

the wiping out of duplicate departments where they are manifestly not necessary. Were it possible for the Dominion to step out of the insurance supervisory field, then of course the onus would be on the provinces; but clearly that is not possible, for the Dominion alone can supervise federal companies. Consequently it is quite clear such economies can be effected only by the withdrawing of provincial supervisory organizations. I do not know how many provinces have them, but I think about seven or eight, and certainly some of those provinces are continually knocking at the federal door for loans. This amendment may help to suggest again that these duplicate services be discontinued, for undoubtedly the object to be attained by them could be fully attained by our own Insurance Department.

The motion was agreed to, and the Bill was read the second time.

THIRD READING

Hon. Mr. DANDURAND moved the third reading of the Bill.

He said: With the leave of the Senate, I would ask that this Bill be now read the third time. Nova Scotia is very much interested in its prompt enactment, because there a company which is already organized is waiting to obtain its licence.

The motion was agreed to, and the Bill was read the third time, and passed.

WEIGHTS AND MEASURES BILL

SECOND READING

Hon. RAOUL DANDURAND moved the second reading of Bill 4, an Act to amend the Weights and Measures Act.

He said: Honourable senators, the purpose of this Bill is to clarify a situation which has been obscured by some decisions in lower courts.

Section 82 of the Act provides that proceedings shall be taken before any justice of the peace, but if the penalty exceeds \$50 the case must be heard by two justices of the peace. Subsection 2 of the section provides that the provisions of the Criminal Code relating to summary convictions shall apply to all proceedings "subject to the provisions of this Act." In 1935, by Chapter 48, 25-26 George V, several amendments were made to the Weights and Measures Act, by which penalties for offences in several cases were greatly increased. For instance, the minimum fine for the use of an unjust scale by a corporation was increased to \$100.

Right Hon. Mr. MEIGHEN.

Owing to the phrase in subsection 2, "subject to the provisions of this Act," the question was raised in a prosecution against a corporation whether or not a stipendiary or police magistrate had jurisdiction to hear these offences "where the minimum penalty was \$100," although in all provincial offences and practically all offences against federal statutes a stipendiary magistrate has the same authority as two justices. Under the Criminal Code, by the interpretation section, a stipendiary or police magistrate has the same authority as two justices.

For the purpose of settling any confusion as to the jurisdiction of a police or stipendiary magistrate to hear cases under the Weights and Measures Act, it has been deemed advisable to add to subsection (b) of section 82 the underlined words, "a police magistrate, stipendiary magistrate, or any other person having the power or authority of two or more justices of the peace, having jurisdiction in such district, county, or place." This amendment is in the exact words of the interpretation section of the Criminal Code, and gives to such court officers the same jurisdiction under the Weights and Measures Act as they have under the Criminal Code.

This proposed amendment relates merely to a detail in legal procedure and is desirable to fit in with the general organization of the provincial police courts, so that these courts as at present organized may dispose of all offences under the Weights and Measures Act, no matter what the size of the penalty.

It has been suggested by the Law Clerk of the Senate that the amendment might very well be effected by simply referring to the language of section 604 of the Criminal Code. I am disposed to adopt his suggestion.

Right Hon. Mr. MEIGHEN: I have no objection to the second reading. The Bill is to be submitted to committee, is it not?

Hon. Mr. DANDURAND: It will go to Committee of the Whole. An amendment has been suggested which I think carries out the intention of the Act. I will submit it to my right honourable friend.

The motion was agreed to, and the Bill was read the second time.

Hon. Mr. DANDURAND: I would ask that the Bill be referred to Committee of the Whole to-morrow.

The reference of the Bill to Committee of the Whole was placed on the Orders of the Day for to-morrow.