

NOTEWORTHY CHANGES IN THE STATUTE LAW, 1935*

It is a tendency of the human mind to consider that the present is always a time of paramount and crucial importance. A "crisis" is always with us. Assuredly that is the feeling that is impressed on the minds of the members of this Committee as they survey the mass of legislation enacted since our last meeting which it is their duty to make the basis of a reasonably concise report to The Canadian Bar Association. This is not to be wondered at when it is realized that the following remarks from a recent outstanding political document, whether expressive of an actual theory of Government consciously accepted by the majority of the people or not, is expressive of the trends of actual legislation. The remarks are :

"The day has long passed when the only recognized functions of government were to provide for the defence of the country against foes from without and to preserve peace and order within the frontiers. It is now as much the duty of the State to ensure for its people the elementary needs of food, clothing and shelter on a civilized scale as to protect them and their property from molestation."

And again,

"In the view of a growing multitude, the boundary between politics and economics has dissolved."

Sociology and economics mixed with law make a sufficiently difficult mass to untangle, but in another way the preparation of this particular report has required great care. It is an accepted and wise convention of The Canadian Bar Association that those taking part in its programme are not to engage in or in any way introduce partisan controversy. But when matters which were once thought to be purely legal, as for example the construction of certain statutes, have become almost matters of political faith, then it is extremely difficult to avoid comments which may be construed to have a political tinge. As lawyers we can discuss these problems among ourselves in good part without recrimination and, unless we surrender our independence of thought, as lawyers we must do so. So far as this report may be read beyond our own membership this Committee can only say that its full intention is to confine its remarks to legal situations without intending any reflection on any political situation.

Another tempting by-path is to comment on the reports of previous years, make some remarks on the working out of legislation there reported on, and to note whether various pieces of

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legislation have accomplished their objectives. We must refrain from this as, even confining ourselves rigorously to the "march past" before us, the report reaches unwieldy dimensions.

For purposes of consideration the legislation throughout the Dominion during the past years falls broadly under three main heads,

- (a) Constitutional.
- (b) Economic.
- (c) General.

Under the first main head, the "Constitutional," come what are probably the most startling, the most "noteworthy" features in the way of new legislation. The Statutes of the Dominion for the session ending on the 5th of July are bristling with constitutional experiments.

The Dominion Parliament has made a determined effort to enlarge its jurisdiction or, perhaps more accurately, to re-assert a dormant jurisdiction which it alleges it always had.

For that purpose it has pressed into service section 132 of the B.N.A. Act, which confers on the Parliament and Government of Canada all powers necessary or proper for performing the obligations of Canada or of any Province thereof, as part of the British Empire, towards foreign countries arising under treaties between the Empire and such foreign countries. And it has given a new emphasis to the "peace, order and good government" omnibus clause of section 91 of the same Act. The Employment and Social Insurance Act, The Minimum Wages Act, The Limitation of Hours of Work Act (eight hour day) all call upon section 132 and the Versailles Treaty for their support. The first named Act also avers in the preamble in its own support that it is essential for the peace, order and good government of Canada. Tempting as it is to comment on these clauses from the superior vantage point of pure legal discussion, the fact that they have already been debated in Parliament and throughout the press, and will no doubt be much under discussion in the election in the near future, points to a mere statement of fact as being the path of wisdom.

A feature of legislation from the constitutional viewpoint which should be further mentioned is the apparently increasing overlapping in both measures and services between the Dominion and Provinces. The Minimum Wages Act mentioned is a striking example. Several of the Provinces already have such Acts. At its last session Saskatchewan legislated so as to widen the scope of its Act to all employees, it previously having extended only to

females. And an "Act for the rehabilitation of drought and soil drifting areas in Manitoba, Saskatchewan and Alberta" of the Dominion sounds, to say the least, *in pari materia* so far as Alberta is concerned with "an Act to encourage methods of cultivation to control soil drifting in Alberta." "The Industrial Standards Act 1935" of Ontario obviously will overlap "An Act to establish a Dominion Trade and Industry Commission" and the same may be said with respect to the Alberta Trade and Industry Act of last year.

The two last mentioned Acts and Chapter 45 of the Quebec Statutes of 1935, "An Act to create the Department of Municipal Affairs, Trade and Commerce," are in themselves a commentary on the emasculation by the courts of the content "the regulation of trade and commerce" as these words appear in item 2 of section 91 of the B.N.A. Act. And while on the topic of overlapping and conflicting legislation, mention should be made of a section in the amendments to the Canadian Farm Loan Act as passed at the recent session of the Dominion Parliament whereby

"Notwithstanding any law, whether statute or otherwise, now in force or which hereafter may be in force in any province, no mechanic's lien law, taxation lien law, or other law or privilege of any species whatever whereunder liens, charges or privileges upon or against land or other property of any species whatsoever are created, arise or exist, shall without the consent in writing of the (Farm Loan) Board affect any land to which any mortgage given to the Board shall relate in prejudice of the Board as the holder of any such mortgage but every such mortgage shall, for so long as it remains unpaid rank upon such land in priority to all other securities, liens, charges or privileges whatsoever."

It is true that under the succeeding subsection the Board is given power to pay taxes where the Dominion authorities consider them of benefit to farm lands; but it would not be surprising if the provinces would refuse quietly to accept this assertion by the Dominion of a right to place its function as a money-lender paramount to the sovereign function of a province to enforce collection of taxes for local purposes, or indeed even for provincial purposes.

In fact the duplication of services between the Dominion and the Provinces, whether it be in the matter of lending money to farmers, in the matter of regulating companies, or in the matter of agricultural research or in many other ways, is undoubtedly one source of great waste in the Dominion; and, along with the uncertainty of jurisdiction itself, is lending weight to the current feeling that there must be some overhauling of the B.N.A. Act.

It does seem that the time has come when it is no treason to the wisdom of the Fathers of Confederation to admit that the physical conditions under which we live now as compared to what they were in the 1860's, referring particularly to the great contraction of the world through speed in transportation and communication, have brought about a multitude of situations which could not possibly have been foreseen and where the record should be made to fit the facts. It is to be hoped that when the time comes to do this it will not be done on the basis of being a provision for an emergency. The depression has only brought the facts more clearly to light. It has not created them. Furthermore, as citizens it is to be hoped that we can learn to suppress the strange duality which has grown up. We are getting to think of Provinces and the Dominion as permanently in conflict. In one's puckish moments one feels in going down a crowded street that he would like to stop the people one by one and call a roll and have the Province men line up on one side and the Dominion on the other. Some such fancy brings one back to a realization of the fact that every one of us is both a citizen of the Dominion and a resident of some Province. The sooner we realize that the people of the Provinces and of the Dominion are exactly the same people and that what we are trying to get at is simply the best, most efficient, and most economical way of governing and doing the business of one set of people, the better it will be for us.

ECONOMIC

Debt—Under this head comes, firstly, legislation having to do with payment of debt and, secondly, legislation for the control and regulation of business.

Legislation tampering with the fundamental liability of a debtor to pay his debts will (it is hoped) always be noteworthy. Last year this report mentioned with some adverse comment the extent to which legislation in this connection had been carried. Since then the statutory position has pretty much marked time with perhaps one substantial score on each side.

Saskatchewan at its last session brought its legislation more in line with fundamental principles by throwing the onus on the debtor again to ask for and obtain protection, rather than by making it the burden of the creditor (as remains the case in Manitoba and Alberta so far as their Acts extend) to convince a third party of the propriety of the exercise of ordinary legal rights. Those on the ground, however, tell us that the new Saskatchewan Act has furnished in its working out a striking

illustration of the extent to which the apparent meaning of words in legislation may be neutralized by administration. However, even if in actual practice little change in the result is noticeable, as an indication of the attitude of legislators towards basic principles the new legislation is an improvement.

The score on the other side which we referred to is "The Agricultural Industry and Stabilization Act of Alberta." This legislation vastly extends the exemptions which may be claimed against "every execution creditor and every person claiming for rent payable under any lease or any tenancy howsoever created which is made or created for the purpose of securing or enforcing the payment of money payable under any mortgage or agreement of sale." The exemptions begin with "an amount either in money or marketable produce sufficient to provide the farmer and his family with all necessary food, clothing, medical and hospital services and other necessities of life for the next twelve months." Further down, the exemption is made to extend to an amount either in money or marketable produce sufficient to provide for the necessary cash outlays for the ordinary farming operations of the farmer during the next ensuing twelve months and the repair and replacement of necessary agricultural implements and machinery. While nominally an exemption, those familiar with the situation in Alberta say that it practically amounts to a moratorium for the lifetime of the Act—three years—and that the six exemptions mentioned are of such indeterminable and variable amounts that any farmer could probably show that all the earnings of the farm were absorbed in them.

Business and Industry.—This year's legislation again impresses on one the apparently irresistible encroachment of Government on areas which not so long ago were the admitted domain of private enterprise. Governments are moving this way because of the pressure of public demand. Where is the end to come? But the question itself begs another question. Is it desirable that there should be an end to this movement? A considerable group of our citizens frankly and conscientiously say "No, the movement is progress in the right direction." Another group, probably as yet the larger group, say, "Yes, there should be an end." But they act "No." Examples of this trend, which is very marked in the Dominion legislation of the past year, have already been cited.

"The Economic Council of Canada Act, 1935" is a legislative acknowledgment of the now generally admitted responsibility of governments in connection with social and economic matters.

The first duty of the Council established under that Act is "to study, investigate, report and advise upon questions relating to the general trend of social or economic conditions or to any social or economic problem of Canada." "The Canadian Wheat Board Act, 1935" assuredly puts or rather keeps Government in the wheat business.

"The Dominion Trade and Industry Commission Act, 1935" is admittedly for the purpose of enabling greater Government Control over commerce and industry, being stated in the preamble to be in pursuance of recommendation of the Select Special Committee to that effect. In passing, may we stop to express the hope that "C.S." meaning "Canada Standard," which by this Act is established as a national trademark and can only be used by producers or manufacturers who conform to the requirements of a specification set up under the Act, will come to be a badge of honour not only throughout Canada, but throughout the whole world. The Combines Investigation Act has been tightened up to enable more effective government control to be exercised in a somewhat wider sphere. In the Provinces we find in Ontario "The Industrial Standards Act 1935," similar to the Alberta Trades and Industry Act of last year, and avowedly intended as a method of exercising Government control and direction over industry.

On the financial side we find "The Dominion Housing Act," "The Canadian Fisherman's Loan Act," and the extension of the field of The Canadian Farm Loan Act. These various Acts under which The Dominion Government, following the example of the Provinces, goes into the lending business, irresistibly lead one to ask for one single illustration of a Government loaning scheme which has paid its way. They have invariably and eventually been a burden on the community, against which can only be set the fact that to those, after all comparatively limited in number, who secure their advantages, they come in the nature of a wind-fall.

GENERAL

Coming to general legislation, we abandon any attempt to further classify and will simply comment on what seems to be "noteworthy" features in the different jurisdictions.

Conditions vary decidedly so far as the call for comment in this report goes. Some of the legislative sessions during the past year have been comparatively tranquil but others have been so stormy that the effect has been rather to obliterate the impression of all being quiet on the legislative front.

In quantity the output has not been above the average. As the lines between public and private Acts seems to vary in different provinces, the following table cannot be taken as perfectly accurate but gives the general result. The score, then, for the number of public Acts is as follows:—

Prince Edward Island.....	19
Nova Scotia.....	47
New Brunswick.....	44
Quebec.....	98
Ontario.....	75
Manitoba.....	69
Saskatchewan.....	93
Alberta.....	80
British Columbia.....	93
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	618
Dominion.....	51
	<hr/>
	669

PRINCE EDWARD ISLAND

“Happy the Province with laws so near perfection as to need so few amendments” burbles our correspondent from the “Island.”

Insurance—The uniform life insurance clauses with amendments were adopted.

Lightning Rods—“Chapter 10”, our Committee member writes, “is apparently an attempt to keep pace with and to avoid the possible dangers of Benjamin Franklin’s famous kite experiment. It is entitled ‘An Act to regulate the sale and installation of lightning rods.’ The Act does not provide that the electric energy so obtained is to be used for commercial purposes nor that it is to come under the jurisdiction of the Public Utilities Commission. The Legislature, however, will meet again next year. Meanwhile, on the principle of Safety First the Island is on the way to being made a safe place for democracy, at least as regards lightning.”

NOVA SCOTIA

The Municipal Affairs Supervision Act—Nova Scotia has come into line with the other provinces in setting up some control over municipal borrowings for, broadly speaking, ordinary municipal purposes properly chargeable to capital. Such borrowings must be approved by the Minister of Municipal Affairs. Nova Scotia has in fact accomplished in one jump what most of the other provinces accomplished in two widely separated jumps, for it is this Act which establishes the right of municipalities to borrow for such purposes without a special Act.

The Limitation of Hours of Labor Act—This Act applies with respect to mines and quarries and to manufacturing industries and to the building industry. A Board is given power to determine the number of hours per day or per week during which a person so employed may work. The Act comes into force on proclamation. This Act is another which might have been noted under the comments on overlapping between the Dominion and provinces.

The Nova Scotia Economic Council Act—This Act sets up an Economic Council of not more than fifteen members to advise the Governor in Council on all matters relating to the promotion and development of industry and trade in the province, to co-ordinate investigation, furnish advice on use of natural resources, and “generally to make investigation of the possibilities of economic and industrial development in the province with a view to making recommendations as to market extension, increase of employment, and for any other purposes calculated to promote the social and economic development of the province.”

Married Women's Property Act—In this Act, Nova Scotia has put in a word for the husband. A married man is given rights as against his wife for the protection of his property in the same way as if she were a feme sole. But going on from there, a married man is given further liberation. He is declared not to be liable for any of his wife's torts after marriage on the sole ground that he is her husband.

NEW BRUNSWICK

The Dairy Products Act—This Act sets up a commission of three to supervise, control and regulate within the province the sale and distribution of milk and cream.

The Public Utilities Act Amendment—In this Act the Public Utilities Board is given the power when investigating rates of public utilities and making orders authorized by the subsection modifying or altering rates, tolls, charges or schedules, to take into consideration the reasonableness of the rate of return to the public utility upon its investment. This amendment was considered necessary in view of a recent decision in New Brunswick continuing as a basis the common law rule in such case that the reasonableness of rates is to be determined by the value of the service to the consumer and not by the return to the person or company supplying the service.

The Housing Commission Act—While the title to this Act suggests that it is another case of overlapping when set alongside

"The Dominion Housing Act," such is hardly the case, as the Act extends only to the repairing and rehabilitation of houses, while under the Dominion Act the Dominion, working in co-operation with established companies, advances 20% of the cost of construction of new houses begun after the 5th of July, 1935.

QUEBEC

The Agricultural Products Act—The full title of this Act, "An Act respecting the grading and sale of agricultural products," indicates correctly that it is a further extension of the trend toward government control and regulation of business.

Colonization Promoting and Return to the Land Act—In the preamble to this Act is a legislative validation of certain views which are rather widely held. For example "Whereas colonization and a return to the land afford an efficacious solution of a permanent nature for the problems arising from unemployment," and "Whereas between the number of the urban population and that of the rural population there is a disparity which should be rectified." The Act goes on to appropriate a sum of \$10,000,000 for its purposes and confers on the Lieutenant-Governor in Council wide powers of granting subsidies, making loans, making improvements, etc.

An Act to Create the Department of Municipal Affairs, Trade and Commerce—This Act has already been mentioned. It sets up a Department of Trade and Commerce conjoined with that of Municipal Affairs.

Seigniorial Rent Abolition Act—To those of us who in our public school days were taught to recite that the Seigniorial Tenure Act in Lower Canada and the abolition of the Clergy Reserves in Upper Canada were constitutional developments of the highest importance about the middle of the last century, this Act has an interesting sound. It is a logical development of the first of these early provisions, in that it provides for the eventual abolition of the old seigniorial rents. A "Syndicat National du Rachat des Rentés Seigneuriales" is established, the object of which is declared to be "to facilitate the freeing of all lands or lots of land from constituted rents which replace the seigniorial dues."

Collective Labor Agreements Extension Act Amendments—These strengthen up this Act, referred to in last year's report, by providing further means of enforcement and penalties for breach. New section 14a is a striking commentary on the limitations of collective agreements as an omnibus cure. It enacts that no

collective agreement shall fix for female workers an hourly rate of wages inferior to those fixed under the Women's Minimum Wages Act.

ONTARIO

Insurance—The amendments dealing with life insurance and automobile insurance which were recommended for uniform enactment in the various Provinces in Canada by the Inter-Provincial Insurance Conference held at Saint John, New Brunswick, in September, 1934, were enacted. Without repeating these items under insurance in each Province it may now happily be said that the Statutes of all the Provinces, except Quebec, are completely uniform in respect to life insurance and automobile insurance contracts. The Association of Superintendents of Insurance is doing its work very effectively and, we believe, very wisely and deserves the commendation of The Canadian Bar Association.

The Highway Traffic Act—The so-called "Gratuitous Passenger Hazard" is abolished: that is to say, passenger liability is abolished unless the vehicle is operated in the business of carrying passengers for compensation. This seems to be a trend of legislation. New Brunswick and Alberta were noted last year as having adopted this provision. It, of course, has its points but on the other hand it may seem a little unfortunate that when a person accepts an invitation of a friend to go for a drive he is necessarily giving the friend carte-blanche to be as negligent and reckless as he pleases.

The Industrial Standards Act—This has already been noted as an extension of legislative control over industry. The Act, which is administered by the Department of Labour, permits the Government to promote and encourage agreements between employers and employees or, more accurately, by what "in the opinion of the Minister is a proper and sufficient representation of employees and employers." These agreements are then given the force of law by order-in-council. On the 16th of July the record was that 13 agreements were in force, 10 of them covering the Toronto ten mile area, 2 covering the Province of Ontario, and 1 covering the Province of Ontario exclusive of Toronto. The number of employees involved was given as approximately 17,211.

The Milk Control Amendment Act, 1935—This is a tightening up of last year's Act. Milk is now in the same category of dangerous commodities such as intoxicating liquor. No person shall directly or indirectly engage in or carry on the business of

supplying, distributing, transporting, processing, or selling milk unless he is the holder of a license, and the Board has power to fix the prices at which this article may be sold.

The Dionne Quintuplets' Guardianship Act—This is probably unique legislation as being the first case in which a Sovereign Legislature asserted a right to change the status of specifically named individuals. The circumstances are, however, likely to remain so exceptional that any discussion of whether or not a wise precedent has been established, is superfluous.

The Power Commission Act 1935—In the way of outstanding departure from the ordinary run in Provincial legislation, this Act probably takes the palm for the most striking legislation of the year. The preamble recites that certain contracts were made by the Hydro-Electric Power Commission and recites that these were made "without the consent of the municipalities (involved) or the ratepayers thereof, contrary to the rights of the said municipalities under the existing contracts with the said commission, and contrary to the Power Commission Act, and without regard to the provisions of the British North America Act," and that the Commission has "illegally charged" certain costs against certain municipalities. The operative section then goes on to enact that the said contracts "are hereby declared to be and always to have been illegal, void and unenforceable as against the Hydro-Electric Power Commission of Ontario."

A declaration of avoidance and unenforceability (on the policy of which it is not the function of this report to comment) is at least an intelligible assertion of the sovereign right of a Provincial Legislature so aptly and forcibly put by Mr. Justice Riddell where he said :

"The Legislature within its jurisdiction can do anything that is not naturally impossible and is restrained by no rule, human or divine. If it be that the plaintiff acquired any rights the Legislature has power to take them away. The prohibition 'Thou shalt not steal' has no legal force upon the Sovereign body." (*Florence Mining Company v. Cobalt Mining Company*, 1908, 18 O.L.R. 275).

But a declaration of illegality was surely superfluous and at the same time constitutes a serious encroachment of the legislative upon the judicial function.

The Mental Hospitals Act 1935—This Act replaces "The Hospitals for the Insane Act" and certain other Acts dealing with kindred matters. It is noted as a step forward in the current delicacy of feeling which characterizes legislation in these latter days. A number of old-fashioned words are being felt to carry a

most offensive innuendo to sensitive minds. The word "insane" drops out and the Act now deals only with the "mentally ill" and "mentally defective."

MANITOBA

Manitoba has passed a comparatively quiet year from the point of view of this Committee, although in output they measure well up to the standard, having passed 104 Bills.

The Dairy Act—This Act is a revision and consolidation of previous Acts and is mentioned merely as an illustration of increasing paternalism. No creamery can now be erected until a Board has certified as to its necessity. It does not appear, however, that the Board's certificate works both ways and that the Board will come to the rescue of the creamery if the necessity subsequently appears to have been overestimated.

The Trade Practices Act—This Act may be mentioned as an illustration of what is frequently considered to be a better method of government intervention. It is designed to permit an enquiry to be made where a complaint has been made that unfair practices or detrimental conditions exist in a trade. Provision is then made for publication of a report concerning the enquiry.

The Highway Traffic Act—The provision in this Act making the driving at a rate of thirty miles per hour for automobiles when operating in cities, towns and villages and upon certain designated highways conclusive evidence that the vehicle was being driven to the common danger seems to be a reversion to an inelasticity the desirability of which is questionable. Will not education and fearless enforcement for the selfish and criminal driver bring better results?

In the same Act Manitoba has dealt with the case of the gratuitous passenger, but has given him a little chance. He can recover only if he proves gross negligence.

SASKATCHEWAN

The Milk Control Act, 1935—The Coal Mining Industry Act, 1935—These Acts are noted as further illustrations of the increasingly detailed control of businesses by government regulation. Everything done in either of these lines of production may now come within the control of government, through a Board, as in the case of the Milk Control Act, or by order of the Governor in Council, as under the Coal Mining Act. This comment is made neither by way of criticism nor approval but as illustrative of a trend.

The Debt Adjustment Act, 1934—This Act has already been mentioned. If there must be a restriction on legal rights for the collection of debt, at least on its face it puts the onus in the right place—that is, on the debtor, who now has to ask for, and presumably show cause for, protection.

Limitation of Civil Rights Act, 1933, Amendments—The personal covenant of a purchaser in an agreement of sale made after the Act to pay the purchase price, cannot be enforced. This provision is a concession to a mass prejudice cultivated in the minds of the farmers by many of the leaders against the personal covenant "Creditors being ipso facto and ex hypothesi undesirable citizens obviously the best thing to do is to start at the root and prevent their creation." Obviously on the other hand it is protecting a man (the proposed buyer) against himself with a vengeance if he wishes to use his own credit standing to get a good price on a piece of land.

Every final order or foreclosure of a mortgage operates in full satisfaction of the debt secured by the mortgage.

The Slot Machine Act, 1935—This Act absolutely prohibits the operation of slot machines, as apparently among the evils that affect society they have been found to be among the most devilish. Not only is a penalty provided for their operation but after the first of July, 1935, when the Act came into force, such machines became, so to speak, outlawed. They became incapable of ownership or to be the subject of property rights, and no court of civil jurisdiction could recognize or give effect to any alleged ownership of or property rights in any slot machine.

ALBERTA

Sunny Alberta confined its output to eighty-four public Acts but has kept up its reputation as one of the more daring explorers in the way of experimental legislation. Under this heading particular reference is made to :

The Health Insurance Act—This is a novel and experimental statute. Its object is to put into force a scheme of State medicine whereby every person residing in a health district shall be entitled to receive at the cost of the district (in colloquial parlance meaning "free") all necessary and proper medical, surgical, dental, ophthalmic, hospital, nursing and public health services. Upon the establishment of a health district the provincial government is required to contribute to this fund the sum of \$3.28 for each resident of the district, and each municipality within the district is required to contribute \$11.28 for each resident of the

district within the municipality. In subsequent years annual payments are made upon the same proportionate basis. Municipalities are empowered to collect from residents or income earners if casually employed at the rate of 1c per hour of employment, otherwise \$2.01 per month. Other income earners pay \$2.82 per month, or \$33.84 per annum.

The Control of Soil Drifting Act—The long title of this Act is "An Act to Encourage Methods of Cultivation to Control Soil Drifting." The "encouragement," however, has a sting to it. A legal duty is laid upon a farmer to prevent soil drifting on adjacent land, which duty may be discharged by certain specified methods of farming. It is not the function of this report to discuss methods of farming, but it is of interest to point out that this statute marks a new "high", so to speak, in specific directions contained in a statute as to how a man is to carry on his business.

Another interesting point in the statute is the implied appraisalment of the seriousness of a legal wrong done. The damages payable under any judgment in any action brought under the Act are payable without regard to any of the other creditors of the persons liable therefor and in priority to all claims enforceable through execution other than claims of the Crown, municipal taxes, school taxes, drainage or irrigation rates and wages.

The Slot Machine Act—Contains a duplication of the same principles as contained in the Saskatchewan Act.

The Industrial Standards Act—This Act has been already casually alluded to. It includes the provisions of the Industrial Standards Act of Ontario and in addition makes provision whereby the Lieutenant-Governor-in-Council may make regulations,

- (a) prescribing standard specifications as to the nature, contents and quality of any commodity which is used in industry or which is merchandise, or of any grade or class thereof.
- (b) prescribing that upon the sale within the Province of any commodity in respect of which a standard specification has been prescribed, information shall be given to the purchaser in writing of the fact that a standard specification has been prescribed in respect thereof, and the form and manner in which the information shall be so given.

The Reports of Judicial Proceedings Act—This Act restricts the publication of details of trials of matrimonial cases and prescribes what may be published in reports of such trials. It reproduces similar provisions enacted by The Judicial Proceedings

(Regulations of Reports) Act 1926 (Imp. 16 & 17 Geo. V. c. 61). In addition the Act contains provisions prohibiting the premature publication of proceedings, affidavits, examinations on discovery and other documents relating to any pending civil action and the reporting of ex parte interlocutory proceedings.

The Agricultural Industries Stabilization Act—Mention has already been made of this Act.

The principle of exemption is not new. What is new in regard to this Act is the apparently very far-reaching extension of the principle in operation.

An entirely new principle is laid down in connection with relation of value of security to payment of debt. It is enacted that where a mortgagee or vendor (with respect to any mortgage or agreement made prior to the 1st of July, 1932) buys any agricultural land at a judicial sale "no sum in excess of the selling price shall be recovered from a resident farmer on account of the money payable under the mortgage or agreement for sale by reason of any diminution which has occurred in the value of the land since the making of the mortgage or agreement of sale which has not been caused by waste for which the mortgagor or purchaser is responsible."

BRITISH COLUMBIA

The output of British Columbia was ninety-three Acts passed, a number of them being consolidations of amendments since the last revision. Our Committee member from British Columbia reports no particularly noteworthy changes, the Provinces at the two extreme ends of the Dominion uniting in this respect.

Sgd. D. J. THOM,
Chairman.