

The expenses are reduced to a minimum and in consequence the creditors realize the most that can be made out of every insolvent estate. It may be contended that the remedies provided by this Act are not as effectual as those under an Insolvent Act, but such is not the case. The Assignment Act itself and the other Statute Law of the province affords ample means of recovering the estate of the debtor where there have been fraudulent transfers and assignments or where preferences have been given by the debtor to favored creditors.

"The average estate in Manitoba and the Northwest Territories is too small to bear the heavy expenses necessarily attendant upon its administration under the Insolvent Act. The analysis of failures given by Bradstreets for the year 1891 shows throughout the whole Dominion that the average amount of assets was only \$3,250. The Official Assignee states that the average size of estates which have come into his hands during the past three years, would not exceed twenty-five hundred dollars (\$2,500) and that the average cost of winding up such an estate under our Assignment Act would not exceed two hundred dollars (\$200.00). With all due deference to the promoters of the Bill in question it is submitted that the legal expense alone of winding up a similar estate under the provisions of any Insolvency Act, would in almost every instance exceed the last named amount.

"With the exception of cases where contests arise as to the protection or recovery of the estate, the Assignment Act is much more speedy than the proposed Act. There are no delays except those incident to the taking of stock and the making up of an inventory, the calling of the meeting of creditors and the settlement of their claims.

"The practical working out of the proposed Act in Manitoba would be attended with very great inconvenience and expense, on other grounds than these above set forth. The great majority—in many cases all of the creditors of an estate—reside and carry on business or have their representatives in Winnipeg. There are no County Divisions in Manitoba, but there are three Judicial Districts, each comprising about an equal amount of Territory, with centres at Winnipeg, Portage la Prairie and Brandon, respectively, where the Court Houses are situated. The first meeting of creditors at which the Liquidators and Inspectors are appointed must be held at the Court House of the District in which the debtor has his domicile or carries on his business, and by implication it must be assumed, we think, that the Liquidator must also reside within the District, although this is not specially provided for, and all subsequent meetings of creditors are to be held at his office.