

order of their attachments. Execution creditors are also paid in the order of their priority.

In the same year (1898) Prince Edward Island passed a similar Act, for regulating assignments and preventing preferences; but priority of executions still obtains.

In British Columbia the English common law system prevailed until 1897, when by two separate Acts the Legislature regulated the rights of parties under assignments for the benefit of creditors, and legislated against fraudulent preferences along the lines of the Ontario law. In the absence of an assignment however, executions are paid in the order of their priority.

In considering whether we ought to have a Dominion bankruptcy law, it must be borne in mind that some legal machinery is necessary, for dealing with the property, if not with the persons of insolvents. The question is, whether such machinery shall be provided by and be under the control of the Dominion Parliament, in which the constitution has vested the jurisdiction; or shall be provided by, and be under the control of Provincial Legislatures, which the constitution debar from any direct jurisdiction over the subject. Shall we have a uniform law for the whole Dominion, enacted by competent authority; or shall we have different laws in each Province, enacted by an authority which is hampered by limitations and doubts?

Since 1830 the Dominion Parliament, though clothed with plenary power, has in effect abdicated its authority, leaving the rights of the parties concerned to be wrought out under the diverse and necessarily defective laws of each Province. The result is confusion; injurious to our credit abroad.