

QUEBEC UTILITIES COMMISSION.

The path of the Quebec Utilities Commission has not been smooth. Whenever an appeal has been made thereto, prominent lawyers jump in where the small fry fear to tread and question its powers and jurisdiction. The progress of Lieut.-Col. Hibbard, K.C., the commission's president, and his colleagues, has been beset with such challenges. Some corporations have, apparently, regarded the commission as a judicial joke. The trouble seems to have been that the powers of the commission have not been properly defined, or if they have, that the jurisdiction had not been enforced. Recently the commission has been more active, and, therefore, its labors have not met with appreciation in some quarters.

There is fear that if the commissioners chanced to feel dull one morning, for instance, that their decision would wreck provincial or municipal credit. Leading business men, bankers, and brokers have decided to petition the Quebec Legislature, asking that some modifications be made in the powers granted to the Public Utilities Commission in its dealings with corporations and other interests throughout this province.

The argument is advanced that the scope of the commission in dealing with matters corporate and otherwise is too sweeping, and that it places in the hands of a small commission powers that are likely to have a more or less retractive effect on the future financial standing and credit of the Province of Quebec.

Those who are asking the government to revise the powers of the commission claim that unless this is done foreign capital will not feel secure if invested in this province. The statement is made that in order to induce capital to Canada, and particularly to this province, some guarantee must be given to outside capitalists and banking institutions that money invested here is safely guarded, not by the good wishes of two or three men, but by the laws of the country and the unanimous approval of the people, who support corporations and permit them to carry out their obligations in the usual course of business.

To some extent those contentions are weak, for the Public Utilities Commission is a creation of the Quebec Government. One might just as well advance the same arguments respecting the Dominion Railway Commission, for great consequences hinge upon the decision of the able commissioners who constitute that Commission.

In addressing the Toronto Empire Club the other week, Lieut.-Col. Hibbard, president of the Quebec Utilities Commission, stated that the function of a commission was not to be confused with that of a court of law. The operations of a commission should be effected with the minimum of law and maximum of despatch, and at the same time the commission should be invested with great power. The members of a commission should be chosen with much care, and should be men of common sense, conscience and backbone.

Having described the field and character of a commission in a general way, Col. Hibbard referred particularly to the Ontario Municipal Board. "Unlike any other commission, this board has been given a certain amount of control over municipalities," said the speaker. "How far it will work out it will be interesting to observe," said Col. Hibbard. "I have this to say, however, that the field of the commission is limited by one emphatic fact"—it should only have power to deal with the monopoly or usurpation of public property or rights, and not be called upon to interfere with private rights or contracts or representative governments of any kind.

The most welcome document just now would be a statement of the duties, jurisdiction and powers of the Quebec Commission, written in plain English.

ANOTHER K.C. AT THE BAT.

Mr. Matthew Wilson, K.C., said some hard things about the Toronto police court at a Chatham dinner this week. He stated that cases were heard in from thirty to sixty seconds, but none of them were tried. He had heard the great comedian Toole at his best, but for pure buffoonery and downright farce the Toronto police court had him or any other comedian beaten. He had once been asked by a director of the Toronto exhibition what would make an added attraction to the fair, to which Mr. Wilson replied that they might persuade Magistrate Denison to hold court there. He cited cases tried before Col. Denison when no evidence was taken whatever, but where the magistrate had passed judgment on poor defendants unable to appeal to a higher court. He referred to statements made by Magistrate Denison that he never paid attention to lawyers' arguments, and that he never read reports of the court of appeal. The police court of Toronto was a place of coarse jokes, buffoonery and clown acting, and where the crown attorney and the magistrate sprang rude jests for the passing pleasure of hearing the crowd laugh. It was high time that the government took a hand in remedying the lamentable state of the Toronto police court and its henchmen.

Such criticism would come better from a tongue other than Mr. Wilson's. It will be recollected that while one day he was acting as counsel for a defendant in one of the Farmers Bank cases, the next day a summons was issued against him and another on a charge of conspiracy. Magistrate Denison, after due consideration, sent the case for trial in a higher court. The Toronto police magistrate has been eminently fair in hearing the various Farmers Bank investigations.

SMALL CHANGE.

A witness in a forgery case at Regina stated that a sign should be hung outside banks in Western Canada, "Forgery Made Easy." The magistrate in delivering sentence referred to the recent epidemic of forgeries in that city. Banking institutions may well consider some reform to check the large number of forgery cases, which often result in heavy losses to the bank.

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It is difficult to understand the carelessness with which the average member of parliament is apparently considering the serious matter of granting the name La Banque du Canada to Mr. Forget's new institution. We desire to see the new bank inaugurated and wish it every success, but it should not be allowed to use the general name it proposes. Mr. Fielding, Minister of Finance, has strongly opposed the title, as also Mr. Miller, chairman of the Banking and Commerce Committee. Despite their protests, the committee allowed the matter to pass, and had it not been for the personal appeal of Sir Wilfrid Laurier this week, the House of Commons would have done the same thing. In the minds of most people, especially in Europe and particularly in France, the name Bank of Canada assumes considerable significance. Undoubtedly it will be classed with the Bank of England, the Bank of France, the Bank of Germany, and so on. There are strong objections to the name, even if the new bank intended to cater only to Canadian interests, but it intends to serve both Canadian and foreign clients, and in addition has obtained the majority of its capital in France. This matter must have the careful consideration of the House. The advice of the Finance Minister should be taken and his wishes respected.