

PROTECTING THE UNWARY.

MR. HOYLE'S BILL REGARDING LIEN NOTES.

Amended by Committee—Red Ink Warning Across Face of Note of Liability—An Odd Tangle in the Voting.

A number of lawyers were present before the Legal Committee of the Legislature yesterday to object to Mr. Hoyle's bill enabling debtors under a lien note, hire receipt or contract to have an action arising upon such note or contract tried in the proper court having jurisdiction in the locality in which the defendant resides, instead of in the district of the head office of the creditor, as is now often provided in the agreement in small type.

Mr. Alfred Hoskin, K.C., opposed the bill, on the ground that it was a restriction upon the private right of two intelligent people to make a business contract. He thought that the company should not be dragged away to an outside court any more than the individual creditor.

Mr. Hoyle pointed out a case in which a creditor with a good defence had been unable to stand the risk of expense involved in taking all his witnesses to an outside court, and had paid the bill under protest. Then he brought suit in a local court for breach of warranty, and won the case, and obtained full costs. Such cases as this were common, and when the creditor could not follow up his case much injustice resulted. He believed that the individual should be protected against the capitalists.

Mr. S. C. Smoke, on behalf of the Massey-Harris Company, said that his firm had thousands of small notes out all over the country for \$10 or \$20, and in nearly every case they were properly met under the present law. If the new provision were enforced these debtors, knowing that the company must fight for the note in the local courts, would dispute the note, hoping thereby at least to gain time by the company not being desirous to go to the expense of attending an outside court.

Mr. Whitney's bill making the agreements entered into by the Niagara Falls Park Commission subject to ratification of the Legislature was passed. Mr. McCart's bill to amend the municipal drainage act was passed, with some amendments. The bill enables municipal Councils to appoint two resident drainage viewers to accompany the engineer when laying out drainage works, and making assessments to meet the cost of