

the advertising shall be performed, is ordered, and at the time of the insertion of the first advertisement (whether in form of P., or any other,) there shall be mailed notices addressed to all the creditors, unless specially otherwise herein provided, so says s. 117; and in the law we do *not* find special provision exempting petitioners like those whose cases are now being disposed of from so mailing notices. I think the law meant that as far as possible the creditors should receive actual notice, and it is very fitting that it should be so. A bankrupt may be a fraudulent one. his creditors may have been seriously wounded by him, and his discharge refused by them. Under the law, such a bankrupt need not present petition for discharge by the judge within 13, 24, or even 50 months, particularly under system of mere advertisement in the *Official Gazette*, and say, a weekly semi-religious paper, read by hardly any body the bankrupt referred to might, easily, arrange a surprise against his creditors, particularly by waiting a time, three or four years, until creditors were off their guard, some of them, perchance, absent from home. Under the system of mailed, particular notices, creditors could not be so easily surprised. I think that the law meant them not to be surprised. I hold its expression to be plain. What inconvenience can result from enforcing it? None; but much convenience and equity. If there be doubt as to how such laws should be read or interpreted. I hold that the creditors ought to be favored; for the bankrupts are claiming privilege, and to destroy fortunes of other people, or to wipe off large money claims of others without paying them anything. "Statutes overthrowing estates shall be strictly construed, and never have an equitable construction."—P. 729 Dwarries. "A power derogatory to private property must be construed strictly, and not enlarged by intendment."—P. 750. "Let a statute be ever so charitable, (said Holt, C. J.) if it give away the property of the subject it ought to be construed strictly."—P. 854. "It is safer to adopt what the Legislature has actually said than to