

by this bill, would register all such places and might, if they saw fit, refuse registration. A record would be kept of the children and the house would be open for inspection. The record would state who brought the children, how long they remain and what becomes of them. Provision was made for coroner's inquests in all cases except where a medical practitioner certified that it was unnecessary. Though the necessity for the bill was most apparent in large cities, it would apply everywhere in the Province.

The bill was read the second time.

DISTRESS FOR RENT.

Hon. A. S. HARDY moved the second reading of a bill relating to distress for rent. The bill, he said, was largely a copy of one introduced by the Attorney-General in 1879, but not carried through because the public had not had an opportunity of examining the matter thoroughly. At the present session the member for West Bruce (Mr. O'Connor) had introduced a bill which had received many complaints from the press on account of its brevity and on account of its comprehensiveness. It went the whole length of abolishing distress for rent. The Government did not think it advisable to go so far, at all events at one step. The bill would prevent the distraint of goods which are now exempt from seizure under execution. Then it was provided that the goods of third parties or the premises should not be distrained; but in order to prevent frauds it was provided that this freedom from distraint should not apply to relatives of the tenant, or to persons claiming, by gift or sale, from the tenant, or by virtue of an execution against the tenant. In case of an assignment for the benefit of creditors, the landlord would be entitled to distraint as against the assignee for six months' rent and no more. Then, as they were in a measure depriving the landlord of his right to distraint, it became important that the landlord should have some simple way of recovering

POSSESSION OF THE PREMISES.

It was therefore provided that the tenant could claim the exemption given by the Act only upon giving up possession of the premises. The tenant would have the right to set off against the rent any debt due to him by the landlord. Some landlords might think the bill went too far, inasmuch as it practically exempted all the goods of the poorer class of tenants living in tenement houses. Other persons might think it did not go far enough. It was urged that the arbitrary power given to a landlord who distrained was too great and liable to abuse. Yet he thought it would be found that this power was not often abused; that there were not many cases of distress where no rent was due. The landlord who distrained wrongfully was under severe penalties, and he was usually a responsible person, from whom damage could be collected. On the whole he thought that under existing circumstances the bill would do the maximum amount of good.

Mr. FRENCH mentioned the bill which he had introduced on the same subject, and expressed himself as opposed to the entire abolition of distress.

Mr. O'CONNOR said he agreed that it would have been well had the Government taken up this question years ago, not this Government only, but prior Governments. The law was a wrong, but was no more wrong now than ever. The Government's bill was good, but did not go far enough. The wrong lay in the fact that in a case in which he was interested the landlord could be judge, jury, plaintiff and bailiff. The landlord who might

be only the nominal owner of the property had the right to issue his own warrant to his own bailiff to distraint the tenant for any amount he pleased, leaving the tenant to take the initiative and set the action aside in some way. This was not true in any other class of cases. It was said that the House had no right to interfere with contracts. There was no proposal to do so for contracts already made would not be interfered with. This change was good, because it was in the interest of the tenant. At present the tenant's goods and his wife's and children's goods might be

taken away, and not only that, but the goods of a third party might be taken. He gave instances of this last, claiming that it was most outrageous that a third party should lose his goods in this way. This evil would be remedied under the present bill. In the second place this bill was

IN THE INTEREST OF GENERAL CREDITORS.

The landlord could sell out for \$50 for rent, and an ordinary creditor with perhaps twice as large a bill had to get his money as best he could. This also would be remedied by this bill. In the third place the landlord, he believed, would benefit. Under the existing law the landlord was liable for action for small formal errors in almost every step he took in the collection of his rent by legal process. Cases were constantly arising in the courts of this kind. It was said this change was in the interest of the lawyers. But the fact that these cases would be done away with showed that it was against the interest of the lawyers. But in any case, for or against the lawyers, if the thing was right let them agree to it. If the House desired precedents he could give them. In almost all the States of the Union distress for rent had been abolished. There was in this country a feeling imported from England that there was something sacred about the ownership of land. But if a man lost the amount of a butcher's bill he lost principal, while if he lost the rent of a house he lost interest on his investment only. He was glad that the Government had presented this measure. He hoped that some day the House would adopt the measure he had proposed and abolish distress altogether. The Government's measure had his hearty sympathy. He would support it, but he thought it only common courtesy that the Government should reciprocate and support his. (Laughter.)

The bill was read the second time.

ASSIGNMENTS OF INSOLVENTS.

Hon. Mr. MOWAT, moving the second reading of the bill to make further provisions respecting assignments for the benefit of creditors, said that while the Legislature had no control over insolvency as such, the Government believed they had jurisdiction in respect of assignments of this kind. Some difficulties had arisen under the existing Act which this bill was intended to remove. First it was found that sometimes assignments were made to persons outside the Province and beyond the jurisdiction of the Provincial officers. This, of course, should not be maintained, and the bill provided for confining the assignments to be made to persons resident in the Province. It had been found that the law was in effect evaded by the purchase of a portion of the goods and the handing over of the proceeds to one or more creditors, perhaps paying them in full. A clause was introduced to prevent this. It had been contended, and he believed held, that when insolvents failed to make assignments within the thirty days, creditors might be given payments with impunity. This would be prevented by an explanatory clause. As it was given as an