

BOOKS AND NOTIONS

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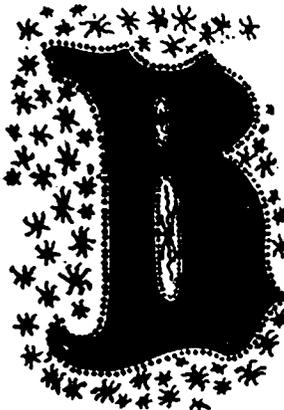
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DIVISION COURTS ACT.



**B**OOKSELLERS, stationers and fancy goods dealers have their creditors who are apt to be indifferent to paying their honest debts. Retailers give credit, not because their customers need it, but because they hate to refuse it to friends and

neighbors. They know they should not credit any person, but still they do. Usually their claims are small, and hitherto have been in Ontario expensive of collection. Division Court fees were very heavy, and where the claim was less than \$20, the costs usually equalled and often exceeded the amount realized.

The Ontario Legislature has this session passed two acts which will lessen the expense in the collection of small debts. The bill to amend the Division Courts Act was introduced by Mr. Gibson, of Hamilton, and reduces the cost of summonses and other papers to a minimum, and makes a corresponding reduction in bailiffs' fees.

This amendment is in the right direction, but the reduction of fees, if our interpreta-

tion of the clause is correct, will be found in practice to be very inconsiderable, as but a very small percentage of the claims entered in the Division Court are below \$10. The writer found, after careful examination of the books in the clerks' offices in Toronto, that at an average about one case out of every eight entered in suit in the Division Court would fall within the provisions of the amended tariff of this section. The percentage will be much less in Division Courts outside of cities, where the plaintiff's costs would be higher on account of the greater distance traveled by the bailiff. If our estimate is correct, this amendment will not make any startling inroad upon the clerks' and bailiffs' fees. Had the reduction been extended to all claims not exceeding \$20, the benefit would have been real and substantial. Of the 2,835 cases entered in 1893, in the Tenth Division Court of the county of York, 798 were for claims not exceeding \$20. In the First Division Court the percentage of claims under \$20 was somewhat less than in the Tenth Division Court. We may roughly say that only one-fourth of the claims entered will fall below \$20. However, as it stands, this amendment is important, as it shows a disposition on the part of the Government to consider the interest of suitors at the expense, however small, of the objects of its patronage—the clerks and bailiffs to court officials. These officials are now appointed by the Lieutenant-Governor, which is another way of saying that they are appointed by the Local Government, and it would not be doing the Government a gross injustice to say that heretofore the clerks and bailiffs, as well as some other officials, have been the objects of its tenderest care and solicitude. We have nothing to say against the clerks, who for the most part perform the duties of their respective offices faithfully and well, and are, with few exceptions, entitled to all the present tariff allows them. This cannot always be said of bailiffs and their satellites.

Section 12 allows a suit to be entered in a Division Court in Ontario even if the defendant lives outside the province.

Mr. Garrow, of West Huron, introduced another bill which made writs of execution good for three years, unless satisfied or withdrawn, and embodies lands and goods in one execution.

Thus the collection of small debts is facilitated in Ontario, and the other provinces would do well to follow or improve upon these amendments.

LEAD THE TRADE.

**I**F I were a bookseller or stationer in a small town I would either lead the trade or abandon my estate to my creditors. I would have the newest books and the newest novelties in stationery, or die (financially) in the attempt.

The man with the new thing first is the

man who gets the trade; or, in the words of some dusty-eyed poet, "The early bird catches the worm." It is astonishing how quickly a man can establish a reputation for being "up with the times." When something new is mentioned, the young lady exclaims: "You will likely be able to get it at Brown's; he usually has everything new in that line."

Many a man has made a trade by charging full prices and staking his trade on that one word: "first." His competitors waited to see whether the new thing was going to "catch"; he got in a small supply, introduced it, saw it was good, telegraphed for a second supply, and sold it. Then, when his competitors got in a supply, and cut the price, his stock was cleaned out, and he was after something else.

ACCOMMODATION PAPER.

**A**CCOMMODATION paper has become too common an instrument of credit in Canada, and it is time the banks put an end to discounting it. It is entirely unbusinesslike, and extends credit where it should not be extended.

A gives B a note for \$500, and in return B gives A a note for \$500. Then each goes and discounts his friend's note at a high rate—say from 20 to 70 per cent. Each receives a few hundred dollars' worth of capital, and a losing business is kept afloat for a time. Finally the crash comes, and the failure is ten times as bad as it would otherwise be.

A prominent wholesaler remarked the other day that credit was too cheap—disgracefully cheap. He instanced one or two cases in the dry goods trade that had just come to light through the daily papers, where men secured credit even on an assumed name. A man with \$50 cash could get \$500 credit.

Speaking with Mr. Tee, who manages the Canadian business of Eyre & Spottiswoode, he remarked that this was one of the worst features in the Canadian banking system. It was seemingly doing so openly and with, apparently, the approval of the banks. He said that such a state of things would not be tolerated in England, and English firms who knew that it was being carried on in Canada, were restricting their credit on that account.

Canadians as a rule are honest, and in order to retain their reputation for honesty, must frown down accommodation paper. The banks especially have a duty to perform, and said performance should be speedy and thorough.

Any method of business which tends to injure general credit should be tabooed by all persons who are likely to be injured by its continuance. It should be tabooed, not only for the immediate danger to the merchant, but also the ultimate danger to the community.