

Thursday, March 24th

this Government credit for sufficient strength and force to avoid political appointments under the new act?"

#### In Politics, Is Claim.

"You have truly brought the liquor business into politics," observed Mr. Raney. "You have put this board under the domination of the Government, and the Government is under the domination of the Patronage Committees. Is there a Conservative member of this House who will deny for one moment that Civil Service appointments are dictated by the Patronage Committees?"

E. C. Graves (Conservative, St. Catharines) stood up. "I have been in this House for four terms," he said, "and I may say that I have never made a recommendation."

"Supplementing that statement," said the Premier, "I may say that not only have there been recommendations from this side of the House, but there have been recommendations from honorable members sitting opposite."

Mr. Raney declared that the Chief Commissioner was to draw a salary twice that of a Minister, yet he was not to have leave to appoint any one employed under him.

#### Amendment Offered.

Then, seconded by Hon. Harry C. Nixon, he moved an amendment to strike the subsection, "appoint such officers, inspectors, etc., as the board deem necessary," out of the section beginning, "The board may, with the approval of the Lieutenant-Governor-in-Council," and to tack it on to Section 8, reading: "The Chief Commissioner shall have charge of officers, inspectors, etc." In this way the Chief Commissioner would be empowered, without needing approval of the Lieutenant-Governor-in-Council, not only to have charge of the employees, but to appoint them.

The Premier stated that the amendment was out of order, since Section 8, to which it added words, was already passed. However, in view of the attitude of the Progressive Leader, he would leave it to the House, he said.

"It is essential that these things go to the Lieutenant-Governor-in-Council," he continued. "If an employee is to have the benefit of superannuation, he must be appointed by the Lieutenant-Governor-in-Council. I see my honorable friend (Mr. Raney) smiling. But that is a point. I am not urging it as a major argument, but it is a point to be considered."

#### Sinclair Attacks Clause.

Mr. Sinclair took the floor to refer to pre-election statements of the Prime Minister. The Government-control system would be non-partisan, he had said, and the Commission was to be "independent of the Government and political influence." It was not in keeping with such utterances, said Mr. Sinclair, to have anywhere in the bill "the Board may with the approval of the Lieutenant-Governor in Council." It was regrettable, said he, that the Premier had not "kept to his statements."

"This Government," he added, "is legislating against its own interests."

By making the powers of the board subject to the approval of the Lieutenant-Governor-in-Council, said Col. John A. Currie (Conservative, St. Patrick Toronto), the Government was able to check the Commission, which was a wise move. "For," said the Colonel, "you know that there have been Commissions appointed in recent years that have carried on recklessly. I need only refer to the Toronto Harbor Board, a Commission responsible to nobody except perhaps the City Council. In the last fifteen years it dropped eight million dollars and no one can find where it has gone."

#### Wants Tories' Names.

"The honorable member," he turned to Mr. Raney, "cannot name six Tories to whom he gave appointments."

"Oh yes I can," said Mr. Raney.

"No you can't," retorted Col. Currie. Mr. Raney smiled.

"Go ahead, I'm waiting," urged the Colonel. Mr. Raney was unmoved.

"You can't name one unless it's some renegade Tory," the Colonel declared. "At least, no respectable Tory."

"Would you characterize Eric Armour as a renegade Tory?" asked Mr. Raney. "Or Mr. Jones, Police Magistrate, or James Hales."

"Armour's all right," replied Mr. Currie, "but you've got to have some bright light somewhere."

"Why," he continued, "in the late Government's Administration there were 400 appointments. When the Tories got in everything was jammed full from stem to gudgeon, and they only could fix 22 appointments in a year. It was the business of the Liberals and the U.F.O. to find jobs for people."

"As for commissions," he went on, "there was the commission appointed to persecute the Prime Minister. And you took good care you didn't put a Tory on that commission."

George Hillmer (Conservative, Halton) noted that the Drury Government had appointed a Sheriff in his riding, but that he had the situation "rectified." And while there were two Magistrates in his county working without salary, yet the Drury Government appointed another at \$2,400 a year, he said.

#### Mr. Nixon Explains.

Mr. Nixon explained the Raney amendment. It provided, he emphasized, that the Commission should not only be responsible for its servants, but should have the power to appoint them.

Hon. Joseph Thompson, Chairman of the committee, held that the amendment was out of order, but on the consent of the House permitted a vote. Mr. Raney called for a division of the committee. The vote was overwhelmingly against the amendment.

#### Amendment Accepted.

At the suggestion of Mr. Sinclair, Premier Ferguson agreed to amend Section 14 of the act so that the annual statement of the Control Board should be filed "within 15 days after the opening of the session next following the close of the fiscal year."

The Prime Minister explained to the House that Section 14 of the act provided that at any time the Government might conduct a special audit of the affairs of the Commission.

Some discussion arose over the authority vested (by the act) in vendors and "authorized" officials to take affidavits. The Prime Minister said that such authority was required for purposes of identification of applicants for permits.

Section 25, which provided that "no action or proceeding should be taken against any member, or members, or against any official or vendor of the board for anything done or omitted to be done in or arising out of performance of duties under the act" was labelled by Mr. Raney as "too wide powers." He said that all men were not blameless. Some held grudges. Others held spite. To put vendors and other officials in a position of being able to say, "You can't touch me," was going too far, he said.

Mr. Sinclair agreed with the Progressive Leader, and the Prime Minister agreed to an amendment to the clause, so that now "no action can be brought without the consent of the Minister."

Mr. Raney, referring to drinking in a tent, suggested that a person might pitch his tent next to a school or a church or even next to a liquor store and there was nothing covering such action.

Mr. Ferguson replied that Mr. Raney seemed prone to suggest "extreme features." Such acts as the member had suggested, said he, could be dealt with under clauses of the bill prohibiting disorderly conduct or nuisances. And every community, said he, had local by-laws to control such acts.

#### Liquor Prescriptions.

When the committee came to the section providing that physicians might get liquor on a prescription for medical purposes, Mr. Ferguson said that this section was safeguarded by several prohibitions. There was a necessity for providing for liquor on prescription, said he. It might be needed for medical aid to a man whose permit had been cancelled, or in the case of sickness of minors.

Mr. Raney said that, while a few doctors had, under the O.T.A., wrought mischief in the Province, they would still be active under this law, probably particularly in local-option centres.

Then came the section allowing dentists to get liquor on prescription. The next section making the same arrangement for veterinary surgeons stipulated, however, that the veterinary surgeon be prohibited from consuming liquor received by prescription. Opposition members noted that this stipulation was not in the other prescription sections. Why, if not there, should it be particularly mentioned in the veterinary section? it was asked.

"This is another fool clause," said Mr. Sinclair.

"Apparently you think this a fool bill," retorted Mr. Ferguson.

"That's so," said Mr. Raney. Mr. Ferguson later decided that a general clause might be drawn up to cover all those getting liquor by prescription.

#### Penalty for Having Cider?

Mr. Sinclair drew the committee's attention to a section which might be construed that a man could be penalized for having cider in his home. Mr. Ferguson replied that under the Control Bill the situation in regard to the making and keeping of cider would be the same as under the O.T.A. He thought that Mr. Sinclair, in bringing up such points, was quibbling.

"I beg pardon for even speaking," retorted Mr. Sinclair. "But these are things that are going to mean the undoing of the whole bill. I want to see this bill made workable."

Col. Price pointed out a moment later that sections dealing with use of permits were lifted from the Alberta act.

"And yet we read in the papers of the difficulties in enforcing the Alberta act," Mr. Sinclair noted.

Referring to a section prohibiting a person from supplying liquor to a person whose permit had been cancelled, Mr. Sinclair saw the possibility of a man giving another a drink without knowing that the permit had been cancelled.

#### "Will Break Down."

"You might as well be frank and tell the people you are drafting an act that is not going to be enforced," Mr. Sinclair told the Premier, when Col. Currie persisted that the Liberal Leader was dealing with imaginary cases. "This act will certainly break down."

"Three rousing cheers," retorted the Premier, sarcastically.

"This Government is not going to be driven into an embarrassing position to please my honorable friend," he went on. "His suggestions are all relative to situations that prevail under the O.T.A."

The Premier thought that a Magistrate, in dealing with a man who had given a drink to a person who had lost his permit without knowing the permit had been cancelled, would not penalize him.

"Lots of Magistrates would convict in such cases," retorted Mr. Sinclair.

"That type of Magistrate will lose his job if I have anything to do with it," replied the Premier.

#### Woman Buying for Husband.

Mr. Sinclair later wondered how the Government would prevent a woman buying liquor on her permit for her husband whose permit was cancelled. Mr. Ferguson said that the Attorney-General would make a note of that point.

When the committee came to the section declaring that a permit-holder could consume only the liquor bought by him on his own permit, Mr. Sinclair interjected: "I think honorable members should take notice of that. There has been talk of flasks at parties. Now you have to bring your own bottle."