REPORT

Of the Minister of Justice upon the Statutes of the Legislative Assembly of the Province of British Columbia passed during the Session of 1922.

By Command.

J. D. MacLEAN,
Provincial Secretary.

Provincial Secretary's Office.

At Government House,
Victoria, B.C., 17th December, 1923.

Sir,—I am directed by His Honour to transmit to you herewith, for the information of the Government, a certified copy of a Minute of Council dated the 10th instant, approving the Statutes of the Province of British Columbia passed in the twelfth year of His Majesty's reign, 1922.

I have the honour to be,
Sir,
Your obedient servant,

H. J. S. MUSKETT,
Private Secretary.

The Honourable the Provincial Secretary.

P.C. 2427.

Certified copy of a Report of the Committee of the Privy Council, approved by His Excellency the Governor-General on the 10th December, 1923.

The Committee of the Privy Council have had before them a report, dated 31st October, 1923, from the Minister of Justice, submitting that he has examined the Statutes of the Province of British Columbia passed in the twelfth year of the reign of His Majesty, 1922, and received by the Secretary of State of Canada on the 29th December, 1922, and that he is of opinion that these Statutes may be left to such operation as they may have.

The Committee, on the recommendation of the Minister of Justice, advise that a copy hereof, together with a copy of the annexed report of the Minister of Justice, be transmitted to the Lieutenant-Governor of British Columbia for the information of his Government.

E. J. LEMAIRE,
Clerk of the Privy Council.

His Honour the Lieutenant-Governor of British Columbia.

Department of Justice, Canada.

Ottawa, 31st October, 1923.

To His Excellency the Governor-General in Council:

The undersigned has the honour to report that he has examined the Statutes of the Province of British Columbia passed in the twelfth year of the reign of His Majesty, 1922, and received by the Secretary of State of Canada on 29th December, 1922, and he is of opinion that these Statutes may be left to such operation as they may have.

The undersigned recommends that a copy of this report, if approved, be transmitted to the Lieutenant-Governor of British Columbia for the information of his Government.

Humbly submitted.

(Sgd.) Lomer Gouin,
Minister of Justice.

REPORT

Of the Minister of Justice upon the Statutes of the Legislative Assembly of the Province of British Columbia passed during the Session of 1923.

By Command.

J. D. MacLEAN,
Provincial Secretary.

Provincial Secretary's Office.

At Government House,
Victoria, B.C., 26th January, 1925.

Sir,—I am directed by His Honour to transmit herewith, to be laid before the Government, a certified copy of a Minute of Council, dated the 15th instant, approving a report of the Minister of Justice upon the Statutes of the Legislature of the Province of British Columbia passed in the year 1923.

I have the honour to be,
Sir,
Your obedient servant,
H. J. S. MUSKETT,
Private Secretary.

The Honourable the Provincial Secretary.

P.C. 66.

Certified Copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor-General on the 15th January, 1925.

The Committee of the Privy Council have had under consideration the report of the Minister of Justice, dated 12th January, 1925, upon the Statutes of the Province of British Columbia passed in the year 1923, and received by the Secretary of State of Canada on the 18th January, 1924.

The Committee, concurring in the views of the Minister of Justice as set out in said report, advise that a copy hereof and of the annexed report be transmitted to His Honour the Lieutenant-Governor of British Columbia for the information of his Government.

All of which is respectfully submitted for Your Excellency's approval.

E. J. LEMAIRE,
Clerk of the Privy Council.

His Honour the Lieutenant-Governor of British Columbia.

P.C. 66.

Department of Justice, Canada.

Ottawa, 12th January, 1925.

To His Excellency the Governor-General in Council:

The undersigned has the honour to report that he has examined the Statutes of the Province of British Columbia passed in the year 1923, and received by the Secretary of State of Canada on 18th January, 1924, and he is of opinion that these Statutes may be left to such operation as they may have.

The undersigned has had under consideration the petitions of the Canadian National Railways, the Canadian Pacific Railway Company, the Union Steamship Company of British Columbia, Limited, and the Powell River Company, Limited, praying for the disallowance of

the "Fuel-oil Tax Act," chapter 71 of the Statutes of British Columbia, 1923, upon the following grounds:—

(1.) That it imposes an indirect tax and is therefore beyond the powers of the Legislature as defined in subsection (2) of section 92 of the "British North America Act";

(2.) That it is *ultra vires* as being in effect a Customs and Excise tax which by section 122 of the "British North America Act" may be imposed only by the Parliament of Canada; and

(3.) That it is in conflict with Dominion interests and policy in respect of interprovincial and foreign trade.

The undersigned is disposed to think that so far as these petitions raise questions as to the validity of the Act the matter may be left to the determination of the Courts, and that in so far as any conflict with Dominion interests and policy is concerned the circumstances are not such as to suggest the advisability of disallowance.

The undersigned recommends that a copy of this report, if approved, be transmitted to the Lieutenant-Governor of British Columbia for the information of his Government.

Humbly submitted.

(Sgd.) ERNEST LAPOINTE,
Minister of Justice.

VICTORIA, B.C.:
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1925.