

company has not been functioning latterly. Would it not be well to provide in broader terms for the company which has been carried on for the benefit of or under control of the enemy.—A. The enemy interest was vested under section 21.

Q. There is a similar expression elsewhere in the regulations, for instance 11 (2). You have the same expression on page 7, line 13, and again in section 15, clause 1 on page 8, line 25.

The VICE-CHAIRMAN: Well, Mr. Fleming the suggestion is three words in subsection 1 and 2, lines 33 and 34, and in one case in 37 and 38, be eliminated. Those words are "or enemy subject". Is it agreed?

Moved by Mr. Stewart seconded by Mr. Fraser those words be struck out. Agreed?

Agreed.

Subsection 2, the inspector's authority.

Carried.

Section 11, shall it carry?

Carried.

Section 12, appointment of controller by court.

Mr. FLEMING: Mr. Chairman, in this one, at line 34 "there is power for the secretary of state to apply to the same court within the province wherein the said person owns property or carries on the said business or trade have jurisdiction to appoint a receiver or liquidator".

I would like to ask first if it is necessary to resort to this power very often, and secondly whether the regulation is clear enough, what the effect would be on property located in other provinces than that in which the court has jurisdiction.

The WITNESS: I can only recall one appointment of a controller by the court and that was in the province of Quebec. It related to very extensive properties owned by a resident in an occupied country and in that particular case, I mean there was no suspicion of enemy tie-ups, but in view of the involved state of this man's affairs and his very wide interests it was thought expedient to have a controller appointed by the court. The controller was a gentleman whom he had sent out himself immediately prior to the war to represent him, should it become necessary in order to preserve certain of his assets and real property still there. We felt that a controller of his own selection or his own executive might be appointed by the court so that he could apply to the court with respect to certain of those assets in order to conserve others. That was the only instance.

*Br. Mr. Fleming:*

Q. Well in that case no question arose about the effect on property in any other province?—A. No, it was all property in the province of Quebec and the appointment was made by the Superior Court of Toronto.

Q. May I ask, Doctor Coleman, if he interprets this regulation 12 in such a way that the jurisdiction of the court in which application is made will be confined to the appointment of a receiver for property located within the province?—A. I would think so.

Q. Say for instance a firm had property in the six provinces you would have to make the application to the courts of all six provinces.—A. Yes.

The VICE-CHAIRMAN: Shall rule 12 carry?

Carried.

Gentlemen, may I revert to section 11 (2), line 14, it is moved by Mr. Probe seconded by Mr. Marshall that the words "enemy property" be struck out.

Carried.

Section 13.