

NO EVIDENCE GIVEN OF MURPHY GETTING ANY DIRECT REWARD

McCrea Also States Waldron Did Not Say That He Did

CROSSFIRE IN COMMITTEE

When he charged in a hearing before the Optometry Board that Edward J. Murphy (Conservative, St. Patrick) had been paid to promote a bill in the Ontario Legislature to repeal the Optometry Act passed in 1931, he had no thought that Mr. Murphy had received any monetary reward, other than the fact that he had accepted a retainer to defend certain persons before the board which the bill he sponsored would abolish, Gordon Waldron, K.C., stated yesterday before a special committee of the House meeting to consider the charges.

Will Decide on Report.

After hearing Mr. Waldron repeat his declaration that Mr. Murphy had committed a corrupt act, and had rendered himself liable to unseating proceedings, and his assertion that when he made the statement he was privileged to do so, being before a court, the committee adjourned until the call of the Chairman. When it meets again it will decide what report to make to the Legislature. Hon. Charles McCrea, Chairman, stated at the conclusion there was no evidence that Mr. Murphy had received any direct remuneration, and that Mr. Waldron did not say that he did. Witnesses called denied knowledge of Mr. Murphy receiving any payment for introducing the bill.

Seldom have such dramatic proceedings taken place at Queen's Park. Nothing exactly similar has happened in the memory of veteran legislators. Every moment was packed with interest. First Mr. Waldron repeated his charges, in effect; he then declared that the Legislature had no power to deal with him, unless it first amended the statutes of the Province. He defied the committee to send him to "the Tower," stating that if this were done a writ of habeas corpus would be sought immediately. Not "Swayed by Threat."

He believed he had a witness who would give evidence of other payments to Mr. Murphy. When asked to give the name of this witness, he flatly refused, and when Mr. McCrea suggested that the committee might use the powers it possessed in order to get the name, asserted: "I refuse to be swayed by your threat." And when witnesses were called, a number suggested by Mr. Waldron, he declined to question them, saying they had been called by the committee and not by him. He would examine them if the committee "pursued him further."

Late in the sitting, Mr. Murphy declared that Mr. Waldron was "lying" when he said that he had a witness who, he believed, would say that other payments had been made, and Mr. Murphy at one stage demanded that the hearing be completed during the day, so that "Mr. Waldron could not get any one to come here and swear falsely."

Every Chair Is Taken.

Striding up and down the carpet before the committee, Mr. Waldron tall and leonine, now defiant, again humorous, sometimes speaking in a fiery manner, and at other times restrained, was the focus of all eyes. The room was filled with spectators and members, every chair being taken. Mr. Murphy, sitting in the front row, standing up now and again to cross verbal swords with his accuser, was dressed in a green-striped suit, winged collar and green tie. He also, most

of the time, had fire in his eye. At one stage, during a recess, Mr. Murphy objected to Mr. Waldron leaving the room.

Mr. Waldron admitted the words ascribed to him and read from a prepared report. Mr. Murphy had not proved his charge that he, Waldron, had assaulted, insulted, or libelled him, as in the meaning of Section 54 of the Legislative Assembly Act. "He does not say that I have assaulted him, and I say with the utmost confidence that I have neither insulted nor libelled him," he said. "And it is also noteworthy that May records only two proceedings like this in respect of spoken words; one was 400 years ago, and the other was a speech of Daniel O'Connell in 1833."

Mr. McCrea pointed out that the reference to the committee did not refer to Section 54. What was referred to was a matter involving the dignity of the House, inasmuch as the charge was against a member of the House. Mr. Murphy did not have to prove anything, he said, but it was up to the committee to decide if the dignity of the House had been infringed upon.

No Evidence of Infraction.

Mr. Waldron—I cannot be tried by the Legislature except on an infraction of the law of the land or a law of the Legislature. If you are trying me, there is no evidence of any infraction of the law of the Legislature when the prosecution is closed.

Mr. McCrea—There is no prosecution. We will give you the greatest latitude.

Mr. McCrea also pointed out that it was Section 49 of the Legislative Assembly Act which was involved. "That is the outstanding issue as far as Mr. Murphy's position in the House is concerned, and we are also considering every other member."

Mr. Waldron—You are also considering me, I hope. If I am convicted I can be sent to the Tower.

Continuing his statement, Mr. Waldron said: "The words complained of were absolutely privileged. They were spoken by me as counsel in the conduct of an inquiry by a statutory body duly appointed to adjudicate upon and determine the rights of all parties."

Knew of No Payment.

Some of the witnesses were in the room, and the others were sent for. Of eight, seven stated definitely that they knew of no payment to Mr. Murphy for sponsoring the bill. These witnesses included: W. A. Summers, William Matthews; James C. Thompson, Dean of the College of Optometry, and Ivan S. Knott.

Hamilton Cassels told the committee he had retained Mr. Murphy to act for the Ritholz employees because of his reputation as a criminal lawyer, and the employees were charged with a quasi-criminal offense. He also knew that Mr. Murphy was familiar with the Optometry Act. A fee of \$200 had been agreed upon, but was not yet paid over.

HENRY PROPOSES TO AMEND TAX ACT

Bill Would Effect Coincidence With Federal Legislation, Is Claim

Somewhat of a surprise amendment to the Corporation Tax Act was introduced by Premier Henry yesterday in the Ontario Legislature, the purpose of which will, it is said, technically disprove the assertion that the only new tax this year would be that under amendments to the Succession Duty Act. Provisions of the bill as explained by the Premier will make the act coincide with Federal legislation and simplify registrations. It is estimated, however, that the Province will receive about \$20,000 additional revenue.

J. E. Jamieson (Conservative, Simcoe Southwest) introduced legislation which would allow the Ontario Municipal Board to assess costs on materials, such as poles, against the highways, when telephone lines are destroyed in construction of roads. At present labor is the only item on which an assessment can be made, Mr. Jamieson explained.