

this Act might fittingly become law during this jubilee year, the celebration of Her Majesty's fifty years' reign. I would be very sorry for my part that such legislation, which would add a great deal of rascality, should be enacted in this jubilee year. The hon. gentleman and the hon. member for Berthier (Mr. Beausoleil) have spoken at length upon the advantages which this Bill would confer upon farmers. Well, I am a farmer, I live among farmers, and I can tell this House that the farmers of the country do not want such legislation. If you go to them and tell them: "We will place on the Statute book a law under which when any one of you becomes insolvent from his own conduct or through extravagance he will be relieved of his liabilities after he has surrendered to his creditors all he possesses, what would they say? They would feel indignant. Such a proposal conflicts too much with their natural honesty and their habit of paying their debts, and their belief that every man who incurs debt ought to make payment. Such an Act would be very unpopular with the agricultural community instead of being favored by them. They do not want such legislation. But if such legislation is to be enacted, they want to be kept out of its operation and not be affected by such a law. The hon. gentleman who introduced the Bill, said that the discharge of the debtor would not affect the claims of the farmers who happen to be creditors, if the claim was the result of the sale of his farm produce. To my mind this is too vague and indefinite. It would take time and some kind of machinery to ascertain whether the claim of the farmer came into existence by the sale of his farm produce or not. I do not feel inclined to move any amendment to prevent this Bill going to the Committee on Banking and Commerce, but I think this House will hesitate a long time before passing such a measure, and that it will require to be studied much more than it has been studied by hon. members. We must examine it more closely, and I really hope it will not pass. I dislike the principle of the Bill; but, if it is to pass, it must be amended so as to make it less objectionable in many of its provisions.

Mr. CASEY. I do not propose to refer to the details of the Bill, for on the second reading we should only consider the general principle. This Bill has steered clear of many of the objectionable points that have existed in previous Insolvent Acts. It is proposed to use the machinery existing in the several Provinces for the distribution of the assets of insolvent estates. This Bill contains no provision for the distribution of the property. The definition of the word "insolvent" in the interpretation clause makes that quite clear. It is:

"The word 'insolvent' shall mean a debtor whose estate has been ratably distributed amongst his creditors, under the provisions of any Provincial Statute providing for such ratably distribution, or who has made a general assignment of all his estate for the benefit of his creditors."

This steers clear of the difficulty involved in the old Insolvent Act. So far as I am aware the principal objection to the old Act arose from the cost of distributing the property of the bankrupt debtor. The hon. member for Iberville (Mr. Béchard) evidently thinks the farmers will object to being included in the Act, and the hon. member for South Brant (Mr. Paterson) seems to think that some persons should not have the advantage of it. I, on the other hand, think that the best point about this Bill is that it applies to all classes; that it is not a Bill to relieve insolvent traders merely, but that it applies to all classes of the community. All who are agreed that an insolvent is entitled to his discharge, under any circumstances, should vote for the second reading of the Bill. I do not pretend to have studied its details, and I do not know what my opinion will be after I have studied them; but I strongly support the principle that under some circumstances an insolvent should obtain a discharge. I do not

Mr. BÉCHARD.

see what good can come either to the creditors or the community at large by maintaining claims upon a debtor who has given up all his property for the benefit of his creditors. I do not know what good can come either to the creditors or the community by maintaining claims on a man who is unable to make payment, and I think it would be better for all parties if insolvent debtors were allowed to start afresh, whether they were traders or non-traders. I call the attention of the House to the fact that the discharge is not compulsory, and cannot be obtained unless by the consent of an increasing majority of the creditors according to the amount of the dividend the insolvent is able to pay. Every safeguard appears to be provided for the creditors, and as hon. members I believe, are unanimously of the opinion that an honest but unfortunate debtor should obtain a discharge, they should support the second reading of this Bill, which is intended to effect that object, at the same time surrounding the granting of discharges by sufficient safeguards. If I thought it would be likely to allow rascals to secure their discharge even once in seven years, I would oppose its second reading. I, however, support heartily the second reading, whatever opinion I may have to pronounce upon the details when we go into committee.

It being six o'clock, the Speaker left the Chair.

#### After Recess.

Mr. CURRAN. The Bill which has been introduced by the hon. gentleman is one of considerable importance, and is deserving of mature deliberation before we embark on the project of making it the law of the land. I think it will be generally admitted that such legislation as this is not usually resorted to except in cases of dire necessity. Such legislation is generally enacted for a brief space of time, and in the presence of a demand made by the country at large, through the press, or from boards of trade, or other bodies which are recognised as authorised to give expression to the views of those engaged in commerce. The principal objection that I see to the enactment of such a law is that there is nothing before this House to show that there is a demand for bankruptcy legislation, which this really is, as distinctive from the ordinary Insolvency Acts that we have been called upon to pass or amend from time to time. If there was any large class of persons in our community laboring under the want of such a law as this, we should certainly have heard something of it through the columns of the press. A demand would have been made upon this House to enact some law of this kind in order to afford relief to such persons as were in need of a discharge. It would have been pointed out to us that there were a large number of persons in the different cities and towns of the Dominion, as well as the country parts, that were laboring under a great disadvantage, that were being kept out of trade and commerce, that were kept in a state of oppression, owing to the want of legislation of this kind. Now, we have no such representations made. On the other hand, in so far as the public bodies of the country—boards of trade for instance—are concerned, we have had no representations from them upon this subject. We have had on several occasions—and I have been charged to bring before this House—an Insolvency Bill which, being enacted, would affect the whole Dominion and enable mercantile people to obtain an equitable distribution of the assets of insolvent debtors. My hon. friend who has brought in this Bill to-day knows what was the fate of the last Insolvency Bill that I had the honor of laying before this House on two or three consecutive occasions. When at last we were authorised by this House to have the matter brought before a special committee, appointed for the purpose of investigating the subject and reporting thereon to this House; after many weeks of arduous labor the committee presented to this House the draft of a Bill which embodied in it a dis-