

picture. In the case I have referred to those old creditors who had washed the thing out of their books ten years ago now find themselves in the position of collecting whatever is in the hands of the trustee of the second bankruptcy.

Hon. Mr. COPP: My client came to me for advice. Now, after fifteen years, he wants to apply to be released.

Hon. Mr. HAIG: He can get his discharge.

Hon. Mr. COPP: I advised him that he had better leave sleeping dogs lie. The creditors had not said anything. Now on his application for discharge they might find he had in the meantime accumulated some means and make a further claim on him.

Mr. REILLEY: That probably might be good advice from his angle. There is nothing to prevent his creditors stepping in at any moment and taking every dollar he has got.

Hon. Mr. COPP: That is what I was afraid of.

Mr. REILLEY: He is working under that hazard all the time.

The ACTING CHAIRMAN: I think that is all we need on that point; the details we will consider later. Anything else?

Mr. REILLEY: I am suggesting that in certain respects the functions of the superintendent be broadened to be more in line with the English Act.

The ACTING CHAIRMAN: In what way?

Mr. REILLEY: Particularly in regard to the winding up of the estate. When our statute was passed there was no superintendent to act in the same capacity as the Board of Trade in England acts through the Inspector General of Bankruptcy. Consequently in our legislation the matter of dealing with discharge of the trustee was placed before the court, whereas under the British legislation it is dealt with by the Inspector General of Bankruptcy. It has to do with checking up on the statements of the trustee, and so on. I am suggesting that it should be done in that way here, that instead of going to the court for his release the trustee should come to me, and my branch would deal with it and send out notices to the creditors. Any creditor objecting would have the opportunity to apply to the court against the trustee's discharge.

One reason for my suggestion is this. In order to follow through the administration of an estate we have to check through the trustee's final statement and do everything that has to be done by the court in order to know whether the trustee has finished his job. It is only a duplication of my work for the purpose of going to the court anyway. For a long time the courts in one province always put its approval in this form: Seeing the superintendent has approved the statement, we hereby approve it. That is the way it went through. Then another change I propose will be found towards the end of the bill. It starts with section 196, and is headed Summary Administration.

Hon. Mr. LEGER: That has to do with small estates not worth the attention of the court. I have read the sections under that heading and see nothing objectionable in them.

Hon. Mr. HAIG: What is the limit?

Hon. Mr. LEGER: The limit is \$500.

Hon. Mr. HAIG: Oh, let it go.

Mr. REILLEY: Small estates would be dealt with summarily. The registrar of the court would act as the trustee and turn the limited assets over to the sherriff to realize and hand the returns back for distribution among the creditors. That would be the end of it. A great many debtors cannot find the means to go through bankruptcy because they cannot get a trustee to handle their estate. The trustee is allowed a minimum fee of \$100, as provided for in the Act fifteen years ago, and with the expenses it costs any debtor, no matter how poor a wage-