(7) Notwithstanding anything in this section, the total legal costs exclusive of disbursements for all legal services specified in paragraph (*e*) of subsection six shall not exceed ten per cent of the gross receipts except with the approval of the inspectors and the court, and, where the amount thereby available or authorized for payment of such legal fees is insufficient, the fees shall be abated proportionately.

Section 140 (1) (e)—Jurisdiction of Courts

In Section 140 (1) (*e*) there is reference made to the High Court of Justice for the Province of Ontario. Actually under our Judicature Act the High Court of Justice is only a branch of the Supreme Court of Ontario and that section should be amended to read "In the Province of Ontario, the Supreme Court of Ontario". That this is necessary would appear from other sections, such as 144 (1) which requires every Court to have a seal. There is only one seal in our High Court in Ontario and that is the seal of the Supreme Court of Ontario and there is no separate seal for the High Court of Justice.

All of which is respectfully submitted.

LEE A. KELLEY, K.C., and
CHARLES L. DUBIN
Of Counsel

APPENDIX "O"

THE DOMINION MORTGAGE AND INVESTMENTS ASSOCIATION

Toronto 1, Canada,

March 28, 1949.

Re: Senate Bill N—An Act Respecting Bankruptcy

Dear Sirs: In our letter of March 4, 1949, we advised that this Association had no representations to make on the provisions of Bill N in their present wording. It has come to our attention, since that time, that some of the submissions made to you on March 10, 1949, have made reference to the Companies' Creditors Arrangement Act and advocated the modification or repeal of that Act. Our member companies, being the life insurance, loan and trust companies representing the major portion of the business of these types in Canada, are large investors in the bonds, debentures and other securities of corporations. They are very much interested, therefore, in legislation and procedures under which arrangements between corporations and their creditors may be effected.

On June 20, 1946, when you had under consideration Bill A-5, an Act respecting Bankruptcy, our representative Mr. Terence Sheard was a witness before you in support of our Brief. His evidence and a copy of our Brief were printed in your Proceedings, number 3, June 20, 1946. The essence of our submission was that (1) the Bankruptcy Act was not a suitable means of effecting reorganizations of large public companies with issues of securities largely distributed in the hands of the public; and (2) the Companies' Creditors Arrangement Act had proved to be a valuable instrument to effect corporate reorganizations, that it had worked well from the viewpoint of the investor and that it should be retained in full force and effect. Nevertheless, we