

REPORT

Of the Minister of Justice upon the Statutes of the Legislative Assembly of the Province of British Columbia passed during the Session of 1926-27.

By Command.

SAMUEL LYNESS HOWE,
Provincial Secretary.

Provincial Secretary's Office.

AT GOVERNMENT HOUSE,
VICTORIA, B.C., October 11th, 1928.

SIR,—I have the honour by direction of His Honour to enclose herewith a certified copy of a Minute of the Privy Council, approved on the 3rd instant, in reference to the Statutes of the Province of British Columbia, passed in the year 1926-27.

His Honour desires that the attention of his Ministers be particularly called to the second paragraph of this Minute of the Privy Council.

I have the honour to be,

Sir,

Your obedient servant,

A. M. D. FAIRBAIRN,
Acting Private Secretary.

*Deputy Provincial Secretary,
Parliament Buildings,
Victoria, B.C.*

P.C. 1803.

Certified to be a true Copy of a Minute of a Meeting of the Committee of the Privy Council, approved by the Deputy of His Excellency the Governor-General on the 3rd October, 1928.

The Committee of the Privy Council have had under consideration the annexed report, dated 27th September, 1928, of the Minister of Justice, upon the Statutes of the Province of British Columbia passed in the year 1926-27, and received by the Secretary of State of Canada on the 27th October, 1927.

The Committee concur in the opinions of the Minister of Justice as set out in the said report, and advise that a copy hereof, together with a copy of the Minister's Report, be transmitted to 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.

The Honourable the Lieutenant-Governor of British Columbia.

P.C. 1803.

DEPARTMENT OF JUSTICE, CANADA.

OTTAWA, 27th September, 1928.

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 1926-27, and received by the Secretary of State of Canada

on the 27th October, 1927, and he is of the opinion that these Statutes may be left to such operation as they may have.

With regard to chapter 54 of the said statutes, "An Act respecting the Marketing of Fruit and other Produce," the undersigned thinks it fitting to observe that legislation of this kind might conceivably be carried to the point where it would conflict with Dominion interests and policies. Without expressing any opinion as to whether the Statute in question does so conflict, the undersigned does not consider it necessary in the present instance to invoke the power of disallowance, though he recognizes that it may become necessary in the future to exercise such power in proper cases with regard to legislation of this kind. It is to be observed that the validity of the said Statute has been called in question in certain proceedings in the Courts of British Columbia.

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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1929.