

of the "Robins" case:

"One of the charges is that Hastings was influenced in his administration of the law by F. R. Lalor, M. P., President of the Monarch Knitting Co., and a group of other men associated with him in the control and domination of the affairs of the community. I do not think he was improperly influenced by Mr. Lalor, but I think he would be ready to take advice from Mr. Lalor. Evidence was adduced before me to show that Mr. Lalor gave Mr. Hastings a large amount of printing. The amounts paid by Lalor to Hastings for the years 1919 and 1920 were produced before me, and it appeared that more than one-half of all the job printing of the Hastings printing office came from Mr. Lalor. Under these conditions it may be quite possible that Mr. Hastings was unconsciously influenced, for 'every heart is human'."

Dealing at length with the Magistrate's attitude toward the administration of the O.T.A., the commissioner says: "Now, I think Mr. Hastings has a perfect right to his own opinion as to the O.T.A., but as a public officer appointed by the Crown to discharge important public duties, I do not think that he should openly in court, or otherwise, criticize the terms of the act that he was sworn to administer without fear, favor or affection. The general public, especially the anti-temperance public, would soon seize on such statements and derive comfort and encouragement from them when made by the Police Magistrate, and that in itself would tend to weaken

the public respect in the administration of the law by Hastings."

Coincidence of Decline.

Commissioner Paterson draws certain conclusions from liquor shipments into Dunnville before and after the suspension of the Magistrate. From January 2, 1920, to November 23, 1920, there were 831 shipments, weighing 142,701 pounds. From November 23, 1920, to February, 1921, 188 shipments, weighing 13,878 pounds.

Of this circumstance the commissioner says:

"I have investigated these figures and find that before the suspension the average number of pounds received daily at Dunnville per Canadian Express Company was 431, and after the suspension the number of pounds received daily at Dunnville per Canadian Express Company was 159 pounds, being about one-third compared with those of the other period. I also find that the records of shipments after the suspension mainly show one bottle or one case each. This indicates to me that when, moved by the Dunnville complaints, the Honorable the Attorney-General grasped the situation vigorously by suspending Mr. Hastings, the quantity of liquor received at Dunnville by the Canadian Express Company fell off very greatly. I cannot regard this as a mere accident, and, although I apply the maxim 'post hoc, ergo propter hoc' cautiously, I am convinced that the administration of justice at Dunnville was not such a terror to evil-doers as it ought to have been."

The commissioner finds indications "that Dunnville enjoyed a continuous and extremely 'wet' season, which showed itself in the contents of the Dunnville cellars, and I find that one of the most influential men in Dunnville, who was on the deputation, took in 233 cases of liquor between January 28, 1920, and March 5, 1920, and a postoffice clerk stored away between January 22 and April 29 12 barrels of whiskey. All of this indicates a certain definite current opinion in favor of liquor importation at Dunnville, which, although quite within the law up to that date, gives a valuable sidelight upon the general liquor atmosphere of the town."

Public Respect Lost.

"There is another aspect of this question which is of great importance. I have analyzed a considerable portion of the evidence adduced before me, and I find that administration of justice in the Police Court of Dunnville ceased to command public respect, and for this condition of things the Magistrate, Mr. Hastings, is to a certain extent responsible.

"I find also, even if on a close analysis of all the circumstances and giving Mr. Hastings the full benefit of his explanation, and even if technically the balance of the evidence is in favor of the full and

proper administration of justice at Dunnville, yet that, in my opinion, would not certainly settle this controversy.

Usefulness is Gone.

"Sitting as I did, and hearing evidence of all these witnesses during ten days and reading all the exhibits produced, I find that a large and influential part of the best men in Dunnville are convinced that, although Mr. Hastings is personally honest and irreproachable, yet it is believed that for good and sufficient reasons the administration of justice in the Police Court of Dunnville has ceased to command public respect, and for this condition of things the

Magistrate is to a certain extent responsible.

"Such being the case, I have concluded that the usefulness of Mr. Hastings as a Magistrate is largely gone and his further continuance in office would not be in the best interests of the administration of justice at Dunnville.

"The administration of law is very sensitive and delicate, especially the law as to temperance, which is a matter of earnest public discussion, and is, so to speak, in the limelight of public observation, and if there be any reasonable ground in the minds of an influential part of the Dunnville people that the Magistrate is inefficient, then there should be a change of Magistrate."

Question of Fees.

At the conclusion of the report the commissioner says: "I have been asked by Mr. Hastings, through his solicitor, to recommend that the witnesses summoned by him should be paid their ordinary and proper witness fees. To this request I must decline to accede. I have made inquiry and I am unable to find that fees have been paid to witnesses who attended on the application of persons who were being investigated under Government commissions. I have also been asked to recommend the payment by the Government of fees to counsel appearing for Mr. Hastings. To this request I must also decline to accede."