found to form a part of a system which was a branch of bankruptcy and insolvency law, as distinguished with more interference with the rights of judgment creditors, which might be said to stand independent of bankruptcy. To this, Mr. Carson, of the Irish Bar, who appeared with Sir Richard Webster, added the further argument, that whereas, under the Insolvency Acts, repealed in 1880, an assignment for the general benefit of creditors had been declared to be an act of bankruptcy, upon which a creditor could take proceedings *in invitum* to have the debtor declared bankrupt, and his estate distributed under the Act, all the Ontario Act was doing was leaving out the intervening step which had been necessary to make the bankruptcy rules attach to the distribution of the debtor's property, and prescribing that, at the moment the debtor executed a voluntary deed of assignment under the Act, at that moment, without any further step, all the same consequences should ensue as would ensue if a petition had been presented, and the assignment for creditors had been relied upon as an act of bankruptcy, and that it was narrowing the matter down to a very small distinction to say that the one came within the subject of bankruptcy and insolvency legislation, and the other did not.

As to the argument on the side of the provinces, it is quite clear that Mr. Edward Blake carried the members of the Board with him throughout, except only so far as he contended that provisions for the discharge of the debtor were as much an essential feature of bankruptcy and insolvency legislation as provisions enabling the creditor to proceed *in invitum*. On this point the members of the Board do not seem to have agreed with him.

While speaking of the argument before their lordships, it may, perhaps, be remarked as somewhat strange that no reference appears to have been made, any more than before our own courts, to the English case of *The Queen* v. *Sadlers Company*,* in which there came in question the construction of a by-law of the defendant company, which declared that no person who had become a bankrupt, or otherwise insolvent, should be admitted a member of the Court of Assistants of the company, as it was called, unless it was proved that after his bankruptcy or insolvency he had paid his debts. This matter was referred by the

* 10 H.L.C. 404 (1863).