

Mr. Moss.—I think it affects the question in this way: It shows the view that was taken by a man of the late Mr. Hendrie's high standing in the community, a Christian gentleman; yet he was so strong in his view of personal liberty and the freedom of the subject, that he was willing to undergo prosecution in that case and allow himself to be brought into the police court, and still as a lover of sport be content to accept whatever obloquy was attached to him in that way. Nobody has ever suggested for a moment that the late Mr. Hendrie was in racing for the sake of gain; he lost money on it; but still his views were so strong on the question of the right of the subject and the desirability of permitting those who wished to bet freely and under proper auspices, that he was willing to undergo this indignity.

The CHAIRMAN.—I think Mr. Hendrie was a very fine gentleman, and if somebody, through malice or lack of prudence, prosecuted him, it was a great shame; but I do not see how it affects the matter before us.

Mr. McCARTHY. Surely, in view of what you read out of E. King Dodds' book—that Mr. Hendrie himself was not a bettor, and made the statement you say to a gentleman approaching him—when he was president of the Ontario Jockey Club, and permitted this to go on, and not only permitted it, but facilitated it, and thought it was the best method of controlling this evil, as you describe it, which he did not participate in; when he was prepared to stand by it to the extent of having a prosecution, being convicted and going to a higher court and getting that conviction quashed, that would show that, notwithstanding his personal feeling in the matter and that he did not participate in betting himself, he did think he was acting in the best interest of the public in permitting betting to go on on the track of which he was president, was doing right as between man and man and between the betting public and what you might call the moral public.

The CHAIRMAN.—The most you make of that is that Mr. Hendrie was a Christian man.

Mr. McCARTHY.—I am putting his views.

The CHAIRMAN.—He was a Christian gentleman who had views on betting, but did not seek to interfere with those who otherwise would—

Mr. McCARTHY.—I go further than that. William Hendrie was not a man who would endorse a thing if he believed it was wrong. I put the converse case against Mr. Shearer's evidence. Mr. Shearer said: 'I won't say it is a sin. You may not think it is a sin and you do it, but I would not do it.' Mr. Hendrie says on the contrary: 'I do not do it, but I do not see any wrong in your doing it, and I will permit you to do it under my auspices, and I will protect the auspices under which it is carried on.' He goes into court to protect it, and did protect it.

The CHAIRMAN.—I do not know that there is any evidence that those were Mr. Hendrie's views.

Mr. Moss.—He was a man of the largest experience in that sort of thing. However, you invited me to embark in this discussion, and I am not responsible for the consequent delay.

*By Mr. Counsell:*

Q. Now, about the conditions at Fort Erie at the time Mr. Clarke was speaking in the House in regard to that track?—A. Windsor you mean?

Q. Windsor I mean, was there a poolroom in operation in Windsor at that time? —A. There was a poolroom I believe, on the grounds, just outside the Windsor race course.

*By Mr. Raney:*

Q. In 1905?—A. No, I do not think it was as late as that.

*By Mr. Counsell*

Q. How long before that?—A. Well, a few years, not many, it may have been there at that time, I do not know, but I know it was there prior to that time.