

LEGISLATURE OF ONTARIO

Opened 7th January, and Prorogued 24th March, 1874.

SUPPLIES.

Chap. 1.—Is the supply bill, and grants \$2,612,296 for the year 1874, and \$59,932 to make good payments in 1873.

COMMISSIONER OF AGRICULTURE.

Chap. 2.—Renders it unnecessary that the office of Commissioner of Public Works and of Agriculture be held by the same person: the latter may be held by any member of the Executive Council, in connection with any other office or not. Act legalizes the transfer of the duties for a limited period or otherwise.

ELECTIVE FRANCHISE.

Chap. 3.—Extends the Elective Franchise to every man who derives an income from trade or not less than \$100 per annum, and who has lived within the municipality from the time of the last assessment. To take effect on Jan. 1st, 1875.

VOTERS' LISTS.

Chap. 4.—The assessors are bound to make enquiries before assessing rates, so as to prevent false votes from being put on the voters' list. Persons assessed for income of the necessary amount, is to be placed on the alphabetical voters' list. When finally revised 200 copies or more are to be printed, and two copies sent by the clerk to each municipal councillor [except the Reeve], every teacher of a public school, every Post-master, the Treasurer, the Sheriff and County Judges, and the Clerk of the Peace, and ten copies to the M. P., and M. P. P. for the county, and the unsuccessful candidates, if any, at last election, and to the Reeve of the municipality, with a certificate to the accuracy of the list, the date of posting in his own office, and a notice to voters to examine it, and take proceedings to correct errors found. The Sheriff, Clerk of the Peace, Teachers and Post-masters, are each to put one copy and retain the other. The clerk also gives notice of the posting through a newspaper. The voters' list may be revised upon complaint of error before the County Judge, but it is confirmed unless complained of in thirty days after posting. Notice of complaint is to be given in writing to the municipal clerk. After final revision the judge gives a statement of corrections, and gives clerk a correct list, signed and certified. The latter transmits it to the Clerk of the Peace. Lists can only be used at an election after having been completed for one month. Any person blameable for errors before revision may be made to pay costs. Persons whose names are put in the list by the judge become liable for taxes. The clerk is liable to a fine of a dollar per name for errors made by him on the list. The assessor is liable to a fine of \$200 for any error in the roll wilfully made.

BALLOT.

Chap. 5.—Makes similar provision to that in Dominion law for taking votes by ballot at Provincial elections.

Chap. 6.—Legalizes all marriages celebrated before the passage of this Act by a person duly authorized and between parties not debarred, provided the parties have cohabited as man and wife, that no legal proceedings have been taken to annul or call in question the marriage, and neither party has married again: also provides for the legality of any such future marriages by the issue from the office of the Provincial Secretary of a certificate based on an affidavit, instead of a license with sureties. Licensees are to be under the hand and seal of the L. G. One publication of the banns at the place where one of the parties has been resident for fifteen days is hereafter sufficient. The father, guardian, or mother of a minor must consent to his or her marriage unless the minor is a widower or widow.

ADMINISTRATION OF JUSTICE.

Chap. 7.—Three additional judges are to be appointed to the Court of Error and Appeal. The Chief Justice need not hereafter be a retired judge of any court. In addition to their duties in the Court of Error and Appeal, they will hold courts of Oyer and Terminer and General Gaol Delivery, Assize and *Nisi Prius* and Election Courts like the judges of the other Superior Courts. Four members of the Court form a quorum. If proper reasons be assigned the court may hear new evidence when the case is before it in appeal, and it has all the powers of the judge in the court below respecting amendments, &c. The judges of all the courts or a majority settle the time of holding the above courts, as well as Circuit Chancery sittings and Assizes to be held for trials without juries. Assizes may be continued during term. Sittings of Assize, &c., and *Nisi Prius* may be held separately from those of Oyer and Terminer and General Gaol Delivery, and on the same or different days. Judges of the Superior Courts of Common Law may hold Chancery sittings at the request of the Chancery judge and the Chancery judges, an Assize. Issues of fact to be tried without a jury may be tried in Chancery. A new trial shall not be granted for misdirection or improper admission or rejection of evidence unless it appear that there has been substantial wrong committed or a miscarriage of justice. A tenant may at any time notify a dowress that he is prepared to assign dower in the lands, and apply to a Superior Court judge for a rule directing assignment to issue and thereupon proceedings may be had as after summons. County judges have jurisdiction, and may hold the court in any county at the request of the resident judge. They must do so when required by order of the L. G. in C. A judge of one of the Superior Courts may order a county court case to be tried at the Assizes. Junior and deputy county judges have the like power and authority as the judges. In case of illness of a judge, the sheriff may adjourn the County Court or Sessions from day to day, and must notify the Provincial Secretary. The district judges in Algoma and other Provisional districts are vested with the authority conferred by ss. 57 & 58 of the Administration of Justice Act 1873. Reeves in