

NOVA SCOTIA INSOLVENCY LAW.

A BILL BEFORE THE LEGISLATURE TO ABOLISH PREFERENCES—
THE ATTORNEY GENERAL EXPLAINS THE MEASURE, WHICH
SATISFIES THE ASSEMBLY IF THE COUNCIL WILL
PASS IT.

IN the Nova Scotia House of Assembly, February 8, Attorney-General Longley introduced a bill respecting assignments and preferences by insolvent persons.

He said that this bill was not entirely new to the legislature. It had been introduced twice, and adopted and carried by the house, but he had failed to receive the concurrence of the Legislative Council.

The subject of bankruptcy and insolvency, properly speaking, belonged to the Federal Government, and for some time after confederation a federal law on that subject had been in operation. After a number of amendments had been passed, it became so distasteful to the business community that pressure was brought to bear on the Government and Parliament of Canada for its repeal, with success. Therefore, in Nova Scotia, and any other province not having special legislation, the distribution of the estate of a person unable to meet his usual liabilities was determined by the old common law rules. Under this, a system of preference had grown up to a large degree, and such a thing as an equitable distribution of one's estate among all his creditors in due proportion was almost unknown in Nova Scotia.

Under the general authority to deal with property and civil rights, it had been held by the highest judicial authority, namely, the privy council, that the provincial authorities had power to pass an Act for the equitable distribution of the estates of insolvent persons and to prevent fraudulent preferences. Such an Act had been passed in Ontario, and that very Act had been held to be constitutional by the privy council. The bill which he introduced was largely on the lines of the Ontario Act. Under the Ontario Act the sheriffs of the different counties were ex-officio official assignees. This bill did not limit necessarily that office to the sheriffs, but provided for the appointment in each county of one or more official assignees by the governor-in-council.

This legislature, while having the power to deal with the estates of persons in insolvent circumstances, had no power to pass legislation by which these persons should receive acquittances. This bill did not provide for the discharge of such persons from their liability to their creditors.

It might be that the Dominion Parliament was considering the question of introducing an Insolvency Act, which would be more far reaching than that passed by the provincial legislature. If they took it in hand all the legislation introduced in the various provinces would go for nothing. It was not certain that such an Act would go through this session of the Dominion Parliament, and it had been deemed necessary that some steps should be taken by this legislature.

In the earlier stages of this class of legislation some opposition has been offered to the principle of the distribution of estates by assignees by leading members of the business communities in Nova Scotia, and especially in Halifax. It might be that it was believed that by means of preferences local wholesale dealers would get an advantage over wholesale dealers living outside of the province, but, he (Hon. Mr. Longley), thought that full consideration had led the almost universal feeling that a system of preferences could be enormously abused, and could induce a condition of things which was discreditable to the general moral tone of business in a community. Therefore he thought he was justified in believing that the method of distribution provided by the bill which he introduced would meet with the general assent of the business community.

PROGRESS OF THE MEASURE.

Since Mr. Longley introduced the bill it has been considered by

the committee on law amendments, and, after hearing a deputation from the Halifax Board of Trade consisting of Ald. Faulkner and Mr. E. G. Kenny, the committee reported the measure which is now through the House of Assembly. The general provisions of the bill are similar to the law now existing in the province of Ontario. It is not within the power of the provincial legislature to enact legislation providing for the discharge or acquittance of a bankrupt by his creditors, and therefore the present measure contains no such provision. An honest trader, however, can always rely on fair treatment by his creditors. In all respects the proposed measure is as comprehensive and complete as it is possible to make it and still keep within the scope of provincial jurisdiction.

STORE SENSE.

Look here, Mr. Employer; a few
Words with you.
Do you pay a clerk for listening to
Lectures, or for working?
Have you ever taken the young men
You employ into your confidence,
And told them just how you wanted
Your business conducted,
And just how they should do it?
Or do you just scold,
And yell, and scream?
Now your employees are the backbone
Of the business.
If any one of them does good work for you
Let him know it.
Of course, men who do not work
Willingly, never will work.
There is no use in scolding that kind of a man.
Just bounce him.
You don't want any one around you unless he is just as much
interested in the welfare of the business as you are.
But you'll never secure that interest
By scolding.
Kindness will secure it.
And once you have whole-souled, friendly help, your business
life will be worth the living.
It may cost a little more money to keep good help than it does
to keep bad help, but good help is always cheap.
And when you treat your
Men right,
They reciprocate.
Business cannot be done on a purely
Sentimental basis.
But there are some things that every human
Being requires.
One is good treatment,
Another is justice,
And another reward.
The man that has got to work for you
Because necessity compels him to,
Is an unwilling servant.
He will leave you as soon as he can.
That is what you want to avoid.
It is expensive to drill in new men.
And it is expensive to have
Dissatisfied help.
Make every man that is with you,
Work for you.
Make them all feel, as the men
in the army of Italy felt
Toward their
Napoleon.

—Haberdasher.