

that "the said Report be not concurred in but be referred back to the Committee on Agriculture for further consideration." This amendment was carried, as well as the Motion of the Chairman for concurrence in the third report.

(6) Upon the matter being brought before the Committee, it was decided that the constitutional question involved should be submitted for the opinion of the Law Officers of the Crown instead of being submitted to the Supreme Court. A Report to this effect, being the fourth Report of the Committee, was made to the House of Commons and concurred in on the 11th of April, 1922. This Report was in the following terms:

"That the question of the constitutionality of the reconstruction of the Wheat Board with the powers conferred thereon by the Orders in Council establishing or extending the same be referred to the Law Officers of the Crown for their reasoned opinion."

(7) The Law Officers' Report, dated 17th April, 1922, was submitted to the House on the 19th of the month and is found attached hereto as Appendix "A" to form part hereof.

(8) During the discussions of the Committee, a Sub-Committee composed of the Honourable S. F. Tolmie, Mr. R. M. Johnson and Mr. Andrew McMaster, was appointed on the 24th April 1922, "with authority to confer with the Law Officers of the Crown and experts in the grain business, including Messrs. James Stewart and F. W. Riddell and such others as it may deem advisable to ascertain to what extent the Canada Wheat Board or other national wheat marketing system, compulsory or otherwise, may be established by this Parliament, with or without supplementary provincial legislation, and to report its findings to this Committee."

(9) This Sub-Committee submitted several questions in writing to the Deputy Minister of Justice and also had two interviews with him. Its findings were submitted to the Committee on May 4th, 1922, and are found at length attached hereto as Appendix "B" to form part thereof.

(10) On the 9th May, 1922, the following Resolution was moved by R. M. Johnson (Moosejaw), seconded by Mr. Prichard:

"1. It is desirable in the national interests that the Government immediately create a national wheat marketing agency (similar to the Canada Wheat Board of 1919) for the marketing of the wheat crop of 1922, and that

2. This agency be given all the powers of the Wheat Board of 1919 as are within the jurisdiction of Parliament to grant, and that

3. An Act be passed, based on this resolution, to become effective by proclamation as soon as two or more of the provinces have conferred upon this agency such powers possessed by the Wheat Board of 1919 as come within provincial jurisdiction."

(11) This Resolution was discussed at several meetings of the Committee. On May 16th, 1923, the following amendment was proposed by Mr. McMaster (Brome):

"Resolved that while not opposed to any system of collective or co-operative marketing of wheat into which the grain growers of the West may desire to enter, it is expedient in the public interest to re-constitute the Canada Wheat Board or any other organization with powers of compulsorily acquiring wheat from the producers."

The amendment of Mr. McMaster being put to the Committee, the same was defeated by 27 to 34 against; and upon the Resolution proposed by Mr. Johnson being submitted to the Committee, the same was carried by 32 for to 29 against.

(12) The evidence taken and the minutes of proceedings are submitted and attached hereto.

The whole respectfully submitted.

W. F. KAY,
Chairman.