

Mr. CRYSLER: Of course, obviously the draftsman of the subsection had in mind the man who runs completely amuck, as the result of which he goes bankrupt. Let us say it more directly that way.

Hon. Mr. CAMPBELL: It is copied from the former section.

Mr. CRYSLER: Criminal Proceedings—section 206 (4). We think it is a good thing to bring the Crown Attorney into the picture. Usually a bankruptcy offence is within the Criminal Code, and, as I have said, we think it is a good move to bring the Crown Attorney more into the picture.

Now, gentlemen, I will read to you two short paragraphs from the brief and then I shall be through.

CONCLUSION

The present act has been found satisfactory in most respects but some amendments are necessary as suggested in this memorandum.

I should like to emphasize that we have not come down here to find fault with the present act or its administration. We are very well satisfied with that.

The sections of the present act have been construed by the courts over a long period of years, and the law and the practice have become fairly well settled. If the wording of the sections of the act is changed unnecessarily, it would mean the discarding of all the established jurisprudence and case law, and would open the door to fresh litigation.

Many of the sections of Bill A-5 envisage increases in the powers of the Superintendent and greater centralization in the Superintendent's department. If these sections are enacted the department will become larger and more costly. This will be reflected in levies on estates. The debtor and ordinary creditor classes are the groups principally interested in bankruptcy and so far as is known no organizations of them have asked for any such development. Until conditions are in existence leading them to do so, it is submitted there should not be any broad movement toward increasing the Superintendent's powers and centralization of bankruptcy work in his department.

Mr. CHAIRMAN: I wish to thank you very much for the opportunity of appearing before you and presenting our brief.

The CHAIRMAN: We must thank you ourselves. We have undertaken rather a big job and are glad to have your assistance.

The committee adjourned until to-morrow morning at 11 o'clock.