

*Canadian National Railways*

"which" and in line six after the words "carried on" the words "or to be carried on".

Amendment agreed to.

Clause as amended agreed to.

On clause 5—*Idem*.

**Mr. Benidickson:** I suppose this amendment is for clarification only. Since the original measure we have had an understanding that 50 per cent of the aggregate net value of an estate is free from taxation. Is this just for greater assurance?

**Mr. Fleming (Eglinton):** The hon. member said 50 per cent; I think he meant to say \$50,000.

**Mr. Benidickson:** Yes.

**Mr. Fleming (Eglinton):** The purpose of this amendment is clarification. As the note says, it explicitly provides an exemption for an estate whose aggregate value does not exceed \$50,000. On examination it has been found that the existing provision in the act does require clarification.

Clause agreed to.

On clause 6—*Situs of property*.

**Mr. Benidickson:** I understand this interesting revision relates to property for which a situs might not have been determined up to the passing of the legislation. Is it correct that the chief point is that henceforth the situs of property, for which a situs has not been determined, will be determined under subclause 3?

**Mr. Fleming (Eglinton):** The effect of subclause 3 is that where hitherto there has been no specific rule for determining the situs this paragraph will now provide a residuary rule of general application.

Clause agreed to.

Clauses 7 to 11 inclusive agreed to.

On clause 12—*Consent to transfer*.

**Mr. Benidickson:** My impression was that these transfers would normally be from a corporation. I suppose the change relates to the amendments we made previously where we used the word "corporation" instead of "person" in connection with these matters.

**Mr. Fleming (Eglinton):** No, this change goes much further than that. This introduces quite an extension to the existing provisions of the act in relation to the consent to transfer and also those situations in which transfer may be made without waiting for consent.

**Mr. Benidickson:** In connection with clause 12 it has been my feeling that some corporations such as banks have not been as lenient

as I think the law permits them to be when a person dies and has a deposit in a bank. The present limitations are that without notice to the minister certain transfers can be made. I think the banking fraternity in general should look at this section and consider their opportunities for making transfers with notice to the minister, thus saving estates a great deal of expense. This probably will not appeal to the parliamentary secretary who practices in Ottawa. However, I have had some experience with this matter and I think that trust companies, banks and so on have not properly understood their opportunities here. I think they do not know that with notice to the minister they could be more generous in releasing moneys on deposit in their institutions and thus save the heirs to an estate the necessity of having probate which is sometimes unnecessarily insisted upon, I think.

Clause agreed to.

On clause 13—*Ignorance of death or interest of deceased*.

**Mr. Benidickson:** In connection with clause 13, has the government had, up to date, any experience in which the Canada Council was named in a bequest on which the law hitherto has not made it possible to have an allowance?

**Mr. Fleming (Eglinton):** I understand not.

Clause agreed to.

Title agreed to.

Bill reported.

**CANADIAN NATIONAL RAILWAYS**PROVISION FOR CAPITAL EXPENDITURES,  
ISSUE OF SECURITIES, ETC.

**Hon. Donald M. Fleming (Minister of Finance)** moved the second reading of Bill No. C-69, to authorize the provision of moneys to meet certain expenditures of the Canadian National Railways system.

(*Translation*):

**Hon. Lionel Chevrier (Laurier):** Mr. Speaker, concerning the motion introduced by the Minister of Finance (Mr. Fleming), proposing the second reading of Bill C-69, I should like to deal with a project, referred to the other evening, when the estimates of the Department of Transport were under consideration. I should like to say a few words about the speech made in the house by the hon. member for Gaspé (Mr. English), as well as about the question of a railway in the Gaspé peninsula, a subject that has been talked about for years. I gave notice to the hon. member for Gaspé that I intended to deal with this matter tonight.