

money difficult to collect. I cannot see much just now to make it better."

From Port Hawkesbury, Cape Breton, Messrs. Peter Paint & Sons send their views: "Trade is vastly improved as compared with last year, we are now getting better prices for mackerel and herring, notwithstanding the duty, than we did previous to the abrogation of the fisheries clauses of the Washington Treaty. This is partly due to the short catch, and also to the efficient protection of the Fisheries by our government.

Strome and Whitelaw, general merchants at Brandon, Manitoba, write as follows on November 9th: "Respecting trade, it is not so brisk as twelve months back. Several causes may be named. The very dry season, producing light crops, the immense amount of damage by prairie fires, and the continuance of very mild weather even at the time of writing which is enabling the farmer, to plow on and not market their grain. We expect almost any day the cold weather, and then hope for a brisk demand for winter goods, in which next to nothing has been done so far."

A general dealer at Virden, Manitoba, responds thus to our enquiry as to the state of trade. "Locally speaking, one can hardly form a comparison just yet with other years. But certainly, business with the farmers will be restricted owing to scarcity of money, resulting from short crops and small prices; hence one cannot look for anything like what was even expected; but in the course of two months, one will be able to judge better. As it is at present, trade at this point suffers, owing to mild weather and lengthened fall."

#### COMMERCIAL TRAVELLERS AS "HAWKERS."

The genial and persuasive travelling salesman may now and then be made acquainted with something he did not previously know, as when he learns that in the eye of the law he is his firm's agent, and that he may be vending his wares in prohibited territory to prohibited purchasers, in fact that he is a 'hawker.' It has been enacted that this last undignified term shall include "all persons who, being agents for persons not residents within the county, sell or offer for sale, tea, dry goods, or jewellery, or carry or expose samples or patterns of any such goods, to be afterwards delivered within the county, to any person not being a wholesale or retail dealer in such goods, wares, or merchandise."

For the protection of local tradesmen, power is given to councils of counties and cities and towns separated from a county, by the Consolidated Municipal Act of 1883, to put a restraint on trade by passing by-laws to license and regulate and govern hawkers or petty chapmen, and other persons carrying on petty trades, or who go from place to place or to other men's houses with goods, wares or merchandise for sale, provided the goods, wares or merchandise, are not of the growth, produce or manufacture of this Province, not being liquors, or who do the same by their servants or employees.

The County Council of the County of Waterloo passed a by-law under the authority of this act. At Galt, Mr. Richard Bassett, of the city of London, commercial traveller, was convicted under the by-law of carrying and exposing, without license, samples or patterns of dry goods, to be afterwards delivered to persons within the county, not being wholesale or retailer dealers in such goods. It was proved that Mr. Bassett had exposed samples of cloth for suits, but not manufactured clothing

and had solicited orders for suits to be made from the same kind of material by his employer at London, who was not a manufacturer of the cloths of which Richard Bassett had samples, and that the samples were both imported and Canadian goods.

The conviction was quashed, the learned judge holding that cloths are dry goods, and if bales or large quantities had been sold according to sample to persons not wholesale or retail dealers, the defendant would have been liable to conviction under the by-law; but that it was not the intention of the act under which the by-law was passed to include in the term dry goods, clothing for which orders are solicited, after exposing samples of cloth from which suits are afterwards to be made up.

Under the same by-law, Mr. Robt. Marshall, a member of the firm of R. Marshall & Co., of the city of London, grocers, was convicted of selling from samples, without license, tea, to be afterwards delivered to parties in the county. This conviction was also quashed on the ground that a member of a firm is not an agent of the firm, and so not within the act. Marshall did not pretend that the persons to whom he had sold were wholesale or retail dealers. By-laws under this act then, cannot be made to apply to members of non-resident firms, nor to commercial travellers for tailors, who sell from samples of cloth, suits to be afterwards made up. It has also been held in a case under a similar by-law of the County of Bruce that the defendant cannot be compelled to give evidence.

#### ATTEMPT AT FRAUD.

A cool and bold attempt on the part of a merchant to defraud creditors by a sham sale of his effects, was the basis of proceedings in the Court of Chancery last week. The case was that of E. R. C. Clarkson, trustee, who took proceedings to recover the estate of Leopold Davidson, of Camilla and Mono Centre, Ont., which had been sold by Sandfield Davidson—under power of attorney—to one Lefler for \$3,500 cash. Our readers will remember that we described at the time how Mr. Eby, of Eby, Blain & Co., and Mr. Alexander Boyd, creditors of Davidson, who visited his premises and obtained some \$70 in money from Lefler, were afterwards arrested on the charge of stealing this money, but the action was dismissed by the local magistrates.

Mr. Clarkson took proceedings to get the alleged sale of the estate set aside. Sandfield Davidson appeared at Osgoode Hall and swore that he had authority from his brother Leopold to sell the estate and that he had actually done so in a *bona fide* way to Lefler. He gave an exact description of his cellar at Camilla and said that the \$3,500 was intact on a certain beam therein. The Sheriff at Orangeville made a search, last Friday night, of the cellar, but, as was expected, found no money.

Chancellor Boyd, hearing this, ordered, on the 13th, the arrest of Sandfield Davidson for perjury, and judgment was delayed to give the prisoner an opportunity of producing the cash. But on Monday last, the money not being forthcoming, the Chancellor proceeded to give judgment. The whole affair was characterized as a fraud, the sale to Lefler being a perfect sham, and His Lordship said that but for the prompt and searching action of the trustee (Mr. Clarkson) the creditors would have been cheated out of their rights. The sale is therefore set aside with costs against Davidson & Lefler. An order was made to give up the goods in the two stores to Mr. Clarkson; and Sandfield Davidson now waits in jail on a

charge of perjury. Lefler is said to have left the country. It is so far satisfactory to learn that one of the actors in such a scheme of plunder as this, is in custody. The assets may prove inadequate to meet claims against the estate, but the creditors did rightly to search out and expose so rascally a plot.

#### ONTARIO BUREAU OF INDUSTRIES.

The report of the Bureau of Industries of this province as to cereals, root-crops and fruit is published, under date 15th instant. We quote: "Wheat, barley, oats, rye and peas, were reaped and housed in fair condition, and the final report of yield differs but slightly from the August estimate. The wheat crop (18,071,142 bushels fall and 9,518,553 spring) is about 3,600,000 less than the average of five years; barley is only 50,000 bushels less, and oats is 3,330,000 more. Rye is diminishing in breadth and yield. The area in peas is steadily enlarging, being this year nearly 100,000 acres more than the average of five years, while the produce is 3,000,000 in excess of the average; the pea-bug has vanished from almost every section of the Province. The corn area is 20,000 acres less than the average, and its yield is less by 1,000,000 bushels. The area in potatoes is 19,000 acres less than the average, and in the eastern counties of the Province the crop has rotted badly; the total yield is nearly 4,000,000 bushels less than the average of five years. Carrots, mangels and turnips vary but slightly from the average of area, but the yield of turnips exceeds the average of five years by 7,600,000 bushels. Fruit of all kinds has been fairly abundant, and in many sections there is a large surplus of apples damaged to some extent, however, by the great gale of 14th and 15th October. Live stock are in good and healthy condition, and the dairy industry is brightening with the improved prices for butter and cheese. The weather has been exceptionally favorable for fall farming, and correspondents report that all operations of the season are well advanced."

The yield of grain for the season of 1886 is estimated as in the following table:

Grain.	Bushels.	Bush. per acre.
Wheat, fall.....	18,071,142	20.4
" spring.....	9,518,553	16.5
Barley.....	19,512,278	26.5
Oats.....	58,665,608	36.2
Rye.....	1,106,462	16.3
Peas.....	16,043,734	22.8
Corn (in ear).....	10,805,309	69.0

#### DOMINION COMMERCIAL TRAVELLERS' ASSOCIATION.

On Saturday last, the quarterly meeting of this Association was held in its rooms in Montreal. In the absence of the president and vice-president, the treasurer, Mr. Alex. Gowdey, occupied the chair, and there was an unusually large attendance of members. The nomination of officers for the ensuing year resulted as follows:

For President, Mr. D. L. Lockerby, elected by acclamation. For Vice-president, Messrs. Thomas Harris, R. C. Simpson, Fred. Birks and G. Piche. Messrs. Birks and Piche are we understand, the candidates for the position, For Treasurer, Mr. George Forbes, elected by acclamation. Mr. A. Gowdey was also nominated, but he declined nomination.

For Directors, (five to be elected) Messrs. C. E. A. Patterson, John S. Shearer, J. A. Painchaud, John Taylor, Wm. Galbraith, Alex. Gowdey, Henry Lachance, W. H. Morgan, S. J. Mathewson, Jacob Wilson, W. Percival, C. W. Meakins, W. F. Badenach, Robert