

UPROAR OCCURS AS COATTS CASE RAISED IN HOUSE

Drew Cites Arrest as Reason Not to Grant More Power to Conant

Under a storm of criticism from the Liberal benches and in the midst of a sharp clash with Attorney-General Gordon Conant over the terms of a Government bill amending the Jurors Act, Conservative Leader George Drew abruptly ended one of the most turbulent sittings of the Legislature this session by interrupting his own address to move adjournment of the debate at 5 o'clock yesterday.

Tempers flared when Colonel Drew cited the arrest last Nov. 16 of W. Bentley Coatts, prominent insurance executive, on a conspiracy charge as sufficient reason why the Attorney-General should not be granted an extension of his discretionary powers.

John Glass (Liberal, Toronto-St. Andrews) protested the charges referred to by Colonel Drew were still before the courts and could not be discussed, and the Speaker upheld his objection after obtaining the opinion of Mr. Conant.

Other interruptions followed as the Conservative Leader swung into a new phase of his argument and a minor uproar followed. Finally, Allan Lamport (Liberal, Toronto-St. David) rose to a point of order.

"I move adjournment of the debate," said Colonel Drew, the moment Mr. Lamport got to his feet. The member for St. David attempted to continue and protested as the Speaker ruled a motion to adjourn always took precedence.

"Well, seeing this is Friday afternoon and the members are restless, I'm prepared to accept," said Provincial Secretary Harry Nixon, leading the House in the absence of Premier Hepburn.

"I don't see why we should adjourn because of bad tempers," said Arthur Roebuck (Liberal, Toronto-Bellwoods), but the debate and the House were adjourned.

The amendment to the Jurors' Act, in the opinion of the Opposition Leader, provided the Attorney-General with an extension of discretionary power, which he charged, "his record does not justify." Colonel Drew stressed that his opposition was not directed at the proposal to abolish grand juries, but at the effort to abolish them without adequately safeguarding the rights of the individual.

The usual quiet of a Friday sitting was changed into an angry exchange of acrid accusations as Mr. Conant's colleagues on the Treasury benches and private Liberal members rallied to his support, and finally succeeded in shutting off Colonel Drew's outline of the insurance case in question.

Ruled Against by Speaker.

Angry Liberals claimed the case was sub judice and could not be discussed, and although Colonel Drew pointed out that the charges against Mr. Coatts had been dropped and were not before the courts, the Speaker, after obtaining the opinion of Mr. Conant, ruled against the Opposition Leader.

Prior to the flare-up, the Attorney-General tabled a copy of a resolution requesting the necessary amendments to the Criminal Code to bring it into line with the Ontario amendments. The resolution also requested that legislation be passed to provide that where a charge is preferred in any case in which the accused has not been committed for trial by a justice, the trial shall not proceed without the charge being submitted to a judge of a county or district court in the same manner, for the same and no other purpose

as a bill of indictment might have been preferred before a grand jury.

The resolution continues: "And this Legislative Assembly further requests that legislation be passed by the Parliament of Canada providing that in any case where any person has been committed for trial at a preliminary hearing before a justice, the Attorney-General or an agent of the Attorney-General may, in his discretion, before placing any person on trial on such formal charge, submit such charge to a judge of the county or district court. . . ."

Colonel Drew, in bringing up the Coatts case, quoted from The Globe and Mail report of the arrest of the insurance executive and five others and the statement made by Mr. Conant at the time of the arrest.

"Falsely Arrested."

"Mr. Coatts is a man of outstanding reputation, whose personal and business character has not the slightest blemish," said Colonel Drew. "In its report of the subsequent proceedings The Globe and Mail publishes a picture of Mr. Coatts. And over the picture are the words: 'Falsely arrested.' Mr. Coatts did not put those words there. They were written by The Globe and Mail.

"This man of blameless character was arrested at the discretion of the Attorney-General," continued Colonel Drew. "I say there are good reasons for questioning the extension of powers to the Attorney-General which would occur with abolition of grand juries. British law recognizes that it is not right to place in the hands of elected representatives the freedom of the individual. Men have fought and died to prevent that happening.

"One of the most reputable insurance men in this Province was falsely arrested and denied the right to telephone his wife, let alone his solicitor. According to the city solicitor, he was arrested at the instigation of the Attorney-General. Had it not been for a friend accidentally seeing him at the time of his arrest, Mr. Coatts would have been forced to spend a night in jail.

"There was not a jot or tittle of evidence against him," continued Colonel Drew. "The vigilance of a watchful press helped bring about his release and later his honorable discharge. The press commented severely on the fact that Mr. Coatts was kept incommunicado."

Case Said Sub Judice.

John Glass (Lib., St. Andrew) interrupted to say the case was sub judice and other Liberals supported him with a chorus of protest.

"On Dec. 9 the newspapers carried the statement that Mr. Coatts had been falsely arrested and that the Attorney-General had dropped the charges," said Colonel Drew. "I am dealing with the Coatts case and surely that cannot be considered sub judice."

The Conservative Leader started his argument again but was halted by angry protests from the Government side.

"Go and hire a hall," shouted Allan Lamport.

Colonel Drew began a review of the circumstances leading up to the seizing of documents from Mr. Coatts' office, but was halted once more after A. L. Elliott (Lib., Peterborough) charged that he was circumventing the Speaker's ruling by going back to the beginning of the Coatts case.

"This is entirely out of order," declared Hon. Paul Leduc, Minister of Mines. "This has nothing to do with abolition of grand juries."

The atmosphere became heated and Colonel Drew vigorously protested what he termed were efforts to "shut me off." He said he was prepared to take his responsibility as a member of the House that there was a clear connection between the Bill itself and his argument.

"The Attorney-General has raised objections that are specious and baseless to hide his failure to do his

duty as Attorney-General," declared Colonel Drew.

There were cries of "Order, order!" and Government supporters poured out a volley of protest.

"I will deal with it effectively elsewhere since he is afraid—" began Colonel Drew, when another roar of protests occurred.

Colonel Drew then read the published report of Acting Chief of Police Guthrie of Toronto, which told how, on Nov. 16, 1939, Inspector Albert Ward, Provincial Police, had reported that he was detailed by the Attorney-General's Department on a "very confidential matter" involving the serving of warrants on six. On Inspector Ward's request, city officers were detailed to execute the warrants.

Mines Minister Leduc objected that the report did not relate to the discussion on the bill. "Were these men arrested on indictments of the Attorney-General or on general warrants or does it apply to the general bill?"

"The Attorney-General instituted proceedings, not in his own name, as he should have done, but by two dummies," replied Colonel Drew.

"It has nothing whatever to do with abolishing grand juries," insisted Mr. Leduc, but the Speaker ruled that Colonel Drew might continue. J. J. Glass (Lib., St. Andrew) objected that the matter was sub judice, in that all but one of the men charged were still awaiting trial.

"The Attorney-General had to drop all the cases," retorted Colonel Drew.