

ASHES INSPECTION.

THE PROPOSED NEW LAW.

WE have not yet seen the text of this bill which it is intended to lay before the Legislature during the present Session, but we understand that the object is to compel a more faithful inspection of Ashes than is alleged to have been the practice heretofore. If such is the intent of the bill, and if it is framed so that it is likely to produce this result without becoming irksome to either the manufacturer or buyer, we hope it will become law. Judging, however, from what we have heard of it, we very much fear that the conditions which it seeks to impose with regard to inspection, are of such a nature that it will be very difficult to have them faithfully observed. It is certainly the interest of both the manufacturer and the consumer that Ashes shipped from this market should be faithfully inspected and correctly branded. No matter what we may mark on a barrel of ashes, the consumer will only pay what it is really worth; the brand is merely intended to indicate the opinion of a competent judge with regard to the quality of the article which the barrel contains. In transacting business with a foreign country, a trustworthy mark of this kind has been found of great advantage, especially to the seller. Looking at the matter from this point of view, it will appear of very little consequence whether the standard of inspection is "too high" or "too low;" the great object is to have the standard agreed upon—whatever it may be—faithfully observed. This must be obvious to every one who will give the matter a moment's consideration. The brand is a declaration of the quality; and if the article turns out inferior to what the brand represents, it is a breach of faith with the buyer. The great object, therefore, is to have the inspection and branding faithfully made by competent persons; and judging by the high character which the Montreal brand maintains in foreign markets, we cannot but think that this object has been already attained; for we cannot agree with Mr. Henshaw when he says, that the high standard insisted upon "first built up, and has since, for fifty years, maintained the character of our brand." No set of rules or laws, however good, can effect anything unless they are put in practice. It is only the faithful observance of such rules that will accomplish the desired object; hence the ordering of a particular mark to be placed upon a particular barrel of ashes to designate their superior or inferior quality, could never accomplish anything. It was a more or less faithful observance of the rules laid down for marking that gained for the Montreal brand the high repute which it enjoys. If the proposed law is calculated to raise this reputation, it should and will be hailed with satisfaction by all interested in the ashes trade; but, as we before observed, if its provisions are of such a nature as will render it irksome in the practical working, it is far more likely to defeat the end which it has in view than to accomplish any good. We believe that these remarks will recommend themselves with peculiar force to many of our readers. Who has ever made a rule for the management of his business or domestic affairs, but found that if too stringent, its very stringency—wherein its virtue might be supposed to consist—entirely neutralised its effect by rendering its working impracticable.

Now Mr. Henshaw, in referring to a particular clause of the proposed bill, says: "This clause requires the inspector, before pronouncing on the quality of a barrel of ashes, to make a thorough examination of its contents, and no longer to guess at the quality by the appearance of that portion which first meets his eye on opening the head of the barrel." This is all very well; it is only justice to the manufacturer as well as the consumer that the person appointed to "sit in judgment" on the ashes should make a thorough inspection before affixing the brand. If an Act of Parliament is required to accomplish this object, the sooner we have it the better; but we must confess our inability to reconcile the "careless" mode of inspection which the necessity for such a law would imply, with the assertion made by Mr. Henshaw further on in his letter, that "Canada Ash deservedly stands 'high in the markets of Britain and the United States,' . . . and this pre-eminence is due to the maintenance of a standard found to be quite attainable;" and nothing "could be more disastrous in its effects than altering in any degree (for better, or worse, we suppose) the standard which in the first place built up, and has since, for fifty years, maintained the character of our brand."

* One of the Committee appointed by the Board of Trade to prepare the bill.

If the character of the Montreal brand has been so well maintained, and is so much appreciated in the British and United States markets, why the necessity of making a law which may, as we have said, by the very stringency of its enactments defeat the object in view? We are the more disposed to accept this view of the case by reading Mr. Henshaw's letter; for in referring to the same clause of the bill from which we have quoted, he says, "This clause also provides that when a barrel is found to contain, say three-fourths or upwards of first quality, and a small piece of inferior sort has been put in to fill up the barrel, the whole shall not be condemned, but the small inferior piece shall be removed and put into a barrel of the same quality." Is the Committee who prepared this bill seriously of opinion that this clause, if it becomes law, will ever be carried out? and if so, do they believe that it is at all likely to improve the quality of Canadian Ash, and so facilitate the trade, which we presume to be the primary object in view,—will the knowledge that, however many sorts is put in the barrel "to fill up," it will be fixed all right when branding, be likely to lead the manufacturer to observe that carefulness in packing which is absolutely essential.

If the object of the promoters of this bill is honestly what they profess,—and judging by the high character of the gentleman who have it hands, we cannot entertain a doubt on that point,—we sincerely hope they may succeed; but the matter is of such grave importance to a very large class that we think it advisable—in opposition to Mr. Henshaw's letter—to place the other side of the question before our readers.

The manufacture of Ashes is one of the great sources from which the Province has for a long time, and is still maintaining herself; and it would be most unwise to rashly interfere with the system of inspection and branding of so important a product, which has worked well for fifty years.

COMMERCIAL LAW.

MANY of our readers will remember the case of Morris Lumley, once an extensive merchant in Toronto, who swindled his English and Canadian creditors to a very large amount, it is believed to the extent of \$200,000. It will be remembered that he was *captived* in Lower Canada and brought to Montreal. The judge before whom he was brought made the very unexpected decision that as the debt on which he was arrested was an English claim, it should be considered a *foreign* debt, and on this ground Lumley was discharged. Every one unacquainted with the technicalities of law was surprised that any English obligation could be called foreign; but so it was, and not a few of our friends in Montreal and Toronto lost a pretty penny by the decision, for Lumley got out of the Province with his ill-gotten gain, and the creditors have never received a cent. It seems that the lawyers in charge of the case, however, were unwilling to accept this decision; and though no practical advantage to the creditors would result, it was determined to test the validity of the decision for future guidance, and the case was accordingly carried to the Court of Appeals. As will be seen by the following, obligingly furnished by a legal friend, the judge's decision is sustained:—

"It has been recently decided in the Court of Appeals at Montreal, that a British creditor has no right to arrest his debtor resident in Lower Canada, even on cause shewn by the usual affidavit, that the debtor was immediately about to abscond from the Province of Canada, with an intent to defraud his creditors, and that he was about to secrete his property with a like intent. The ground on which this judgment was based, was, that inasmuch as it is laid down by the statute, whenever it is proved that the cause of action arose in a *foreign country*, any party arrested shall be discharged from custody; and as in this case it had been proved that the debt had been contracted in England, which, in the opinion of the majority of the Court, within the meaning of the statute, was a *foreign country*, that therefore the arrest was illegal, and that the debtor must be discharged from custody.

"It would be well for British merchants to bear in mind that, as regards Lower Canada, they have no remedy by arrest against their debtors, even when a gross case of fraud is shown."

We presume that the matter comes within the jurisdiction of the Provincial Legislature, and if there is any disposition to protect the interests of British merchants who are selling goods, and supplying on credit two-thirds of our entire imports, some provision should be made in parliament to that end.

It had been previously held that Barbadoes was a *foreign country* within the meaning of the statute; and no doubt the same view would be taken with regard to the other British colonies.

ABOUT GLASS.

THE total value of the glass and glassware imported

into the Province, amounted in 1862 to \$365,886; and for the first half of 1864, to \$166,889. These figures are sufficient to show that glass is not the least important item of our imports, and seeing that the balance against the country for last year is so very large, it will not be surprising if we occasionally ask the attention of our readers to the home manufacture of an article which draws annually out of the Province so considerable a sum of money—nearly half a million of dollars.

Last spring a Canadian company was organized for the manufacture of glass and glassware. This company acquired a tract of land on the Ottawa, near Point Cavignol, and having erected furnaces, storehouses, workmen's cottages, &c., commenced in October, with a staff of about a hundred hands, to blow glass. The material for making glass, which abounds on the Company's land, was found to be of a very superior quality, and the bottles, &c., which have already been produced at these works, have been pronounced by the trade to be fully equal to those imported. We understand that over \$5000 worth of glass is turned out monthly, and doubtless this will be largely increased, for in order to meet the constantly increasing demand for the articles manufactured by the Company, it has been found necessary to increase the capital to \$40,000 on which it is said a dividend of 10 to 15 per cent. will be paid out of the earnings of the first year.

This shows what ordinary enterprise can accomplish. If this company has been successful, why should not other companies and private individuals be equally successful in other parts of the Province?

It would be well if a large number of persons at present engaged in the fruitless task of forcing trade where it is already overdone, would employ their capital and capabilities in the manufacture of the various other articles for which, like glass, the country affords great facilities. By judicious co-operation, the manufacture of such articles might be carried on to an indefinite extent, and the large protection duty of 20 per cent., besides freight, insurance, &c., in favor of such manufactures, would undoubtedly secure a very handsome return on the capital employed; while the whole country would be largely and permanently benefitted by such operations.

If the whole of the glass and glassware consumed in Canada during the last ten years had been manufactured at home, the liabilities of the Province would have been less to-day by three or four millions of dollars, and this large sum would have materially and directly benefitted the artisan, who would have received a large portion of it in the shape of wages, the trader who would have received it in exchange for his wares, the farmer to whom it would have been paid for wheat, oats, potatoes, &c., and the manufacturers who would have earned the profit; in fact, the whole Province would have derived benefit from the circulation of so considerable a sum of money.

We sincerely hope that the manufacture of glass may steadily increase. Such enterprises deserve encouragement from all, for all are benefitted by them; consumers of glassware should give a decided preference to home manufacture; they will be bestudying their own interest and also the interest of the Province in doing so. Every imported bottle we purchase is a positive loss to the country, while every bottle of Canadian manufacture which we break is a sure and certain gain. The former increases our liabilities, the latter encourages our manufactures; and to these we must be largely indebted for our future prosperity.

We hope the Canada Glass Company will send to the Dublin Exhibition a specimen of the silicious rock from which the glass is made, as well as samples of their manufacture.

Trade Sales.

THE Trade sales by Auction, made by Messrs. John Leeming & Co. will always be found at the head of the FIRST COLUMN on the LAST PAGE; and as "The Trade Review" reaches all Messrs. Leeming & Co's customers, they will discontinue their usual Trade Circular.