

May 2, 1872

would only be fair to give similar warning to its repeal. Many merchants had given credit on the faith of provisions of the Law, and they should be protected. He thought the House should wait for petitions against the Law before repealing it.

Mr. HARRISON said the reason he proposed to advance to the House for not at once going into Committee was that the Insolvency Law had worked tolerably well, and they ought to give it a fair trial. He had received a resolution recently passed by the Board of Trade of Toronto that this Board considers that the repeal of the Insolvency Laws would be a grave injustice to honest but unfortunate traders, and that the amendments petitioned for by this Board will be sufficient to protect the honest from being taken advantage of by dishonest traders. Under the operation of the Insolvency Act, the estate goes into the pockets of the creditors, instead of into those of the lawyers. There were men whose business—before the passing of the Act—consisted chiefly in collection. He knew of one man whose business had been completely ruined by the Insolvency Act, and many had lost to a large extent from the same cause. The arguments had gone to show that in some respects the law had worked badly, but they had not stated that the defect could not be remedied.

He had introduced a Bill which embodied a good many of the amendments suggested by the Board of Trade of Toronto. The repeal of the Law would be equally prejudicial to debtor and creditor. No man would affirm that a man who had been unfortunate should forever have a mill stone around his neck. Unless we give honest men a chance to recover themselves they will be driven from our country. If the law should be repealed, the result in Ontario would be that the first execution would sweep away everything, and the unscrupulous creditor would get all, while the others would get nothing at all.

The law of the Province of Quebec was better in some respects than that of Ontario, as the proceeds of the sale were there distributed among all the executions. The Boards of Trade of Montreal, Toronto, Halifax and St. John had petitioned against the repeal of the law and the hon. member for Hamilton (Mr. Magill), while voting for the repeal of the law, had presented a petition from the Board of Trade of Hamilton, praying that the law might not be repealed. He hoped that the representatives of Quebec would vote with Ontario against the repeal of the law.

Mr. COLBY said that the hon. gentleman had appealed to the magnanimity of the representatives of Quebec. He had no desire to oppose the interests of the people of Ontario, but he found that each successive vote on his Bill had gradually increased the number from both Ontario and Quebec in its favour.

Mr. WORKMAN would not detain the House but the hon. member for Stanstead (Mr. Colby) had referred to members who had had experience in the working of the Act. He (Mr. Workman) claimed that he had had more experience than any

other merchant in the House, and from that experience—and he could also speak for the merchants of Montreal generally—he considered that the Act had worked admirably, especially since the amendments of 1869. He regretted that in conversation with members of the House since the last vote was taken, he found that they had given their vote without really knowing the working of the Act. He expected a petition by the next mail from the merchants of Montreal against the repeal of the law.

There had been a charge made against the merchants of Montreal, that they were sending their goods to the right and left, and that at twenty-five per cent in the dollar. The charge was too absurd to receive credit, as if such were the case they would be making a present to their customers of Ontario of 75 per cent upon all the goods they furnished to them. As the authenticity of the petition of the Board of Trade had been doubted by the hon. member for Stanstead, he would state that that petition had since received the unanimous assent of the Board.

Mr. COLBY said that when he made the statement, he did so subject to conversion. He had today heard of the petition which the hon. member for Montreal Centre (Mr. Workman) expected by next mail to the effect that it was being taken around for signature by an official assignee.

Mr. MAGILL in explanation to the remarks of the hon. member for Toronto West (Mr. Harrison), said that the petition of the Board of Trade of Hamilton against the repeal of the Insolvency Law was signed by only seven members of that Board, one of whom was an official assignee, whilst he held in his hand a petition of 67 merchants of that city praying that the Act may be repealed or suspended for a period of five years.

The vote was then taken on **Hon. Mr. ANGLIN'S** amendment, resulting in:—Yeas 69; Nays 77.

Mr. HARRISON moved an amendment that it be an instruction to the Committee to except the Province of Ontario from the operation of the Bill.

Hon. Mr. BLAKE thought the motion out of order.

The SPEAKER ruled that the committee had already power to except any portion of the Dominion, and the instruction was therefore unnecessary.

The House then went into Committee,

Mr. MILLS in the chair.

Mr. JONES (Halifax) moved that the Committee should rise and the Chairman order the Committee to divide. An animated and rather amusing scene ensued, members on each side endeavouring to detain others from crossing the floor.