

a consideration, is under discussion, where the Government, or the individual (if a private measure) would desire to consider the question as to whether he would press it, or not, and knowing that to be the practice in all deliberative bodies unless there is a determination to kill or strangle the bill.

Hon. Mr. MILLER—I do not think that that is the intention of the House. After the remarks which have fallen from the hon. Premier, I presume there will be the usual courtesy extended to him that there would be to any mover of a bill and that the adjournment will be granted. I intended, however, had that motion for the six months' hoist been pressed, to vote for it.

Hon. Sir MACKENZIE BOWELL—I was intimating what the practice was on these questions, and I am glad to know that one of the best parliamentarians in the House takes the same view that I do. It is an important measure, and much time has been given to the preparation of it; but to those who think an Insolvency Act should not be placed upon the statute-book of Canada, I frankly admit that it is their duty to oppose it. I would not ask any man to vote for a bill of that kind if he thought it was going to prove detrimental to the interests of the country. But I do wish to impress this upon the House, that it has been strongly urged upon the government that some measure should be placed upon the statute-book which would give the merchants of Great Britain and foreign countries confidence, not merely in the laws of their country, but that they should not be deprived of their rights in the proper redistribution of estates when the traders of this country became insolvent. I might go on for an hour and point out, as every merchant who has done business in Canada knows, and as every banker knows, frauds and iniquities have been perpetrated in the past in the manner in which foreign creditors have been deprived of their share of the estate of debtors. In those provinces where there is no such law and the creditor can take advantage of his position and his proximity to the debtor, and thereby get an assignment by which he can secure his debts at the expense of another, that is a reason why they would oppose a general act. But I do not think it is a statemanslike view to take of a question of this kind. I have no more to say

at present, but as it has been moved by my hon. friend from Rideau that the debate be adjourned, I shall accede to that, as far as I am concerned, and vote for it if it is the will of the House that it should be done.

Hon. Mr. SCOTT—I would like to make a correction. The hon. Premier stated that an English gentleman had informed him that as the law stood in his province, where there was distribution of estates a party could mortgage his book accounts. Well, I am inclined to think that the law of Ontario on that subject is even better than the proposed provisions in the Insolvency Bill. Under the Insolvency Act the time fixed within which it shall be lawful for a party who subsequently goes into the insolvency court to make any assignment or transfer is 30 days.

Hon. Sir MACKENZIE BOWELL—You are referring to what?

Hon. Mr. SCOTT—To the observation that one of the necessities for an Insolvency Act was that a merchant might mortgage his book accounts and subsequently go into insolvency.

Hon. Sir MACKENZIE BOWELL—I was not referring to the English Bankruptcy Act. I was referring to the Act relating to the distribution of estates as it stood upon the statute-book in Ontario.

Hon. Mr. SCOTT—But that has been an argument used to show the necessity for an Insolvency Act, that at present a merchant might mortgage his book accounts. I say the position taken under the Insolvency Bill is not as sound and judicious a one as the provision in the Ontario Act. Under the proposed insolvency law and assignment or transfer made anterior to the insolvency might be good. The clause in the Ontario Act would be more satisfactory than the one in this bill.

Hon. Mr. BELLEROSE—Did I understand the premier to say that in England the same law applies to the whole community, and to ask why should there be a difference between this country and England?

Hon. Sir MACKENZIE BOWELL—It designates them as debtors no matter who or what they are.