moneys of estates had been used, and the assignees were obliged to go into insolvency themselves or leave the country. The interest on the money so deposited would bear interest in favour of the creditors and the amount coming out of the funds deposited would be kept in the same way as the principal deposited. The judicial functions of the assignees had been done away with altogether. It had been found in practice that it was not the assignee who adjudicated claims according to his own knowledge of the law or his own judgment. It was generally some lawyer that he employed, who might be interested for some other creditors, or the assignee himself might be acting as the agent of some of the creditors and adjudicating claims in which he was interested. These powers were taken away from the assignee, and it was provided that any difficulties arising should be settled in a summary way by the judge who should give twenty-four hours' notice that he would adjudicate upon such contestation. In case parties were not satisfied with his decision, they might either go into Appeal or Review according to the law of the Province in which the case occurred, if the amount was sufficiently large. One subject upon which several important provisions had been established, was the sale of real estate. Great injustice was suffered in Lower Canada in consequence of the mortgage system which was different from the system prevailing in the other Provinces. In the Province of Quebec the sale of a mortgaged estate by a sheriff or by an assignee had the effect of clearing off the mortgage altogether, It was not so in the other Provinces in which the property was sold subject to mortgage. It often happened in Quebec that a property mortgaged to very nearly its value happened to pass into the hands of a merchant going into insolvency, in which case all the costs were paid by the mortgage creditors, while, in fact, their claims should have the preference. It was proposed to remedy this inconvenience. As to corporations, the difference between this Bill and the Bill introduced last session, was that no writ of attachment would be obtained from a judge or court without a notice having been given for forty-eight hours to the officers of the company. It would be at the discretion of the Judge or Prothonotary to order the Official Assignee to inspect the books of the company and examine their affairs. Provision would be made to oblige the company to give such information as might be required. In case of refusal the court was empowered to punish the company's managers for contempt of court. If, upon examination, it should appear that the company was not in a hopeless state of insolvency, but only temporarily embarrassed, then it would be in the power of the Judge to order the Official Assignee to give superintendence over the management of affairs. The officers of the company, after such order, would be considered as trustees for the creditors. This state of things might continue for six months. If after that time the business of the company were not in a more prosperous condition, the Judge might order the winding up of the business. If on the contrary it should appear there was a hope that the company might recover from their embarrassments, it would be in the power of the Judge to give another delay of six months. A company might have, according to circumstances, a delay of twelve months. This was a favourable position to place companies in because, under the existing law, they could be put regularly into insolvency, and their properties might be attached without any delay whatsoever. The provisions of this Act, it was believed, would protect companies from being forced into insolvency through the anxiety of creditors for a settlement. He had availed himself of the suggestion made by the hon. member for Kingston, and printed on a separate sheet the difference that existed between the present law, and the Bill before the House. In the preparation of the measure he had given close attention to the suggestions of every Board of Trade. In fact, with a very few exceptions they had been introduced into this Bill. Those which he had not adopted were not in harmony with the principle of the Bill.

The Bill was read a first time.

Hon. Mr. TUPPER inquired if the Bill would be sent to the Committee on Banking and Commerce, as was done last year.

Hon. Mr. FOURNIER said it would be referred to a Select Committee as was done in 1871. The Bill would be distributed and sent largely to persons interested.