

### Collecting Debts.

The Melita Institute has been considering the question of the collection of debts, and as a result has adopted a resolution embodying proposals to amend the law in this respect. The Commercial has been requested to publish the proposals of the Melita Institute. They are as follows:

Whereas upon discussing the matter of collections and costs it appears to this Institute.

1. That, taking into consideration the number of persons employed in looking after collections during the fall and early part of the winter it is evident a very large aggregate sum must be expended throughout the Province in each year for such services.

2. That the expenditure of such yearly sum must result in considerable loss either to creditors or to debtors or to both and is therefore a great drawback to the prosperity of the country and especially to the farmers therein.

3. That such expenditure is confined almost entirely to the collection of claims against goods and chattels and is evidently brought about by the practice, attending the credit system, of requiring securities and preferences, and the consequent necessity for prompt action on the part of creditors to retain priorities, or as not unfrequently happens to resist attempts to outset them by other creditors.

4. That the present laws as to priority of executions and chattel mortgages are therefore practically the cause of such extra expense and consequent loss.

5. That all forms of preferences, in respect to goods and chattels are, on the whole, detrimental to the best interests of both creditors and debtors, and are frequently merely a means for carrying out dishonorable and fraudulent transactions.

6. That the abolition of priority in executions, chattel mortgages, and preferences of all forms against creditors, in respect to goods and chattels would tend in a great measure to curtail the credit system, and the distribution of a debtor's available assets from time to time pro rata amongst his creditors would have a very decided effect towards encouraging him to increased effort to reduce his liabilities and ultimately to free himself from debt.

7. That, though creditors now holding such preferences might with reason claim to have vested rights which should not be interfered with, yet the doing away with such preferences and providing for a distribution pro rata amongst creditors at a very much smaller expense would result in so much saving and increase in prosperity that any loss which might at first appear to be sustained by giving up such preferences would be more than counterbalanced by the general benefit derived from such a course and ultimately would result in gain to all creditors.

8. That the expense incurred in litigation under the head of possession money is a serious item and some means should be devised to reduce such expenditure whenever possible to do so.

9. That the expense of obtaining judgment by default could in the majority of cases be avoided by a provision permitting entry of judgment on filing the claim with the debtor's consent properly verified under oath and payment of a small nominal fee; and with preferences abolished there would be no objection to such course of procedure.

10. That the practice of allowing taxes to accumulate from year to year and after a number of years to distrain for the whole amount so accumulated is detrimental to the interests of municipalities and unjust to creditors of the persons so distrained upon.

11. That the granting of leases by mortgagees when interest has been allowed to become in arrear for a number of years, results in injustice to creditors who have supplied the mortgagee with the necessaries of life or the means to continue farming operations on the land mortgaged.

Therefore be it hereby resolved that all the Farmers' Institutes throughout the Province should take united action to secure legislation by the Legislature of the Province to effect the following changes, viz.

1. To appoint an officer in each County Court Division with whom all claims against goods and chattels shall be filed and who alone shall have the right to seize or attach any goods or chattels, or distrain, or levy in any way thereon.

2. To prohibit any person other than such officers from seizing, attaching or taking possession of goods and chattels or distraining or levying thereon.

3. To abolish all priorities among execution creditors as to goods and chattels and provide for the manner in which creditors' claims shall be filed with such officer.

4. To abolish all chattel mortgages.

5. To abolish all liens on goods, except:

(a) Lien on goods in possession for work done or feed supplied.

(b) Lien for unpaid purchase money.

(c) Lien on crop for seed grain supplied.

(d) Tresher's lien.

6. To abolish all preferential claims in respect to goods, except:

(a) Taxes for the year in which the claim is made.

(b) Interest on any claim secured by mortgage on real estate for the year in which claim is made.

(c) Rent for amount which became due and payable on the payment day next before the date of making the claim.

(d) Wages not to exceed three months.

7. To provide for the attachment or seizure of all the goods of a debtor, not exempt from seizure, by such officer upon the filing of a claim against such debtor, but in all cases where practicable to allow any such debtor upon giving bonds for that purpose to retain possession of any such goods as may not at the time of such seizure or attachment be readily marketable and within a reasonable time to market such goods for and on behalf of such officer in order that expense may be saved.

8. To make provision that no part of any debtor's goods shall be exempt as against any claim under a bond so given.

9. To make provision for giving public notice of any such seizure or attachment and that any person taking any such goods after publication of such notice shall be personally liable to such officer in an action for the value of the goods so taken.

10. To make provision for the distribution at stated periods and from time to time of all proceeds of sales of goods so seized or attached after payment of preferred claims, if any, amongst creditors whose claims have been so filed pro rata; providing, however, that no creditor who holds a mortgage on real estate or lien on personal property as security for his claim shall be entitled to share in such distribution except on his claim for interest in arrear.

11. To provide for the entry of judgment without issue of writ on filing of claim with consent of debtor verified by oath with the proper officer, therefor.

12. To provide for the payment of the services of such officer and all assistance required by him by the fixing of a certain percentage on claims filed to be charged to the debtor and a certain other percentage on the moneys collected to be deducted from the creditor.

13. To abolish the taking of leases to secure interest in arrear or other liabilities of any kind.

## WALKER HOUSE.

The most conveniently located Hotel in Toronto  
One Block from Union Railway Depot  
A first-class Family and Commercial House

Terms from \$2 a day.

DAVID WALKER, Proprietor  
Corner York and Front Sts., TORONTO, Ont.

## AUSTIN & ROBERTSON,

WHOLESALE STATIONERS,  
MONTREAL;

Dealers in all Classes of

Writings and Printings,

Linens, Ledger and Bond Papers.

Quotations and Samples on Application.

## Partner Wanted.

Wanted in an established and growing jobbing and retail business, a partner with business energy and some business experience sufficient to manage the commercial part of the business, while the subscriber manages the practical part. A capital of about \$3,000 necessary. To the proper party, the opening is an exceptionally good one.

Apply by letter addressed to  
PARTNER P. P., Commercial Office, Winnipeg

## Wm. Ferguson,

—WHOLESALE—

Wines, Liquors and Cigars

8th Street, Brandon.

## Robin, Sadler & Haworth

—MANUFACTURERS OF—

# LEATHER BELTING

MONTREAL and TORONTO.

## WISGONSIN CENTRAL

LINES.

LATEST TIME CARD.

Daily Through Trains.

12:45 pm	6:25 pm Lv. Minneapolis Ar. 8:40 am	4:00 pm
1:25 pm	7:15 pm Lv. St. Paul Ar. 9:02 am	5:40 pm
	4:05 pm Lv. Duluth Ar. 11:10 am	
	7:15 pm Lv. Ashland Ar. 8:18 am	
7:15 am	10:55 am Ar. Chicago Lv. 8:00 pm	16:45 pm

Tickets sold and baggage checked through to all points in the United States and Canada.

Close connection made to Chicago with all trains going East and South.

For full information apply to your nearest ticket agent or

JAS. C. PONO,  
Gen. Pass. Agt., Milwaukee, W.