

# Trade School Control Bill Awaits MacBride

Col. Fred Fraser Hunter's bill to provide the Labor Department with regulatory control over trade schools—"to save the youth of this country from being exploited in many cases by charlatans," as he put it to the Legislature—was debated to some extent yesterday, but was denied second reading until such time as Hon. M. M. MacBride, Labor Minister, who was absent, makes a considered statement on the situation.

Acting House Leader Nixon suggested at one point in the adjourned argument that the measure be sent to the Legal Bills Committee of the House for consideration. Should this course be followed, it will be only after Mr. MacBride has been heard.

"The general purpose of this bill," Col. Hunter told the House, "is to prevent dishonest people from profiting by entering into contracts with students and insisting upon the students paying to the

full extent of the contracts, irrespective of the fact that the students may be unable to continue as students. These schools invariably insist upon collecting the full amount agreed upon for the full course. No part of the bill need ever be enforced against schools complying with the spirit of the law.

Former Attorney-General A. W. Roebuck (Bellwoods) claimed that the bill as drafted went too far in its powers, and that under its provisions "any young lady teaching music in the front room of her home" would be liable. Great care, he stressed, had to be taken in the definition of its application, else many schools, such as the Shaw Correspondence School, through which, he said, thousands of competent pupils had passed, might be treated unfairly and unjustly. Those pupils, he said, would be the first to deplore any action tending to interfere with the school's operation.

# MILK BILL GIVES CABINET POWER

## Henry's Recommendation Adopted in Committee Stage

Direction of the powers of the Milk Pasteurization Bill was vested in the Cabinet instead of in the Department of Health, as proposed in the original bill yesterday in the Ontario Legislature, on the recommendation of Hon. George S. Henry, Acting Leader of the Conservative Opposition.

The bill, with this amendment, passed through committee stage before the House, after both Hon. Harold J. Kirby, Minister of Health, and Hon. Harry Nixon, Acting Premier, indicated their willingness to support the proposed amendment.

The matter was first brought before the Legislature in second reading stage when Hon. William Finlayson (Cons., Simcoe East) suggested that in a measure that affected such a broad section of the public and carrying with it comparatively stiff penalties for violation of clauses, its terms should be applied by Order-in-Council.

Fred G. McBrien, K.C. (Cons., Parkdale) claimed that the \$25 minimum penalty was too high, and suggested that it be reduced to \$5. Action was refused on the recommendation. The maximum penalty is set at \$500.

## Estimate \$3,250,000 Needed to Complete Ogoki Diversion

Cost of completing the Ogoki diversion from Jan. 31, 1938, is estimated by the Ontario Government at \$3,250,000, according to returns tabled yesterday in the Legislature in answer to a question by Hon. Leopold Macaulay, Conservative House Leader.

The Government also estimated that the cost of completing the diversion of Long Lac into Lake Superior from Jan. 31, 1938, would be \$784,000.

The Hydro-Electric Power Commission spent \$128,601 on the Ogoki scheme and \$556,000 on the Long Lac diversion up to Jan. 31, 1938, the report stated.

# ESTATE ONUS HELD TO REST UPON HOUSE

## Judges Say in London Case They Cannot Interfere With Will

### BUT BILL IS FAVORED

Sitting as "Estates Commissioners" in consideration of the legislation to validate the will of the late Elsie P. Williams, Mr. Justice Masten and Mr. Justice McTague yesterday, in a report to the Ontario Legislature, emphasized that responsibility for interfering with a testator's right to dispose of his estate rested solely with the Legislature.

Under the rules of the House, two Judges are required to consider and report their opinions on any bill respecting an estate that is introduced in the Legislature. The bill in question was proposed by the City of London.

#### Left Park to City.

Mrs. Williams, by her will, left the major portion of her estate to the City of London for the maintenance of a park at Windermere, her country estate. The expenditure of the income from more than \$1,000,000 for the maintenance of a park which has been valued at approximately \$10,000 was considered to be impractical. As a result, a settlement was arranged between the corporation and numerous beneficiaries, and the bill is designed to ratify that settlement.

The Commissioners, after a study of the bill and after hearing counsel for all the parties concerned, reported to the Legislature that, in their opinion: "It is not part of our duty to pass an opinion on the advisability of interference by the Legislature with the long-settled principle of law giving a testator the right to dispose of his estate according to his wishes. The responsibility for that determination, and for fixing the limit beyond which it will not go, rests solely with the Legislature."

#### Would Increase Trust Fund.

Notwithstanding this opinion, the two Judges also reported that:

"Having regard only to the interests of those directly affected in the pending litigation, we are of the opinion that this should pass into law subject to several suggested amendments."

One of the amendments proposed was that the \$250,000 trust fund provided in the settlement for the upkeep of Windermere as a public park and museum should be increased to \$300,000.

The other major amendment was that Thomas G. Meredith and Judge Talbot Macbeth, executors of the estate of Mrs. Williams, should remain as executors of the trust fund.