

the Statute and by other similar provisions of law are such as belong to the Judicial Office.

The undersigned does not desire to do more than call attention to the provision, and respectfully recommends that the Act be left to its operation.

By Chapter 26, intituled: "An Act respecting assignments for the benefit of Creditors," it is, amongst other things, provided that every gift, conveyance, assignment or transfer, delivery over or payment of any property, real or personal, made by any person at a time when he is in insolvent circumstances or is unable to pay his debts in full, or knows that he is on the eve of insolvency with intent to defeat, delay or prejudice his creditors, or to give to any one or more of them a preference over his other creditors, or over any one or more of them, or which has such effect, shall, as against them, be utterly void.

It is then provided that nothing in the provision mentioned shall apply to any assignment for the purpose of paying rateably and proportionately and without preference or priority all the creditors of the debtor.

Provision is also made for the appointment of assignees and for the administration of the estate where an assignment for the general benefit of creditors is made.

The Act in substance is an Act respecting the administration of the estates of insolvent persons, and it is, the undersigned thinks, more than doubtful whether it is within the legislative authority of the Provincial Legislature.

That question, the undersigned understands, is now pending in the courts, and can, he thinks, be more conveniently settled in that way than in any other.

He therefore respectfully recommends that the power of disallowance be not exercised in respect of this Act.

Chapter 29, "An Act respecting Wages," makes provision, among other things, for giving priority to persons in the employ of one who makes an assignment for the general benefit of creditors or of an execution debtor under "The Creditor's Relief Act, 1880." The validity of this provision, so far as it relates to assignments by a person in insolvent circumstances probably depends upon the validity of the Act respecting assignments for the benefit of creditors, 48th Victoria, Chapter 26, before referred to.

By the 5th section of 48th Victoria, Chapter 29, it is provided that the Act shall not apply to assignments made under the provisions of any Act of the Parliament of Canada relating to or respecting bankruptcy or insolvency.

For the reasons given in respect of Chapter 27 the undersigned recommends that this Act be left to its operation.

All of which is respectfully submitted.

(Signed) JOHN S. D. THOMPSON,
Minister of Justice.

SCHEDULE.

STATUTES OF THE PROVINCE OF ONTARIO PASSED IN THE YEAR 1885.

Cap. 1. An Act for granting to Her Majesty certain sums of money to defray the expenses of Civil Government for the year one thousand eight hundred and eighty-five, and for other purposes therein mentioned.

Cap. 2. An Act to amend the laws relating to the Franchise and the Representation of the People.

Cap. 3. An Act to further amend the Voters Lists Act.

Cap. 4. An Act relating to the costs of Election Trials.

Cap. 5. An Act to amend the Act relating to the erection of new Provincial Buildings.

Cap. 7. An Act respecting amounts due to the Municipal Loan Fund.