

how well founded these complaints are; while I do some little practice of law there when I am not in parliament, I have had no considerable experience under the new Bankruptcy Act aside from giving an opinion occasionally—that is, I have never followed a bankrupt through the bankruptcy courts. But the situation was this. Trustees from all over Canada had jurisdiction in all parts of the country under the act, and the complaint was that gentlemen from other cities—I am not going to mention the particular cities—would come down to Nova Scotia and actually induce persons who were in more or less shaky circumstances financially to make an assignment or to take proceedings under the Bankruptcy Act.

Mr. VIEN: May I ask my hon. friend whether there are any trustees in his own province doing this same thing?

Mr. CARROLL: Oh, I am not talking about that. If they are doing the same thing they are certainly doing something that is unquestionably wrong.

Mr. VIEN: My hon. friend did not catch the purpose of my question. In the province of Quebec we have just such a condition, and we protest against it. I made the inquiry of my hon. friend in order that I might learn from him whether such a grievance existed in his own province.

Mr. CARROLL: That is, whether or not trustees from Nova Scotia went into other provinces?

Mr. VIEN: Not only that, but that they indulged in the practice of inducing debtors to go into bankruptcy.

Mr. CARROLL: That is, in our province?

Mr. VIEN: Yes.

Mr. CARROLL: Well, I did not make the statement, but I think I can fairly say now that such has been done. If my hon. friend wants to find out what is the concern to which I have reference, I will tell him; it is the Credit Men's Association of the city of Montreal. Now, they are not here to defend themselves, and I am simply saying that the charge has been levelled against them that they have come into Nova Scotia and induced people there who are a little shaky financially to make an assignment under the Bankruptcy Act. I have no doubt in the world that the people of my province are not one iota better in that regard than this particular association to which I have referred. In Nova Scotia the official receiver under the act would be

the prothonotary of the Supreme Court, or perhaps in some instances, as in New Brunswick, the clerk of the county court. But it does not take one very long to become acquainted with the general principles of the Bankruptcy Act. The assignees or trustees who were appointed after 1919 were, of necessity, novices in that kind of work, but they benefited by their experience and, if they had any brains, became, as a rule, expert. I would point out to the hon. member for St. John City that the receiver in the first instance, namely, the prothonotary of the Supreme Court or the clerk of the county court, will have, as I understand the act—and I have not studied it very thoroughly—very little to do. A meeting of the creditors is called; they appoint some person, one of themselves or someone else who is competent, to become the guardian of the estate.

Mr. BAXTER: They are only formal custodians.

Mr. CARROLL: So that no very onerous task would be imposed on the prothonotary of the Supreme Court or the clerk of the county court. I have no further suggestions to offer; in fact, I would not have arisen had not the hon. member for George Etienne Cartier brought up the question of rentals. I would ask the minister to take into his serious consideration the advisability of making this phase of bankruptcy—the matter of rentals, uniform all over the country.

Mr. R. B. HANSON (York-Sunbury): I have given this proposed amendment of the Bankruptcy Act some consideration; during the interim between last session and this I had occasion to act in a number of bankruptcy cases in my own province. I should like to say first of all that except for one thing, to which I shall advert later, the act has given very general satisfaction in New Brunswick. I believe in the principle involved in the act, that of giving a debtor his discharge so that he may start over again. It would be a great pity indeed if that outstanding feature of the act were wiped out, and I am glad there is no suggestion of that kind in this bill.

With regard to the outstanding substantive feature of the bill as introduced by the Minister of Justice, namely, the change in the claim of the landlord to the estate, I think that ought to be opposed very, very strenuously. Under the old Assignment Act in the province of New Brunswick, and I think it is true of nearly all the provinces, only three months' rent could be taken by the landlord,