

take. From Manitoba westwards to the Rocky Mountains, it is rumoured that a large Company will be formed to make the road, and at the same time endeavour to colonize the country; but no definite scheme has yet been promulgated, although the Premier intimated to Parliament that the subject had been under his consideration. The action of the Senate on the Esquimaux and Nanaimo Railway we have commented upon in a previous issue. As the work of crossing the Cascade and Rocky Mountains is very difficult, it is impossible to foretell how many years it will take to connect Columbia by rail with the rest of the Dominion.

We understand that the letting of the contracts for the whole railway, unless it be the Lake Superior section, will not be very long delayed. They may possibly be sufficiently advanced to be laid before the next session of Parliament.

#### BUSINESS LEGISLATION OF THE SESSION.

The Session of Parliament just closed has been fruitful of practical legislation. And though it has been said that no Act can be framed through which it would not be possible to drive a coach and six, we think the number of acts through which any one would want to drive in this fashion has been very small this year. Two of the Acts passed are of first-rate importance. The *Insolvency Bill* and the *Supreme Court Bill* are measures which will come home to every man amongst us who carries on an extensive business, and especially to those large corporations amongst us whose business has such wide spread ramifications. That insolvency is a difficult subject to deal with is admitted on all hands. Make it easy, and you open the door to fraudulent schemers, make it harsh and difficult, and it offers facilities for tyrannical and arbitrary creditors. Then, experience has proved that insolvent estates are apt to be frittered away in costs; the creditor is robbed, and the debtor has the disgrace of a small dividend, all for the enrichment of a class of officials who thrive out of the misfortunes of the trading community. This has particularly been the case in England, but not to the same extent here. The present Act aims to redress the grievances which have been a special subject of complaint; how it will operate remains to be seen. Generally we have no great faith in Government administration in business matters, and we do not know if the placing the appointment of Assignees in the hands of the Government is a step in advance, or otherwise. As a rule, insolvent laws have leaned far too much to the

debtor; this probably will be found to err in the same direction. Discharge has been too easily obtained. A graduated scale is the proper principle, according to the amount realized; and in many cases no discharge at all would be for the benefit of all parties. Because a man surrenders all he has, he has no moral claim to a release from his debts; his creditors have a claim to future earnings. And many men are incapable of prospering in business; they had better therefore be out of it. The present bill must be taken, like every other act on the subject, as an experiment, and as we see what its practical working is, it can be amended or continued.

The Supreme Court Bill will have an important bearing on suits arising out of commercial transactions; it will provide a much easier and less costly method of appeal than a reference to England. It may be said that the judgments rendered will not be so valuable. Possibly not. We cannot have here the ripe experience and vast legal ability of the eminent jurists who compose the Committee of Council; but for all practical purposes a Canadian Supreme Court will be sufficient, and it will have the advantage of better local knowledge as a set off against inferior judicial ability; besides it will be far more accessible. An appeal to England is such a costly process, that many a man has submitted to what he considered to be injustice rather than incur the enormous expense involved in such appeal. An incidental advantage will be, that a further stimulus will be given to our rising lawyers to fit themselves for the carrying of these higher prizes of their profession.

In *Railway and Banking Legislation*, the Session has been fruitful. Two new banks have received charters of incorporation, one in Ontario, and another in Quebec. The Bank of the United Provinces will be added to the number of existing banks. La Banque Saint Jean Baptiste we fear will have a difficult experience in its own field of operations.

A short amendment to the general Banking Act is to provide for the publishing of the amount loaned to, or discounted for Directors. This is a useful provision, and may prevent abuse or maladministration. But we think the sub-division of the items in the Banking returns has now gone far enough.

The amendment to the *Dominion Note Act* is a good one of its kind; it strengthens the specie basis for their issues; but it does not go far enough, as we have before shewn. The Government, we trust, will take up the matter in the interval of the sitting of Parliament, and mature a scheme, either for

abolishing the issue of promissory notes altogether, or for the placing the business on the footing of the issue department of the Bank of England. The former is to be preferred, for however easy the issuing of notes may be to a government, their redemption is surrounded with almost insuperable difficulties.

By the Act to amalgamate the Niagara District Bank with the new Imperial Bank an end will be put to the career of an old institution, which in its day has rendered considerable service to the district within which its operations were carried on. But it is becoming increasingly difficult for banking institutions to hold their ground, which are not located in one or other of the great monetary centres. Not to speak of the difficulty of obtaining efficient management, there are internal difficulties which constantly beset the administration of a local bank, and render it practically dependent at times on some of the larger institutions for support. Of these difficulties the Niagara District has experienced its full share, and we are convinced that its board have taken a wise step in amalgamating with an institution having its head office in Toronto. The retaining the President and Vice-President of the old Bank on the board of the new one will be found to be a wise step.

Of *Railway legislation* we have an Act to enable a railway to be extended from St. John, N.B., westward to the State of Maine: another to re-arrange the capital of the Northern Railway Company, to change its gauge, to enable it to amalgamate with extension lines;—with a further one respecting the lien of the Government on the road. This is most important legislation for the Company and the large district it serves, as it will enable fresh capital to be raised and new equipment to be provided for, besides placing the road in a position to exchange traffic with the Grand Trunk and Great Western. Another Railway Act amends the law requiring Railway Companies to furnish returns of their traffic and expenses,—a very useful piece of statistical legislation which we would be glad to see followed out in other directions. There are also Acts respecting the Canada Central and the Great Western roads; and another, which seems unnecessary, incorporating a company to construct a road from Quebec to Lake Huron. We have surely had enough of these schemes. There is already railway communication between Quebec and Lake Huron, and any further legislation in that direction will only subject us to such merited reproach as was lately directed against us in the money article of the *London Times*. When the country has