

fairness. The Reform party during the period of Mr. Mackenzie's administration had ample opportunity to negotiate a reciprocity treaty. It did precisely, what it complains that the present administration has not done: it sent the late Senator Brown, one of its most distinguished members, on a special mission to Washington and the result was complete failure. The Editor of the *London Advertiser* must be familiar with Senator Brown's speech delivered in the Senate in 1875, in which he gave a statement in detail of all that took place prior to and during the negotiations in 1874. More than once, in the course of that speech, Mr. Brown stated that he had differed in opinion with Sir John A. Macdonald, owing to his having been, as he thought, too ready to make concessions to the United States. Sir John had used the following language: "He should be very glad to see 'Canada get the old reciprocity treaty; he had no hopes that he would succeed in getting it in its entirety, but if the 'honorable gentleman made an approximation to it, he should be exceedingly glad.'" Mr. Brown's resignation in 1866 was owing to his opinion that the Government was inclined to go too far in the direction of making concessions to the United States, and in 1874 he was of opinion that Sir John Macdonald was disposed to make the same mistake.

The *London Advertiser* cannot discover any ground for the unwillingness on the part of the Canadian Government to open negotiations. It loses sight altogether of the fact that the former negotiations were the result of informal and confidential communications, which had previously taken place. It is a matter of notoriety that the treaty of Washington, by which a number of questions of grave importance were amicably settled, was formally entered on, after it had been ascertained in confidential communications that both the contracting parties were ready to negotiate. Precisely the same course was followed in 1873-4. Mr. Brown, in the speech to which we have referred, mentions his own correspondence with Mr. Rothery, a distinguished English jurist, consult, and registrar of the High Court of Admiralty, who came to Canada to get up the case for the arbitration on the fisheries under the treaty of Washington. Mr. Brown impressed on this gentleman the importance of getting the United States to make an effort to settle the fishery question by a treaty of reciprocity rather than by a money payment, and it was owing to Mr. Rothery's unofficial and confidential communications that the subsequent formal negotiations took place.

We have ourselves no doubt whatever that more than one unofficial communication has taken place, with the view of ascertaining whether it would be of any use to make a formal proposition. It must be borne in mind that there is at Washington a representative of Great Britain who is thoroughly aware of the views of the Canadian Government, both as to reciprocity and to the fishery question, and who would not omit to learn from time to time whether any good would result from a formal proposition. We should like much to learn the *Advertiser's* authority for his statement that "there is no difficulty in effecting such an arrangement if the Government is ready and anxious, to undertake negotiations with that end in view." No difficulty!!! The United States first abrogated the treaty of 1854, then refused to treat with Sir Alexander Galt in 1866, then again refused to treat in 1869-70, then in the negotiations at Washington in 1871 positively refused to consent to reciprocal trade, and then in 1875 refused to assent to a treaty negotiated by Mr. Brown, in which he had made great concessions in order to secure the treaty.

Can the *Advertiser* with such a record before him state on what ground he has declared that "there would be no difficulty" in obtaining a treaty. Will he further state distinctly whether he subscribes to the following opinion enunciated by Senator Brown in his speech:—"There is no mystery in their (the Canadians) desire that the commercial relations of the Republic and the Dominion should be placed on the most kindly and unfettered and mutually advantageous basis consistent with their respective existing obligations, and with that connection with Great Britain 'which the Dominion so happily enjoys?'" The *Advertiser* cannot be blind to the cause of the rejection of the last treaty, which it is an open secret was the certainty that all goods admitted free into Canada from the United States would be likewise admitted duty free from the United Kingdom. The plain question for the advocates of reciprocity of the school of the *Advertiser* is whether they are prepared to discriminate in favor of the United States against Great Britain.

#### INSOLVENCY LEGISLATION.

Since the repeal of the Insolvent Act in 1880 the agitation for means to distribute fairly the estates of insolvent debtors has come chiefly from the principal distributing centres of trade; and, whatever else that agitation may have

merited, it was certainly free from the charge of having for its object a manifest intention to subvert justice by adding to the injuries of suffering creditors.

Nothing decisive having resulted from the numerous applications to the Dominion Government to exercise the power vested in it and deal with the question of Insolvency, the Ontario Government grappled with the difficulty, and enacted a measure for distributing estates through the sheriff, having been misled, doubtless, by the specious pretence that something of a kindred procedure worked satisfactorily in Lower Canada. The miscalculation of the promoters of the measure in question has been forcibly exhibited in the persistent manner in which insolvents manage to keep their estates out of the sheriffs' hands. Chattel mortgages and voluntary assignments have practically rendered the distribution measure a dead letter, and the evils of unjust preferences, instead of having been diminished, have increased; and, as might naturally have been expected, in proportion to the aggravation of these preferences have been the difficulties in the way of obtaining discharges by the debtors who resorted to the practices which were, to a great extent, the natural outcome of weak and inefficient commercial legislation.

The result of that has been pressure for relief from a new quarter; the principal distributing centres of trade are not the applicants for legislation this time—a different class now clamors for relief; and as the Government at Ottawa gives forth no certain sound in regard to dealing with the question this session, Ontario again tries her hand, and, under the rather innocent title "An Act respecting Assignments for the Benefit of Creditors," provides an excellent means for whitewashing debtors, by giving them the right to stipulate for a release from the executing creditors, while such of the latter as choose to decline executing the assignment are punished for their want of generosity by being denied the right to participate in the distribution of the estate. This next method of smiting men who, in this age of progress, are so benighted as to give credit, has not exactly the merit of originality, similar provisions in the laws of the Maritime Provinces having evoked curses both loud and deep full many a time, from creditors at home and abroad; these have had the hardihood to characterise the system as one of legalized robbery. True, there is in the practice of the Maritime Provinces, a refinement of the mode of fleeing creditors which Ontario does not