

submit, any doubt whatever of the power of that Parliament to deal with the subject.

The form which the objection to federal jurisdiction ordinarily takes is that a law for distribution of assets merely, without provision for the insolvent's discharge would not be the exercise of legislative authority upon the subject of "bankruptcy and insolvency" assigned by the British North America Act to the Dominion Parliament, but a dealing with "property and civil rights" relegated to the Provincial Legislatures. Such a position, it seems to us, is not simply untenable, but utterly absurd. It ought not to be necessary to point out that there is no necessary connection between the subject of "bankruptcy and insolvency" and that exceptional power of legislative interference with contract rights of which the granting of judicial discharge to debtors from their obligations is an instance. Bankruptcy and insolvency as now used are practically synonymous terms. They mean inability to pay one's debts. An insolvent is one who cannot meet his obligations as they mature, and insolvency is the state of such a person. It necessarily follows that any law which proposes to deal with the affairs of men in such a condition is an insolvent law, and can under our constitution be enacted by no power but that parliament to which the subject of insolvency is relegated. The equitable distribution of assets has always been the main object of all bankruptcy laws in this and every other country. The question of relief to debtors from further liability has always been merely an incidental one. It has always been for the parliament passing an insolvent law to say whether any such relief should be accorded and if so, the extent to which it should go and the terms upon which it should be granted.

When bankrupt laws were first enacted in England the idea of granting any redress to the unfortunate debtors can scarcely have occurred to the old fashioned legislators who then made the nation's laws. They treated the insolvent rather as a criminal delinquent and his inability to meet his obligations as strong evidence of fraud. The discharge of a debtor whose estate had been distributed among his creditors from further liability for the claims of those creditors, is quite a modern appendage to bankruptcy laws. Whether the legislative granting of release from debts is right and proper, and if so, whether in the present state of affairs in Canada, a law for that purpose should be enacted, we are not now discussing. What we desire to emphasize is that any law which provides for the ratable distribution of the assets of insolvent debtors among their creditors, and which creates the necessary machinery for carrying out that purpose, is an insolvent law, whether it provides for the discharge of the insolvents or not, and as such comes within Federal and not Provincial jurisdiction.

That point being clear, and it being equally clear that the interests of the country demand that whatever law is in force on the subject should apply alike to all the provinces, the present Dominion Government must not be permitted to shirk a plain duty on any such flimsy pretext as that of doubtful jurisdiction would be. The matter has long enough been allowed to dangle before

the eyes of the commercial community in the shape of bills brought in, session after session, by private members, only to be strangled by one or other of the well understood parliamentary methods. The subject is sufficiently important and the urgency sufficiently great to render a government bill the only proper mode of procedure. Whether discharges shall be granted on proper terms is for Parliament to say. What the mercantile community asks and ought to have is, an equitable distribution of assets, by one process instead of the present inequitable and cumbersome mode of realization.

If discharges are to be granted they should be provided for by separate enactment; since they should obviously apply as well to debtors who under the present law have voluntarily given up all their assets for ratable distribution as well as to those whose estates may be wrested from them for the same purpose under a law for distribution. There is the above good reason at the present time for keeping these subjects separate, and it is well to keep in view the fact that there is under no circumstances any necessary connection between them. It is well known that great diversity of opinion exists upon the question of whether discharges should be granted at all, and if so upon what terms and under what circumstances, but there is little room for diversity of opinion upon the propriety of having an insolvent's effects fairly distributed by one process instead of their being frittered away by such wrangling as is now so common. It is no argument to say that it is unfair to pass a law whereby you take away all a debtor has without affording him as a compensation relief from further liability to those for whose benefit he is made to hand over all he possesses. The law, as it now stands, affords means of stripping a debtor of all he owns, and gives him in return no discharge except so far as the result is satisfaction of the particular debts sued for. What is asked now is that instead of creditors being allowed to scramble for precedence, the law shall, upon insolvency taking place, effect a fair distribution among those thereto entitled. This will not place the debtor in any worse position than he now occupies. It will leave the question of his release from liability to be dealt with, as it should be as a separate and distinct matter.

COPPER MINING.

The metallurgical processes for the separation of copper from its ores are both lengthy and complicated. The iron and sulphur found along with them must be separated from the copper. The sulphur, it is usual to burn away as sulphurous acid, (SO_2) and to carry off the iron by means of fluxes in the form of slag. There are said by scientists to be not fewer than ten distinct steps in the production of commercially pure copper. The industry is one, therefore, of a very complicated character. The most recent, and one of the most promising enterprises in connection with copper-mining, is in that "rich little, tight little island," Cape Breton, the riches of which portion of Nova Scotia is so well known and admitted that there needs no repetition of the list of metals to be found there. Within ten miles, or less, of Sydney, C. B., and between four and five miles dis-

tant from the north-west arm of Sydney Harbor is what is known as the Coxheath Copper Mine, on the north slope of Coxheath Mountain in the county of Cape Breton. Having been prospected as long ago as 1875, the mine has been understood to be rich in copper, but although visited by speculators and reported upon favourably, we are told, by Engineers from the Old Country, it was undeveloped until Boston and Cape Breton parties sent Mr. J. W. Revere, a mining expert from that city to examine it. His report being favourable, about 1881 the property, consisting of about a square mile was purchased. Since then a large amount of money has, we are told, been expended upon it by a company formed under the Maine law, with a capital of half a million dollars.

Two shafts have been sunk on the property, one of them, 6 ft. 11 in., has reached a depth of 175 feet. At sixty four feet down on this shaft, four drifts were cut in the direction of the cardinal points of the compass to prospect the lode. Other drifts were made at different depths farther down. They all showed ore, but it was not considered to be in paying quantities. No 2 shaft, whose dimensions are 7 feet by 14, was carried down 200 feet, and in this shaft *pay ore* was struck. It is found to run diagonally across the drifts, and corresponds so well with that exposed in a prospect hole some two hundred feet away that the existence of quantities of paying stuff is regarded as demonstrated. At all events some seven hundred tons of the ore has been raised during the past summer, and the present openings render available some four thousand tons, which a practical metallurgist estimates to contain about four per cent. copper. If this should seem a low percentage it is as well to remember that the *Rio Pinto*, one of the largest of the Spanish mines, produced 20,000 tons copper from 3 per cent ore. The Cornwall ores average 6½ per cent. and Newfoundland 10.

Mr. Revere says, in his report, that the development of the property has passed the prospecting stage, and has "reached the point where, with the immediate addition of the necessary machinery, it can be a large producer." He describes the mine in its principal workings as "a perpendicular shaft 197 feet deep, with 460 feet of drifts and cross-cuts, developing a lode of mineral-bearing rock, heavily charged with yellow copper pyrites (chalcopyrites). There can be no doubt that this lode occupied a true fissure. Where the wall rocks are exposed they are smoothed and, in some cases, polished, not only is the clay gauge met with, but there are between the walls masses of clay and disintegrated vein-matter which indicates the extent of activity and motion which at one time existed. It may, therefore, be considered as almost a certainty that the lode continues to a depth far below the reach of the miner."

A fair road connects the mine with the North-west arm of Sydney harbor, 4½ miles distant, where there is a small wharf belonging to the Company. The ore is very pure chalcopyrites, easily separated from the gangue of the vein, and can be readily concentrated so as to yield from 12 to 15 per cent of copper. Portions of the vein carry an appreciable amount of silver and gold.