

The Barrister.

VOL. II.

TORONTO, AUGUST, 1896.

No. 8

EDITORIAL.

Bicycle Exemptions.

The proposal by Mr. Stratton to introduce a bill in the Ontario Legislature to exempt bicycles from seizure under execution requires cautious treatment. It is a fundamental principle that a man's property is liable for the payment of his debts, and any inroads upon this principle have been merely in the interests of humanity and to preserve to the debtor sufficient to ward off immediate destitution and such means as he may have for earning a livelihood. There is always a danger that this consideration for the debtor affords an opportunity for fraud whereby the creditor is deprived of his due; and any movement making for an extension of the allowances now made to debtors should be very carefully considered. There is, of course, something to be said on both sides of the question. We understand that it is being urged that the wheel is being used extensively by all classes

of people during the course of daily work, thus doing without horses and street cars. To many men the bicycle is as indispensable in their calling as a spade is to the gardener. It is in this view of the matter, as we understand it, that legislation is called for; and it is not argued that those who use wheels for mere pleasure have any just claim to the exemption. If this is the sum total of the matter, we think there is not much need of legislation, as a wheel in use under the circumstances, would be exempt in any event as an implement of trade. The words of subsec. 6 of sec. 2, R. S. O. ch. 64, enumerating the exemptions are: "Tools and implements of or chattels ordinarily used in the debtor's occupation to the value of \$100." If we are correct in the impression that the object of the proposed legislation is to protect those who honestly use the wheel in the course of their business, then the law at present is sufficient. If the idea is to ex-