

Friday, March 20th

AMENDMENTS TO O.T.A. REDUCE "SCRIP" ISSUE AND BAN SALE AT BARS

Sale of 4.4 Beer by Glass Limited to Standard Hotels and Restaurants at Tables Only—Doctors Cut Down to 30, Instead of 50, Prescriptions Monthly

CLUBS PRIVILEGED TO SELL BY PERMIT

Restrictions on Persons Under 18 Years of Age—Sale of Beer in Bulk Extended to Groceries for Delivery to Homes—Nominal Fee to Be Charged for Permits Issued by License Board

By a dual permit system, as to place of sale and authorization of employees to dispense such liquor, the Ferguson Government proposes to legalize the sale of 4.4 per cent. beer in Ontario, according to the O.T.A. amendments finally brought down in the Legislature yesterday by Attorney-General Nickle.

Although the Government intends to allow the sale of beer in standard hotels at tables, there are restrictions in the O.T.A. amendments which will prevent the sale of it over a bar.

A penalty of \$5,000 is to be provided for brewers violating the act in selling to other than license holders, and they may be required to enter into a \$10,000 bond with the Government.

Doctors' Scrips Limited.

Punishment by fine and imprisonment is provided for violators of the act on first or subsequent offenses without alternative; the minimum penalty for having or drinking liquor in a public place is reduced from \$200 to \$50; doctors are to be limited to 30 instead of 50 prescriptions for liquor for illness in any month; wholesale druggists are to be required to obtain alcohol supplies through the License Board; sale of 4.4 beer is to be prohibited to persons under 18 years of age; and importation of liquor up to 4.4 per cent. by non-holders of permits for resale is prohibited.

"The broad principles underlying the measure are these," said Attorney-General Nickle in his explanation to the House. "The Government thinks the time has come when we should get away from mere theoretical principles and meet this problem as a condition, as a practical national problem, in a sound, common-sense way."

Alarmed at Strong Liquor Drinking.

"As I said when I spoke on the Address, the present limitation in the Ontario Temperance Act is artificially onerous, illogical, and certainly not scientific. The Government feels that the increasing of the alcoholic content from 2½ per cent. proof to

2½ per cent. absolute alcohol by volume is in the general interests of temperance, and, as I said on a previous occasion, the Government has been filled with alarm at the rapid extension of whiskey and alcohol drinking in the Province of Ontario.

"Therefore, while the Government respects the principle of the act in still making it an offense to sell liquor that is intoxicating, the Government is of the opinion that 2 1-2 per cent. alcohol in beer does not make that beverage intoxicating, and therefore the Government takes the responsibility of submitting an amendment to the act permitting such sale.

Way of Bootlegger Made Harder.

"But while the Government takes this position it is determined that,

in so far as Government action may bring results, the way of the bootlegger may be made hard, and that those who endeavor through the need or the distress of others to make a profit shall feel the full recourse of the law."

Mr. Raney—Does the bill cover the permit fee, or is that to be settled by the board?

Mr. Nickle—That will be settled by regulation; it will be nominal. The permit is for the purpose of control and not for revenue.

Mr. Raney—Will anybody be entitled to a permit who asks for it?

Mr. Nickle—No; that is a matter of regulation. Roughly speaking, standard hotels, well-conducted restaurants and cafeterias may sell and break bulk for consumption on the premises; groceries, genuine in character, will likely be permitted to sell only in respect of case for delivery and not for consumption on the premises.

Mr. Raney—And there will be no limitation for a municipality? No limitation, for Toronto, for instance, of 500 to 1,000?

To Get It Out of the Cellar.

Mr. Nickle—That, of course, would be a matter of regulation. My desire is to place this matter out in the window rather than in the cellar, that the man who wants to get liquor not exceeding 4.4 per cent. will feel that he is not doing a disreputable thing and that he acts within his rights.

Mr. Raney—Then, I presume, the thought is that any one who complies with the conditions will be entitled to the permit?

Mr. Nickle—Oh, no. I was very careful to emphasize that character counts—I mean facilities and character combined.

Mr. Raney—One way to administer the law might be to say friends might get permits and others not?

Mr. Nickle—I made it clear on a previous occasion, and I would like to make it clear again, that it is not the intention of this Government that this legislation will be administered politically. It will be administered with a sincere desire to meet a public need in an open way.

Mr. Raney—Then, is there anything in the bill about native wines?

Mr. Nickle—None whatever.

Mr. Raney—Or any reduction of the quantity of liquor that may be prescribed?

Limiting Doctors' Prescriptions.

Mr. Nickle—There is a reduction from 50 to 30 in relation to numbers, not quantity. Ontario is a big Province, of divergent conditions. One would be blind to close one's eyes to the fact that many people have the honest belief that alcohol, particularly whiskey, in certain emergencies, has a beneficial ef-

fect. They think they understand how this liquor should be taken for their own advantage. It does not seem to me quite fair that if a man in the North country, perhaps 100 miles away from a doctor, is enabled to get in the early part of the year a scrip which entitles him to 40 ounces of whiskey from the dispensary with the desire that that whiskey shall be kept on the shelf throughout the winter to meet an emergency, that the contents of the bottle should be reduced to 26 ounces. Our desire is to get away from much of the hypocrisy that has characterized the administration of temperance legislation, not only in this Province, but in other countries. You cannot brush the tide back, but sometimes, if you catch it just at the edge, you may to an extent control it as it rolls in, and I believe if today we have wise temperance legislation, and the co-operation of the Province in the administration of this law, that we will secure a better temperance spirit throughout the Province than prevails today, when coercion and compulsory abstinence are made in many quarters where the people are against the law, and almost in rebellion against it, in the broad acceptance of the word.

Nickle Will Administer Act.

Mr. Proulx—Will the act be administered by the present License Commissioners?

Mr. Nickle—The act will be administered by the Attorney-General.

Mr. Clarke (Northumberland) asked for an explanation of the statement that beer would be sold in standard hotels but not over the bar.

Mr. Nickle—Of course there are different systems of serving liquor. At the moment my opinion is that the safest plan is the European plan, by which liquor is served from a table to people coming in, having chairs at the table. Get away from the old idea of the brass rail and one foot on it, and men standing by the hour there and drinking and drinking!

In addition to the main features of the O.T.A. amendments as outlined in his typewritten statement, Mr. Nickle explained that provision is also made that the convicting Magistrate may revoke selling permits, and the Minister may at any time cancel any permit. Stoppers on the beer bottles are to be limited to what is known as the "Crown cork," marked inside and out as to contents, and casks and kegs are to be marked under heavy penalties for wrong marking.

Deposit for Appeal Reduced.

There is an important provision in the bill, he said, amid applause from some Liberal and Conservative members, that the amount of money required for deposit on an appeal under the O.T.A. shall be reduced from \$100 to \$50, in order, Mr. Nickle said, that no one, through lack of sufficient funds, should be deprived of justice. The time allowed for making the appeal is also changed from 10 to 20 days. There is also stringent regulation that no drugs shall enter into the manufacture of the proposed 4.4, and the Medical Officer of Health is to have the right to analyze any beer to see if it contains injurious drugs. He may also prohibit sale of patent medicines which offend against the O.T.A.

Attorney-General Nickle's own statement of the purport of his bill is as follows:

As to Doctors' Prescriptions.

"From perusal of the amendments, it appears also that provision is to be made that the board may issue an order directed to any druggist prohibiting him from selling or supplying liquor to any person on the written prescription of the physician named in such order; doctors must issue their prescriptions on forms provided by statute; under the prescription of a duly qualified medical practitioner a vendor under the act may sell for strictly medicinal pur-