

WEDNESDAY, April 24.

At 12.10 p.m., the House waited on His Excellency with the Address, and on their return, His Honor the Speaker reported and read the reply, which is as follows:—

"Mr. Speaker, and Gentlemen of the House of Assembly:—

"I thank you for your Address. You may rely on my hearty co-operation in your endeavours to promote the welfare and prosperity of this Island."

Hon. Mr. HOWLAN presented the Report of the Medical Superintendent of the Lunatic Asylum for the past year.

Ordered to be laid on the table.

Jail Limit Bill.

Hon. ATTORNEY GENERAL, from the Committee on expiring Laws, presented a Bill to revive, continue, and amend the Act relating to the limits and rules of Jails in this Island.

Received and read.

Read a second time, and committed to a Committee of the whole House. Mr. G. SINCLAIR in the Chair.

Hon. ATTORNEY GENERAL observed that the Act relating to the rules and limits of Jails had expired last year. A Bill to renew it had been brought in last Session, but after having been submitted to a Committee of the whole House and ordered to be engrossed, it had never been passed. It was therefore necessary, in the Bill now before the Committee, to provide for the future, and also to confirm the acts of the Sheriffs during the past year, they having acted under the rules of the old law, supposing it still in force. He also explained that there was a clause in the Bill before the Committee, providing that if a person left the limits of a Jail and came back before a writ was issued against him, he should be held to have broken the limits. The old Act had not been explicit on this point, and there had been misunderstandings in consequence.

Hon. Mr. DAVIES remarked that some improvement might be made in the Bill. He considered that it would be a great advantage to extend the limits to the whole Island. At present, if a person overstepped the limits of the town, his securities would be liable for his debt. He knew friends of his who were greatly benefitted by the present Act, but if they inadvertently even overstepped the limits, their bails were bound to discharge their debts.

Hon. LEADER OF THE OPPOSITION confirmed what had been said by the hon. Attorney General, relative to the Bill of last Session, which by some accident was never passed. He thought that the suggestion of the hon. member for Belfast would require some consideration, as it would entirely alter the law which had been hitherto in force. Such an amendment as that proposed would not be consistent with the spirit of the law for imprisonment for debt; as that law would be rendered almost useless if prisoners were allowed to take the limits of the whole Island. The suggestion of the hon. member proved the want of a Bankrupt Law in this Island. He fully agreed with the principle that when a person was unfortunate in his business, not through any dishonesty of his own, and gave up his

property to his creditors, there should be some law to wipe out all his antecedent debts, so that no subsequently acquired property could be taken for them. This subject had been before the House several years ago. In 1852, he had prepared a draft Bill, but nothing further was done in the matter. He therefore thought that the best course for the hon. member for Belfast to pursue would be to allow the Bill before the Committee to remain as introduced, and to have a special committee appointed, who might, with the assistance of the Attorney General, report next Session on the most feasible plan for a Bankrupt Law.

Hon. ATTORNEY GENERAL agreed with the hon. the Leader of the Opposition with respect to the amendment which had been proposed. It was well known that those persons who took the benefit of the limits were not always the most strictly honest men, as any prisoner for debt could do so by getting two responsible persons to be his bondsmen. If he were an honest man and had no property, he could, as the law at present stood, take advantage of the Insolvent Debtors' Act, and would then be free to go where he pleased; while the suggestion of the hon. member for Belfast, if carried out, would prevent creditors, in many cases, from recovering their just claims from dishonest debtors. If we had a good Bankrupt Law, and competent commissions to carry it out, it would probably be of great benefit to the country. He would therefore recommend the hon. member to have a committee appointed who could report on the subject next Session.

Hon. Mr. DAVIES would be quite ready to do this if he thought that a Bankrupt Law would be passed here; but so many objections had been thrown in the way of the Bill that was formerly introduced, he did not consider it likely that there would be any better success in the future. If, however, the hon. Attorney General would promise to bring in such a Bill, he would be willing to withdraw his proposition. The objections urged by the last speaker would not apply so strictly as he had made it appear; for a dishonest debtor could, if his dishonesty were proved against him, be prevented from taking the benefit of the limits, by being prosecuted as a criminal. He (Mr. Davies) did not by his proposition wish to change the law, except as regarded the extent of the limits.

Mr. MACNEILL agreed with the hon. member for Belfast, for he considered that, if the limits of the town were a benefit to debtors, they would be still further benefitted by having those limits extended to the whole Island. If a debtor were honest and deserved the present limits, he would be quite entitled to a wider range.

Mr. BRECKEN thought that, if the suggestion of the hon. member were to be adopted, it would be as well to abolish imprisonment for debt entirely, since giving debtors the limits of the whole Island would be virtually doing so. He was not prepared to go to the extent of abolishing imprisonment for debt, as he did not think it would be just to creditors. Even if the proposition of the hon. member were carried out, there would then be scarce any restraint upon dishonest debtors. They would, when they became involved, make over their property by bill of sale to their friends, and thus *Ca. Sa.* executions would be valueless, and writs of no force. The majority of those imprisoned for debt would have no object in leaving the Island, and therefore they would not dread imprisonment—knowing that they could take the benefit of these extended limits, and would then be in reality as free as they were before.