

occurred, although I have no doubt that a great majority of the men that took advantage of that Act were honest men, for it does not follow that because a man went through that Bankrupt Court that he was a rogue. It is one thing to charge a man with being dishonest, and another thing to prove him a rogue.

"Who steals my purse, steals trash; 'tis something, nothing,
'Twas mine, 'tis his; has been slave to thousands;
But he that filches from me my good name
Robs me of that which nothing enriches him,
And makes me poor indeed."

It is a very easy matter to give a debtor a bad name, which he will find it a hard matter to get rid of, when he does not deserve it. We should protect the poor unfortunate honest man, even if some rogues get the benefit of it. You hear judges, lawyers and ministers quote: "It is better that ninety-nine guilty persons should escape, than that one innocent person should be punished." The Judges, in laying down the principles of the law, in addressing the Jury, say: "If you have a reasonable doubt concerning the guilt of the prisoner, give him the benefit of that doubt." There are forty-one of us here, and we say in our own strength, we are the assembled wisdom of New Brunswick. The law says so, when it commands the Sheriff to return wise and discreet men, and they have returned those men who sit here. Therefore, if we are the assembled wisdom, let us show our wisdom, not only by our conduct as men while here, but by our acts as legislators, which will prove to the people of this Province that we have not been sent here in vain. Let us legislate for the poor as well as for the rich. If we cannot feel for the poor, some of us cannot feel for ourselves. This Bill has long been called for, and somebody had to take what is called in Parliamentary language, the initiative. I have done it, but I am perfectly willing for any other member who has a better Bill, to strike out this Bill from the beginning to the end, and introduce other sections in lieu thereof. I would not care if it was cut up so I would not know it, so long as it contained the principles of this Bill. I should rejoice to think that though my Bill should sink, I had been the means of bringing forth a Bill that would have the desired effect. But if you have no better, don't go against this because it is a new thing. You have tried Bankrupt Trials, and they have proved a failure. Try this, and you will never repeat it. Is it a new principle? We came here to legislate on new principles. What is the use of men sitting down here and originating no new thing at all? When the Sheriff returned "Mr. Needham" as the most wise in all York, why should he tell the Sheriff by his acts that he told an untruth? I want to show them they did not make a mistake. Are you afraid of all new things? If so, the world would soon come to an end. It is a new thing for a man to get married, and if all men were afraid of new things, men would never get married. It is because people are afraid of new things that makes so many bachelors. The same thing might be said regarding the Canadian volunteers, who were dragged from under the bayonet and brought up to the mark at the point of the bayonet. It is no wonder

they wanted to get the Bluesnoses to fight for them.

Mr. FRASER said that, under this Bill, a creditor could attach ninety-tenths of his debtors' property, not allowing the other creditors to share in it.

Mr. NEEDHAM. My impression was, that when the whole of a man's property was taken, it was an act of bankruptcy, but if a less amount was required to constitute such an act, I would have no objection. My object in guarding the Bill in this way was, that I did not want to give the debtor a chance to become bankrupt until he ought to be. Therefore, I put in that all his property must be attached before he could take advantage of the act. There never was a time in the history of the country, when it was more necessary and essential that something of this kind should be done. We have had seasons of depression in consequence of the war across the border, which has caused our trade to be depressed, but now we are looking up a little. The little cloud which, when it commenced, was about the size of a man's hand, has rained the last drop upon the top of Mount Ararat, and times of great prosperity are coming. I do not prophesy it; but any man looking at the past, and from the past, judging the future, will say, there are seasons of prosperity coming over this little spot called New Brunswick. Commerce is going to rise, business is increasing, deals are up, and it is only when men are enjoying prosperity, that they will go into large operations, expecting large returns; but all at once a crash comes, and then the honest man is bowed down to the dust. Therefore, let us prepare for the unfortunate time to come afterwards; and in our prosperity make a law which will not only benefit the debtor but the creditor, and, by so doing, show to the world that our aim and object is to make such laws as shall reflect credit upon ourselves and do our duty to the men who sent us here.

Dr. THOMPSON said he could not agree with the principle of abolishing imprisonment for debt. If they wanted to keep men honest, they must make them amenable for every dishonest act. If a man does not pay his debts, and has no wish to pay them, he ought to be punished, and under the present law we have the power over him to punish him. Under the proposed law a poor man could not get along; if he could not get his wages people would not trust him, for by abolishing imprisonment for debt, they would have no power over him. There was no great quantity of debtors put in jail, not more than one out of a hundred. They had better let the 99 escape as heretofore and let this law alone. If a man who gets into difficulty is an honest and civil man, they would not find one man out of ten thousand who would incarcerate him. He was going to vote against the bill, for they had too many bankrupt laws already; by one of them he had already lost thirteen hundred and some odd pounds. "A burnt child dreads the fire." They had better not put temptation in the debtor's way. We pray to be delivered from temptation, and he would add, deliver us from this Bill.

Col. BOYD thought a Bill of this kind was very desirable. If a man owed them a sum of money, they had a chance by this attachment to secure themselves, and if the man owed more than his property

was worth, the creditors all shared alike. He had sent a man a few days ago who gave him notice that he would swear out. He had property, but he swore he had none. The Justice had almost come to the conclusion that he must discharge him. He (Mr. Boyd) offered him one dollar a day to work for him, and would pay him half his wages every Saturday night, the other half to go to his credit; but he would not work. If there had been an attachment law, he would have paid himself out of that man's property.

Mr. WILMOT said he differed from his hon. friend who said that an honest man never would be sued. As far as he had watched the course of events in St. John, the only plan for an honest debtor was to run the country. The idea of locking a man up in jail, he looked upon as one of the relics of barbarism. He knew an honest man in St. John who had given all his property up to trustees, but had been kept on the limits for four years by one man, and that was not the only case of the kind. The only way for them at present is to run the country. He did not think it was desirable to drive men out of the country because they met with losses over which they had no control. In England they had abolished all bankrupt laws and imprisonment for debt, and had some very simple law instead. Imprisonment for debt was also abolished in the United States. Whatever would do away with the credit system would be beneficial to the country. There is plenty of property in the country, but there is a want of a circulating medium. When times get bad, there is no money to represent the property, and in consequence property becomes depressed in value, therefore difficulties will arise. What we want is less credit and more cash, and then we would have less debt.

Mr. NEEDHAM thought it advisable that the Bill should be referred to a Select Committee, to take into consideration the suggestions thrown out by hon. members for its improvement. He would therefore move that they report progress.

A conversational debate then took place concerning how the bill should be improved in the hands of the Committee, and progress was reported.

House adjourned until 10 A. M. to-morrow.

T. P. D.

TUESDAY, MARCH 20.

The House went into Committee of the Whole (Mr. Young in the Chair) on a Bill "to make better provisions for the naval defence of the Province."

The PROVINCIAL SECRETARY said, the Bill explained itself. The House had already given the Lieutenant Governor and Council authority to make such provisions for the defence of the Province as the exigencies of the time might require, and the present Bill asked no further authority than had been given, further, than it gave special legislative power to provide for naval defence.

Mr. WETMORE remarked, when the Provincial Secretary said the Bill explained itself, he did not understand him, for the Bill did not explain itself at all. He was not opposed to it, but he thought that the House had a right to expect some further information.