

April 24, 1872

the third reading, at the earnest solicitation of the Government of the day, thrown out, because it was at such a late period of the Session, and the Bill was lost on the third reading by only two votes.

A large number of petitions had been addressed to the House in favour of the principle involved in his resolution. He was daily and hourly brought into contact with ship masters and others interested, and he spoke with some knowledge of the trade. His proposition was in favor of ship owners and shipbuilders, ship chandlers and seamen. At present they were liable to foreign ship masters bringing in their vessels for repairs and supplies, leaving in a great hurry, and perhaps never again more than touching at their port, or if the vessel should be an English one, it was frequently mortgaged to its full value; and so the Canadian ship builders and ship chandlers lose whatever may be due them.

He thought the Bill, when considered and amended, as it probably would be, would give equal security to ship owners and seamen. He quoted from the British North America Act to show that the subject of the resolution was for Dominion legislation, and not Provincial.

Hon. Mr. IRVINE sympathized with his hon. friend on the principle of the Bill he wished to introduce, but he thought the constitutional question suggested by the member for Peel (Hon. Mr. Cameron) was an important subject, and if the Minister of Justice (Hon. Sir John A. Macdonald) was not prepared to give an opinion at once the matter should be postponed.

Hon. Mr. SMITH (Westmorland) thought the question deserved great consideration, and would ask the hon. mover (Mr. Kirkpatrick) if there were any means by which seamen could enforce their wages against a ship. By the English law a seaman has a lien on a ship, but he can only enforce that lien through the Court of Vice Admiralty, and there is a similar lien for repairs provided the owner does not reside in England.

Mr. HARRISON said there were two questions involved. One of policy and one of power, and if there were doubts as to their power of legislating on the subject there was no object in doing so. He moved the adjournment of the debate.

Hon. Mr. CAMERON (Peel) moved that the Committee should be allowed to rise and report progress, and ask leave to sit again. —Carried.

AFTER RECESS

The **SPEAKER** took the chair at 7.50 p.m.

Mr. WORKMAN moved to introduce a Bill to incorporate the

Exchange Bank of Canada. The Bill was referred to the Committee on Banking and Commerce.

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LARCENY OF STAMPS

On the motion for the third Reading of An Act for the avoidance of doubts respecting Larceny of Stamps,

Mr. JONES (Halifax) urged that the Government should abolish the Stamp Act. His own opinion was that it should be abolished and he at the same time expressed the opinion of the mercantile community of Halifax. Such a tax had only been resorted to by countries under the necessity of raising a large revenue, and he hoped the Government would accede to the well understood wish of the country in the matter and abolish the duty.

Hon. Mr. MORRIS explained that the remarks of the member for Halifax (Mr. Jones) had no relation to the Bill before the House. The object was to meet a difficulty which had occurred and had already been explained to the House.

The Bill was then read a third time.

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INSOLVENCY LAWS

The adjourned debate on the second reading of Mr. Colby's Bill, for the repeal of the Insolvency Laws was resumed:

Hon. Mr. CAMERON (Peel) thought the Bill should be referred to the Committee on Banking and Commerce before the House was committed to its principle. When the present Law had been devised it had received the greatest possible consideration, and the Government and the House had used every effort to make the Bill as nearly perfect as possible. The law had now been in operation for some time, and certain difficulties had arisen, but if proper amendments were made, the country would not desire its abolition. It ought to be considered what the position would be if the whole law were repealed without anything being substituted. He thought the Government ought to express their views on a matter of such great importance.

He moved that the bill be not now read a second time but that it be referred to the Committee on Banking and Commerce, in order that they might report thereon. If after the matter had been considered by the Committee it should be found that the interests of the country required its repeal, it could then be done. There were, no doubt, many objections, one of which was the system of voluntary assignments, and then again there ought to be a greater length of time between the claiming and granting of certificates, and, there should be an absolute refusal in any case where the expenditure had been reckless. So long as a system of credit existed