

suggests that they should be placed upon any other footing. Centuries of usage have brought people on this Continent and Europe to regard the landlord's right of hypothec as something almost sacred; but the sentiment, if it can be so called, is only the product of usage, and fails to find any support in principles of plain unvarnished justice. A home and shelter is undoubtedly one of the first necessities of life, but is no more so than food and clothing, and particularly the latter in a country of climatic extremes like Manitoba. The dealer in provisions and clothing has no legal preference against their debtors any more than dealers in the most unnecessary luxuries. Yet what he supplies is even more necessary than what the landlord furnishes, and he is protected by a law which gives him a preferential claim over all other creditors.

Any person acquainted with the affairs of the numerous traders who have become insolvent during the past year in Manitoba, must have been frequently impressed with the injustice which the landlord's hypothec preference allowed. In quite a number of cases when a trader was forced to assign, it was found that five, six and in some instances nine months rent stood unpaid, and before any outside creditors, or trustee acting for all the creditors, could attempt to realize upon the debtors assets, the full claim for rent had to be paid or guaranteed. Frequently it was beyond the reach of a trustee to secure the consent of all creditors, some of whom might be a thousand miles distant, to such a guarantee, and a slaughter of assets to realize rent ensued. How merciless such slaughters usually were, only the outside creditors and debtors who have suffered thereby can comprehend. In one instance the furniture and fittings of a first-class Winnipeg hotel, which cost over \$5,000, were all absorbed before the overdue rent of some \$800 was realized for a greedy and unscrupulous landlord; and the worst feature in connection with the whole case was, that the landlord was the purchaser of the greater portion of the assets they slaughtered. In another instance the goods in a hotel failed to realize as much as would satisfy the landlord's claim, and the stock of a harness firm, who were subtenants of the insolvent hotel-keeper, was seized and sold for rent previously paid to the hotel-keeper. These are only two of the many instances where the landlord's hypothec preference opened the doorway

to flagrant injustice, and cases are not wanting where it has served as a corner for dishonesty and fraud. While, therefore, the abolition of all hypothec privileges would be carrying out only a plain principle of justice, it would, in this Province, prevent more unpunishable dishonesty and legalized rascality than any other measure could pass at present.

In this step towards reform, as in all others which affect real property, the cry of vested rights will be raised. These are certainly terrible things to interfere with, when they are held by a wealthy, but at the same time a non-productive class. But that difficulty can be easily got over by allowing a reasonable time between the passing of such an Act as we have described and its going into force, so as to allow a full opportunity for landlord and tenant to arrange their new relations; and in justice to the landlord, it would be right to give him more power for the prompt ejection of a non rent paying tenant, than he has under his present protected system. But on the other hand an Act of this description should guard well against the possibility of its evasion. In some of the Western States, where household furniture and utensils are exempt from seizure for any claim, a system of lease, embodying a mortgage on the contents of the premises rented, is used as a subterfuge. Any Act passed for this Province should place a limit to the term of rent that even such a document would guarantee, otherwise its utility would be in a great measure neutralized.

While we would advise caution and care in framing the provisions of an anti-hypothec law for this Province, we must say that the passing of one is necessary, and will be a long step in the direction of real progress. It will accomplish no more than justice when it places the trader on equal footing with the landlord, and it will wipe out one more of the relics of a bygone age, with which the progress of Manitoba is still hampered.

CHOK-OFF RATES.

It is only reasonable that in order to hold competitors, even railway companies should have the privilege of discriminating for or against certain points on their lines, especially when such discrimination is no great injury to their patrons. But unfortunately railways carry such privileges to extremes, and often to the extent of anomaly and injustice. This is specially

the case when a system of choke-off rates is introduced, in order to block the schemes of competing lines. The parties engaged in either exporting or importing in Winnipeg have felt the full force of this during the past year in connection with the C.P.R. rates from the boundary line. Such points as Emerson and Gretna have had a discrimination in their favor which could be of no value for any purpose, except as a choke off against any arrangements the St. P. M. & M. and other American roads might make. Why the import trade of a city like Winnipeg should be made to suffer, and a mushroom village like Gretna profit by its suffering, is a question that must be left to experts in railway rate anomaly to explain.

It is a policy, such as above described, which does more to make a railway company unpopular than a system of rates equal all over but at the same time too high, and it is much to be regretted that the C.P.R. should adopt such a policy. With through rates over its lines lower than on any western line on this continent, its policy of liberality is effectually neutralized by the choke-off, and its opponents have no difficulty in perverting its freight figures so as to make the whole system appear a monument of unscrupulous extortion. "Figures will not lie," is a very common remark; but a collection of figures require but a few defects to place their distortion within easy reach of the manipulator. The choke off rates to the south are the defects in the C.P.R. freight figures, and they require neither manipulation or distortion to show their injustice and unreasonable discrimination against Winnipeg and other towns of Manitoba.

There are people who profess to believe that every evil will bring about its own cure in time, and if we are to put any faith in well founded rumour, the choke-off evil is going to find a partial cure at least. We are led to understand that as soon as navigation on the Red River opens, the St. P. M. & M. intend to put on a daily service of steamboats between St. Vincent and Winnipeg, and send all freight for this city in that way from the boundary instead of over the C.P.R. In this move the St. P. M. & M. are doubtless aided and encouraged by other American and Eastern Canadian companies. Be that as it may, the move is a good one for Winnipeg and other points west of it, as we understand freight will be carried by river for about one-third of the proposed summer rate of the C.P.R. Some ultra opponents of the C.P.R. will state that this is a case of rogues falling out and honest men getting their own. We will not go so far, but we must wish success to the new line of steamers, as the first practical step towards freeing this city from a burdensome system of freight discrimination, under which the C.P.R. now holds it.