

The Commercial

WINNIPEG, MARCH 10, 1885.

MR. HAMILTON'S VICTORY.

Now that the South Winnipeg election is over, and Mr. Hamilton the Government candidate is elected, it may not be without profit to calmly view the results of the late struggle, and estimate in the same manner their indications.

Notwithstanding the fact that the South Winnipeg election was only a single and isolated contest, great persuasive powers have been used to make the electors and the public generally believe that upon its results depended terrible consequences to either party. We are in no way prepared to accept such a view of the importance of the contest; but we are firmly of the opinion that Mr. Norquay intended that it should act as a feeler of popular opinion, to serve as guide to him as to how far he might go in accepting the terms offered to Manitoba by the Dominion Government. His shrewdness in selecting a candidate who was at the zenith of his popularity with the citizens to enter into a fight where open voting gave every advantage to the Government candidate, proves that he was not prepared to take any chances of defeat which he could avoid. He knew that the opposition to his candidate was strong and well-organized, but sadly lacking in that power which is always in the grasp of the ruling party; and he was careful not to increase any advantage they possessed, nor lessen any of his own. Taking all these circumstances into consideration, Mr. Hamilton's majority of 77 in a total vote of 1135 may be considered a victory for that gentleman himself; but as far as Mr. Norquay and his Government are concerned it is very far from one, and should be accepted by them as a distinct warning that even in South Winnipeg, where the Parliament buildings and Government offices are located, and the bulk of the Government employees reside and vote, there is but little disposition to allow Mr. Norquay much latitude, if he has intentions of playing fast and loose with the rights of Manitoba as a province. The vote of last Tuesday cannot be accepted as a decision of the people against the rights of the province, as set forth by Mr. Norquay last spring, and

we have no doubt that he and his supporters will be wise enough to see this, and profit by the hint it furnishes.

In the South Winnipeg election as in most others alleged bribery, intimidation, wholesale personation and other villainous practices are charged against the victorious, and even the defeated party, now when the battle is over. Of course in every case the accusers are partisans of either side, and their statements may well be subjected to a liberal discount before being swallowed. If the rights of Manitoba have suffered during the recent contest, neither bribery, personation nor any other corruption can be seriously blamed for the injury. It was made plain in the contest, that old party prejudices were the worst and most dangerous enemies to Manitoba rights. Even the defeated party started out in the contest upon a straight reform platform, and only at the last moment, when it was too late, to catch that portion of the wavering conservative vote, which leaned towards provincial rights, was the declaration made by Mr. Luxton's friends, that his election if secured, would not be considered a party triumph, but one in the interests of the province. Manitoba rights were left in the beginning of the contest without a supporter, who would stand or fall by them in defence of old party lines, and as a natural consequence their influence in the contest were not felt as they should have been.

After weighing the results of this election as carefully and unbiasedly as possible, we are shut out to the conclusion, that a gain of one seat is all that the Government have secured, and that by a majority so slender, that they have no reason for exultation over it. Outside of questions of provincial interests Winnipeg has secured an advantage in having one of its members in the cabinet, and in a position to secure for the city the legislation its business men may require and ask for.

EQUAL DISTRIBUTION OF ASSETS.

It is now a fact beyond dispute, that during the present session of the Dominion Parliament there will be passed no Bankruptcy Act, or act for the equal distribution of insolvent debtors' estates, and it is very questionable if such a measure will become law until quite a material change has taken place in the present composition of the House of Commons. The fact is hard for the mercantile circles of Canada

to swallow, but it is practically beyond dispute nevertheless.

When we are thus shut out to the belief that no legislation of this description can be obtained from the Dominion Parliament, we must look to our Local Legislature for relief, even if that relief is only of a temporary nature. Provincial Parliaments have handled this important commercial subject, so that our Manitoba legislators are not without a precedent when they grapple with it. Five years ago Ontario secured a law on the subject, entitled "An act to abolish priority of and amongst judgment creditors," the provisions of which with few exceptions would be found both useful and practical in Manitoba at present, and would at least place it out of the reach of an unscrupulous creditor, to get a priority over others by means of a hurriedly secured judgment and execution. The protective provisions of this act amount simply to this: when a sheriff makes a seizure of the goods of a debtor on behalf of any creditor, he must enter the same in a book kept for the purpose in his office, which book must be kept open thirty days for the inspection the public. Any other creditor of said debtor may twenty days after such seizure, and up to within two days of the sale of effects seized, by notifying the sheriff, and serving copies of his claim with affidavit attached upon the debtor and the Clerk of the County Court, be entitled to rank pro rata in the proceeds of such seizure. In short creditors have twenty-eight days in which to protect themselves against the greed of another creditor even, when such and the debtor are in collusion. The remaining clauses of the act are details, which provide for disputed claims of creditors and other probable difficulties in the working of the main principle of the law.

There can be no doubt but this act, while it falls far short of the value of a Dominion Bankruptcy law, could be adopted in principle in Manitoba, and with a few amendments and additions be made of great value and utility to the mercantile classes of the province. Its scope could be made to include chattel mortgages granted within a specified time of the debtors insolvency, and in many other respects so arranged as to compel practically the equal distribution of the assets of an insolvent among his legitimate creditors, even in a case where the insolvent had made up his mind to grant dishonest preference.