

In the Privy Council.

No. 103 of 1936.

ON APPEAL FROM THE SUPREME COURT OF CANADA.

IN THE MATTER of a Reference as to whether the Parliament of Canada had legislative jurisdiction to enact The Natural Products Marketing Act, being Chapter 57 of the Statutes of Canada 1934, and its amending Act, The Natural Products Marketing Act Amendment Act, being Chapter 64 of the Statutes of Canada 1935.

BETWEEN

THE ATTORNEY-GENERAL OF BRITISH COLUMBIA *Appellant,*

AND

THE ATTORNEY-GENERAL OF CANADA AND THE ATTORNEYS-GENERAL OF THE PROVINCES OF ONTARIO, QUEBEC, NEW BRUNSWICK, MANITOBA, ALBERTA AND SASKATCHEWAN ... *Respondents.*

CASE

OF THE RESPONDENT THE ATTORNEY-GENERAL OF ONTARIO.

1. This is an appeal from the judgment of the Supreme Court of Canada dated Wednesday, the 17th day of June, 1936, delivered by the Honourable Sir Lyman P. Duff, Chief Justice, answering the question referred to it by His Excellency the Governor-General in Council for hearing and consideration, touching the powers of the Parliament of Canada under the British North America Act 1867, to pass the Natural Products Marketing Act, being Chapter 57 of the Statutes of Canada 1934, and its amending Act the Natural Products Marketing Act Amendment Act, being Chapter 64 of the Statutes of Canada 1935. Record.
p. 56.
pp. 57-74.

10 2. The question referred to and the answer of the Court are the following :—

Question. “ Is the Natural Products Marketing Act 1934, as amended by the Natural Products Marketing Act Amendment Act p. 57, l. 3.

Record.

“ 1935, or any of the provisions thereof and in what particular or
“ particulars or to what extent, *ultra vires* of the Parliament of Canada ?”

p. 57, l. 27.

Answer. “ The Statute in the unanimous opinion of the Court
“ is *ultra vires*.”

3. The Attorney-General of Ontario submits that the answer of the Supreme Court of Canada should be affirmed for the reasons set forth in the factum of the Attorney-General of Ontario in the Supreme Court of Canada, and in the reasons for judgment delivered by the Honourable Sir Lyman P. Duff, Chief Justice of the said Court, and for such other reasons as may be advanced by counsel on the argument.

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A. W. ROEBUCK.

I. A. HUMPHRIES.



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OF THE PROVINCES OF ONTARIO,
QUEBEC, NEW BRUNSWICK,
MANITOBA, ALBERTA AND SAS-
KATCHEWAN *Respondents*

CASE OF THE RESPONDENT

THE ATTORNEY-GENERAL OF ONTARIO

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