

# HENRY GETS NO APOLOGY FOR 'INSULT'

**Campbell Insists Remark  
on Rebates Withdrawn  
While Hepburn Revives  
Old Auto Expense Item**

## INSINUATION DENIED

Demand by Hon. George S. Henry for a "complete and unqualified apology" from Hon. Colin Campbell, Minister of Public Works, raised again in the Legislature yesterday the long-drawn-out controversy between the East York member and Premier Hepburn over the former's auto expenses while he was Prime Minister.

It ended with Mr. Henry's repeated explanation of the \$3,000 item, an explanation which he hoped would close the matter for all time. His demand for an apology was based on what he branded an "insulting statement," made by the Minister in Thursday night's debate. In it, he claimed, Mr. Campbell insinuated that he was trying to get back in rebates on gasoline used on his farm the sum he had paid to the Hepburn treasury on the car expense item.

### Insists Remark Withdrawn.

Mr. Campbell, in answer, insisted that he had withdrawn the remark and declared that it had not been his intention, in the first instance, when he brought before the House two affidavits bearing on the application of Mr. Henry's son for rebates on gasoline used for farm purposes, to insinuate, as charged, that the applications were made on more gasoline than what was actually used.

He pointed out he had said the one application was dated Oct. 26 and that the cheque was mailed on Nov. 16, and on the other the application was made on May 9 and the cheque was mailed May 17. He had intended to imply, he said, that the government had been prompt in its mailing of the cheques, in answer to charges made previously by Mr. Henry that gasoline rebate cheques were being held over in order to make a better budget surplus showing for the fiscal year.

Mr. Henry, before demanding the apology, made a considered statement in which he emphasized that the gasoline used for tractor purposes on the 450-acre farm was kept in a separate pump from that used for vehicles.

"I assure the House that not a gallon on which a rebate was asked was used for truck or motor cars. Seeing we have no Hansard in this House from which in such a case the whole incident would be expunged, seeing that the purpose was not allowed by you, I demand that a complete and unqualified apology be given by the minister forthwith," he said.

"Mr. Henry did challenge the statement attributed to me and I did withdraw it," said Mr. Campbell, and he added that he could do no more than add that he had made a complete withdrawal.

Hon. James Clark, the Speaker, held it was not within his power to order the minister to make an apology and he pointed out that he had, on demand, withdrawn his remark voluntarily and without order from the Speaker, and in finality he suggested that if an apology was to be made, Mr. Henry should apologize for his charges against the ministry and that the minister should then apologize to the member.

"If he isn't man enough to apologize, let him sink to the level to which he belongs," Mr. Henry retorted, claiming that in the minister's remark there was the suggestion of fraud. He again insisted that he was entitled to an apology.

"I can't apologize for something I have already withdrawn," declared Mr. Campbell.

Premier Hepburn said Mr. Henry had projected the matter into debate by his charges that the government was attempting to apply gasoline rebates to the surplus, that in one instance it had attempted to hold over a cheque on a mother's allowance application for the same purpose, and that the treasury department had offered inducements to secure early settle-

ments on succession duties, in order to apply them also to the surplus.

"I repeat that sixteen gallons a day, seven days a week, seems a large amount," he said. "You talk about people sinking to their own level. Well, we will establish your level, so far as gasoline is concerned," and he recounted the oft-repeated charge that Mr. Henry had had his car serviced improperly in the provincial garage and had not paid for it until a demand was made by his government.

"It was the habit of the administration to which I belonged for eleven years back, more than that, to allow \$1,000 per year without accounting to each member of the government," said Mr. Henry in reply. "Under this rule, \$3,500 was due me, none having been collected. My personal car was daily stored in the garage and serviced there, and was frequently used as a spare in government business. Also, I was coming to the office in my private car while the rest of the government used government cars. I should have collected my expense allowance and paid the cost of servicing, which over the three and one-half years amounted to roughly \$3,000."

# PROVIDES SUITS TO BE NON-JURY AS PROTECTION

**Judicature Act Amendment  
Believed to Arise From  
Complaints and Recent  
Queen's Park Conference**

## SECOND READING GIVEN

Alleged systematic tampering with jurors in damage actions brought against the Toronto Transportation Commission in recent years is said to be directly responsible for a Judicature Act amendment which Attorney-General Conant now has before the Legislature, and which, if passed, would have the effect of rendering all such actions in future non-jury cases.

The legislation is said to arise out of Queen's Park conference which Mr. Conant held several weeks ago with solicitors of the T.T.C., Chief Inspector Chisholm and detectives of the Toronto police force, and law officers of his own department. For a time it was believed that either direct police interference or a public probe of some sort would result from the parley. Now, apparently, those most concerned with the situation would, instead, take precautionary measures to protect their interests in the future. These safeguards are supposedly provided in Mr. Conant's Judicature Act amendment.

It was also reported at Queen's Park yesterday that the legislation may aim also at eliminating any possibility of jury trials in any present or pending actions against the Sandwich, Windsor and Amherstburg Railway, which now operates indirectly under the supervision of the Department of Municipal Affairs.

Mr. Conant's drastic amendment is only one of a score in the annual omnibus bill, or Statute Law Amendment Act, which yesterday received the Legislature's second reading without debate. The explanatory note attached to it reads as follows:

"The provision which requires certain actions against a municipal corporation or board of police trustees to be tried without a jury is amended to include actions against a body corporate created or established by a municipal corporation pursuant to a statutory authority and is also extended to include other types of actions."

This extension is a province-wide application, but is directly attributable to the reported complaints of the Toronto Transportation Commission that some means of protecting it against jury-influencing should be furnished at the earliest possible date.