

mitted, there is nevertheless a debt within sec. 8, sub-sec. 1 (b), of the Bankruptcy Act, 1883, and the debtor can commit an act of bankruptcy: *Re Sahler*, 112 L.T. 133, [1914] W.N. 439.

The Dominion Parliament authorizes a moratorium. By virtue of sec. 4 (e) of the Finance Act, 1914, ch. 3 (Can.), in case of war, invasion, riot or insurrection, real or apprehended, and in case of any real or apprehended financial crisis, the Governor in Council may, by proclamation published in the *Canada Gazette*, authorize, in so far as the same may be within the legislative authority of the Parliament of Canada, the postponement of the payment of all or any debts, liabilities and obligations however arising, to such extent, for such time and upon and subject to such terms, conditions, limitations and provisions as may be specified in the proclamation.

In Ontario, under the Mortgagor's and Purchaser's Relief Act, 1915, ch. 92, sec. 5, in cases of foreclosure of mortgages or agreements for the purchase of lands, no action can be taken without leave of Court, and in such cases the Judge, if he is of opinion that time should be given to the person unable to make any payment by reason of circumstances attributable directly or indirectly to the present war, may, in his absolute discretion, by order, refuse to permit the exercise of any right or remedy, or may stay execution or postpone any forfeiture or extend the time for the expenditure of any money, for such time and subject to such conditions as he thinks fit.

The Manitoba Moratorium Act does not apply to the enforcement of an agreement for the sale of lands situate in another province: *Stanley v. Struthers*, 22 D.L.R. 60.

Section 5 of the Moratorium Act, 1914, Man., which stays actions "for the recovery of possession of the land charged" until after the lapse of a six months' period, does not limit the recovery of a personal judgment for the amount due under a sale agreement for principal and interest, and where an action which was pending when the Act was passed had not proceeded to the entry of final judgment before August 1st, 1914, the limitation of sec. 4 as to actions to enforce a covenant or agreement in respect of lands does not prevent the subsequent entering up of judgment, although it stays proceedings to enforce payment by writ of execution or by registration of the judgment: *Fisher v. Ross*, 19 D.L.R. 59, 24 Man. L.R. 773.

In the case of *Ledour v. Cameron*, 21 D.L.R. 864, 25 Man. L.R. 71, it was held, affirming the Master's decision, that a registered judgment was an instrument charging land with the payment of money within the meaning of sec. 2 of the said Act, and no proceedings for sale could be taken until after the lapse of 6 months from August 1, 1914.

The same view was taken in the case of *Slobodian v. Harris*, 21 D.L.R. 75, 25 Man. L.R. 74, and it was further held that where the judgment is registered after July 31, 1914, it is a "contract" within the exception of sec. 6, and by virtue of secs. 215-16 of the County Courts Act, so that the restrictions of the Moratorium Act do not apply to prevent an order