

he received a telegram from the President of the Chamber of Commerce, which he would read:—

“The Chamber of Commerce unanimously desire our representatives to use their exertions to prevent the repeal of the Insolvency Act.”

He considered that an opinion coming from such a body, representing every branch of commercial industry, was entitled to every respect at the hands of hon. members. He understood that similar expressions of opinion had emanated from all the business centres in the country (*Cries of no, no*); at all events, he believed petitions had been received from Montreal, Toronto, Hamilton, St. John, Halifax and other places, and he could safely say that they were among the leading business centres of the Dominion. The Dominion Board of Trade had also expressed a similar opinion, and he contended that the views of those bodies represented public opinion. He hoped the good sense of the House would reverse the vote given on a previous occasion and sustain the Act. (*Hear, hear.*)

Mr. SAVARY had not had an opportunity of speaking on the subject before and desired now to say a few words. His hon. friend, the mover of the Bill (Mr. Colby), had referred to the vote of last session as evidence of the feeling which prevailed against the Insolvency Act. He (Mr. Savary) did not think it would bear that construction. In the first instance, several members representing important commercial constituencies had reversed their votes of last session, and in the second place the vote was taken at a late stage of the Session when many members had left. Nor did he believe that the vote taken the other evening was a fair indication of the feeling of the House and the country, as there were at least sixty members absent when the vote was taken. It could not be denied that the Insolvency Law of 1869 was an important measure, and he would impress upon the House the necessity of exercising the utmost care in dealing with the matter; they should not hurriedly repeal a measure of so much importance.

The hon. gentleman (Mr. Colby) who moved the second reading of this Bill had stated that the Insolvency Law was passed solely in the interest of the debtor, and that it was demoralizing in its effects. He (Mr. Savary) contended that it fully protected the creditors by enabling them fairly to distribute among themselves the property of the debtor, when he became insolvent, and he read several clauses of the Act in support of his view. It had been contended that the Law encouraged recklessness, but he did not think so. The creditors had the power of putting an estate in insolvency if they thought that a man was conducting his business in a manner to lead to bankruptcy, and could secure his property and distribute it ratably among all the creditors. How then did the Act encourage recklessness among debtors?

Many members had stated that an Insolvency Law should not only exist in times of commercial depression and that in prosperous times like the present there was no necessity for such a law. He was not of that opinion. In times of prosperity many were induced to embark on reckless adventures which often turned out disastrously and led to bankruptcy. The promoter of this Bill had admitted that a

law was necessary to discharge debtors from their obligations in times of commercial pressure and in that he had admitted the principle that we ought to have such a law. When the Act was passed, it was intended to be experimental and was limited to a period which ended in 1873, and he would ask the hon. gentlemen to let the experiment work itself out in order that we might have further and better proof of the successful working of the Act. Prior to the passing of this Act, there had been no satisfactory law in the Lower Provinces and if the House insisted upon its repeal he would support the amendment of the member for St. John (Hon. Mr. Gray) and endeavour to have Nova Scotia also exempted from the operation of the Bill now before the House.

The SPEAKER reminded the hon. gentleman that he was not speaking on any particular motion, having only alluded to one that he intended to make.

Mr. SAVARY said that the motion he rose to make was this:

That the Speaker do not now leave the chair, but that the Insolvency Act of 1869, with its amendments, be referred to a Special Committee with instructions to report such amendments as the commercial interests of the country require, with power to send for persons, papers and records.

A point of order was hereupon raised, which, having been argued by several hon. members, **The SPEAKER** ruled the motion out of order.

I think the Motion is out of Order, for this reason: The House has affirmed the propriety of this Bill being referred to a Committee of the Whole House, although it is true that the Order is capable of being delayed by motion and suspended for months, perhaps forever, practically, yet that decision has not been come to by the House, and it having been decided that the Bill be referred to a Committee of the Whole House it is not open at this stage for the hon. member to move that the Bill be referred to a Select Committee. If the hon. Member had confined himself to an abstract proposition, I think he would have been in order; but he has not done so; he has merely asked to delegate to another body the power of dealing with this measure, which the House has already resolved shall be dealt with by a Committee of the Whole.

Hon. Mr. ANGLIN moved, in amendment: “That the Speaker do not now leave the chair, but that the House go into Committee upon the said Bill this day three months.” He said that the experience of the commercial community of the Lower Provinces had been that the law worked satisfactorily, and they were opposed to its repeal.

Mr. SAVARY said that the hon. member for Oxford North (Mr. Oliver) had asserted that the lawyers were interested in the repeal of the law, but that argument was answered by the fact that there were as many lawyers in favour of the Act as there were against it. It seemed to him that the proposed legislation was too hasty, they had only had the Insolvency Law on the Statute Book since 1869, and it did not come into operation until September of that year. If it was thought necessary to give timely notice of its taking effect, surely it