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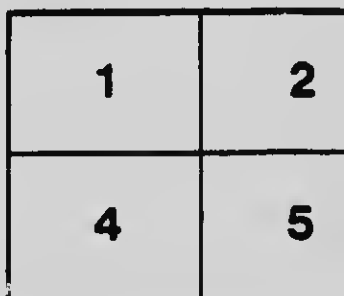
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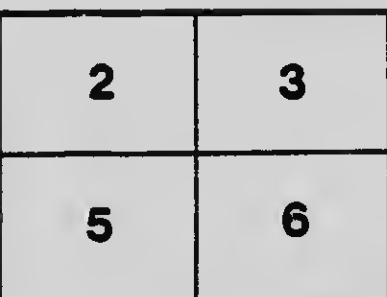
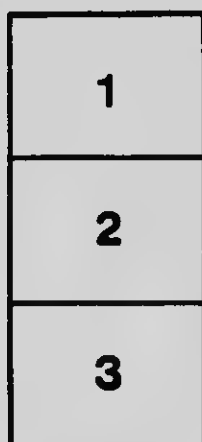
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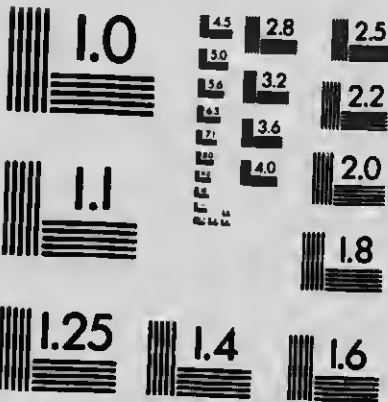
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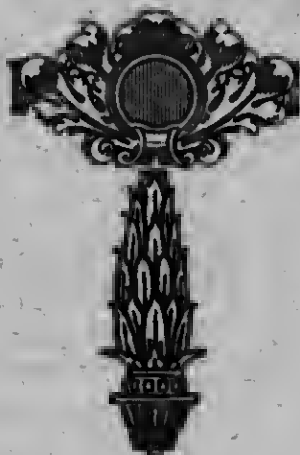
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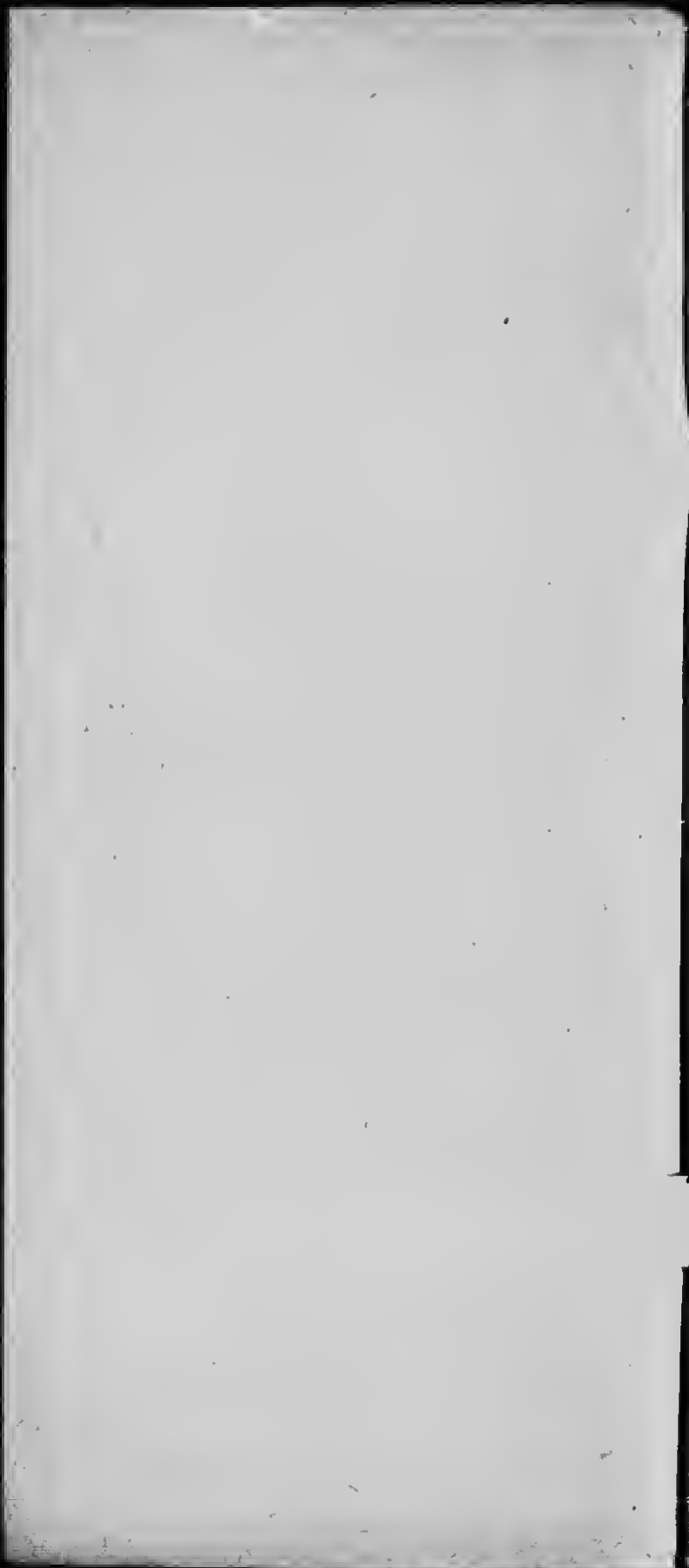
Referendum

Ballot



Explained in a statement by
SIR WILLIAM HEARST
Prime Minister
to the
ONTARIO LEGISLATURE
APRIL 7, 1919





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THE REFERENDUM BALLOT

MR. SPEAKER:

The Government had hoped to have been able to introduce to-day the temperance legislation promised in the Speech from the Throne. The Law Clerk, however, has not been able yet to complete the final revision of the Bills, and it may be a day or two before they are finally revised and ready for introduction in the House.

But the principles that will govern the legislation have been settled, and with the consent of the House I will briefly outline the main features of the proposed Bills so that the House and the country may have ample opportunity of considering them before they come up for discussion here. I want the House and the country to have time to consider such important measures before they become law.

It is the intention of the Government to submit two Bills, one amending the Ontario Temperance Act, and the other entitled "The Temperance Referendum Act, 1919."

Temperance
Act
Amendments

There will be some amendments for the purpose of improving the working of the Ontario Temperance Act. None of these are of very great importance, and I do not propose to deal with them to-day, with one exception, namely, an amendment providing for the sale direct by the Government of all liquors that can lawfully be sold under the Ontario Temperance Act.

This proposal is not new to Honourable Members of the House. The Government made a public announcement of its intention in this connection some time ago.

THE REFERENDUM BALLOT

During the past year the methods provided by the Ontario Temperance Act for distributing such liquors as may lawfully be used for medicinal and other purposes, through licensed vendors, have not proven as satisfactory as the Government would like. A number of causes have contributed to this result. Chief among these are the prohibition of the importation of liquor into the Province by Dominion Order-in-Council, unprecedented demand for liquor for medicinal purposes arising out of the epidemic of influenza that spread over the country last fall, and the improper conduct of a few, and I am glad to say, very few, medical men in the Province. The Government is most anxious, as far as may be possible, to remedy any abuses and relieve any inconveniences that exist. To this end the Bill to which I have alluded will provide for the abolition altogether of the sale of liquor by private vendors and will provide means for handling this business direct by the Government. In this way it is hoped to overcome as far as may be practicable, irregularities in the issuing of prescriptions; to prevent unnecessary inconvenience to those legitimately requiring liquor for medicinal purposes; to eliminate all private gain; and insure a supply of pure liquor to those who are entitled under the law to purchase it.

For some weeks past the Government has been carefully studying, with the aid of the best experts it could employ, the best method of carrying into effect the policy I have mentioned in order that the most efficient means might be adopted for the distribution of liquor for medical

THE REFERENDUM BALLOT

and other lawful purposes under the Act, and in order, so far as it is humanly possible so to do, to guard against dishonesty, fraud, wrong-doing, or improper conduct of any kind in carrying on the business

The methods the Government proposes to adopt are shortly as follows:—

Direct Sale
by
Government

- 1 After the Act comes into force all sales of liquor that can be lawfully made under the Ontario Temperance Act, will be made direct by the Government.
- 2 This, of course, will not interfere with sales that now can be lawfully made by druggists, but druggists will be required to get their supplies from Government stores.
- 3 The business will be carried on under the direction and control of the License Board.
- 4 The Board, in carrying on the business, will maintain,—
 - (a) A chief or head office in the City of Toronto.
 - (b) A central warehouse or warehouses for the receipt of liquors in quantities and the distribution of same to sales agents.
 - (c) Sales agencies at locations in the Province suiting the convenience of the public, and having regard to the requirements of distribution.
- 5 The head office will require to maintain an organization and staff sufficient to properly administer the undertaking from an executive standpoint. It will have control of the taking over of the stocks now owned by licensed

THE REFERENDUM BALLOT

vendors, the buying of liquors, the determination of the prices at which the same shall be sold by the sales agencies, the management of all matters relating to finance and the keeping of all records, financial and statistical.

- 6 Central warehouse or warehouses will be situated at Toronto for distribution to the sales agencies of liquors purchased by the Board, and its duties will consist merely of the receipt and distribution of liquor.
- 7 Where advisable the Board may require liquor purchased to be sent direct to sales agencies, but such liquor shall be regarded as having passed through the central warehouse. The central warehouse will simply keep records of the liquor received and distributed, leaving the value of the same known only to head office.
- 8 Sales agencies shall be concerned only with the sale of liquor, and shall maintain financial records of a character which will deal with the daily receipts and deposits and the payment of necessary expenses only. They shall maintain records of such a character as will enable a running inventory to be kept of stock, records of all information covering prescriptions honoured, and to give any statistical or official information desired. No purchases of liquor to be made by sales agencies. These agencies will be inspected at indeterminate periods and their work and affairs closely scrutinized. Operations

THE REFERENDUM BALLOT

of sales agents shall be confined to the sale of liquors supplied to them by the Board, which they must sell at prices laid down from time to time by the Board.

- 9 It is not the present intention of the Government, after the Act comes into force, to permit the sale of liquor in bulk. All liquor sold or distributed by the Board shall be in sealed containers of such character as the Board may determine.
- 10 Needless to say, wide powers will be provided by the Act, to make regulations dealing with the matters I have mentioned and with all phases of this important and somewhat complicated business that may arise from time to time. I have, however, outlined in a somewhat detailed way, the plan the Government proposes to adopt. I do this in order that the House may have not only as clear an idea as possible of what we propose to do, and how we propose to do it, but in order that Honourable members may have clearly fixed in their minds the Government's proposed system for the sale of liquor when considering the other Act to which I will now allude.

The Temperance Referendum Act will be a separate Act, and will contain provisions for taking the vote of the electors on the Liquor Question.

Before dealing with this Act, I would ask the House to bear with me, while I shortly review the facts connected with the enactment of the Ontario Temperance Act, particularly those facts relating

Temperance
Referendum
Act.

THE REFERENDUM BALLOT

to the submission of the questions to the electors of the Province.

This Government and Legislature had no specific mandate from the people to pass a prohibitory law in 1916.

Temperance
a War
Measure

The Ontario Temperance Act was introduced by the Government and passed by the House as a war measure.

That was the justification for the passage of the Bill without a vote of the people.

Subsequent events have amply proved that the Government and the House acted properly in taking the course we did.

Some Hon. Members: Hear, hear.

In time of war, when the fate of a nation is at stake, a Government is justified in taking any and every course that in its judgment, will preserve the financial and industrial strength of the country and increase its fighting force. (Hear, hear.)

A Government that would not take that course in a world crisis, like the one through which we have passed, when civilization was threatened, would stand condemned, and rightly so, in the minds of all patriotic citizens.

MR. CARTER: Hear, hear.

The Dominion Government had no mandate from the people to prohibit the eating of white bread or bacon; to tell us we could only take one lump of sugar in our tea; to say we must work or go to jail; and the many other things they did under the War Measures Act.

But had that Government failed to enact these stringent measures, curtailing more or less as they did certain liberties of the subject, in order to increase

THE REFERENDUM BALLOT

the resources and efficiency of the nation, they would have stood condemned by public opinion, not only in Canada, but throughout the Empire and the world at large. And I say without hesitation, I do not know any one Act or measure in this Province that increased the efficiency of our people, conserved our financial strength, aided thrift, and generally contributed to our fighting power to a greater extent than the Ontario Temperance Act.

If the House will permit me, I will refer to the exact words used by myself in the debate on the Second Reading of the Ontario Temperance Act:

"The Bill before the House would not now be before the House, at any rate in its present shape, but for the war. The war has not only changed, at least for the time being, the sentiments of the people on this question, but it has imposed obligations and emphasized the duty of economy and efficiency that did not exist before. My contention is that if the Bill would bring no benefit to the Province from a moral standpoint, if the results that follow its enactment would add nothing to the health and happiness of our people, as a war measure for the purpose of aiding economy, thrift and efficiency, it is justified,—it is made possible,—yea, it is demanded by public opinion." And again: "I want to state frankly and clearly to the House and to the country, that I would not think of urging the passage of this Bill through the House without a vote of the people but for

the war and the obligations imposed thereby." And again I said on that occasion:

"The question of prohibition and all the evil effects of alcohol has been a burning one for many years in this country. We have tried the license system; we have tried restriction; and every person agrees to-day that the situation is not entirely satisfactory, having regard to the conditions that now exist. Therefore, what I say to the prohibitionist and to the anti-prohibitionist, to the man who believes in this legislation and to the man who is dissatisfied with it, is this: We have tried the license system for many years in this country, let us try prohibition. Let us abstain from intoxicating liquors for two or three years at least, while we have a life and death struggle on, when our very existence as a nation is at stake. At the end of that time, when the war is over, when the people have had a trial of the Act and know its benefits and its weaknesses, when the people have had time for sober second-thought (if they are hysterical on this subject at the present time) and, above all, when our boys have come back from the front covered with glory and honour and laurels won on the bloody battle-fields of France, Flanders and Germany, in maintaining for us the priceless gem of liberty and freedom, if they feel that it is in the best interest of this Province to repeal this legislation and return to the present

THE REFERENDUM BALLOT

system or some other license system, then we all must and will bow to the judgment and wish of the people in this great democratic country. The people then will be enabled to pass a more intelligent verdict upon this question than they could at any other time."

**People to
Have Final
Say**

It was distinctly understood when the Bill was passed, that as soon as the war was over and the necessity for the Act as a war measure at an end, the question would be submitted to the people for decision. Let me again refer to what I said on this point at the time of the Second Reading of the Bill:—

"The Government, therefore, has decided, as provided by the Bill, to bring the Act into force without a direct vote of the people, but after a period of about three years, when the people have had an opportunity of judging as to the efficacy or failure of the Act as a temperance measure,—when we hope that the war will be over and our soldiers back from the front and conditions generally have assumed their normal character, then the people of the Province will have an opportunity, by their free vote, to decide this question for themselves. If the war should unfortunately not be over by the time named, the vote will be deferred for a reasonable time after the war."

Three years have elapsed, and while the terms of peace have not yet been signed, actual fighting has ceased and hostilities cannot be renewed, at all events,

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on a large scale again, and our soldiers are rapidly returning home. It is not possible just now to say when our soldiers will be back, but we hope they will be within a very few months. It is, in my opinion, important that this question should be settled as early as possible, and the Government intends to bring on a vote as soon as that can be properly done. It is not possible to more than guess now what the exact date of the voting will be, but it would seem probable that the vote might be taken in September or October, or in November possibly at latest.

Form of Referendum

Then, as to the form of submission, I desire to refer again to what I said on the passing of the Bill:—

"I am of the opinion, and strongly of the opinion, that this question should be eventually decided by the direct vote of the electors of the Province by means of a referendum. In a democratic country like this, public opinion is the last supreme arbitrament on every question, and it seems to me a question of this kind, so closely affecting the people, is particularly one in which public opinion should have an opportunity of expressing itself in the ballot box as freely and as untrammelled as possible."

Wide Open Ballot

The Act sets out a form of question to be submitted. Little thought was given at the time the Act was framed to the form of question. It was, I think, copied from the Macdonald Act of Manitoba, which was the foundation of our Act. At that time the bar and public drinking generally was the question uppermost in

THE REFERENDUM BALLOT

the minds of the public. Now, practically no one suggests a return to old conditions. The distillers in a recent manifesto say that they themselves are opposed to it. Many hotel-keepers say they are opposed to it. The brewers say they are opposed to it. Honourable gentlemen in this House and people out of the House, who are opposed to the present Act, say they are equally opposed to the old order. The labour men who ask for stronger beer, say they don't want the sale of hard liquor. The Government consequently has come to the conclusion that to submit only the question set forth in the present Act would not be fair and would not give public opinion "an opportunity of expressing itself in the ballot box as freely and untrammelled as possible" (as I promised when the Bill became law,) would not permit what I believe every honest man and woman, prohibitionist and anti-prohibitionist alike, desires,—a full and fair expression of what the wishes of the people of the Province are in the matter.

To submit the one question set forth in the present Act would settle nothing—would not, in my opinion, be in the best interests of temperance—because after a vote on that question we would know little more about what the real sentiment of the people is on the subject than we do today. We would simply have to take another vote that would enable people to say by their ballots what they really believe is the best method of dealing with this vexed question.

The question or questions submitted should be in such form as to enable the

THE REFERENDUM BALLOT

Government and the Legislature to determine what public opinion is on the subject. We all admit a prohibitory law cannot be effectively enforced unless it has public opinion behind it.

It is public opinion freely and fairly expressed that is of importance; not a big majority on a question that does not enable the people to give free expression to their views.

Many good and conscientious citizens, as good and conscientious as there are in the Province, do not approve of the Act as it stands to-day, but are absolutely opposed to a return to the old license system. If you submitted the question set forth in the Act, these people would either be compelled to refrain from voting or else compelled to vote for an Act that they did not approve of in its entirety. Under these conditions a full verdict of the people could not be obtained. The Bill will, therefore, provide for the submission of the question specifically set forth in the Act and such other questions as well enable the electors to say what in their opinion is the best method of dealing with this question.

The people having had a full opportunity of giving expression to their will, the Government will fairly and fearlessly carry out the will of the people so expressed. And the people of this Province, than which there are no more moral or law-abiding people in the world, will, I feel sure, abide by the decision of the majority—and prohibitionist and anti-prohibitionist alike will loyally abide by whatever law may be approved by the majority.

THE REFERENDUM BALLOT

So far as I am able to ascertain public opinion on this subject, there are three principal groups:—

Where Public
Opinion
Stands

- 1 Those who desire the continuance of the present Ontario Temperance Act, without any amendments other than those that may help to improve its restrictive provisions and aid in its enforcement.
- 2 Those who favor the sale of light beer as a beverage but do not favor the sale of strong liquors.
- 3 Those who desire the opportunity of purchasing liquor of all kinds for consumption in their homes.

Then the people in the second class, viz.: those desiring the sale of light beer, are subdivided into two classes:—

- 1 Those who are opposed to the bar, and to the sale of anything that may be classed as intoxicating, in public places, and only desire light beer for home consumption.
- 2 Those who desire, in addition to the right to purchase light beer for home consumption, the privilege of buying it by the glass.

In this latter class are to be found particularly the working man who wants the opportunity of buying by the glass a light beer, but beer containing more than 2½ per cent. proof spirits; the unmarried man who lives in a boarding house and has no facilities for keeping beer in his room; the man who does not want beer in his home but wants a drink on his way from work.

I have my own opinion as to the weight of public opinion behind these different propositions, but one can do no more than hazard a guess on the subject. The Gov-

THE REFERENDUM BALLOT

**Form of
Ballot**

ernment has, therefore, framed a ballot designed to fairly test public opinion, and give every man and every woman an opportunity of expressing their real convictions in the matter. There may be some slight verbal changes, but the ballot we have determined to adopt is as follows:—

| | YES | NO |
|---|-----|----|
| 1 Are you in favor of the repeal of The Ontario Temperance Act? | | |
| 2 Are you in favor of the sale of light beer containing not more than 2 51/100% alcohol weight measure through Government agencies, and amendments to The Ontario Temperance Act to permit such sale? | | |
| 3 Are you in favor of the sale of light beer containin not more than 2 51/100% alcohol weight measure in standard hotels in local municipalities that by majority vote favor such sale, and amendments to The Ontario Temperance Act to permit such sale? | | |
| 4 Are you in favor of the sale of spirituous and malt liquors through Government agencies and amendments to The Ontario Temperance Act to permit such sale? | | |

THE REFERENDUM BALLOT

Honourable gentlemen will note every question is separate. There is no confusion of one with another. The issue involved in each question is clearly defined, so that even the most unlearned may easily understand the effect of the vote given.

In order that the voter may have clearly before his mind the effect of what he is doing, the strength of beer that may be sold, in case the answers to questions 2 and 3 are in the affirmative, is set forth in the questions.

In order to prevent confusion in determining the result, every voter *must vote on every question*, or his ballot will be spoiled. The Act will be so drawn as to give effect to whatever the will of the people may be as disclosed by the vote on each question.

Thus, if the first question is answered in the affirmative, The Ontario Temperance Act will be repealed, and the old License Law, as it existed prior to 1916, will be revived. In that event there would be no necessity for further consideration of the answers to the other questions, for the greater would include the less, and liquor would be sold in bars and shops as in years gone by.

Then we come to question 2. If this question is answered in the negative, nothing is required to be done, but if it is answered in the affirmative, the Government will be called upon at once to make arrangements for sale of light beer through Government sales agencies—provision for the establishment of which is made by the Bill I referred to in my opening remarks.

Question 1

Question 2

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Question 3

The same course will follow in regard to question 3. If the majority vote is in the negative, no action is necessary. If the majority vote is in the affirmative, the Government will be called upon to at once make provision for sale of light beer in standard hotels. This question differs from the other questions in the particular, that before the Government can authorize the issue of a license to sell beer in a standard hotel, in any municipality, two things must happen,—

(1) A majority of all the electors in the Province voting must have voted in the affirmative on this question; (2) a majority of the electors voting in the municipality must have voted in the affirmative.

Take the City of Toronto: a license could not be granted in this city to sell light beer unless a majority of those voting in the whole Province had voted "Yes" to Question 3, and a majority of the electors of Toronto had also voted "Yes" to this question. If questions 2 and 3 both carry, provision will be made for sale of light beer in Government agencies and in standard hotels.

Question 4

Again with question 4—should the affirmative carry—the Government will be called upon to make all necessary and proper regulations for the sale through Government agencies, of liquor of all kinds for consumption in homes.

You will note that the questions are submitted in such a way as not to split either the dry or wet vote—each question stands by itself.

On each question the voter must make a deliberate decision and vote according-

THE REFERENDUM BALLOT

ly. The full force of public opinion will therefore be recorded for and against each question.

I feel confident, the questions and the manner of their submission will appeal to Honourable gentlemen on both sides of the House, and to fair-minded men and women throughout the Province, as being reasonable and well adapted for the purposes for which they are intended.

There will be no change in the prohibition features of the Act until the vote has been taken.

The persons to vote on these questions shall be those entitled to vote in the case of an election to the Assembly—viz.: men and women twenty-one years of age and British subjects.

The date of the voting will be fixed by proclamation authorized by the Lieutenant-Governor-in-Council.

Light beer as defined by the Act, means and includes beer and any other malt liquor containing not more than 2.51 per cent. of alcohol by weight; this expressed in proof spirits means, I am informed 5.48 per cent., a little more than twice the alcoholic content of beer now permitted to be sold, which is 2½ per cent. proof spirits.

We have fixed this strength because this is what the Labour Congress, and others desiring light beer, ask for. It is also the same definition of light beer as contained in the Quebec Act.

It is perhaps well that I should remind the House that this Legislature has no power to prohibit the manufacture or importation of intoxicating liquors, that rest-

What
Light Beer
Means

THE REFERENDUM BALLOT

ing entirely under the authority of the Dominion Government, and for which they must take responsibility. Any legislation we may enact will, of course, be subject to such laws as may be passed by the Dominion Government, regulating the manufacture or importation of intoxicating liquor. The manufacture of liquor containing more than 2½ per cent. proof spirits has been absolutely prohibited in Canada since the 31st day of December, 1918, and the importation into Canada of such liquor has been prohibited since the 24th December, 1917.





