Mr. SPEAKER: Then the motion is carried.

Sir HENRY DRAYTON (West York): Before the motion is formally carried I would ask my hon. friend the minister to give us the usual assurance we get on second readings in a case of this kind. I quite realize that we would make much better progress in committee, but we do not wish to be told in committee that any objection we might raise is a matter of principle that should have been raised in the House; so I would ask that if the second reading now carries, it be on the understanding that we have the right to raise in committee any matter of principle that we desire.

Motion agreed to and bill read the second time, and the House went into committee on the bill, Mr. Gordon in the chair.

On section 1—Short title.

Mr. DENIS (Joliette): Before this clause carries I wish to make some remarks which I was just in the way of making when the second reading was called "Carried" by Mr. Speaker, as he did not happen to see me rise. A few weeks ago we had a debate in this House on the motion of the hon, member for Charlevoix-Montmorency (Mr. Casgrain) asking that this act be repealed altogether. The debate was carried on to a very large extent by members from the province of Quebec from which I come, and I feel safe in saying that it was the opinion of a very large majority of those members, in fact the almost unanimous opinion, that the Bankruptcy Act should be repealed. Moreover objection to the act was expressed by various hon. members opposite. As a result of those opinions the Minister of Justice said he would give his very best attention to what had been said, and that some measure would be introduced in the course of the present session, which would give better effect to the wish of the House as expressed at that time.

To-day I was particularly pleased to hear the hon. member for South Simcoe (Mr. Boys) suggest to the government that the Bankruptcy Act should be repealed in toto, provided some provision was made in the law to allow the debtor his discharge such as now exists, under the Bankruptcy Act. In other words, if I understood the hon. member for South Simcoe rightly, in the event of there being a provision enacted by which a debtor could be discharged, just as he can now be discharged under the Bankruptcy Act, he would favour the repeal of the whole act. I emphatically endorse that proposition. When the debate took place on the motion of the hon. member for Charlevoix-Montmorency, I was one of those who protested very strongly against the Bankruptcy Act and asked for its repeal I do not intend at this moment repeating what I said on that occasion, much less repeating the arguments of hon. members who took the same stand as I did. Be it sufficient for me to say that the provincial legislature, no later than December last passed a resolution declaring that the Bankruptcy Act was not in the interest of the province of Quebec, and expressing the opinion that it should be repealed. That is a declaration from the highest tribunal in the province of Quebec, and I may add that 95 per cent of the citizens of our province would favour the repeal of the act. As to having a provision in the law under which the debtor could be discharged under the same conditions as the present, I have not the least objection; I very strongly support the hon. member for South Simcoe when he asks that the Bankruptcy Act should be repealed subject to the retention of a clause such as referred to.

Mr. MERCIER: There is no proposition of that kind before the House just now.

Mr. DENIS (Joliette): It is true, the hon. member did not make a formal motion to that effect, but I gathered that to be the effect of his argument. I repeat, there is a good deal in what the hon. member for South Simcoe said and I think the Minister of Justice should give heed to it, especially when it represents the opinion of ninety-five per cent of the citizens of my province.

Mr. BOYS: I think I had better make a little explanation. I do not know that I went quite as far as has been suggested. What I said was that if the present idea of having authorized trustees was abandoned and we were to revert to the system of candidates, so to speak, on the part of large creditors—for that is what it would amount to—we might as well get back to the former provincial practice as set out in the various provincial acts. My experience has been this. An assignment in the past was made to some individual; it could be made to anyone, it could be made to an office boy for that matter. A meeting of creditors was held. The creditors organized themselves, and in the large cities we know perfectly well that there are cliques each with their pet trustee. They came there supporting their pet trustee, and finally one side won out. Instead of having what should be, in my opinion, more or less of a judicial officer in the position of trustee,