

which within ten years has been reduced fully one-half, will with successive years be still further reduced, each reduction serving to increase production and rendering more imperious an exportation at prices low enough to meet the foreign demand.

COLLECTION OF DEBTS.

Judging from complaints that we have received from time to time of the want of facility for the collection of debts by country merchants, we should infer that the Act passed in the last session of the Ontario Legislature, entitled, "An Act to extend the jurisdiction and to regulate the offices of Division Courts," is by no means generally known. There has been always considerable opposition to the legislation intended to protect the interests of creditors, mainly on the ground that it is unwise to encourage merchants to grant credit, and that, if obstacles were placed in the way of recovering their debts, they would be more cautious than they are at present. Such was substantially the view taken by Mr. J. G. Worts of Toronto, in a paper read before the Toronto Board of Trade, towards the end of 1878. Mr. Worts seems to have attributed the numerous insolvencies which had taken place chiefly to injudicious credits. Mr. Worts advocated, if we are not mistaken, a restriction on suits in Division Courts to debts of \$100 or over. There is no doubt that there is a great deal of truth in the statement that the credit system has been pushed to an extent that has caused great inconvenience, but the chief cause of the insolvencies from which the country has suffered has been the depreciation in the value of the stocks in trade of the retail merchants, which took place to an extent that was ruinous to merchants with small capitals. Mr. Worts' lecture led to a good deal of discussion at the time, but we have no doubt that the Act of the Ontario Legislature, which was subsequently passed, and the object of which was to grant increased facilities to the creditor class, was in accordance with public opinion.

The principal feature of the new Act is the extension of the jurisdiction of the Division Courts from \$100 to \$200 in cases where "the amount or the original amount of the claim is ascertained by the signature of the defendant, or of the person whom, as executor or administrator, the defendant represents." The jurisdiction thus extended to ascertained debts has likewise been extended from \$40 to \$60, in cases of claims for damages. Provision has been made for change of venue on the

defendant obtaining an order to that effect from the judge of the County in which the action is brought. There are very important provisions in the new Act for securing the competency of clerks and bailiffs, and for enquiring into complaints against them, which were very numerous under the old system of appointment. The provision made for the inspection of the books and Court papers will, it may be hoped, secure uniformity in the system. It will likewise be the duty of the inspector to see that lawful fees only are taxed and allowed as costs. The Act of last session is certainly a great improvement on the former one, and throws a great responsibility on the executive. We think, however, that it is far from improbable that before very long the District Courts will be abolished, which, as an appeal is provided for the Division Courts in all cases of \$100 and upwards, can hardly be considered necessary.

GRAPHIC COMPANY.

The adjourned meeting of the shareholders of the Graphic Company was held on Tuesday, the 21st instant, at the office of the Company, to consider the expediency of accepting the Act passed by the Quebec Legislature at its last session, the object of which was to reduce the capital stock, and to capitalize the arrears of interest due to the preferential shareholders. It will be recollected that a day or two prior to the former meeting called for the same purpose, early in August, it was announced in the papers that actions had been instituted both against the Company and the directors by a Mr. Russell of New York, who holds in trust certain shares of first preference stock formerly owned by Mr. Dugald J. Bannatyne, one of the original directors of the Company, and who continued on the Board until he transferred his stock to a trustee. The directors had already determined to propose an adjournment of the meeting in accordance with the desire of several shareholders, but it was evident from the attendance of Mr. Macmaster at the meeting, he having obtained a qualification a few days previously, that the object was to obstruct the proceedings. It was stated in Mr. Macmaster's presence that there was no intention to proceed with the actions, but this, of course, was denied. It was, naturally anticipated that declarations would be served without unnecessary delay, but until the very day before the meeting no step was taken by the plaintiff. On that day a letter was sent to the

secretary, announcing that an injunction would be applied for that day to restrain the shareholders from accepting the Act of the Legislature, and accordingly such application was made to Judge Rainville on the ground that the act interfered with the vested rights of the petitioner. Mr. Bethune, Q.C., appeared for the Graphic Company, and showed that the B. N. A. Act gave the local Legislatures exclusive jurisdiction over all cases affecting property and civil rights in the Province, and that the Court had no jurisdiction to adjudicate on the provisions of the Act, the power of the Legislature being supreme. The petition was dismissed, Judge Rainville stating that his brother judges whom he had consulted concurred in his decision. At the meeting on Tuesday the President, Sir Francis Hincks having stated its object, two resolutions were proposed, one for the reduction of the capital stock from 7500 shares to 5000, the other for the capitalization of the arrears of interest. The first was moved by George Stephen, Esq., and seconded by J. L. Morris, Esq., and the second was moved by C. Geddes, Esq., and seconded by D. R. Stodart, Esq. On a ballot being taken, there were more than two-thirds of the aggregate votes in favor of the resolutions and not one in the negative.

THE PACIFIC RAILWAY.—We observe that the Pacific Railway is still likely to be a bone of contention between the rival political parties. There is as yet insufficient information in possession of the public to justify any positive expression of opinion as to the merits of the scheme. We confess that we are not surprised that the syndicate that has been formed consists chiefly of persons connected with Canada and the United States, and that the management will be in their hands. We shall take an early opportunity of noticing the chief points in controversy by the political journals.

THE BANK STATEMENTS.

The usual monthly returns of the assets and liabilities of the Chartered Banks have been published unusually early this month, but we regret to have again to complain of the very reprehensible delay in furnishing the Dominion note returns, which are much more simple, and have to be furnished by only five agencies, all of which should be able to render them at Ottawa by the 5th or 6th of the month. These returns ought to be furnished concurrently with those of the Banks. The Bank returns show an increase both in circulation and in deposits. The amount