

## REFUSES REQUEST OF LIQUOR MEN.

Government Will Not Prevent  
License Reduction.

PREMIER'S STRAIGHT REPLY.

Toronto's City Council is Supreme  
in Matter.

Large Deputation of City License-  
holders Waited on Premier and  
Provincial Secretary With Peti-  
tion Largely Signed Against Re-  
duction, but the Answer Was an  
Emphatic Refusal to Interfere.

"This is not a case in which my colleagues and I think we have a right to interfere, and, more than that, we think it would be distinctly improper for us to interfere. I don't think there is anything more to add."

This was the concluding sentence of the reply made yesterday morning by Premier Whitney to a deputation representing the Toronto hotelmen asking that the Government should pass legislation staying the operation of the by-law passed by the City Council reducing the number of licenses until the by-law has been submitted to the electors.

The deputation was headed by Mr. James Haverson, K. C., and included Geo. Graham, Ed. Hyland, Wm. Lunness, R. Falconer, Wm. Hassard, J. Seymour and M. J. Clancy. They were received by the Premier, who was accompanied by the Provincial Secretary, the Hon. W. J. Hanna, and the Minister of Education, the Hon. Dr. Pyne.

Mr. Haverson carried a few sample sheets of the petition into the council chamber with him, but the greater part, weighing about sixty pounds, and containing 37,676 signatures, of which some 500 were duplicates, were left outside the door.

### The Petition a Big One.

Mr. Haverson, addressing the members of the Cabinet, explained that the deputation represented the 150 hotel-keepers of Toronto, of whom 34 were in extremis while they did not know over whose head the sword hung. In order that the petition might not be called in any way selfish and without support he would mention that it was signed by 37,676 of the Legislative electors of Toronto. That, he was informed, was a larger number than placed the candidates for the Legislative Assembly in office at the last election. The petition and its objects had been thoroughly canvassed by the press, it was clearly printed and it would be scarcely possible for anyone who had signed it to be mistaken as to its purpose. He made this explanation because some of the temperance people, in the press and in their spirit of charity which some mistook for venom, had said that the petition was not got up in a proper way. There were among the signatures those of a few women—these had been voluntarily given and not solicited. The petition, he thought, would compare favorably with any for its respectability and weight. Among the signatures he noticed those of Mr. Goldwin Smith and Sir Henry M. Pellatt, as well as those of over one hundred and fifty lawyers.

### Under the Fleming By-law.

Mr. Haverson went on to explain the circumstances which had rendered the presentation of the petition necessary. He mentioned that in 1887 by the Fleming by-law 74 hotel licenses had

been struck off, reducing the number to 150. In the following year the question was submitted to the electors, who by a very large majority decided that the City wanted no further reduction. Some few years ago there was an agitation among the temperance people in favor of license reduction, not because the licenses had been improperly granted. The matter was brought before the Council in January, 1905, and that authority pronounced against reduction. At that time a number of members stated that they did not believe in reduction, but if the people considered it desirable they were prepared to carry out the wish of the electors. Later in the year when the question was voted

upon by the people it was decided by a large majority that there should be no reduction. The people having given their decision, it was generally regarded that the question was settled once and for all. So much so was this view held that the License Commissioners appointed by the Government said: "Now we have had an expression of the will of the people, we have reached finality and we ask you, gentlemen, to improve your places by permanent improvements and to keep hotel." The phrase "keep hotel" was one of those epigrammatic sayings for which the Provincial Secretary was noted. Improvements were carried out to the extent of a million and a half of money.

### A Bolt From the Blue.

"Now," said Mr. Haverson, "comes this by-law like a bolt from the blue. The question was not discussed at the elections and in no way was any notice given that there would be any change in the policy pursued by the City Council."

Mr. Haverson, proceeding, said that the temperance party, having gained a majority in the Council, had sprung the question without any regard for the expressed will of the people. It was with this in view that the petitioners now asked the Government to introduce legislation to stay the operation of the by-law until such time as the people had had an opportunity of again expressing their will. He suggested that, following the principle adopted in cases where licenses were cut off by the passing of a local option by-law and the extensions of three months were granted, the Government should pass a bill extending the licenses until the first of February next year.

Premier Whitney—What you want is that the reduction of the number of licenses may be allowed to drift along?

Mr. Haverson—I would ask that they should be extended to February 1st by legislation so that the people may be given a fair chance.

Mr. Whitney—That, boiled down, means that you think it desirable because certain interests have been interfered with by this action of the Council.

Mr. Haverson—Yes, there is no use being dishonest about it.

Mr. Whitney—If, for the purpose of illustration, the Legislature of Ontario did something at which the good sense of the people revolted the remedy is in the hands of the people who elected them. There is no artificial remedy for an act done by the Legislature in pursuance of its duties.

Mr. Haverson, continuing his arguments, said that it was generally recognized that an injustice had been done, so generally, in fact, that among the signatories to the petition were a number of temperance people. He contended also that the time had arrived where there should be a revision of the licensing act.

Mr. Whitney—Would you be satisfied if the Government introduced legislation so that such a thing could not be done in the future?

Mr. Haverson, in reply, indicated that he thought such legislation desirable.

### The Premier's Reply.

Mr. Whitney, replying to the deputation, said that the Government was only too glad to hear any deputation of the people. Proceeding, he said: "What you ask us to do is simply this: The law gives the City Council power to do a certain thing. You may say that the law is wrong. That may be so, or may not be. The law gives the City Council power to do a great many other things. What would be the position if the Legislature changed the law and actually prevented the desire of the Council expressed by a majority being carried out? We might be asked to do this every week. That would result in anarchy, not in the usual meaning of the term, but it would do away with the continuity and permanence of legislation, which I believe the majority of you gentlemen respect."

Proceeding, Mr. Whitney commented on the fact that no attempt had been made to argue the legal merits of the

matter, and continuing said:—"My own belief with regard to that is that if your case has merit public opinion will settle it. Of course in the meantime, from your point of view, some people may suffer. That is the common privilege of us all occasionally. No doubt it is for our good. I have great faith in public opinion, and I do not believe that public opinion will, in a British country, stand to see anything wrong done. For the reason I have given I do not see that the Government can change the law and at the same time destroy an act which has been done under the law by the body that the law gives power to do the act. If an injustice is done even by a British Legislature the remedy is in the hands of the source of their power, namely, the people. It amounts to this: That this is a case in which my colleagues and I think we have no right to interfere, and, more than that, we think it would be distinctly improper for us to interfere. I do not think there is anything more to add."

The deputation then retired.