

RANEY SAYS 'PARTY' IS NOT HIS CONCERN, BUT IS UP TO HOUSE

**Members May Call for Investigation if They Wish
—If Anyone Is Found Culpable Legislature Can Punish More Severely Than O.T.A. Provides**

NICKLE DIFFERS FROM MINISTER

After further consideration of its duties and responsibilities in connection with the incident of "the last night party" of the 1921 Legislature, the Provincial Government has placed upon the House the responsibility of saying whether there shall or shall not be an investigation.

In a statement to the Legislature yesterday, Attorney-General Raney announced the view that for the Attorney-General to have started an inquiry "would have been, in my view, an impertinence and discourtesy to the House and against Parliamentary practice." The statement indicated the jurisdiction of the House in the matter and pointed out that although the time for prosecution under the O.T.A. had elapsed the time had not elapsed for action by the House.

Nickle Is Critical.

Outstanding is a brief discussion which followed the statement of the Attorney-General on the matter was the criticism of W. F. Nickle, K.C., Conservative member for Kingston. He was not at all prepared to admit, he said, that the Attorney-General was absolved from all responsibility by reason of his position.

Mr. Nickle said: "He owed a duty to this Legislature, to the Prov-

ince, to those who want law enforcement, and to those eternal principles upon which the Prime Minister has laid such emphasis—that if temperance advance was to be made it was to be made by due enforcement of the law, and his Government set their faces rigidly against any evasion."

Mr. Raney's Statement.

The Attorney-General's statement was as follows:

"Information of alleged irregularities at the Parliament Buildings on the last night of the last session of the Legislature came to me about two months after the close of the session. The information included the allegation that members of the Legislature had been the chief actors in the affair and that they and others had had and had consumed liquor in this building.

"I desire to draw the attention of the House to certain considerations which have a bearing on my relations to this incident and to submit my responsibilities in the matter to the judgment of the House. These considerations are as follows:

Matter for Legislature.

"(1) This Legislature is the highest court in Ontario, and is not only the custodian of its own honor, but has complete jurisdiction over its own members.

"(2) The offense, if one was committed, was committed during hours when the Legislature was in session and when the duty of members was to be in their places in the House.

"(3) Moreover the offense, if offense there was, was committed within the actual precincts of the House.

"(4) The information that came to me, while it pointed strongly in the direction of an offense against the Ontario Temperance Act, would not itself have been sufficient to secure a conviction.

Consulted With Drury.

"When the information came to me I communicated it immediately to the Prime Minister, and I then learned from him that he had already, as was his duty, inquired into the matter sufficiently to satisfy himself that no member of the Cabinet had been implicated in the irregularities. After that I took no further action.

"On this statement of facts the question is whether it was my duty as Attorney-General, to have started a police investigation of the conduct of fellow-members of the House, and then, if the facts, as they might be reported by the police, appeared to justify prosecutions, to have given a direction for the laying of informations in the Toronto Police Court against the members concerned. I do not conceive that to have been my duty.

Act of Impertinence.

"The Attorney-General is the servant, not of the Government, but of the House, and for him, without the authority of the House, to start an inquiry into charges respecting the conduct of honorable members of the House under circumstances as above indicated would have been, in my view, an impertinence and a discourtesy to the House and against Parliamentary practice.

"It has been pointed out that the time for prosecution under the Ontario Temperance Act has now elapsed, but the time has not elapsed for action by this House, and if this House were now to direct an inquiry, and if such inquiry were to result in a finding of improper conduct against members of this House, it would be within the power of the House to enforce penalties on the offending members compared with which the appropriate penalties of the Ontario Temperance Act are insignificant."

Sorry He Missed It?

Sam Clarke, Liberal member for Northumberland, who missed the debate of Tuesday when the subject was precipitated into proceedings by Hon. Thomas Crawford, proceeded to belittle last year's little party of eight or ten members, with, perhaps, two bottles of liquor, by comparing it to what had gone on in the House a number of years ago. He said that he, personally, was not at the party, but he thought probably he would have been there had he known "there was something doing."

"What an awful blast, what an awful explosion," exclaimed Mr. Clarke, "has taken place after 30 years. Within 10, 15, 20 years—I have been here 24—there was more liquor consumed in this building in one day than there has been consumed all the last year.

"Why, Mr. Speaker," he proceeded, "it was a common thing for a bar in this House. It was a common

thing for employees of the Government to sell liquor and take money for it. It was a common thing for members in this House to come into the chamber and sometimes have difficulty in finding their seats.

"I do not say that was right. I do not say that was good. My honorable friend made out that things are different. It is against the law. I would say it was against the law. There were no licenses held by those people who were selling liquor to the members at that time. I have taken it myself, so I know whereof I speak.

"The member for Northwest Toronto (Hon. Mr. Crawford), who was Speaker in the old days," went on Mr. Clarke, "was not blind, and could see. It was no use for him to make out that 'this is a terrible thing that has got to be blotted out on account of the members of this house.' I am sorry, as a member of this House that it took place where it did, because there is not a member of this House who is held in higher regard on all sides than the Honorable Minister, the Treasurer of this Province.