

TUESDAY, MARCH 18, 1913.

AMENDMENT LIMITS POWER OF EXECUTIVE

Premier Opposed to Allowing Lieutenant-Governor in Council to Override Ontario Railway Board of Its Own Volition

While recognizing that the Lieutenant-Governor in Council probably never will desire of its own motion to vary or rescind any order, decision, rule or regulation of the Ontario Railway and Municipal Board, Sir James Whitney moved yesterday while the House was in committee an amendment to Col. Hendrie's new Ontario Railway and Municipal Board act, which deprives the Lieutenant-Governor in Council of sweeping powers given to it in the original draft of the bill.

The Premier explained that he was not in the House when section 47 of the bill in question, giving the Lieutenant-Governor in Council power to vary or rescind orders and regulations of the Railway Board, was first read. He pointed out that the clause gave the Lieutenant-Governor in Council power to step in at any moment and throw out any order or decision made by the Ontario Railway Board, "and that, of course, could not be allowed." Section 47, he thought, was intended merely to provide for the arbitrary stepping in of the Lieutenant-Governor in Council. "The Lieutenant-Governor will never desire, I feel sure, to interfere unless he is in-

vited to do so by one of the parties interested, but I think provision should be made for an appeal. Therefore I will suggest the following amendment: 'The Lieutenant-Governor in Council may at any time, upon the petition of any party, person or company interested, all parties having been first heard, vary or rescind any order, decision, etc.'"

The change suggested by the Premier was accordingly made.

The penalty it is proposed electric railway companies may prescribe for the violation of their by-laws by employees was reduced from \$40 to \$25, upon the suggestion of Captain Machin (Kenora). The by-laws for the violation of which the penalty may be imposed relate to timetables, the smoking of tobacco and similar "nuisances."

Mr. Proudfoot (Centre Huron) suggested that the Ontario Railway and Municipal Board might be empowered to regulate the stock issues of incorporated companies. The suggestion was not considered, the Premier contending that it was not in order.

The proposed bulk sales act, introduced by Mr. W. D. McPherson, which has been up for discussion on previous occasions, was given a second reading, and was referred to the Legal Committee.