

I pause there and ask my hon. friend what he thinks ought to be done in a case like that. There you have a merchant at Sault Ste. Marie. The local registrar there is the appropriate person to handle that estate. You have all the creditors in, say, Toronto. These amendments provide for a meeting of the creditors. What is to be done? Are all the creditors to go up to Sault Ste. Marie, or is the local registrar to come down to the creditors at Toronto? Usually debtors arrange these meetings so as to meet the convenience of creditors, and so that there shall be only one railway trip instead of the expense of bringing thirty or forty creditors to the meeting. What does the minister think ought to be done in a case of that kind? Is the local registrar, because he has to be there, going to call the meeting where the creditors are or where the debtor lives?

Sir LOMER GOUIN: That is a matter of detail, when we come to it we can deal with it. I may remark that the creditors have the right to vote by proxy; it is not necessary for them to travel from any place in any province to the centre of that province, they may very well send their proxies. Even where the meetings are held in the great centres very few creditors attend but they are always represented by someone. What is complained of is a matter of detail but I am prepared to discuss it. In reference to the memorandum from which my hon. friend is quoting I should explain that I have met quite a number of trustees. There was only one that I saw who was unalterably opposed to this amendment. He is a gentleman from Toronto and very well experienced in these matters. I tried to convince him that he would not lose anything from this amendment but I find he has not been converted yet.

Sir HENRY DRAYTON: In a city like Toronto you have your one registrar. How would it be possible for him to look after the meeting of creditors from time to time in a city of that size, with the amount of insolvency matters which are pending there? How could he do it?

Sir LOMER GOUIN: Very easily, and he could have a sub-officer to replace him, as we propose by an amendment which my hon. friend will see later on.

Sir HENRY DRAYTON: So there will be relief given in that direction?

Sir LOMER GOUIN: Yes.

Sir HENRY DRAYTON: Here is another point that I draw to the minister's attention:

In the administration of a complicated or important estate a great deal of preliminary work must be done by a trustee prior to the first meeting of creditors apart from the mere preparation of the statement of affairs.

I do not suppose any one of us will deny that that work ought to be done, unless you are going to have a whole lot of time and money thrown away.

Sir LOMER GOUIN: What kind of work?

Sir HENRY DRAYTON: The work of getting together all the figures, the work necessary in order to make a proper and complete statement of the affairs of the debtor. That ought to be available. Further than that, if the trustee be a good trustee he should be prepared with some suggestions as to the best way of working the matter out.

Mr. MARTELL: As I understand it the proposed amendment provides that the assignment shall first be made to the clerk of the court or prothonotary of the court, who is usually the same official, and this prothonotary first secures a list of the creditors and notifies them. He calls a meeting of these people and they elect a curator or trustee to carry on the work. Now, prior to this amendment there was a lot of official trustees in bankruptcy and the majority of them, though perfectly honest men, were concerned primarily with getting their fees for the work they did.

Sir HENRY DRAYTON: What is the question?

Mr. MARTELL: In this case it is proposed, I believe, that the person to whom the assignment is primarily made—

Sir HENRY DRAYTON: My hon. friend is not asking a question he is making a speech. Surely we would all agree that in the administration of a complicated or important estate a great deal of preliminary work must be done by the trustee prior to the first meeting of the creditors, apart from the mere preparation of the statement as to the condition of affairs.

Sir LOMER GOUIN: My hon. friend's informant wants the trustees to be chosen by the debtors. We say the trustee should be chosen by the creditors, and that work could be done by the official receiver or custodian. And what is the work to be performed? Purely and simply the calling of the creditors.

Sir HENRY DRAYTON: If that is all my hon. friend thinks ought to be done I can