

Officer. What do you say as to some one acting in a similar capacity in a case of a man who defrauds his creditors? Going up and conducting an examination.—A. You mean a Provincial employee?

Q. A Provincial officer.—A. I wonder what status he would have to do that.

Mr. MACDONALD: Appointed by the superintendent.

Hon. Mr. ELLIOTT: He would have a similar status to the fire marshal.—A. Well he must have some status from Ottawa.

Mr. TURNBULL: He has the status of a police officer making an investigation under the Act.

*By Hon. Mr. Elliott:*

Q. Yes, I fancy that is the standing. Why not have that officer perform the functions you think should be performed here, not at the expense of the creditors but at the expense of the Crown? Because this is a crime that has been committed.—A. But you have got to prove that there is a crime before the Crown will step in.

Q. You have with every crime. It seems to me the difficulty, take a case of a creditor who has already lost from 75 to 100 per cent of his investment, he is not the man out of whom the costs of prosecution should come.

The CHAIRMAN: You made some reference to the suggestion that you thought had been made by the Canadian Credit Men's Association. I find that the Shoe Manufacturer's Association, speaking through Mr. Weaver, made this suggestion:

The hands of the superintendent will be tied unless the bankruptcy court officers be appointed by and become accountable to the Minister of Justice. If these bankruptcy court officers be made directly responsible to the Dominion Government, and if the Superintendent of Bankruptcy be given adequate power to investigate all conditions affecting bankruptcy administration, we believe that uniformity of practice and charges can be established in the several bankruptcy jurisdictions, and the objectionable conditions resulting from the present lack of effective control would be corrected in large measure.

He was apparently dealing with the question of charges, which you have not touched upon at present, and the question of dishonesty, and his argument is that unless the officials of the court are in some way accountable to and under the jurisdiction of the Superintendent, many of the benefits which we hope will accrue from the appointment of a superintendent cannot materialize. Have you any suggestion to make on that?—A. I think that is very sound, except that I understood that under the duties of the superintendent he may make investigations under the Bankruptcy Act. There are certain conditions existing in certain cities which warrant investigation, and I presume the superintendent would investigate, and take his report to the Chief Justice of the province concerned who appointed these men. I know Mr. Weaver was getting at the practice of some registrars and official receivers who in addition to their salary get fees.

Q. We will come to that in a moment. There has been suggested, by the Canadian Bar Association, I think, an amendment to the Act which is to be found at page 23 of No. 1 of the Minutes, that would give to the Court—and I believe the Court by judicial interpretation has been held to be the registrar.—A. Yes.

Q. —the power to investigate. The amendment is in this language.

If, on being required by the Court, at any time, to account for his deficiency of assets to meet his liabilities, or for the loss of any substantial