interference with contract rights; (j) trover and conversion; (k) slander of title; (l) infringement of patent.

Making the crown liable for torts committed by its servants will make the crown liable for those torts I have just mentioned wherever they are committed by a servant while acting within the scope of his duties. Of these as I have already stated, the tort of negligence is the most significant, and next to it that of nuisance.

The extension of the crown's liability for breach of duty arising out of ownership, possession or control of property would make the crown liable as occupier to invitees, licensees and occasional trespassers in accordance with the ordinary rules of law; it would extend to the crown liability for nuisance or negligence committed otherwise than through the medium of a servant of the crown. For example, the crown would be under a duty to prevent injury to adjoining property from a building, from the escape of noxious and dangerous things, from the presence of dangerous things, from interference with riparian rights and, generally, for nuisance and negligence in respect of the management of crown property.

In the above respects Canada is now extending the liability of the crown in Canada in the same manner in which the United Kingdom has extended the liability of the crown in the United Kingdom.

At this point I think I should interject some words of reassurance to the taxpayers of this country. While these provisions will probably result in some increase in the amount payable by the crown to persons injured, it should be noted that many of the claims which will arise under this present legislation are now being paid on an *ex gratia* basis, notwithstanding that there is no legal liability, because it has been felt that there is a moral one. Therefore it is not expected that the total liability from a financial point of view will be increased too greatly. It is not expected, for example, that the liability of the crown in respect of all the new causes of action against the crown which are created by this bill will be anything like as great financially as those based upon the negligence of the crown's servants.

There would, of course, be no liability in any case where anything was done under the authority of a statute. Nor is it intended to impose liability in respect of the ownership of property unless the crown is, in fact, controlling and administering the property. For example, in the Northwest Territories, and to a lesser extent in the provinces, the federal crown owns wild or unoccupied lands. In respect of such lands it is intended to make the crown liable only where the crown has, in fact, assumed control and is in some way using or administering the property.

It is also proposed to exclude liability where the crown has abandoned the use of a particular work. For example, the crown might, as a public convenience, construct a wharf in a remote area but, because the need for it no longer exists, the crown might cease to maintain it. It is intended to make provision for a public declaration of abandonment in order that the crown would not be obliged either to continue to maintain the work indefinitely or to demolish it.

This brings me to the second main provision of the bill, which is that it makes applicable to the crown the ordinary laws relating to salvage services rendered in assisting any crown ships or in saving life therefrom or in saving any cargo or apparel belonging to the crown, in the same manner as if the ship, cargo or apparel belonged to a private person. Here again this provision is a counterpart of that contained in the United Kingdom crown proceedings act.

The third main provision of this bill is that permitting small claims in negligence up to a limit of $1,000 to be taken in the district or county courts that would have jurisdiction if the action were between subjects. This will enable the issue to be determined locally and result in a saving of costs, and will enable small negligence claims to be disposed of quickly. All other actions of course will continue to be brought in the Exchequer Court of Canada.

May I say in conclusion that the step being taken in this bill follows logically from the development of our whole legal history and particularly from the measures which we enacted in this present parliament in 1950 and 1951. In all these matters we have to keep in mind two important factors. On the one hand there is the obvious consideration that the citizen as a litigant should have an economical and effective method of pursuing his claim against the crown. Against this must be balanced, however, an equally important consideration, namely that in the interests of the general body of citizens as taxpayers this litigation against the crown should be carried on as economically and efficiently as possible.

This is the third important piece of legislation in this regard which the government has brought forward in the last three years. We have gone into this process gradually in order to make sure step by step that we were providing reforms for the litigant without imposing any undue burdens upon the taxpayer. Our experience with the legislation which we passed in 1950 and again in 1951