

### Superseding H.-E. Commission?

H. H. Dewart, K.C., took up the issue when the Premier did not immediately reply to the Conservative Leader and pressed the importance of the matter in view of the fact that "it is quite evident this is to become a superseding commission, which is going to usurp the functions of the present Hydro Commission."

Premier Drury replied that the matter of counsel appointment had not been brought to the attention of the Government by either party. He was unaware, he said, of the accuracy or inaccuracy of the report of Mr. Wegenast's appointment, although he had heard a rumor to that effect.

Counsel, he thought, might not be necessary, because the commission was not trying anybody. It was a question of inquiry as to certain matters.

"I can assure you," he said, "that there will be no hole-and-corner investigation. The inquiry seems to be proceeding satisfactorily. It will be conducted in the open just as soon as the commission puts itself in a position to conduct it intelligently. I do not think there is occasion for clearing up a matter that has not arisen."

F. W. Hay, Liberal Leader, differed from Hon. G. H. Ferguson's expression of opinion that it would be cheaper and better to have one counsel gathering preliminary data than to have the commissioners do so. Mr. Hay pointed out it was the original desire to get away from a legal inquiry. The first action of a House committee, if it had been appointed as he desired, would have been to make the personal trip of inspection to Chippawa.

### Important Bills, Intended to Make Evasion of O.T.A. More Difficult, Introduced by Hon. W. E. Raney — Aims to Stamp Out "Short-circuiting"

#### JAIL PROVIDED FOR INTOXICATION

Important legislation affecting the liquor laws of the Province, in the form of two bills, was introduced into the Legislature yesterday by Attorney-General Raney. One bill prohibits the carrying of liquor on highways; the other brings in several amendments to the Ontario Temperance Act, intended to make evasion of its provisions more difficult.

The bill to amend the Ontario Temperance Act contains many far-reaching clauses. One provides that any person twice convicted within a period of three months of being intoxicated in a public place may be committed to jail, or to a jail farm, for a period not exceeding three months.

#### May Not Adulterate.

Another clause provides that any person adulterating lawfully manufactured liquor with any deleterious substance may be given a prison term of not less than three months or not more than 18 months, in addition to the fine and imprisonment provided under the act. This also applies to the illegal manufacture of liquor.

Another new provision is that any person who aids or abets any transgression of the provisions of the act shall be considered guilty of the act and shall incur the same penalty as is given to the person actually committing the offense.

Power is also given to the Chairman of the Board of License Commissioners and the Commissioner of the Provincial Police, either jointly or separately, to hold an inquiry into the conduct of any officer or employee engaged in the enforcement of the O.T.A.

Explaining the first act, Mr. Raney said it would prohibit the carrying of liquor on the highways of the Province, except by the consent of the Board of License Commissioners. The bill was to prevent the condition of affairs prevailing at the present time, where brewers and distillers sold their products, which were then shipped by trucks to the border, or purported to be shipped to the border. The bill would restrict transportation from breweries or distilleries to shipment by rail, so that it would be more difficult to divert liquor en route to points in Ontario.

#### Suppress "Swamp" Whiskey.

Regarding the second bill, the Attorney-General said it provided important, but not radical, amendments. One section of the bill had to do with the sale of "swamp" whiskey and the adulteration of liquor, which practices it was intended to stop.

Penalties were also provided for the affixing of false labels, and the penalty for a second offense against the O.T.A. was made the same as a penalty for the first offense, plus three months in jail. The minimum penalty for a man having liquor in his possession was made the same as the minimum penalty for having liquor for sale, that is, \$100.

The Carriage of Liquor Act sets forth that, except as otherwise provided, every person who by himself, his servant, agent or employee, and every person who as such servant, agent or employee, transports or carries liquor in any vehicle, or in any other manner, over, along or upon a highway in Ontario shall be guilty of an offense, and such liquor, wherever the same may be found, may be seized and dealt with in the manner provided in section 70 of the Ontario Temperance Act, and every person guilty of such offense shall incur a penalty of not less than \$200 and not more than \$2,000, and in addition thereto may, in the discretion of the Magistrate, be imprisoned for a period not exceeding three months, and in default of immediate payment of such penalty shall be imprisoned for a period of not less than three nor more than six months, and for a second or any subsequent offense shall incur the like pecuniary penalty as in the case of a first offense, and shall be im-

prisoned for a period of not less than three nor more than six months.

#### Onus Placed on Defendant.

In any prosecution under the act the burden of proof is to be on the defendant. The Board of License Commissioners may make regulations and give directions permitting the transportation and carriage of liquor over any highway upon such terms and conditions as the board may impose, from any place where liquor may be lawfully manufactured or stored to a railway station, freight shed, dock or other place from which the same is to be shipped for any lawful purpose.

The act will not apply to the sale, carriage, transportation or delivery of liquor under the order or direction or with the permission of the License Board; to the carrying, transporting, receiving or taking delivery of liquor which may be lawfully sold, carried, transported or delivered under section 43 of the Ontario Temperance Act or under clause A of section 30 of the Ontario Temperance Amendment Act of 1918; to the rights and powers of the board to purchase, import, sell, supply or deliver liquor for any purpose permitted by the Ontario Temperance Act.

#### After False Labels.

The Ontario Temperance Amendments Act, 1922, contains two dozen clauses. One clause places a penalty on the affixing of a false label upon any bottle, cask or other vessel in which liquor is kept which is in any manner calculated to mislead any person as to the nature, description or quality of such contents. Every person other than the lawful manufacturer of liquor, or persons acting