

rights of the new creditors will have to be guarded and the rights of the old ones made subject to them. The effect would inevitably be the shrinkage which almost invariably results from continuing a losing business. Besides this, the provision would, as it has done in England, afford every opportunity to the debtor with the assistance of some friendly creditors to practically continue his business indefinitely without paying his debts. We can conceive of nothing better calculated to lead to "feigned failures" and to covert devices for the protection of the debtor.

As to voluntary assignments, the point is not a very important one. No doubt the fact that under such a law as that proposed, the debtor would not be allowed to choose his assignee nor to have any opportunity of getting his estate back, would remove to a large extent the motives which led to the abuse of this power under the Act of 1869. There does not appear however to be any necessity for the change from the Act of 1875. Where liquidation is really necessary there need be no fear that no creditor can be found willing to set the law in motion. The fact that it must be to the interest of some creditor to do so would insure its being done in every proper case.

We are not all sure that the interests of the public even on this subject would be any better served if our legislators at Ottawa were wholesale merchants instead of being "lawyers, newspaper men, and country merchants." In the discussion of this subject when it comes to matters of detail, no greater differences of opinion exist anywhere than among the wholesale merchants themselves. Not only so but wholesale merchants have been known to fail themselves, and have creditors themselves, and any law passed would be applicable to them as well as to retail merchants. The way in which the wholesale trade has been carried on is very largely responsible for disasters in the retail trade. Wholesale business is being overdone as well as retail, and the fact that a man is in the former business is no guarantee of his superior intelligence. Every one knows that shallow and opinionated men are to be found in the wholesale trade as well as elsewhere, and that the most crude and ill-considered views on this particular subject are wonderfully prevalent here as elsewhere.

This matter is of importance not only to the wholesale and retail trades, but to the manufacturing interests of our own country, and to foreign manufacturers and merchants dealing with Canada. Indeed it is a subject affecting directly the whole Canadian public. Nor are we disposed to think that our legislators at Ottawa are, or are likely to be, actuated in the main by anything but a desire for the public good in dealing with it. If all would join in demanding merely what is at present indispensable there ought to be no difficulty in securing it. What is needed is a law which will adequately provide for distribution of insolvent estates, and prevent fraudulent transfers and unjust preferences. In framing such a law the best legal talent from each province should be consulted.

We are glad to see that the Boards of Trade are again moving in the matter and hope they may be successful in securing

greater concert than has hitherto resulted from their deliberations. The Montreal Board has issued a circular calling upon the other Boards to express their views on the subject to the end that all may act in unison. And the Toronto Board of Trade has referred the consideration of the matter to its new Council. Prompt action is necessary. If anything is to be accomplished, the Boards of Trade should content themselves with urging upon the Government the absolute necessity of a law being passed applicable to the whole Dominion, leaving the details of such a measure to be settled by competent hands.

While we deem the enactment of such a law as we have indicated of the utmost importance to the whole community, it would be a mistake to suppose that it will be a panacea for all business ills. So long as trade is overdone and is conducted on unsound principles, no law will save those engaged in it from loss. Furthermore, the best law that can be passed for minimizing such loss will be unavailing unless those for whose benefit it is enacted take the necessary interest in its enforcement.

#### THE PROBLEM OF STREET PAVING.

Scarcely has the cedar block pavement got well under way, in Toronto, when the alarm is raised that it is unhealthy. Nor is this the only indictment brought against it: other objections are that it soon begins to wear uneven, and is, by comparison, short-lived and expensive. All at once the city council calls a halt. A report is obtained from Dr. O. W. Wright, health officer of Detroit, the very city in which the block pavement recommended itself to a flying deputation of Toronto Aldermen, some two years ago. Such deputations have not the time, even if they had the science, to make a full investigation of the relative value of cedar block pavements with others. We said so at the time; and we have always had serious doubts whether any block pavement without a solid foundation would prove lasting. As we then pointed out, a precisely similar pavement had been tried and condemned, forty years ago, both in England and this country. Block pavements have of late come into vogue in many great cities in England; but they invariably have a solid foundation of Portland cement; this is the one feature which is common to all the different modes of laying the blocks. On this point, Dr. Wright, whose report is full and elaborate, says: "The sanitary quality of a pavement is improved, equally with its stability, by a good foundation." And he adds: "The most unsanitary material, well laid on a proper foundation, is more wholesome than the most sanitary material broken up and more or less mingled with the underlying mud and stagnant polluted water." If cedar blocks be used at all, there are other conditions which ought to be observed besides the solid foundation. The blocks themselves should be properly treated by some process of kyanizing, to prevent decay, and the joints between the blocks should be filled with bituminous cement. But then, we are told that blocks set on an inelastic foundation soon crush to pieces; more wear can be got out of a block pavement laid on

boards or plank than on Portland cement or any other unyielding material. York street affords evidence of this truth.

From Dr. Wright we get the startling piece of information that the average life of wooden block pavements is about five years. In Toronto, the city has practically been insuring its life on the assumption that the average term is not less than ten years. Of granite block pavement the first cost, \$2.60 a square yard, is only about twice that of cedar pavement properly prepared and laid; but as the granite lasts six times as long, the wooden block pavement stands condemned on the score of cost. There are of course other considerations, of which the noiselessness of wood is most considered by people who dread the noisy rumble of stone pavements; and the sanitary question connects itself with the noise nuisance. On the sanitary question, Dr. Wright has collected medical evidence to prove his case. He quotes from M. Toussagrives, Professor of Hygiene at Montpellier, France, to show that "a city with a damp climate, paved entirely with wood, would become a city of marsh fevers;" from P. Le Neve Foster, that by absorbing and retaining putrescent matter, such as horse dung and urine, the blocks become highly noxious. All the evidence is to the same effect, and of its truth it is scarcely possible to doubt. The mass of rotteness which wooden side-walks send in fine particles through the air must be highly injurious to health.

When we come to compare wooden with stone pavements, as usually laid, we do not get much comfort. The stone will not decay, and does not yield albuminoid substance to act as a leaven of putrefaction; but it may be just as injurious as wood in addition to the objection of noise. The noise is extremely wearing to the nervous system; a fact which has done more than anything else to recommend wooden pavements. It is the nervous system of the harassed business man that breaks down first; and the stone pavement helps to hasten the end. It is very difficult to dislodge putrescent matter from the joints of stone pavements; but this difficulty can be overcome by filling them with a cement of coal tar. The noise, rumble, rumble, rumble, remains. Perhaps it is owing to this fact that led so many English cities to use, under the name a block pavement, a wooden deafener on a foundation of artificial stone. Stone block pavement properly cemented will stand the heavy traffic of London and Paris about thirty years; the annual expense of maintenance being about ten cents a yard.

No good stone block pavement can be had of which the first cost is not considerable; but the ultimate cost of wooden block pavement is now put down at three times as much. Asphalt pavements would perhaps scarcely suit our climate; but the experiment Toronto made in it was all wrong in method. There ought to have been, but there was not, a base of solid concrete masonry. Asphalt properly laid is not injurious to health; though it offers indifferent foot-hold for horses. If it would stand our climate, this would probably be the best of all pavements.

What is the best pavement, within our reach, is not yet a settled question. In