

Feb. 24

Dual Role of Tilley Deemed by Simpson Detriment to Probe

Part in Power Deal Taken by Inquiry Counsel's Firm Declared Objectionable by Centre Simcoe Liberal — Premier Himself Suffers by Attack on Hepburn, House Is Told

CHIEF DEFENDED BY HEIGHINGTON

Opposition members and Government supporters mixed it merrily in the Legislature yesterday over the ever-varying and vexatious question of Hydro administration, with Dr. L. J. Simpson (Liberal, Centre Simcoe) and Wilfrid Heighington (Conservative, Toronto-St. Davids) showing the most teeth in a seven-hour cross-chamber argument that engaged the oratory of ten members, and in so doing carried the House to a 11.30 p.m. adjournment.

Dr. Simpson struck out vigorously at Premier Henry for the "lack of sportsmanship" exhibited by the latter, and the "burlesque show and hysterical farce" which, he said, the Premier had staged in the House last Tuesday, when he had attacked the Liberal leadership of Mitchell F. Hepburn, M.P., dodging "the issue now paramount in the public eye—the matter of the \$125,000 Aird-Beauharnois payment." There were bigger problems today than any mere abuse of Mr. Hepburn, and the Prime Minister, by the stand he had taken, Dr. Simpson submitted, had lowered himself "by 100 per cent." in the estimation of the people.

Mr. Heighington Replies.

Young Mr. Heighington, who learned his bombing in the Sallent and in front of Pulpit Crater, chucked a half dozen verbal grenades into the Opposition encampment, in support of his admonition to Premier Henry and the Government that they should "stand fast" on the present scope of the Middleton Royal Commission inquiry and authorize no broadening of it. All that the Liberals were basing their argument on, he said, were "stale whiffs of forgotten scandals," street corner gossip, and "feeble and nebulous allegations" that had been launched after the Parliamentary Beauharnois inquiry as a scheme to raise the Mackenzie King Government and the Liberal Party at large out of "the Valley of Humiliation" at the expense of old, particularly when compared Hydro Commission.

Agitation over the \$125,000 Aird payment was a mere passing incident, said Mr. Heighington, of no more consequence than the 4.4 beer controversy of old, particularly when compared with more pressing problems with which the Province is now at grips.

Demands Other Counsel.

Dr. Simpson demanded the appointment of other counsel on the Hydro inquiry, "with the same rights and privileges as Mr. Tilley." He produced for the House a copy of the Hydro-Dominion Power Company deal, bearing the name of the Tilley firm, and asked pointedly of the Government: "Can you picture Mr. Tilley as counsel to the Commission informing his Lordship: 'I will now put W. N. Tilley in the witness-box and examine him as to the work of his firm in connection with the purchase of the Dominion Power and Transmission Company?'"

Other speakers were: J. F. Strickland (Conservative, Peterboro'), Austin B. Smith (Conservative, South Essex), F. J. McArthur (Conservative, Northumberland), R. A. Baxter (Liberal, South Oxford), T. P. Murray, (Liberal South Renfrew), Earl Hutchinson (Labor, Kenora) and J. A. Sangster (Liberal, Glengarry).

While Premier Henry adjourned the debate until Thursday next, he will not speak until the wind-up, probably a week from last night.

Peterboro' Member Speaks.

"It is well," Mr. Strickland said, "that the affairs of this Province, of this Dominion, are in the hands of such a party and such a Government. The party is headed by a Prime Minister with sufficient courage to say to those who would and do attack the Hydro with fair means or foul: 'You shall not have another fishing expedition into Hydro such as the Gregory Commission.'"

"The transactions of Hydro are as clean and healthy today," he continued, "as they were in the days when the Gregory Commission roamed over the Province from one end to the other, and without the assistance of counsel, other than the Chairman himself, taking evidence of those who had fought this great public enterprise tooth and nail."

The amendment of Mr. Sinclair, Mr. Strickland averred, "condemns the Government for its failure to judicially inquire into the payment of \$125,000 to John Aird Jr. by R. O. Swezey, and into the circumstances connected with Hydro contracts extending back to 1926; and listening to his argument in bringing in the amendment, one could not help but be impressed that an excellent counsel was sadly handicapped by a poor brief. The evidence before the committee of the House of Commons does not in any way connect Aird with the Hydro Commission other than the unsupported testimony of Mr. Swezey, who had charge of the pork barrel for Beauharnois, and who dealt so generously with the Liberal Party and who apparently had money there for any one who cared to seek it."

"Emphatically, there was never at

any time in any one's mind any thought of a new party or a new leader," said Dr. Simpson, definitely contradicting hints to the effect that he would be the leader of such a party. "We are," he added, "a united party in our fight against Toryism." Drawing an analogy between the mustard plasters, the blister files, applied by mothers of yesteryear to the pains of their offspring, which, by their stinging, provided a counter-irritant, and the speech last week of Premier Henry, Dr. Simpson said: "Through you, Mr. Prime Minister, we present a united front today."

"I believe the farmers will speak in no uncertain terms at the next general election," he went on. "If the Government cannot do anything to stabilize prices, cannot they do something to explain to the public the wide difference between what the farmers sell and what they buy?"

"Why," he asked, "did not the Minister of Agriculture change the officials and get in men who actually understand the farmers' problems?" The speaker believed that few farmers played the market, or borrowed money from the Government. "The people ask for bread and the Government gives them a stone," he affirmed. "The greatest stone of all, I contend, was the Prime Minister's speech on Thursday. It is ridiculous for him to stand up for hours and hours and criticize a man who is not here," he said. "We have infinitely bigger problems to consider than the abuse of Mr. Hepburn."

Fear Is Suggested.

Declaring that, through that speech, "Mr. Henry fell about 100 per cent. in the estimation of the people of the Province," Dr. Simpson wondered if it indicated fear on the Premier's part. If it showed him the handwriting on the wall. Mr. Henry, the speaker said, had "assumed the role of a dug-out general rather than of a fighting leader, as the Opposition expected he would."

"The Prime Minister has responded partly and somewhat belatedly to the demand of the people of Ontario, expressed through the Opposition and the press, for the investigation of recent Hydro transactions which are believed to be against the interests of the people and the great public ownership enterprise," he went on.

"He has appointed a Royal Commission to investigate but two of a number of contracts and purchases. While expressing a desire to restore the confidence of the people of Ontario—who are the real owners of Hydro—in the activities of the Ontario Hydro-Electric Power Commission and the Government, he cannot disguise the fact that he is dodging in a manner which is clear to the public."

Full Investigation Demanded.

"Whether this course is the one he personally favors or that forced upon him by his Cabinet colleagues matters little. However, in the limited inquiry, reluctantly granted, there is little hope that the two matters before it will be thoroughly probed unless the Prime Minister advises the Commissioner and informs the public that counsel representing those who have criticized the Hydro and the Government in these matters will be able to appear, call witnesses, cross-examine and present what information they have in the same manner as the lawyer who has been named so far as the sole counsel. May I submit that the Prime Minister cannot dodge his responsibility by saying: 'I told Mr. Justice Middleton to go ahead and engage any counsel necessary. That he has done. He has appointed Mr. Tilley.'"

"Mr. Tilley is one of the most able counsel in the Dominion. He has been honored by his fellow-members of the legal profession, and his appointment as counsel for the Government or the Hydro Commission could in no way be criticized, but at present he is placed in a position that simply cannot be understood by the people of this Province. Mr. Justice Middleton states that Mr. Tilley has given his assurance that there is nothing to prevent his conducting a thorough and searching inquiry into the matters referred to. I do not say that the association of his firm with the Hydro and the Government would cause him to adopt other than an impartial attitude in this inquiry, but, Mr. Speaker, the Prime Minister knows that the press and the public are of the opinion that other counsel should be appointed or invited to appear before the Commissioner, with the same powers as Mr. Tilley, to present whatever evidence there is to support the criticisms of these two deals."

Photostat Is Produced.

"In the past few years Mr. Tilley's firm has done practically all the consulting work for the Ontario Hydro-Electric Power Commission. I have here in my hand a photostat of the agreement under which the Dominion Power and Transmission Company was purchased by the Hydro-Electric Power Commission of Ontario. From the cover you will notice that the firm of Tilley, Johnston, Thomson & Parmenter acted, and, from the agreement, Strachan Johnston, a member of the firm, is the witness to the Hydro signature. How do you think the public is going to be satisfied with a lawyer, even of Mr. Tilley's standing, being asked to investigate his former, if not his present, client? Mr. Tilley's firm, or a member of it, is also said to have searched titles in connection with the Madawaska deal, the other matter under investigation."

"This same firm also acted in the purchase by the Government of the Seymour-Central Ontario Hydro system," Dr. Simpson said. "In over a dozen such cases in the last two years, Mr. Tilley, his firm, or one of his partners, has been engaged by the Government in legal matters. Can you picture Mr. Tilley as counsel to the