

KIDNAPPED GIRL COULD NOT SUE, ELGIE DECLARES

An amendment to the Highway Traffic Act which would enable passengers in an automobile to sue the driver or owner of a car for injuries received, due to gross negligence, was withdrawn in the Legislature yesterday by its sponsor, G. C. Elgie (Con., Woodbine).

The amendment was not acceptable to the Government, Acting House Leader Harry Nixon informed Mr. Elgie. Attorney-General Conant said the matter had been gone into thoroughly by the House in previous sessions and the lifting of liability from the shoulders of the drivers was decided upon after careful consideration of all the facts.

Mr. Elgie contended that the act as it now stands was "absolutely silly," and he cited cases in support of his claim. There was the case of a girl who was kidnapped in an automobile and who later sued the car owner. The court was forced to dismiss the claim because of the act, he said. In another case a girl accepted a ride in a car and when the motorist refused to stop when she wanted to get out, she jumped. The case was before the courts, but under the act the girl could not recover damages, Mr. Elgie declared.

Arthur Roebuck, (Lib., Bellwoods) supported Mr. Elgie and urged the Government to give consideration to its provisions.

Hon. Norman Hipel, Minister of Labor, gave facts and figures which he said demonstrated the soundness of the Ontario system. Workmen in Ontario received larger benefits under the Workmen's Compensation Board and the cost to employers was far less than in the United States.

The third amendment sponsored by Mr. Elgie was in connection with the Fatal Accidents Act. It provided that in an action brought under this act, damages may be awarded in respect of the funeral expenses of the deceased, provided these expenses were incurred by the parties for whose benefit the action was brought.

Attorney-General Conant said the amendment would set up a new basis for action and was, therefore, not acceptable to the Government.

HOLDS POLICE CO-ORDINATION ONTARIO'S NEED

Impossible Under the Present System, Says Conant to Critics

Effective law enforcement requires the co-ordination of police in Ontario, "even though public opinion doesn't seem ready for it," Attorney-General Conant insisted before the Legislature yesterday in reply to Opposition attacks on the administration of the Provincial Police.

The issue was raised Thursday night during House consideration of the police estimates when Hon. George S. Henry and Leopold Macaulay assailed the Minister for declaring that he would not send police into a municipality unless a request for assistance had been made.

Their criticism, and that of W. J. Stewart (Con., Parkdale) had particular reference to the recent controversy over the Attorney-General's refusal to order Provincial Police raids upon suspected gambling places in the Toronto suburbs unless a request for assistance was made by the municipal authorities.

Mr. Conant tabled correspondence and a report by Police Commissioner William Stringer, bearing particularly upon the statement of Mr. Macaulay, "If there's a murder in Hamilton, does the Attorney-General wait until he gets a signed petition from the Mayor of Hamilton before he sends his Provincial officers there to investigate?"

Mr. Conant said that since he has been Attorney-General, it has been the practice of the Provincial Police to exercise absolute jurisdiction only in the counties and districts where there were no municipal police and to function in municipalities having local police only at the request of the local authorities.

He quoted from Commissioner Stringer's report: "In actual practice, if a member of the force goes into a municipality to inquire into a serious crime, without having been requested by the local chief, serious friction between both forces invariably follows."

In reference to Mr. Macaulay's statement, the Attorney-General cited the Commissioner's report upon an inquiry into a triple murder in Hamilton. The Provincial officers, said the report, were told by the Hamilton chief constable, "that they did not want any assistance from the Provincial Police and that they were quite capable of handling the matter themselves."

Mr. Macaulay insisted that the practice did not provide for sound or effective law enforcement. "I still insist there is not co-ordination under the present system and can't be, and under the present system the Provincial Police are powerless to do anything," said Mr. Conant.