

6-1 G. 16.

8, 1954

In the Privy Council.

No. 23 of 1952.

ON APPEAL FROM THE SUPREME COURT OF CANADA.

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| UNIVERSITY OF LONDON W.C.1. 2. FEB 1955 INSTITUTE OF ADVANCED LEGAL STUDIES |
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BETWEEN

THE ATTORNEY-GENERAL FOR ONTARIO, THE
ATTORNEY-GENERAL FOR ALBERTA and THE
ATTORNEY-GENERAL FOR PRINCE EDWARD
ISLAND (Intervenants)

Appellants

10

and

ISRAEL WINNER, doing business under the name and
style of MACKENZIE COACH LINES (Defendant)

Respondent

37756

and

THE ATTORNEY-GENERAL FOR NEW BRUNSWICK
ex. rel. S.M.T. (EASTERN) LIMITED, a duly incorporated
Company (Plaintiff)

Respondent

and

THE ATTORNEY-GENERAL OF CANADA, THE
ATTORNEY-GENERAL FOR QUEBEC, THE
ATTORNEY-GENERAL FOR NOVA SCOTIA, THE
ATTORNEY-GENERAL FOR NEW BRUNSWICK,
THE ATTORNEY-GENERAL FOR BRITISH
COLUMBIA, CANADIAN NATIONAL RAILWAY
COMPANY, CANADIAN PACIFIC RAILWAY
COMPANY, MACCAM TRANSPORT COMPANY and
CARWIL TRANSPORT LIMITED (Intervenants)

Respondents

20

AND BETWEEN

ISRAEL WINNER (doing business under the name and
style of MACKENZIE COACH LINES) (Defendant), and
CANADIAN NATIONAL RAILWAY COMPANY
and CANADIAN PACIFIC RAILWAY COMPANY
(Intervenants)

Appellants

30

and

S.M.T. (EASTERN) LIMITED (Plaintiff) and THE
ATTORNEYS-GENERAL OF CANADA, ONTARIO,
QUEBEC, NOVA SCOTIA, NEW BRUNSWICK,
BRITISH COLUMBIA, PRINCE EDWARD ISLAND
and ALBERTA, MACCAM TRANSPORT LIMITED
and CARWIL TRANSPORT (Intervenants)

Respondents.

40

(Consolidated Appeals.)

Case

FOR THE ATTORNEY-GENERAL OF BRITISH COLUMBIA.

The Attorney-General for British Columbia adopts the Case for the
Attorney-General of Ontario, and submits this Appeal be allowed for the
reasons therein stated.

C. R. MAGONE.

In the Privy Council.

ON APPEAL

from the Supreme Court of Canada.

BETWEEN

**THE ATTORNEY-GENERAL FOR ONTARIO, THE
ATTORNEY-GENERAL FOR ALBERTA and THE
ATTORNEY-GENERAL FOR PRINCE EDWARD
ISLAND (Intervenants) Appellants**

and

**ISRAEL WINNER, doing business under the name and
style of MACKENZIE COACH LINES (Defendant)**

Respondent

and

**THE ATTORNEY-GENERAL FOR NEW BRUNSWICK
ex. rel. S.M.T. (EASTERN) LIMITED, a duly incorporated
Company (Plaintiff) Respondent**

and

**THE ATTORNEY-GENERAL OF CANADA, THE
ATTORNEY-GENERAL FOR QUEBEC, THE
ATTORNEY-GENERAL FOR NOVA SCOTIA, THE
ATTORNEY-GENERAL FOR NEW BRUNSWICK,
THE ATTORNEY-GENERAL FOR BRITISH
COLUMBIA, CANADIAN NATIONAL RAILWAY
COMPANY, CANADIAN PACIFIC RAILWAY
COMPANY, MACCAM TRANSPORT COMPANY and
CARWIL TRANSPORT LIMITED (Intervenants)**

Respondents

AND BETWEEN

**ISRAEL WINNER (doing business under the name and
style of MACKENZIE COACH LINES) (Defendant), and
CANADIAN NATIONAL RAILWAY COMPANY
and CANADIAN PACIFIC RAILWAY COMPANY
(Intervenants) Appellants**

and

**S.M.T. (EASTERN) LIMITED (Plaintiff) and THE
ATTORNEYS-GENERAL OF CANADA, ONTARIO,
QUEBEC, NOVA SCOTIA, NEW BRUNSWICK,
BRITISH COLUMBIA, PRINCE EDWARD ISLAND
and ALBERTA, MACCAM TRANSPORT LIMITED
and CARWIL TRANSPORT (Intervenants)**

Respondents.

(Consolidated Appeals.)

Case

**FOR THE ATTORNEY-GENERAL OF BRITISH
COLUMBIA.**

GARD, LYELL & CO.,

47 Gresham Street,

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Solicitors for the Appellants.