

RANEY HOPES TO GET CASH

Attorney-General Tells House He Is Determined to Have \$40,000 or \$50,000, Now Lying in Court, in His Pockets Soon—Declaratory Bill Advances Another Stage

NOT LET BIG SUM STAY IN ESCROW

Before the end of the present week Attorney-General Raney expects to be pouring into the Government coffers the proceeds of the 5 per cent. race-track wager tax collected by the Ontario Jockey Club.

Attorney-General Raney admitted to Hon. Mr. Ferguson that it was his intention to have the \$40,000 or \$50,000 now lying in court in his pockets before the week was up. He evinced the greatest determination throughout the whole proceedings to press the bill through with all possible despatch.

He stated that litigation proceedings would probably drag along through two racing seasons, and, if the Government did not take action to prevent it, between \$4,000,000 and \$5,000,000 yielded by the tax on wagers would be tied up in court.

In Committee stage yesterday on his Declaratory Bill, he resisted half a dozen amendments and suggestions from H. H. Dewart, K.C., and others for a test case on the matter of the legality of the 5 per cent. tax, but, on the suggestion of W. F. Nickle, K.C., consented to change one word, "every holder," to "each holder."

The bill passed committee with one clause deleted on Government order and several other changes ordered by the Attorney-General. It will come back reprinted today for final approval.

All Done With Great Ease.

As fast as the amendments were suggested by the legal members on the Opposition side, the Government forces voted them down, smiling the while at the facility with which it was all being done.

The first proposed amendment to suffer defeat was that of Charles McCrea, Sudbury, that the declaration "shall not take effect unless and until so determined by the courts, and thereafter duly proclaimed in the Ontario Gazette."

The next was the amendment of H. H. Dewart and F. Rennie, that the declarations of the bill "shall not affect any action or any proceeding against the Crown or any Minister thereof . . . in which any question is raised as to whether certain legislation is or is not within the legislative authority of the Legislature of the Province." That, too, was voted down.

Allow Time for Test Case.

And the third formal amendment to go by the board was that of Mr. Dewart, that, instead of the declaratory act coming into effect on the day of Royal assent, it shall come into effect "on some such day as will allow the matter to be tested in the courts." Mr. Dewart suggested June 22, but the proposal was snowed under by Government "Nos."

The suggestion that was accepted emanated from W. F. Nickle, K.C., who, although opposing the principle of "silencing the courts," thought that the Attorney-General ought to take sure steps in the direction he had decided on, was that the clause should stipulate "each" instead of "every" ticket-holder. Mr. Nickle said that this, to be constitutional, must be a direct tax, and "every" meant "all and sundry."

Attorney-General Raney introduced and carried through committee an amendment to the clause, "forever" staying the injunction proceedings against the Crown. Mr. Raney's amendment added, after "stayed," the following clause: "Save for the purpose of application, or applications, for the payment out of court of any moneys that may have been paid into court in any such action or proceeding."

Mr. Dewart sarcastically interpreted the clause to mean that while the applicant was "forever stayed," the Attorney-General could come in under his skirts and in the same action secure the money that was in dispute and being paid into court.

Mr. Nickle took issue with the affected moderation of the clause. "If you are going to be a pirate," he told the Attorney-General, "why don't you be a pirate? If I were sponsoring such a measure as this I'd put a clause right into the bill that the moneys should be paid over."

Legal Argument Heard.

Previous to the moving and voting on the amendments, the legal members of the House—H. H. Dewart, K.C., Charles McCrea, K.C., Hon. G. H. Ferguson—discussed the matter at great length and with great technicality. All dwelt on the seriousness of the step that was being taken, and none agreed with the Attorney-General that the law had always been as set forth in the preamble of the bill, that no injunction or action could lie against the Crown.

Premier Drury Has Not Dealt With Carmichael's Document

Second reading was given in the Legislature yesterday to Hon. D. Carmichael's bill making several minor amendments to the Power Commission Act, including a new arrangement proposed by the commission to govern the creation of rural power districts.

During brief discussion, Hon. Mr. Carmichael, in reply to Hon. G. H. Ferguson, said that, so far as he was aware, the Premier had not as yet accepted his resignation as a member of the Hydro Commission.

HOIST MOTOR BUS ACT.

A special committee of the Legislature will consider during the recess Hon. F. C. Biggs' bill to place all motor busses under Provincial regulation. The measure, which was regarded as one of the most important of the session, will be dealt with along with the Motor Vehicles Act, the Highway Gravel Act and the Load of Vehicles Act for purposes of co-ordination.