

Several private bills were given second reading and others put through committee stage. When the committee was considering the amendment to the Consolidated Essex Border Utilities Act, E. P. Tellier (Liberal, North Essex) moved an amendment that the Ontario Railway and Municipal Board should approve plans before registration. This was opposed by F. W. Willson (Conservative, Windsor), and on a vote the amendment was defeated.

The House Committee then considered Government bills. The Premier moved an amendment to the Power Commission Act providing that in the carrying out of work by municipalities ordered by the Commission in respect to erecting poles and various structures the cost be divided equally between the Commission and such municipality.

Not Superior Court Judge.

There was some discussion in the bill of Hon. Charles McCrea, Minister of Mines, establishing a Mining Court. Harold Fisher (Liberal, West Ottawa) doubted the power of the Legislative Assembly to remove this Judge. The Attorney-General said that the British North America Act made provision of Judges by the Dominion authorities where appointment was to a Superior Court, but where not appointed to a Superior Court by implication the power of removing a Judge was vested in the Provincial authorities. He said Mr. Fisher could read an account of a debate on this subject in *The Globe* of Dec. 9, 1868. In this act, Mr. Nickle held, the Judge was not a Superior Court Judge, but had the powers only of a Superior Court Judge. Ottawa had consented to make the appointment, he explained. It was decided that the Judge could be retired after the age of 75.

The committee passed amendments to the Ontario Companies Act and the act validating agreement between the Province and the Dominion respecting the sale of Dominion lands. Approval was given also by committee to the bill for registration of brokers. The Premier said one of the objects of the bill was to make every applicant for a license give the department his history. The Natural Gas Conservation Act also was passed by the committee.

An Expensive Act?

Hon. James Lyons's bill to tax summer cottagers in organized districts received second reading.

Mr. Sinclair expressed the opinion that it would prove an expensive act to enforce.

Hon. Charles McCrea got second reading of his measure to reduce the bounty on wolves. The Minister told the House that under Ontario's \$40 bounty the Province had apparently been paying considerably toward decreasing Manitoba's and Quebec's wolf population. He told of frauds perpetrated on Ontario by a system that had grown up of renting Manitoba wolf skins at \$1 per hide.

"Wolves and Wolves."

Hon. Beniah Bowman thought there still ought to be ample recognition to the man who caught a wolf in Ontario's interior. Premier Ferguson said one must first recognize the wolf, and W. E. N. Sinclair, K.C., asked "if the Treasury Department could not now recognize wolves."

The Hydro bill to amalgamate the Georgian Bay Hydro systems into one received second reading, as also did several other measures of minor importance.

Although a deputation from the Humane Society, headed by ex-Mayor Copley of Hamilton, was told that it was too late to receive Government financial assistance this year, it was given considerable hope by Hon. John A. Martin that a request next year would receive very favorable consideration.

The deputation told of the aims and objects of the society, and asked for \$5,000 to enable the society to carry on its work.

CHURCH UNION BILL FINALLY WITHDRAWN FROM LEGISLATURE

C. R. McKeown Considers It Unwise to Appeal From Committee

WAS PRIVATE MEASURE

At the meeting of the Private Bills Committee of the Legislature yesterday morning, C. R. McKeown (Conservative, Dufferin) withdrew the Church Union Bill.

Mr. McKeown's motion to withdraw the bill came after an explanatory speech, and then Attorney-General Nickle, Chairman of the committee, formally gave his ruling that the bill in question properly was a private bill rather than a public bill, as had been suggested in some quarters, and also ruled that if the sponsor of a private bill wished to withdraw his act, "this committee, acting as a judicial body, must bow to the wish of the member for Dufferin and permit him to withdraw the bill."

Following this ruling Mr. McKeown moved, and J. A. Currie (Conservative, Southeast Toronto) seconded, that the fees in connection with the presenting of the bill before the House and the committee be remitted. This passed unanimously.

Sees Greater Union.

When the bill was called Mr. McKeown said that he felt it would be a mistake for him at that juncture to appeal from the decision of the committee to the floor of the House, or to endeavor to force upon the committee any bill which had met with such serious opposition. Maybe they had been premature in placing the bill before the Legislature before the principle had been adopted at Ottawa, he said, but, "with a vision that looks out into the future, I hope the time will yet come when the Methodists, Congregationalists, Presbyterians, Baptists, Lutherans, Roman Catholics and every denomination of the Christian Church will get together, possibly not in organic union, but in spiritual union."

Letter From Union Committee.

Mr. McKeown, in withdrawing the bill, read the letter he had received from the Church Union Committee, as follows:

"Dear Mr. McKeown,—At the conference held at the Parliament Buildings on Friday last to consider the resolution passed by the Private Bills Committee, directing certain amendments to the Church Union Bill, it was suggested that the petitioners should consider the advisability of withdrawing the bill now before the Legislature until legislation had been passed by the Dominion Parliament. I have taken the matter up with the representatives of the Churches and I am now instructed to advise you that the petitioners have decided to adopt the course suggested.

"Our original intention was to follow what might be considered the natural and usual procedure, and to apply to the Dominion Parliament for legislation incorporating the United Church of Canada, and then apply to the Provincial Legislature for ancillary legislation rights and powers with respect to matters within Provincial jurisdiction. We departed from this course when we found that there was no possibility of having the Dominion Act of Incorporation passed before the prorogation of the Ontario Legislature.

and by reason only of our anxiety to expedite the consummation of Union of the three Churches.

"The attempt to have the bill dealt with here before it had been passed at Ottawa appears to have rather confused the issues involved, and has resulted in questions being raised that should properly be disposed of at Ottawa by the incorporating bill.

"I am therefore directed to ask you to withdraw the bill at the present session.

"Thanking you cordially for the care and attention which you have given to the bills, believe me, yours faithfully,

"Signed) McGregor Young."

Statement by Mr. Nickle.

Chairman Nickle then said that, due to the fact that there had been certain newspaper publicity in relation to the legal situation surrounding the withdrawal of the bill, he thought he should make a brief statement in relation to the constitutional position, as he understood it.

The first question he discussed was as to whether the measure was a public or private bill. While their system of parliamentary government was patterned on the parliamentary system of the Old Land, yet, in the development of their institutions, they had not always followed upon parallel lines with those of Great Britain. "I am driven to the conclusion that this is a private bill by consideration of similar legislation that has passed, not only this Legislature, but the Dominion House as well," he said.

Mr. Nickle said that in 1874 a bill respecting Queen's College, Kingston, and a bill respecting the union of certain Presbyterian Churches, which came before the Ontario Legislature, were regarded as private bills. A year or two ago the University of Western Ontario Bill was regarded as a private bill. When Queen's University made application in 1912 to Ottawa to be constituted an undenominational institution, the bill was regarded as a private bill.

Right of Withdrawal.

The second consideration, he proceeded, was whether a private member had the right, of his own volition, to withdraw such a bill from the consideration of the committee. Mr. Nickle read various portions from May's Parliamentary Practices (pages 608 and 732 of the 12th edition), and also quoted a ruling of Speaker Parliament of the Ontario Legislature in 1922 in the bill of G. G. Halcrow, respecting the Hamilton veterans of the Great War. The point then raised was whether a member could move a discharge of an order of the day standing in his name if objections were taken. Mr. Nickle read the Speaker's ruling in that case, in which he said:

"I do not know of any case in which a bill of this nature has been proceeded with against the will of the promoter. Where amended by the Private Bills Committee so as to be unsuitable to the promoter, it is for the House to allow its withdrawal on motion by the mover. There is no precedent for forcing it after the member introducing it has signified his intention not to proceed with it.

Declared Private Bill.

"Therefore, gentlemen," said Mr. Nickle, "I feel obliged to rule, in pursuance of the authorities to which I have directed your attention, that this is a private bill; that this committee, acting as a judicial body, must bow to the wish of the member for Dufferin, and permit him to withdraw the bill.

"May I say further, gentlemen, that I felt a grave responsibility rested upon this committee and Parliament to see that this body, which had caused such grave heart-burnings throughout the Dominion and Province, should so conduct itself that when proceedings were over, no one could say a mighty problem had been hurt, either by strenuous objection or boisterous interruption. My small efforts would have been unavailing had I not such enthusiastic support from members of the committee.