DOMINION PARLIAMENT

(Continued from third page.)

The bill was read a second time and passed through committee.

Mr. LAPLAMME moved the second reading of the bill to impose license duns on compounders of spirits, and to amend the Act respecting inland revenue, and to prevent the adulteration of food, drink, and drugs. Carried.

The Act to amend the Act respecting inland revenue was read a second time.

Mr. SMITH (Westmoreland) moved the second reading of the bill respecting tolls in the harbour of Montreal.

The bill was read a second time, passed through committee, and was read a third time.

The House went into Committee on the bill to amend the law respecting the incorporation of joint stock companies by letters patent, as amended by the Standing Committee on Banking and Commerce.

Several clauses of the bill were considered and adopted, and the Committee rose and reported.

Mr. Mills' bill to amend the North-West Territories Act of 1875 was read a second time and adopted in committee, with several amendments.

The House adjourned at 11.40.

MONDAY, April 2.

HOUSE OF COMMONS.

After routine,

Mr. ROCHESTER moved for an Order of the House for a monthly return of the mail taken out of bond each month from 1st July, 1876, to 28th February, 1877. He said that there were certain rumours afloat, and he did not know how true they were, that everything had not been done on the square with respect to the mail bags, that mails, hints having, it was said, been given to some mailsters that it would be just as well not to have mails in bond after the 20th February, when the Budget was brought down. He complained also that it was stated that the Government had imposed the duty on the 15th February in the same session, whereas the Act authorizing the imposition of the duty did not come in force till the 20th. He made the motion in order to find out how far those rumours were true.

Mr. MACKENZIE said the hon. gentleman had no right to make such a statement in the House unless he was prepared to prove the rumour. If the hon. gentleman or anyone else gave currency to the rumour, they would soon find themselves where he (Mr. Mackenzie) was putting other people for doing a similar thing.

Mr. MITCHELL said he was very careful not to state that there was any foundation for the rumour. In his remarks he merely stated that such a rumour was afloat, and it was in order to see whether it was true or not that he asked for the papers.

The motion was carried.

Various questions were answered, after which

Mr. COOK resumed the adjourned debate on his motion for an order of the House for the papers in connection with the engagement of employees for the Pacific railway survey. He said the matter was one of great interest to a portion of the country. At one time the town of Beatty ran a line from Collingwood to Georgian Bay and Lake Superior. In 1875 he had negotiated with the other gentlemen in their company, and they withdrew from it on promise of running a line of steamers from Sarnia. In every election contest he (Mr. Cook) had to appeal to the people on him a statement that the Premier had favoured Beatty's Sarnia line by sending immigrants to Manitoba and Pacific railway surveys to the detriment of the Collingwood line and to the injury of the portion of the northern part of his constituency. He did not believe that the Premier would descend to anything of the kind, and he mentioned it in his impression was that the Conservatives of Collingwood believed it to be true.

Mr. MACKENZIE said he knew nothing about the lines of steamship farther than the difference in the locality of the different ports. He understood that orders had been given to send the Mennonite and other emigrants for Manitoba by the Sarnia route, one by Collingwood and the other by Sarnia. With regard to the sending of Pacific railway officials by the Sarnia line, he had only to say that the officers could take whatever route they pleased, the Government was paying their expenses.

Mr. COOK moved the second reading of his bill to authorize municipalities to pass by-laws to provide means of escape for persons falling into fires in the vicinity of wharves and docks.

Mr. PALMER pointed out that this bill was brought in annually, and was annually rejected. It was purely a municipal matter, and had no right to be introduced into the House at all.

The motion was lost—Yeas, 37; Nays, 112.

Mr. WOOD moved the second reading of the bill to make further provisions for the management of permanent building societies.

Mr. HOLTON said he understood the bill was to change, substantially the effect of the Act passed several sessions ago. It also consisted of a bill introduced by the Government this session.

Mr. WOOD explained that the bill provided for the extension of the borrowing powers of the societies and confined their borrowing to one half upon the deposits and another half upon loans. The amount that would be actually better security under this bill than formerly. He desired the bill to be sent to the Banking and Commerce Committee to be discussed.

Mr. PALMER thought the bill was of such importance that it should be discussed on the floor of the House. The extension of the borrowing powers was a matter of principle which had to be assented to by the House. It was not a matter of detail to be settled by a Committee.

Mr. PLUMB thought that steps in the direction of increasing the borrowing power of building societies should be very closely watched.

After recess,

The House went into Committee again on the bill to amend and consolidate as amended the Acts respecting the Customs.

On section 56, allowing foreign cattle and swine to be slaughtered in bond,

Mr. COLBY objected. There was a local enterprise in Montreal for slaughtering cattle had recently been aided by municipal bonuses and individual subscriptions to benefit the locality. If the cattle to be slaughtered were to be drawn from abroad, it would have a tendency to depreciate the value of cattle in the locality intended to be benefitted.

Mr. MACKENZIE said this meat was not sold in the local market; it went to England.

Mr. COLBY replied that when a manufactory consuming fifty head of cattle per day got its supply from a foreign country, the local market must necessarily be affected.

The section passed.

On an explanation from Mr. Burpee that a certain clause was to be found in the statutes referred to,

Mr. PLUMB remarked that he had ceased to entertain any suspicion of originality on the part of the Minister of Customs.

The remaining clauses of the bill passed, after which it was reported.

The House went into Committee on the following resolution by Mr. Lafamme:—

That it is expedient to amend the Act 38 Vic., cap. 24, respecting the calling and measuring of timber, by repealing the tenth section thereof, and by authorizing the Governor in Council to fix the number of culliers to be employed in each department of the Supervisor's office, the number in the square timber department not to exceed eighteen; and to grant annuities not exceeding $200 per annum to culliers employed on 1st May, 1876, and no longer required, or incapacitated by age or infirmity, such annuities to be paid out of any surplus of the Culliers' office, or if there are no such funds, then out of the Consolidated Revenue Fund of Canada; and also so to regulate the charges for services in the Culliers' office as to give average earnings of seven hundred dollars yearly to each culler employed.

Mr. LAFLAMME said there were thirty-six culliers, eighteen of whom were, from old age and incapacity, to be dismissed and superannuated, the annuity being not more than $200. The change was the result of a conference between the culliers and the lumbermen.

Mr. BLANCHET suggested that the annuities should be $300 instead of $200.

Mr. LAFLAMME thought as the lumbermen had agreed themselves to pay these annuities, it would be unfair to ask them to pay more.

After a few words from Mr. CAUCHON in support of the resolution,

Mr. WHITE (Renfrew) congratulated the Minister of Inland Revenue on introducing such a resolution, and expressed his approval of the amount of the annuity.

The resolution was carried and the Committee rose.

The House went into Committee on the resolution of Mr. Lafamme:—

That it is expedient to provide—that the Governor in Council, on being satisfied that the standards of inspection of fish and fish-oil, in Newfoundland, are equal in quality, grade for grade, to those of Canada, may by proclamation so declare; and that while such proclamation is in force, fish and fish-oil inspected in Newfoundland and being the produce of the fisheries thereof, may be admitted to the markets of Canada, and otherwise dealt with as if inspected in Canada.

The resolution was carried. The Committee reported, and a bill founded on the resolution was introduced.

The House went into Committee on the bill to amend and consolidate the several Acts respecting insurance as amended by the Standing Committee on Banking and Commerce.

Mr. BOWELL understood that a number of important amendments had been made in Committee, and he thought it only fair to members who were not on the Committee that the bill should be reprinted as amended.

Mr. HOLTON said though the changes were of some importance they were not numerous, and it was not desirable to incur the expense of reprinting the bill.

Mr. GIBBS (North Ontario) said that if the bill had to be reprinted for the Senate, this House might as well have the advantage of it.

Clauses 10 to 15 passed. On the 16th,

Mr. YOUNG gave notice that he would move at another stage that the reserve held by foreign companies in Canada, in all cases shall be for the benefit of Canadian policy holders alone. The principle of the bill was that a full reserve should be set up by all foreign companies with the exception of mutual companies, and he believed it would be in the public interest if mutual as well as stock companies were held under the same obligations.

The remaining clauses were passed without discussion, after which the bill was reported to the House.

The House adjourned at 11.10.

TUESDAY, April 3.

HOUSE OF COMMONS.

The House went into Committee on Mr. Blake's bill to amend the Insolvent Act of 1875 and the Act in amendment thereof.

Sections one to forty were adopted. On section five,

Mr. WHITE (Renfrew) objected to shortening the time from three weeks to ten days for the notice of the first meeting of the creditors.

Mr. BLAKE said the necessity publication in the *Canada Gazette* would prevent the time be practically four weeks, which was too long.

Sections five to ten were carried. On section eleven,

Mr. ROSS (Prince Edward) referred to the number of insolvencies. He proposed the appointment of three Government inspectors, and was making some remarks on dividends realized from estates, when,

Mr. BLAKE raised a question of order that did not arise on the section under consideration.

Mr. MITCHELL regretted that the House should not be allowed to hear the views of the hon. member. (Cries of "Order.") Gentlemen opposite need not make so much noise, as the night was long, and he intended that they should hear what he had to say.

On section 13 the question of appointing Government inspectors was discussed. After felt conviction from Mr. Wood and Mr. Cliche (Montcalm).

Mr. BLAKE said there could be no doubt that from lack of diligence on the part of those with which the creditors are entrusted, there was a degree of sickness in the administration of insolvent estates which was very much to be deplored. But the difficulty was that, in a country so extensive as this so long as the creditors, who have the fullest power of determining who shall be their assignee or agent, and of directing and admonishing him and replacing him if necessary, who in short have the fullest power over the assignee, find it impossible to manage their own affairs, they would not find their position improved by the appointment of three Government inspectors, one for Ontario, one for Quebec, and one for the other Provinces, and paid by fees. The conclusion he was disposed to draw was this, that the inspection of these officers would necessarily be of a cursory and perfunctory character, and consequently the sums of money which would weigh upon the assignee and which should weigh upon the inspectors would be removed by the appointment of the Government inspection, while there would be no efficient inspection substituted for it. (Hear, hear.) He would repeat that while you could not expect any Insolvent Act to work satisfactorily, you could not expect an Act to work tolerably unless the creditors thought it worth their while to look after this portion of their business, just as they looked after other portions of their business. He believed the remedy to be this—the appointment of one or more inspectors in each case with a moderate remuneration. A merchant appointed as inspector might feel that he was paid for nothing he was adding to his business. He was interested personally, he was acting for the whole of the creditors, and he ought to be paid something. He thought that if inspectors were paid a moderate remuneration the duty would be better discharged by a merchant interested in seeing that the Government inspectors. If you could not get a merchant who was interested in the estate to perform the duty satisfactorily, it was impossible to expect that official inspection would be efficient.

Mr. BARTHE expressed himself against the clause restricting the granting of discharges where the estate does not pay fifty cents.

Mr. DAVIES (P.E.I.) said that as far as the Act had worked in his Province it had been satisfactory. If the creditors had not got as much out of the estate as the debtors, it was their own fault.

After remarks by Mr. Poulict,

Mr. MITCHELL said in his conviction was that there was nothing very wrong in the insolvent system of this country. His opinion was that the insolvent laws had done their work and should be repealed. The persistent cobbling of laws was anything but satisfactory and he held that nothing short of repeal would meet the wants of the country. With reference to the clause relating to the per centage to be paid by the insolvent where he could not pay fifty cents.

Mr. BLAKE rose to a point of order and requested that the hon. gentleman would not discuss that clause till it was arrived at.

Mr. MITCHELL said that the Minister of Justice had made the request in such an unusually mild manner that he (Mr. Mitchell) could not resist. (Laughter.)

Mr. WHITE (Renfrew) concurred in condemning the fifty cent clause. If the law had worked disadvantageously to creditors he believed it was their own fault. He hoped the Minister of Justice would either expunge the clause or reduce the amount to twenty-five cents.

Mr. MACDONALD (Toronto) thought the clause was one of the best in the Act. It could not be denied that a great many failures were due to incompetency, extravagance, or fraud. Such men ought not to be brought back to trade. There were too many such in the trade. The facility with which discharges were obtained led a great many to become insolvent who would not have failed under a more stringent law. A man who conducted his business honestly, and took stock regularly, had no occasion to become insolvent. The 33⅓ cents clause had been tried and had failed. He considered the fifty cents restriction absolutely necessary in the best interests of the country. Honourable gentlemen spoke as if the merchant would desire the insolvency of his debtor, but the importer would not realize his profit until he had sold his goods, and the interests of creditor and debtor were mutual to a very large extent.

Mr. MITCHELL had listened with amazement to the remarks of the hon. member for Toronto. That honourable gentleman thinks that the object of the law was only for the protection of the creditor, but he contended that the protection of the unfortunate debtor was equally entitled to consideration. (Hear, hear.) The tendency of the insolvent law, and the amendments thereto, has been to give more power to the creditor and lessen the chances of the debtor. It was not in the interests of morality that the debtor should be driven out the country should be kept in bondage because they had not the means of paying fifty cents in the dollar. It was well known that the fortunes of men had shrunk in these times without any fault of their own, and it would be unjust that such men should suffer from the restrictions sought to be proposed. Instead of voting for extend it from 33⅓ to 50 cents, he would vote to wipe out the 33⅓ cents altogether. There were hundreds of men anxious to pay 100 cents on the dollar, but it was utterly out of their power. Were them men to be kept in slavery and to be doomed for all time, because they would not pay 50 cents on the dollar? He deprecated the proposition as grossly unjust. Some shipwreck or fire, or misfortune, beyond his control slight reduce a merchant to a position that would place him under the operation of this rigorous enactment. He regretted that it should be left to the discretion of the Judge to grant the discharge, or refuse to grant it. The bill was legislating in the wrong direction, and to the extent of his ability he would endeavor to prevent the clause from passing.

Mr. ROSS (Prince Edward Island) thought the creditors were better judges how much the debtor ought to pay than the Minister of Justice. (Hear, hear.) He hoped the clause would be dropped.

Mr. PALMER said his view was well known, that the Act should be entirely repealed and other hon. members who said the law had demoralized the country were evidently coming to the same conclusion, the Minister of Justice was attempting to make an Act that would not demoralize the country, but he thought the attempt would be a failure. It was true that creditors were generally ready to sign off, but that arrangement would be equally strong against any insolvent law at all. He sympathized with the Minister of Justice. He believed he was attempting an impossible task, but if the clause were passed he would vote for it.

Mr. FARROW represented in his constituency about three hundred retail men, and he was convinced that this clause, was not in their interest. No doubt the wholesale merchants would be jubilant if it were carried, but it would be a great injustice to retail retailers as it would place the debtor in a position that not pay fifty cents. These men would be driven away from Canada by such a law. Statistics showed that it was almost impossible in the front country to wind up some estates so as to realize more than fifty cents, and if these traders could not get their discharge, they would go elsewhere to recommence business.

Mr. McCARTHY condemned the clause, and believed that it would lead to serious injustice. A man who met with an accident in a casualty might find himself unable to obtain his discharge.

Mr. GIBBS (South Ontario) felt it to be his bounden duty to add his protest against the enactment of this clause. Instead of the standard of commercial morality being raised up, it would be lowered. It would conduce to commercial depravity. The reason was that a number of men who had believed themselves to be solvent would soon see that unless they went into bankruptcy it would be impossible for them to get their discharge, and while solvent men would be hurried into bankruptcy by such a law, persons who ought to go into insolvency would be restrained from doing so.

After recess,

Mr. GIBBS (South Ontario) resumed the debate, expressing his opposition to the clause, and intimating his intention of voting against the clause if it should come to a division.

Mr. BOWELL pointed out that two years ago the Minister of Justice was opposed to the 33⅓ cent clause, and urged that the hon. gentleman had since then changed his views. He was surprised to hear the strong denunciations made by some members against insolvent traders, and the charge of conducting their business. He (Mr. Bowell) sympathized with that class of dealers, and believed that they ought to be shown some leniency, as a great many of the business failures were in a great measure due to wholesale merchants themselves, who sent their drummers around, and established retailers in every village and hamlet, who were not sufficient business to support one.

Mr. MACDOUGALL (Elgin) said he would have liked the clause to have had been no limitation mentioned. He would, however, support the measure in order to see whether it would work well or not.

Mr. HOLTON said he had watched the working of this Act very closely, and the conclusion that experience did not warrant the change proposed. He thought the extent of the increased limitation would be the means of forcing many business men into insolvency prematurely, and consequently rendering a great injustice to the mercantile community. If a motion were made to strike out the limitation clause he would certainly vote for it. He would rather compromise with the remaining clauses to the 33rd, on which

Mr. BARTHE suggested that the majority of the creditors should be required to assent instead of the majority in numbers.

Mr. BLAKE said he would consider the suggestion, but he had not had any representations made to him in reference to the matter.

The remaining clauses were adopted, and the Committee reported the bill with amendments.

On the motion for concurrence,

Mr. GIBBS (South Ontario) moved that the report be not now concurred in, but that the bill be referred back to Committee of the whole House, with instructions to strike out the clause relating to the per centage not paying fifty cents on the dollar.

Mr. YOUNG (Waterloo) contended that the reasons given for not enacting the limitation were inadequate. Creditors were not anxious to strike out the limitation where the debtor's estate was unable through misfortune to pay a large dividend, but were towards raising the limit ought, he considered, to have the support of the House.

Mr. WORKMAN said he hoped the clause would be retained. The honest creditor was the party who ought to receive their sympathy, and not the debtor who was not the honest debtor who was not treated with the sympathy he deserved. The clause did not prevent creditors from granting the discharge, even though the debtor might only pay a small dividend, but it did prevent creditors from compelling the Judge from granting the discharge against the wishes of the creditors.

Mr. McDONNELL (Inverness) said if the principle, that the debtor must prove his honesty by paying fifty cents on the dollar, or costs on the dollar, why not admit it to the extent of 100 cents? The Act was not a bankruptcy Act for compulsory. The bill had two objects, first, the relief of the honest but unfortunate debtor, secondly, it gave the creditor power to seize at once the property of the debtor, if he had any, and not be delayed by administrators for ten cents on the dollar. Now if an estate was sound in the beginning, it was shown by experience and it would work very unfairly toward the debtor. He would prefer to see the bill thrown out rather than such a principle should be adopted.

Mr. SMITH (Selkirk) spoke in favour of retaining the clause.

Mr. WHITE (Renfrew) moved an amendment to the amendment to refer the bill back to Committee of the Whole with power to strike out the 14th and 15th sub-clauses.

Dr. TUPPER regretted that he was not present when the bill was first discussed before. He would take this opportunity of stating his views as to the clause before the House. He thought it was a hard one, but he could not reconcile his views than the proposition that a man who had been honest and while solvent men would be harried into insolvency