

2,1946
In the Privy Council.

No. 2 of 1940.

BLAKE &
REDDEN

ON APPEAL

FROM THE COURT OF APPEAL FOR ONTARIO

IN THE MATTER of a Reference as to the validity of Parts I, II and III of the Canada Temperance Act,
Revised Statutes of Canada, 1927, Chapter 196.

AND IN THE MATTER of The Constitutional Questions Act R. S. O. 1937, Chapter 130.

AND IN THE MATTER of the Consolidated Rules.

BETWEEN

THE ATTORNEY-GENERAL FOR ONTARIO, AND THE
MODERATION LEAGUE OF ONTARIO

2
Appellants

AND

THE CANADA TEMPERANCE FEDERATION, THE
ONTARIO TEMPERANCE FEDERATION, HURON
COUNTY TEMPERANCE FEDERATION, MANITOULIN
TEMPERANCE FEDERATION, PEEL TEMPERANCE
FEDERATION, PERTH TEMPERANCE FEDERATION,
THE UNITED CHURCH OF CANADA AND THE COUNCIL
FOR SOCIAL SERVICE OF THE CHURCH OF ENGLAND
IN CANADA AND THE ATTORNEY-GENERAL OF
CANADA

(8)
Respondents

AND
A.G. ALBERTA AND A.G. NEW BRUNSWICK

Interlocutors

CASE FOR THE APPELLANT, THE ATTORNEY-GENERAL FOR ONTARIO
CASE FOR THE APPELLANT, THE MODERATION LEAGUE OF ONTARIO
CASE FOR THE RESPONDENTS, THE TEMPERANCE FEDERATIONS
CASE FOR THE RESPONDENT, THE ATTORNEY-GENERAL OF CANADA
APPENDIX TO CASE FOR THE ATTORNEY-GENERAL OF CANADA
RECORD OF PROCEEDINGS
APPENDIX TO RECORD OF PROCEEDINGS

Hearing Dec 1945
D 1945 3:4:5:6:4

BLAKE & REDDEN,

17, Victoria Street, Westminster, S.W.1,

For the Appellants.

Judgment 21 Jan. 1946

CHARLES RUSSELL & CO.,

37, Norfolk Street, Strand, W.C.2,

For the Respondents.

appeal dismissed - no costs

9C1.9.16

B.M. Appellus Sir C Northcote *B.M.* Off Northcote Barton
Mayone B Smith

Handwritten Reg. Mr J. C. Gosper

Northcote Whitehead
Fred Gosper

B.M. Albata

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

30 Nov 1945 Consultation Sir Cyril Northcote KC

Handwritten
Oct 20th 1945



Cameron

Passing over of the matter Cameron

Simon
Thankerton
Roche
Greene
Goddard

Mr Justice O'Connell
Sir Cyril Raddiffe K.C.
Mr. C. R. Mayne K.C.
for app^t Mod. League

Wilfrid Barton K.C.
Bethune L. Smith K.C.

for Resp^t Ant. Int. Federati

Whitehead K.C.

for Resp^t A.G. Can.

A. Goffman K.C.

3rd Dec^r

11. am Sir Cyril Raddiffe K.C.

for Interveners a.g. Alta - N.B

C.R. Mayne K.C.

Toronto Elec v Indus (Lord Haldane's
remarks in *Stewart v Bell*)

1 pm adjourned (Lord Roche indisposed)

4th December (2nd Day)

10.30 Sir Cyril Raddiffe

can tempo act

Russell v Reg. can^v h. 310

Hope v The Queen^v can^m 1 333

afst v Langtry^v (Lord Robt) can^m 1 481

afman v Man Linn can^m 1 574

Dobson v Temporalities^v " " 293

2.30 Raddiffe cont^d

Insurance Law (Can v Alta) 2 Can^m 63

Bk of Commerce Ref 60 SCR. 506-512 - 2 Can^m 253

Tor v Airders

2 Cam. 368

5th December 1945 (3rd Day)

10.30

Mr Cyril Raddiffe

Port Francis v Manfree Bros 2 Cam. 302

aero Reference Raxlin 93

Nat Products 1936 S.C.R.

ag.

Rax 327

Judgments

1 pm. adjourned till tomorrow

6th December (4th day)

10.30

Mr C. Raddiffe

Gillieson report to au author. 5 1935 S.C.R.

Don Temple act

Reed v Bos of London 1892 ac. 654

12.30

Welford Barton Re

Transp. Dev. Com. Statute 1929 ac. 202

Russell v The Queen outwards

Hodge v The Queen

McCarthy act

Local Option statute Can. Act 1896

Manitoba case

1.15

CR Majors Re

BA has not proper material before it when decyding Russell v The Queen

6 Rev contn

3 pm.

a Jeffries

4 pm

18th Dec Case 5th Day

PM

12-10

a Jeffries

12-30 Whitehead for Temperance Society

1-15 PM Radcliffe on ref.

Acceptance of Panel? There is been very good

211 Hodge

(2) 1902 (17) A.C. Lord St. Dunstons

(3) 1916 A.C. Insurance Case 595. 596. 597

2-15 1-30 Adams

2-15 Radcliffe

(47) Insurance Case 1922. P280

(5) Trade 1925 AC 410-12-13

Jeffries argued on Statute 9 (1927)

Insurance Law

£ 3.1

PM 3.

Judges Reserve

51

68

5