

The receiver under this bill does not occupy the same position in any way. The receiver only takes possession of the property of the debtor and holds it without dealing with it in any way until the creditors appoint their liquidator; the object of the bill is to throw the whole responsibility on those who are most interested, the creditors, of dealing with and disposing of the estate instead of leaving it, as the old law did, in the hands of assignees and those by whom they were surrounded to dispose of and absorb. So much for that portion of the bill. It has been objected that the bankers and the merchants are the parties most interested in the passing of this bill. There can be no doubt of that fact. It is from the fact that the wholesale merchants and the bankers are the parties who give credit to the persons who ultimately go into bankruptcy, and that being the case, I know of no class of men who could be so deeply interested in securing a proper and legitimate distribution of the estates as those who have trusted them. I am in full accord with my hon. friend behind me who said a few moments ago that he could see no reason why a bankruptcy act should not apply to all classes of the community. I expressed that view very strongly years ago in the House of Commons; I expressed it also when this bill was before the House last session, and when it was before the Committee. The great majority of the gentlemen present took a different view; and in that, as in some other cases, much against my will, I had to yield to the opinion of the majority. My opinion, however, on that point has not at all changed. I know of no reason why the law as it exists in England should not exist in Canada, any Bankruptcy Act which is put upon the statute-book should apply to all debtors, whether a chimney sweep or a formerly princely merchant. In that respect I think the principle upon which the English law is based is the correct one, that every man should stand before the law in the same position and in the same light. However, I know that merchants, and others who are not traders, take a different view in Canada, and the majority under our system must rule; but it is one of those instances where, speaking individually, I think the majority is wrong. The difficulties that have presented themselves in the past continue in the future. In Nova Scotia

there is no such act upon the statute book as that which exists in New Brunswick, and in the provinces of Ontario and Quebec. Neither is there any such law existing in Manitoba or in British Columbia. I cannot understand how the objection which was raised, I think, by the hon. gentleman from Albert—that is the reference which he made to the law of exemption—can apply in any way to this question of bankruptcy. The law as it stands upon the statute-book in Ontario exempts certain properties from seizure for debt. It goes to a much greater length in the province of Manitoba; but if a merchant gives his goods to a retailer in Manitoba or in Ontario, he knows, or ought to know, that that is the law of the land, and to that extent his security is of no avail, and consequently he gives the credit with a full knowledge of what security he has—the honesty of the man himself. If the law were to abolish the power of collection of debts altogether, then the trader who trusted his goods would know that he was giving them to the party who purchased, upon his sole responsibility and honesty. But as that does not exist, and as there should be a fair and equitable distribution of the debtor's estate when he goes into insolvency, I see no reason why this bill should not be placed upon the statute-book. In reference to the motion for the six months' hoist, of course if that carries it puts an end to the bill, so far as this House is concerned, and for this parliament and perhaps for all others. I am very much obliged to the hon. gentleman for the good opinion he expressed of me. I do not think, however, that there is any gentleman in this House who would cast his vote on that consideration. I should not expect or ask, no matter how high an opinion anyone might have of myself individually, that he would cast his vote contrary to the principles which he holds, or against the dictates of his conscience. That would be asking a good deal too much. I, however, do say to my hon. friend that the six months' hoist is rather a summary mode of disposing of a bill of this character. I do not complain even of that, because I know what strong views my hon. friend has upon the question and the sooner he could kill the bill the better he would like it. The motion made by my hon. friend for an adjournment of the debate is one that is usually adopted in all deliberative assemblies when a question of this character, and one which involves so grave