Hon. Mr. HAYDEN: To me, it is inherently wrong.

Mr. CRYSLER: Whatever my personal feeling about it may be, I am in the position of having a written instruction and perhaps I had better not say more than I have said.

The sections dealing with the discharge of the bankrupt were discussed at some length this morning. I think perhaps I need not go over a great deal of detail in connection with these. We are aware of certain reasons why it would be desirable to have what might be termed an automatic discharge principle in operation, but on the whole we think the present system should be retained. Generally speaking, I would suggest that the state should not be called upon to look after, shall we say, the foolishness of human beings who by doing certain simple things, could protect their own interests. I believe that the expense of applying for discharge should be left to the bankrupt. Even though the cost of obtaining the discharge is small, it is questionable whether that is an appropriate item to include in the expenses of the estate.

Section 146 (4) requires the trustee to give notice of the application for discharge to every creditor of whom he has knowledge, whether or not his debt has been proven. We cannot see why notices should be sent to people who have not proven their debts. Surely until they prove their debts they have no interest.

Section 146 (5)—Procedure when trustee not available. The proposal is good enough, but we wonder just how the necessary records and information will be available in most cases if the trustee is not available.

The CHAIRMAN: If the records were filed with the Superintendent they would be available. A previous section provided for filing of the records with the Superintendent.

Mr. CRYSLER: Yes, sir, but you will perhaps recall that my principals did not like that section. If our view were to prevail, the two amendments would be dropped.

Section 147 (9)—Evidence at a hearing. Section 147 (11)—Right of bankrupt to oppose statements in report. We think that these subsections are impractical. The bankrupt is not given any right to dispute the Superintendent's report, and even if he were it would not be feasible for the Superintendent to appear for evidence and examination whenever there was a dispute.

Section 159 (1) (*a*)—Courts vested with jurisdiction. This states that the jurisdiction of the bankruptcy court is "to hear and determine all matters in dispute arising out of the administration of an estate or in which any interest of the estate is involved or to which the trustee is a party, or in which the trustee is a claimant against any other person."

Hon. Mr. HAYDEN: When Mr. Justice Urquhart was here he criticized this extension of the jurisdiction of the Bankruptcy Court, and suggested that matters which were not bankruptcy matters should be determined in other courts.

Mr. CRYSLER: That is our point. We suggest a revision of this subsection so as to limit the Bankruptcy Court to what are properly bankruptcy matters. Other matters should go to other courts where they are handled now.

There was some discussion this morning on the question of judicial districts. I have not much that is new to say, but I should like your permission to read this paragraph near the bottom of page 11 of the brief:—

> So far as Ontario is concerned, section 160 would split up the Bankruptcy Court, now centralized at Toronto into 47 Bankruptcy Courts in the Registry Offices of the Supreme Court of Ontario. This is most undesirable as it would result in dispersion of bankruptcy records and lack of uniformity of practice. It is also undesirable that the local Registrars of the Supreme Court, all of whom are inexperienced in