

appointed to carry out the purposes of certain Acts. Whether these changes are convenient from the point of view of the man of business is problematical. A business man possibly could not efficiently carry out the business if tied down by the rules, some of which are artificial, but for which there is strong reason, which check and rightly check the action of a Judge. But that is not an argument that these rules should be abolished and others substituted for them which do not afford the check, which centuries of experience have disclosed are necessary. It is in these rules that the private citizen finds his most effective protection against arbitrary government. To remove the occasional fetters which the Courts have imposed upon the acts of official persons, we have deprived ourselves of our very best safeguard against official tyranny.

No doubt the delegation by the Legislature of its functions to quasi-judicial authority is the result of the serious mistrust felt by large classes of persons in the Government and partly because the Legislature itself is not opposed to relieving itself of controversial issues so long as it is not divested of political power and patronage.

Acts have been passed which have conferred extraordinary powers on authorities. For instance, the Public Utilities Act of Manitoba. Under that Act the Public Utility Commissioner for the time being is a law unto himself without any check. His mind may be judicial or otherwise. He is not obliged to follow precedent. He is not bound by the technical rules of legal evidence. His decision upon any question of fact or law within his jurisdiction is conclusive. He has exclusive jurisdiction in all cases and in respect of all matters in which jurisdiction is conferred upon him by the Act or by any other Act, and, save as provided in the Act, no order, decision or proceeding of the Commission shall be questioned or reviewed, restrained or removed by prohibition, injunction, *certiorari* or any other process or proceeding in any Court even when the question of its jurisdiction is raised. The only ground on which an appeal lies is from a final decision of the Commission upon any questions involving the jurisdiction of the Commission. Under the Act it would be very difficult to say when