

the act have been complied with, make an order for the discharge of the insolvent. Creditors can oppose this, and discharges obtained by fraud are void.

Present insolvents—since repeal of Insolvent Act of 1875—can obtain discharge, and many a man trading under his wife's name will gain his freedom.

When he came to Section 30, Mr. Bowell said: "Sections 30 to 34 provide for assistance being given by the debtor in the winding up of his estate, for his examination under oath or the examination of any other person having knowledge of his affairs, for the arrest of the debtor in certain cases and for the delivery of his correspondence to the receiver or liquidator. This clause may seem somewhat inquisitorial in its character, but it is contained in the English Act, as well as in the old acts which were passed by the Parliament of Canada. Under an order from the court, his letters and correspondence can be taken possession of and read in the presence of certain officers of the court, and the debtor or trader as the case may be, and if they relate to his business they will be retained, and if not, they will be handed back to him. Sections 35 to 53 make provision for the discharge of the debtor, which may be effected in two ways. First, under deed of composition and discharge executed by a majority entitled to rank on the estate; or, secondly, without consent of creditors after the expiration of a year. In both cases the deed, or the discharge, has to be confirmed by the court and provision is made for notice to creditors. The court may confirm, refuse or suspend the operation of a discharge, and in case of a deed, it may, following the English act, impose conditions as to payment of further dividends out of future earnings or after acquired property. A meeting of creditors must be held specially to consider a deed of composition, but the notices of application to the court to confirm the deed may be given concurrently with the calling of the meeting. The meeting must, however, be held at least one week before the application is heard. Appeal from the decision of the court, confirming or refusing to confirm a deed is allowed in all cases. Applications for a discharge are not heard by the County Court judges as in case of other proceedings under the bill, but by the judges of the higher courts. The provisions of the bill have been cast with a view of simplifying the proceedings and lessening cost to as great an extent as possible. Section 54 extends the provisions of the act relating to discharge to traders and debtors who, since the repeal of the Act of 1875, have made general assignments without preference or priority. In this case they would have to undergo the same examination and pursue precisely the same course as a trader or debtor desiring to be relieved of his debts under the act. Part 3 of the bill deals with the debts which are provable against the estate, the effect of the insolvency on antecedent transactions, and the realization and distribution of the property of the estate. These sections are based upon the Act of 1875, and can better be considered when the bill is in committee, and dealt with section by section. Attention may, however, now be called to the provisions of section 58, which enumerates the privileged claims to be paid in full before payment of dividend—namely, official receiver, liquidator and employees for three months' salary and landlord for three months. In the case of a landlord, the right to distraint is taken away, but a preferential lien is given for the time his premises are occupied by the liquidator for the benefit of the estate. Section 80 follows the English Act which allows property to be disclaimed in certain cases, when burdened with conditions which would

render it valueless as an asset. This latter section was not in previous Insolvency Acts in Canada. Part 4 (Section 93) provides for a more summary method of winding up small estates. This section applies only to estates in which the value of the property is not to exceed \$5,000 of available assets. There are similar provisions in the English Act, but they only apply to estates under £300 (\$1,500). We consider that in drafting this, we might safely, under the peculiar circumstances of our country, extend that amount to \$5,000, where the creditors could, by mutual agreement with a trader or debtor, take possession of the estate and make the most possible money out of it, at the least cost. No special remarks need be made in relation to Part 5, which deals with the duties, etc., of the liquidator. His remuneration, as well as the remuneration of the official receiver, is left in the hands of the creditors or inspectors, subject to review by the court."

#### NO ORDERS TOO LARGE.

**A** MOTTO, original and trenchant, has been adopted by Samson, Kennedy & Co. It is, "No orders too large that the details escape our attention, no orders so small that we do not cater for them." This motto is an excellent one, and by carefully carrying it out any house will merit the trade of its customers.

A reference to their advertisement on another page will show that this house is abreast of the times and is offering some very taking lines of goods. A special purchase of nearly 8,000 dozen of handkerchiefs is being displayed. They run from 18 cents per dozen up, and include ladies' and men's linen, Irish, Swiss, fancy embroidered, scalloped, and children's colored border. They claim also to have the lowest line of initials ever shown in Canada.

In shirts they have an immense range in their furnishing department, including negligés with soft collars, negligés with laundried roll collar and cuffs, including a special line at \$5, black sateens at \$7.50, and flannelettes from \$2.75 up. They have boys' sizes in all these classes of goods, thus making their range very complete. Other leading lines in this department are: A full 8-oz. cottonade overall at \$6.75, a line of extra heavy twill umbrellas at \$4.50, and a special line of drill vests at \$10.50. A large range of neckwear is shown, including bows in the newest shapes and latest patterns and colorings, graduated derbys, small knots, and special summer goods. Picque and duck vests are in good range.

Their whole stock is in good shape to withstand the onslaughts of their orders during the sorting season, and their customers can rely on prompt and sympathetic attention.

