

School Board Vacancies.

Another bill to go to the same committee was one of Mr. Sinclair's, which would prevent Boards of Education filling a vacancy which occurred within a month before an election, but would allow the appointments to be made to fill the gap at other times.

Mr. Sinclair stated that he had introduced the bill because a case had arisen in Oshawa, where a member, elected for two years, had resigned within a month of his first term being up, and the board had filled the vacancy, although there was an election

within a month. He thought in such cases the vacancy should remain for the few weeks necessary, and the electors given a chance to say who should represent them.

First reading was given to bills to amend the Threshers and Lien Act, and to amend the Marriage Act. Both have been explained before.

At the opening of the House, Hon. G. H. Challies, Provincial Secretary, took issue with a press report of his remarks on Tuesday on reformatories. "What I stated was that the number of prisoners had decreased 20 per cent. in two years, and that there had been a considerable decrease in maintenance. In 1922 the average cost was \$1.74, and in 1932 it was 90 cents. I also pointed out that the decrease in numbers of prisoners and per diem cost meant a saving to the Province of \$580,000."

Burden of Taxes To Be Included In Plea of Relief

Application to Court Without Cost, Hearings in Camera

INTRODUCED IN HOUSE

Freedom for Demands Not to Exceed Six Months—Lender Safeguarded

Virtually a six months' holiday on all overhead charges on mortgaged homes and properties where the owner resides is proposed in the Mortgagors' and Purchasers' Relief Act, 1933, introduced in the Ontario Legislature yesterday by Attorney-General Price.

Judge to Appoint.

The act is in two parts: First, a provision to extend the Act of 1932, which was effective for one year; and, second, the new enactments which relieve the mortgagor from paying interest, taxes and insurance, with approval of the local Judge in counties and districts, and of the Master in the County of York.

Steps to be taken by the homeowner or farmer who finds himself in difficulties are of a simple nature. If he cannot pay his taxes, interest or insurance, he must write to the mortgagee setting forth his reasons, under oath; if the mortgagee fails to agree upon terms, the latter must reply to the mortgagor under registered mail and then the applicant may apply to the Judge within ten days and give the mortgagee two days' notice of his intention. The Judge will then hear the case in camera and may or may not grant the applicant freedom from payments for any period not exceeding six months. There is no appeal from the decision of the Judge and no court costs are to be charged to either party.

Before the bill was presented in the House, Colonel Price held a press conference with Queen's Park newspapermen and explained the provisions of the new legislation. He declared that it was the intention of the Government to simplify proceedings under the act and to protect both the

mortgagor and the mortgagee in so far as was possible.

Lender Not Forgotten.

While he emphasized the plight of the homeowner who was overburdened with many costs pertaining to the legitimate extension of time on mortgages, he also held that the small money-lender would receive due consideration under provisions of the bill and through the new powers extended to the Judges.

In explaining the effect of the bill after the Judge had extended the life of the mortgage for a certain period not to exceed six months, the Attorney-General pointed out that when the time limit was up it would be necessary for the mortgagor to pay in monthly instalments at least 75 per cent. of the aggregate amount of overhead charges against the property due in any one year.

Asked if the Judge would be given power to extend the time beyond six months in extenuating circumstances, Colonel Price stated that some such arrangement might be made before the bill passed through the various stages of the House and committee.

With part one of the new act providing for mortgages which do not come under the overhead-cost sections, the Act of 1932 will be repealed as the principal-on-mortgage provisions are taken care of in this newly proposed legislation.

Summary of Clauses.

A summary of the clauses of the new bill as read to the House by Colonel Price is as follows:

"The Mortgagors' and Purchasers' Relief Act, 1933, is divided into two parts.

"Part I. deals exclusively with cases where all interest, taxes, insurance and other disbursements have been paid but there has been default in the payment of principal.

"Provision is made that no proceedings can be taken or continued against a mortgagor or purchaser, under a mortgage or agreement for sale which has been made before the 29th day of March, 1932, or any renewal or extension that has been made of the same, without an application to the Master, in the County of York, and in all other Counties and Districts to the local Judge.

"The reason it is made applicable only to mortgages, etc., executed before the 29th day of March, 1932, is because that was the date that the 1932 act received Royal assent, and because loans made after that date are considered as 'new money,' and were based upon present economic conditions and depreciated values: and, further, it is desirable that loaning institutions be given an opportunity to make mortgage loans from now on for a reasonable amount.

"Under this part, the Judge is given discretionary powers, and after hearing all the facts and circumstances, is empowered (in proper cases) to grant a stay of the proceedings or may allow the action to continue. This part is practically a re-enactment of the 1932 act.

Cases of Default.

"Part II. deals with cases where there has been default in the payment of interest taxes or insurance.

"This is new, and permits any mortgagor, purchaser or other person liable to make payments of interest, provided (1) he owns, resides upon

and occupies the land covered by such mortgage or agreement (2) and the mortgage or agreement is made before the 29th day of March, 1932, he is entitled to make an application for relief.

"There are certain steps that he must take, however, in connection with his application. Believing that in a great many cases, some satisfactory arrangements can be made between the mortgagor and the mortgagee, or the purchaser and seller, as the case may be, the first step provided in the act is that the mortgagor or purchaser must make an application to his mortgagee or vendor, setting out his circumstances and all the facts in connection with his case. The act provides that, by regulations to be made under the act—a form of application will be printed and made available for use of all applicants for relief without cost.

"There will be, of course, cases where the parties cannot arrive at any satisfactory agreement — and this brings along the second step. In such cases the applicant is given the right to make an application for relief to the Master in the County of York, and to the local Judge in counties and districts.

"As there may be a number of cases, after all the facts and circumstances are considered, in which the applicant has not a proper case, which would justify any relief, provision is made that before any mortgagee or vendor can be brought before the Judge, such applicant must