

There has been no speculation worth speaking of in Ontario, and in Quebec where there was some, it was local and confined to a few places. But, as noticed elsewhere, there has been some depreciation, though not general, in real estate, within the last two years. In exceptional districts where a decline in production is going on, some loss may be incurred, but what large business which it is possible to insure immunity from loss?

BUILDING AND LOAN SOCIETIES.

During the present month most of our loan institutions hold their meetings. The result of their operations for the year, as well as the view taken by their managers, of the future, is of present interest to very many. Losses of revenue, arising from default of borrowers in interest, losses from depreciation in land and buildings must be expected, and should at once be provided for. It is estimated by experienced valuers that in numerous parts of Ontario the lowering of value of properties to-day as compared with 1876-7 ranges from 10 to 25 per cent.; the depreciation being greatest in Eastern sections. In towns and villages from 20 to 33½ per cent. The depreciation in cities and in the larger towns has not been so marked, though it has in many of their suburbs. Toronto and its suburbs show very favorably in this connection.

By losses from such sources the Western Canada Loan and Savings Company appears to have suffered little, their statement for 1878 is as remarkable as it is gratifying, in view of the character of the year's business in other directions. The re-payments on mortgage loans are stated to have been most satisfactory, which is more than can be said for all similar companies. An addition to reserve fund of \$44,500, making the total \$360,000, is a result on which congratulation is certainly in order. The reduction of interest on new accounts in the savings bank branch is well advised; and it is deserving of notice that the sales of the sterling bonds of the Western Canada in Great Britain are greater than in the previous year, showing no want of confidence in that quarter in this institution. The regular dividend was paid, and the shareholders were delighted, as they might well be, at the contents of the report.

The report of the Building and Loan Association makes reference to the depression and the competition of the year, which have rendered its showing less favorable than that of the previous twelve months. The management have done well to write off a sum to the account of losses, and instead of adding to the reserve, to increase the contingent account. Doubtless it has been

found that the depreciation on town and suburban properties, where Building and Loan has a large proportion of investments, has been greater than that on farms. The Debenture account has increased by 33 per cent., and deposits by nearly 30 per cent. Nine per cent. dividend was paid, and the exposition made of the company's affairs gave satisfaction to the unusually large number of shareholders present.

The Brant Loan and Savings Society's half-yearly statement indicates that such an institution is welcomed in that district, by the business thus far done, and by the amount of deposits already made. We would call the attention of the managers, however, to what appears to us to be an infringement of Sec. 39 Cap. 53, Con. Stat. U.C., which provides "that no such Society hereafter to be established shall borrow money or receive deposits until not less than one hundred thousand dollars of stock shall have been subscribed, and not less than forty thousand dollars shall have been actually paid thereon."

THE FINANCES OF ONTARIO.

The Treasurer, Mr. Wood, made his annual statement to the House, on Wednesday night. The revenue for the last year was \$2,254,421; falling short of the estimate, which was \$2,420,000, and of the expenditure which was \$2,408,534.02. The expenditure is capable of more exact estimate than the revenue, as it is less liable to accidental fluctuations, though it by no means necessarily remains stationary. The falling off of the revenue occurred in the Crown Lands Department and in the Central Prison. Both branches of the Crown Lands revenue suffered: that arising from the timber branch, and that which comprises instalments due on lands.

The Treasurer claims a surplus, in one shape or another, of over four millions and a half (\$4,531,362.76); some of which depends upon a settlement to be made by the Dominion Government, which may leave a small balance one way or the other.

The estimated revenue for 1879 is, \$2,388,569, and the expenditure \$2,287,075. The decrease in legislation is put down at \$29,100, which means a reduction of the indemnity to members. The cost of civil Government will remain about the same, the reductions being only \$3,050. The administration of justice is expected to cost less by \$14,043, education, \$27,880 and immigration \$10,500 less.

OPPOSING CLAIMANTS IN INSOLVENCY

We referred in a recent issue to the meeting of creditors of W. C. Brennan & Co., of Halifax,

N. S., at which no election of either assignee or inspectors was made, owing to the majority in number voting one way, and the majority in amount the other. The Assignees proposed by the rival parties were Mr. James Jack and Mr. Matheson; the former received 14 votes, representing about \$22,000, the latter 21 votes, representing about \$17,000. The matter was brought before the Judge, who decided in favor of Mr. Matheson for assignee, and of the nominees of the opposing party as inspectors. This was evidently a compromising arrangement.

The supporters of Mr. Jack contend that many of the claims filed are improper and fictitious, and now think that the Bankruptcy Law is very defective, because they were not allowed to go into the merits of these claims in the application before the Judge. No doubt, as the law now stands, the Judge on such an application has usually no right to look into the merits of the claims at all, but merely to see whether they are properly attested and proper vouchers produced. This is open to the objection that fictitious claims may be put in to secure the appointment of a particular assignee or for carrying any other motion at a meeting. While it is a general rule that judges do not and should look into the merits of the claims filed on such an application, probably if a very glaring case of this kind occurred any judge might feel justified in enlarging the application until such claims could be contested. It would, however, be dangerous to extend this rule any further; for the delay that would occur if parties were allowed to inquire into the *bona fides* of every claim upon which creditors had voted, would entail on estates a much more serious loss than could easily be counterbalanced by the appointment of any particular assignee. The defeated party also complain that they were not allowed to have the benefit of the Act in respect to the provision, "That the views of the different parties may be embodied in resolutions and submitted to the judge." The trouble appears to have been that they did not embody their views in resolutions at all, but moved resolutions embodying the bare appointments.

The proper way, as we understand it, in such a case as this is, to set out in the resolution the advantages which its movers consider would accrue from its being passed. As to the right to object to certain claims, the proper way, we think, is to object when the vote is tendered and not after the result has been announced by the chairman, as appears to have been done in this case.

GARNISHEE PROCEEDINGS.

The subject of the garnishment of debts has always been a difficult one to deal with. Our law in respect to it is open to a number of objections, not the least of which is that there are many cases to which it does not extend. It is only lately that the law was so amended as to enable the Courts to inquire into the *bona fides* of an assignment or transfer of the debt. Before