above referred to. Commenting on a paragraph in the speech of the Lieutenant-Governor of Ontario regarding the Rivers and Streams Bill *La Minerve* states that it was "en présence du fait que sur seize "juges que ont été appelés à donner leur "opinion sur la constitutionalité de ce "bill pas moins de treize ont déclaré "qu'il était inconstitutionel et ont ap-"puyé la position prise par le gouverne-"ment fédéral."

We shall translate the passage: "In "presence of the fact that out of six-"teen judges who have been called to "give their opinion *upon the constitu-"tionality of that bill*, not less than "thirteen have declared that *it was un-"constitutional, and have supported the "position taken by the Federal Govern-"ment.*" We have italicized the misrepresentations of *La Minerve*. The *Richmond Guardian* in an article copied without comment by the *Montreal Gazette*, although the latter journal has never ventured to make a similar assertion editorially, states with reference to the Ontario Streams Bill, the "unconstitu-"tionality of which has just been declared "by the unanimous decision of the "Supreme Court, which sustains Sir "John's opinion, and emphatically con-"demns Mr Blake's." We are bound in charity to assume that the foregoing remarks have been written owing to an entire misconception of the point at issue, which we shall again explain. The decision of the Supreme Court has no reference whatever to the Ontario Streams Bill. On the contrary it is a complete justification of the necessity of legislation. The original Ontario Act was introduced some two years ago in consequence of the decision of a judge to the same effect as that recently given by the Supreme Court. The point at issue was the right of a riparian proprietor on a stream not navigable to make improvements on his property, and then to refuse all the proprietors above him to make use of those improvements on paying the customary tolls. We do not pretend to state with accuracy the points in controversy, nor is it necessary for our present purpose that we should do so. The facts are in substance that one lumberer on a non-navigable stream refused to permit another to use the improvements he had made, and for the use of which he had previously levied tolls. We have seen it stated that provocation was given by the party pretending that he had a legal right to use the improvements. We do not pretend to know exactly what occurred, but relief was sought in the Courts of Justice. The first decision, as we have pointed out, was that the riparian proprietor had the legal right to prevent the public from using his improvements, and it was in consequence of that decision that the Ontario Government brought in a bill not to apply to the particular case in point, but to declare that on every stream in the Province of Ontario, improvements made in order to facilitate the passage of lumber, etc., should be free to the public on the payment of equitable tolls. Meantime the case in litigation was carried to the Ontario Court of Appeal, and decided in favor of the right to use the improvements without an act. It was on an appeal from that decision that the Supreme Court recently decided the contrary way. Had its decision been different, there would have been no occasion whatever for the Ontario Act. It is of course open to discussion whether the Ontario Act has made adequate compensation to those who undertake to make such improvements as those which have led to this unfortunate controversy. One thing is clear, viz., that no distinction is made. The Act is general, and of course all persons similarly situated on all other streams would be bound by it. It has not been denied that in such cases expropriation is justifiable, but it would be most inconvenient if the Province was compelled to expropriate in every case in which a proprietor might choose to exercise what we are bound after the late decision to assume are his legal rights. As to the adequacy of the compensation, it surely will not be pretended by *La Minerve* that the Dominion Government is a better judge than the Provincial Legislature on that point. The law must either be suffered to stand, and proprietors must be permitted to refuse the public the use of improvements on non-navigable streams, or some mode of compensating such proprietors must be provided by the Legislature. We need not, however, pursue the argument on this head. The subject is clearly one with which it is competent for the Provincial Legislature to deal. The Act is a general one, and it cannot be supposed for a moment that the members of a Legislature would deliberately sanction a mode of compensation to proprietors generally with reference to a particular case. Even Legislatures do not always give satisfaction when dealing with questions more or less affecting private rights. No one would pretend to argue for a moment that the Ontario Streams Bill is as much an interference with private rights as the recent Irish Land Act. And yet the Toronto *Mail* styles it "an Act to confiscate one "man's property and give it to another "for political services." We trust that our Quebec contemporaries will perceive that instead of the decision of the Supreme Court being against the Ontario Act, that Act has been passed in consequence of the present state of the law, as declared by the Court.

BANKRUPTCY LEGISLATION.

We called attention in a recent number to an interesting report, made to the New York Chamber of Commerce by Mr. D. C. Robbins on the subject of bankruptcy legislation. We have since had an opportunity of reading two reports made to the convention of the American Bankers Association on the same subject, one by the Hon. C. C. Bonney of Chicago, President of the Illinois State Bar Association, the other by Mr. T. H. Hinchman, President of the Manufacturers and Merchants Bank of Detroit. Mr. Bonney commenced his address by stating that the necessity of a National Bankruptcy law is almost universally admitted, and that the practical question is not, whether we shall have a bankruptcy law, but what the provisions of the law shall be. He thinks that there will be a concurrence of opinion among business men that the proceedings in cases of bankrupcy should be "short, sharp and decisive." The law should neither be so easy as to encourage carelessness or fraud, nor, on the other hand, should it be so stringent and severe as to drive embarrassed debtors to reckless and desperate expedients. It should be an honest law, and should encourage fair dealing. Mr. Bonney is of opinion that the bill now before the Senate of the United States, and which, with some slight modification, was approved of by Mr. Robbins, would be the best solution of a very difficult problem. The truth is that no creditor likes to receive less than 100 cents in the dollar, and it is only after the bitter experience of the absence of any law to secure the equitable distribution of insolvent estates that creditors are forced to admit that an insolvent law of some kind is absolutely necessary. Mr. Bonney admits that the bankruptcy laws which have existed have not given satisfaction and such beyond doubt is the case in Canada. He maintains that the United States system of equity has been conducted under a few rules prescribed by the Supreme Court of the nation. These rules are plain and simple, and the practice of the court and the jurisdiction and powers of its officers are well understood. Mr. Bonney maintains that the equity system has never been tried in bankruptcy cases, and he thinks that a full and fair trial of the experiment should be given