

Supreme Court Act

paper in the name of the hon. member for Champlain (Mr. Brunelle) which would stiffen the provisions of the act and provide for heavier penalties. I am afraid, however, that this bill will not be considered this session because the place it occupies on the order paper will not permit it to be reached. But during the recess of parliament I shall certainly do what my hon. friend suggests—consider all the representations that are being made by my friend himself and by others, and the question will come up for decision at the next session of parliament.

Mr. CHURCH: That is all very well so far as it goes, but the provinces have jurisdiction also and the enforcement of the law is with them. The magistrates and police commissioners say that as long as this statute is as it is, they have to convict. It is making a farce of the law. An eminent chief justice told me he spent a whole month in Toronto on a Sunday, and if it had not been for me he might have spent two months there.

WAINWRIGHT BUFFALO PARK

On the orders of the day:

Mr. ROBERT FAIR (Battle River): I should like to direct a question to the Minister of Mines and Resources (Mr. Crerar). On March 9 the minister tabled sessional paper No. 206 concerning an investigation held at Wainwright in September last. That sessional paper was supposed to contain the evidence given at that investigation. It does contain the report of the commissioner, but does not contain the evidence asked for, and I should like to ask the minister if this evidence can be produced in the very near future.

Hon. T. A. CRERAR (Minister of Mines and Resources): Mr. Speaker, I shall look into the matter. I am not sufficiently familiar with the question my hon. friend has directed to me to answer it at the moment.

GRAND TRUNK PERPETUAL STOCKS

On the orders of the day:

Hon. C. D. HOWE (Minister of Transport): Mr. Speaker, I promised to make a statement with regard to the order for return moved for by the hon. member for Kootenay East (Mr. Stevens) relating to perpetual preference stocks of the Grand Trunk Railway.

These questions are to a large extent questions of law requiring the expression of legal opinions for their proper answers. Moreover, answers given to these questions might prejudicially affect the trial of the action pending in the Supreme Court of Ontario between Lovibond and the Canadian National
[Mr. E. Lapointe]

Railway Company. For these reasons in my opinion these answers cannot be furnished. I make this statement on the advice of the Department of Justice.

WAR PENSIONERS' TAXATION

On the orders of the day:

Mr. F. E. LENNARD (Wentworth): I should like to direct an inquiry to the Minister of National Revenue (Mr. Ilsley), who to-day answered a question which I placed on the order paper. The second part of that question asked if the government had ever considered putting soldier pensions on a tax free basis, and the minister answered that part of the question by stating that such pensions were tax free until May 22, 1933. I was aware of that fact, but what I want to know is whether this government has ever considered putting these pensions back on a tax free basis.

Hon. J. L. ILSLEY (Minister of National Revenue): So far as I know the matter has not as yet been before the government for consideration.

SUPREME COURT ACT

AMENDMENT TO CLARIFY PROVISION RESPECTING APPEALS

The house resumed from Wednesday, March 31, 1937, consideration in committee of Bill No. 78, to amend the Supreme Court Act—Mr. Lapointe (Quebec East)—Mr. Sanderson in the chair.

On section 1—Appeals from other than court of last resort.

Mr. BENNETT: Mr. Chairman, this section was allowed to stand through the courtesy of the Minister of Justice to enable me to look into a question that had been brought to my attention by two legal practitioners. The question was whether or not the government had considered the advisability of restoring old section 41 of the Supreme Court Act, by which there was an appeal from a judgment of the court of last resort in the province on a question that had been adjudicated upon by either a tribunal or a person named under a provincial statute, or a municipal authority, which would be under a provincial statute in any event. At one time there was provision for an appeal to the supreme court if the amount involved was more than \$10,000, and there were certain limitations placed upon the right of the court to adjudicate upon the question, by sending it back to the court in the province for the purpose of having it dealt with along the lines