

which arose out of the war of 1870, the postponement of the obligation of the acceptor automatically extends that of the drawer and the endorser. Therefore the moratorium, which was first put into effect in Great Britain, resulted not only in postponing the date of payment of the bill for the benefit of the acceptor, but also extended similarly the liability of drawers and endorsers. The matter was dealt with specially also by a subsequent proclamation on the part of the British Government.

Now the situation is rapidly becoming normal, and it would appear to me unlikely that after September 4 the British moratorium will be continued in effect. That, of course, is a more or less enlightened guess. We cannot tell; and I am strongly of the view that, while a government should be reluctant in the extreme to bring into effect even to a limited extent a moratory law, and should only do so upon the clearest possible evidence that it is required in the interest of the financial and business community and after consultation with the leaders of the financial and business world, still I am firmly of the opinion that such a general law ought to be on our statute books in order that it may be availed of in case of necessity.

Mr. NESBITT: My inquiry was made with a view to finding out whether the minister intended the moratorium to apply to ordinary trade bills. I am much obliged to the hon. gentleman for his very explicit explanation. At the same time, apparently he intends to make it unlimited. He says the courts now have power to govern to a certain extent the payment of ordinary debts, but this would overcome anything that the courts might do so far as the Dominion Government have power. I do not think the Government ought to have power to stay ordinary trade bills being paid, up to a certain amount anyway. I can quite appreciate that the Government should have power to pass this legislation in case other countries pass it, and I think it should be done, but to interfere with ordinary commercial transactions and allow—we may as well speak openly—dishonest people to take advantage on payments they should make and could make, is something that should not be done except with the whole voice of Parliament. That, of course, the English people were able to do as Parliament was sitting there. I think it was perfectly safe for the Governor in Council to have a limited liability in this matter with reference to international

affairs and very large affairs; but further than that I do not think it should be extended.

Mr. GERMAN: As I understand the British North America Act, all matters of civil rights are referred to the provinces and the collections of debts are matters of civil rights. Does the Finance Minister propose that this Parliament has a legal right to give to him authority to postpone the payment of a debt say by a company incorporated by Dominion charter if the indebtedness is due and owing in any one of the provinces in the Dominion of Canada? For instance, a mercantile corporation incorporated by Dominion charter is indebted in large sums of money in one or more provinces of the Dominion of Canada. Does my hon. friend contend that the passing of this Act would authorize the postponement of the payment of those indebtednesses and prevent the creditors in one province or other collecting those debts against the company incorporated by the Dominion charter?

Mr. WHITE: If my hon. friend will look at subsection (e) he will see that the authority that we are asking is only that which may be conferred by the Parliament of Canada acting within its jurisdiction. Questions of simple debt or contract would appear to be within the jurisdiction of the several provinces as coming within the subject of property and civil rights. But, on the other hand, there is undoubtedly a very wide jurisdiction within which the Dominion could act if, as I have said, it should be imperatively necessary. For example, the Dominion has the large field of bills of exchange and promissory notes, banking and interest. How far that would clash with provincial jurisdiction in the matter of the payment of interest I do not for the moment express an opinion because I have not reached a conclusion on it. The Dominion has authority of a wide-reaching character under the clause of the British North America Act which gives its jurisdiction over the regulation of trade and commerce and bankruptcy and insolvency. How far the courts of the land would authorize the Dominion of Canada to go under the jurisdiction thus conferred upon it by the British North America Act I am, of course, unable to express an opinion. They might go pretty far. I think it clear that simple debts and contracts would come within provincial jurisdiction.

The question does not arise of course with