

Supply—Justice

exists. On the other hand, I would hope we would not hear in this house so many speeches on this subject and that we shall hear less perhaps than we did last week about the sacred rights of a small group of would-be Irishmen being expropriated, unfortunately, in the village of Shannon, which Montreal *Star* newspapermen looked for and failed to find, because there is no village of Shannon, either in Montmorency or in Portneuf ridings.

Mr. Chairman, I want to bring to the attention of the Minister of Justice, and I think this falls under his jurisdiction, a most important point. I refer to the appointment of judges, under section 99 of B.N.A. Act which to my mind should be amended:

The judges of the superior courts shall hold office during good behaviour, but shall be removable by the Governor General on address of the Senate and House of Commons.

I believe and respectfully submit that this section is obsolete, and that in this particular field, a more adequate method of going about it could be sought, for instance, through a petition or written request, signed by a majority of officers of the bar, countersigned by the chief justice assigned to the case, and then approved by Minister of Justice. I think this would meet the basic requirement to give complete freedom to a judge and would avoid a repetition of past difficulties.

Now, I respectfully submit that, in certain matters coming under exclusive federal jurisdiction, such as the Bankruptcy Act which has been so much in the news recently and which a number of members spoke of in the house, a great deal of statements often suggested the possibility that some people were or would eventually be involved.

To resort to such sensationalism in the house is to imitate the yellow press and to try to discredit the integrity and competence of the members of the house.

It would be more intelligent and fair toward all concerned to suggest useful amendments which would allow the Bankruptcy Act to be and to remain useful to a certain category of bankrupt taxpayers if they take the trouble to read it and to find out why it is not applied as it should be. If the creditors would merely take the trouble to do so at their meetings, it would be easy under the section of the Bankruptcy Act defining fraud to take the necessary steps to prevent the recurrence of frauds committed by a bankrupt.

[Mr. Lafamme.]

To provide for a better application of the existing legislation, some of the bankrupts and also the inspectors appointed at the creditors' meeting, should be given additional powers. Direct assistance should also be provided, in my opinion, so that the onus of proceedings in cases of bankruptcy should not rest on the shoulders of creditors who stand to suffer heavy losses because of insolvent people who offer them nothing but a petition for bankruptcy.

Inspectors should have greater power to deal with a trustee, because they are the ones who must keep a check on bankruptcies. Unfortunately, such is often not the case.

There is also a useful change that could be suggested when the time comes to amend the act, that is to make it mandatory for the bankrupt to deposit the attachable part of his salary and also to keep on stipulating in the act that whoever, while bankrupt and still not liberated, is party to or takes part in a business transaction of any kind, commits a criminal offence.

Mr. Chairman, those are the few remarks I wished to make concerning the estimates of the Minister of Justice. In my opinion, it would be much more useful to make constructive suggestions with respect to the estimates of the Department of Justice generally than to keep on repeating the same speeches which, I admit, have a certain value. But when we talk about the freedom of private individuals, about everyone's right to a fair trial, and the same thing is repeated over and over again by the right hon. Leader of the Opposition, in every possible way, while dealing with the principle involved in the Spencer case, I think we could go on to something else instead of hearing about the case of Mr. Spencer for several days more.

● (7:50 p.m.)

[*English*]

Mr. Prittie: Mr. Chairman, I did not rise to take part in the discussion of the Spencer case, except to say this. I listened to the speech of the hon. member for Royal and I was very impressed by it. I would say to the Minister of Justice that even if he discounts what many other hon. members have said as remarks of a partisan nature, he should listen particularly to the hon. member for Royal. He was for several years attorney general of a province, and more than that, he has felt free to criticize his own party, and criticize them severely, on many occasions. He has studied the question of civil rights at great