

*Scottish Procedure Under Summary Jurisdiction.*—Cases having been brought forward showing that great hardship is sometimes inflicted upon debtors in England by their being sued in Scotland under the process of Summary Diligence, the Committee recommend that this process shall not be applicable unless the borrower has a domicile in Scotland. *Garnishee.*—It has been held that clerks and other such persons in receipt of small salaries are not entitled to protection under “The Wages Attachment Abolition Act, 1870.” Evidence showed that garnishee summons may be and is used as an instrument of oppression against clerks and persons in similar positions. The Committee therefore recommend that the protection of the Act should be extended to all persons whose wages or salary, together with any other income, does not exceed £200 per annum.

*Registration of Money-Lenders.*—The Committee recommend: “(a.) All persons carrying on the business of a money-lender, whether individually, in partnership, or as a company, should be registered as such. (b.) That such person should be registered in every County Court district in which any premises from which such communications are addressed, or in which any money-lending business is carried on are situate. (c.) That the Registrar of the County Court in which such premises are situate should be the registrar; that a fee of £5 should be charged in respect of every registration, and that the register should at all reasonable times be open to public inspection free of charge. (d.) That the Registrar of the County Court should be required within three clear days after registration to transmit to the Registrar under “The Bills of Sale Act, 1878,” a copy of the entry in his register, and that such Registrar should be required to copy such entry into a book specially kept for the purpose, and that such book should be open to public inspection at all reasonable times free of charge. (e.) That no money-lender should be allowed to trade individually, otherwise than in his own name, and that when he trades in partnership the firm should be registered, and the names and addresses of the partners given. (f.) That it should be declared an offence for any money-lender, individually or in partnership, to carry on the business of a money-lender under the name of ‘bank,’ ‘trust,’ ‘corporation,’ or other misleading title, or to issue or publish any false or misleading prospectus, circular, or advertisement, and that it should be the duty of the Registrar of each County Court to report to the Public Prosecutor any such offence which may be brought to his knowledge, or of which he may become cognisant. That on conviction for any of these offences it should be competent to the Court to strike the name of such money-lender off the register for any period, and to impose a penalty to be prescribed by statute. That no money-lender should be capable of recovering any debts incurred in connection with money-lending transactions during the period for which he has been struck off the register. (g.) That any money-lender carrying on such business without being registered should be incapable of recovering any debt incurred in connection with money-lending transactions. In cases where the business of a money-lender is carried on by a company registered under the Companies’ Acts, the company should be described in the register, and in all circulars, advertisements, documents, or letters, as ‘subject to the provisions applicable to persons carrying on the business of a money-lender,’ and the above recommendations should apply to such a company, and the responsibility for any of the offences above referred to, or for the evasion of any of the above-mentioned provisions, should attach to the managing directors and other officers.” The Committee do not recommend that money-lenders should also be licensed, because of the “serious difficulties of carrying out a system of licensing efficiently, and of the opportunity which the money-lender would have, under such system, of advertising himself as ‘licensed under Act of Parliament,’ and thereby implying a guarantee of respectability and fair dealing.”

*Accounts of Money-Lenders.*—A further safeguard to which the Committee attach some importance is that every person or company carrying on the business of a money-lender should be required to keep regular and strictly accurate accounts of each transaction, and to furnish to the borrower, on every date when an instalment falls due, a clear statement of his account up to date. Cases were brought to the notice of the Committee, in which borrowers had been kept in complete ignorance of the state of their accounts until they have been on the verge of ruin.

*Documents.*—The Committee also recommend that the money-lender should be required to furnish to the borrowers and to the sureties, if any, at the time each transaction is entered into, copies of every document signed by him or them, and that any failure to do this should render the money-lender liable to lose his right of recovery of any money lent.

*Co-operative Banks.*—The Committee received important evidence as to the operation of co-operative banks on the Continent, and in some parts of the United Kingdom. It appears that the establishment of such banks has been of great use in abolishing, or largely diminishing, the trade of lending money at exorbitant rates of interest to the poorer classes. The Committee, impressed with the extreme usefulness of these institutions, are of opinion that they meet a real want, especially in agricultural districts. They do not, however, recommend any State intervention in connection with them at the present time.”

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