>See Regns. 443</i>
330/44	Rev. 2/46	55/45	Rev. 5/47
331/44	Rev. 2/46	56/45	Rev. 159/46
332/44	Rev. 2/46	58/45	N. C. <i>See Regns. 483</i>
333/44	Rev. 2/46	60/45	N. C.
334/44	Rev. 2/46	61/45	N. C. <i>See Regns. 405</i>
335/44	Rev. 2/46	63/45	Rev. 27/49
		66/45	Rev. 2/48

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67/45	N. C. <i>See Regns. 466</i>	19/46	Rev. 44/48
69/45	N. C. <i>See Regns. 471</i>	22/46	Rev. 210/48
70/45	Rev. 60/48	24/46	N. C.
71/45	Rev. 183/50	25/46	Rev. 96/47
72/45	Rev. 2/47	26/46	Rev. 134/48
73/45	N. C. <i>See Regns. 482</i>	27/46	N. C. <i>See Regns. 427</i>
74/45	Part I—Exp.	28/46	Rev. 222/48
	Part II—Rev. 93/45	29/46	Rev. 40/48
76/45	Rev. 57/47	30/46	Rev. 166/46
77/45	Rev. 21/49	31/46	Rev. 165/46
78/45	Rev. 92/45	33/46	N. C. <i>See Regns. 407</i>
80/45	Rev. 145/46	34/46	Rev. 45/50
81/45	Rev. 80/48	35/46	Rev. 30/48
83/45	Rev. 82/47	39/46	Rev. 67/48
84/45	Rev. 12/47	40/46	Rev. 137/47
85/45	N. C.	41/46	Exp.
86/45	Rev. 265/48	42/46	Rev. 237/48
87/45	Rev. 88/46	43/46	Rpld. 23/47
*		44/46	N. C. <i>See Regns. 439</i>
89/45	N. C. <i>See Regns. 474</i>	45/46	Rev. 255/47
90/45	Exp.	46/46	N. C. <i>But see S.O. 1948, c. 47 and Regns. 230</i>
91/45	Rev. 96/47		Rev. 114/47
93/45	Rvkg.	47/46	Rev. 160/46
94/45	Rev. 208/47	48/46	Rev. 252/47
95/45	Rev. 44/48	49/46	Rev. 39/48
96/45	Rev. 44/48	50/46	Rev. 93/49 and 94/49
97/45	Rev. 12/47	52/46	N. C. <i>See Regns. 464</i>
98/45	Rev. 2/48	54/46	Rev. 44/48
99/45	Rev. 75/46	55/46	Rev. 40/47
100/45	Rev. 96/47	57/46	Rev. 47/50
102/45	N. C. <i>See Regns. 466</i>	59/46	Rev. 133/48
103/45	Exp.	60/46	Vac. 1948, c. 78, s. 2
105/45	Rev. 96/47	62/46	N. C. <i>See Regns. 406</i>
106/45	Rev. 43/ 8	63/46	Rev. 9/50
		64/46	Rev. 116/50
1/46	Rev. 175/47	65/46	N. C. <i>See Regns. 471</i>
2/46	Rev. 36/48	66/46	Rev. 256/47
3/46	Rev. 36/48	67/46	Rev. 36/48
4/46	Rev. 154/50	68/46	Exp.
5/46	Rev. 10/47	69/46	Exp.
6/46	Rev. 120/47	70/46	N. C. <i>See Regns. 503</i>
7/46	Rev. 156/48	71/46	Rev. 155/48
8/46	Rev. 17/50	72/46	Rev. 79/48
9/46	Rev. 223/48	73/46	Rev. 112/48
10/46	Exp.	74/46	N. C. <i>See Regns. 503</i>
12/46	Rev. 119/47	75/46	N. C. <i>See Regns. 441</i>
13/46	Rev. 113/48	76/44	N. C. <i>See Regns. 435</i>
14/46	Rev. 47/47	77/46	Rev. 64/50
15/46	Rev. 129/46	78/46	N. C. <i>See Regns. 395</i>
17/46	N. C. <i>See Regns. 493</i>	80/46	N. C. <i>See Regns. 416</i>
18/46	Rev. 45/50	81/46	

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82/46	Rev. 223/49 and 224/49	144/46	Exp.
83/46	Rev. 221/49 and 222/49	145/46	Rev. 178/50
84/46	N. C.	146/46	Exp.
85/46	N. C. <i>See Regns. 498</i>	147/46	Exp.
87/46	Part I—Exp.	148/46	Exp.
	Part II—Rev. 134/46	149/46	Rev. 154/50
88/46	Rev. 147/48	150/46	N. C. <i>See Regns. 414</i>
89/46	Rev. 132/48	151/46	N. C. <i>See Regns. 420</i>
91/46	Rev. 2/50 and 3/50	152/46	Rev. 15/48
92/46	Rev. 149/48	153/46	Rev. 72/49
93/46	N. C. (<i>Rev. 86/51</i>)	154/46	Rev. 84/50
96/46	N. C. <i>See Regns. 438</i>	155/46	Rev. 44/48
98/46	Rev. 137/47	157/46	Rev. 115/49
100/46	N. C. (<i>Rev. 85/51</i>)	158/46	Rev. 169/48
101/46	Rev. 176/48	159/46	Rev. 243/47
102/46	Rev. 174/48	160/46	Rev. 68/48
103/46	Rev. 96/47	161/46	Rev. 213/47
104/46	Rev. 10/50	162/46	N. C. (<i>Rev. 89/51</i>)
105/46	Rev. 203/48	163/46	Rev. 135/49
106/46	Rev. 30/50 and 31/50	167/46	Vac. 1947, c. 102, s. 9 (2)
107/46	Rev. 27/50 and 28/50	168/46	Rev. 210/50
108/46	Rev. 7/48	169/46	Exp.
109/46	Rev. 221/48	170/46	Rev. 214/47
110/46	Rev. 12/50	171/46	N. C. <i>See Regns. 451</i>
111/46	N. C. <i>See Regns. 498</i>	172/46	Rev. 205/48
112/46	Rev. 94/49		
114/46	Rev. 71/50 and 72/50	1/47	Vac. 1947, c. 102, s. 9 (4)
115/46	Rev. 57/47	2/47	Rev. 158/50
116/46	Exp.	3/47	Rev. 217/47
120/46	Rvkg.	4/47	N. C. <i>See Regns. 478</i>
121/46	Rvkg.	5/47	Rvkg.
122/46	N. C. <i>See Regns. 424</i>	6/47	N. C. <i>See Regns. 454</i>
123/46	N. C. <i>See Regns. 422</i>	9/47	Exp.
125/46	Rev. 210/48	10/47	Rev. 66/49
126/46	Exp.	12/47	Rev. 76/49
127/46	N. C. <i>See Regns. 471</i>	13/47	Sup. R.S.O. 1950, c. 19, Sched. A, item 11
128/46	Rev. 265/48		
130/46	Rev. 252/47	16/47	Rev. 167/48 and 168/48
131/46	Exp.	17/47	N. C. <i>See Regns. 407</i>
132/46	Exp.	18/47	N. C. <i>See Regns. 408</i>
133/46	Exp.	19/47	Exp.
134/46	Rvkg.	22/47	Rev. 9/50
135/46	Exp.	25/47	Rev. 232/47
136/46	Exp.	26/47	Rev. 54/50
137/46	Exp.	27/47	Exp.
138/46	Exp.	28/47	N. C. <i>See Regns. 461</i>
139/46	Exp.	29/47	Exp.
140/46	Exp.	30/47	N. C. <i>See Regns. 436</i>
141/46	Exp.	31/47	N. C. (<i>Rev. 23/51</i>)
142/46	Rev. 94/49	32/47	<i>Regn. 6, see O. Reg. 28/49</i>
143/46	Rev. 161/48 and 162/48	33/47	N. C. <i>See Regns. 449</i>

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34/47	Rev. 7/49	121/47	N. C. (<i>Rev. 77/51</i>)
35/47	Exp.	122/47	Rev. 210/50
37/47	Rev. 235/50	126/47	Rev. 174/49
39/47	<i>s. 4 of Schedule N. C.</i>	127/47	Rev. 85/48
41/47	Rev. 72/50	128/47	Rev. 31/50
42/47	Rev. 149/48	130/47	Vac. 1947, c. 102, s. 9 (4)
46/47	Exp.	131/47	Vac. 1947, c. 102, s. 9 (4)
47/47	Rev. 279/48	132/47	Vac. 1947, c. 102, s. 9 (4)
48/47	Rev. 280/48	133/47	Rev. 106/48
49/47	Rev. 85/48	138/47	Rev. 121/50
52/47	Rev. 44/48	139/47	Exp.
53/47	Rev. 147/48	141/47	Rev. 236/48
58/47	Rev. 117/48	142/47	Vac. 1947, c. 102, s. 9 (4)
59/47	Rev. 177/48	143/47	Rev. 287/48
60/47	N. C. <i>See Regns. 460</i>	144/47	Rev. 145/48
61/47	Rev. 254/47	145/47	N. C. <i>But see S.O. 1948, c. 47,</i>
62/47	Rev. 174/49		<i>and Regns. 228</i>
63/47	Vac. 1947, c. 102, s. 9 (4)	146/47	Rev. 236/50
64/47	Vac. 1947, c. 102, s. 9 (4)	150/47	Vac. 1947, c. 102, s. 9 (4)
65/47	Vac. 1947, c. 102, s. 9 (4)	152/47	Exp.
66/47	Sup. R.S.O. 1950, c. 5, scheds. A and B, item 11	153/47	Rev. 54/50
67/47	Rev. 236/48	154/47	N. C. <i>But see S.O. 1948, c. 47,</i>
69/47	Exp.		<i>and Regns. 229</i>
75/47	<i>Rev. 43/48</i>	155/47	Vac. 1947, c. 102, s. 9 (4)
78/47	Rev. 254/47	156/47	Vac. 1947, c. 102, s. 9 (4)
79/47	Rev. 254/47	157/47	Vac. 1947, c. 102, s. 9 (4)
80/47	Exp.	158/47	Vac. 1947, c. 102, s. 9 (4)
81/47	Rev. 115/48	159/47	Vac. 1947, c. 102, s. 9 (4)
87/47	Exp.	160/47	Vac. 1947, c. 102, s. 9 (4)
88/47	Rev. 147/48	161/47	Vac. 1947, c. 102, s. 9 (4)
90/47	Exp.	162/47	Vac. 1947, c. 102, s. 9 (4)
91/47	Exp.	163/47	Vac. 1947, c. 102, s. 9 (4)
92/47	N. C.	164/47	Vac. 1947, c. 102, s. 9 (4)
93/47	N. C. <i>See Regns. 466</i>	165/47	Vac. 1947, c. 102, s. 9 (4)
96/47	Rev. 54/50	166/47	Vac. 1947, c. 102, s. 9 (4)
97/47	N. C. <i>See Regns. 462</i>	167/47	Vac. 1947, c. 102, s. 9 (4)
98/47	<i>s. 4 of Schedule N. C.</i>	168/47	Vac. 1947, c. 102, s. 9 (4)
101/47	Rev. 254/47	169/47	Vac. 1947, c. 102, s. 9 (4)
102/47	N. C. } <i>See R.S.O. 1950, c. 179,</i>	170/47	Exp.
103/47	N. C. } <i>s. 18 (1) and see Regns.</i>	171/47	Vac. 1947, c. 102, s. 9 (4)
	<i>458 and 459</i>	172/47	Vac. 1947, c. 102, s. 9 (4)
105/47	Rev. 254/47	173/47	Vac. 1947, c. 102, s. 9 (4)
113/47	Exp.	174/47	Exp.
114/47	N. C. <i>But see S.O. 1948, c. 47,</i>	176/47	Rev. 94/49
	<i>and Regns. 231</i>	177/47	Vac. 1947, c. 102, s. 9 (4)
116/47	Rev. 178/50	178/47	Exp.
117/47	N. C. <i>See Regns. 493</i>	179/47	Vac. 1947, c. 102, s. 9 (4)
118/47	Rev. 178/48	180/47	Vac. 1947, c. 102, s. 9 (4)
119/47	Rev. 114/48	181/47	Vac. 1947, c. 102, s. 9 (4)
120/47	Rev. 116/48	182/47	Vac. 1947, c. 102, s. 9 (4)
		183/47	Vac. 1947, c. 102, s. 9 (4)

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184/47	Vac. 1947, c. 102, s. 9 (4)	259/47	Rep. 1948, c. 83, s. 2 (<i>but see Regns. 498</i>)
185/47	Vac. 1947, c. 102, s. 9 (4)	260/47	Rvkg.
186/47	Vac. 1947, c. 102, s. 9 (4)	261/47	Exp.
188/47	Rev. 237/50	262/47	Rev. 27/49
190/47	Exp.	263/47	Rev. 142/48
194/47	Exp.	264/47	Rev. 142/48
196/47	Vac. 1947, c. 102, s. 9 (4)	265/47	Exp.
198/47	Rev. 237/48	266/47	Rev. 27/49
199/47	Exp.	267/47	N. C.
200/47	Rev. 235/47	269/47	Rev. 14/48
201/47	N. C. <i>See Regns. 464</i>	270/47	Rev. 27/49
202/47	N. C. <i>See Regns. 408</i>	271/47	N. C.
203/47	Vac. 1947, c. 102, s. 9 (4)		
204/47	Rev. 236/47	1/48	N. C. <i>See Regns. 504</i>
205/47	Rev. 170/50	2/48	Rev. 118/50
206/47	Exp.	4/48	Rev. 106/48
207/47	Rev. 178/50	5/48	N. C. <i>See Regns. 492</i>
211/47	Exp.	6/48	N. C. <i>See Regns. 479</i>
212/47	Rev. 236/50	8/48	<i>Regn. 5, sup. R.S.O. 1950,</i>
213/47	Rev. 146/48		16, s. 1
214/47	Rev. 286/48	11/48	Rev. 27/49
215/47	Exp.	12/48	N. C.
216/47	Rev. 180/49	13/48	N. C. <i>See Regns. 407</i>
217/47	Rev. 1/49	14/48	Rev. 236/48
220/47	Rev. 178/50	16/48	Rev. 243/48
221/47	Rev. 2/48	17/48	Exp.
222/47	Rev. 180/49	18/48	Rev. 170/49
224/47	Rev. 79/49	19/48	Rev. 27/49
225/47	Exp.	20/48	Exp.
228/47	Exp.	21/48	Rev. 210/50
229/47	Exp.	24/48	N. C. <i>See Regns. 504</i>
230/47	Exp.	25/48	Exp.
231/47	Exp.	26/48	Rev. 27/49
232/47	Rvkg.	27/48	N. C. <i>See Regns. 376</i>
233/47	Exp.	28/48	N. C. <i>See Regns. 466</i>
235/47	Rev. 112/50	29/48	Rev. 36/48
237/47	Rev. 173/48	30/48	Rev. 64/49
238/47	Exp.	31/48	Rev. 279/48
239/47	Exp.	34/48	Rev. 54/50
241/47	Rev. 175/48	35/48	Rev. 31/49
242/47	Rev. 126/49	36/48	N. C. <i>See Regns. 495</i>
243/47	Rev. 153/48	37/48	Rev. 27/49
244/47	Exp.	39/48	Rev. 227/50
245/47	Rev. 178/50	41/48	Rev. 170/49
246/47	Rev. 20/48	44/48	<i>Regn. 2, N. C.; See 1947,</i>
247/47	Exp.		c. 93, s. 2
248/47	Rev. 178/50	48/48	N. C.
250/47	Rev. 27/49	50/48	Rev. 58/49
252/47	Rev. 232/48	51/48	N. C. <i>See Regns. 493</i>
253/47	Exp.	52/48	N. C. <i>See Regns. 503</i>
254/47	Rvkg.		

Ontario Regulations	Disposal	Ontario Regulations	Disposal
53/48	Regn. 14, N. C.	151/48	Rev. 206/49
55/48	N. C.	158/48	Rev. 86/49
57/48	Rev. 147/48	159/48	Rev. 87/49
58/48	N. C.	161/48	Rev. 102/49
59/48	Rev. 174/49	162/48	Rev. 103/49
68/48	Rev. 157/49	163/48	N. C.
69/48	N. C. <i>See Regns. 372</i>	164/48	Rvkg.
72/48	Exp.	165/48	N. C.
73/48	N. C.	167/48	s. 4 of Sched. N. C.
75/48	Rev. 236/48	169/48	Rev. 200/50
76/48	Rev. 283/48	173/48	Rev. 169/49
77/48	Rev. 237/48	177/48	Rvkg.
78/48	Rev. 149/48	180/48	Rev. 54/50
84/48	N. C. <i>See Regns. 335</i>	184/48	N. C.
85/48	Rev. 239/50	200/48	Rev. 79/49
88/48	Rev. 112/50	201/48	Rev. 273/48
89/48	Exp.	207/48	Exp.
90/48	Rev. 52/50	209/48	Rev. 169/49
92/48	Exp.	213/48	Exp.
96/48	N. C.	214/48	Rev. 160/49
98/48	N. C. <i>See Regns. 335</i>	215/48	Rev. 185/49
99/48	Rev. 159/50	224/48	Exp.
100/48	Exp.	229/48	N. C.
104/48	N. C.	230/48	N. C.
106/48	Rev. 54/50	231/48	Rev. 169/49
107/48	Rev. 107/50	234/48	N. C. <i>See Regns. 464</i>
108/48	Rvkg.	235/48	Rev. 36/49
109/48	Exp.	239/48	Rev. 112/50
110/48	Exp.	240/48	Regn. 13, N. C.
114/48	Rev. 183/49	242/48	N. C.
115/48	Rvkg.	243/48	Rev. 164/49
117/48	Rvkg.	245/48	Rev. 79/49
118/48	N. C.	247/48	Exp.
119/48	Exp.	248/48	N. C.
120/48	Exp.	249/48	Exp.
121/48	N. C. <i>See Regns. 498</i>		{ r. 1. Sup.—R.S.O. 1950,c.75,
122/48	N. C.		s. 12 (2)
124/48	N. C. <i>See Regns. 335</i>	250/48	{ r. 2. Sup.—R.S.O. 1950,c.75,
125/48	Exp.		s. 12 (4)
129/48	Rev. 174/49		{ r. 1. Sup.—R.S.O. 1950,
136/48	Exp.		c. 158, s. 3 (2)
137/48	Rev. 127/50	251/48	{ r. 2. Sup.—R.S.O. 1950,
138/48	N. C.		c. 158, s. 3 (5)
139/48	Rev. 54/50	259/48	Rev. 122/49
140/48	N. C. <i>See Regns. 483</i>	262/48	Regn. 1, N. C.
142/48	Rev. 59/49	264/48	Rev. 170/49
143/48	Rev. 206/49	265/48	N. C. <i>See Regns. 504</i>
145/48	Rvkg.	266/48	Rvkg.
147/48	N. C. <i>See Regns. 404</i>	268/48	Rev. 107/50
148/48	N. C. <i>See Regns. 495</i>	270/48	Exp.
150/48	N. C.	271/48	N. C. <i>See Regns. 464</i>

Ontario Regulations	Disposal	Ontario Regulations	Disposal
272/48	Exp.	60/49	Rev. 31/50
273/48	Rvkg.	62/49	Rev. 149/49
275/48	Sup. R.S.O. 1950, c. 158, s. 3 (5)	64/49	Rev. 134/50
276/48	Sup. R.S.O. 1950, c. 75, s. 12 (4)	65/49	N. C. <i>See Regns. 495</i>
279/48	Sup. 1950, c. 34, s. 78	66/49	Exp.
280/48	Rev. 202/50	67/49	N. C.
281/48	Rev. 154/50	70/49	Exp.
283/48	Rvkg.	73/49	Rev. 112/50
285/48	N. C.	75/49	N. C.
287/48	Rvkg.	77/49	Rev. 191/49
288/48	Rev. 54/50	80/49	N. C.
289/48	Rev. 107/50	81/49	Rev. 133/50
290/48	Rev. 43/49	82/49	Rev. 126/50
2/49	Rev. 178/50	84/49	N. C. (Rev. 85/51)
3/49	Rvkg.	86/49	s. 4 of Sched. N. C.
4/49	N. C. <i>See Regns. 408</i>	88/49	N. C. <i>See Regns. 495</i>
5/49	Rev. 10/50	89/49	N. C.
8/49	Rev. 79/49	91/49	N. C.
9/49	N. C.	92/49	Rev. 31/50
11/49	Sup. R.S.O. 1950, c. 158, s. 2 (6)	93/49	s. 4 of Sched. N. C.
14/49	Regns. 2 and 3 Exp.	95/49	Rev. 169/49
15/49	Rev. 202/50	96/49	Exp.
16/49	N. C.	97/49	Exp.
23/49	N. C.	99/49	Exp.
25/49	N. C. (Exp.)	100/49	s. 4 of Sched. N. C.
28/49	Sup. R.S.O. 1950, c. 60, s. 3 (1)	104/49	N. C.
29/49	N. C. <i>See Regns. 493</i>	106/49	Exp.
30/49	Rev. 164/49	108/49	N. C. <i>See Regns. 485</i>
32/49	N. C.	110/49	Exp.
33/49	Rev. 160/49	115/49	Rvkg.
36/49	Rev. 82/49	116/49	Rev. 130/50
37/49	N. C. <i>See Regns. 408</i>	117/49	Sup. R.S.O. 1950, c. 5, Sched. A and B
38/49	Rev. 62/49	119/49	N. C. <i>See Regns. 498</i>
39/49	Rev. 116/49	120/49	Exp.
40/49	Rev. 178/50	124/49	N. C. <i>See Regns. 408</i>
41/49	Rev. 49/49	126/49	Exp.
42/49	Exp.	128/49	Rev. 166/49
43/49	Rev. 107/50	131/49	Rev. 213/50
47/49	N. C.	132/49	Rev. 214/50
48/49	Rev. 225/49	133/49	Rev. 133/50
49/49	Exp.	135/49	Rvkg.
50/49	N. C. <i>See Regns. 478</i>	137/49	Rev. 54/50
51/49	Rev. 170/49	138/49	N. C.
55/49	Rev. 54/50	139/49	N. C.
56/49	Exp.	140/49	N. C.
57/49	Exp.	141/49	Rvkg.
		142/49	N. C.
		143/49	N. C.
		144/49	N. C.
		145/49	N. C.

Ontario Regulations	Disposal	Ontario Regulations	Disposal
146/49	N. C.	8/50	Rev. 164/50
147/49	Exp.	19/50	N. C.
149/49	Rvkg.	20/50	Rev. 36/50
150/49	Exp.	24/50	N. C.
151/49	Exp.	25/50	N. C.
153/49	N. C.	26/50	N. C. <i>See Regns. 464</i>
154/49	Exp.	29/50	N. C.
155/49	Exp.	32/50	Rev. 126/50
156/49	Regn. 2, sup. R.S.O. 1950, c. 183, Sched. A	34/50	Rev. 134/50
159/49	Rev. 31/50	35/50	Regn. 2 Rvkg.; Regn. 6 N. C.; Regn. 7 Rvkg.
160/49	Rvkg.	36/50	Rev. 164/50
162/49	N. C.	41/50	Rev. 164/50
163/49	N. C. <i>See Regns. 503</i>	42/50	Rev. 130/50
164/49	N. C. <i>See Regns. 404</i>	43/50	N. C.
167/49	Rev. 214/50	44/50	N. C.
168/49	Exp.	46/50	N. C. <i>See Regns. 467</i>
171/49	N. C.	49/50	Sup. R.S.O. 1950, c. 5, Sched. A and B
172/49	N. C.	55/50	Rvkg.
173/49	N. C.	56/50	Rvkg.
176/49	Exp.	58/50	N. C.
177/49	s. 4 of Schedule, N. C.	59/50	Exp.
181/49	Exp.	60/50	N. C.
182/49	Rev. 54/50	61/50	N. C.
185/49	Rev. 178/50	62/50	N. C.
188/49	N. C. <i>See Regns. 407</i>	63/50	Exp.
189/49	Rvkg.	66/50	N. C.
191/49	Rev. 46/50	67/50	N. C.
192/49	N. C.	68/50	N. C. <i>See Regns. 388</i>
193/49	Exp.	69/50	N. C.
195/49	Exp.	70/50	N. C.
196/49	Exp.	73/50	Exp.
201/49	N. C. <i>See Regns. 464</i>	74/50	N. C.
206/49	Sup. R.S.O. 1950, c. 5, Sched. B	75/50	N. C.
211/49	Exp.	77/50	Sup. R.S.O. 1950, c. 16, s. 1
213/49	Exp.	78/50	N. C. <i>See Regns. 503</i>
214/49	N. C.	80/50	N. C.
216/49	Rev. 178/50	81/50	N. C.
218/49	Rev. 54/50	82/50	Exp.
219/49	N. C. <i>See Regns. 407</i>	86/50	N. C.
220/49	Rev. 214/50	88/50	N. C. <i>See Regns. 404</i>
221/49	s. 4 of Sched. N. C.	89/50	Exp.
225/49	Exp.	90/50	Exp.
1/50	N. C. <i>See Regns. 495</i>	91/50	Rev. 261/50
2/50	s. 4 of Sched. N. C.	92/50	N. C.
4/50	N. C.; <i>See R.S.O. 1950, c. 300,</i> s. 2 (1); <i>and see Regns. 480</i>	94/50	Exp.
5/50	N. C.	104/50	Exp.
7/50	Rev. 154/50	105/50	Exp.
		106/50	N. C. <i>See Regns. 491</i>
		108/50	N. C.

Ontario Regulations	Disposal	Ontario Regulations	Disposal
111/50	N. C.	207/50	Exp.
112/50	Rvkg.	208/50	N. C.
113/50	Sup. R.S.O. 1950, c. 158, s. 3 (3, 4)	209/50	N. C.
118/50	Exp.	210/50	Regn. 11, Sup. R.S.O. 1950, c. 403, s. 11 (1)
119/50	Exp.		
123/50	N. C.	211/50	N. C.
126/50	Rvkg.	212/50	Rvkg.
129/50	Exp.	213/50	Rvkg.
131/50	N. C.	214/50	Rvkg.
137/50	N. C.	219/50	Rvkg.
140/50	N. C.	220/50	Exp.
143/50	N. C.	231/50	Regn. 2, N. C.
146/50	N. C.	233/50	Rvkg.
147/50	N. C.	234/50	N. C.
148/50	N. C.	235/50	Rvkg.
149/50	N. C.	237/50	Rvkg.
150/50	N. C.	242/50	N. C. <i>See Regns. 389</i>
151/50	N. C.	244/50	N. C.
154/50	Regn. 19 N. C.	245/50	Exp.
155/50	N. C.	247/50	Rvkg.
163/50	Exp.	249/50	N. C.
164/50	Rvkg.	253/50	N. C.
165/50	N. C.	254/50	Rvkg.
169/50	N. C.	255/50	Exp.
172/40	N. C.	256/50	N. C. <i>See Regns. 392</i>
173/50	N. C.	257/50	Exp.
174/50	N. C.	258/50	Exp.
176/50	N. C.	260/50	N. C. <i>See Regns. 484</i>
183/50	Rvkg.	261/50	N. C. <i>See Regns. 388</i>
185/50	N. C.	263/50	N. C.
186/50	N. C.	264/50	N. C.
188/50	N. C.	265/50	N. C. <i>See Regns. 465</i>
189/50	N. C.	266/50	N. C.
190/50	N. C.	267/50	N. C. <i>See Regns. 448</i>
194/50	N. C.	269/50	N. C. <i>See Regns. 466</i>
197/50	N. C.	270/50	N. C. <i>See Regns. 393</i>
204/50	Rvkg.	271/50	N. C. <i>See Regns. 399</i>
205/50	N. C. <i>See Regns. 466</i>	272/50	N. C. <i>See Regns. 400</i>
206/50	N. C.	273/50	N. C. <i>See Regns. 407</i>

*These numbers were not assigned to any regulation filed:—280/44; 293/44; 297/44; 298/44; 299/44; 308/44 to 322/44, both inclusive; 12/45; 15/45 to 20/45 both inclusive; 23/45; 88/45.

REPORT OF THE COMMISSIONERS

TO HIS HONOUR THE HONOURABLE RAY LAWSON,
Lieutenant-Governor of the Province of Ontario.

The undersigned Commissioners appointed by *The Regulations Consolidation Act, 1949*, to consolidate and revise to the end of 1950 the regulations filed under *The Regulations Act, 1944*, have the honour to report the completion of the consolidation and revision in accordance with *The Regulations Consolidation Act, 1949*. Appended hereto is a printed Roll containing 372 Regulations that have been so consolidated and revised.

The Commissioners have appended to the printed Roll a schedule marked "Schedule A" showing the regulations filed under *The Regulations Act, 1944*, that are revoked in whole or in part from the day upon which the Consolidated Regulations of Ontario, 1950, take effect and the extent of the revocation, and a schedule marked "Schedule B" showing the regulations and parts of regulations that are revoked, repealed and superseded other than those in the Consolidated Regulations of Ontario, 1950, and showing the regulations and parts of regulations that are not consolidated.

The regulations contained in the Roll are arranged alphabetically by the Acts under which they were made. For convenience the Roll is being printed in two volumes and the schedules and index are being printed in a third volume.

Dated at the Parliament Buildings, Toronto, this 12th of January, 1951.

R. WHERRY,
Commissioner.

D. W. ROSE,
Commissioner.

(NOTE : *The third volume referred to in the final paragraph of the above Report has been expanded to include the Appendix and other material listed in the Table of Contents which appears at page 3 of this volume.*)

PROCLAMATION

BRINGING THE
CONSOLIDATED REGULATIONS OF ONTARIO, 1950
INTO FORCE

(Great Seal of Ontario)

R. S. ROBERTSON

PROVINCE OF ONTARIO

GEORGE THE SIXTH by the Grace of God of Great Britain, Ireland and the
British Dominions beyond the Seas KING, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME

GREETING

PROCLAMATION

DANA PORTER } **W**HEREAS in and by An Act to provide for the
Attorney-General } Consolidation of the Regulations filed under *The*
Regulations Act, 1944, passed at the first session of the twenty-third Legisla-
ture of Ontario, it is among other things enacted that Robert Wherry,
one of His Majesty's Counsel, and Donald Worthington Rose, a member of
the Bar of Ontario, Registrar of Regulations and Assistant Registrar of Regula-
tions respectively, are appointed commissioners to consolidate and revise to the
end of the year 1950 the regulations filed under *The Regulation Act, 1944*;

AND WHEREAS it is further provided in and by the said Act that as
soon as the commissioners report the completion of the consolidation and re-
vision, the Lieutenant-Governor may cause a printed Roll thereof, attested by
his signature and countersigned by the Provincial Secretary, to be deposited in
the office of the Clerk of the Executive Council;

AND WHEREAS compliance has been duly made with the aforesaid
provisions;

AND WHEREAS it is further provided in and by the said Act that the Lieutenant-Governor in Council after the deposit as aforesaid of the said Roll may by proclamation declare the day upon which the same shall come into force and have effect by the designation "Consolidated Regulations of Ontario, 1950";

NOW THEREFORE KNOW YE that, having taken the premises into Our Royal consideration, WE, by and with the advice of Our Executive Council of Our Province of Ontario and in pursuance of the provisions of the said An Act to provide for the Consolidation of the Regulations filed under *The Regulations Act, 1944*, and in the exercise of the power in US vested in this behalf by the said Act or otherwise howsoever, DO, by this Our Royal PROCLAMATION, declare Thursday, the eighteenth day of January, 1951, as the day upon which the said Roll shall come into force and have effect by the designation "Consolidated Regulations of Ontario, 1950";

OF ALL WHICH PREMISES all Our loving subjects and all others whom it doth or may in anywise concern are hereby required to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these OUR LETTERS to be made PATENT and the GREAT SEAL OF OUR PROVINCE OF ONTARIO to be hereunto affixed.

WITNESS:

THE HONOURABLE ROBERT SPELMAN ROBERTSON, Chief Justice of Ontario, ADMINISTRATOR of Our Government of Our Province of Ontario.

at Our City of Toronto in Our said Province this eighteenth day of January in the year of Our Lord one thousand nine hundred and fifty-one and in the fifteenth year of Our Reign.

BY COMMAND

G. A. WELSH
Provincial Secretary

LIST OF THE ACTS CONTAINED IN THE REVISED STATUTES OF ONTARIO,
1950, SHOWING ALL PUBLIC GENERAL REGULATIONS THEREUNDER IN
FORCE AT THE 31ST OF MAY, 1951.

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2 — Absentees Act.....	
3 — Accidental Fires Act.....	
4 — Accumulations Act.....	
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6 — Adolescent School Attendance Act.....	Regns. 1
7 — Adoption Act.....	Regns. 2
8 — Agricultural Associations Act.....	Regns. 3
9 — Agricultural Committees Act.....	
10 — Agricultural Development Act.....	Regns. 4
11 — Agricultural Development Finance Act.....	Regns. 5
12 — Agricultural Representatives Act.....	
13 — Agricultural Societies Act.....	Regns. 374
14 — Alberta Coal Sales Act.....	
15 — Aliens' Real Property Act.....	
16 — Anatomy Act.....	Regns. 7
17 — Andrew Mercer Reformatory Act.....	Regns. 375
18 — Apportionment Act.....	
19 — Apprenticeship Act.....	Regns. 376, 377, 378, 379, 380 and 381
20 — Arbitration Act.....	
21 — Architects Act.....	Regns. 8
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23 — Artificial Insemination Act.....	Regns. 9
24 — Assessment Act.....	Regns. 382
25 — Assignment of Book Debts Act.....	
26 — Assignments and Preferences Act.....	
27 — Athletics Control Act.....	Regns. 10 and 11
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29 — Auxiliary Classes Act.....	
30 — Bailiffs Act.....	Regns. 12
31 — Barristers Act.....	Regns. 13
32 — Beach Protection Act.....	Regns. 14
33 — Beaches and River Beds Act.....	
34 — Beds of Navigable Waters Act.....	
35 — Bees Act.....	Regns. 15
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37 — Blind Workmen's Compensation Act.....	
38 — Boards of Education Act.....	
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43 — Burlington Beach Act.....	
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52 — Children's Maintenance Act	
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54 — Chiropody Act	Regns. 385
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57 — Commissioners for taking Affidavits Act	Regns. 21
58 — Community Centres Act	
59 — Companies Act	Regns. 22
60 — Companies Information Act	Regns. 23 and 24
61 — Conditional Sales Act	
62 — Conservation Authorities Act	
63 — Consolidated Cheese Factories Act	
64 — Consolidated Revenue Fund Act	
65 — Constitutional Questions Act	
66 — Continuation Schools Act	Regns. 25
67 — Controverted Elections Act	See Regns. 386
68 — Conveyancing and Law of Property Act	
69 — Co-operative Marketing Loans Act	
70 — Coroners Act	O.Reg. 128/51
71 — Corporation Securities Registration Act	Regns. 26
72 — Corporations Tax Act	
73 — Costs of Distress Act	Regns. 387
74 — County Court Judges' Criminal Courts Act	
75 — County Courts Act	O.Reg. 105/51
76 — County Judges Act	Regns. 27 and 28
77 — County Publicity Act	
78 — Creditors' Relief Act	
79 — Credit Unions Act	Regns. 29
80 — Crown Administration of Estates Act	
81 — Crown Attorneys Act	Regns. 30
82 — Crown Timber Act	Regns. 31 and 388
83 — Crown Witnesses Act	
84 — Cullers Act	Regns. 32
85 — Custody of Documents Act	
86 — Dairy Products Act	Regns. 389
87 — Damage by Fumes Arbitration Act	
88 — Day Nurseries Act	Regns. 33
89 — Debt Collectors Act	
90 — Definition of Time Act	
91 — Dental Technicians Act	Regns. 34
92 — Dentistry Act	O.Reg. 72/51 and 99/51
93 — Department of Agriculture Act	
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220 — Magistrates' Jurisdiction Act.....
221 — Marine Insurance Act.....
222 — Marriage Act.....
223 — Married Women's Property Act.....	.....
224 — Master and Servant Act.....	.....
225 — Maternity Boarding Houses Act.....	.....
226 — Matrimonial Causes Act.....	Regns. 464
227 — Mechanics' Lien Act.....	.....
228 — Medical Act.....	.....
229 — Mental Hospitals Act.....	Regns. 466; O.Reg. 17/51
230 — Mental Incompetency Act.....	.....
231 — Mercantile Law Amendment Act.....	.....
232 — Milk and Cream Act.....	.....
233 — Milk Control Act.....	Regns. 246, 247, 248, 249, 250, 251, ¹ 252, 253, 255, 256, 257, 258, 259, 261, 262, 263, 264, 265, 266, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279; 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294 and 467; O.Reg. 10/51, 16/51, 39/51, 40/51, 41/51, 47/51, 55/51, 56/51, 63/51, 64/51, 65/51
234 — Mills Licensing Act.....	.....
235 — Minimum Wage Act.....	Regns. 295; O.Reg. 114/51
236 — Mining Act.....	Regns. 296, 297, 300, 468, 469 and 470; O.Reg. 111/51
237 — Mining Tax Act.....	.....
238 — Minors' Protection Act.....	.....
239 — Mortgages Act.....	.....
240 — Mortgage Tax Act.....	.....
241 — Mortmain and Charitable Uses Act.....	Regns. 301
242 — Mothers' Allowances Act.....	Regns. 302; O.Reg. 9/51
243 — Municipal Act.....	Regns. 303
244 — Municipal Arbitration Act.....	.....
245 — Municipal Corporations Quieting Orders Act.....	.....
246 — Municipal Drainage Act.....	.....
247 — Municipal Drainage Aid Act.....	.....
248 — Municipal Electric Railways Act.....	.....
249 — Municipal Franchises Act.....	.....
250 — Municipal Health Services Act.....	.....
251 — Natural Gas Conservation Act.....	Regns. 304, 471 and 472
252 — Negligence Act.....	.....
253 — Niagara Parks Act.....	Regns. 305
254 — Notaries Act.....	Regns. 306
255 — Nursery Stock Act.....	.....
256 — Nurses Act.....	Regns. 307
257 — Official Notices Publication Act.....	Regns. 308
258 — Old Age Pensions Act.....	Regns. 309
259 — Oleomargarine Act.....	Regns. 310
260 — One Day's Rest in Seven Act.....	.....
261 — Ontario Food Terminal Act.....	Regns. 311
262 — Ontario Municipal Board Act.....	Regns. 312 and 473
263 — Ontario Municipal Improvement Corporation Act.....	Regns. 313
264 — Ontario Northland Transportation Commission Act.....
265 — Operating Engineers Act.....	Regns. 474

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266 — Optometry Act.....	Regns. 314
267 — Parents' Maintenance Act.....	
268 — Parole Act.....	Regns. 315
269 — Partition Act.....	
270 — Partnerships Act.....	
271 — Partnerships Registration Act.....	
272 — Pawnbrokers Act.....	
273 — Penal and Reform Institutions Inspection Act.....	Regns. 316 and 317
274 — Personation Act.....	
275 — Petty Trespass Act.....	
276 — Pharmacy Act.....	
277 — Planning Act.....	Regns. 318 and 319; O.Reg. 36/51
278 — Plant Diseases Act.....	Regns. 475, 476 and 477
279 — Police Act.....	Regns. 320 and <i>see</i> Regns. 478
280 — Pounds Act.....	
281 — Power Commission Act.....	Regns. 321, 322, 323, 324, 325 and 326; O.Regs. 56/44,* 57/44,* 4/51, 19/51 and 103/51
282 — Power Commission Insurance Act.....	
283 — Power Control Act.....	
284 — Powers of Attorney Act.....	
285 — Prepaid Hospital and Medical Services Act.....	
286 — Presqu'île Park Act.....	
287 — Private Detectives Act.....	
288 — Private Forest Reserves Act.....	
289 — Private Hospitals Act.....	Regns. 479
290 — Private Sanitaria Act.....	
291 — Probation Act.....	
292 — Professional Engineers Act.....	Regns. 327
293 — Property and Civil Rights Act.....	
294 — Protection of Cattle Act.....	
295 — Provincial Aid to Drainage Act.....	
296 — Provincial Auctioneers Act.....	
297 — Provincial Forests Act.....	
298 — Provincial Land Tax Act.....	Regns. 328; O.Reg. 82/51
299 — Provincial Loans Act.....	
300 — Provincial Parks Act.....	Regns. 329 and <i>see</i> Regns. 480
301 — Psychiatric Hospitals Act.....	Regns. 330
302 — Public Accountancy Act.....	
303 — Public Authorities Protection Act.....	
304 — Public Commercial Vehicles Act.....	Regns. 331
305 — Public Halls Act.....	
306 — Public Health Act.....	Regns. 332, 333, 334, 335, 336, 338, 339, 340, 481, 482, 483, 484, 485, 486, 487, 488, 489 and 490; O.Regs. 1/51, 73/51, 86/51
307 — Public Hospitals Act.....	Regns. 341, 342, 491 and 492; O.Regs. 18/51, 45/51, 46/51, 74/51, 75/51
308 — Public Inquiries Act.....	

*These two voluminous sets of regulations were not included in this work because it was anticipated that further regulations would replace them before the publication of this volume. While the replacing regulations are not yet filed with the Registrar of Regulations at the date that this volume goes to press, it is anticipated that they will be filed and published during the summer of 1951. They will replace O.Regs. 56/44 and 57/44.

CHAP.

357	— Settled Estates Act	
358	— Settlers' Pulpwood Protection Act	
359	— Sheriffs Act	
360	— Short Forms of Conveyances Act	
361	— Short Forms of Leases Act	
362	— Short Forms of Mortgages Act	
363	— Silicosis Act	
364	— Ski Tows Act	
365	— Slot Machines Act	
366	— Snow Roads and Fences Act	
367	— Soldiers' Aid Commission Act	
368	— Solicitors Act	
369	— Spruce Pulpwood Exportation Act	
370	— Stallions Act	O.Reg. 42/51
371	— Statute of Frauds	
372	— Statute Labour Act	
373	— Statutes Act	
374	— Steam Boilers Act	Regns. 500 and 501
375	— Steam Threshing Engines Act	
376	— Stock Yards Act	Regns. 502
377	— Suburban Area Development Act	
378	— Succession Duty Act	Regns. 503
379	— Summary Convictions Act	
380	— Surrogate Courts Act	Regns. 357; O.Reg. 8/51
381	— Surveys Act	
382	— Survivorship Act	
383	— Teachers' Boards of Reference Act	
384	— Teachers' Superannuation Act	Regns. 358
385	— Teaching Profession Act	Regns. 504
386	— Telegraph Act	
387	— Telephone Act	
388	— Territorial Division Act	
389	— Theatres and Cinematographs Act	Regns. 505
390	— Threshing Machines Act	
391	— Ticket Speculation Act	
392	— Tile Drainage Act	
393	— Tourist Establishments Act	Regns. 359
394	— Town Sites Act	
395	— Trade Schools Regulation Act	Regns. 506
396	— Training Schools Act	Regns. 360
397	— Transportation of Fowl Act	
398	— Travelling Shows Act	
399	— Trees Act	
400	— Trustee Act	Regns. 361
401	— Unclaimed Articles Act	
402	— Unconscionable Transactions Relief Act	
403	— Unemployment Relief Act	Regns. 362
404	— Unwrought Metal Sales Act	Regns. 507
405	— Vacant Land Cultivation Act	
406	— Vaccination Act	

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407 — Vendors and Purchasers Act	
408 — Venereal Diseases Prevention Act	Regns. 508
409 — Veterinary Science Practice Act	Regns. 509
410 — Vexatious Proceedings Act	
411 — Vicious Dogs Act	
412 — Vital Statistics Act	Regns. 363
413 — Vocational Education Act	Regns. 510
414 — Voters' Lists Act	Regns. 80, 364 and 365
415 — Wages Act	
416 — Warble Fly Control Act	Regns. 366
417 — Warehousemen's Lien Act	
418 — Warehouse Receipts Act	
419 — War Veterans Burial Act	
420 — Water Powers Regulation Act	
421 — Weed Control Act	O.Reg. 85/51
422 — Welfare Units Act	Regns. 367
423 — Well Drillers Act	Regns. 368 and 511
424 — Wharfs and Harbours Act	
425 — White Cane Act	
426 — Wills Act	
427 — Wolf and Bear Bounty Act	Regns. 369 and 370
428 — Woodmen's Employment Act	
429 — Woodmen's Lien for Wages Act	
430 — Workmen's Compensation Act	Regns. 371 and 372; O.Reg. 92/51
431 — Workmen's Compensation Insurance Act	

LIST OF ACTS OTHER THAN THOSE APPEARING IN THE REVISED STATUTES
OF ONTARIO, 1950, UNDER WHICH GENERAL REGULATIONS ARE IN
FORCE AT THE 31ST OF MAY, 1951, WITH REFERENCES THERETO.

Active Service Moratorium Act, 1943.....	Regns. 373
Alcoholism Research Foundation Act, 1949.....	Regns. 6
Broker-Dealers Act, 1947.....	Regns. 16; O.Regns. 21/51, 53/51 and 96/51
Industrial Standards Amendment Act, 1948.....	Regns. 228, 229, 230 and 231
Leasehold Regulations Act, 1951.....	O.Regns. 79/51 and 83/51
Ontario Controverted Elections Act, R.S.O. 1897.....	Regns. 386
Police Act, 1946.....	Regns. 478
Provincial Parks Act, R.S.O. 1937.....	Regns. 480

LIST OF REGULATIONS *other than Public General Regulations* IN FORCE
AT THE 31ST OF MAY, 1951, WHICH HAVE BEEN FILED SINCE THE
COMING INTO FORCE OF THE REGULATIONS ACT, 1944.

SUBJECT MATTER	O. REGS.
CEMETERIES	
. Closed	
. . Barrie.....	24/46
. . Eramosa, C. of E.	
. . . . (Pt. lot 21, Con. IV).....	75/50
. . . . (Pt. lot 5, Con. IV).....	197/50
. . United Church of Canada.....	74/50
. . Grimsby, Trinity U.C.C.....	67/49
. . St. Mary's, R.C.....	92/47
. . Scarboro Twp., Chalmers Church.....	33/51
. General rules and charges	
. . Toronto General Burying Ground—Crematorium and Columbarium.....	17/44
 CHARITABLE INSTITUTIONS	
. Ottawa	
. . Protestant Children's Village.....	58/50
 CREDIT UNIONS	
. Dissolved	
. . Atikokan.....	29/51
. . Chinese Freemasons (Toronto).....	25/50
. . Collingwood Georgian View.....	148/50
. . Collingwood Shipbuilders.....	147/50
. . Co-operative Dry Cleaners (Toronto).....	150/50
. . De Havilland Employees.....	143/49
. . Glidden Employees.....	145/49
. . Kitchener District Telephone Employees.....	146/50
. . Maynooth.....	24/50
. . Mohawk Employees.....	138/49
. . National Defence (Weston).....	30/51
. . Our Lady of Help of Christians Parish.....	139/49
. . Pioneer.....	144/49
. . Rel-co.....	142/49
. . Toronto Negro Forum.....	192/49
. . Victoria Harbour.....	146/49
. . Waldhof Farmers.....	149/50

SUBJECT MATTER	O. REGS.
FARM PRODUCTS MARKETING	
. 1951 Agreements	
. . Beets, cabbage and carrots	87/51
. . cheese	104/51
. . Corn for seed—(1950 crop)	91/51
. —(1951 crop)	93/51
. . Grapes	115/51
. . Green Peas	50/51
. . Sugar Beets	20/51
. . Sweet Corn	52/51
. . Tomatoes	51/51
HAMILTON STREET RAILWAY	
. By-laws	
. . Class A and B shares	271/47
HIGHWAY IMPROVEMENT	
. Closing roads adjacent to, or connecting with, "King's Highway"	
. . Brighton	47/49
. . Chaffey	140/49
. . Kingsville	163/48
. . Matheson	9/49
. . Neebing	208/50
. . Oxford (N. and W.)	111/50
. . Orangeville	32/49
. . Port Hope	104/48
. . Ross Twp. (John St.)	109/51
. . St. Catharines	104/49
. . Thurlow	91/49
. . Toronto	118/48
. . Vaughan	138/48
HYDRO-ELECTRIC POWER	
. <i>See also Lakes and Rivers Improvement</i>	
. Development	
. . Cave and Fourneau	16/49
. . Chatham Steam Plant	171/49
. . Kamistiquia Steam Plant	173/49
. . Niagara	266/50
. . St. Lawrence	150/48
. . Thorold Steam Plant	171/49; 172/49
. . Toronto Steam Plant	75/49
. . Windsor Steam Plant	58/48; 162/49; 60/50

SUBJECT MATTER	O. REGS.
LAKES AND RIVERS IMPROVEMENT	
. <i>See also</i> Hydro-electric Power	
. Archer Dam.....	248/48
. Des Joachims.....	242/48
. Kasshabog Lake Dam.....	23/49
MINING	
. <i>See also</i> Mining Tax	
. Lands	
. . open for Prospecting.....	267/47; 12/48; 48/48; 55/48; 230/48; 214/49; 29/50; 86/50; 209/50; 264/50
. . open for Prospecting and Sale or Lease.....	96/48; 165/48; 80/49 (<i>see also</i> 19/50; 29/50; 86/50)
. . open for prospecting, staking out or lease.....	15/51; 49/51
. . re-opened for Prospecting, Staking out and for Sale or Lease.....	(184/48 not ap- plicable) 285/48
. . withdrawn from Prospecting.....	184/48; 229/48
. . withdrawn from Prospecting, staking out or Leasing.....	43/50; 263/50
. Mining Rights	
. . re-opened for Prospecting, and Staking out and for Sale or Lease.....	19/50; 169/50
MINING TAX	
. <i>See also</i> Mining	
. Lands and Mining Rights open to Location, Staking or Recording as Mining Claims.....	143/50
. Lands open to Location.....	73/48
. Mining Rights open to Staking or Recording.....	8/49
ORPHANAGES	
. <i>See</i> Charitable Institutions	
POWER DEVELOPMENT	
. <i>See</i> Hydro-electric; Lakes and Rivers Improvement.	
PROVINCIAL LAND TAX	
. Annual tax imposed	
. . for 1951.....	92/50

SUBJECT MATTER	O. REGS.
PUBLIC HOSPITALS	
. Special regulations	
. . New Mount Sinai (Toronto).....	85/45
. . St. Michaels (Toronto).....	194/50
. . Sick Children's (Toronto).....	60/45; 153/49
. . South Waterloo.....	137/50
. . Western (Toronto).....	122/48
ROAD-CLOSINGS	
. <i>See</i> Highway Improvement.	

STATEMENT SHOWING THE IMMEDIATE ANTECEDENTS OF REGULATIONS INCLUDED
IN CONSOLIDATED REGULATIONS OF ONTARIO, 1950, AND THE APPENDIX
THERETO.

Regns.	Consolidates O. Regs.	Regns.	Consolidates O. Regs.
1	54/47; 95/48; 198/48	37	43/47
2	251/70	38	70/47
3	127/49	39	84/47; 45/49
4	129/47	40	192/47
5	83/48	41	104/47
6	217/49	42	61/49; 35/50
7	8/48	43	140/47
8	36/45	44	45/47; 49/48
9	123/47; 166/49	45	134/50
10	197/47	46	95/47; 112/49
11	116/50	47	187/47; 45/49
12	32/46	48	240/47; 20/49; 112/49
13	106/47	49	252/48; 148/49; 35/50
14	175/47; 56/48	50	223/47
15	75/45	51	70/48
16	53/48; 34/49; 109/49	52	71/48
17	274/48	53	251/47
18	52/49	54	257/47
19	152/49; 175/49	55	258/47
20	38/48	56	22/48
21	141/50	57	23/48
22	111/47; 136/47; 33/48; 63/49; 250/50	58	148/47; 94/48; 211/48
23	32/47; 56/47; 125/47; 32/48; 182/48	59	51/46
24	134/47	60	195/47
25	73/47	61	239/50
26	108/47	62	21/49; 134/49; 35/50
27	22/45	63	85/47; 241/48; 35/50
28	291/48	64	240/48; 112/49
29	117/50	65	253/48
30	118/49	66	74/47; 262/48; 45/49
31	115/47	67	71/47
32	11/47	68	72/47; 94/48
33	21/47	69	246/48
34	226/47	70	86/47; 14/49
35	57/47	71	189/47
36	44/47	72	149/47; 199/48
		73	48/50
		74	269/48

Regns.	Consolidates O. Regs.	Regns.	Consolidates O. Regs.
75	141/48	123	1/49; 53/49; 186/49; 33/50; 224/50
76	6/50	124	178/50
77	117/46	125	123/49
78	217/50	126	130/50; 241/50
79	50/47	127	180/49; 240/50
80	64/48	128	179/50
81	254/48; 157/50	129	180/50
82	107/47	130	86/46; 219/47; 68/49; 204/49; 50/50; 153/50
83	109/47; 124/47	131	225/48; 53/50
84	58/49	132	122/50
85	59/49; 76/49	133	128/50
86	58/46; 77/47; 93/50	134	121/50; 184/50; 228/50
87	53/46; 90/46; 193/47; 216/48; 114/49	135	128/48
88	222/50	136	152/50
89	27/50	137	225/50
90	28/50; 162/50; 243/50	138	62/48
91	30/50	139	218/50
92	31/50; 181/50; 229/50; 243/50	140	31/49
93	221/50	141	23/47; 236/47; 10/48; 23/50
94	223/49	142	21/50
95	224/49; 243/50	143	105/48
96	71/50	144	92/45; 83/47; 100/47; 175/50
97	72/50; 243/50	145	268/47
98	209/47	146	46/49
99	210/47; 99/50; 243/50	147	13/50
100	102/49	148	84/50
101	103/49; 99/50; 243/50	149	130/48
102	98/47	150	261/48
103	99/47; 185/48; 99/50; 243/50	151	66/48
104	93/49	152	198/49
105	94/49; 99/50; 215/50	153	15/50
106	86/49	154	11/50
107	87/49; 99/50; 109/50; 243/50	155	79/48; 202/48
108	95/50	156	131/48
109	2/50	157	267/48
110	3/50; 243/50	158	17/50
111	221/49	159	154/48
112	222/49; 243/50	160	204/48
113	100/49	161	176/48
114	101/49; 158/49; 99/50; 144/50; 243/50	162	156/48
115	167/48	163	12/50
116	168/48; 12/49; 99/50; 243/50	164	130/49
117	39/47	165	221/48
118	40/47; 160/48; 99/50; 243/50	166	67/48
119	177/49	167	80/48
120	178/49; 99/50; 243/50	168	71/49
121	187/50	169	133/48
122	167/50	170	72/49
		171	220/48

Regns.	Consolidates O. Regs.	Regns.	Consolidates O. Regs.
172	86/48	222	206/48
173	14/50	223	200/50
174	81/48	224	68/47
175	16/50	225	179/48
176	132/48	226	157/49
177	134/48	227	218/47; 234/47; 249/47; 3/48;
178	101/48		9/48; 46/48; 54/48; 61/48;
179	260/48		63/48; 87/48; 97/48; 111/48;
180	155/48		126/48; 135/48; 144/48; 152/48;
181	223/48		212/48; 226/48; 227/48; 244/48;
182	102/48		263/48; 17/49; 26/49; 35/49;
183	174/48		44/49; 54/49; 161/49; 165/49;
184	19/49		179/49; 187/49; 197/49; 203/49;
185	203/48		39/50; 96/50; 201/50
186	64/50	228	255/48
187	6/49	229	256/48
188	113/48	230	258/48
189	112/48; 170/48	231	257/48
190	60/48; 103/48	232	156/49
191	82/48	233	166/48; 200/50
192	222/48	234	10/49; 136/49; 205/49; 100/50
193	135/50	235	277/48
194	153/48	236	202/50
195	227/50	237	45/48
196	116/48; 171/48	238	24/49; 76/50;
197	178/48	239	165/46
198	125/49; 184/49	240	164/46; 172/48; 98/49
199	175/48	241	166/46
200	7/49	242	216/50; 223/50
201	146/48	243	230/50
202	40/48	244	52/50
203	7/48	245	278/48
204	232/48	246	20/44
205	15/48	247	59/45
206	57/50	248	113/46
207	105/49	249	27/45
208	226/50	250	35/45
209	233/48	251	36/46
210	157/48	252	28/45
211	10/50	253	20/46
212	22/50	254	37/46
213	282/48	255	219/48
214	199/49	256	38/46
215	137/47	257	188/48
216	286/48	258	13/45
217	205/48	259	207/49
218	236/50	260	208/49
219	255/47	261	115/50
220	147/47	262	85/50
221	183/49	263	186/48

Regns.	Consolidates O. Regs.	Regns.	Consolidates O. Regs.
264	218/48	314	42/48
265	189/48	315	82/47
266	124/46	316	18/50
267	26/45	317	156/50; 193/50; 252/50
268	41/45	318	156/46
269	210/49; 192/50	319	113/49
270	191/48	320	127/50; 203/50
271	194/48	321	170/49
272	187/48	322	248/50
273	192/48	323	122/49; 98/50
274	82/45	324	231/50
275	209/49	325	191/47
276	42/45	326	169/49
277	21/44	327	129/46; 183/48
278	64/45	328	125/50
279	21/46	329	168/50
280	50/45	330	94/47; 127/48
281	197/48	331	9/50
282	38/45	332	227/47
283	138/50	333	99/46; 118/46
284	79/45	334	79/46
285	196/48	335	57/45; 62/45; 65/45; 101/45; 104/45; 11/46; 23/46; 56/46;
286	193/48		61/46; 94/46; 97/46; 119/46;
287	195/48		7/47; 14/47; 15/47; 36/47;
288	246/50		76/47; 84/48; 124/48; 181/48;
289	228/48		208/48; 284/48; 13/49; 74/49;
290	68/45		145/50; 158/50; 160/50; 161/50;
291	190/48		195/50
292	200/49		
293	232/50	336	182/50
294	27/49; 85/49; 40/50	337	123/48
295	24/47; 89/47; 79/50	338	8/47
296	74/48; 38/50	339	196/50
297	51/47	340	159/50
298	151/47	341	54/50; 166/50
299	215/49	342	107/50
300	212/49	343	22/49; 102/50; 198/50
301	110/47	344	103/50; 199/50
302	237/48	345	256/47; 120/50; 238/50
303	110/50	346	45/50
304	65/50	347	149/48; 83/50
305	37/50	348	142/50; 177/50
306	112/47	349	16/46
307	210/48; 87/50	350	20/47; 132/50
308	129/49	351	133/50
309	236/48	352	1/44; 135/47; 124/50
310	78/49	353	49/45; 171/50
311	95/46	354	43/48; 90/49; 107/49; 202/49
312	170/50	355	55/47
313	191/50	356	44/48; 18/49

Regns.	Consolidates O. Regs.	Regns.	Consolidates O. Regs.
357	114/50	407	264/44; 33/46; 17/47; 13/48; 4/49;
358	79/49; 111/49; 136/50		37/49; 188/49; 219/49; 273/50
359	174/49; 101/50	408	265/44; 18/47; 202/47; 124/49
360	194/49	409	266/44
361	91/48; 51/50	410	282/44
362	210/50	411	93/44
363	217/48; 97/50	412	94/44
364	93/48	413	102/44
365	65/48	414	150/46
366	69/49	415	109/44
367	238/48	416	81/46
368	47/50	417	115/44
369	190/49	418	132/44
370	208/47; 139/50	419	134/44
371	154/50	420	151/46
372	38/47; 47/48; 69/48; 121/49	421	141/44
373	262/44	422	123/46
374	66/44	423	145/44
375	285/44	424	122/46
376	296/44; 27/48	425	147/44
377	294/44	426	146/44
378	220/44	427	27/46
379	11/44	428	150/44
380	295/44	429	154/44
381	55/44	430	155/44
382	29/45	431	156/44
383	63/44	432	158/44
384	50/44	433	161/44
385	222/44	434	44/45
386	263/44	435	77/46
387	245/44	436	30/47
388	58/44; 68/50; 261/50	437	162/44
389	233/44; 242/50	438	96/46
390	30/44	439	44/46
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