mittee. Amongst them, and which struck me with considerable doubt—but which doubt has given way and I am prepared to argue in support of it—is the non-recognition of trusts. The Torrens system does not recognize trusts at all. The idea I gather from the book which I have read is that the title must pass absolutely from the person whose name appears on the book, and if he is under any obligations to other persons in respect of it they must rely upon his character, and a special provision for changing trustees which is provided by the Torrens system ; so that if I have a trustee and I am not satisfied with his character in any way I can apply to the courts and have him changed as often and whenever I like. The system to which Mr. Torrens has given his name does not in any way recognize a trust. It provides simply that a memorandum shall appear upon the registry book to the effect that there shall be no survivorship—I have forgotten the phrase exactly but that is the meaning—if there are two trustees one shall not succeed to the whole property on the death of the other. That is the meaning which is intended and which is given to it in the books of registry by a simple entry. The deed we will suppose to be to two persons, Smith and Jones. The registry would say "no survivorship." That would prevent any person from buying except from the two of them, because he would know that one could not succeed to the title in the case of the death of the other, and it would occur to him then to ascertain whether those persons were trustees. If they should be trustees and there is any difficulty about it, or any other question arises, application can be made to the court for a caveat, and this caveat will stop the conveyance for a month subject to the decree of the court ; so if any doubt arises regarding a trust, or the *bona fides* of the persons who hold the title in their name on the books of the registry office, and propose to sell, a delay of a month can be obtained by any one having an interest to inquire into the circumstances by filing a caveat which the Judge is authorized to give him. At the end of that time, if the Judge does not grant some writ prohibiting him, the sale goes on. That point of abolishing all trusteeships, and all necessity for the purchaser to look after the trust or the trustees, is one on which Mr. Torrens and those who advocate this system lay great stress. They think it better to let those who trust and the trustee fight out their own matters, but to say as regards the title the course shall be clear, and it shall go from person to person as shown by the certificate of ownership without any necessity for the purchaser to look after the trust or the trustees.

Then there are two or three other points to which I shall allude which are not essential parts of the Torrens system, but which appear in this Bill and constitute very important parts of the change which it is proposed to introduce into the North-West Territories. These are parts which have been engrafted, as it were, on the Torrens system. One is—and it appears a startling one at first, although after becoming accustomed to it we lose that feeling—changing the name and character of real estate altogether. The Bill proposes to convert real estate into what lawyers call chattels real. This would have startled our forefathers very much, but we are accustomed to changes, and on reflection it does not make much difference whether you call land real estate or chattel real. The effect is to do away with a great deal of the law which affects real property and which is not consistent with the Torrens system. I am very conversative myself, and it is only by slow degrees that I have come to think favorably of this change as I am now endeavoring to explain to the House. Real estate being converted into a chattel, various things follow. For instance when a man dies his land under the existing law goes to his heirs. Under the Torrens system it would not. It would go to his executors, and then the person entitled by will or by heirship is obliged to go to the executors or administrators and get his title from them. They deal with the chattels real just the same as with other chattels.

If there is a devise, it is to be followed; if there is no devise, the property is to be Distributed according to the Statute of distributions. I have abstained from reading any of the papers I have before me to the House, but I have ample information on this point. The chattel real comes to the executors or administrators, and then the heir or devisee gets the property from them. The law provides if there is a will,