

## DOMINION INSOLVENCY ACT.

THE Toronto Board of Trade being dissatisfied with the draft Insolvency Act prepared by the Montreal Board, as they considered it defective in several important particulars, have appointed a special committee charged with the duty of framing an Act which will, it is hoped, meet all possible objections. This committee is composed of representatives from the principal trades and has a leading lawyer and accountant to guide its deliberations. The Act will contain over one hundred clauses and it will take some time yet before they are all disposed of and even then they will be revised and any alteration made that might be deemed advisable. It would, therefore, be premature to refer at length to any special points. But we are in a position to state generally that the principal features in the Act will be that a debtor can make an assignment only by consent of his creditors; he shall assign to an assignee appointed by his creditors; that the debtor will get a discharge through the medium of a judge specially appointed for the purpose upon proving that he has not been guilty of recklessness, extravagance, or dishonesty. We understand that a proposed clause to sell bankrupt stocks by auction in lots not less in value than \$100, or more than \$300, was thrown out.

The Montreal Act has been before all the leading Boards of Trade and if it has not met with universal approval it has at least had the effect of creating a general desire to have a Dominion Act passed. We referred in our two last issues to the views expressed by several Boards on the subject. On April 7th the Halifax Board discussed the Montreal Act and Mr. Fyshe, cashier of the Bank of Nova Scotia, expressed the opinion that it was probably not as good as the old Act, and to adopt it would simply be to settle ourselves down with our eyes open to wait for a repetition of our former unenviable experience, probably in an exaggerated form. His views were embodied in the following resolution which, together with the draft Act of the Montreal Board, was referred to a special committee to report back: "That in the opinion of this board, it is desirable that we should have an Insolvency Act, applicable to the whole country, under which assets of the bankrupt estates can be equitably distributed, among creditors with the utmost possible economy and despatch, providing also that the question of the bankrupt's discharge be left entirely with the court, but that the chief feature of this Act be the necessary liquidation by the assignee or liquidator of every bankrupt estate, and the complete disallowance, under any circumstances, of any compromise, directly or indirectly, between the creditors and the bankrupt."

It is scarcely probable that any Act can be framed to prove acceptable to everybody but as Premier Abbott framed the first Insolvency Act and therefore thoroughly understands the question it is unlikely that any of the objectionable features of the previous Acts will find a place in the new Act. In the present complicated state of affairs, the questions naturally arise, will a draft Act be agreed upon in time to be introduced at the present session of Parliament and if so will it pass, or will it be thrown over till next session? It certainly would be a blessing to the trade and commerce of the country if it could be introduced and passed this session.

## THE TRADE IN MONTREAL.

(By Our Own Correspondent.)

Since last writing winter has given place to spring, and though navigation at this port is not open the nearness of it has inspired a wide degree of confidence in the present, and hope for the future. The position of business justifies this, for the enquiries have been numerous and the volume of business shows a substantial increase. With the advent of summer rates there was a rush of traffic, as shown by the increased returns for the two roads, and the goods that were held back are now in circulation. As the lake and river waterways open up the distribution will become more rapid and more

general. The rates are not as low as last year, and points not accessible by boats will likely find ground for complaint the coming summer. There is general evidence of careful buying. The wholesalers have learned their lesson and have taught it pretty thoroughly in turn to the retailers.

Remittances, as usual, are complained of, and the Fourth of April was not so satisfactory as the condition of trade would have led one to expect. But a marked improvement in this direction is looked for as soon as navigation opens.

The dry goods travellers are now out on their sorting trip, and orders are coming in at a gratifying rate. Prices are very firm and concessions on values are not to be looked for. The previous advance on white cottons is still in force and colored goods now range  $7\frac{1}{2}$  to 20 per cent higher. No orders will be accepted for either class of goods at the old rates, and all round there is an advance over the values holding last year.

The disturbing effect of the operations of the Patrons of Industry is felt here, but for the most part their advances have been withstood. Merchants believe in the freedom of trade and look upon combinations for lowering prices much the same as the public look upon combinations for raising them. For these and other reasons they have refused to grant an association of people more favorable terms than they would grant to an individual having the same buying capacity. If they did business on the basis of charging a uniform percentage, one of the chief incentives to careful and judicious buying, would be removed, as a uniform percentage added to the cost of all classes of goods would lead merchants to buy in the dearest markets, as thereby their profits would be enhanced. Besides any system of coercion will tend to dishonesty and fraud, and rather than discriminate against individuals they will increase the prices to all alike.

## WHAT NEXT?

The United States authorities apparently never do anything by halves, but they go "the whole hog or none." In the enforcement of the alien labor law they seem determined to stick at nothing. It seems that the proprietors of dry goods stores in Springfield, Ohio, have been in the habit of advertising in Canadian papers for clerks, and if the parties answering to the advertisement could prove themselves good men they would be engaged. Many of them by their superiority speedily worked themselves up to positions of trust and responsibility to the chagrin of the American clerks. The local Salesmen's Union became so exasperated that they decided to bring the strong arm of the law to get rid of the competition of their Canadian fellows. Accordingly a suit has been filed in the United States court at Cincinnati, against John Wren, proprietor of one of the largest dry goods stores in Springfield, in the sum of \$2,000. He is charged with having advertised for clerks in Toronto, and with having engaged two to go to Springfield to work in direct violation of the Foreign Contract Labor law, the penalty for violation of which is \$1,000 for each man imported. It is stated other similar suits will be filed against other dry goods men who are guilty of a similar offence. Canadian dry goods merchants need not complain. It is a fact that many of Canada's brightest young men have been drawn to the United States by the prospect of a better and more rapid chance of advancement, who have proved valuable additions to the Republic, and if this law is enforced the merchants of the States will be the ones to regret it most. It looks like carrying the law to an absurd length, when a clergyman of the Church of England, who had been called to a church in New York had to appeal to the Supreme Court before the right to preach the gospel in the land of freedom and liberty was accorded him.

In our last issue, page four, "Men of the Times," among the different positions held by Mr. J. P. Cleghorn, we have him down as President of the International Coal Company, which should have been the Intercolonial Coal Mining Company.