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## THE ADVISABILITY OF ESTABLISHING A BANKRUPTCY COURT IN CANADA.

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ADDRESS DELIVERED BEFORE THE ONTARIO BAR ASSOCIATION BY  
JAMES BICKNELL, K.C.

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### *History of Bankruptcy Laws.*

The principle embodied in the want of bankruptcy legislation in Canada is, historically considered, that of slavery. In the most primitive stage of society, indeed, the remedy, if there was any, was probably that of private vengeance. In the next stage we have the condition of things which may be described as private vengeance regulated by the State—the *manus iniectio* of the Romans, whereby the creditor was permitted privately to imprison the debtor and even to kill him. In the next stage we have public imprisonment of the debtor. The debtor was restrained of his liberty, that is, he was restrained as to locality and also as to his liberty to deal with his fellowmen. Later still, in the next stage, the restraint as to locality was removed, but the restraint as to the debtor's dealings with others was, in effect,