

TWO RAILWAY FARES BILLS DEFEATED ON TECHNICALITIES IN LAST HOURS OF HOUSE

**Price Bill and McCrae Bill
Could Not Pass Through
Two Successive Stages
in One Day Without
Unanimous Consent**

**HARD STRUGGLE
ON BOTH SIDES**

**Strong Objection Taken to
Substitute Measure
Introduced by McCrae—
English Constitutional
Expert is Quoted**

So far as legislation is concerned, Toronto is no nearer a solution of the street railway problem than before the Legislature opened. On the last day of the session efforts were made to "railroad" two bills through the House, and both proved abortive, because no bill can go through two successive stages on the same day without the unanimous consent of the Legislature.

Charles McCrae, Conservative member for Sudbury, tried to get through his measure which would give the Municipal Councils the power to increase railway fares without reference to the people. Col. W. H. Price, Conservative member for Parkdale, brought in a bill making it impossible for municipal corporations to change a franchise without submitting a by-law to the ratepayers. The first, a pro-T.S.R. measure, and the second, a pro-public measure, met the same fate.

Party Lines Erased.

With both factions in the House it was a fight to the last ditch. U. F.O. members for the most part viewed the proceedings with nonchalant, but amused, interest. Party lines were erased. On the first bill, that to give Municipal Councils the right to increase street car fares, Col. Price and his followers contested, by technicalities and points of order every step of the way. When the Price Bill came up the factions reversed positions, and Mr. McCrae and his adherents proved themselves equally capable "last ditchers." Mr. Speaker's ruling was invoked on numerous occasions. Once it was appealed against by Col. Price and, although staid constitutionalists like Hon. Thos. Crawford and Hon. Geo. S. Henry voted to upset his ruling, he was sustained by a majority vote.

The end of the two bills came at yesterday afternoon's session. It had been expected that immediately after last midnight another effort would be made to get the measures passed when it would be constitutionally possible, but the House adjourned before midnight.

Different Measure Before the House

Lieut.-Col. W. H. Price, Conservative member for Parkdale, opened hostilities with a technical objection as to the appearance of the substitute measure on the floor of the Legislature. "This is not the same bill," he said, "that went down to the Private Bills Committee. I be-

lieve that the rules of the House are strictly against the substitution of one bill for another in a committee. If we are going to have one bill introduced into this House and have substituted for it in committee an entirely different bill, then what is to prevent any person, the Ontario Railway Board or any other body, from appearing before any of the standing committees and asking to have bills substituted. The new bill should not be heard here. I would ask that we have the ruling of the Speaker."

Premier Drury backed up the objection of the Parkdale member. "It appears to me," he said, "that the bill that has come back is not at all the same bill."

J. W. Curry, K.C., Southeast Toronto, in adding his objection to those of the Premier and Colonel Price, pointed out that as the irregularity had been duly pointed out in committee, the course of the House at this juncture "is of very serious moment to the people of Toronto."

Dewart Favors Bill.

H. H. Dewart, K.C., was the first to favor the bill as presented to committee. It had been found in committee, he said, that the subject under discussion had received the very earnest consideration of the Ontario Railway Board, and while the

clauses suggested by that body were not altogether relative to those under discussion, they offered a solution of the matter referred to the committee. He contended that frequently radical treatment accorded bills had left them scarcely recognizable as the same bill. "After all," he said, "it is treatment of the same subject matter that was referred to committee in a certain form. I do submit these were proper amendments dealing with the subject matter of the bill. My honorable friend (Col. Price) simply because he cannot at the eleventh hour bring in legislation, objects by technical procedure. It is not fair procedure. The bill is properly reported to this House."

Col. Price was on his feet to make reply, and was interrupted by R. L. Brackin's point of order. Charles McCrae, Conservative, Sudbury, the sponsor of both the original and the new bill, proceeded to argue for the admissibility of the new measure, and was halted by the point of order of Dr. Stevenson, London. Mr. McCrae claimed the privilege of replying to Col. Price, and upon appeal to the Speaker it was decided that he should have the privilege of making reply.

No New Bill, Says McCrae.

Mr. McCrae contended that Col. Price was incorrect in his contention that it was a new bill that was now brought before the House. As to the first clause, there was "no difference in principle, just a difference in the body to settle the point." On the second clause, stating that until Council request the board to make an investigation the board should not step in, it was "merely another form of delay as to the taking possession of the line by the Railway Board. The principle is exactly the same. The difference is merely in the method of carrying it out."

The Sudbury member proceeded to quote Sir Erskine May on Parliamentary procedure, and concluded, "Not only is this bill returned to the House the same bill in principle, but it follows strictly within the ruling of Sir Erskine May, and is entirely within the jurisdiction of this House."

Mr. Speaker was prepared for the contingency. He had his ruling already written out. Basing his authority on the same as that quoted by Mr. McCrae, he said: "I do not feel that I can rule the bill out of order, but I would strongly recommend that the bill be withdrawn