debenture stock or other evidences of indebtedness of such company or of a predecessor in title of such company issued under a Trust indenture running in favour of a Trustee, or Trustees, whether or not secured by a mortgage, hypothec, pledge, charge, lien or privilege on or against, or an assignment, cession or transfer of, or a trust in respect of, all or any property of the debtor company, and a compromise or arrangement is proposed between such debtor company, and the holders of such an issue.

Section 4 would then read:—

4. Where a compromise or arrangement is proposed between a debtor company to which the provisions of this Act apply, and its secured creditors or its unsecured creditors, or any class or classes of them, the Court may, on the application in a summary way of the company or of any creditor or of the Trustee in Bankruptcy or liquidator of the company, order a meeting of such creditors or class or classes of creditors, and, if the Court so determines, of the shareholders of such company to be summoned in such manner as the Court directs.

Amend Section 5 by striking out in the fifth line the words "Sections 3 and" substituting the word "Section," and by striking out in the same line the words "or either of such sections."

Section 16 (*a*) Add new section as follows:—

16. (*a*) The applicant shall promptly after the issue thereof mail to the Dominion Statistician, Department of Trade and Commerce, Ottawa, true copies of all orders made by the Court under the provisions of this Act.

The purpose of the amendment, Mr. Chairman, is to remove from the operation of the Companies' Creditors Arrangement Act proposals by companies unless there is a corporate issue of bonds, debentures, and so forth.

The recommendations as to proposed amendments to the Bakruptcy Act are as follows:—

The CHAIRMAN: Before you proceed, Mr. Piper, is it the opinion of the committee that this matter comes within the purview of our reference?

Mr. VIEN: Mr. Chairman, a bill has been referred to us and during the consideration of the purport of the bill it develops that it would be preferable not to repeal the Act but to amend the Companies' Creditors Arrangement Act and the Bankruptcy Act. I think it is sufficiently linked up with the subject matter of our study for the committee to consider the suggestions made by Mr. Piper.

Mr. MCLARTY: Mr. Chairman, it would be almost impossible to pass an opinion on the amendments that are now suggested to bill 26 which limits the application of the Companies' Creditors Arrangement Act unless we knew the definite proposals that were going to be made as to amending the Bankruptcy Act to fit into the situation that we would find ourselves in after bill 26 passed.

Mr. VIEN: Exactly.

Mr. BERTRAND: The bankruptcy law and the Companies' Creditors Arrangement Act should be only one bill. In England there are three sections of the company law with reference to the arrangements between companies and creditors, and these three sections are included in the company law. So is the Winding-up Act incorporated in the company law. Here we have different laws, and it would be far better if they were all linked togther.

Mr. MARTIN: Are you seeking not to withdraw your bill?

Mr. KINLEY: I think it should be clear as to these amendments. In effect they mean that unless a man has a mortgage or a bond issue he does not come under the Companies' Creditors Arrangement Act.

Mr. MCLARTY: That is a corporation.