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PROHIBITION IN ONTARIO, 1919-23

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Abstract

Temperance sentiment in Ontario rose to an all-time high during and immediately following the First World War. In October, 1919, the people voted in a referendum to establish the Ontario Temperance Act on a peacetime basis, thus permanently prohibiting the sale of intoxicating beverages within Ontario. Another referendum, in April, 1921, determined that the private importation of liquor from outside the province would be ended. This was the greatest extent of legal prohibition ever to be enacted in Ontario. Despite the practice of referring the question to the people, the temperance issue continued to be a major subject of discussion in the press, in the Legislature, and on the political platform. This thesis is a study of prohibition as a public issue and as a factor in the politics of Ontario, concentrating on the years 1919-23. The period covers the two referendums, two provincial elections, and the administration of the Ontario Temperance Act by the Drury government.

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Chapter I

The Strength of Prohibition in Ontario

When Premier E.C. Drury came to power in Ontario in 1919, one of the greatest tasks he had to face was the enforcement of the Ontario Temperance Act. From humble beginnings the matter of temperance had risen to become one of the leading public and political issues of the era. Ascending to its crest during and immediately following the First World War, the "great and irresistible wave of moral advance,"¹ smothered Ontario in the "great drought" of prohibition. An anonymous Liverpudlian once said to Blanche Read Johnston of Barrie, the honorary secretary of the World's Woman's Christian Temperance Union, "We want to know about Canada; we in England cannot understand British people tolerating prohibition."² From the standpoint of the relaxed morality and relative "decadence" of Canadian society in 1966, we must share this man's incredulity and curiosity as to the success of this amazing phenomenon.

What does account for the tremendous appeal and ultimate success of prohibition in Ontario? In the first place, it was an era of prohibitions. All manners of things were disapproved of, and attempts were made to have legislative action taken against the offenders. Secondly, by submitting to prohibition, Ontario was merely falling into line with her neighbours around her. Thirdly, the prohibitionist forces in Ontario were highly organized and could, therefore, exert

1. P.A.C., Rowell Papers, 16882, Speech, n.d.

2. Pioneer, April 1, 1921, p. 3.

great pressure in political affairs. Fourthly, there were strong elements in society, particularly farmers, women, and the Protestant evangelical clergy, which gave almost unanimous support to the prohibitionist crusade. Fifthly, prohibition was the result of a very potent propaganda. In the sixth place, the First World War created an emotional atmosphere which aided the prohibitionist cause. Finally, prohibition was not a thing of the moment, but came at the end of a long history of progressive temperance education and legislation.

The prohibition of the liquor traffic can better be understood by a consideration of other matters that were being banned. In Ontario in 1919, fishing, playing baseball, tennis, or golf, taking a steamboat excursion, buying an ice cream, a newspaper, or a cigar on a Sunday, was forbidden. The Lord's Day Alliance carefully guarded against the breaking of the Sabbath. Horse-racing and boxing suffered from many restrictions. The censorship and prohibition of picture films was showing a good fight. Strong movements were under way against the use of tobacco. In the Michigan State Legislature a bill was introduced to make the wearing of high heels a crime. The Farmers' Sun of Toronto suggested they should go a step further and put the ban on "drug store complexions".³ The Citizens' Liberty League complained that the personal liberty and pride of Canadians was suffering unnecessarily.

The Woman's Christian Temperance Union are already framing up a number of prohibition laws whereby Canadians will wear bibs and tuckers, curtsy to the Methodist Preacher and be supervised the same as our Anglo-Saxon brothers supervise the inferior races

3. Farmers' Sun, January 29, 1921, p. 8.

of niggers, Indians, and Coolies. Canadians will be officially placed on a similar footing -- a nice standing for a₄ race who proved their fighting value on the Fields of France.

Prohibition in Ontario can also be explained by events outside the province. By January, 1919, enough States had ratified the Eighteenth Amendment to write the prohibition of the manufacture, sale, and transport of intoxicating liquor into the American constitution. Although prohibition came several years earlier in Canada, and left much earlier, no other country influenced the temperance movement in Canada as did the United States. The fight against "demon rum" ran closely parallel in the two countries. Often a stride forward in the United States would bring a similar reaction in Canada. Much of the inspiration and organization often came from south of the border.

Many other countries were experimenting in ways to control the liquor traffic. During the war, the British government imposed heavy restrictions on the trade. Under the Defence of the Realm Act, a Central Control Board was given power to prohibit, regulate or restrict "in scheduled areas where drink was shown to be inimical to public interests." Restrictions were placed upon the quantity and strength of beer and spirits to be consumed.

Most European countries placed some form of restriction on the liquor traffic during the war. The Scandinavian countries were noted for their experiments in "government control," a system whereby the state monopolized and regulated the sale of liquor. Finland, Iceland, and Russia were under total prohibition. In Australia and New Zealand,

4. P.A.O., Drury Papers, 1920, Temperance Act: Referendum. Liberty League notepaper used in letter to Drury.

local option laws were prevalent. Thus, prohibition in Ontario must be seen as part of a larger effort, covering much of the world, to exercise control over the trade in intoxicating liquor.

During World War I, all the provinces of Canada, the Yukon territory, and the Dominion of Newfoundland enacted prohibitory legislation. Prince Edward Island and Nova Scotia were "dry" before the war. The New Brunswick prohibition law went into force in May, 1917, and was later confirmed by a plebiscite. Saskatchewan prohibited the sale of liquor, except in government stores, in July, 1915. In a plebiscite in 1916, the people voted to abolish even the government dispensaries. Manitoba and Alberta passed provincial prohibition laws in 1916, followed by British Columbia in 1917. Quebec enacted a wartime prohibition act in May, 1918, but by a nine to one vote in a referendum in 1919 the province returned to the sale of "light beer, cider, and wines." The Yukon voted "dry" in 1917 by a majority of three votes and on May 1, 1918, was placed under prohibition by Dominion Order-in-Council. Newfoundland went "dry" in January, 1917. The Canadian government in March, 1918, prohibited the importation of intoxicating liquor into Canada, the transportation of liquor into any part of Canada wherein the sale of liquor was illegal, and the manufacture of liquor within Canada. When prohibition went into effect in the United States on July 1, 1919, the entire continent north of the Rio Grande was "dry" -- except for the Province of Quebec which had gone "wet" two and a half months earlier. Ontario did not have the desire nor the ability to be original.⁵

5. The material in the last three paragraphs is taken from Ruth E. Spence, Prohibition in Canada (Toronto, 1919), passim.

The prohibitionist forces in Ontario had been highly organized for over half a century. The first temperance society in Upper Canada had been formed on June 10, 1828, at Bastard.⁶ A list of the organizations entitled to representation within the Ontario Branch of the Dominion Alliance shows the extent of temperance organization as early as the 1870's.

Church congregations, branches of the W.C.T.U., Divisions of the Sons of Temperance, Lodges of the Independent Order of Good Templars, Councils of the Royal Templars of Temperance, branches of the League of the Cross, Prohibition Clubs, and other prohibition or temperance organizations, Young Men's Christian Associations, Salvation Army Corps, Societies of Christian Endeavor, Epworth Leagues, Presbyterian Guilds, Baptist Young People's Unions, Organized Adult Bible classes, branches of St. Andrew's Brotherhood, and other men's organizations and young people's associations in connection with church work.⁷

The Dominion Alliance for the Total Suppression of the Liquor Traffic was the giant of the temperance movement in Canada. Formed in the 1870's, the Alliance was somewhat analogous to the Anti-Saloon League in the United States. From the Council at the top, it was organized down through provincial branches, county Alliances, to a field secretary in each district. On their Field Days, representatives of the Alliance occupied the pulpits of various churches. The chief propaganda organ of the Ontario Branch, the Pioneer, had a circulation of twenty-five thousand in 1919.⁸ The aim of the group was "to unite all churches and temperance and moral reform organizations in judicious effort" to attain "the total and immediate suppression of the traffic in all intoxicating liquors as beverages".⁹ The Dominion Alliance, under the leadership of its secretary, the Rev. Ben. H. Spence, remained the backbone of the organized prohibitionist forces in Ontario in the 1920's.

6. Spence, Prohibition in Canada, p.39.

7. Ibid., p. 571.

8. Ibid., p. 73.

9. Ibid., p. 571.

Another important temperance group was the Woman's Christian Temperance Union which, in 1922, had a Canadian membership of 18,661, of which 10,894 were from Ontario.¹⁰ The members came from mainly Protestant, middle-class backgrounds. They fought for "the right for every woman to have a comfortable home, of every wife to have a sober husband and of every mother to have sober sons." With the motto, "For God and home and every land", they proudly pledged:

I hereby promise, God helping me, to abstain from all distilled, fermented and malt liquors including beer, wine and cider as a beverage and to employ all proper means to discourage the use of and traffic in the same.¹¹

During the war, the Ontario union gathered 66,186 names on a petition and sent it to the British War Office in an unsuccessful attempt to prevent "wet" canteens being open to Canadian soldiers in England. They also protested against the rum allotment to soldiers in the trenches and the shipment of cigarets to troops overseas. On the W.C.T.U. tag day in Toronto, April 4, 1919, about four hundred returned soldiers marched, bearing banners with the inscription: "Don't buy tags; the W.C.T.U. tried to cut off our smokes." The soldiers cleared Yonge Street of girl collectors.¹² Despite their unpopularity with the veterans, the W.C.T.U. did much good work in the cause of temperance, especially in the education of youth.

From time to time as the need arose, new temperance organizations were formed to carry on special campaigns. A group called the Committee of One Hundred was created in 1916 with the sole purpose of securing wartime prohibition. Branches were set up all over the province. Thirty-five thousand volunteer workers, seventy-seven county or city groups, and seven

10. Canadian Annual Review (C.A.R.), 1922, p. 386.

11. Marilyn Cooper, "What Ever Happened to the WCTU?" The Woman's Globe and Mail, April 28, 1966, p. W1.

12. Globe, April 5, 1919, p.9.

hundred municipal organizations worked to collect 825,572 names on a petition calling for prohibition. It was presented to Premier Hearst in a mass march on Queen's Park of ten thousand people.¹³ In 1919, a special Ontario Referendum Committee was formed, uniting all the provincial temperance organizations to promote victory in the referendum.

There was also co-operation at the national level. In January, 1920, the Dominion Committee on Liquor Legislation, a federation of twelve temperance organizations representing all the provinces and the Yukon, met in Montreal to consider the present status of liquor legislation in Canada.¹⁴ The Prohibition Federation of Canada was organized at Ottawa on February 13, 1923, to work for nation-wide prohibition, "by co-ordination of effort, by education, by propaganda, and the crystallization into necessary legislation of the strong public opinion thus formed".¹⁵ It is not an exaggeration to say that the prohibitionists formed one of the most powerful political pressure groups ever to exist in Canada.

The Christian Guardian of Toronto, the organ of the Methodist church, complained that the general tendency of the "wets", from Professor Stephen Leacock down to the latest convicted bootlegger, was to picture the much-hated prohibitionist as a thin, long-faced, lantern-jawed, sanctimonious, acidulous hater of mankind, whose greatest joy was to make other people miserable.¹⁶ There probably was no such thing as a typical prohibitionist, but there were elements in the Ontario society of the early twentieth century that could be

13. Brian D. Tennyson, "Sir William Hearst and the Ontario Temperance Act", Ontario History, LV, No. 4 (December, 1963), 239.

14. Globe, January 15, 1920, p.1.

15. C.A.R., 1923, p. 479.

16. Christian Guardian, May 4, 1921, p.6.

largely counted on to support the prohibition cause.

The rural districts generally tended to be more in favour of prohibition than their urban counterparts. In the relative isolation of a farming community, drunkards were looked upon with contempt and pity and were known for miles around. Drunkenness was regarded as a form of corruption and vileness, usually associated with big cities. It did not belong in the purity of the countryside. Drunken orgies originated in urban centres, small and large. For the safety of the rural districts, the cities and towns must also be under prohibition. The Farmers' Sun observed.

Local option as applied to liquor control never was a satisfactory solution of the problem. Even in the days before the advent of the motor, one bar in the village of Newcastle was a menace and a nuisance to the whole county of Durham which was otherwise dry. To-day, with the possibility of ten thousand cars leaving Toronto in the morning and being in Kingston, Lindsay, Collingwood, Owen Sound, or Goderich by noon, an intolerable condition would be created if these cars could carry with them liquor legally purchased in Toronto.¹⁷

There was also the attitude that farmers in the complex, fast-moving, modern age could not afford the luxury of liquor. Rural districts had enough problems without the curse of intemperance.

This is an age of power machinery and fast transportation. It demands clear heads and kindly hearts. Befuddled brains must assuredly be responsible for hurling many a monkey wrench into our delicate social machinery when liquor is openly sold. We as farmers can't afford to run the risk of reckless auto driving, and wild country midnight depredations which will assuredly return if the liquor people get "yes" written on this ballot.¹⁸

The generalization should not be carried to the point of asserting that all urban communities were "wet". The wave of prohibitionist sentiment that swept Ontario during World War I was as much an urban movement as a rural one. Most of the leadership and organization came

17. "Ontario's Drink Plebiscite," Literary Digest, LXXXIII (November 22, 1924), 20.

18. Farmers' Magazine, XIII, No. 7 (October 1, 1919), 10.

from the cities. Nevertheless, the farming communities could almost certainly be counted on to give their support to any "dry" movement.

The women of Ontario achieved a new importance in 1917 when they were enfranchised by the Hearst government.¹⁹ The ladies, who now comprised more than half the electorate, took full advantage of their new opportunity to vote for prohibition. The Toronto Star observed that the average woman instinctively recognized the whiskey bottle and the open bar to be the enemy of her sex, as well as of the home and the community. "Their patriotism impels them to make temperance the supreme issue."²⁰ Mrs. W.R. Lang, speaking to a mass meeting of women in Toronto in 1919 said, "Shame on the women if we don't get prohibition this time! If we do our duty nothing will stop us. And if we don't, we shall go down to posterity as a shamed generation of women."²¹ Miss Griesbach of Collingwood, writing on the "Sun Sisters' Page" in the Farmers' Sun, recognized the greatness of the new feminine opportunities.

As the franchise is to be extended to women for the first time let us rise to the occasion, enthuse the people with our enthusiasm, fire them with our zeal to carry through a great and moral reform for our land and for the cause of our Lord and Master. Then may it be said of each of us -- she hath done what she could for the betterment of humanity.²²

There is little doubt that the enfranchisement of the women contributed to the success of prohibition in Ontario. In Quebec, where women did not have the vote, prohibition was defeated. Mrs. W.H. Becker, secretary of the women's department of the Ontario Referendum Committee, attributed the great prohibitionist success in 1919 in no small degree to the educational

19. The suffragette movement in Ontario is covered in Brian D. Tennyson, "Premier Hearst, The War, and Votes for Women," Ontario History, LVII (September, 1965), 115-21.

20. Toronto Daily Star, October 7, 1919, p. 6.

21. Globe, October 11, 1919, p. 10.

22. Farmers' Sun, September 3, 1919, p. 6.

work carried on among women for years by the W.C.T.U., the Franchise Associations, the Women's Institutes, the Local Council of Women, the Canadian Club, the Young Women's Christian Association, the Women's Political Clubs, the Neighborhood Workers, and the United Farm Women of Ontario.²³

Another important group favouring prohibition was the churches, particularly those of ^{certain} the Protestant ~~evangelical~~ faiths -- Methodists, Presbyterians, Baptists, Congregationalists, and the Salvation Army. Probably no group in Ontario exerted a greater influence on behalf of prohibition than the Methodists. From early times in Canada official Methodism gave its heartiest approval to all efforts to eradicate the liquor traffic. Some people even declared the prohibitionist crusade to be a Methodist plot directed at the Roman Catholic Church.²⁴ Rev. Dr. T. Albert Moore, general secretary of the Department of Evangelism and Social Service, expressed the general Methodist attitude in 1913. There could be no compromise such as was involved in the government control and sale of liquor. The traffic itself had to be annihilated.

The Government (Dominion, Provincial, or Municipal) that accepts money for liquor licenses becomes a partner in the business justly declared to be an enemy of God and man. We protest against the unholy alliance. The only proper attitude of the Christian towards the unholy traffic is one of relentless hostility, and all members of the Methodist Church who possess the elective franchise are urged to use their influence to assure the nomination of municipal and parliamentary candidates known to favour and support prohibition and to use their votes as a solemn trust to elect such candidates.²⁵

The importance of the unflinching Methodist stand for total prohibition can be understood by considering that a very large proportion of the

23. Globe, October 23, 1919, p. 10.

24. Marion V. Royce, The Contribution of the Methodist Church to Social Welfare in Canada (Toronto, 1940), p. 168.

25. Ibid., p. 173.

leaders of the day were of that faith. Premier Hearst, Premier Drury, and Premier Ferguson were all Methodists. The Liberal leaders of the period, N.W. Rowell, Hartley Dewart, and Wellington Hay, belonged to the same church. Rowell's Methodist sister, Mrs. Gordon Wright, was president of the Dominion W.C.T.U.. A great many other temperance leaders were Methodists. Four of the five members of the Board of License Commissioners appointed by Hearst to administer the liquor laws were Methodists. It was not entirely fair for Ontario to talk of church control in Quebec.

Other denominations, such as the Roman Catholics, the Anglicans, the Lutherans and the Jews, were divided on the issue of prohibition and avoided taking any official stand. Individuals could, and did, speak out in favour of either side. Rev. Father L. Minehan, pastor of St. Vincent de Paul Roman Catholic Church, was one of the strongest prohibitionists in Toronto. The Church of England in Canada generally counselled moderation in temperance measures and felt that more could be accomplished by "personal example and willing sacrifice" than by legal prohibition.²⁶ Archbishop Thornloe, Metropolitan of Ontario, expressed the general Anglican attitude. While the church must take sides or perish in the straight issues of right and wrong, he thought she might well shrink from committing herself to an issue upon which good men differed.²⁷ Many Anglicans were in favour of wartime prohibition, but would not countenance it as a permanent, peacetime measure.

Prohibitionists came from all walks of life, but farmers, women,

26. Ottawa Morning Journal, April 15, 1921, p. 1.

27. Recorder and Times, September 17, 1919, p. 1.

and strong church-goers could be counted on perhaps more than others to support the cause. They were important elements in Ontario and would influence many other people. Prohibition was very much a fad, and many people simply jumped on the bandwagon -- or the water wagon. The prohibitionists were convinced that they were the "right-thinking" people, and they must have convinced others with their enthusiasm. They were usually of the old Ontario stock. It was rumoured, especially in the pages of the Globe, that foreigners, including those from the British Isles, were not behaving as they should under prohibition. The prohibitionists belonged. They were also right. And often they were the successful people. They considered themselves to be "the cream of the crop" -- the best and the most respectable people in Ontario. They were often the people who mattered.

Too often in Canada the chief apostles of complete prohibition are merely comfortable and prosperous citizens who have made their money and enjoy the esteem and respect of their trade, church, and neighbourhood. Many of them consider prominence in the temperance movement as a kind of free advertisement by which they can herald to the public at large their splendid piety and financial stability.²⁸

In 1919 the prohibitionists were on top. They were the type of people ^{whom} ~~that~~ others emulated, ^{whom} ~~that~~ others wanted to be like and would follow. There were many temporary prohibitionists, people who, at another time, could have been something else. It seems impossible to separate the artificial from the real, but Stéphen Leacock did it.

Who are the real prohibitionists? 1. A certain number of deeply religious, patriotic, and estimable people who actually believe that in passing a law to make it a crime for a man to sell a glass of beer they are doing the work of Christ on earth. Let them be entitled -- along with Torquemada and Philip of Spain -- to the credit of their good intentions. 2. A vast number of people animated

28. J.A. Stevenson, Before the Bar: Prohibition Pro and Con (Toronto, 1919), p. 259.

by the evil spirit and desire to tyrannize and compel -- to force the souls of other men to compliance with the narrow rigor of their own. These above all are the typical prohibitionists. 3. The large body of people who fish in troubled waters for their own gain: the salaried enthusiasts, the paid informers, the politicians seeking for votes, ministers of the Gospel currying favor with the dominant section of their congregation, business men and proprietors of newspapers whose profit lies in the hands of the prohibitionists to make or mar. 4. Drunkards who can be relied upon to poll a vote in favor of prohibition in a mood of sentimental remorse.²⁹

The prohibitionists were masters of the art of propaganda. Their leading argument and their justification for political action was the principle, "the tighter the law, the fewer get tight".³⁰ This "availability" argument was perhaps best stated by Ben Spence in what he called an "inexorable law". "Drinking and drunkenness, with all their attendant evils, are in proportion to the social facilities afforded for the obtaining of intoxicants."³¹ W.J. McKay, editor of the Canadian Baptist, pointed out that to cut off the source of supply would provide strength to those who could not without such assistance resist the temptations involved in the liquor traffic.³² Thus, while personal habit could be best dealt with by educational and persuasional means, the social institution of the liquor traffic, which was the root of the evil, could be dealt with only by legislation.

The prohibitionists were fortunate in having all the forces of good on their side. N.W. Rowell informed his listeners that truth, justice, liberty and the home were on his side, and "best of all God is with us and if God be for us who can be against us".³³ Nevertheless, it must have been frightening to face such an overwhelming array of enemies. Prohibition was seen as the panacea for indigence, misery, violence, accidents, crime, vice, divorce,

29. Stephen Leacock, "The Tyranny of Prohibition", Living Age, CCCII (August 2, 1919, 304.

30. Ontario: Six Years Dry (Toronto, 1922), p. 18.

31. Ben H. Spence, "Prohibitory Legislation in Canada", Annals of the American Academy, CIX (September, 1923), 231.

32. Pioneer, April 15, 1921, p.3.

33. P.A.C., Rowell Papers, 16911, Speech, n.d.

venereal disease, lunacy, ill health, taxes, death, prostitution and the white slave market. The Pioneer claimed it was fighting against "heartless avarice, selfish appetite, blind prejudice, and unreasoning fageyism -- the allies of every barbarism and degradation that have ever wronged and oppressed."³⁴ The righteousness of the battle could even be extolled in verse.

"Arm! Arm for the battle of glory
 "Strike! Strike for the cause of truth
 "Fathers with locks so hoary,
 "Sons in the bloom of youth
 "Mothers, sisters and daughters,
 "With your prayers and blessings come!
 "Death! Death wherever he lurketh,
 "To the serpent whose name is Rum."³⁵

The temperance people were inspired with a sense of mission and their arguments were woven with patriotic references. Not only would prohibition be good for Ontario, but the province and the nation must do their duty and lead the world into a greater righteousness. "Canada has led the world in human uplift movements."³⁶ Dr. C.W. Saleeby, of London, England, at a Dominion Alliance rally in Toronto, warned Canadians against two great enemies -- alcohol and venereal disease. "These poisons would reduce the most virile race to idiocy in one generation." The campaign against these evils in Britain had largely failed. Canada was the hope of the British Empire.³⁷ There is little wonder the Ontario prohibitionists had an exaggerated view of their own importance. Blanche Read Johnston tried to shame people into accepting the call to duty.

It is a well-known fact that in India if a person is seen intoxicated he is designated a "Jesus man". As a Christian

34. Pioneer, April 15, 1921, p.2.

35. P.A.C., Rowell Papers, 16900, Speech, n.d.

36. Farmers' Sun, September 3, 1919, p.6.

37. Globe, April 18, 1921, p.8.

country, Canada, who glories in her missionary spirit, must assume the responsibility of removing this stigma. All the far lands are looking to us. All want to destroy this hydra-headed monster.³⁸

If Ontario, the "Banner Province", were not in the van of the fight, it would be to her everlasting shame. N.W. Rowell had a vision of the great mission of the English-speaking world to lead the way in the destruction of the liquor evil. The power of his oratory emerges even on paper.

And from the snowcapped peaks of the Rockies on the West to the turbulent waters of the mighty Atlantic on the East from the glassy summit of the majestic glaciers and icebergs that surround that unknown country of the North the home of many an Arctic hero to the lonely Isles of the Southern sea shall echo and re echo the glad sound of liberty, liberty and old Englands shores, the Bulwarks of her throne catching the enthusiasm of Americas glorious emancipation shall take up the refrain and led by a noble band of Christian women shall carry it on until from mountain peak to mountain peak from Isle to distant Isle around this wide world through every land o'er which the Union Jack and stars and stripes those emblems of Christianity and moral advancement wave their proud colors in the wind shall be heard the same glad triumphant refrain the Tyrant is slain and we are free. This good time is coming. Now is the time for action. Everyone must be up and doing.³⁹

The view was presented that Ontario could not afford to be "wet". Ontario's annual drink bill was reputed to be thirty-five million dollars before the war. The Farmers' Magazine complained that the conversion of Ontario's grains into beer to the extent of many millions of dollars annually would increase the high cost of living and weaken Ontario's financial position at home and abroad. Therefore, a person should vote "dry" in the interests of economy, religion, humanity, social service, reconstruction, agricultural and industrial conditions, education and Canadian citizenship!⁴⁰ A Referendum Committee poster observed that the drink bill was enough to pay Ontario's share of the interest on the Canadian war debt. Besides the direct

38. Pioneer, April 1, 1921, p.3.

39. P.A.C., Rowell Papers, 16915, Speech, n.d.

40. Farmers' Magazine, XIII, No. 8 (October 15, 1919), p.10.

expense, there were attendant evils which cost money.

"Booze" fills the jails, the insane asylums and the hospitals. It diverts money from productive industry and kills business, murders wives and children, and homes them in misery. By a century of experience Ontario has proved that there can be no compromise with "booze". It must be eradicated root and branch, finally and for all.⁴¹

Another argument used was that there would be dire consequences if Ontario were "wet" surrounded by "dry" neighbours. Ontario must not be the saloon of the continent. In 1919, Ben Spence said it would be nothing short of a national calamity if there were a reaction against prohibition. With the United States "dry", Canada would become "the Mecca for the lowest and poorest class of immigrant, the inebriate asylum of the Continent, a beer-garden of America, a reproach among the nations".⁴² The Referendum Committee, in convincing terms, portrayed what would happen to Ontario if she alone were "wet".

Ontario Does Not Want To Be The "Sink-hole of America". Practically all civilized North America is "dry". . . . Ontario must not become continentally notorious as the nearest territory where "booze" is still on taps. If Ontario goes back to "booze", the army of American tramps and roughs will head this way. Our border towns will be infested with low characters. There will be more "hold-ups", burglaries, crimes of assault and violence, and more public drunkenness. Keep Ontario abreast with her respectable neighbours.⁴³

The prohibitionists presented many convincing social, moral, economic and scientific arguments. Home life would be bettered under prohibition. Schools and colleges would be better attended. Public health and safety would be assured. Increased regularity, punctuality and efficiency of workers would result in greater earnings for labour and larger returns for

41. Globe, October 17, 1919, p.7.

42. Rev. W.E. Griffith Thomas, D.D., "How Prohibition Works in Canada, Missionary Review of the World, XLII (May, 1919), 360.

43. Globe, October 15, 1919, p.7.

capital.⁴⁴ Cash would go over the counter to the merchant instead of over the bar. Crimes of all kinds would be greatly reduced in number. Prohibition would give inspiration, strength and support to human uplift movements, and would create a finer moral tone in the community. Church activities would have "added punch and power" as the neutralizing effect of intemperance was removed.⁴⁵ Indeed, anything that could be bettered, would be bettered by prohibition.

One of the most frightening arguments, supported by lengthy and impressive quotations by doctors, scientists and professors, was that alcohol was a poison. A Referendum Committee poster proclaimed, "Alcohol is a Poison! No Man Ever Revived Who Swallowed Five Ounces at a Single Dose".⁴⁶ Another advertisement, adorned with a skull and cross-bones, declared that 2.51 per cent alcohol in beer made it poison. Yet this was the beer the people could vote for in the 1919 referendum.

Modern Science has pronounced alcohol a deadly narcotic poison. Alcohol is a racial poison, a national curse, a blight on the home. It injures the individual and lowers his vitality, decreases his efficiency, makes him more susceptible to disease and shortens his life. Alcohol lowers the efficiency of the liver, kidneys, heart, arteries and nervous system, and produces organic disease. Deaths among moderate drinkers in the prime of life exceed those among total abstainers by seventy-four per cent. . . . Save yourself, save your family, save your country for the destiny God intended, unhandicapped by "booze".⁴⁷

The prohibitionists felt obligated to help others. They saw it as their duty to bear the burdens of society as a whole. Charles E. Steele, president of the Ontario Branch of the Dominion Alliance, said, "I have no excuse for fighting the liquor traffic except for the good of my fellow-men, and because I believe it to be nothing but a curse to the working man."⁴⁸ Rev.

44. Spence, "Prohibitory Legislation in Canada", Annals of the American Academy, CIX, 246.

45. Pioneer, March 18, 1921, p.4.

46. Recorder and Times, September 27, 1919, p.7.

47. Globe, September 27, 1919, p.15.

48. Globe, February 23, 1921, p.7.

S.D. Chown, General Superintendent of the Methodist church, said that public safety, not personal indulgence, was the supreme standard of action for the Christian citizen. "Bear ye one another's burdens, and so fulfil the law of Christ."⁴⁹ Thus, prohibition was necessary to protect the weak. The Globe claimed that the greatest sufferers were the mothers, wives, sisters and children of the victims of the liquor habit.⁵⁰

One of the most common slogans used was "the boy versus the bar". As the Globe put it, "The issue is your boy versus the other fellow's bar".⁵¹ The Hamilton Times claimed that under the old license system it could be "mathematically ascertained how many boys would grow up debauchees, a disgrace to their parents, and outcasts from society".⁵² Saturday Night of Toronto, probably the most consistently anti-prohibition journal in Ontario, said the precious poster, "The Boy or the Beer", was as "rank a piece of fustian as was ever concocted with intent to deceive". The boy was in greater danger at present from the bootlegger, who appealed to his spirit of daring, than he ever was from the licensed bar, from which he was rigidly excluded.⁵³

Perhaps the leading "wet" argument was that prohibition was opposed to the British and democratic traditions of "personal liberty". There was a proper limit to interference by the state with individual conduct. A temperate country could be more surely obtained by evolution than by legislation. Total prohibition was inconsistent with true temperance and opposed to Christian morality, which was based not upon the manufacture of new crimes for punishment but on the stronger force of love. It was a fundamental of democratic government that things innocent in themselves should

49. Christian Guardian, April 13, 1921, p.9.

50. Globe, April 5, 1921, p.4.

51. Globe, September 27, 1919, p.6.

52. Christian Guardian, September 17, 1919, p.5.

53. Saturday Night, October 18, 1919, p.1.

be regulated against abuse, not prohibited.⁵⁴

The temperance people replied with much success that it was necessary to restrict the individual for the good of the community as a whole. Perfect freedom was impossible because brotherhood and the complexity of society set limits to freedom.⁵⁵ "The maxim is that the safety of the commonwealth is the supreme law. Liberty to indulge in a luxury is not to be weighed against the welfare of the community."⁵⁶ The Pioneer said that it was the deliberate purpose of constitutional government to subordinate individual liberty to the common good. Prohibition was a logical working out of the fundamental principles of civil and religious liberty, which could only be secured through the surrender of personal liberty.⁵⁷ The Globe said the issue was "self-denial versus self-indulgence, the earnest safeguarding of the rising generation from the evils of drunkenness as set against the spirit of Cain's sneering question: 'Am I my brother's keeper?'"⁵⁸

Much of the prohibitionist case was based on fact. Most of it was based on sincerely-held beliefs. But there was a strong element of hyperbole, of emotionalism, and even of fanaticism in their ^{prohibitionists'} arguments. Both sides were guilty of distorting the facts on occasion. There is no doubt the prohibitionists possessed a powerful propaganda in 1919. They drew their arguments from everywhere. They could also destroy most of the "wet" arguments by mere charges of selfishness or of collaboration with the "liquor interests".

54. Farmers' Sun, April 9, 1921, p.10.

55. Globe, February 27, 1920, p.9.

56. Toronto Daily Star, October 10, 1919, p.6.

57. Pioneer, March 18, 1921, p.4.

58. Globe, April 16, 1921, p.4.

The prohibitionist crusade was greatly stimulated by the First World War. With the advent of war, prohibition and patriotism somehow became synonymous. The elimination of waste became a bye-word, and there was no doubt about the waste involved in the liquor traffic. Moreover, the need of keeping to a minimum the inevitable social, industrial and political unrest at the close of the war made prohibition desirable.⁵⁹ Abstinence was seen as a practical form of economy to help win the war -- a popular method of doing one's bit.⁶⁰ Even the King gave up the use of alcoholic liquor for the duration of the war. Posters glorified the fight against the two enemies. "The arch-traitor, the pro-German par excellence, is none other than John Barleycorn -- decree his execution forthwith."⁶¹ Stephen Leacock recognized the part the war played in the success of prohibition.

Few people realized the power of fanaticism or the peculiar weaknesses of democratic rule upon which it fed. From the crusade of a despised minority, a mark for good-natured ridicule rather than fear, the prohibition movement became a vast continental propaganda, backed by unlimited money, engineered by organized hypocrisy. Under the stress of war it masqueraded as the crowning effort of patriotism. The war over, it sits enthroned as a social tyranny, backed by the full force of the law.⁶²

The discussion of prohibition became inevitably mixed up with war terms. Men had united in an unselfish effort to down the Hun in Europe. Surely they could do the same to suppress the deadliest enemy at home.⁶³ At Chatham, a W.C.T.U. convention passed a resolution declaring that the most fitting memorial possible for W.C.T.U. workers to raise to the memory of "the boys"

59. Royce, The Contribution of the Methodist Church to Social Welfare in Canada, p. 174.

60. Lindsay Crawford, "Prohibition in Ontario", The Canadian Magazine, XLVII (October, 1916), 508.

61. P.A.C., Rowell Papers, 16840, Poster, n.d.

62. Leacock, "The Tyranny of Prohibition", Living Age, CCCII (August 2, 1919), 301.

63. Toronto Daily Star, October 9, 1919, p.6.

would be to perpetuate prohibition for all time.⁶⁴ The liquor evil was magnified into a greater menace than the Hun himself. Preaching at the Timothy Eaton Memorial Church in Toronto in September, 1919, Rev. C.A. Williams declared,

It is a fight with an enemy more mighty, more merciless, more beastly, more fiend-like, more diabolical than the Teuton. The fight is on with the waste and the ruin and the ravages of booze, with the curse of and the scourge of strong drink; with that unclean, accursed, blood-quilty trade, which is trying to and threatening to drag Britian into the mire, that at this very hour menaces our glory, our greatness and our destiny as Germany never did.⁶⁵

It is mere speculation to discuss whether prohibition would have evolved without World War I. Things seemed to be moving slowly in that direction. Nevertheless, it is doubtful that prohibition was inevitable. The war served to give the movement a push, or "a shot in the veins". It added new arguments to the "dry" propaganda and gave more force to some of the old ones. The people were awakened to the immediate need of restricting a wasteful and harmful trade. Events took place so rapidly during the war that some people were left stunned and unsure of just what had happened and how. H.F. Gadsby, a Toronto free-lance journalist, asked some very pertinent questions in 1919.

Did somebody slip something over on us while the casualty lists blinded our eyes with tears? Did the cold water people get by while we were looking the other way? Was prohibition a mood -- all blue -- or was it a conviction? Did we give up drink because giving up things was the fashion -- horse races, baseball, banquets, time, money -- all as nothing compared with the lives our boys gave up on the battle field? Did we give it up because it was the easiest, safest, long-distance way of martyring ourselves -- of suffering something for the war which implied personal discomfort? Why did we give it up? And when we gave it up did we mean it?⁶⁶

64. Globe, June 30, 1919, p.8.

65. Globe, September 29, 1919, p.8.

66. "Is Prohibition Pendulum Swinging Back?" Maclean's Magazine, XXXIII (April, 1919), 64.

Prohibition was not just the transient, moral whim of a group of fanatical "do-gooders". Rather it seems to have been the result of a long and arduous campaign conducted by honest and thoughtful men and women who sincerely believed their efforts would lead to a better society. From the early nineteenth century, the people of Ontario had been indoctrinated with temperance principles. The movement initially took the form of a pledge-signing crusade. Temperance societies and organizations were soon formed. The first legislative success was achieved in 1865, when local option was introduced by the Dunkin Act.⁶⁷ In 1878, the Scott Act, or Canada Temperance Act, extended local option to cities and counties across the Dominion.⁶⁸ In 1898, the temperance forces were strong enough to force a federal plebiscite on the issue of prohibition. However, the Laurier government did not feel the majority of 13,667 for prohibition was large enough to warrant passing a law.⁶⁹ The temperance people returned to local option under provincial auspices and by 1916, of the 851 municipalities in Ontario, 575 were "dry".⁷⁰ The number of tavern licenses in Ontario was reduced from 4,794 in 1875 to 1,371 in 1914.⁷¹ Though Ontario was definitely "damp" before wartime prohibition, it certainly was far from being "saturated". Provincial prohibition was not a radical break with the past. Francis Stephens Spence, perhaps the greatest Canadian

67. 14 counties, 29 townships, and the town of Peterborough eventually adopted this Act. In many cases, it was repealed after a term of imperfect enforcement. Spence, Prohibition in Canada, p.99.

68. In Ontario, it was adopted in 25 counties and 2 cities, but was repealed in all of them by 1889. Spence, "Prohibitory Legislation in Canada", CIX, 233.

69. Of a total Canadian population of five and a half millions only half a million had voted. Besides, the one province to vote against prohibition, Quebec, had done so by 122,760 to 28,436. The total vote of 278,380 for prohibition did reveal the growing strength of temperance sentiment. Cyril D. Boyce, "Prohibition in Canada", Annals of the American Academy, CIX (September, 1923), 226.

70. It is also interesting to note that Quebec, in spite of its reputation for "sogginess", in 1917 had 1,097 "dry" municipalities out of a total of 1,187. Spence, "Prohibitory Legislation in Canada", Annals of the American Academy, CIX, 235.

71. Tennyson, "Sir William Hearst and the Ontario Temperance Act", Ontario History, LV, 233.

proponent of prohibition, had this to say about the cause to which he devoted his life.

The prohibition movement is not a mere human invention or fake, created by some novelty-seeking cranks. It is the inevitable result of great universal conditions and forces. Wherever you find an evil of any kind, something that curses and hurts humanity, and into contact with that evil you bring men and women of Christian character, unselfish thought, and earnest purpose, there you have the elements of a moral reform. That reform will spring from those conditions, and will inevitably and irresistibly go on, until either the moral purpose dies out or the evil is overthrown. This is the origin of this great reform, the awful curse of intemperance and the God-given desire to be rid of it.⁷²

It was not until during World War I that the prohibitionists achieved any spectacular success on the provincial scale. Although N.W. Rowell, the Liberal leader, fought the 1914 election on the issue of the immediate abolition of the bar, he was decisively defeated by the Conservative government under Sir James Whitney. The latter favoured moderation in temperance matters and advocated the enforcement of the law as it was and a further use of the local option provisions in the Liquor License Act.⁷³ The Conservatives were returned with eighty-three seats to the Liberals' twenty-six.⁷⁴

Then, upon Whitney's sudden death in September, 1914, William F. Hearst, an active Methodist layman and a strong temperance advocate, came to power. On December 1, the Government announced the liquor shops would henceforth be obliged to close at 7:00 P.M. and wholesale distributors at 6:00 P.M. compared to the previous closing hour of 11:00 P.M.⁷⁵ In the 1915 Session of the Legislature, the administration of the liquor laws was placed under a five-man Board of License Commissioners for Ontario with wide powers to regulate hours to

72. Pioneer, April 1, 1921, p.5.

73. Christian Guardian, October 1, 1919, p.7.

74. Margaret E. Prang, The Political Career of N.W. Rowell (Toronto, 1959), p. 201.

75. Tennyson, "Sir William Hearst and the Ontario Temperance Act", Ontario History, LV, 235.

meet conditions in various localities and to suspend licenses for violations. The liquor problem was thus taken away from the Provincial Secretary's department and, it was thought, removed from active politics.⁷⁶

Under pressure from the temperance forces, particularly the Committee of One Hundred, and the Liberal opposition, the Hearst government, in 1916, enacted provincial prohibition through a bill known as the Ontario Temperance Act. The O.T.A. was a sweeping piece of legislation, providing for the closing of all bars, clubs and liquor shops for the duration of the war. The most important provision was that no person could directly or indirectly sell or agree to sell any intoxicating liquor unless authorized by the law of Ontario. Also no person could have, keep, give, or consume liquor except in a private dwelling house. Liquor could be legally sold for sacramental, industrial, artistic, mechanical, scientific and medicinal purposes. Liquor could only be sold by distillers, brewers or others duly licensed by the Canadian government to persons outside the province; by manufacturers of native wines in stated quantities; and by government sales agencies for permitted purposes. It could only be sold to those engaged in mechanical or scientific pursuits, to ministers of the gospel, to wholesale druggists, to any duly qualified physician, dentist, veterinary surgeon, hospitals, institutions devoted exclusively to the care of old people, sanitariums, and to any person upon the prescription of a duly qualified medical practitioner in restricted quantities when it was deemed necessary for the health of the patient.

Any person illegally selling liquor was liable for a first offence to a fine of not less than \$200 nor more than \$1,000 or, in default of payment, imprisonment for not less than three nor more than six months. For a second offence, the penalty was imprisonment for not less than six nor more than twelve months, without the option of a fine. The penalties for druggists and

76. Ibid., p. 236.

physicians breaking the law were slightly less severe.

Offences against the O.T.A. were to be dealt with by magistrates under the ordinary procedure governing the trial of criminal offences over which magistrates had summary jurisdiction. Generally speaking the burden of proving innocence was put upon the person accused of violating the act. The discretion of a magistrate as to the proper penalty to be imposed within the limit of the minimum and maximum penalties laid down, was final except where an appeal was allowed to the County Judge. Unless he were a druggist, a licensed vendor or the holder of a standard hotel license, an ^{accused} ordinary person could not appeal to a higher court from a magistrate's decision. However, if the person were acquitted, and the Attorney-General so directed, an appeal might be taken to the County Judge. On such appeals the County Judge could rehear the evidence, affirm or reverse the decision, and charge the penalty.⁷⁷

The O.T.A. went about as far as it could and still remain within provincial jurisdiction. Exportation of liquor could not be prevented because action in that direction would interfere with federal excise and customs. The Dominion government also had jurisdiction over the manufacture, importation, and interprovincial shipment of liquor.

The O.T.A. came at the end of a long and confusing line of court decisions. The liquor question was not mentioned in the British North America Act. Soon after 1867 a controversy developed as to where the power lay to prohibit the traffic. On one side it was said to belong to the Dominion as coming under the head of trade and commerce or the criminal law; others said it belonged to the provinces under property and civil rights, municipal institutions, licenses, or local matters.⁷⁸

77. Spence, Prohibition in Canada, Appendix XI (The Ontario Temperance Act), 596-604.

78. Spence, Prohibition in Canada, p. 120.

In 1882, the Privy Council decided in "Russell v. The Queen", that the Dominion could pass an act to suppress intemperance because of the general authority vested in the Dominion Parliament to make laws for the peace, order and good government of Canada.⁷⁹ In 1883, "Hodge v. The Queen", determined that provinces could also regulate the traffic as long as their statutes were entirely local in character and operation.⁸⁰ In 1896, in "A.-G. Ont. v. A.-G. Can.,"⁸¹ it was decided that provinces could restrict the sale of liquor within the province as long as the legislation did not conflict with any federal legislation and as long as the subject was dealt with as a matter of a merely local or private nature. Basing their case on this decision, the Privy Council in 1902, in "A.-G. Man. v. Man. License Holders Ass'n.,"⁸² declared the Manitoba Liquor Act, passed in 1900, to be *intra vires*.⁸³ The Ontario Temperance Act, which varied only slightly from this Manitoba act, was not challenged in the courts.

The Hearst government did not stop at the O.T.A. In the 1919 Session, several important amendments to the act were passed. One forbade the soliciting of orders for liquor by any form of advertising. Steps were taken to curb prescription abuses and limit ^{use} ~~them~~ to "purely medicinal purposes". A vendor was permitted to retain a prescription before filling it in order to satisfy himself it had actually been signed by the doctor whose name was on it. Another amendment made it an offense to give or sell a prescription. Doctors were prevented from having more than ten gallons of liquor in their possession

79. Bora Laskin, Canadian Constitutional Law (Toronto, 1960), pp. 194-201.

80. Ibid., pp. 77-9.

81. Ibid., pp. 202-11

82. Spence, Prohibition in Canada, Appendix VII, pp. 581-3.

83. The Liquor Act, or the Macdonald Prohibition Act did not finally come into effect in Manitoba until June 1, 1916.

at once.⁸⁴

Probably the most important measure in 1919 provided for the sale direct by the government of all liquors that could be lawfully sold under the O.T.A. Private vendors were abolished. Druggists would be required to get their supplies from government stores. It amounted to "government control" of the legal sale of liquor. The business would be carried on under the direction of the License Board. The aim of the measure was,

. . . To overcome practicable abuses in the giving of prescriptions; to prevent unnecessary inconvenience to those legitimately requiring liquor for medical purposes, to eliminate all private gain, and to insure a supply of pure liquor to those who are entitled under the law to purchase it.⁸⁵

Premier Hearst had introduced the O.T.A. primarily as a war measure to aid "economy, thrift and efficiency".⁸⁶ He had promised that, when the war was over and the soldiers had returned, a referendum would be held to determine whether the act would be retained as a permanent measure or repealed. In April, 1919, he announced that the referendum would be held on October 20, 1919. Later, it was decided that the provincial elections would take place on the same day. It promised to be a day of great excitement.

84. P.A.O., Legislative Assembly, Newspaper Hansard, Film No. 9, April 15, 1919.

85. Ibid., April 8, 1919.

86. Tennyson, "Sir William Hearst and the Ontario Temperance Act", "Ontario History", LV, 241.

Chapter II

Prohibition as a Factor in the Ontario Election of 1919

Few elections in Ontario's history have held forth the promise of excitement as did the general election of 1919. An unprecedented 291 candidates were competing for the 111 seats in the Legislative Assembly. The traditional Liberal and Conservative parties found themselves facing strong Labour or United Farmer candidates, plus many independent contenders. As if the men of Ontario did not have enough of a problem sorting out the political jigsaw puzzle, the aura of uncertainty was increased by the addition to the voters' lists for the first time of several hundred thousand women. The Toronto Saturday Night declared that "never in the history of this province has there been such an extraordinary political scramble... The political prophet does not exist who at this moment could surely forecast the outcome. The loosening of party ties is a political phenomenon invariably attendant upon war and reconstruction."¹

Prohibition was probably not a vital factor in the outcome of the 1919 election. Nevertheless, it did play an important part in the campaign, and was certainly one of the most discussed issues, both on the platform and in the press. The least any party could do was to promise to carry out the will of the people as expressed in the referendum, held on the same day as the election. With temperance sentiment as strong as it was, any party officially opposing prohibition would be courting political suicide.

1. Saturday Night, October 4, 1919, p.1.

It was widely hoped that, by referring the question to the people, the perennial liquor issue could be removed from the political scene. There was, however, at least one good reason why this was impossible. Even if a huge "dry" majority were obtained in the referendum it was necessary to have a government thoroughly behind prohibition, if it were to be enforced properly. The Globe commented that only the "follow-my-leader-whatever-my-own-views-may-be species of jellyfish" would be illogical enough to vote "dry" on the referendum and "wet" in the choice of a member.² The Christian Guardian pointed out that "the great majority we shall get in the referendum will be useless if the head of the Government is a man over whom the liquor forces exercise control. A prohibitory law, half-heartedly enforced, may easily prove a curse."³

The Conservative government could expect to win some temperance votes because of the principles and activities of its prohibitionist leader, Sir William Hearst. In creating the Board of License Commissioners and giving it absolute control of the liquor traffic, and in fathering the Ontario Temperance Act, Hearst probably gave to Ontario more constructive temperance legislation than any other politician. There was little doubt that the Premier's sympathies and personal influence were with the temperance people. At a Conservative rally in Brantford, August 25, 1919, he declared he would stand by the O.T.A. until its fate was decided. It had increased the economic strength and efficiency of the province, and generally added to the fighting strength of Ontario in war-

2. Globe, October 1, 1919, p.1.

3. Christian Guardian, October 1, 1919, p.8.

time. What had been a source of strength in the unfortunate days of turmoil and reconstruction, would prove to be a boon in the days of peace and prosperity to come.⁴ In September, Hearst issued a manifesto declaring the official Government policy.

We pledged ourselves when our soldiers returned to submit the question of the continuance of this law to the judgment of the whole people. This we are now doing. The Government undertakes to carry out the will of the people as expressed in the ballot box, and to do this faithfully, impartially and fearlessly.⁵

Perhaps the best evidence of Hearst's appeal to the temperance forces is the fact that, in this election, he won the support of the most adamant prohibitionist newspaper in the country. On October 6, the traditionally Liberal Toronto Daily Star claimed that Sir William had taken "the boldest course on behalf of the cause of temperance of any public man in the history of either political party in Canadian public life." Remembering that W.W. Rowell had gone down to complete defeat in 1914 advocating the abolition of the bar, the Star wailed that if Hearst was defeated because he put the O.T.A. into effect, every politician in the country would draw the inference that the public man, who trusts to prohibition sentiment where political voting was concerned, was a doomed man.⁶ The next day, the Star gave its position.

While the theory is that we are ruled by a Legislature, the fact is that it is the Government which rules, and practically speaking, as our parliamentary system works out, the Prime Minister dominates. He IS the Government. . . . It was one man, the Premier, Sir William Hearst, who, because of his strong personal convictions, and using the influence and authority his position gave him, put the Ontario Temperance Act into effect in the Province, and created the situation that

4. Globe, August 25, 1919, p.1.

5. Canadian Annual Review, 1919, p.650.

6. Toronto Daily Star, October 6, 1919, p.6.

now enables the people to make Prohibition permanent. . . .
 If Prohibition is to be a success it is not only necessary
 to carry the referendum. It is equally necessary to carry
 the Premiership.⁷

The Conservative leader was fully aware that there were two sides
 to the issue. Measures that pleased the temperance forces would just
 as easily anger their opposition. The Christian Guardian, which
 labelled Hearst as "the real leader of the prohibitionists in Ontario",
 said his defeat would be "hailed with delight by every liquor supporter
 in the province, whether Grit, or Tory, or just pure Whiskey".⁸ Faced
 with dissatisfaction, particularly within the ranks of his own party,
 Hearst was anxious to justify his action. At Eugenia Falls, on July
 26, he pointed out that provincial legislation had closed the bars and
 liquor shops in order to increase wartime efficiency. It was the
 Dominion Order-in-Council that had brought about complete prohibition.
 Thus, his Government was entitled neither to credit nor to blame.⁹

Earlier, in the Legislature, Hearst had voiced the plaintive cry of
 a man who knew the odds he faced. "How could we face our returning
 heroes" and be forced to admit that "this Christian Province of Ontario,
 the most moral, the most advanced and the most progressive section of
 the whole of the North American continent" was the only place that had
 taken no action? Yet, members of his Government were attacked as
 "autocrats, Prussians and fanatics".

This act has lost my Government support; it turned many warm
 personal and political friends of my own into enemies. It
 has brought me more abuse and criticism, ten times over, than
 all other political questions combined since I entered public
 life. It has created the only cloud that has ever in any way

7. Toronto Daily Star, October 7, 1919, p.6.

8. Christian Guardian, October 15, 1919, p.7.

9. C.A.R. 1919, p.648.

darkened the political sky of my Government, but I have no apologies to make, nothing to take back, nothing to regret. The results have justified our action, and if we had to live the last three years over again we would follow the same course we have pursued.¹⁰

Although a prohibitionist leader would assure the loss of some "wet" votes, it was probably of greater importance that the dangerous split on temperance policy within the Conservative Party would lose "dry" votes, especially in rural areas. Until Hearst had assumed the leadership in 1914, upon the death of Sir James Whitney, the Conservative Party had stood, not for prohibition, but for temperance by means of education, a well-enforced license law and local option. A great many Conservatives still felt that moderation was the best policy, and some did not hesitate to express their beliefs. Within the Hearst Cabinet, Lucas, McGarry, Macdiarmid and Ferguson were known to be personally unfriendly to prohibition except as a wartime measure.¹¹ Lieut.-Col. A.C. Pratt, of South Norfolk, openly repudiated Hearst on the temperance question, and declared that 27 Conservative members of the Legislature, including Sir Adam Beck, agreed with him.¹²

In the election, several Conservative candidates refused to follow their leader on prohibition. Charles H. Mills, of North Waterloo, declared that he stood for the sale of beer of 5.51 per cent proof spirits in standard hotels and of spirituous liquors through government agencies.¹³ In North York, T. Herbert Lennox said he had never been a total abstainer, "excepting lately when I could not get the stuff." He did not believe in prohibition, but would support it because it was on the party platform.¹⁴

10. Globe, April 17, 1919, p.8.

11. C.A.R. 1919, p. 660.

12. Christian Guardian, October 1, 1919, p.8.

13. Globe, September 29, 1919, p.1.

14. Ibid., p.1.

In Northeast Toronto, Lieut.-Col. A.T. Kelly Evans said the prohibitionists were inflicting on those thirsty souls craving for an old-time "schooner" of "beer of moderate strength" tortures worthy to be classed with the atrocities inflicted on the early Christians in Rome, or on the Huguenots in France.¹⁵

The most outstanding Conservative opponent of prohibition was Lieut.-Col. H.A.C. Machin, M.P.P. for Kenora and president of the Citizens' Liberty League. On March 4, 1919, in the Legislature, Machin made what was probably his greatest appeal for "personal liberty". He charged that Hearst's legislation was a breach of faith with the people who elected him. It was not British fairness to wipe out a legitimate trade with the stroke of a pen, "unless the people of this Province desire to see confiscation without compensation." The penalties provided in the O.T.A. and the method by which it was enforced, pointed to the most fanatical persecution from which Ontario had ever suffered. This fanatical paternalism oppressed the province, taking away the liberty of the subject and reducing men and women to the status of children, incapable of ordering their own lives.

The human passions are the same whether they concern strong drink, lust of women, greed of gold, love of power, or the simple sport of chasing sinners. . . . To-day the great sins of this world, this country and this Province are intolerance and selfishness. . . . We want more of Christ's attitude toward mankind practiced and less of the Pharisee.¹⁶

The Ontario Liberals would have found the Conservative predicament much more amusing had it not been for the fact that they themselves suffered from a similar division of opinion. From the opposition benches, the

15. Globe, October 7, 1919, p.8.

16. P.A.O., Pamphlet, 1919, Box #3. Address delivered by Lieut.-Col. H.A.C. Machin, M.P.P., Kenora, in the Ontario Legislature, March 4, 1919.

Liberals had been crusading for stronger temperance measures since 1905. They had fought the last election almost solely on one plank, the abolition of the bars, under the leadership of N.W. Rowell, one of the greatest prohibitionists in the history of the temperance movement of Ontario. The two most outstanding prohibitionist newspapers in Toronto, the Star and the Globe, were long-time Liberal supporters. The main source of Liberal strength in recent years had been in "dry" rural areas. Despite all this, the Liberals ran in the 1919 election under an anti-prohibitionist leader.

The official party platform, adopted in June, 1919, at the Provincial Liberal Convention in Toronto, declared in favour of "progressive Temperance legislation to the fullest extent of the Provincial jurisdiction," and pledged "all necessary steps to vigourously and effectively carry into effect the will of the majority of the people."¹⁷ To almost everyone's amazement, the same convention rejected the nominee of the Rowell wing, the acting leader, William Proudfoot, and chose H. Hartley Dewart as their new leader. Rowell commented in a private letter that "if our policies had been just the opposite of what they were, he would have been a very suitable leader."¹⁸

Dewart was first elected to the Legislature in a 1916 bye-election in Southwest Toronto. He denied in that campaign that prohibition could be an issue, since Hearst and Rowell had agreed upon a policy which was already on the statute books. He had not been responsible for it, but as Liberal policy he accepted it. As for his own view, he reserved to himself, in case of emergency, the right to observe his independent judgment. He

17. P.A.O., Pamphlet, 1919, Box #3. Ontario Liberal Policy, Proceeding of the Provincial Liberal Convention held at Toronto, June 25-26, 1919.

18. Margaret E. Prang, The Political Career of N.W. Rowell, (Toronto, 1959), p.594.

won the election without support from the Liberal prohibitionist press or from party headquarters.¹⁹ In October, 1919, the Toronto Star noted that Dewart had entered the Legislature through a Tory constituency in Toronto in which the liquor business was strong. His election was meant to be, and by all was known to be, a sharp reproof to the Conservative Premier who had won the enmity of a powerful trade by introducing prohibition.²⁰ The Globe declared that there was little hope that Dewart would be other than a handicap to the cause of prohibition or Liberalism.²¹

N.W. Rowell found it inconceivable that the Liberals could follow an anti-prohibitionist leader at a time when the issue was so vital. In an open letter to one of his constituents in Durham County, he criticized Dewart as the leader of "all the diverse elements of our population in Ontario hostile to Union Government and to Canada's war policy." As leader he would undoubtedly command and secure the support of the organized liquor traffic and their friends in Ontario, irrespective of party. "They look upon him as their rising hope."²² Dewart naturally denied these charges. A few days earlier, at Weston, he had stated the position to which he stuck throughout the campaign.

The question is one for the people to decide. It has always been good Liberal policy to trust the people and I adhere to that policy; not only have the issues of the referendum vote been taken out of party politics, but they must be kept out. The will of the majority of the people must and will be the law, and we shall see that the law which the people demand will be effectively and vigorously enforced.²³

19. Margaret E. Prang, The Political Career of N.W. Rowell, p.226.

20. Toronto Daily Star, October 6, 1919, p.6.

21. Globe, June 27, 1919, p.6.

22. Globe, July 14, 1919, p.1.

23. Globe, July 12, 1919, p.1.

Although Dewart stated in the South Ontario riding just before the election that he "stood four-square with the Liberal Party on the temperance question,"²⁴ he never once gave his personal opinion on the subject. As he told a meeting of the Ottawa Women's Reform Association, he did not think he should declare how he would vote any more than he should declare what kind of breakfast food he ate. It was more important that the party should have a policy.²⁵ It was^a view similar to this that the Globe finally adopted. Although Dewart was a bad leader, prohibitionists would be on safe ground voting for the real temperance party, the Liberals, unless someone else in a particular riding was more in sympathy with prohibition.²⁶

As far as prohibition was concerned, the 1919 election fight was largely between the Liberals and Conservatives. Depending on which side you were on, the object was to shout as loudly as possible that the other side was certain to hurt the sacred cause of temperance. Although the Liberals were vulnerable on their leader's lack of prohibitionist statements, they had the advantage of not being in power. They did not have to accept the responsibility for the administration of the O.T.A.

Hartley Dewart was a "born hell-raiser," and he was quick to charge the Hearst government with partisan and ineffective enforcement of the O.T.A. In March he charged that a flood of Orders-in-Council, passed by the Ontario government, had pardoned many men and reduced the fines of others. Even more sensational, John A. Ayearst, Chief License Inspector

24. Globe, October 18, 1919, p.1.

25. Ottawa Morning Journal, October 3, 1919, p.2.

26. Globe, October 8, 1919, p.6.

for the Government, had profited by the earnings of the private detectives in his employ. They had divided with him money they had received from private detective agencies which he deposited in a "special account" to his own credit.²⁷

However, these charges were of minor significance compared to the bombshell Dewart threw into the Government ranks less than two weeks before the election. On October 8, the fiery Liberal leader charged the Hearst Government with wholesale corruption of Jewish voters in Southwest Toronto by the distribution within two days of between three and five thousand bottles of "vishnick," which turned out to be cherry brandy of up to sixty-two per cent proof spirits! One Jewish caretaker, who was not a rabbi, had signed four hundred orders which were accepted.²⁸ Although the Government was eventually able to justify its actions under the clause of the O.T.A. which permitted the sale of liquor for sacramental purposes,²⁹ it was too late to help their cause in the 1919 election. The damage had been done. In a society that was conscious of its white, Anglo-Saxon Protestantism, the "vishnick" scandal may have had a considerable effect. Perhaps the Ottawa Journal made a point when it asked the question.

27. P.A.O., Legislative Assembly, Newspaper Hansard, Film #9, March 21, 1919. The Dewart charges were all suitably denied in a Report given by the Hearst-appointed Commissioner of Investigation, Judge W.R. Meredith, Chief Justice of Ontario. P.A.O., Hearst Papers, Judge Meredith's Report re Administration.
28. P.A.O., Pamphlet, 1919, Box #3. Ontario Provincial Liberal Party. Government Permitted Breach of O.T.A. Charge by Hartley Dewart, K.C., M.P.P., 1919.
29. In a letter to the newly-elected Premier Drury, dated November 5, 1919, J.D. Flavelle, the Chairman of the Board of License Commissioners, fully justified the Board's decision. "There was absolutely no thought of politics. ... It came up in the ordinary routine of our administration." There had been some improprieties, he admitted, and sale had been immediately suspended. P.A.O., Drury Papers, 1920, License Board: re charges.

Is it simply that Mr. Dewart, with cheap cunning, thinks it safe to go to any lengths, regardless of the feelings of the Jewish people of Ontario, who are not numerous, in the hope of gaining the votes of other people whom he thinks are prejudiced against the Jewish race?³⁰

Dewart's charges were given increased importance in the public mind when, on October 17, J.W. Oakes, a former organizer of the Committee of One Hundred, charged at a Liberal meeting in Bowmanville that the Government had juggled with the O.T.A. since 1916 for political purposes. He knew of hotelkeepers convicted three times whose fines were remitted. He knew of hotels where whiskey was sold for months and nothing was done. The License Board knew what was going on, but Flavelle, the Chairman, did not want to disturb the French or German vote till after the election.³¹

Both the older parties, and especially the Conservatives, were vulnerable on the prohibition issue. The degree of vulnerability depended on where you wished to place the emphasis. The Christian Guardian, which supported Hearst, decided the choice was between "a leader who risked his political existence in order to give Ontario prohibition, and a leader who, elected first by liquor votes, has never yet dared to declare for prohibition."³² The Liberal Recorder and Times, of Brockville, declared that the Liberals had "fought for prohibition as a permanent condition, seeking to achieve a great social advance. The Conservatives under compulsion of an extraordinary situation made prohibition a temporary measure."³³

30. Ottawa Morning Journal, October 11, 1919, p.6.

31. Globe, October 18, 1919, p.1.

32. Christian Guardian, October 15, 1919, p.7.

33. Recorder and Times, October 17, 1919, p.2.

While the Grits and Tories were hammering each other into the ground on the prohibition issue, the dark horse of the campaign was unobtrusively making its appeal. On the question of temperance, the United Farmers of Ontario were "as pure as the driven snow." They stood for what A.A. Powers, of Orono, called "perpetual prohibition."³⁴ At Fenelon Falls, on June 25, E.C. Drury explained it a little more clearly. He claimed that the U.F.O. was the only political organization that had declared unequivocally for prohibition of the manufacture, importation and sale of liquor in Canada.³⁵ The official platform, adopted on August 1, 1919, at a meeting of the executive of the U.F.O. and the executive of the Political Committee of the Farmers, did not sound quite so ready to take over federal powers.

To enact and enforce such prohibitory legislation against the liquor traffic as the people may sanction in the approaching referendum and as lies within the power of the Province. Prohibition is an integral part of the Farmers' Platform, and the U.F.O. will use its influence in that direction.³⁶

There was little doubt where the majority of farmers stood. The Farmers' Sun, the journal of the U.F.O., observed that if there was one question about which there was little division of opinion among the farmers, it was that of suppressing the liquor traffic. The towns were not so fortunate, for there a large element of the population, native and foreign, resisted the law, and the profit of the illegal traffic organized a resistance which baffled the officers of the law.³⁷

The U.F.O. organ declared that the Farmers had "the broadest, the clearest and most fearless platform" on prohibition.³⁸ The only organization

34. Globe, February 14, 1919, p.2.

35. Globe, June 27, 1919, p.7.

36. C.A.R., 1919, p.400.

37. Farmers' Sun, May 28, 1919, p.1.

38. Farmers' Sun, October 1, 1919, p.11.

to which the prohibitionists could safely commit their interests was the U.F.O. The Hearst and Dewart parties were indistinguishable on the matter, and were merely toying for votes.

A reform which the people of Ontario have at heart can be made certain only by pronouncing an unmistakable verdict in the referendum and by electing a sufficient number of U.F.O. candidates to see that whichever of the old parties is nominally in power after the election is compelled to make Prohibition effective. There is no doubt where the U.F.O. stands.³⁹

The fourth major party in the election, the Independent Labour Party, did not have much to say on the subject of prohibition. They could not have come out too strongly in favour of it, because many labour organizations had asked for wine and beer, and the great majority of workingmen seem to have been opposed to the O.T.A. as class legislation. A strong anti-prohibition stand would have been embarrassing to the U.F.O.-I.L.P. coalition. The two parties ran joint candidates in several constituencies, and in some ridings where the one was more likely to win, the other agreed not to run.

The I.L.P. made no mention of prohibition in its official platform.⁴⁰ A hint of discomfort within the alliance was expressed at a joint nomination meeting in Orillia. Frank W. Foster, the Organizer of the Federal Labour Union, said that, although farmers and organized labour shared much in common, the one plank Labour could not endorse was the Farmers' pronouncement favourable to the prohibition of the liquor traffic.⁴¹

Usually, however, the I.L.P. remained silent or said they would abide by the result of the referendum. On September 16, J.T. Marks, Provincial Secretary of the I.L.P., made the closest statement to a party platform.

39. Farmers' Sun, September 3, 1919, p.12.

40. C.A.R., 1919, p.657.

41. Globe, August 27, 1919, p2.

He made the scarcely original observation that the Liberals and Conservatives were playing football with the O.T.A. "The Labor party is not on the fence on the liquor question. It is for the referendum, and will abide by the result of the vote, no matter what the decision."⁴² On September 23, the I.L.P. in Kitchener indignantly turned down a proposal by the local Citizens' Liberty League that if Labour publicly endorsed the League platform, no Conservative candidate would contest the riding.⁴³

It is impossible to determine accurately the part any one issue plays in any election. It is not only that each riding usually differs in the paramountcy given to the various issues involved. Ultimately, the individual voter reaches his personal decision by weighing any number of criteria. Therefore, an analysis of the results of the 1919 election must be reduced to the realm of speculation.

No one was prepared for the surprising U.F.O. victory nor the humiliating Conservative defeat. Saturday Night had gone far out on the limb in predicting thirty-five seats for the Farmers.⁴⁴ It was generally believed, despite the steady growth of the farmers' movement and the underground note of dissatisfaction in the Conservative ranks with the prohibition policy, that the Government would have a majority.⁴⁵ The Farmers desired, and it was widely anticipated, that the U.F.O. would get enough seats in the new Legislature to hold the balance of power. Very few could have predicted that they would form the next government, for they

42. Globe, September 17, 1919, p.8.

43. W.G. Weichel, Conservative ex-M.P. was Chairman of the local Liberty League. The Conservative Association denied having any connection with the incident. Globe, September 24, 1919, p.1.

44. Saturday Night, October 4, 1919, p.1.

45. C.A.R., 1919, p.647.

had not even a leader.

The Conservative Party, which had held a huge majority since 1905, retained a mere twenty-five seats. An avalanche struck the Hearst Cabinet; the Premier, the Attorney-General, the Provincial Secretary, the Provincial Treasurer, and the Minister of Public Works and Highways all met personal defeat. The U.F.O. elected an astonishing forty-five members. Labour swept both Hamilton seats, London, Sault Ste. Marie, St. Catharines, Fort William, South Waterloo and South Brant. Of their eleven victories, the most amazing was in London, where they defeated the popular Sir Adam Beck. The Liberals held their own by retaining a total ^{of} twenty-nine seats. And for the first time in history, Toronto returned five Liberals at the head of the polls. All the avowed anti-prohibitionists were defeated, although several new ones turned up after the election. The Globe commented that, "It is easy to tell who lost the Provincial election — but who won it?"⁴⁶ The Farmers' Sun crowed, with understandable delight, that, "With the support of only The Sun, among the newspapers, and without campaign funds, the U.F.O. was able to beat the campaign-funded, big-interest parties at their own game — with the help of the people."⁴⁷

Speaking at Sault Ste. Marie after his unexpected defeat,⁴⁸ Hearst suggested that prohibition may have been a prominent factor in his downfall.

46. The election results are taken from the Globe and the C.A.R.

47. Farmers' Sun, October 22, 1919, p. 12.

48. The popular vote shows the over-representation of the farmers and the nature of the Conservative "defeat". The Conservatives had polled 391,278 votes, plus four acclamations, the Liberals 333,550, the U.F.O. 258,090, Labor 131,394, and Independents 56,256. C.A.R., 1919, p. 665.

"The Temperance Act no doubt had a great deal to do with my defeat, but I did what I felt was right, and if I had it to do over again, I would do the same thing. . . . No man has ever carried a greater strain in public life."⁴⁹ Another contemporary account puts forth the same conclusion. In November, the Lindsay Warder published an open letter from Sir Sam Hughes, dated at Ottawa, October 23, 1919. Canada, he declared, was burdened with a "bunch of uplifters".

The Hearst Government, yielding to fanatical cries, passed a crude, harsh, drastic and repressive measure on prohibition which annoyed and angered hundreds of thousands of Ontario's best citizens — not of the drinking class, but of that great, big, broad, self-controlled class that makes for the up-building of any land. The principle of "Personal Liberty", which is the foundation rock of British liberty for nearly two thousand years, was cast aside, and tyranny, repression, mistrust and humiliation took its place.⁵⁰

Undoubtedly, many anti-prohibitionists voted against Hearst because of his temperance activities. However, the Christian Guardian was quick to point out that the "liquor forces" alone had not defeated him. The fact that Ontario gave a tremendous majority for the O.T.A., and returned to Parliament between seventy and eighty men pledged to prohibition, while at the same time she defeated the Premier responsible for enacting the law, showed clearly that other influences were at work.⁵¹ Rather, the defeat

49. Globe, October 21, 1919, p.1.

50. Mail and Empire, November 24, 1919, in the Toronto Public Library Scrapbook, XLIV, 280b.

51. Ramsay Cook has suggested the U.F.O. victory was "part of a nation-wide rural unrest. In Ontario, the broken promise not to conscript farmers' sons, plus wartime profiteering and corruption, high prices, indifferent incomes, and rural depopulation, shattered the farmers' confidence in the economic order and the traditional political parties." Ramsay Cook, Canada: A Modern Study (Toronto, Vancouver, 1964), p.184. I would add that the confusion of the older parties on the prohibition issue was also a factor, and then agree with his analysis.

could be attributed to the restlessness of the times and the new spirit of class consciousness.⁵² The Globe observed that the rural sections had voted as overwhelmingly against Hearst as the anti-prohibitionist constituencies. "It will be idle for the friends of the Prime Minister to represent him as a martyr to the temperance cause, or for the friends of the liquor traffic to point to him as a warning to other politicians."⁵³

It was certainly easy for the Conservative press to claim that the prohibitionists had deserted their "Best Friend".⁵⁴ The Toronto Telegram charged that the Methodist church had "allowed W.F. Hearst to be thrown to the wolves of anti-prohibition fury".⁵⁵ The Ottawa Journal complained that the election was another demonstration that prohibitionists could not be depended upon for loyalty to those who acceded to their demands.⁵⁶

Though nothing can be definite, it does seem likely that temperance was a factor in the Conservative defeat. Indeed, on this important issue, it is possible that the Government met with dissatisfaction on all sides. They may have lost anti-prohibitionist votes, particularly in the cities, because their leader was not only a strong prohibitionist but had legislation on the statute books to prove it. Dissension within the party on the temperance issue and charges of slack enforcement must have lost temperance votes, for it would seem that Hearst was deserted by the prohibitionists, whose legislation he enacted, not to mention the women he enfranchised.

52. Christian Guardian, October 29, 1919, p.8.

53. Globe, October 21, 1919, p.6.

54. Evening Telegram, October 21, 1919, p.20.

55. Evening Telegram, October 24, 1919, p.20.

56. Ottawa Morning Journal, October 22, 1919, p.6.

The Liberals were probably hurt in strong, temperance ridings because of their anti-prohibitionist leader. The Globe pointed out that Dewart's failure to declare himself personally with regard to prohibition hurt the Liberal cause, especially in rural areas. This was excuse enough to vote for the U.F.O.⁵⁷ Conversely, Dewart's acknowledged "dampness" was very likely a factor in the Liberal victories in Toronto. The Star, although it had supported Hearst, was pleased with the result. Prohibition would be safe in the hands of the Farmers. As for the Liberals, they had received their just reward.

The Dewart convention, by its choice of a leader, made a bid for anti-Prohibition support and got it -- got a great deal of it in Toronto, but not enough of it to amount to much elsewhere. And the believers in Prohibition who wanted a change of Government voted for the U.F.O., who stood for Prohibition and for a change and a new deal all round.⁵⁸

The U.F.O. were not likely to be hurt by the prohibition issue. Most of their strength was in the rural districts, which would largely approve of their policy. On this issue, as on others, they provided a suitable alternative to the older parties. And, in many cases, their strong stand on prohibition may have been the deciding factor to entice farmers to vote U.F.O.

Whatever, the deciding factors in the outcome were, Saturday Night was prepared to scream "blue ruin". The most unhealthy sign of the times was the Teutonic infection which coloured the situation. Soon after Germany was defeated because she talked of domination, the people of Ontario were informed that there must be Methodist domination for the country's good.

57. Globe, October 21, 1919, p.6.

58. Toronto Daily Star, October 24, 1919, p.6.

Now the farmers and labourers were talking of domination.

Altogether Ontario's affairs have come to a pretty pass through the general tendency to abandon established principles of government and legislation, and adopt the fads of the American Middle West from A to Z -- prohibition, the recall, and all the other nostrums that the people of Kansas, Nebraska and North Dakota have evolved from their heady diet of corn-cake and "punkin" pie.⁵⁹

Chapter III

The 1919 Temperance Referendum

The temperance referendum held on October 20, 1919, was regarded as one of the most important "wet" and "dry" battles ever fought in Ontario. A province-wide vote on the subject had not been taken since 1902. The First World War had done much to create an emotional atmosphere conducive to a prohibition victory. The desire for reform was widespread. Never before had the temperance people had the opportunity to carry on a campaign which could achieve so much. Victory in the referendum would establish the Ontario Temperance Act on a permanent peacetime basis. For practical purposes, this amounted to prohibition, almost to the fullest extent of provincial jurisdiction. The Christian Guardian remarked that it would be "the most momentous temperance fight in the history of the Province of Ontario, and we trust . . . Ontario will go dry forever."¹ Whatever the result, the Toronto Telegram hoped the ballots would put an end to the "internecine hostility" and "hot resentment" dividing the "wets" and the "drys". The verdict of the majority should be regarded as sacrosanct for a good many years to come.

Never between Crusader and Saracen was such deep-seated antipathy as now exists in Ontario 'twixt Wet and Dry. Kentucky colonel would sooner break bread with a Northern negro than a prohibition advocate accept the hospitality of a connoisseur in rare vintages. There is a bitterness in Ontario to-day which is beneficial neither to the disputants themselves nor to the province as a whole. . . . Neighbor builds a mental spite fence against neighbor. . . . Two rival themes struggle through the din. One is: "To -- with the psalm-singing hypocrites," and the other is, "We must protect these rum-soaked degenerates against themselves." Brotherly love is away on a long vacation."²

1. Christian Guardian, September 17, 1919, p.5.
2. Evening Telegram, October 18, 1919, p.20.

The ballot, as enacted by the Hearst government, consisted of four questions. The first one was simple enough. "Are you in favour of the repeal of the Ontario Temperance Act?" If the majority answered in the affirmative, the O.T.A. would be repealed and the old license law as it existed prior to 1916, would be revived. Question two asked if the voter were in favour of the sale of light beer containing not more than 2.51 - 100 per cent alcohol weight measure³ through government agencies. If answered in the affirmative, the Government would be called upon to make provision for the sale of light beer through government sales agencies for consumption in a private dwelling house. Question three asked if the voter favoured the sale of the same light beer in standard hotels in local municipalities that by majority vote favoured such sale. Question four asked, "Are you in favour of the sale of spirituous and malt liquors through Government agencies?"⁴ The last question was Ontario's first opportunity to vote on "government control," the liquor policy later adopted throughout Canada. Under this system, anyone with a permit could purchase a limited supply of liquor for his own use through government liquor stores. Thus, the liquor traffic within the province

3. Throughout our period, booze of $2\frac{1}{2}$ per cent proof spirits was considered to be non-intoxicating in Canada and was called "near beer". According to a Referendum Committee poster in the Globe, October 16, 1919, p.7, Britian fixed the limit of non-intoxicating beer at one per cent alcohol, the United States at one half of one per cent. The beer in the referendum ballot, measured by weight, was about twice as strong as the Canadian non-intoxicating limit and would roughly correspond to the 4.4 per cent beer or "Fergie's foam," introduced by the Ferguson government in 1925. The Ferguson administration changed the legislative definition of what constituted an intoxicating beer by stating that only that liquor will be deemed conclusively, in a court of law, to be intoxicating where the alcoholic content is $2\frac{1}{2}$ per cent absolute alcohol by volume. Hon. W.F. Nickle, Attorney-General, in the Debate on the Address in Reply to the Speech from the Throne, February 17, 1925, p.43.
4. C.A.R., 1919, p. 642.

would be directly controlled by the government. Within moderation, the individual would be free to regulate his own drinking habits.

The referendum ballot was considered to be unnecessarily confusing. Both sides called for a straight "no" or a straight "yes" vote. The campaign was carried on largely as if it were a simple vote for or against prohibition. The Brockville Recorder and Times expressed a widely held opinion when it commented, "The ballot is fearfully and wonderfully made, and has most whiskey concoctions outclassed for insidiousness. . . . If the express purpose was to confuse the electorate it could not have been done better."⁵

As usual, the temperance forces were highly organized. All the temperance elements, including the powerful Dominion Alliance, were united for this campaign under a non-denominational organization known as the Ontario Referendum Committee, headed by Dr. Andrew S. Grant. The Committee was governed by a Board of Control in Toronto, which was responsible for general policy throughout the province. The tentacles of power reached down to local organizations covering every municipality in the counties and every ward in the cities.⁶ There were special departments, such as the Finance Committee and the Campaign and Publicity Committee. Several lady secretaries travelled over the province co-ordinating the organization as a whole.⁷

The main object of the Referendum Committee was to reach every elector in the province and give ~~them~~^{him} a comprehensive interpretation of the ballot.

5. Recorder and Times, September 30, 1919, p.2.

6. Globe, July 4, 1919, p.8.

7. Christian Guardian, August 27, 1919, p.21.

Fully five thousand workers were in the field in a house-to-house canvass⁸ to make certain all eligible to vote were on the voters' list. In Toronto, a women's sub-committee of the Referendum Committee planned that every woman in the city should be visited by a temperance woman. Similar work was done in rural areas. For example, a meeting of the Colborne Farmers' Club appointed a committee to select women in each school section of the township to visit every home and instruct the women in the use of the franchise and the necessity of casting their votes.⁹ In Chapleau, committee rooms and educational classes were established to illustrate the mode of working the ballot.¹⁰ Dr. Grant explained that by reaching every voter, and thus determining beforehand the probable result of the referendum, the Committee would be able to conduct its "education" plan where it was most needed.¹¹

The Referendum Committee used several other methods to promote their cause. A great many people were reached through billboard publicity and newspaper advertising. In Toronto, a committee took posters and cards to various factories. The literature was printed in several languages, such as Ukrainian and Italian, to reach the foreign population.¹² A Referendum Glee Club sang at various occasions and some fifty thousand "teenage" boys and girls wore special prohibition buttons.¹³ Just before the election, thousands of aerograms, with the following message, were dropped all over the province from airplanes.

8. Saturday Night called it an "inquisition". Voters were subjected to "bull-dozing" to find out how they would vote. Then domestic and social pressure were used to make recalcitrants vote "dry". Saturday Night, October 18, 1919, p.1.

9. Farmers' Sun, May 28, 1919, p.10.

10. Globe, September 27, 1919, p.5.

11. Globe, July 4, 1919, p.8.

12. Globe, September 12, 1919, p.10.

13. Globe, September 16, 1919, p.10.

To the voters of Ontario: October 20th is YOUR day!
 You will not allow Ontario to become the SLUM of this
 continent. Will you expose your own CHILD to the
 temptation and misery of booze?
 YOUR VOTE WILL DECIDE! For HOME and COUNTRY.¹⁴

If such methods failed, divine intervention could be called upon to save the day. The pulpits of the major Protestant churches were freely used to present the prohibitionist case to the congregations. In the final week of the campaign, clergymen spoke at open-air meetings across the province. Special prayer meetings for the success of prohibition were held on the Wednesday night previous to the election. As many returned soldiers as could be obtained spoke in churches on the two Sundays prior to the referendum to offset the claim that the soldiers would vote "wet".¹⁵

Perhaps the most exciting parts of the campaign were the great mass prohibitionist meetings. The Ontario Branch of the Dominion Alliance held its annual convention in Massey Hall on May 20, 1919. Two days later the Toronto prohibitionists were honoured to be the hosts of a World Prohibition Convention. Delegates from the British Empire, the United States, France, Italy, Switzerland, Denmark and Japan wished Ontario success in the coming referendum and prepared for the "Whole Earth Dry".¹⁶ On September 2, the world-famous evangelist, "Billy" Sunday, fired his "machine-gun oratory" at over ten thousand people in the Arena.

Toronto is the apex and last word down in the States for everything that is noble, that is good and for Sabbath observance. . . . I hope you will be able to make Ontario, and the whole American continent, so dry that you will have to prime a man before he can spit. . . . If the whiskey

14. Globe, October 18, 1919, p.12.

15. Globe, October 11, 1919, p.11.

16. Globe, May 22, 1919, p.9.

people could, they would make the old world a puking, spewing, vomiting, maudlin, staggering, bleary-eyed tottering wreck. . . . I am fighting in the interests of decency and virtue, and Jesus Christ and His Cross are at stake.¹⁷

"Toronto the good" was an unusual place, even in 1919. It was illegal for a little child to buy an ice cream cone on Sunday. Yet on that very day, the prohibitionists could pack a building with a cheering, howling mob for what looked suspiciously like a political rally. To bring the campaign to a dramatic conclusion, the Ontario Referendum Committee held several huge "Four-No" meetings in Massey Hall on consecutive Sunday afternoons. The "right-thinking" people seem to have had things very much their own way in the Toronto of 1919.

The opposition to prohibition during the 1919 referendum campaign was largely underground or in an early stage of mobilization. That there was opposition can be proved by the large number of "wet" votes that were polled. Certainly there were men everywhere in the province who did not hesitate to voice their opposition. But they were the exceptions, not the rule. They were voices crying in the wilderness. Criticism of the O.T.A. generally was not expressed in public. It was a brave man who dared to resist the dominant mood of the time. It was not an easy task to face charges of unchristian conduct and of subservience to the "liquor interests". Thus, anti-prohibitionist sentiment in 1919 was weak and largely unexpressed.

More was heard about the "liquor forces" through the temperance people than from any other source. Indeed, a great many prohibitionists believed that anyone who did not see eye to eye with themselves was by definition connected with the "liquor interests". Undoubtedly, those engaged in the

17. Globe, September 3, 1919, p.1.

manufacture of liquor were "guilty" of distributing propaganda designed to save their product. However, it is unlikely that there was a sinister, Communist-type plot on the part of brewers and distillers to overthrow the prohibitionist regime.

There is some indication that the liquor men were divided in their efforts. In February, the Globe observed that the distillers, who wanted private sale and private consumption of all liquors, fermented and distilled, under strict government supervision, were not in favour of the restoration of the bar. On the other hand, the brewers were willing to banish the whiskey bottle from the bar so long as the limited beer and wine bar was permitted. The Globe commented that the obvious line of safety was to banish both the bar and the bottle.¹⁸

In January of 1919, the Globe had sounded the alarm by warning that the liquor traffic was concentrating its strength in Montreal for a "great offensive". If the Province of Quebec could be kept out of the "dry" column, Montreal could be used as the headquarters for the illicit sale of liquor to law-breakers in the "dry" provinces.¹⁹ When Quebec did vote overwhelmingly for beer and wine in April, the fears of the prohibitionists were confirmed. "Ontario will keep the saloon out. It will be bad enough to be next door to one."²⁰

Rev. E.B. Lanceley, preaching in the Central Methodist Church, in Toronto, on March 2, declared that the liquor men were clever, resolute, well organized, and backed by great financial and political influence.²¹

18. Globe, February 27, 1919, p.4.

19. Globe, January 7, 1919, p.4.

20. Globe, April 11, 1919, p.1.

21. Globe, March 3, 1919, p.8.

On the following Sunday, Rev. R. Newton Powell, in the Trinity Methodist Church, warned that while the temperance forces were quiet and the churches dumb, the "liquor interests" were besieging Queen's Park and lobbying in the interests of their cause.²² If nothing else was accomplished, such statements might frighten people into supporting prohibition.

Despite their early preoccupation with the "liquor interests", the prohibitionists found a much more formidable opposition in the Citizens' Liberty League, organized to fight all restrictive legislation. The League had originated in Cobalt. Its president was Lieut.-Col. Machin, M.P.P. for Kenora. By September, 1919, T.L. Carruthers, the general secretary of the League, was able to announce that in the three months of its existence, the League had enrolled thirty thousand members throughout Ontario, with ten branches in Toronto alone and sixty branches throughout the province.²³ Though it was not as widespread nor as well-established as the temperance organizations, the Liberty League made a good beginning during the 1919 campaign.

One of the methods used by the Liberty Leaguers to disseminate their propaganda was to get out on the street corners and catch the passing crowds with short and sound arguments. The tonneau on the corner of Shuter and Yonge Streets in Toronto, usually the reservation of the evangelist, became a favourite League platform.²⁴ Besides the "lip-to-ear" method, Liberty League advertising appeared in almost every journal that would print it. One such poster explained the aims of the organization.

22. Globe, March 10, 1919, p.8.

23. Globe, September 9, 1919, p.8.

24. Globe, September 23, 1919, p.8.

The League wishes a sane, moderate compromise to meet the reaction against a too drastic prohibitory measure which has resulted in all sorts of evasions and brought the law into contempt, thus tending to destroy our national life as sober, law-abiding citizens.²⁵

In Toronto, on July 30, Col. Machin said the personal liberty movement was a spontaneous effort by the people of Ontario to protest against the domination of a minority who would enslave and enchain them. "We are not booze-fighters, nor are we bought by the liquor interests; we are just British subjects, asking to live our lives under the laws of God and the reasonable laws of man."²⁶

Naturally, the prohibitionists had a less lofty view of the aims of the League. Rev. C.A. Williams, at the Timothy Eaton Memorial Church in Toronto, said "it was more like a license league to support the license trade in human blood, human tears and human souls." It was a "league of license to boost booze and to beat the Methodists."²⁷ The Globe blasted the Liberty League as a pro-whiskey organization, which it was.

We fight for the liberty of the common man -- to make a hog of himself, to kick his wife downstairs, to starve his children. We do this solely for our own "advantage, careless of the effect on the common man or on the community, and solely because we like a 'snort' ourselves."²⁸

On October 20, 1919, the prohibitionists of Ontario won an overwhelming victory. Prohibition majorities were general throughout the province, Prince Edward County voting ten to one against liquor. A majority of 406,676 had voted against the repeal of the O.T.A. Government sale of

25. Recorder and Times, September 13, 1919, p.7.

26. Globe, July 30, 1919, p.8.

27. Globe, September 29, 1919, p.8.

28. Globe, September 4, 1919, p.6.

liquor had been defeated by a majority of 246,683.²⁹ The Globe noted with satisfaction that there had been no marked class division and no sharp alignment of country against city.³⁰

Despite the sweeping nature of the "dry" victory, there were some significant areas of dampness in various parts of the province. Certain trends, which showed up prominently in the next referendum eighteen months later, were evident in 1919. Although Toronto as a whole went "dry", the majority on question four was very small. Riverdale, Southeast and Southwest Toronto went "wet" on all four questions. Ottawa East went unabashedly "wet", overcoming the Upper Town prohibition majority. Hamilton gave a slim "dry" majority on question one, but voted "yes" on the other three. Three other cities went completely "wet". The Globe pointed out that Windsor, with a large French Canadian element, Kitchener, with a large German population, and Fort William, with a large admixture of Finns and Scandinavians, voted "yes" on all four questions. The voting was similar in Cochrane, North Essex, and North Waterloo. And on the important, question number four, Kenora, Nipissing, Port Arthur, Sudbury, Temiskaming, Sturgeon Falls, North Renfrew, Cornwall, Prescott, and St. Catharines, all went "wet". Sault Ste. Marie gave a "no" majority of only forty-seven on question four. These results would tend to indicate that a great many people, especially in the large cities, in centres with large foreign and French-speaking elements, in the north country, and in border areas, were in favour of a system of government control and sale of liquor. The

29. Referendum carried on Question I by 772,041 to 365; on Question II by 733,691 to 408,266; on Question III by 747,920 to 383,727; on Question IV by 693,829 to 447,146. C.A.R., 1919, p.665. All the other results are taken from the Globe.

30. Globe, October 21, 1919, p.6.

desires of these people were not satisfied for almost eight, long years.

Some discontent was expressed soon after the election. J. Hyland, a Liberty Leaguer from Cobalt, charged that the ballot had been a swindle and an insult to the intelligence of the men of the North, who were threatening secession on the matter.³¹ Rev. Dr. Bidwell, the Anglican Bishop of Ontario, observed that the figures were not as conclusive as they appeared. If, for example, a man voted "yes" to question four and "no" to the other three, he gave, in effect, three votes towards prohibition to one against it. The Government order that a vote must be registered on each question or the ballot would not be counted really imposed a heavy handicap upon the affirmative in any given question. A straight vote between prohibition and government control would have been more instructive.³²

Nevertheless, for the moment, the prohibitionists had won a spectacular victory; in terms of the large "dry" majorities and the results achieved by the vote, it was probably the greatest victory they ever won in Ontario. The people made prohibition, for better or worse, the permanent law of a peaceful land. "Ontario dry by the will of cranks and fanatics! Look at the figures. Ontario is dry by the votes of an overwhelming majority of the people of the Province."³³ The Christian Guardian commented on the greatness of the achievement.

We won because the liquor traffic's damnable trail had besmirched every part of our political and social life; because it had bred crime and harbored criminals; it had mocked at decency and

31. Drury Papers, 1920, Temperance Act: Referendum. Hyland to Drury, November 29, 1919.

32. Bishop of Ontario, "Prohibition in Ontario, Canada," Living Age, CCCVI (August 28, 1920), 550.

33. Globe, October 23, 1919, p.6.

wallowed in vileness; it had run its lurid course, kindling everywhere fires of hell; and it had defied the Church of God to extinguish them. This it had done for scores of years. Now at last the Church and the community have arisen in their might, and the monster lies smitten unto death. And Ontario thanks God and takes courage. We have won the biggest battle we ever fought, and our victory is too decisive to admit of cavil.³⁴

34. Christian Guardian, October 29, 1919, p.7.

Chapter IV

The 1921 Temperance Referendum

The dust had barely settled on the last battlefield when the fighting broke out again. During World War I, the Canadian government had passed an Order-in-Council prohibiting the manufacture of intoxicating liquor in Canada, the importation of liquor into Canada, and the transportation of liquor to any part of Canada wherein the sale of liquor was by law prohibited.¹ With the war over, all the federal wartime regulations were repealed on December 31, 1919. Once again, strong drink could flow along the recognized channels of trade across provincial barriers into the homes of those in Ontario who wished to replenish their diminished supplies.² In response to vigorous demands by temperance reformers, the Dominion Parliament, in November, 1919, enacted a new measure, "Bill 26", enabling any provincial government to submit a referendum to the people on the question of importation.³

Accordingly, the Drury administration took steps to strengthen the O.T.A., and adjust it to post-war conditions. In 1920, a measure to stop "short-circuiting"⁴ was carried by F.G. Sandy. This Bill provided that the License Board should control the transportation, carriage, and delivery of liquor within Ontario; that all contraband liquor could be seized wherever found; that the Act should not come into force until after

1. R.E. Spence, Prohibition in Canada, p.609.

2. Globe, December 22, 1919, p.1.

3. Bishop of Ontario, "Prohibition in Ontario, Canada", Living Age, CCCVI (August 28, 1920), 551.

4. "Short-circuiting" was the practice of direct delivery of liquor from stocks within the province to any person who ordered that liquor through an extra-provincial agent or wholesaler. C.A.R., 1920, p.610.

importation had been ended by Order of the Governor-General-in-Council.⁵

The resolution⁶ asking the federal Government for a referendum on importation was moved by H. McCreary of North Lanark and passed on April 27, 1920, by a vote of eighty-five to twelve.⁷ Scheduled for April 18, 1921, the ballot was to read, "Shall the importation and the bringing in of intoxicating liquors into the Province be forbidden?" It was considered to be a vote for or against almost "bone-dry" prohibition.

Events in other provinces of Canada encouraged greater efforts on the part of both sides in Ontario. On October 20, 1920, British Columbia voted heavily in favour of government control of the sale of liquor.⁸ A few days later, Alberta, Saskatchewan, Manitoba and Nova Scotia voted "dry" on the importation referendum. It was perhaps a sign of the times that Halifax, Dartmouth, Regina, Winnipeg and other urban centres went "wet".⁹

In Ontario, the temperance forces suffered from a distinct split within their ranks. Early in 1920, the provincial executive of the Dominion Alliance, led by Ben Spence, broke with the Ontario Referendum Committee, under Dr. A.S. Grant. The Alliance declared itself against a referendum on the grounds that "Bill 26" was faulty and useless. Moreover, since the O.T.A. permitted the sale of native wine, Ontario had only

5. C.A.R., 1920, p.611.

6. Under "Bill 26", the Legislature of a prohibition province could, by resolution, request the Government-in-Council to take a vote of the people of the province upon the question of importation of liquor. If the majority favoured prohibition of importation, the Dominion government, by Order-in-Council, would proclaim such prohibition to be in force. Cyril D. Boyce, "Prohibition in Canada", Annals of the American Academy, CIX, 227.

7. C.A.R., 1920, p.612.

8. W.L. Savage, president of the Prohibition Party in B.C. said the whole thing was a big mistake. The women voters thought government control was a system whereby the Government would take better control of the liquor traffic than it had done before. Globe, October 21, 1920, p.1.

9. Globe, October 26, 1920, p.1.

partial prohibition and "Bill 26" could not apply to the province. Rather than more voting, it was necessary that the O.T.A. be made more drastic by provincial legislation.¹⁰ Later, the Alliance called for the abolition of native wine, and began to solicit funds independently for the referendum campaign which it had decided to support.

Dr. Grant declared that the Alliance was merely a unit of the Referendum Committee, and as such was pledged to its policy. "The tail cannot wag the dog."¹¹ That the Alliance should start an independent campaign was absurd. Concerning native wine, it was imprudent to push prohibition too strongly, "lest it develop a reaction in its train".¹² The disagreement developed into a verbal dispute between Spence and Grant, resulting in the latter's resignation. Although Grant was induced to retain his leadership and the two organizations agreed to co-operate, the Alliance continued its independent ways.

Some insight into the nature of the schism may be gained by a study of the character of Ben Spence. The secretary of the Dominion Alliance was among the most unyielding, demanding and self-righteous of prohibitionists. His colossal conceit seemed to assure him that he was easily the most outstanding temperance man in the province. He would not like taking second place to anyone and probably resented Dr. Grant's success and popularity in the last referendum. Spence showed his vindictiveness at an Alliance Convention, February 22-24, 1921, when he charged that by "whispered slanders, innuendoes, misrepresentation and abuse,"

10. C.A.R., 1920, p.610.

11. Globe, March 13, 1920, p.1.

12. Globe, April 2, 1920, p.1.

a few temperance people were trying to "knife" the Alliance. In contrast, Dr. Grant replied that the present was no time to emphasize differences. "We are absolutely at one on the issue before us."¹³

The split in the prohibition party must have disgusted a great many people. Certainly, the petty quarrel embarrassed the Drury government, which was attempting to do its best for temperance and the prohibitionists.

The Citizens' Liberty League was also having organizational problems. At a provincial convention in February, 1920, the League decided to become an active political force in the provincial field on a platform of "stabilized democracy". Col. Machin explained the aims of the organization.

Its object will be to try and free the people of this Province from hypocrisy, deceit, cant and lying. Our platform will be broad enough for everyone who loves democracy and detests hypocrisy. . . . We call it stabilized democracy, which is the broad highway up the centre of the road of just, ordinary, clean, decent Anglo-Saxon living. On the one hand are the uplifters. . . . On the other side are the Reds.¹⁴

Although he never changed his opinions, Col. Machin resigned as president of the League in April, 1920, because of the lack of sincerity and principle of some of the men behind the movement. They had participated in the work when their cellars were near depletion. However, the moment the restrictions on importation were removed, nothing seemed to matter. "Self, and self alone, was at the bottom of their motives and activity, and that, to me, makes them as equally obnoxious as the Ben Spences and others of that ilk."¹⁵

Despite Machin's resignation, the Liberty League carried on a strong campaign under the leadership of the new president, I.F. Hellmuth, and the

13. Globe, February 23, 1921, p.1.

14. Globe, February 17, 1920, p.1.

15. Globe, May 3, 1920, p.1.

secretary, T.L. Carruthers. Thousands of signatures were attached to "The Ontario Temperance Memorial", a petition asking the Government to provide a means for expression of opinion on the question of government control. It declared that democracy had sprung from the desire for individual liberty, and could only be maintained by the preservation of that liberty.

The cause of Christian temperance and stabilized democracy could best be served, 1. by Government control of the sale of spirituous liquors; 2. by the treatment of those who have not the strength to take care of themselves under such conditions, as patients, not as criminals; 3. by permission to purchase beer and wines under a system to be devised by the Government, thus minimizing the evil of illicit stills and the illegal sale of spirituous liquors and drugs; 4. by the formation of a voluntary organization similar to the Blue Ribbon Army in Great Britain, whereby all available energies and funds may be devoted to the promotion of true temperance by education and example.¹⁶

With God, King, home and morality on the side of prohibition, there was little left for the opposition but liberty and common sense.

Nevertheless, the Liberty League came up with some fairly convincing arguments, most of which are summarized in the following League poster.

Your vote will help to decide whether Ontario shall submit to religious intolerance and the will of a well-organized minority. Whether paid "pussyfoots" and "uplifters" shall obtain legislation in Ontario which was rejected by Britain as being fundamentally contrary to British traditions of individual liberty and responsibility. Whether the bootlegger, illicit manufacturer and drug pedlar shall flourish and multiply; and the doctors become bartenders. Whether the taxpayer's already heavy load shall be increased, and Quebec be built up at Ontario's expense, OR Whether true temperance shall be achieved by the sane, safe method of Government Control, which automatically obviates abuse. Don't Be A Human "Dud".¹⁷

The Liberty League received some important help in the campaign. A group of women, opposed to total prohibition under the terms of the

16. C.A.R., 1921, p.556.

17. Recorder and Times, April 16, 1921, p.9.

referendum, formed a provincial committee to fight the measure. One of the officers of the new organization, known as the Women's League for Temperance and Government Control, expressed their aims.

Our platform is simply this: We are in favour of Government control; we strongly believe in the abolition of the bar, but we do not believe in total prohibition. In short, our definition of temperance is temperance in all things. We don't believe in totally abstaining from a glass of beer or wine, yet eating up a pound of sweets in an hour or so and regarding that sort as temperance.¹⁸

Many labour and soldiers' organizations were also beginning to express their opposition with some force. The returning army, accustomed to satisfying its thirst in pleasant French and English taverns, did not take kindly to prohibition.¹⁹ Many returned soldiers soon found themselves serving terms of imprisonment for minor offenses under the O.T.A.²⁰

R. Rudkin, secretary of the Stratford Great War Veterans' Association said the returned men generally favoured the sale of wine and beer under government supervision.²¹ The veterans' organizations, particularly the G.W.V.A., the Grand Army of United Veterans, and the Army and Navy Veterans' Association, often endorsed the Liberty League platform. Joseph McNamara, Independent Soldier M.P.P. for Riverdale, presumably spoke for the veterans in the Legislature. He said he opposed the O.T.A. because he believed in principles of British justice, in the rights of minorities, and in temperance, not prohibition. The government should sell cheap and pure beer and light wines in shops.²² The prohibitionists could always find a returned soldier to speak on a platform or in a pulpit in favour of prohibition. Nevertheless, there is evidence that a majority of the

18. Pioneer, April 1, 1921, p.3.

19. "Prohibition Today", The Round Table, XIV (December, 1923 - September, 1924), 585.

20. Globe, December 23, 1919, p.9.

21. Globe, July 16, 1919, p.5.

22. Globe, February 24, 1922, p.9.

veterans were opposed to prohibition.²³

The temperance people could also quote many labour men as being in favour of their cause. However, this support from the workingmen seems to have been greatly exaggerated. There was a widespread feeling that prohibition as seen in Ontario savoured of class legislation. It closed the bars where workingmen went to drink after work, their common meeting place; those who could afford it filled their cellars. To some, prohibition seemed to be a violation of their personal liberty. A great many labourers simply liked to drink.

We should realize just how much a glass of ale and a pipe of tobacco means to a sober, industrious, workingman -- not a picture-book drunkard -- after his hours of work. It puts him for the moment of his relaxation on an equality with kings and plutocrats.²⁴

The Labour Educational Association, meeting at Brantford in 1920, declared by resolution for measures to permit of free purchase by workmen of "a good palatable beer of sufficient alcoholic strength".²⁵ Thomas Moore, president of the Trades and Labour Congress of Canada, often spoke at Liberty League meetings. In Ottawa, in April, 1921, he said that, although labour unions differed somewhat on the question, the large sentiment was for beer and wine. This opinion, he claimed, was often expressed at labour conventions.²⁶ The truth of the matter would appear to be that labour, like other elements in society, was distinctly divided on the matter of prohibition.

23. A survey of the vote in nine military hospitals in Ontario, the Stanley Barracks and the Windsor Armouries showed that in the 1919 referendum 70% of these returned soldiers voted for the repeal of the O.T.A.; 73% voted "yes" on question two; 71% voted wet on question three; and 75% voted for "government control". P.A.O., Drury Papers, 1920, Temperance Act: Referendum. Report of statements received from returning officers.
24. Stephen Leacock, "The Tyranny of Prohibition", Living Age, CCCII (August 2, 1919), 305.
25. C.A.R., 1920, p. 615.
26. Globe, April 11, 1921, p.2.

Besides organized opposition, many individuals were beginning to speak their mind. In 1920, Bishop Fallon, described the O.T.A. as "unwise, ineffective and opposed to the best British traditions of personal liberty, as well as to the best Catholic traditions of personal responsibility. But . . . the O.T.A. is now the law in this Province".²⁷ In March, 1921, Rev. Dr. T.C. Street Macklem, Provost of Trinity University, Toronto, declared that restrictive laws should not run in advance of the wishes of the community. Health was manaced by a contaminated and poisonous contraband with injurious home-made concoctions.

Temperance is better than Prohibition. Total Prohibition is bad for the cause of temperance and detrimental to health and morals. . . . Sudden restriction in one direction means an outbreak elsewhere; blue laws are not calculated to promote the highest ends; lack of moderation is one of our national evils and well-meaning but ill-advised people are taking the bit in their mouths and will cause trouble.²⁸

Stephen Leacock, perhaps the greatest Canadian anti-prohibitionist, spoke in Toronto early in April, 1921, under the auspices of the Liberty League. He charged that opinion in Ontario was gagged and stifled. Men dared not come forth to say what they thought.²⁹ Prohibition was,

. . . The worst national development, the most un-British agitation that has come to us in half a century. . . . If it could last, it would in time bring down the strongest political fabric into anarchy and dissolution. But Prohibition cannot last because it is based upon a lie. Prohibition declares it to be a crime to drink beer. . . . The attempt to make the consumption of beer criminal is as silly and as futile as if you passed a law to send a man to jail for eating cucumber salad. . . . Of the present vote about to be taken the result may be this or that. I do not greatly care. The sharper the tyranny the quicker the cure.³⁰

27. Globe, June 28, 1920, p.7.

28. C.A.R., 1921, p.554.

29. Globe, April 4, 1921, p.6.

30. Dr. Stephen Leacock, "The Case Against Prohibition", Address at Foresters' Hall, Toronto, n.d.

Those who voiced their opposition to prohibition remained in the minority. There seems to have been a genuine fear of reprisals, for almost all of the letters to the editors were signed with pseudonyms. The Canadian Annual Review of 1921 reported that the anti-prohibitionists, or moderates, put up as good a fight as possible, but,

. . . Their means were limited, their support from really moderate citizens was too silent and retiring to be effective, their cause was blackened in advance by alleged association with the admitted evils of intemperance.³¹

The great majority of newspapers continued to support prohibition with varying degrees of eagerness. The Telegram, the Mail and Empire, and the Ottawa Journal, all Conservative journals, printed a suspiciously large number of letters opposed to prohibition. In Windsor, a new paper, the Plain Dealer, was formed with the sole purpose of fighting prohibition. It was the "official organ of the Border Cities Branch of the Citizens' Liberty League for Moderation".³²

As usual, the most exciting parts of the campaign were the mass meetings. In 1921, each side seemed to be trying to outdo the other in its choice of an obnoxious American orator. The Liberty League made a colossal blunder when they imported Charles A. Windle of Chicago to make a speaking tour of Ontario on their behalf. Unfortunately for the "wet" cause, the prohibitionists were quick to point out that Windle was one of the most notorious American Anglophobes. Rev. Ernest Thomas, a leading Methodist, spread far and wide an article Windle had published as recently as March, 1921. He had referred to England as a "heartless old hag clothed in garments of lust, loot and murder." America had fought for a "vile old prostitute that she might parade

31. C.A.R., 1921, p.553.

32. Plain Dealer, April 16, 1921, p.1.

her shame and infamy throughout the world".³³ In "loyal, noble Ontario," Windle probably did the "wets" more harm than good.

The chief "dry" American import could hardly be termed overwhelmingly popular. At Kingston, W.E. "Pussyfoot" Johnson could not make himself heard above the din. In Toronto, some men in a crowd of two thousand left outside bombarded the doors of Massey Hall with stones, sticks and bottles. A squad of mounted police arrived to disperse the mob.³⁴ In Windsor, the orator was hooted from the platform before he could utter a word. With a police escort, "Pussyfoot" left the Windsor Armouries and marched out of Canada at the head of a derisively howling, missile-throwing mob.³⁵ He declared, "This is the best demonstration against me that I have yet seen."³⁶ It was a compliment to Windsor, for "Pussyfoot" had lost an eye fighting for the temperance cause while in England.

The prohibitionists had some important political supporters, most notably the Ontario Government. On April 8, 1921, J.D. Flavelle, the retiring Chairman of the Board of License Commissioners, said the O.T.A., as it existed, was almost non-enforcable. It had been "almost hell" trying to enforce it since the importation restrictions were removed. The vast waterfront of the province made bootlegging easy. The large supply of liquor, and big profits from sales, created tremendous temptations. Bribes up to five thousand dollars were offered to license inspectors, policemen, and Customs House officers. The only way to stop the liquor traffic was by tightening up the law and stopping importation.³⁷

33. Globe, April 9, 1921, p.15.

34. Recorder and Times, April 11, 1921, p.1.

35. Globe, April 12, 1921, p.1.

36. Toronto Daily Star, April 13, 1921, p.6.

37. Globe, April 9, 1921, p.16.

W. E. Raney, the Attorney-General of Ontario, also strongly supported the "drys". As an active member of the Dominion Alliance, he often spoke at temperance meetings. At a "dry" rally in Toronto, April 2, he refuted the "wet" argument that a "no" vote would lead to "government control". On the contrary, a "wet" victory would be a great setback, for there could be no government control at all with free importation.³⁸ In the Legislature, Raney said, "Free importation of liquor, ostensibly for domestic use, but really for sale, is and has been since January 1 the chief obstacle in the way of the enforcement of the Ontario Temperance Act".³⁹

The most important prohibition advocate in the 1921 campaign was the Premier of Ontario, E.C. Drury. Speaking under the auspices of the Toronto Referendum Committee in February, Drury took a strong stand as a private citizen against the interprovincial trade. He regarded the present time as the most critical moment of the whole struggle.

We have been continually advancing, but we stand at a point where we shall either win a great victory or suffer a serious defeat. . . . We recognize at the present time we have a trade in liquor within the law, but constantly threatening to be without the law - - a trade most difficult to regulate and control. If the referendum fails we would be confronted for a time with this unenforcable law. In the end public feeling would swing against us. We would have first a period of chaos, lack of respect for the law, and then a period of retrogression. If we now dispose of it, it is disposed of forever. . . . With the passing of the referendum you will have the liquor trade where it will be definitely possible to control it. You will have a generation of young people growing up who know not the taste of alcoholic liquor. . . . I am happy to support the referendum, because I believe it is a wise and sound policy as well as a righteous cause.⁴⁰

On April 10, 1921, speaking in three Methodist churches near his home town of Barrie, Drury made an even stronger appeal.

38. Globe, April 4, 1921, p.7.

39. Globe, April 13, 1921, p.7.

40. Globe, February 11, 1921, p.1.

If you favour law and order as against a condition of anarchy, in respect to the O.T.A., and are in favour of putting an end to this outlaw traffic, vote for the doing away with importation of liquor. This vote is not on Government control, but a vote between law-breaking and law-abiding people.⁴¹

The most spectacular prohibition rally of the campaign was held in the Toronto Arena on April 13, 1921. Twelve thousand prohibitionists, with the help of nine Salvation Army bands, the Royal Grenadiers Band, and the Festival of the Lilies Choir, cheered for a "bone-dry" Ontario. The stage was crowded with representatives from almost every religious group in the city. The chief speakers were N.W. Rowell, ex-President of the Privy Council; Sir George Foster, federal Minister of Trade and Commerce; and Premier Drury.

On this occasion, Drury declared that if the law were not confirmed, it would be a great moral loss. When the war-time restrictions were removed, the O.T.A. became a thing of no use -- a producer of lawlessness. More difficulty arose when the United States went "dry" creating a demand. Anyone who could get a carload of liquor across the border could earn \$75,000. Although the Government had enforced the law zealously, and with a fair degree of success, at present the O.T.A. was becoming nearly impossible to enforce. "With legalized importation we are encouraging lawlessness and putting a premium upon crime." If the referendum were lost, it would mean "three years of shame of being a bootleggers' province".⁴²

On April 18, 1921, Ontario voted "dry" by a majority of 166,835, thus bringing into effect "Bill 26", which prohibited liquor importation, and the Sandy Bill, which prohibited the commercial movement of liquor within the

41. C.A.R., 1921, p. 529.

42. Globe, April 14, 1921, p.1.

province.⁴³ It was a time for great prohibitionist rejoicing, for Ontario was placed under almost "bone-dry" legal prohibition. It was to be the supreme achievement of the prohibitionist forces in Ontario. The Ottawa Journal declared that if it was anywhere possible to enforce prohibition, it should be possible in Ontario under the present circumstances.⁴⁴ The Farmers' Sun gloated that once again the fact had been demonstrated that the strength of a country lies in its rural parts. "To the splendid men and women of the side lines and concessions must go the real credit for the victory. . . . We are proud of rural Ontario."⁴⁵ The Globe exulted that the cause of temperance had triumphed decisively. The verdict was so emphatic that the "wets" could have no pretext for reviving the agitation in any form.⁴⁶ Ben Spence was already prepared for greater conquests.

The battle is won but it is a wise tactician who stops not in the moment of victory, but immediately plans for the next job. We are gratified, not satisfied. Our thought must not be for the last but the next fight. Here's to it.⁴⁷

The Drury government was certainly pleased with the result. The illegalizing of the interprovincial trade would be an incalculable aid to the law officers. Attorney-General Raney declared it would enormously assist in the enforcement of the law. Stocks in hand would soon be exhausted and much easier conditions would exist. "There was only one

43. Both measures were in legal operation by July 19, 1921. C.A.R., 1921, p.557. The effectiveness of the new laws were greatly enhanced by the action of the Quebec Government in refusing after May 1, 1921, to sell any liquor to be taken into Ontario. The new Quebec Liquor Commission assumed control of all importing, wholesaling and retailing, thus replacing the great wholesale houses in Montreal. Only bona fide residents of the province could buy from the Commission. This probably helped to stop the flow of liquor into Ontario as much as any action that province took.

44. Ottawa Morning Journal, April 20, 1921, p.6.

45. Farmers' Sun, April 20, 1921, p.8.

46. Globe, April 19, 1921, p.6.

47. Ibid., p.1.

thing for the people to do, and that was to give Prohibition a fair chance."⁴⁸

There was, however, another side to the story. The movement to forbid the private importation of liquor for personal use apparently drove out of the "dry" ranks many who had been willing to impose prohibition on the people as a whole so long as it did not interfere with their personal privileges.⁴⁹ The Hon. W.F. Nickle, Attorney-General in the Ferguson administration, commented on the 1921 referendum in the Legislature, February 17, 1925.

There were a great many people in favour of the O.T.A. who, I believe, had in their cellars all the liquor they thought they needed. They were satisfied to see that no person could buy liquor in Ontario providing they could buy all the liquor they wanted out of Ontario. But when they were faced with the proposition offered by the Canada Temperance Act, which would prevent them from getting liquor, a great many people said, "Thus far and no farther shalt thou go", And they voted accordingly.⁵⁰

The Drury Government was forced to face the unpleasant facts that the prohibition majority had greatly decreased since 1919; that without the women and rural voters that majority would entirely disappear; and that large and distinct sections of the province were determined to have their liquor. Eleven of Ontario's largest cities⁵¹ would resent having prohibition forced upon them by rural votes. Northern Ontario, with very few exceptions, voted "wet". Several significant "wet" victories appeared in eastern Ontario.⁵² The border areas, especially North Essex, promised

48. C.A.R., 1921, p.556.

49. Charles A. Selden, "Ontario's Wet Prosperity," World's Work, LVIII (March 1929), 54.

50. Hon. F.W. Nickle, Attorney-General, in the Debate on the Address in Reply to the Speech from the Throne, February 17, 1925.

51. Toronto, Ottawa, Hamilton, Kingston, Windsor, St. Catharines, Welland, Kitchener, Sault Ste. Marie, Port Arthur and Fort Williams all voted "wet". The "wet" majority in Toronto was approximately 10,000; in Ottawa, about 6,000.

52. Russell and Prescott counties voted "wet", while Glengarry and Stormont

to remain as the disgrace of the province.⁵³

The Telegram observed that the Government had a knotty problem on its hands because such a large and influential minority had registered their protest. Drury was in an unenviable position.⁵⁴ Moreover, the situation could not be blamed on the large foreign populations in the cities, as the Globe had suggested.

Foreign colonies in Toronto, Hamilton and Ottawa do not dominate the situation. It must also be remembered that the large cities are the centres of education, art, culture and influential religious organizations. In Toronto, these factors should more than off-set the effect of the illiterate foreign voter, to say nothing of the inspiring influence of the Globe's daily sermon.⁵⁵

The Mail and Empire noted that so far as statutory authority was concerned, Ontario would be "bone-dry". This was also the legal situation below the border, but, "the United States is a huge sponge that continues to absorb vast quantities of intoxicating liquors, obtained by importation and through illicit sources of domestic manufacture". Thus, "unceasing vigilance" on the part of "Argus-eyed authority" would be necessary to make Ontario "actually 'bone-dry'".⁵⁶

On second thought, then, the 1921 referendum may have been more a cause for apprehension than for rejoicing on the part of prohibitionists. The

went "dry" by the relatively small majority of 234. Smith Falls, Kemptville and many areas in the Renfrews were also in the "wet" column. Along the St. Lawrence system and eastern Lake Ontario, Port Hope, Kingston, Brockville, Prescott and Cornwall voted "wet".

53. The "wet" line extended all along the Quebec border. In western Ontario, although Niagara Falls went "dry" by the slim majority of seventy votes, the rest of the Niagara peninsula was quite "damp". North Essex, including the Border Cities, went "wet" by a majority of 5,500, "due to the fact it is the pivotal point around which has hinged the liquor supply for the entire State of Michigan". Globe, April 19, 1921, p.4.

54. Evening Telegram, April 19, 1921, p.18.

55. Evening Telegram, April 20, 1921, p.18.

56. Mail and Empire, April 19, 1921, in the Toronto Public Library Scrapbook, XLV, 202a.

shutting off of importation would be beneficial to the Drury Government by giving them a tighter, more exact law to enforce. Indeed, it was the greatest measure of legal prohibition Ontario ever had, before or since. Yet, the very inflexibility of the law may have been the last straw for many moderates. The fact that so many people in Ontario were opposed to the restrictions on private importation might prove to be of greater significance than the attempt to cut off the supply.

Chapter V

The Drury Government and the Enforcement of Prohibition, 1920 - 1923

Like a twentieth-century Cincinnatus, Ernest C. Drury emerged from the solitude and obscurity of his 250-acre farm at Crown Hill, near Barrie, to take over the affairs of the state. The new Premier of Ontario was an active temperance man, a total abstainer from both liquor and tobacco, and deeply religious. He was the guiding spirit of the little country Methodist church near his home where he taught Sunday school classes and attended to the furnace.¹ A W.C.T.U. lady observed with pleasure and confidence that Drury had been brought up in a good, Christian, prohibitionist home.²

On accepting the leadership of the U.F.O.-Labour coalition on October 29, 1919, Drury said that he was "personally in thorough accord and sympathy" with the mandate of the people as expressed in the 1919 referendum. If there were loopholes or defects in the Ontario Temperance Act, it would be the duty of the Government to correct them.³ Enforcement would be strict, effective and impartial. "Personally, I think it would be discriminating against the rich if we allowed them to drink and the poor not to drink."⁴

The new Attorney-General in the Drury Cabinet was an aggressive and energetic Toronto lawyer. From a prohibitionist's point of view, William E. Raney was admirably qualified to be the chief administrator of the Ontario Temperance Act. Much of his public activity had been combatting race-track

1. Farmers' Sun, February 7, 1920, p.10.

2. Globe, October 31, 1919, p.10.

3. Farmer's Advocate and Home Magazine, LIV (October 2, 1919), 2004.

4. Globe, December 4, 1919, p.8.

gambling and the liquor evil. He had been prominent in temperance work as counsel for the Ontario Branch of the Dominion Alliance.⁵ The Farmers' Magazine commented that Raney was "not faint hearted and straight as a string". Moreover, he was a Presbyterian and born on a farm.⁶

The character of the two leading men in the Government would tend to indicate that the greatest effort would be put into the enforcement of the O.T.A. If prohibition were ever to work in Ontario, it would seem that the proper time was during the Drury regime. Never, before or since, was there a greater degree of prohibitory legislation on the statute books. And it is doubtful that Ontario ever had two leaders more sincerely opposed to the sale and use of intoxicating liquor. The Toronto Star, which put prohibition ahead of almost everything else, was optimistic about the future.

The United Farmers are the strongest body in the Legislature, and as a body they are out-and-out Prohibitionists. . . . There is every reason to believe that a new Government will be formed as determined in the enforcement of Prohibition as any Administration could be. Never before, in point of fact, have we had a Legislature so strong for Prohibition as this new one will prove itself to be.⁷

In spite of their strong temperance beliefs, Drury and Raney did not rush madly into a legislative fight to the death with the liquor evil. They were well aware of the fact that they must work within certain limitations. As a rule, they tried to keep clearly within the jurisdiction of the province as established by court decisions in the past. They knew, also, that if prohibition were too rigidly enforced, or tightened up unnecessarily, there could be a reaction against it. In reply to demands made by the Dominion

5. Globe, November 14, 1919, p.1.

6. Farmers' Magazine, XIII (November 15, 1919), 7.

7. Toronto Daily Star, October 24, 1919, p.6.

Alliance in March, 1920, Drury said,

We desire to enforce the O.T.A. so that there will be no reaction. That line is not clear yet. . . . We are as anxious as you to make prohibition efficient. We will move toward that end as quickly as we can, but we will also move with deliberation.⁸

It was possible for the province to amend the O.T.A. to limit the amount of liquor a man could have in his domicile. However, to make the possession of liquor in the home unlawful would be a drastic measure and the homes of some of the highest and purest in the land might be searched. Drury was explicit on the matter.

That the Province could undertake to forbid possession of liquor involves the transgression by the Government of private rights that every Englishman, every British subject, holds very dear. I will set my face strongly against any legislation that would involve the search of homes, that would involve spying upon the people, that would encourage a system of informers.⁹

One of the cardinal principles of the Drury Government was that the O.T.A. could not be changed without the consent of the people as expressed in a referendum. Drury maintained that it would be unwise to take the O.T.A. out of the special sphere it had come to occupy -- that is, "alteration only upon the approval of the electorate at large".¹⁰ In March, 1922, Drury assured the Dominion Alliance that the Government would introduce no amendments to loosen the O.T.A., "but let us entrench ourselves before we go further". The efforts of the Government would be directed towards better and still better enforcement of the existing law, rather than amendments of the law to go faster than public sentiment sanctioned.

8. Globe, March 11, 1920, p.1.

9. C.A.R., 1920, p. 612.

10. Globe, February 8, 1923, p.12.

The improvement of the law is, perhaps, not the immediate thing to be bettered so much as the enforcement of the law. . . . For the safety of the law, we should stand by the principle of administering the law as expressed by the voice of the people. The O.T.A. is on trial, and let us make sure of what we have already gained before we go any further. It is not a matter of legislative action -- that way lies danger. Once admit the principle that the law can be vitally amended and you are open to the danger of amendments in the other direction. Let us enforce the law as the people have suggested.¹¹

One of the chief complaints about the O.T.A. was the fact that it appeared to be class legislation. The workingman's bar and saloon had been closed. However, anyone, who was rich enough to afford it, could order all the liquor he wanted for his personal use from outside the province. In response to demands to do away with the "cellar" supply in private homes, the Drury government passed what must be considered the major temperance legislation of its regime -- the McCreary resolution, asking the federal Government to hold a referendum on importation, and the Sandy Bill, to stop "short-circuiting".

The main criticism of the measures was that they were private members bills. Drury was accused by the opposition of casting aside the time-honoured doctrine of Ministerial responsibility. The Mail and Empire accused the Government of shifty and shabby tactics.

Mr. Drury and the U.F.O. were understood to be stout champions of the cause of temperance. Yet when only a very small service remains for the Drury Government to render that cause, it ungallantly forsakes the meek milkmaid of temperance and leaves her in a political mix-up. . . . What seasoned, hard-shelled Grit or Tory political schemer ever resorted to anything less defensible than this particular manoeuvre of the present Government to dodge responsibility for a question of vital public interest and of almost paramount public policy?¹²

Raney said the action was taken with the knowledge and approval of the Government.¹³ Drury explained the object was to obtain a full and free

11. Globe, March 10, 1922, p.15.

12. Toronto Public Library Scrapbook, XLIV, 306, Mail and Empire, April 23, 1920.

13. Globe, April 1, 1920, p.1.

expression of opinion without binding any member of the House to support or to oppose the proposals because of party reasons. They wanted an honest, not a political, decision. Individual responsibility in the Legislature and in the electorate must be cultivated.¹⁴ The two leaders were also aware that many Labour members opposed further prohibitory legislation. On a division to reject a clause in the Sandy Bill, placing the onus of proof upon the defendant, all the Labour members, except the two Cabinet Ministers, voted against the Government to which they belonged.¹⁵

Both measures finally passed in the House with sizeable majorities and were approved by the electorate on April 18, 1921. On July 18, the Attorney-General's department clamped the lid down tight, declaring that there would be "no special arrangement or concession by which liquor in transit after midnight would be permitted to escape the law's vigilance". W.S. Dingman, acting Chairman of the License Board, declared all movements of liquor in the province would be "liable to be seized, and the parties responsible subject to prosecution".¹⁶ Along the borders, municipal police, liquor license officials and members of the Provincial Police department kept close watch. The Globe sighed with contentment, "Dry -- at last". It seems to have been too "dry" for the satisfaction of many people.

Several other actions in 1920 served notice that the new Government intended to enforce the O.T.A. with vigour. An amendment provided imprisonment for driving a motor car while intoxicated.¹⁷ Concerning liquor in private houses, the law was changed to read that where any one of the house

14. C.A.R., 1920, p. 612.

15. Globe, May 13, 1920, p.1.

16. Globe, July 19, 1921, p.1.

17. C.A.R., 1920, p. 553.

had offended against the O.T.A. there could be no liquor kept until a year after conviction. Where a person was convicted of being drunk or disorderly in a public place he could be committed to jail or an industrial farm for a period not exceeding three months. Another clause made the owner, or Captain, or person in command of any ship responsible for any infraction of the law on the boat by the process of declaring him "occupant".¹⁸

One of the most obvious loopholes in prohibition in Ontario was the exemption of native wines from the provisions of the O.T.A. Section 44 permitted wine made from grapes grown in Ontario to be sold by those manufacturers who had permits from the Board of License Commissioners. There was no limit either to the quantity allowed to be sold or to the strength, which ordinarily ran from 15 to 25 per cent proof spirits of alcohol. In a letter to Raney, December, 1919, J.D. Flavelle explained the attitude of the Hearst government. The abolition of native wine would in large measure destroy the grape growing industry in southern Ontario, especially in the Niagara peninsula. Also the exemption might act as a safety valve in not making the O.T.A. too drastic in regard to liquor for beverage purposes.¹⁹

Ben Spence pointed out that the people of Ontario had polled a huge majority against allowing the sale of beer containing $2\frac{1}{2}$ per cent alcohol under strict government control. These people did not want wine five times stronger sold by private interests.²⁰ Under constant pressure from the temperance forces, Raney replied that to prohibit the sale of native wines

18. P.A.O.: Legislative Assembly, Newspaper Hansard, Film #9, May 6, 1920.

19. Drury Papers, 1920, Temperance Act: re sale of native wine. Letter to Raney from Flavelle, Toronto, December 5, 1919.

20. Globe, April 3, 1920, p.1.

would hardly be justified so soon after the people had pronounced on the O.T.A., which embodied the native wine exemption.²¹ Pressured by Spence in 1922, Drury said he was opposed to making further changes in the Act at present. Enforcement was the essential thing.²²

The Government had some support for this attitude. The Special Committee of the Legislature investigating the O.T.A., appointed by Drury in 1920, advised against interfering with the sale of native wine.²³ Even the Toronto Star thought the native wine provisions should be left alone for the time being. Many citizens felt the O.T.A. was over-drastring. "There is a restlessness of a sort inevitable with the passing of an act affecting the habits of a considerable element in the community." It would pass and some day native wines would fall under the ban.²⁴

In the 1921 Session, the Government was embarrassed by a sudden "conversion" of Hartley Dewart to strong temperance measures. The Liberal leader placed upon the order paper a bill to prohibit the sale of native wines. Eventually, the bill was referred to the Legal Committee, "otherwise known as the Burial Committee".²⁵ When the chairman asked if anyone there except Hall, the seconder, supported the bill, Raney was "busy with some papers".²⁶ The Mail and Empire observed the uncomfortable position of the Premier, "the heralded advocate of bone dry legislation", who must either vote against legislation the Dominion Alliance had been urging or accept dictation in a matter "about which the Government seemingly has decided to take no action".²⁷ The Globe

21. Globe, April 23, 1920, p.1.

22. C.A.R., 1922, p. 590.

23. C.A.R., 1921, p. 547.

24. Toronto Public Library Scrapbook, XLVI, 66, Toronto Star Weekly, November 11, 1922.

25. Farmers' Sun, April 27, 1921, p.5.

26. Toronto Public Library Scrapbook, XLV, 118, Mail and Empire, April 28, 1921.

27. Toronto Public Library Scrapbook, XLV, 115, Mail and Empire, April 15, 1921.

chided the Government on its "non-committal, do-what-you-think-is-right" attitude.²⁸ The Telegram added to the discomfiture of the Government.

There may be political reasons for protecting wine and banning beer. But there is no moral or social reason. There is no inherent vice in barley which does not also lodge in grapes.²⁹

In the 1921 Session a major debate on the O.T.A. was precipitated by the question of the right of defendants to appeal in O.T.A. cases. The Special Committee to inquire into the operation of the Act issued a majority report that the Act be amended so as to provide for an appeal by the defendant on the record of evidence as taken before the convicting magistrate, such appeal to be to a Judge in Chambers of the Supreme Court of Ontario.³⁰ A minority report, issued by almost half the members, suggested a right of appeal to County Judges with a rehearing of the case.³¹

In March, the Attorney-General brought in a bill which conceded the right of appeal to County Judges, but he definitely refused to sanction retrial except on Police Court evidence only.³² This was a compromise on Raney's part. Originally, he had opposed any appeal. "You might as well scrap the act as give bootleggers the right to appeal. . . . The gang that runs this business will frame up anything at all."³³

Dewart and Major J.C. Tolmie, Liberal member for Windsor, introduced an amendment giving effect to the minority report. The former asserted they were proposing to take the power away from Raney and "his minions, the License Commissioners", and place it in the hands of the County Judges.³⁴ It was unfair of Raney to infer the present issue was between the supporters

28. Globe, February 10, 1922, p.9.

29. Evening Telegram, April 21, 1921, p.20.

30. C.A.R., 1921, p. 546.

31. Globe, March 2, 1921, p.1.

32. Globe, March 4, 1921, p.6.

33. Globe, February 2, 1921, p.7.

34. Globe, March 2, 1921, p.2.

and opponents of prohibition. Surely the Crown would not retain to itself a wider right of appeal than it would give to the accused. The inherent right of British justice was at issue.³⁵

The controversy developed into a name-calling spree. Ferguson denounced Raney as a "bully of the law". Dewart compared him to Torquemada of Spain in his persecution of anyone who did not agree with him.³⁶ Raney accused the Telegram of being the "mouthpiece of the bootleg and betting-house fraternities operating and controlling the rump of the decrepit old Tory party".³⁷ Dewart described Raney as,

. . . Simply a legal adventurer whom the exigencies of a new party had temporarily elevated into a position of a dangerous pre-eminence. . . . We never had such a legislative tinker in this House -- a Pharisee is no more popular in a Canadian community than he was 2,000 years ago.³⁸

Raney's bill was finally rushed through in the closing hours of the Session. It provided that anyone convicted before a Magistrate could, within ten days, appeal to the Senior County or District Judge sitting in Chambers without a jury. The convicted person, if sentenced to a prison term, was to be liberated pending the hearing of the appeal on giving approved security. The Judge was given power to affirm, reverse or amend the Magistrate.³⁹ Ferguson charged that the right of appeal was so circumscribed as to make it practically valueless. It was most unfair for Raney and the License Board to retain to themselves the right of putting in new evidence, while denying it to the accused.⁴⁰

Nevertheless, to those who valued personal liberty, a limited right of

35. Globe, April 15, 1921, p.1.

36. C.A.R., 1921, p. 549.

37. Globe, April 15, 1921, p.3.

38. Saturday Night, April 23, 1921, p.1.

39. C.A.R., 1921, p. 549.

40. Globe, April 20, 1921, p. 17.

appeal in O.T.A. cases was better than no right of appeal. The Star commented that, "The new right to appeal may clog the work of some of the county courts, but if it fosters the feeling that the law is fair and considerate the change will be worth while".⁴¹

The chief method of distributing liquor in Ontario during prohibition was in the nature of a public scandal. Under the medical-dispensary provisions of the O.T.A., doctors were allowed to prescribe liquor to any patient whom they felt was in need of it. Most of the business of the government dispensaries was done through doctors' "prescriptions". In 1920, J.D. Flavelle stated before the Public Accounts Committee of the Legislature that eighty or ninety per cent of the prescriptions issued for quarts of liquor were unnecessary for medical purposes, and that ten per cent of the physicians paid no attention to the law. One doctor had given 2,005 prescriptions in one month, receiving two or three dollars apiece for them.⁴² Drury said that certain medical practitioners were "using their profession as a thin cloak for bootlegging".⁴³

As time went on, the situation grew worse instead of better. In 1920 - 21, 588,000 prescriptions were issued. By 1923 - 24, the number had risen to 810,000. In 1920, the Government dispensaries sold \$3,553,000 worth of liquor. In the year ending October 31, 1923, \$4,840,000 worth was sold.⁴⁴ Saturday Night commented that the "Ontario's Booze Tenders' Annual", or the Report of the License Commissioners, was a "droll document". There was a

41. Toronto Daily Star, April 8, 1921, p.6.

42. C.A.R., 1920, p. 613.

43. Globe, September 29, 1920, p.1.

44. Hon. W.F. Nickle, Attorney-General, in Reply to the Speech from the Throne, February 17, 1925, p.19.

decided tendency in December of each year to be ill and require a doctor's prescription. Also, the province was getting more unhealthy^h as time went on. Nearly four million dollars per year spent on liquor was "not a bit bad for a 'dry' Province".⁴⁵

It was apparent that many physicians had succumbed to the temptation of securing considerable aggregates of "easy" money from whiskey-order fees, while some others had been too good-natured or too much in fear of losing patients to deny them aid in getting liquor.⁴⁶ Ben Spence described the "prescription" system as a "ghastly joke". The Government was supplying more liquor used illegally for beverage purposes than any other bootlegger.⁴⁷ While some doctors misbehaved, there was also much forgery of physician's names, and bogus forms were printed and sold in ^{pads} ~~pad~~.⁴⁸

If doctors were becoming bootleggers, certain drugstores were little better than bar-rooms or blind-pigs. Stephen Leacock described how to get liquor in Ontario. "It is necessary to go to a drugstore . . . and lean up against the counter and make a gurgling sigh like apoplexy. One often sees these apoplexy cases lined up four deep".⁴⁹

In May, 1920, the Drury Government passed an amendment to the O.T.A. which gave to the Board of License Commissioners the power to refuse to honour the prescription of a doctor "for any cause which the board may deem sufficient". The Board could also refuse to issue liquor to any person holding a prescription unless he satisfied the person in charge of the dispensary that it had been obtained bona fide; or to a druggist, dentist or

45. Saturday Night, June 16, 1923, p.2.

46. Globe, April 4, 1919, p.6.

47. Globe, October 14, 1921, p.7.

48. T.A. Kydd, "Modified Prohibition in Canada", Current History, XIV, No. 2, May, 1921, 286.

49. Ralph Allen, Ordeal by Fire (Toronto, 1961), p. 256.

veterinary surgeon who had, in the opinion of the Board, disposed of any unreasonable quantity of liquor without accounting for it.⁵⁰ Several Liberal and Labour members complained about the unusual powers granted to the Board. The Medical Council was responsible for the behaviour of doctors.⁵¹

In May, 1921, the License Board announced that after June 1 they would stop filling prescriptions at the dispensaries for any medical practitioner who issued more than fifty orders for one quart of liquor in a month.⁵² In November, ninety physicians were denied the right to issue liquor prescriptions because they exceeded the limit of fifty. On assurances being given, all were reinstated except two, who issued over seventy-five.⁵³ In January, 1922, 311 doctors were put under various terms of suspension at the dispensaries because they exceeded the maximum allowance during December.⁵⁴ Ultimately, "clemency" was extended to all but twenty-four of the doctors. In February, Chairman James Hales of the License Board and a special committee of the Ontario Medical Association held discussions to clear up misunderstandings. The doctors agreed to consider some form of co-operative disciplinary control to be exercised by a doctor's committee in conjunction with the Board.⁵⁵

The "prescription" problem was one of the thorniest with which the Government had to deal. The medical profession itself seems to have been divided on the value of liquor as a medicine and the merits of the "prescription" system of distributing it. Although most maintained a tactful silence, Dr. F.W. Marlow, a former president of the Ontario Medical Association declared that the "pound of flesh exacting Governments" should find some other system

50. P.A.O., Legislative Assembly, Newspaper Hansard, Film #9, May 6, 1920.

51. Globe, May 14, 1920, p.4.

52. Globe, May 30, 1921, p.8.

53. Globe, December 6, 1921, p.11.

54. Globe, January 14, 1922, p.14.

55. Globe, February 1, 1922, p.6.

for the disposal of their wares to the alcohol-needing public. So long as alcohol was permitted to be dispensed as a medicine, the doctor should be allowed to dispense it in medicinal quantities to his patients, without restrictions, as is done in the case of other drugs, with the Council of the College of Physicians and Surgeons left to correct abuses.⁵⁶

Although it was the system, and not the administrators, that was at fault, the Government was naturally blamed for the unfortunate situation. One of the doctors suspended in January, 1922, was Dr. Forbes Godfrey, Conservative M.P.P. for West York. He called Raney "a plain, political octoroon" and told a Conservative meeting in Toronto about "what had been done to the medical profession by this Soviet committee headed by Trotsky Raney at Queen's Park".⁵⁷ The Mail and Empire was scarcely less gentle.

The Ontario Government might well give its attention to locating the stills where "swamp" whiskey is made, and punishing with severity bootleggers who sell poisonous compounds, rather than persecute medical men who prescribe good liquor for patients whom they believe to be in need of it. So far no facts have come to light suggesting that people who have prescriptions filled die in delirium tremens.⁵⁸

During the Drury regime several other attempts were made to increase the efficiency of prohibition enforcement. In 1920, Raney complained that dual control in the administration of the law was one of his greatest difficulties. Magistrates, Crown Attorneys and Provincial Police were in the department of the Attorney-General while the License Inspectors and Provincial License officials were under the control of the License Board, which was in the department of the Provincial Secretary.⁵⁹ Accordingly, in March, 1921, Raney brought in a bill to co-ordinate the criminal law and O.T.A. enforcement

56. C.A.R., 1922, p.589.

57. Globe, January 26, 1922, p.10.

58. Toronto Public Library Scrapbook, XLVI, 21, Mail and Empire, January 25, 1922.

59. Globe, July 28, 1920, p.1.

under a Provincial Commissioner of Police. The reorganization took place in November, 1921. The province was divided into eight districts with an Inspector in each district to control all the Provincial Police officers within his jurisdiction. Major-General H.M. Elliott was appointed as the new Commissioner to supervise the whole system and to enforce the O.T.A. as well as all other laws.⁶⁰

Dewart charged that it was but a continuance of the policy to co-ordinate all power and authority in the province under the Attorney-General. He objected to the tendency to centralize power in one man. Others charged that Raney was sufficiently autocratic already.⁶¹ James E. Rogers, Superintendent of the Provincial Police, opposed Raney's action and declared that the same men should not enforce both the O.T.A. and the criminal law.

No, you cannot enforce liquor laws in connection with other laws. In ordinary crime the public has a respect for the law. The people think it their duty to tell everything. . . . In liquor cases they won't tell. . . . The people look upon a liquor officer as a spotter.⁶²

Further unification took place in August, 1921. James Hales was appointed the new Chairman of the Board of License Commissioners, plus Director of O.T.A. prosecutions. The latter had been formerly divorced from the administration of the License Board. At this time the work of the Board was defined and divided into four departments: 1. The conduct of the government dispensaries; 2. The supervision of the issuance of prescriptions by doctors; 3. The employment of alcohol in the manufacture of patent medicines for popular consumption; 4. The supervision of hotel accommodations for the travelling public.⁶³ Thus attempts were made to increase the efficiency of O.T.A. enforcement by uniting the branches of law that dealt

60. C.A.R., 1921, p. 549.

61. Globe, March 17, 1921, p.6.

62. Globe, November 4, 1920, p.1.

63. Globe, August 24, 1921, p.1.

with it. It was no longer possible for a police officer to ^hshirk his duty by claiming responsibility lay elsewhere.

The enthusiasm of the Attorney-General for strict enforcement of the O.T.A. was apparently not always matched by some of his underlings. Many of the magistrates hesitated to impose what they considered to be harsh penalties for relatively minor infractions. In July, 1920, Raney sent out a circular letter to the magistrates informing them that the maximum penalty for the first offence of illegally possessing liquor had been increased from one thousand to two thousand dollars, with imprisonment to be added in the discretion of the convicting magistrate.⁶⁴ Within a month, Raney complained that the magistrates were not imposing the jail sentence as they should under his instructions.⁶⁵

Many people felt Raney was interfering unnecessarily in the affairs of the magistrates. Ferguson charged that the writing of letters instructing magistrates to impose prison penalties on first offenders was "the most outrageous thing ever done by an Attorney-General of the Province".⁶⁶ On the retirement of Col. George T. Denison as Senior Police Magistrate of Toronto, Mayor Church told Raney that there had been altogether too much interference with magistrates, crown attorneys and police officials by the Government. He was not surprised that many of them were leaving the service.⁶⁷ M.M. MacBride, Labour member for Brantford, said the people of Ontario wanted the magistrates and judges left to perform their sworn duty without any

64. Globe, July 1, 1920, p.8.

65. Globe, July 28, 1920, p.1.

66. Globe, April 20, 1921, p.17.

67. Globe, July 12, 1921, p.6.

influence from the Attorney-General or any other political source.⁶⁸ When Raney introduced a measure to amend the Magistrates Act in 1922, Dewart attacked a clause which permitted the Magistrate to hold office at the "pleasure" of the Lieutenant-Governor-in-Council. He accused Raney of attempting to set up a one-man judicial autocracy in Ontario.⁶⁹

In spite of Raney's efforts, James Hales announced in July, 1922, that there was still a minority of magistrates and a smaller number of County Judges in Ontario who were not in sympathy with the enforcement of the O.T.A., and who would dismiss, upon the slightest excuse, cases brought before them.⁷⁰

Some of Raney's methods were revealed in the Dunnville case in 1921. Under his instructions an enquiry was held into the attitude and activities of Magistrate David Hastings in that town. It was charged that several prominent citizens, including F.R. Lalor, federal member for Haldimand, were involved in a "whiskey-ring". Hastings was aiding them by slack enforcement of the law.⁷¹

Hastings was admittedly opposed to prohibition and considered some of the penalties under the O.T.A. too drastic. According to him, there should be reasonable facilities for those who wished to obtain liquor and reasonable restrictions for those who abused it. He objected particularly to the clause in the O.T.A. providing a minimum penalty of six months imprisonment for second offences of illegal sale of liquor. The clause robbed a magistrate of his discretion, he said. It was too severe for minor offences and not harsh enough for the flagrant violations of a persistent bootlegger.⁷²

In the Legislature, Raney charged that J.L. Counsell, Hastings' lawyer, was "employed by the bootlegging and gambling fraternities", a remark which

68. Globe, January 17, 1922, p.2.

69. Globe, May 9, 1922, p.13.

70. Globe, July 25, 1922, p.13.

71. Globe, March 4, 1921, p.1.

72. Globe, March 11, 1921, p.5.

Ferguson characterized as "unbecoming and undignified".⁷³ The Telegram declared that "the whole episode re^ecked with meanness". Raney seemed to regard himself as beyond reproach. Any challenge to his "colossal genius" was considered as being "profane and blasphemous".

Raney behaves as if he thought the irrelevant baying about his attitude on temperance should silence every critic who puts on record his sincere belief that the province is discredited by a most amazing meddling with the cardinal principles of British justice.⁷⁴

There was probably an element of truth in the Telegram's analysis. Raney was very much a prohibitionist in his attitude towards opposition. If you were not for him, then you were against him, and that meant you were working for the "liquor interests". Hastings lost his job because he was "not in sympathy with the O.T.A." and because he "tempered justice with too excessive leniency". It was never proved that there was a "whiskey-ring" in Dunnville, and Hastings was found to be "personally honest and upright". However, Raney said he was responsible for lessening public respect for the administration of justice and his usefulness as a Magistrate was largely gone.⁷⁵ Therefore, he was asked for his resignation to become just another piece of flotsam riding the "dry" wave which smothered Ontario.

One aspect of O.T.A. enforcement which tended to bring the act into disrepute was the use of "spotters", "stool-pigeons", and other undesirable characters and methods. There may have been some truth in the statement of I.F. Hellmuth, president of the Citizens' Liberty League that, because there was no public opinion behind the O.T.A., it was necessary for the Government to resort to the employment of spies and informers who not only search for

73. Globe, April 16, 1921, p.3.

74. Evening Telegram, April 16, 1921, p.19.

75. Globe, April 30, 1921, p.1.

infringements of the law but induce individuals to create offenses.⁷⁶

George Halcrow, Labour member for East Hamilton, observed that only individuals of low moral character could be secured to go out and misrepresent themselves to the people in order to secure convictions.⁷⁷ Ferguson charged that in Cornwall a prostitute had been hired to induce men to break the liquor law.⁷⁸

Drury personally disapproved of the employment of individuals who, to secure the necessary evidence, might themselves become participants in the infraction of the act. "If you mean to enforce an act you have to get popular sympathy, and you cannot do it by methods of this sort"⁷⁹ During its term of office, the Drury Government made several unsuccessful attempts to curb the practice.

In December, 1921, Provincial Police Commissioner, General Elliott, declared the department was willing to lose a case rather than utilize questionable means to secure a conviction. Liquor drinking by police officers in dives to secure evidence was to be banned. Spotters would only be used in extreme cases where their services were necessary, and then only when accompanied by a Provincial Police officer.⁸⁰ In reply to the charges of Herbert Lennox that "thugs and criminals" were employed, Raney read a letter which had been sent to all Police Boards in Ontario. The practice of the department was to employ as special officers only men with clean records, and not to employ women at all. His orders also called for the gradual elimination of the special hired spotter. The requirements of special officers was total abstinence and no criminal record. The penalty for

76. C.A.R., 1922, p. 595.

77. Globe, April 15, 1921, p.3.

78. Globe, April 20, 1921, p.17.

79. Globe, February 3, 1921, p.7.

80. Globe, December 9, 1921, p.9.

officers found intoxicated, or ^{or} off duty, was instant dismissal.⁸¹

Although Drury and Raney attempted to curb or eliminate the employment of "undesirables", it was a difficult task, especially when important lesser officials held different opinions. In March, 1922, Rev. J.A. Ayearst, Chief License Inspector, strongly defended the spotters.

A distinct and continuous bombardment is being made on Government spotters by certain sections of the Press and legal professions. You would sometimes think that the bootlegger, the blind-pigger, the purveyor of distilled damnation, had wings growing out of his shoulders and was ready for translation, and that the men who go out and detect him, often at great personal risk, are all criminals. These men are doing detective work, and you can't enforce the act properly without them -- I defy you to.⁸²

Perhaps the biggest problem the Drury government had to face during its term in office was to stop the smuggling of Canadian liquor into the United States. The province was greatly hampered in the control of rum-running by the fact that "export" was a matter of federal jurisdiction. Smuggling broke no Canadian law and the Dominion government showed no signs of remedying the situation. There ~~was~~ ^{were} no provisions in the customs laws or regulations to warrant refusal of clearance to a foreign port simple because the entry of liquor was prohibited at such ports.⁸³ Six distilleries and twenty-nine breweries within Ontario operated almost undisturbed throughout the prohibition era. These establishments, licensed by the federal government, had the right to manufacture liquor and to sell it for export from the province.⁸⁴ With imagination, the supply and demand within Ontario could be brought into satisfactory balance. Although it was known that a great deal

81. Globe, April 13, 1922, p.13.

82. Globe, March 11, 1922, p.6.

83. Allen, Ordeal by Fire, p. 258.

84. B.H. Spence, "Prohibitory Legislation In Canada", Annals of the American Academy, CIX (September, 1923), 232.

of the "booze" was not leaving the province, the Ontario government was ultimately helpless to ameliorate conditions.

Although there was trouble all along the international boundary, the heart of the problem centred around the city of Windsor. Essex county was embroiled in "a carnival of crime".⁸⁵ Law breakers were conducting gunfights, brazenly using expensive motor cars and launches to carry on their trade, and generally acted as though they were all powerful.⁸⁶ The running of liquor across the border was a profitable and largely patronized occupation. It was estimated that an average of one thousand cases of liquor a day crossed the river in July, 1920. In that month, some seven thousand cases were seized at Amherstburg and ten thousand more at Windsor.⁸⁷ The Essex "scandal" must be wiped out to save Ontario's good name. The Windsor Border Cities Star urged the federal Government to take stern measure to repress the illegal trade. As a result of it, border points had gained an undeserved reputation for lawlessness and insobriety.⁸⁸

Although the Drury government was not supposed to be concerned with smuggling, it was deeply interested in the growth of bootlegging. The illegal sale of illicit liquor was definitely increasing in Essex. Vast quantities of whiskey legally made in Ontario for export were landed at remote spots on the Canadian shore and smuggled back into the province for the bootleg trade. A Globe staff correspondent observed that bootlegging apparently had been raised to the dignity of a profession and could claim to be one of the basic industries of the city of Windsor.⁸⁹ Chester Walters, chief of the

85. Globe, July 7, 1920, p.6.

86. Globe, August 4, 1920, p.6.

87. C.A.R., 1920, p. 615.

88. "Manitoba Abandons Prohibition", Literary Digest, LXXVIII (July 21, 1923), 18.

89. Globe, March 25, 1921, p.1.

Hamilton Dominion Income Tax Office even made a ruling that bootleggers and those engaged in the illicit liquor traffic who filed Dominion income tax returns were entitled to deduct the amount of their O.T.A. fines, if any, as legitimate expenses incurred in the course of their business. The fines must show in their bank books. Those with stores of illicit liquor seized were not entitled to reductions as that was counted "capital loss".⁹⁰

The growth of the trade can be measured by the growth of a man. Cecil Smith, a former Windsor taxi driver who had sold his first two bottles of liquor in 1919, rose to be known along the border as "the brains of the rum-running gang". In October, 1921, he testified in court that he had paid no less than \$96,000 in fines for friends found guilty of breaches of the O.T.A. He was caught when he offered a provincial officer \$2,000 to "walk away" from the discovery of seven motor trucks and five automobiles in charge of twenty men unloading a carload of liquor at the Windsor depot of the Canadian Pacific Railway.⁹¹

In spite of their limitations, the U.F.O. Government took steps to clean up the situation in border areas. In July, 1920, the License Board, with Raney's sanction, announced that large consignments would be seized and the one to whom the liquor was sent would be obliged to prove that it was for his own consumption. Imprisonment would be the penalty for those found breaking the law. Raney said,

Perhaps a few jail terms will bring the rum-runners to understand that this can't go on. . . . Constituted authority, which seems to be fast disappearing, must be re-established.⁹²

On July 28, Provincial Secretary, H.C. Nixon, announced the appointment of four extra provincial license inspectors in Essex. They would be able to

90. Globe, March 7, 1921, p.3.

91. Globe, October 14, 1921, p.1.

92. Globe, July 12, 1920, p.1.

hire as many men as they needed to fight the traffic. The most notable of the new appointees was Rev. J.O.L. Spracklin, the fighting Sandwich Methodist pastor.⁹³

The special inspectors soon came into conflict with the regular authorities. Several local lawyers drew up a dozen affidavits charging the special agents with bribery, corruption and terrorism. T. Healy, a Windsor lawyer, charged that Spracklin carried blank search warrants and filled in the names himself.⁹⁴ Automobiles returning from church were stopped and searched for liquor. M.W. Mousseau, regular License Inspector for Essex, told the License Board that he would leave its service if the special agents working under Spracklin were retained. He maintained that it was better to let the load of liquor get away, than to be shooting all the time.⁹⁵

The situation reached a climax on November 6, 1920, when Spracklin shot and killed "Babe" Trumble, the proprietor of a road-house in Sandwich. The pastor was conducting a whiskey raid in his capacity as special preventive officer, appointed by the License Board. A Coroner's jury quickly found that Spracklin had shot in self-defense. At his trial in February, 1921, he was found not guilty on a charge of manslaughter.

The case aroused much interest across the land. The W.C.T.U. and various Methodist bodies commended Spracklin and his efforts, while friends and relatives of his victim charged him with murder. Another branch of opinion claimed that policemen should not be partizans and that to place a revolver in the hands of a zealot was obviously dangerous.⁹⁶ In contrast, the Christian Guardian claimed that Spracklin was a man of utter courage and

93. Globe, July 28, 1920, p.1.

94. Toronto Public Library Scrapbook, XLV, 56, Toronto World, November 3, 1920.

95. Globe, November 4, 1920, p.1.

96. C.A.R., 1920, p. 615.

devotion -- fearless, unpurchasable and intensely alert. The great task must not be hidden from view because of any "merely sentimental feelings stirred up by the thought of the taking of human life".⁹⁷

In March, 1921, Spracklin again made the headlines. He was fined \$500 damages for trespass on the yacht of Oscar E. Fleming, K.C., Windsor. He had exhibited his revolver to several ladies aboard and found no liquor. On appeal, the Second Appellate Court upheld the previous judgment. Chief Justice R.M. Meredith and four other judges declared that Spracklin was utterly unfitted for his responsibilities, lacking experience, tact, patience and knowledge. In the Fleming case his behaviour was altogether stupid and inexcusable.⁹⁸ The Telegram suggested the situation was "Raneyism running amuck". In its larger aspect the unanimous decision of the Appellate Court was the most terrific indictment of an Attorney-General ever uttered in the province. The judges had said,

If the law is to be respected and properly enforced, the enforcement of it must never be committed to such persons as the defendant, it must be left to trained, experienced and impartial officers of the law.⁹⁹

The Judges' assessment of Spracklin, and by implication, Raney, was not published in the Globe. The Telegram accused the latter journal of toning down the facts. "The Globe . . . is the High Priest at the altar of Raneyism, and finds it the part of righteousness to conceal with a thick veil of silence its idol's feet of clay."¹⁰⁰

When the legal importation of liquor was ended at midnight, July 18, 1921, the License Board announced that all movements of liquor within the province were liable to be seized. It was not long before Raney found himself in a

97. Globe, November 17, 1920, p.9.

98. Recorder and Times, April 8, 1921, p.1.

99. Evening Telegram, April 8, 1921, p.21.

100. Evening Telegram, April 9, 1921, p.22.

fight with the liquor exporters that resulted in his stepping outside the bounds of provincial jurisdiction.

In a test case in a Windsor court on August 10, 1921, Police Magistrate W.E. Gundy decided that shipments of beer and liquor from Canada into the United States were lawful and Canadian license officials were powerless to prevent them. Unless the law was changed by the federal government, the Customs authorities were obliged to give clearance papers.¹⁰¹ The brewers and distillers made no secret of their intentions to export to their "dry" neighbour. The general attitude was expressed by E.R. Bond, vice-president of the British-American Brewery Company.

We have no knowledge of or interest in the prohibitory laws of the United States. We believe we are privileged to fill orders for shipment of beer to the United States, even if it is illegal for citizens of the United States to have beer.¹⁰²

Across the border, seventy-five troopers from the Michigan State Constabulary at Lansing reported for duty to suppress the wholesale influx of Canadian "booze". Their equipment included three high-powered motor boats armed with rifles. On the Ontario side of the river, motor boats, rowboats and yawls were being loaded in daylight to be driven, pulled or sailed unmolested into American waters by night.¹⁰³

On August 16, the provincial authorities announced they would seize all shipments of liquor except over regular transportation channels. Liquor and owner would be taken to court. If the owner could prove the legality of its destination, the liquor would be reshipped there, but on board some railroad where, of course, it would be seized by United States Customs as contraband.¹⁰⁴

101. Globe, August, 12, 1921, p.1.

102. A.B. Macdonald, "Rivers of Rum from the North", The Ladies' Home Journal, XL (September, 1923), 169.

103. Globe, August 13, 1921, p.1.

104. Globe, August 16, 1921, p.1.

In another case brought about by Raney as a test trial, Magistrate Gundy decided that as long as beer was not ordered in Ontario, it could be shipped to the United States. The legal way was for residents of the United States to mail the order and the money to the exporters.¹⁰⁵

A new plan was devised by the exporters to escape Raney's vigilance. The Essex Export Company was issued a charter by the Dominion government specifying that the company might have liquor "for export sale, either in a bonded liquor warehouse or any other warehouse". If an attempt was made to seize the property, their counsel would petition for a restraining injunction to prevent interference.¹⁰⁶ On November 10, under instructions from Raney, the Essex Export Company was charged with keeping liquor in an unlawful place under the O.T.A. Regardless of the federal charter, the company must also secure a license for a bonded warehouse. Magistrate Gundy upheld this action and the Ontario License Board refused to approve the giving of a license for a warehouse.¹⁰⁷ The floodgates were opened again on March 25, 1922, when County Judge J.J. Coughlin quashed the conviction against the company. He held that the O.T.A. could not regulate export liquor warehouses.¹⁰⁸

Defeated in this approach, Raney prepared to use every legal weapon at his disposal, and then some, to fight the exportation of liquor. On May 12, 1922, Provincial Treasurer Peter Smith passed a motion to impose a \$15,000 per annum tax on the liquor export companies. Ferguson commented that it was somewhat absurd to tax something the Government considered illegal.¹⁰⁹

The operations of the export companies were again brought to a standstill by the passing of Raney's Liquor Transportation Bill in June, 1922. This act

105. Globe, August 22, 1921, p.2.

106. Globe, August 17, 1921, p.1.

107. Globe, November 11, 1921, p.1.

108. Globe, March 27, 1922, p.1.

109. Globe, May 13, 1922, p.1.

prohibited the carrying of liquor on the highways of Ontario, except by the consent of the Board of License Commissioners, or in the case of private transport by an owner from one lawful residence to another.¹¹⁰ By restricting transportation to shipment by rail, it would be more difficult to divert liquor en route to points in Ontario. On January 9, 1923, Judge Coughlin declared Raney's bill to be ultra vires and invalid because it encroached upon federal jurisdiction.¹¹¹ On May 16, the Court of Appeal upheld the decision that the Ontario government could not prohibit the use of highways for legal exportation of liquor from the province.¹¹²

There was nothing more Raney could do. He had lost the battle, but no *question that he made a gallant attempt* one ~~would blame him for not trying.~~ He was aided in his fight somewhat when in October, 1922, the Grand Trunk joined the Canadian Pacific Railway in refusing to handle intoxicating liquors for export. This left the Père Marquette railroad and the Hydro radials as the only lines in Ontario that would handle the business as far as the wharves.¹¹³ It was unlikely that the Government would interfere with the latter. The municipalities guaranteeing the debentures for the cost of the Sandwich, Windsor and Amherstburg Radial line considered that they would have "legitimate cause for complaint" if the Hydro Commission, their operating body, were to refuse a possible source of revenue.¹¹⁴

In spite of Raney's efforts the exportation of liquor and its attendant evils, such as bootlegging within Ontario, continued much as before. Indeed,

110. Globe, June 6, 1922, p. 1.

111. Globe, January 10, 1923, p. 1.

112. Globe, May 17, 1923, p. 3.

113. C.A.R., 1922, p. 141.

114. Globe, January 20, 1922, p. 13.

if anything, the situation had worsened. In June, 1923, the Globe reported that bootlegging and rum-running gangs on the Niagara frontier were warring. Illicit cargoes were being "hijacked" by rivals on lonely country roads.¹¹⁵ It appeared that as long as the United States remained "dry", liquor legally manufactured in Canada would find a way to ooze through the international boundary.

The Drury government took some other steps to aid in the enforcement of prohibition which are worthy of notice. In the 1922 Session an amendment to the O.T.A. was passed providing stringent penalties for the sale of "swamp whiskey" and the affixing of false labels on bottles. Another provided that any person who aided or abetted any transgression of the act would be considered guilty and would incur the same penalty as given to the person actually committing the offense. A third amendment gave the Chairman of the License Board and the Commissioner of the Provincial Police, either jointly or separately, the power to hold an enquiry into the conduct of any officer or employee engaged in the enforcement of the O.T.A.¹¹⁶

During the 1923 Session no further amendments to the O.T.A. were passed. The Government seemed to regard the act as being reasonably comprehensive and effective as it stood. No move was made to appeal to the federal powers for authority to cut off the manufacture and sale for export of liquor in Ontario. The Government apparently felt there must first come a demand from a considerable body of the electorate.¹¹⁷

The Drury government did not make the O.T.A. perfect. Such an accomplishment was probably impossible. Most of the faults and loopholes in the O.T.A. in 1919 remained in 1923. Drury and Raney took no action against the sale

115. Globe, June 20, 1923, p. 14.

116. Globe, April 26, 1922, p. 1.

117. Globe, January 11, 1923, p. 9.

of native wine, apparently presuming that some things were better left alone. Although significant action was taken against the abuse of doctors' prescriptions, no apparent success was achieved. People who wanted to drink liquor continued to do so and the most common method of obtaining it remained the "prescription" system. The Government made no attempt to prevent a person having liquor in a private dwelling house.

The main efforts of the Government were directed towards a better enforcement of the law as it existed rather than towards changes which might provoke a reaction. To create efficiency of administration, the law forces were brought under unified control. Criminal law and O.T.A. enforcement were co-ordinated under a Provincial Commissioner of Police, so that all the law officers in the province were directly responsible for the enforcement of the O.T.A. Later, the Chairman of the License Board was given charge of O.T.A. prosecutions. Meanwhile, magistrates were "encouraged" by the Attorney-General to enforce the law more rigidly.

A great deal of Raney's energies were spent dealing with matters that properly belonged to the federal government. In co-operation with the Dominion, the importation of liquor from outside the province was stopped, particularly the almost constant flow from Montreal. This action, which was approved by the people before it came into effect, proved to be the only major change in prohibition during the Drury regime. In attempting to stop legal exportation of liquor from the province, or run-running, Raney stepped outside the bounds of provincial jurisdiction and was, therefore, defeated.

E.C. Drury maintained that the O.T.A. was a comparatively easy act to enforce.¹¹⁸ He also claimed that Raney, "courageous and forward-looking,"

118. In an interview with the author at Barrie, December 31, 1965.

was one of the best Attorneys-General that Ontario ever had.¹¹⁹

Raney enforced the Ontario Temperance Act justly and fearlessly, in the face of threats that would have daunted a less courageous man. At the same time he was neither vindictive nor fanatical, and at times in Council his recommendations for mercy had to be turned down. Under his administration the O.T.A. was a resounding success and all categories of crime from murder to petty theft decreased. . . . Crime reached its lowest point in the history of the province.¹²⁰

Not everyone would agree with Drury's assessment of Raney, nor with his statement that prohibition was a "vast success", as could be proved by a study of the figures on crime and evil-doing in general.¹²¹ The figures of the period could be made to say almost anything a person wanted them to say. Drinking and bootlegging, violations and prosecutions, illegal importation and rum-running continued. Speak-easies, blind-pigs and illicit stills grew in number throughout the period. The Drury government did not bring about the millennium. Only an unthinking person could have expected otherwise. The Drury regime compared most favourably with the preceding and subsequent administrations as far as O.T.A. enforcement was concerned. And another government in office at the time might have done a much worse job. If anything failed, it was the act itself. Considering the strength of their prohibitionist beliefs and principles, it was commendable that Drury and Raney kept their heads, governing on the whole cautiously and wisely. They realized that they had to work within the limitations of the law and public opinion. The reaction against prohibition might have been much stronger and much quicker if less sensible prohibitionists had been in power during the critical period.

Drury and Raney were aided in their task of prohibition enforcement by

119. E.C. Drury, Farmer Premier (Toronto, 1966), p. 91.

120. Ibid., p. 126.

121. Interview, Barrie, December 31, 1965.

their strong belief that what they were doing was right and good and and that they were the men to do it. J. Castell Hopkins observed in 1920 that Drury believed in himself and his supporters as actuated by high principles and the leaders of opposing parties as mere politicians — with all the faults and failings of an opportunism which was supposed to be part of the political game.¹²² Perhaps the destruction of this illusion in the eyes of the electorate was the downfall of the Drury government. At any rate, the two leaders could be satisfied that they had given their best. Speaking to a Dominion Alliance rally on February 8, 1922, Raney expressed his feeling of accomplishment.

I have good news to bring to you to-night and it is that after an experience of two years in enforcing the Ontario Temperance Act in this Province, Prohibition is a success. It is not a success as a revenue-producer, but it is a success as the Ten Commandments are a success. It is a success as the Criminal Code of Canada is a success. It helps men to be better. It is in the direction of good citizenship. It helps the women — the mothers, the boys and girls. It is not an absolute solution or settlement of the case. Laws do not cure; laws ameliorate; and that is what Prohibition is doing. . . . No Legislature will have a mandate to interfere with that law until there has been another vote of the people, which will declare that the law is a failure, and I believe that time will never come.¹²³

122. C.A.R., 1920, p. 502.

123. C.A.R., 1922, p. 591.

Chapter VI

Prohibition as a Factor in the Ontario Election of 1923

Prohibition should not have been an issue in the provincial election of June 25, 1923. But it was. The O.T.A. was placed permanently upon the statute books by the direct will of the people as expressed in referenda. It was generally believed that no politician would dare to change the Act without first obtaining the approval of the electorate. Not one of the three leaders had announced a policy antagonistic to the O.T.A. The official line of all the parties was that the voice of the people would be respected. Why, then, did the temperance question occupy such a prominent place in the platforms of the candidates and in the discussions in the press?

Liquor was an issue in almost all North American elections of the time. Politicians were accustomed to pointing out that they, in some miraculous manner, were better qualified to look after the temperance problem than their opponents. It would have been unusual if the 1923 Ontario election had been different. Prohibition was tossed around as a matter of course.

There were, however, more concrete reasons why liquor was an issue in this particular election. The policy of the Conservative Party was ambiguous in spite of temperance professions, declared in strategic locations. Apart from the leader, G. Howard Ferguson, the loudest and most-quoted Conservatives in the campaign were several Toronto candidates who declared their outright opposition to prohibition. Even at the end of the campaign, it was most uncertain what the Conservatives would do with the O.T.A. if they were elected. Drury and Raney tried hard to make temperance a leading issue in the election and to create the impression that their government alone would properly safeguard the O.T.A. and its enforcement.

Somehow, the 1923 election seemed to be of strategic importance for the temperance cause in Ontario. There was a feeling of urgency in the air -- a feeling that something was about to happen. In April, 1923, the Moderation League of Ontario, "the spiritual heir of the Citizens' Liberty League", announced that it was now generally conceded that they were at last within striking distance of securing a system of Government control.¹ During May, the League sent through the mail some 208,000 copies of its paper, the Moderationist, to voters it believed were in sympathy with the movement to secure O.T.A. amendments. All members of the League were asked to vote for candidates who adopted the League platform, irrespective of their politics.²

The prohibitionists seemed to feel that the O.T.A. was somehow in danger. In January, Ben Spence called for a stronger law to make enforcement easier. "We are facing a crisis and must go forward or we will go back."³ The Dominion Alliance issued a manifesto urging electors to work and vote, irrespective of party preference, for men who, by their record and declaration, could be depended upon to promote prohibition.⁴ Methodist and W.C.T.U. organizations warned against the danger of electing lukewarm supporters of the O.T.A. Emma Pugsley, president of the Ontario W.C.T.U., said the trend of the politics of the day was causing alarm. They were in danger of losing the benefits they had secured through the O.T.A. by lax enforcement should a majority in the next Legislature be hostile to the temperance cause. "Women are now in the majority as electors of Ontario. To us comes a great opportunity and upon us devolves a corresponding responsibility."⁵

1. Globe, April 27, 1923, p.4.

2. Globe, May 18, 1923, p. 14.

3. Globe, January 27, 1923, p.16.

4. Globe, May 19, 1923, p.16.

5. Christian Guardian, June 6, 1923, p.9.

The biggest question mark of the campaign was Howard Ferguson's temperance policy. At Hamilton on February 17, 1922, the Conservative leader made a statement on the O.T.A.

So far as the Conservative party is concerned, no platform on the question is contemplated. The present law is not training the people to respect the law, but to defy it. We have got to find some reasonable means that will allow our people to exercise their God-given freedom under reasonable restrictions.⁶

To prohibitionists, this sounded like a threat to the O.T.A. At a Toronto Conservative meeting in May, 1922, Ferguson promised that when the proper time arrived he would submit a policy "which will appeal to every broadminded, reasonable man in the Province of Ontario -- and which, at the same time, will meet with the approval of every real temperance man of Ontario".⁷

It was almost a year before Ferguson again spoke of his "ideal and all-satisfying" policy. Meanwhile, his opponents became increasingly alarmed as Ferguson sat in silence on platforms from which Conservative candidates were denouncing the administration of the O.T.A., and often the Act itself. Speaking to a prohibitionist convention in Toronto in November, 1922, Raney called Ferguson "Mr. Facing-both-ways". The man who declared he could please both the temperance people and the liquor trade was either "an honest-to-goodness wizard or just a common sleight-of-hand mountebank who is trying to run with the hare and to hunt with the hounds, and to please everybody".⁸ In January, 1923, Drury challenged Ferguson to relieve the electorate of the suspense and reveal his "cure-all" for the "ills" of the O.T.A. The country could not stand for a policy "which says to the 'drys': 'I am not touching the

6. C.A.R., 1922, p. 638.

7. Globe, May 4, 1922, p.13.

8. Globe, November 29, 1922, p.1.

law,' and gives the wink to the 'wets', which means, 'I will enforce it slackly if I come into power'." ⁹ On May 12, Drury again charged that Ferguson's policy was one of non-enforcement.

The act is beyond the power of any Government to repeal or materially alter. . . . Ferguson knows that there will be no change, because such cannot be made without a vote of the people. He is simply handing a gold brick to the "wets". He is trying to ride two horses. If he means anything, he means lax enforcement. That we must not have. Nothing could be more disastrous than lax enforcement of our laws.¹⁰

The Globe said that Ferguson's "wet-and-dry strategy" was designed to please everybody, but earnest supporters of the O.T.A. should not be "fobbed off by his transparent device of saying nothing while encouraging his followers to say anything that may be locally expedient".¹¹

Finally, in May 1923, Ferguson broke his long silence on temperance. At Huntsville he said that when the O.T.A. was changed it must be in the way in which it was enacted. Most of the respect for the act and a great deal of its usefulness had been destroyed by the manner in which it had been administered by the Drury government.

If I become Prime Minister, I will follow the course laid down by the late Sir James Whitney, and that will be to attempt to create a sentiment which will dictate the manner in which liquor legislation is to be enforced, and it will not be to attempt to penalize the people or to compel them to take any particular line of thought. . . . The Act will be enforced to the letter, but in the spirit in which it was passed, and not in the spirit of fanaticism.¹²

The Globe observed that the Huntsville speech was more disquieting than the silence that preceded it. A few days later, at Spencerville, Ferguson read a carefully prepared statement on the liquor question.

9. Globe, January 31, 1923, p.1.

10. Globe, May 14, 1923, p.5.

11. Globe, April 28, 1923, p.4.

12. Globe, May 16, 1923, p.4.

Prohibition must prevail, and be observed until the people by their votes pronounce against it. The people must accept the situation which they themselves created, and the Government of the day must see that the law is actively and rigidly enforced. If at any time there should be a sufficiently manifested desire for a change in the law to warrant the Government in believing that there is a real public demand for such a change, it will be the duty of the Government to ask the people by their votes to pronounce upon the subject. To ignore or refuse such a request would be autocratic, and in direct violation of the spirit of our institutions.¹³

This speech served to reassure many temperance Conservatives, particularly the Ottawa Journal and the Christian Guardian, that Ferguson would not make rash changes in the O.T.A. Others were not so certain. The Globe said Ferguson still stood "with reluctant feet where flood and desert meet".¹⁴ The Star remarked that there was a certain want of emphasis in what Ferguson had to say and nothing he had said had weakened the confidence of the "wets" in him as the best man in sight for them.¹⁵ The Globe, in poetic language, presented what may be considered a fairly accurate description of Ferguson's temperance policy.

Mr. Ferguson's speeches remind one of the ebb and flow of the tides which leave portions of the earth's surface sometimes under the sea, sometimes dry or partly dry, yet showing traces of the receding ocean, such as seaweed and jellyfish, and also signs and warnings that the waters will come again. At certain times the strand seems to afford a reasonably safe and dry footing for the Conservative prohibitionist. At others the water would float an anti-prohibitionist vessel of considerable tonnage.¹⁶

If Ferguson was guilty of a "wink-and-nod policy" as Drury put it, some of his followers were downright "wet". Conservative Associations in Toronto and Windsor passed resolutions calling for the adoption of a system of

13. Globe, May 29, 1923, p.1.

14. Globe, May 30, 1923, p.4.

15. Toronto Daily Star, June 7, 1923, p.8.

16. Globe, June 6, 1923, p.4.

government control as it existed in British Columbia. Most of the Conservative candidates in Toronto were "wet". Col. John A. Currie and E.W.J. Owens, the Conservative candidates for the two seats in Southeast Toronto, T. Herbert Lennox in North York, and Dr. Forbes Godfrey in West York, repeatedly said they would work to defeat or weaken the O.T.A. Currie said he wanted "to rub the rough corners off the O.T.A." Canadians were not a people who required "Prussian legislation" to make them conform to a proper moral standard.¹⁷ The biggest shame that any Province has perpetrated upon a suffering people is to take away the beer from a man who was taught to enjoy it."¹⁸ Owens lauded the "decent, good glass of grog" as against the poison whiskey often sold by bootleggers under prohibition. He also denounced the extraction of profit at the expense of the "sick".¹⁹ McCausland advocated government control of liquor with a system of licenses and local option. "I demand a referendum on a question of whether we should not be able to get a good glass of beer in my riding whether some other riding wants it or not."²⁰

There were anti-prohibitionists within all the parties, but none as blatant as the Conservatives. His opponents seemed to think that it was quite scandalous that Ferguson's following was not one hundred per cent favourable to the O.T.A. Saturday Night correctly observed that it would have been unusual and undemocratic if some of the candidates did not express their opposition.

17. C.A.R., 1922, p. 638.

18. P.A.O. Pamphlets, 1923, Box # 2, Premier E.C. Drury, Temperance, the Vital Issue, 1923, p. 7.

19. Globe, April 21, 1923, p. 17.

20. Evening Telegram, June 22, 1923, p. 14.

The zeal with which all leaders are singing "How Dry I Am" is a legitimate subject for satire. The rancorous spirit in which any candidate who has a word of criticism to offer against the extraordinary document has been assailed is an expression of cheap intolerance. . . . In the 1921 referendum, all the leading cities except London gave majorities against prohibition. The candidates in these cities criticizing the O.T.A. are but voicing the opinion of a majority of their constituents.²¹

Drury and Raney carried on the campaign as if prohibition would be in the greatest danger if they lost the election. Indeed, there may have been some truth in the accusation of the Hamilton Herald that the Premier was trying to make the O.T.A. the dominant issue in order that public attention might be diverted from the Government's shortcomings.²² If the Government could hope to win "dry" votes because of their strong stand on temperance, they might also expect to lose the votes of those who considered their administration of the O.T.A. too harsh.

The Government seemed to feel that the worst catastrophe would be the election of Ferguson as premier. At Burlington, in May, 1923, Drury told his constituents that the issue was simply this.

On the one side is my Government, determined to enforce and maintain the O.T.A. to the hilt; on the other side is Howard Ferguson who, in hazy, nebulous language, is holding out the hope to the "wets" that if he is returned there will be non-enforcement. No self-respecting citizen should tolerate an act placed upon the statute books by the will of the people not being enforced. There is a decided menace in such a prospect. Those who fought so hard to have the O.T.A. established should be alive to the peril prohibition is facing.²³

On May 19, Raney decided he would not resign the Attorney-Generalship as originally planned because the O.T.A. was the principal issue in the

21. Saturday Night, June 23, 1923, p.1.

22. Globe, June 1, 1923, p.14.

23. Globe, May 18, 1923, p.2.

campaign. "The issue before the electors of Ontario today is not any subsidiary question. It is prohibition itself."²⁴ Ferguson's attitude had brought prohibition back again into politics. "A man cannot be on both sides of a great issue such as this." Ferguson was to all intents and purposes the commander-in-chief of the liquor forces and their war chest would be at his service, as it was in the old days.²⁵

During the campaign, Drury issued a pamphlet called "Temperance, the Vital Issue". In it, he summed up his policy and advised "There must be no turning back".

Never were the forces of reaction more active and dangerous. The actual repeal of the measure, or, worse, its discrediting by non-enforcement or insincere administration, is a possible outcome of the forthcoming election unless the public opinion that has so often endorsed the measure now sustains its administration. The Government's stand is clear and unequivocal. It has during its term of office enforced prohibition sanely, vigorously and courageously, in the face of persistent attack, and it has accomplished its difficult task with rather more than a fair measure of success. Its policy as laid down by the Prime Minister and unanimously endorsed by its supporters in the House, is for a careful and progressive perfecting of both the law and its enforcement.²⁶

The official party platform concerning the O.T.A. was included in a manifesto issued from the office of Premier Drury on June 18.

It is our intention, if returned to power, to continue a fearless and impartial enforcement of this measure. The Government stands for the careful and progressive strengthening and perfecting of the law in harmony with public opinion, and for its thoroughgoing enforcement till it becomes the most effective agency for dealing with the evils of alcoholism that the constitutional powers of the Province will permit.²⁷

There is no doubt that the two leaders of the Government were one hundred per cent behind prohibition, but even some prohibitionists were insulted by

24. Ottawa Morning Journal, May 21, 1923, p.1.

25. Globe, May 21, 1923, p.1.

26. P.A.O. Pamphlets, 1923, Box #2, Premier E.C. Drury, Temperance, the Vital Issue, 1923, p.7.

27. Globe, June 19, 1923, p.1.

their effrontery in imagining that they were the only two men in the province capable of administering the O.T.A. The Globe said that the U.F.O. claim that Drury was the only man to keep Ontario "dry" was nothing but "roorbach" warfare.²⁸ The Ottawa Journal said the O.T.A. would be safe in Conservative hands.

Mr. Raney's pose as a sort of Heaven-sent instrument to save Ontario from the demon rum, is grotesque. When politicians start to feel that way it is time to put them in their proper place.²⁹

Having been responsible for the administration of the O.T.A. for the past four years, the Drury government, and Raney in particular, had to face much abuse on that account. The Telegram said the Attorney-General's department had an unsavoury record because of the utter incompetence of the Attorney-General to apply to an admittedly difficult problem any qualifications beyond intolerance, impudence and conceit.³⁰ Just before the election, the Telegram described the Government as the "most sanctimonious hypocrisy that has ever shamed Queen's Park".³¹ E.W.J. Owens attacked the U.F.O. Government as "the most irresponsible bunch of impossibles".³² H.P. Hill, Conservative, West Ottawa, reprimanded Raney's attitude toward opposition. Just because some member criticized his administration it did not follow that they were friends of the bootleggers. "The people did not expect hysterical, high-strung and excitable methods of administration."³³ Saturday Night observed that opposition criticism had been treated by Drury and Raney as if

28. Globe, June 25, 1923, p.15.

29. Ottawa Morning Journal, May 31, 1923, p.6.

30. Evening Telegram, April 18, 1921, p.16.

31. Evening Telegram, June 22, 1923, p.24.

32. Globe, April 6, 1922, p.13.

33. Globe, February 1, 1923, p.10.

it were sedition and as though the opposition had no public duty to perform. Nevertheless, this journal admitted that Raney was entitled to sympathy.

The Angel Gabriel himself could not seriously try to enforce such a legislative abortion as the O.T.A. without incurring disfavor; for the very good reason that the vast majority of those who voted for it are unwilling to lift a finger toward assisting in its enforcement. This is of course the history of sumptuary laws everywhere.³⁴

One criticism that may have hurt the Government, particularly in "dry" areas, was that while it was supposed to be a "dry" Government it was reaping a harvest of dollars from the liquor trade. In the Legislature on June 8, 1922, Raney admitted that since December 1, 1919, 753,819 gallons of liquor had been bought for the Government dispensaries at a total cost of \$6,625,000. The Globe drily remarked that there must have been more illness in Ontario than people were aware of.³⁵ At Weston, in April, 1923, Ferguson charged that while the Government was saying nice things about themselves, "my little friend, the Attorney-General" was engaging in the liquor business in a wholesale manner, "on a scale which would have brought tears of joy to the distillers in the old wet days"³⁶

The greatest amount of abuse in the campaign was exchanged between Ferguson and Raney. In January, 1923, Ferguson criticized the tendency on the part of the Attorney-General to treat the petty judiciary of Ontario as civil servants. There was too much tyranny exercised by the central authority over the general officers throughout the province. "Tyranny was inevitably the badge of weakness."³⁷ In Spencerville on May 28, Ferguson characterized

34. Saturday Night, May 12, 1923, p.1.

35. Globe, June 9, 1922, p.13.

36. Globe, April 17, 1923, p.4.

37. Globe, January 31, 1923, p.1.

Raney as lacking in human sympathy, narrow in his views and tyrannical in temperament. His methods were punitive and he constantly sought to convict.³⁸ In the Legislature, in February, Raney recalled that Ferguson had applied to himself and the Government the appellations of "knaves, conspirators, intellectual freaks, Pharisees, hypocrites, dishonest men, maladministrators and reckless wastrels". In reply he could only say, "I feel complimented by abuse coming to me from the sewers in the barrooms".³⁹

The most exciting event of the campaign was a public debate between Ferguson and Raney at Fergus on June 21, 1923. "Heralded as the political spectacle of a lifetime, the Ferguson - Raney O.T.A. enforcement debate almost lived up to its advance notices".⁴⁰ It was a "roped-ring encounter" between "the province's two chief political gladiators". Ferguson devoted most of his time to raking Raney fore and aft upon the calibre of the men engaged in O.T.A. enforcement. Specifically, he charged Raney with,

. . . Paying a fifteen-year old boy to get drunk in order to get a conviction; payment of public money to street-walking, abandoned women to be used to induce men to break the law; and permitting officers of the law department to get drunk in the course of their duty and paying them for getting drunk.⁴¹

Raney said these charges were "baseless" and "false in every word and letter". Ferguson was trying to discredit O.T.A. enforcement by "making reckless, violent and untruthful attacks upon the Provincial Police". Raney devoted most of his hour to a stinging denunciation of Ferguson's effort to undermine respect for the O.T.A.⁴² The Ottawa Journal commented that the Fergus debate was really a test of lung power between two groups of stupid, but mischievous, partisans.⁴³

38. Globe, May 29, 1923, p.1.

39. Globe, February 15, 1923, p.1.

40. Globe, June 22, 1923, p.1.

41. C.A.R., 1923, p. 573.

42. Globe, June 22, 1923, p.1.

43. Ottawa Morning Journal, June 23, 1923, p.6.

The Government had its reputation somewhat tarnished by an incident known as the "last awful night party." On the last night of the 1921 Session a party was said to have taken place in the apartments of the Hon. Peter Smith, at the Parliament buildings, with liquor provided and alleged participation of a couple of stenographers.⁴⁴ Mention was made that there had been "kissing" and one of the girls was rumoured to be French. George Hillmer, the Conservative candidate in Halton, said young girls of the Civil Service were dancing on the table in extremely scanty attire.⁴⁵ Dr. Godfrey hit upon the really important aspect of the affair when he said, "You can't apply the law differently in different places, and especially so when lawmakers are concerned."⁴⁶ The Telegram made the point a little more forcefully.

Raney says it was women at the last night party which made it so deplorable. But most deplorable of all is the witless drivel which the Attorney-General is now concocting in order to cover up the plain fact that he lacked the courage to enforce the O.T.A. when impartiality would have been a distressing embarrassment to his own political friends.⁴⁷

That there was whiskey and that there were a few members taking part in a jollification was all that was really proved.⁴⁸ When the affair came to light in March, 1922, Drury made tacit admissions that he had long ago heard the laws of decorum and of the statutes had been

44. C.A.R., 1922, p. 592.

45. Globe, June 15, 1923, p. 2.

46. Globe, June 16, 1923, p. 15.

47. Evening Telegram, June 23, 1923, p. 28.

48. C.A.R., 1922, p. 592.

broken. However, subsequent investigation had assured him "the honor of no Minister of the Crown was involved in a way that would merit any severe censure."⁴⁹ On March 9, Raney said the time for prosecution under the O.T.A. had passed, but it was not too late for the House itself to conduct an investigation if they so desired. The incident passed without further investigation, but it was used extensively by Government opponents in the 1923 election. Though some U.F.O. supporters may have drawn the conclusion that their innocent Farmer members were being corrupted by big city life, others may have decided that the U.F.O. were no different and no better than any other politicians.

Nothing seems to have hurt the Drury government more in the 1923 election than the split between the Premier and the secretary of the U.F.O. organization, J.J. Morrison. While Drury wished to "broaden out" and go forward as a new people's party, Morrison urged the farmers to develop a class consciousness and to work for "group government." The schism greatly weakened the farmers by creating confusion and uncertainty.

For a while it appeared that the division had extended even to the temperance policy. Speaking to an order of the Grand Templars in Toronto on December 5, 1922, Morrison pointed out what was wrong with

49. Globe, March 8, 1922, p. 1.

prohibition in Ontario and, by implication, criticized the Government's handling of the matter.

We have ceased to teach temperance and are trying to do it with a club. I want to tell you it won't work; not because the O.T.A. is a bad measure, but because no law can function properly without the support of public opinion. . . . We have changed our system from moral suasion to force. Together they would make a great team; alone, force is not a success. . . . With the inauguration of prohibition, workers believed their cause won and slackened their efforts. Already there were signs that victory was slipping from them. If we are to hold what we have gained we must revert to the old methods of disseminating propaganda.⁵⁰

The Globe commented that it would be a remarkable development if the rural electors had to choose between rival Farmer candidates — some standing with Drury for prohibition and the firm enforcement of the O.T.A., others with Morrison against persistence in the endeavour to stamp out the drink traffic by law rather than by voluntary effort.⁵¹

The Farmers' Sun denied that there was anywhere in Morrison's speech an expression of opposition to the enforcement of the O.T.A. It was all too true that temperance education was given little, if any, attention, even in the churches. A new generation was growing up that had little personal knowledge of the evil from which prohibitory legislation had delivered the country. They were getting their ideas from a subtle propaganda that misrepresented the O.T.A. as a needless infringement upon the liberties and privileges of the citizen. If the public were enlightened and instructed, the "wet" campaign would come

50. Farmers' Sun, January 11, 1923, p. 6.

51. Globe, January 8, 1923, p. 4.

to nothing, but "public opinion will not take care of itself."

Instead of teaching people their duty as good citizens to support a law that means so much to the province we have been busy, through our police forces, in promoting a healthy fear of violations.⁵²

Morrison denied that there was a split within the Farmers' ranks on the O.T.A. He said the Globe was anxious to injure the U.F.O. on account of its steadfast refusal to be wooed and won by the Liberal Party, but still cherished hopes of driving together portions of the shattered Liberal Party and the "broadened out" portion of the U.F.O. to augment Liberal strength. Thus the Globe had tried to cast doubt upon the prohibition principles of the U.F.O. organization and, in particular, its secretary.⁵³

It is doubtful that there was a real division on temperance. Drury would have agreed that there was more need for education. However, to the casual observer, and to those who accepted the Globe's word as gospel, it may have appeared that the U.F.O. were split on the matter, a situation which would hamper enforcement in the future.

The 1923 election was primarily a fight between the Conservatives and the Drury government. The other parties seem to have been largely in the background. The Liberals, under F. Wellington Hay, did not receive much attention, even in the Liberal press. A caucus of Liberal

52. Farmers' Sun, January 11, 1923, p. 6.

53. Globe, January 13, 1923, p. 14.

members in December, 1922, decided upon the Liberal temperance policy. The principle behind the O.T.A. had been settled upon by the vote of the electorate and so long as that decision stood, the act was to stay on the statute books. Thus prohibition could not legitimately be raised as a paramount issue in the election.⁵⁴ In Hamilton on March 28, 1923, Hay made what the Globe called a refreshing, straightforward declaration of loyalty to the O.T.A.

So far as we, the Liberals of Ontario, stand, I say the will of the people in relation to the enforcement of the O.T.A. should be strictly obeyed. When there is a demand for a change -- and we do not think there is that demand as yet -- a new vote will be taken on the question defined on broad lines, so that the matter shall be fully determined one way or the other. Whatever the verdict of the people may be, that verdict shall be respected if the Liberals are the dominating party in this Province.⁵⁵

Tolmie, speaking in Ottawa on May 7, enlarged on the Liberal policy. There should be no dictation to the people as to what kind of legislation they should have, but they should be given full and frequent opportunity to express their will on this vital issue.⁵⁶ Drury replied that there should be no reference to the people unless there was strong evidence that the law was not satisfactory. He diagnosed the Liberal policy as a promise of frequent referenda, turmoil, and instability. It was the time-honoured policy of shirking responsibility in temperance matters.⁵⁷

54. Globe, December 15, 1922, p. 13.

55. Globe, March 29, 1923, p. 2.

56. Globe, May 8, 1923, p. 1.

57. Globe, May 15, 1923, p. 13.

Several members of the Labour Party had already broken with the Drury government on other issues. The Labour members remained divided on the prohibition issue. M.M. MacBride of Brantford bitterly criticized the Government for its administration of the O.T.A. K.K. Homuth, South Waterloo, placed on the order paper in 1923 a resolution asking for a referendum on government controlled sale of beer, wine, and spirituous liquors.⁵⁸ It was the only motion of this kind introduced in the Legislature during the Drury regime. The official party line, however, was expressed in a manifesto issued by the Labour Representation Political Association at a meeting in the Labour Temple in Toronto, in May, 1923.

We realize that the two old parties, the Siamese twins of capitalism, will continue to make the liquor question a paramount issue to the exclusion of more fundamental matters being pressed by Labor; but we warn the workers not to be divided and side-tracked. The labor party stands emphatically for the enforcement of the expressed will of the people as registered from time to time, and regards the defiance of their verdict by those who would capitalize, for political purposes on the discontent of a minority as a serious blow at the bulwarks of democracy.⁵⁹

Some rather ominous occurrences were taking place on the borders of Ontario. In May, 1923, the New York Legislature repealed the Mullen-Gage law which provided for the enforcement in the state of the Volstead

58. Globe, February 7, 1923, p. 11.

59. Globe, May 22, 1923, p. 13.

Act.⁶⁰ Then, on June 23, Manitoba voted by a majority of 33,000 for the system of government control and sale of liquor. Strong Moderation League movements were in progress in Alberta and Saskatchewan.⁶¹

The news of the defeat of prohibition in Manitoba came on the morning of Saturday, June 23, forty-eight hours before the opening of the polls in Ontario. Promptly, a telegram was sent out from the Drury-Raney headquarters in Toronto to U.F.O. riding officials throughout the province interpreting the upset in Manitoba as a warning of what would happen in Ontario if the Drury government was not returned to power and asking these officials to urge on the ministers of their churches to announce the Manitoba result at all services on Sunday from that point of view. The Tele^egram published the message signed by T. Wayling, one of the chief U.F.O. organizers.

Manitoba went wet. Have your workers use this to get out every dry vote, emphasizing Drury as the only man to keep Ontario dry. Try and arrange all friendly ministers to urge this from to-morrow's pulpits.⁶²

Saturday Night lamented that the pulpit in politics was a condition, not a theory. Wayling evidently regarded the pulpit as a legitimate

60. Christian Guardian, May 30, 1923, p. 3. The Volstead Act was an act passed by the United States Congress to enforce the Eighteenth Amendment. The latter, from January 16, 1920, until December 5, 1933, forbade the American people to manufacture, sell, or transport any intoxicating liquor. Andrew Sinclair, Era of Excess, (New York, 1962), p. 5.
61. Alberta went "wet" on November 5, 1923 followed by Saskatchewan on July 16, 1924.
62. Evening Telegram, June 25, 1923, p. 16.

part of the Drury political machine and could perceive no disrespect in planning to use "friendly ministers" as election agents.⁶³

On June 25, 1923, the Conservatives returned to power on a popular landslide. The Drury Cabinet was practically wiped out, with the Premier and four Ministers all losing to Tory candidates. The Liberal front bench shared in the general havoc, with Hay, Dewart, and Tolmie all being defeated. Toronto was once again solid Tory. The final standings — Conservatives - 75, U.F.O. - 17, Liberals - 14, Labour - 4, Independents - 1 — indicate a complete and decisive Conservative victory.⁶⁴

From the balcony of the Telegram office in Toronto, Currie, Owens, and Mc Causland, all elected with sizeable majorities, heralded the return to sane government. The band played, "How Dry I Am." Currie told the crowd,

. . . We are going to have the laws changed and for the better. We are going to put Ontario back among the banner provinces. You are going to be rid of Raney and the Raney Rifles for good. You will not have these un-British laws that make a man guilty before he is convicted, and the exodus which has been headed to the United States will return again.⁶⁵

In Brockville, where Dr. H.A. Clark won for the Conservatives, crowds paraded the streets till a late hour cheering Ferguson and crying, "Down with the O.T.A." ⁶⁶

It seemed to be commonly held that Ferguson's victory would mean a weakening of prohibition. The Star reported that all over the province the "wets" were saying that the sweeping result was a knock-out

63. Saturday Night, June 30, 1923, p. 1.

64. C.A.R., 1923, p. 570.

65. Evening Telegram, June 26, 1923, p. 9. Currie seemed to forget that the U.S. was also suffering from a "drought".

66. Globe, June 26, 1923, p. 1.

for the O.T.A. and meant the adoption of government control. The Star itself maintained that the Conservative victory was due to the fact that the Liberals and Druryites split the vote. The second most important factor was the swinging of the 'wet' vote behind Ferguson without a corresponding slipping away of Conservative "dry" votes. The Tories had the solid backing of those who were opposed to the O.T.A. and of most of those who favoured a return to bi-party government.⁶⁷

The Globe observed that the Conservatives had equivocated with success on the issue of the O.T.A. While the Ontario "drys" divided on party lines, the "wets" consolidated their votes. The Conservative rural ridings were as "dry" as Toronto was "wet".

Judging by the after-election talk in Toronto, there is a general expectation that Mr. Ferguson will do his best to make it easier to obtain intoxicants, and that the result of the campaign was a check, if not a defeat, for prohibition. Mr. Ferguson succeeded in satisfying prohibition Conservatives by assurances which did not drive away his "wet" supporters. . . . The result was that the prohibitionists did not regard the question as an issue, while the anti-prohibitionists did. Mr. Ferguson obtained a solid Conservative support and also a solid "wet" support, and this in part accounts for his large majority in the House. The result is an indication that a stern fight is ahead.⁶⁸

Howard Ferguson was portrayed by his opponents during the 1923 election campaign as a man who would be dangerous for the temperance cause if elected. The Globe and the Star repeatedly pointed out that for every "dry" promise Ferguson made, his "wet" lieutenants, especially in Toronto, had made ten "wet" promises. As far as these prohibitionist journals were concerned, the Conservative leader never satisfactorily repudiated his followers. To them Ferguson remained the leader of the "wet" forces in Ontario.

The evidence seems to indicate that the Government, under Drury

67. Toronto Daily Star, June 26, 1923, p. 1.

68. Globe, June 27, 1923, p. 4.

and Raney, tried to make prohibition the leading issue in the campaign and tried to represent itself as the only body suitable to safeguard the O.T.A. Ferguson was held up as the great threat to the temperance cause. If these people were successful, as they hoped, in convincing the people that Ferguson would destroy prohibition, then they must accept the verdict as a "wet" victory, or a "dry" defeat. If Ferguson was a s "wet" as his opponents claimed, then the electors overwhelmingly wanted a "wet" premier. If this was not the case, then prohibition was not a very important issue in the election.⁶⁹ It would be difficult for Drury and Raney to agree with the latter after spending the last few months declaring that it was the issue.

Ferguson certainly seems to have won the "wet" votes. They really had no place else to go. The rest of the voters were either indifferent to the liquor issue, or confident that Ferguson would not change the act. The fact that Ferguson, under suspicion as he was, did win the election, may be taken as an indication of a decline in prohibition sentiment in Ontario.

An analysis of the election results does not reveal a great deal except that Ferguson was very popular. The Conservatives gained votes in all sections of the province. The popular vote shows that the Conservatives ^{received} ~~picked up~~ over seventy thousand votes more than in 1919, while the other three parties declined. Although the U.F.O. and the I.L.P. dropped 58,213 and 84, 254 respectively, the real losers seem

69. The defeat of the Government may have been caused by a general feeling that the U.F.O. had failed, especially in correcting the financial situation. Drury's alleged opposition to Hydro radials was also a big issue in the campaign. Many may have hoped for a return to pre-war stability by a return to the old political parties.

to have been the Liberals, whose popular vote dropped by over 130,000 from 1919.⁷⁰ Elections themselves seem to have been less popular in 1923, as the popular vote itself had considerably declined.

The most striking Conservative gains were made in the large cities. In Northwest Toronto, Seat A, a Conservative majority of almost three thousand in 1919 became a Conservative majority of almost fifteen thousand in 1923. In Seat B of the same riding, a Liberal majority of one thousand became a Conservative majority of almost twelve thousand. In Windsor, where the Liberal candidate called for a liquor referendum and the Conservative advocated outright government control, the 1919 Liberal majority of four thousand was changed to a Conservative majority of two thousand. These were very substantial gains. In the urban centres the Labour Party, as well as the Liberals, suffered heavily from Tory gains, except in Toronto, where Labour had never done well, and in the north, where Labour picked up some votes.

The Conservative successes in the rural districts, where temperance sentiment was strong, were not nearly as spectacular as in the cities. Many of the U.F.O. majorities in 1919 had been slight, and in 1923 the Conservatives gained just enough to pass the Farmers. The rural contests were usually close. Since most of them were three-way fights, the combined vote of the U.F.O. and the Liberals would often have overcome the Tory majority. It was possible, as some prohibitionists suggested, that prohibition was an issue in "wet" city ridings, while it was largely ignored in country districts. If this ^{was} ~~were~~ the case, those city dwellers wanting their liquor may have voted for Ferguson as the man who would

70. The popular vote was: Conservatives - 463,681, Liberals - 203,038, U.F.O. - 199,877, Labour - 47,140. The Conservatives and the Labour Party each had an acclamation. C.A.R., 1923, p. 577.

give it to them. The Liberals and the Labour members promised only further referenda, which the prohibitionists would likely win because of rural votes. The Conservatives did not really promise anything. Another factor emerges from the results. In 1919 a great many people who ordinarily voted Conservative decided to vote for the U.F.O. or the Labour Party. In 1923 sufficient of these voters were disenchanted enough with class government to return to their Conservative moorings and give Ferguson an "old-time, Whitney-type" majority of seats in the Legislature. At any rate, it is interesting to note how the man who lost viewed the election. Drury still maintained in 1966 that prohibition was an important issue.

Ferguson promised to bring in a measure that would please everyone, the fanatical dries and the confirmed wets. How this was to be done he did not specify. If Ferguson had announced that he would abolish Prohibition we could have met him on firm ground. He merely hinted at something different and better. The continuance of Prohibition of course was at stake, but how to make the people see the issue?⁷¹

The prohibitionists' fears in 1923 that Ferguson would harm the O.T.A. were eventually justified. The new Premier was a smart politician and, in view of the deep-rooted temperance sentiment in the province, no immediate action was taken. Instead, the Government moved cautiously in the direction of a plebiscite. This came in 1924 and resulted in a shallow victory for the prohibitionists. The huge 1919 majority of 400,000 for prohibition, and the 1921 majority of 167,000 against importation, had shrunk to 33,000.⁷² Toronto alone in 1924 gave a majority of some fifty thousand against prohibition.⁷³ Within a year

71. Drury, Farmer Premier, p. 157.

72. Hon. F.W. Nickle, in the Debate on the Address in Reply to the Speech from the Throne, February 17, 1925, p. 17.

73. "Prohibition Withstands a Shock," Outlook, CXXXVIII (November 5, 1924), 353.

the Ferguson government had introduced 4.4 per cent beer and passed a redistribution bill scrapping nine "dry" seats and adding ten "wet" ones.⁷⁴ In 1926 Ferguson dissolved his government and held a general election based almost entirely upon the re-introduction of liquor through government control. The Conservatives were returned without significant losses. The Ontario Liquor Control Act took effect on June 1, 1927, "to promote temperance, sobriety, personal liberty and, above all, to restore respect for the law."⁷⁵ This was the legal destruction of prohibition. But the beginning of the end had taken place during the Drury regime, and the real end may have been the election of 1923.

If the 1923 election results do not reveal a decline of prohibitionist sentiment, the 1924 referendum results certainly do. Indeed, prohibition was on the decline in most of Canada. By the end of 1924 Ontario was the only province west of New Brunswick that was still in the "dry" column.

There were good reasons for prohibition's decline in Ontario. The O.T.A. was not working as well as had been expected. Drinking continued. It was an irritating nuisance to have to feign illness and to pay a doctor two or three dollars to get a prescription. Some of the methods used to enforce the act created much disgust. The use of "spotters" in particular was denounced as terribly un-British. There were also some striking discrepancies in the act. The London Advertiser commented that, "the \$200. fine for the bottle ON you can scarcely be matched up with

74. Richard de Brisay, "Canada Turns Against Prohibition," Nation, CXX (April 22, 1925), 462.

75. J.M. Campbell, "Canada's Retreat From Prohibition," Current History, XXVIII (April, 1928), 29.

the \$10. fine for the bottle IN you."⁷⁶ The O.T.A. seemed to be too drastic for the average citizen and not harsh enough to stop the large bootleggers. Moreover, the people in general never did respect the liquor laws like they did other law. Also, people became sick of the hypocrisy of the situation.

Ontario, the blue ribbon province, the paragon of Prohibitionists, continued to manufacture liquor -- and to export it to Quebec, whose drinking proclivities it so openly deplored. During 1922-3, nearly \$400,000. worth of Ontario beer was exported to Quebec, as well as large quantities of the well-known rye whiskies of Ontario!⁷⁷

There were attractive financial reasons why the people of Ontario should vote "wet". Their neighbours to the east and the west were making handsome profits by selling liquor to the "dry" United States, as well as to their own citizens. While state control of liquor was pouring money into these provincial revenues, Ontario still had a large deficit at the end of the Drury regime. Besides, American tourists were flocking to see historic, old Quebec. The system of government control⁷⁸ offered a suitable and attractive alternative to prohibition. It was a compromise between the saloon and the bootlegger, and it paid financially.

Perhaps the most disgusting aspect of prohibition was the growth of the bootlegging activity and rum-running. While the ordinary citizen was struggling along in hard times, these "desperadoes," often American, were becoming extremely wealthy. As well, the bootleggers had a depraving effect upon the minds of young people, who even in the worst days of the licensed traffic were little exposed to the contaminating influence of

76. "Is the Prohibition Pendulum Swinging Back?" Maclean's Magazine, XXXII (April, 1919), 34b.

77. Charles W. Stokes, "Prohibition's Decline and Fall in Canada," American Review of Reviews, LXXVII (February, 1928), 170.

78. The rise of government control in Canada is covered in R.E. Hose, Prohibition or Control? Canada's Experience With The Liquor Problem (Toronto, 1928).

thugs and others of base life. During prohibition, small boys spent much of their time looking for caches. "A queer underworld catching the imaginations of our young Huck Finns."⁷⁹

Another important factor in prohibition's fall was that in recent years prohibitionists tended to concentrate on prohibitory legislation and forgot moral education. The intensive temperance campaign on which prohibition was achieved largely ceased when prohibition became law. It was no longer a matter of right and wrong, but of jails and fines, of pains and penalties.⁸⁰ The program of moral persuasion was succeeded by a program of legislative force. Prohibition was forced too hard, too fast, and too far, leaving public opinion behind. The promised and exaggerated millennium did not appear. A reaction set in against the desiccative Utopian idealism.

79. Elizabeth Elliott, "Booze Patter: The Canadian He-Man Before and After Prohibition," Survey, LVII (November 1, 1926), 130.

80. "'Truth' About Canada's Drink Plan," Literary Digest, CV (May 10, 1930), 13.

Conclusions

The years from 1919 to 1923 were particularly significant in the long history of the prohibition movement in Ontario. During these years the prohibitionist forces reached the zenith of their accomplishments. The Ontario Temperance Act, originally a wartime measure, was made permanent by a vote of the people in 1919. At the same time, a government was elected which totally and wholeheartedly supported prohibition. Eighteen months later the importation of liquor from outside was cut off by a referendum. If prohibition were ever to be a success in Ontario, it should have been during the Drury regime. In that period Ontario had the greatest amount of prohibitory legislation on its statute books. Moreover, the government responsible for enforcing the law was more fully behind it than any other government Ontario ever had. However, it was also during these years that significant opposition arose. By the end of Drury's term of office it was evident that prohibition was in decline.

In 1919 prohibition was at its height in Ontario. A huge majority voted to retain the O.T.A. Apart from a well-organized and well-administered prohibitionist campaign, several other factors contributed to the great success of 1919. Women were allowed to vote for the first time, and they proved themselves to be largely in favour of prohibition. The temperance crusade, which had been building up for many years, finally reached the stage of fulfilment. The First World War created an emotional atmosphere favourable to the elimination of the liquor traffic. The war created a demand for economy and efficiency, and there was obvious waste involved in the use of liquor. The people of Ontario had united to defeat the Germans in Europe. Surely, they could make as great an effort to

destroy their greatest enemy at home. All across Canada the provincial governments passed prohibition laws during the war. Prohibition was written into the American constitution. When the people of Ontario had a chance to vote on the subject in 1919, the prohibitionist propagandists declared that Ontario, the banner province, must lead the charge in the great fight against the evil traffic. The people of Ontario spoke with force.

The United Farmers of Ontario won a spectacular victory in the provincial elections of 1919. A government was formed in coalition with the Labour members. The new Government, under Premier Drury and Attorney-General Raney, was strongly in favour of the prohibitory legislation it had to enforce. No serious attempts were made to make the law more drastic. Drury believed that the liquor question should be left to the people. Any legislative changes to strengthen the act would open the way to weakening the act by legislation. Consequently, most of the loopholes evident in the O.T.A. in 1919 remained at the end of the Drury period.

The main efforts of the Government were spent attempting to administer the law efficiently. On the whole a commendable job was done. The liquor laws were brought into line with the ordinary criminal law so that all law officers would be responsible for O.T.A. enforcement. Magistrates who hesitated to enforce the law to the limit were urged, not forced, to give stiffer penalties. People continued to break the law, but that was to be expected. Raney was accused of being a fanatic and an autocrat but, although he was sometimes hysterical and was often too ready to accuse his critics of being in league with

the "liquor interests," he was really just enforcing the law as placed on the statute books by the Hearst government. His administration was sane and sound compared to what it might have been under another prohibitionist, such as Ben Spence. Considering their inexperience, the Drury government enforced the O.T.A. well. No fanatical steps were taken, and the law was probably administered as well as was possible.

The most significant event during the Drury regime was the 1921 temperance referendum. On the request of the Drury government the Dominion government held a vote in Ontario to determine whether the importation of liquor from outside the province would be stopped. Compared to 1919 the prohibition majority was greatly reduced. Nevertheless, it was more than sufficient to establish that a majority of people desired to end importation. The move was important. Until the new law came into effect, anyone who could afford it could order liquor from outside Ontario, legally import it, and keep and consume it in a private dwelling house. The "cellar supply" was quite legal under the O.T.A. However, much of this imported liquor found its way into bootlegging establishments and was illegally sold in the province. Thus the stopping of legal importation cut off a valuable source of the bootleg supply as well as the private consumer.

The 1921 referendum was the turning point in the prohibition movement in Ontario. The termination of private importation, combined with the O.T.A., was the greatest measure of prohibition Ontario ever had. April 18, 1921, must be seen as the high point in prohibitionist successes. At the same time, the referendum gave definite indication that prohibition sentiment was declining. The provincial majority was

greatly reduced. Important sections of the province expressed their opposition to further prohibitory measures. The movement to stop importation drove many voters out of the prohibitionist ranks. It was all very well to prevent the sale of liquor in Ontario as long as it could be obtained elsewhere. After the referendum the only way to get liquor was by illegal means or by the destruction of prohibition. The 1924 referendum gave further indication that a great many people had decided the latter was the better way. Drury and Raney were powerless to prevent the demise of prohibition. It was the act itself that was against human nature, not their administration of it.

The 1914 election was fought almost entirely on the liquor issue. The main plank of the Liberal opposition under N.W. Rowell was the immediate abolition of all the bars. In 1926 Ferguson fought the provincial election almost entirely on the re-introduction of liquor through government control. In the two intervening elections, in 1919 and 1923, the liquor issue was much less obvious, but it was very much present. Both these elections involved much wider questions. They were expressions of the struggle between the old two-party system and the new concept of class government which evolved from the industrial and agricultural unrest following the war. Nevertheless, the liquor issue was much discussed and may have played a part in the outcome of the elections. In 1919, with temperance sentiment at its height, the people may have voted against the Conservatives and Liberals because they were very divided on the issue and for the U.F.O. ^{because it} ~~who~~ stood behind prohibition almost unanimously. In 1923, when many people were dissatisfied and disenchanted with the "noble experiment," they may have voted for Howard Ferguson as the man who would bring back their liquor. Throughout

the period prohibition remained a vital and significant political factor.

It is difficult to determine whether prohibition was worthwhile. It did not last, and it did not bring about all that it promised. In that sense it failed. But it did not fail entirely. Even many non-prohibitionists agreed that prohibition was an improvement over the old license and open bar system. It must be considered that prohibition was an honest attempt to find a solution to an admittedly serious problem. Alcoholism is still very much with us today. There could be another prohibition movement. If the use of liquor becomes too free and the abuses too great, it is not inconceivable that another reaction against it ~~would~~^{will} take place. The temperance people of the 1920's continued to believe that prohibition was the answer. Ben Spence, in 1940, deplored the "blatant resurgence of booze," and urged the temperance forces to remobilize for the fight to restore prohibition.¹ E.C. Drury, in 1966, proclaimed his everlasting faith in prohibition. He lamented the fact that profits of the liquor traffic had become an important part of provincial and federal financing.

In one recent year the people of Ontario alone spent something like \$371 million on liquor. In all Canada the cost of drink probably exceeds a billion. This vast expenditure, on a product which results at best in only a temporary and doubtful personal gratification, and at the worst involves an uncounted loss in increased crime, death, and destruction of property on the highways, loss of time and efficiency in industry, alcoholism, disease, and death, is scarcely believable.

Fifty years ago I believed that total prohibition was the only solution of the liquor problem. Nothing that has happened since has caused me to change my belief. It is futile to say that drinking is so fortified by custom and acceptance in human behaviour that it cannot be abolished. . . . As I near the close of a long and not uneventful life, I am glad that on this question I have never

1. Ben H. Spence, Wake Up! Ontario (Toronto, 1940).

temporized for either personal or political advantage. I stand where I have always stood, and I think my position is sound.²

Certainly, prohibition is a sound solution. If an evil is eliminated then obviously it is cured. But it is an ideal. Evil cannot be entirely eliminated, though we must never stop working towards that goal. Prohibition will not work unless man himself becomes perfect. He has not done so in all his existence and it is unlikely he will in the future. Even with the threat of cancer man continues to fill his lungs with smoke. It is improbable that he will give up the habit of liquor drinking after many long centuries. The most severe legislation in the world will not force a man to give up something he really wants. This is especially true when most men do not consider the drinking of alcoholic beverages a sin, a crime, or even unhealthy. Mankind cannot be shepherded into the Kingdom of Heaven.

Most of us today drink in moderation without considering it evil or dangerous. There continues to be more than a few among us who abuse the privilege. Drunkenness is as big a problem today as it ever was. Yet most of us would not believe the abolition of liquor to be a satisfactory answer. It would be like killing the cow to prevent it from getting hoof-and-mouth disease. It would be like dropping bombs on a friendly nation to prevent it from being overrun by the Communists. Joseph Howe made this point in a more delightful manner in commenting on prohibition in the Nova Scotia Legislature on February 21, 1855.

Woman is God's best gift to man. The fascination which she spreads around her -- how difficult to resist; the passions she inspires -- how intimately interwoven with all that arouses to exertion and rewards us for our toils! Yet, when even love is indulged in to excess, when reason is overpowered, when passion hurries on to

2. E.C. Drury, Farmer Premier, p. 180.

folly -- how numerous the victims, how blasting the effects! Yet who would, reasoning from the perils of indulgence and the dangers of society, deny to man the companionship which alone makes existence tolerable? The learned member for Annapolis might draw from the sinks of vice or even from the agony of a single victim, some harrowing pictures; but would he, on that account, imitate the Turks and lock up all the women?³

- Quoted*
3. ~~Address delivered~~ by Lieut.-Colonel H.A.C. Machin, M.P.P., Kenora, in the Ontario Legislature, Tuesday, March 4, 1919, during the debate on the Address in Reply to the Speech from the Throne, p. 9.

A Note on Sources

The newspapers were by far the most important sources used in this thesis. Prohibition was one of the most discussed issues in the press of the period. A good proportion of the editorial space was devoted to various aspects of the subject. Meetings and conventions for or against prohibition were widely covered. As well, the debates in the Legislature were reported in the press. This proved to be most valuable as there was no Ontario Hansard for the period. The Globe was used more extensively than the other newspapers and was read practically cover to cover from January, 1919, to mid-1923. This leading Toronto paper was almost obsessed with the subject of prohibition, and little appeared elsewhere in the material that was not found in the Globe, except, of course, the editorial opinion of other journals. The Farmers' Magazine, the Advocate, and especially the Farmers' Sun, the organ of the U.F.O., provided a rural viewpoint on the subject, while the Canadian Congregationalist, the Presbyterian Witness, and especially the Methodist Christian Guardian, presented the view of various religious groups. The Conservative journals, the Mail and Empire (See No. 33 in the Bibliography), the Telegram, and the Ottawa Journal, were not generally as zealous in support of prohibition as were the Liberal Globe and the Star. The latter was more prohibitionist than Liberal, supporting Hearst in the 1919 election and Raney in 1923. The Liberal Recorder and Times supported prohibition, but expressed its general attitude in the statement, "Anyway, it's your duty to vote." Only four issues of the Pioneer and one of the Plain Dealer were available in the Public

Archives of Canada, but they were enough to present the extreme positions for and against prohibition respectively. Except for the Plain Dealer, all the above newspapers gave at least nominal support to prohibition. The one refreshingly different journal was Saturday Night, which consistently opposed any restrictions on the liquor traffic.

Beyond the newspapers, the most valuable source was the Canadian Annual Review (4.), which gave an excellent coverage of prohibition throughout Canada. Allen's Ordeal by Fire (1.), was amusing and interesting popular history, but not very worthwhile as a source-book. Only a couple of chapters dealt with prohibition. Drury's Memoirs (2.), Farmer Premier, also dealt only sparsely with the subject, but what was there was most useful. Chapter XXI, dealing with the U.F.O. defeat in 1923, was especially good. Ruth E. Spence, Prohibition in Canada (10.), in spite of its obvious bias, was most valuable in providing the background of the movement. Unfortunately, the book was written in 1919 and therefore, did not cover the Drury period. The other important book on the list, R.E. Hose, Prohibition or Control? (5.), gives an excellent account of the rise of government control in Canada, but really only begins with the Conservative regime under Ferguson. The books by Sinclair, Era of Excess (8.), and Timberlake, Prohibition and the Progressive Movement (12.), are probably two of the best ever written on the prohibitionist movement in the United States, an understanding of which is essential for a study of the movement in Canada. The other books on the list were used very little. The two unpublished theses (13. and 14.) were excellent, and useful insofar as they dealt with the subject. The pamphlets (35.-63.) were of varying degrees of importance. Their titles generally explain their contents.

The archives material (15.-18.) was of limited use. Only the Drury papers were of much value, and some of the material there was concerned with the Hearst period, such as letters to Drury from J.D. Flavelle explaining how the License Board had been run under the Conservatives. The Hearst, Drury, and Ferguson papers in the Public Archives of Ontario all dealt with matters of public administration. There are, of course, no private Drury papers as yet. Ferguson's personal papers contained a huge box on temperance, but it was not available without the consent of the family. The use of the Attorneys-General papers was also forbidden. The Rowell papers in the Public Archives of Canada were mainly temperance clippings and manuscripts of speeches on temperance. Lack of time prevented a perusal of other papers in the Archives.

Although most of the long list of periodicals (64.-166.) are American, the writers of the articles were often Canadian. The Americans were fascinated with temperance events north of the border. Many American prohibitionists were very concerned lest the flow of Canadian liquor and Canada's rejection of prohibition would hurt the cause in the United States. Also, the provinces of Canada were able to experiment with liquor control in a manner which the American states envied. Unfortunately, they had placed themselves in a constitutional straightjacket. Consequently, they watched closely the developments taking place in the nearest country. Indeed, Canada probably never again received as much press coverage in the United States as she did during the prohibition era. Most of the material obtained from the periodicals, which were read first, was eventually found in the Ontario newspapers. The main value of the periodicals was in providing an over-all picture

of prohibition in Canada. Therefore, they filled in for the lack of good secondary sources on the subject.

The nature of the material gathered largely dictated that the thesis would be concerned with prohibition as a public issue and as a factor in the politics of Ontario. This thesis could be the necessary basis of a much larger and more important work. Prohibition should be studied as a social phenomenon. For example, it is one thing to say that there were so many W.C.T.U. members in Ontario and that one of the members had said such and such about prohibition; it is quite another thing to explain why the ladies were members of the W.C.T.U. What social factors caused the people to favour prohibition? If farmers strongly supported temperance, the question should be asked, why did they do so? Chapter I has tried to deal with this matter somewhat, but it is really only a beginning, telling where prohibitionist strength lay, not why it was concentrated there. A closer look at material relating to the Protestant ~~evangelical~~ faiths would probably reveal a great deal. Some way must be found to get inside the mind of the prohibitionist and try to understand his motivation. A more intensive study should be made of the society which created him. The lack of material on prohibition reflects the sad bit of work done on Canada's social history as a whole. A shortage of time and space determined that this thesis could go no further in that direction. Besides, it was felt that a study of prohibition as a matter of public concern was essential before further attempts could be made to unravel the mystery of prohibition.

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