

April 24, 1872

favor of its continuance with amendments and had forwarded petitions to that effect.

The member for Stanstead (Mr. Colby) had alluded to the petition of the Montreal Board of Trade and had tried to make the House believe that that Board did not represent the opinions of the commercial community of the city. He differed from him entirely. In Toronto also the Board of Trade had called a special meeting to discuss the question, and there was but one opinion, that they did not consider it desirable that the law should be repealed although amendments were necessary. In view of these facts he felt justified in changing his vote on the question and out of deference to those Boards he had much pleasure in supporting the motion of the hon. member for Peel.

Mr. CAMERON (Huron South) regretted that the Government had not pronounced their opinion on the question. He had listened to the arguments of the three legal gentlemen who had spoken, and though they all admitted that amendments were necessary, they differed in their views as to what those amendments should be, and this only confirmed his belief that the only course was an entire repeal of the Law.

The Act of 1864 might have served a good purpose but he contended that no Insolvency Law should have a permanent place on the Statute Book, as it was only intended to meet exceptional cases when men through no fault of their own became insolvent, and in cases of that kind it might be judicious to provide some measure of relief. He believed the circumstances that had made necessary the Law of 1864 had ceased to exist. He thought at the time of the passing of the Act of 1869 that it would have worked well, and that the provision for the punishment of fraudulent debtors would have given general satisfaction, but after 4 years' experience he considered it a total failure. The machinery was complicated, troublesome and expensive, and the creditors instead of deriving the benefit, found the estate absorbed between Sheriffs,

Assignees, Inspectors, and other officials, called into existence by the law. The objection of the Solicitor General of Quebec, that there was no sufficient tribunal for the trial of insolvent cases was well founded, and it was one of the practical difficulties met with in Western Canada.

Viewing the matter from every standpoint and looking at its working in the country, he was prepared to announce that the Bill was exceedingly derogatory to the commercial morality of the country. It was a scandal to the statute book, and he should vote for its repeal. If circumstances should arise and difficulties present themselves requiring a re-enactment of the law, the Legislature was always in existence to deal with the question. They heard on all sides that the country was prosperous, and such being the case, there was no present necessity for the law.

He should vote against the motion of the hon. member for Peel (Hon. Mr. Cameron), and would like a fair vote of the House on the question. If the House did not declare against the continuance of the law, he did not believe that many members who should vote in favour of that continuance would return after the elections.

Mr. ROSS (Dundas) said the effect of the insolvency Law had been to demoralize an important class of the community—the retail dealer. He thought it had been the means of inducing many men who had good intentions to do business honestly, to involve themselves, and then take advantage of the Law. If any measure should be introduced to meet the circumstances he would support it, but should not support his hon. friend from Stanstead (Mr. Colby).

Hon. Mr. SMITH (Westmorland) hoped a division would not be taken tonight, as many members were out of their seats. He therefore moved, seconded by **Mr. YOUNG**, that the debate be adjourned.—Carried.

The House adjourned at 10 o'clock.