

In the Privy Council.

18, 1945 Blake & Redden
C. G. Galt

No. 18 of 1944

ON APPEAL

FROM THE SUPREME COURT OF CANADA

IN THE MATTER of a Reference by the Board of Transport Commissioners
for Canada for the opinion of the Supreme Court of Canada

AND

IN THE MATTER of the Transport Act, 1938 (2 Geo. VI, Chap. 53).

BETWEEN

CANADIAN NATIONAL RAILWAYS and CANADIAN
PACIFIC RAILWAY COMPANY - - - - *Appellants,*

AND

CANADA STEAMSHIP LINES LIMITED, NORTHERN
NAVIGATION COMPANY and NORTH-WESTERN
STEAMSHIPS LIMITED - - - - *Respondents.*

APPELLANTS' CASE

RESPONDENTS' CASE

RECORD OF PROCEEDINGS

JOINT APPENDIX

Hearing March 7 1945

BLAKE & REDDEN,
17, Victoria Street,
London, S.W.1,
Solicitors for the Appellants.

Judgment 1945

LAWRENCE JONES & CO.,
Winchester House,
Old Broad Street, E.C.2,
Solicitors for the Respondents.

Result:

7th March 1945

Present

Vincent Simon (L.C)

Lord Russell

Lord Macmillan

Lord Roche

Lord Simonds

D. N. Pitt K.C

P. J. Mackenna
for appts

Sir Walter Monckton K.C

Frank Gahan
for Resp'ts

10.30 D. N. Pitt

outline of case

Sec 314 By act 1927 C. 170

Sec 24 Transport act

2 vital secs 35-36 Transport act

Resp'ts rely on sec. 13

app'ts on sec. 36

Reads *Staten Case*

Reads extracts from judgments of *Commons*

" *D. C. judgments*

3.45 adjourns.

1937 2 K.B. p. 30

8: Mand

10.50

Pitt said all I have to say
Mackenna ~~argued~~ followed argued Sec.
§ 36 unnecessary, Russell put his
arguments in this.
Submission that sec 36

11.40 Mankin ~~deals with~~ § 27 ~~to~~ law + Rome

Judgment:

History in Canada before 1908

12.15 Mankin ~~steps~~ § Rome

Pitt reff.

§ ~~§ 36~~ Sec 9 + Sec 35

12.25. Lordship take time