

Farmers Financial Directory

Benjamin Franklin said—

"Experience keeps a dear school, but fools will learn in no other, and scarce in that; for it is true, we may give advice, but we cannot give conduct. However, they that will not be counselled cannot be helped, and if you will not hear reason, she will surely rap your knuckles."

The experience of years teaches that bonds paid from taxation are the safest investment. We can still supply

GREATER WINNIPEG WATER DISTRICT BONDS

at 92.68 and accrued interest yielding 6 3/4 %

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EDWARD BROWN & Co.

BOND DEALERS

296 Garry Street, Winnipeg

We buy and sell bonds for our own account and any statements made with reference to bonds sold, while not guaranteed, are our opinion based on information we regard as reliable, being data we act upon in purchase and valuation of securities.

ESTABLISHED 1875

IMPERIAL BANK OF CANADA

CAPITAL PAID UP \$7,000,000 RESERVE FUND \$7,000,000
PELEG HOWLAND, PRESIDENT E. HAY, GENERAL MANAGER
HEAD OFFICE: TORONTO

SERVE THE EMPIRE

Canada calls on every farmer to produce all his land will yield. Should you require a loan in order to increase your production, it will be well to consult our local manager.

We Negotiate Farmers' Sale Notes.

119 Branches

43 Branches in Western Canada



THE STANDARD BANK OF CANADA

HEAD OFFICE—TORONTO

Branches throughout Manitoba, Saskatchewan and Alberta

MAIN OFFICE 455 MAIN STREET WINNIPEG

Branch:—Portage Avenue, Opp. Eaton's

FARMERS

Consult us if you need any money to purchase seed and feed, or otherwise assist you in working to capacity. We make loans to responsible men for that purpose. Our rates to farmers have not increased during the war.

THE BANK OF TORONTO

J. A. WOODS, Western Superintendent, WINNIPEG

WHEN WRITING TO ADVERTISERS PLEASE MENTION THE GUIDE

The Land Titles System

Why Not Uniformity in the Prairie Provinces

By J. B. Coyne, Winnipeg

The question of uniform Land Titles Acts in the three prairie provinces has been brought to the fore at the present time by the preparation in the province of Saskatchewan of a consolidated and revised act which is now before the legislature for consideration.

If, in the stress of times like these, it is considered necessary and advisable to revise the Land Titles Act in Saskatchewan, is it not just as necessary and advisable to do so in Manitoba and Alberta? And if so, why should not a joint revision be made, applicable in all three provinces?

At the time of confederation some of the founders proposed complete legislative union for all provinces, with one law-making body for the whole. There was opposition, however, owing to local differences in origin and conditions and finally a compromise was made. The parliament of Canada was given exclusive authority to legislate on subjects which were obviously of national interest—such as military defence, post office, trade and commerce; and the provinces were given exclusive authority in matters of local or private interest, municipal affairs and property and civil rights among others. In those days, railway transportation and the telegraph were in their infancy, and the lines were few; the telephone, electric light, heat and power, the automobile and many other modern discoveries were unknown. Communication and transportation were slow and difficult. The different communities were isolated and there was little interchange of trade and in fact very little trade.

With the advance in methods of communication and the lavish provision of the means, Halifax to-day is as close to Vancouver as fifty years ago it was to Fredericton in New Brunswick. Distances have contracted. National and international commerce and national and international finance have taken the place of the local trade and the local borrowing of a few years ago.

Manufacturing, wholesale, banking, mortgage loan concerns do business throughout the whole country. They own and take security on property in the several provinces. They borrow money in Montreal, Toronto, New York, and London on the security of these assets.

Expense of Divergent Laws

Every dollar necessarily spent in carrying on these businesses eventually comes out of the public—first out of the manufacturer, then out of the wholesaler, then out of the retailer and the farmer and city dweller. Every dollar so spent necessarily causes the binder, plow, or engine, the clothes, the shoes, the groceries, the motor car, the fire insurance and the life insurance to be dearer and the interest upon money borrowed to be higher.

Canada has nine provinces and nine different sets of laws relating to sales of goods, title to lands, mortgages, partnerships, wills, suits and judgments, insurance, companies, etc., and in some cases a tenth, namely, a Dominion law. Luckily the law in regard to promissory notes, cheques, banking, shipping and patents are under Dominion jurisdiction and one law applies throughout the Dominion. Nearly all our railways are Dominion railways, and the law in regard to sale of goods is almost identical in every province. But in other subjects the business man has to learn nine or ten different laws and know when each is to apply. His experience in one province may be of no value in another. He consults a lawyer. The lawyer will tell him that in commercial law there is no essential fundamental difference of any importance between the Atlantic and the Pacific; that in the three prairie provinces there is no difference in the underlying principles of the Torrens' System relating to land, etc. But yet, there are multitudinous differences in details that in actual practice may just as effectually differentiate legal rights as the most vital difference in principle. And so, though the law applicable to a particular case has been determined in Saskatchewan, that determination may

not apply to Alberta, because the latter in its wisdom has inserted a word or two that does not appear in the Saskatchewan Act, or leaves out a word or two that does appear, or has added a section or dropped one out.

Some of the legislators in this country have utterly disregarded the fact that the divergent statutes and different and unnecessary forms which prevail in every Canadian province, constitute impediments and obstructions which the trader or investor has to observe or overcome between the time goods are sold or money advanced and the time that he expects to receive his payment and which are to the disadvantage of the customer. As put by Sir James Aikens, the president of the Canadian Bar Association: "On almost every subject of legislation legislators forget that the customer must have the goods and the enterprising borrower the money and that business goes into the channel where the dealer or investor will receive reasonable and certain return for his commodities or cash; and that if obstructions are placed in that channel the dealer or lender will decline to trade or will insure against the difficulties and inconveniences, the loss and delay, by adding something to the interest on the money or to the cost of the goods. This the borrower or purchaser has to pay in the end. The cost of the goods and the interest on money in this Western country are shown by investigation to be increased on account of the difficulties put in the path of the dealer and investor and by the uncertainties created by the lack of uniformity in provincial acts. Undoubtedly the safer the security, the greater certainty in the law and the easier the realization, the greater will be the readiness of the vendor or investor to part with his goods or his money and cheaper will be the price which the purchaser or borrower has to pay."

No Reasonable Excuse

In ninety-nine cases out of a hundred this difference is due to inadvertence, ignorance or lack of consideration. Some legislator who is not skilled in the subject thinks some matter is not covered or not properly covered by the law and he proposes some amendment to cure the fancied evil. Under our hasty, unscientific method of legislating in this country, it goes through. It often does not accomplish the object sought. It almost invariably works changes which its author never dreamed of. It generally makes the law of that province different from that of the other provinces.

The same experience has been felt in other countries. In the United States they have forty-eight states, the District of Columbia and four territories, each with differing laws much the same as our provinces. About twenty-five years ago the American Bar Association inaugurated a movement for uniformity of legislation. Now every state, district and territory have appointed representatives on a commission on United State Laws. These representatives are constantly at work and meet once a year in conference. They have completed Uniform Acts on some ten different subjects and are at work on about as many more. The Uniform Act which was first completed has been adopted by practically every state, district and territory, the next earliest by practically two-thirds of them; and it is only a matter of time until practical uniformity will characterize the legislation of all the American states on subjects of general character and business importance.

In France, a century ago, there were two distinct and different systems of law in force, Roman law in the south, and Teutonic law in the north, besides sixty different provincial jurisdictions and three hundred local jurisdictions, with different laws governing civil rights. The Code Napoleon unified the law for the whole country to the great advantage of everyone. In Germany there were four great systems of law of different origin and an almost infinite number of local laws. The great civil