

GUARD SPEECH, WARNING ISSUED TO COLDWELL

Position in House Is
No Protection Against
Prosecution, Says Conant

WON'T MARTYR HIM

Stern warning to M. J. Coldwell, Leader of the C.C.F. Party in the House of Commons, that his position as a member of the Dominion House did not protect him from prosecution under the Defense of Canada Regulations was issued yesterday on the floor of the Legislature by Attorney-General Gordon Conant.

Opposition Leader George Drew joined with the Attorney-General to condemn statements made Tuesday by Mr. Coldwell regarding the prosecution of C. H. Millard, organizer for the C.I.O., for alleged subversive statements.

Mr. Coldwell accused Premier Hepburn and Colonel Drew of making political capital out of the Dominion Government's war effort, and made statements of the same sort as Millard was arrested for, challenging Attorney-General Conant to prosecute him.

"I am not going to say at this time what action will be taken," said Mr. Conant, "or whether any action will be taken, but I can assure you that I am not going to do anything likely to glorify or make a martyr out of Mr. Coldwell, a thing which no doubt he would like very much to have me do.

"I would like to add, however, that Mr. Coldwell's position as a member of the Dominion House of Parliament does not remove him from the operation of the Defense of Canada Regulations or any other laws which it is the duty of my department to enforce. Nor is he by any means above the law, with respect to contempt of court."

Mr. Conant said that it was highly improper for Mr. Coldwell to comment as he did on the Millard case, which is now "sub judice." It was improper because any comment on a case before the courts is likely to prejudice the pending trial and so interfere with the administration of justice, said Mr. Conant.

The Attorney-General said that there was a fundamental principle at stake in Mr. Coldwell's statement. "For a member of the Dominion House of Parliament to attack the administration of justice in any Province with respect to the enforcement of laws passed by the Dominion Parliament of which he is a member has a very great tendency to undermine all law enforcement efforts in that Province," said Mr. Conant.

If Mr. Coldwell was dissatisfied with the Defense of Canada Regulations he should voice his criticism on the floor of the House of Commons, and any criticism of the Province's methods of enforcing the measure should properly come from the Federal Department of Justice.

Lamport Denied Right To Answer Drew Charge

Allan A. Lamport, Toronto member for St. David, yesterday under the ruling of Deputy Speaker Roland Patterson, was refused permission in the Ontario Legislature to reply to criticisms levelled at him Monday by Conservative Leader Drew.

The Deputy Speaker's ruling was backed by insistent cries of "Order, order," from the members and it was not until after the member had been rebuked three times by the Legislature's referee, did he take his seat.

"I am rising on a question of privilege," said Mr. Lamport, in outlining his plea. "The Leader of the Opposition referred to me as being in collaboration with the Star."

"Is that now a reflection in this House?" asked Colonel Drew.

Mr. Lamport insisted that Colonel Drew had accused him of collaborating with the Toronto Daily Star in preparing a speech in which he charged Colonel Drew with having slowed up the Dominion's defense efforts. "At no time was I in collaboration with the Toronto Daily Star or any one else," he said.

He was called to order. "Are you not allowing me the same courtesy as the Leader of the Opposition?" Mr. Lamport asked.

Mr. Patterson reminded him that the question had been raised on Monday and had been closed, under the rules of the House. And as Mr. Lamport persisted in "taking the matter up, point by point," the Deputy Speaker declared: "I will ask the member to abide by the ruling."

The incident was concluded when A. W. Roebuck (Toronto-Bellwoods) asserted that Mr. Lamport had a right to dispute the order, but must abide by the Speaker's ruling.

Colonel Drew said that the C.C.F. Leader had criticized the right of the Legislature to discuss the Federal Government's war effort, and yet he took it upon himself to criticize the administration of justice in Ontario when he was not even a resident of the Province. "He should watch what he is doing," said Colonel Drew.

"If this premise were true," continued Colonel Drew, "Mr. Coldwell should never mention the war effort except on the floor of the House of Commons, neither should the newspapers print anything about the Government's work. His own words show up the absurdity of the view."