

In the Privy Council.

5, 1943

C.V.B.

No. 20 of 1942.

BLAKE - REDDEN

ON APPEAL.

FROM THE SUPREME COURT OF CANADA

IN THE MATTER of a Reference as to the validity of The Debt Adjustment Act 1937, Statutes of Alberta 1937, Chapter 9 as amended, and as to the operation thereof.

BETWEEN

THE ATTORNEY-GENERAL OF ALBERTA- *Appellant,*

AND

THE ATTORNEY-GENERAL OF CANADA, THE CANADIAN BANKERS' ASSOCIATION, THE MORTGAGE LOANS ASSOCIATION OF ALBERTA and THE ATTORNEY-GENERAL OF SASKATCHEWAN *Respondents,*

AND

THE ATTORNEYS-GENERAL OF MANITOBA, ONTARIO and NEW BRUNSWICK *Intervenants.*

CASE FOR THE APPELLANT

CASE FOR THE ATTORNEY-GENERAL OF CANADA

CASE FOR THE CANADIAN BANKERS' ASSOCIATION and THE MORTGAGE LOANS ASSOCIATION OF ALBERTA

CASE FOR THE ATTORNEY-GENERAL OF SASKATCHEWAN

CASE FOR THE ATTORNEY-GENERAL OF MANITOBA

CASE FOR THE ATTORNEY-GENERAL OF ONTARIO

CASE FOR THE ATTORNEY-GENERAL OF NEW BRUNSWICK

RECORD OF PROCEEDINGS

APPENDIX OF STATUTES

BLAKE & REDDEN,

17, Victoria Street, S.W.1,

For The Attorney-General of Alberta

CHARLES RUSSELL & CO.,

37, Norfolk Street, W.C.2,

For The Attorney-General of Canada

LAWRENCE JONES & CO.,

Winchester House, Old Broad Street, E.C.2,

For the Canadian Bankers' Association and The Mortgage Loans Association of Alberta.

BLAKE & REDDEN,

For The Attorney-General of Saskatchewan and the Intervenants The Attorneys-General of Manitoba, Ontario and New Brunswick.

1942

23 Nov.
24 "
25 "
26 "
30 "
1 DEC.
2 DEC.

GCI. 9.16

Wynne Memoranda

INSTITUTE OF ADVANCED
LEGAL STUDIES,
25, RUSSELL SQUARE,
LONDON,
W.C.1.

Nov 23/1942.

Nov:

Lords Maitland
Russell
Clayton
Romer
Macmillan

Albera
Walter Barton KC
J. L. Stone

Saskatchewan
J. W. Eaton KC (ag. party)
J. W. Wallace

Manitoba
Charles Roman KC
J. L. Stone

Ontario
Charles Roman KC
J. L. Stone
C. A. McInnes KC

New Brunswick
J. W. Wallace

Atty Canada J. N. Pritch KC
Frank Graham

(Barbers
C. F. H. Carson KC (Can. Bar))

Barton

Needs BNA Act

History of Legislation R. 112

Debt adjustment act. Res 3-7, 8-9, 11

Needs questions submitted

" Judgments

no Ct of Justice Org

2 PM

Needs Judgments

authorities

Union Army v Bryden. 1889 ac.

Parsons Case 7 ac. 81

John Rice Plow Case 1915 ac. 330.

W. Comp Bk v CPR. 1920 ac. 184

3.40. adjourned

24th Nov 1942 (2nd day)

11 AM Barton Continues

Lyncham v Magland 1936 ac. 318

Liquidators of Maritime Bk case ac.

Voluntary assignment case 1899 ac. 452

Case see 7. 30

3rd day

25 Nov 11 AM Barton continues ready case

J. Loren on Bills, Mr
Falconbridge Bank

J. Loren on Bills 1 E
Falconbridge Bank

4th Day

26 Nov 11.5 AM Barton continues
(11 hours argument)

11.40

Hon J.W. Estey (A.G. Saskatchewan)

Edwards v Stewart 1932 2 WWR 699
@ 703

Krohn v Ruygrove 1939 1 WWR 45
@ 47 P.E.

McJames v Bourke 1938 3 D.L.R. 287

Rowell Report (Committee requires copy)

1936 Alta Stat Taxation Act Ch. 96
Sec 13a

1936 Chapter 65 Seed from Act

Prarie Farmers Re-Roll Act 1935 Ch. 25
Can Stat Rec 4

Economic
necessity of
legislation

4th day cont'd

J.W. Estey cont'd

Jamieson Contract Act 129 aft

Lithbridge v I.O.F.

Day v Vidron 1938 3 WWR

Cyman v Man... Leman H. de

1937 SCR 265. (Fiat)

Smith v U.C.C. 61 SCR 413

Eddy v Stewart 1933 hWR^{3.}

Nov. 30th

5th Day

J.W. Estey Continues 11 order
Argues closed 1-5 PM

(5 hours argument)

Romer 1-5 Ontario, Manitoba

Procedure act

Interact

Argues closed 1-2 PM

Wallace 2-14 Motion to allow for New Brunswick

2.15 Mr. Pratt Suggest Case shall be take

- 1 Look at Statute
- 2 Does it fall with § 92 if so must be determined
- 3 Pitt's Statute is within 91.

6th Day

Dec 1.

11.5 DN Pratt continues.

^{to}
1.30 (to continue argument later)

2 pm. C. F. H. Carson K.C.

Reciprocity Insurance Law 1924 ac. 337

BA Tax Law 1939 ac. 117

Bank Act 1934 Sec. 75

RSC 1927 Ch. 102 (Interest Act) Secs 2, 3

Lehby Law 1940 ac. 5B

Reduction Act Ch 2 alia 1936 (2nd lesson)

Credit of v Ross

1937 2 WWR 353

Warrantary Law

Can Bond Ins Act att 4 p. 22

Loan Co's Act att 4 p. 15

Trust Co's Act t 9

a of man v. a g. case. 1929 ac. 260

3.45 argument.

7th day

Just walked about

December 2nd

11 am. C. F. H. Loren - continuing

John Rice Plow 1915 ac. 330

G. W. Saddleby case 1921 ac. 91

Lutkey v Rutherford 1924 ser 56

Ayman v Aylmer 1929 ac 260

2.50 PM

DN Pratt

3.25 PM

Wilfred Barton

8th day

11 AM

Wilfred Barton

12.40

Argument Closed

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Judgment Reserved