

and the appealing on every exception. Some clever lawyers may suspend a case for two or three years.

I would suggest this amendment:—

All proceedings by or against the trustee, creditors, bankrupt, shareholders, contributors and any third party shall be summary and by way of petition.

No written contestation or stated case shall take place without the consent of the court.

All grounds of contestation shall be heard at one and the same time and disposed of by the court by one judgment, unless the court decides to hear and decide them separately.

I think that would simplify matters.

Authority of the courts. Section 164, subsection 2, subsections 6 and 7, section 167, subsections 5 and 6. The powers of the registrar to my mind are not defined at all, and I have yet to find out what his powers are. I will tell you why. One article in the old law and in this law says a judge can sit in chambers at any time on any proceeding. Another article says a registrar has jurisdiction in all matters that can be heard in chambers. So it is referred to one or the other. I think that should be clarified.

Section 171, subsection 7. I do not know whether these costs should not be wiped out. If a man wants to make an assignment a receiver can give him all the directions possible. Usually when an assignment is made the blank is generally filled up by the trustee to be appointed, and he is the one who puts down the name of the lawyer who gets the fee. So I do not think the fees on the assignment should be allowed.

The ACTING CHAIRMAN: Which section?

Mr. JUSTICE BOYER: Section 171, 7(c).

The ACTING CHAIRMAN: Costs of assignment?

Mr. JUSTICE BOYER: Yes. There are several grounds of appeal, and finally there is a disposition. An appeal may be taken with the permission either of a judge of the Superior Court or a judge of the Court of Appeal. Personally, I do not like the idea of having to sit on my own judgment and decide whether the party should go to appeal or not. I think it would be safer to leave it to the court of appeal, which would have a clear mind about the matter.

The security on appeal is fixed at \$100. There may be an appeal involving thousands of dollars, even millions, and the guarantee of costs would be only \$100. It is true there is a disposition on the part of the Court of Appeal to increase the security, but I think this minimum should be increased.

Hon. Mr. HAIG: It should be under your suggestion that all questions should be settled in one appeal.

Mr. JUSTICE BOYER: That cannot always be the case.

Hon. Mr. HAIG: No.

Mr. JUSTICE BOYER: But on any appeal any creditor dissatisfied can appeal, and all he has to do is to put up \$100. Then the matter may stand over for three or four months, and if the long vacation intervenes the delay may extend over six or eight months.

I think a difference should be made clearly between fees on court proceedings and fees for assistance of the trustees. There is a limit in the law as to the costs, but it is not clear which costs. It is all right to limit them, but on the other hand there are cases like the Stadacona Mines Company, where there have been any number of petitions contesting certain claims and notes, each of them involving amounts from \$10,000 to \$20,000. Naturally no lawyer would carry on the contestation if there is a limit of 10 per cent of the assets of the