

TO THE HONOURABLE HERBERT ALEXANDER BRUCE,

Colonel, Royal Army Medical Corps, Fellow of the
Royal College of Surgeons, England.

LIEUTENANT-GOVERNOR OF ONTARIO.

MAY IT PLEASE YOUR HONOUR:

Your Honour's Commission, bearing the date October 17th., 1934, appointed me to be your commissioner with the following terms of reference:

1. To inquire into all matters, arrangements, agreements, affairs and cooperations connected with, appertaining or incidental to the Ontario Athletic Commission, -
2. to inquire into the conduct, management and administration of the Ontario Athletic Commission, and all matters in connection therewith or incidental thereto, -
3. to examine and inquire into all books, accounts, records, documents and matters connected with, appertaining or incidental to the Ontario Athletic Commission, -
4. to report the evidence and the facts brought out in the within investigation, together with the findings and recommendations in connection with the said Ontario Athletic Commission.

I beg to submit to Your Honour my report.

INTRODUCTORY:

The first meeting of the Commission was held in the Parliament Buildings, Toronto, Ontario, on October 24th., 1934. Mr. W.B. Common, K.C., Counsel to Your Commissioner, was present and Mr. W.G.W. Harvey was appointed to act as Clerk of the Commission; Mr. Philip N. O'Hara, shorthand reporter, was employed to record the evidence. In all, twelve hearings were held and some 30 witnesses gave evidence. Mr. T.A. Murphy, M.P.P., former chairman of the Athletic Commission, was represented by counsel, as were several other witnesses. Every opportunity was offered to persons desiring to give

evidence, it having been the desire of Your Commissioner to bring out all relevant facts as to the operation and administration of the Ontario Athletic Commission under investigation. Unfortunately, in an inquiry of this kind, many citizens who happen to be in possession of information as to the merits or shortcomings of the body under investigation boggle at coming forward to give evidence, with the result that the good that that body may have accomplished, is entirely forgotten, but the shortcomings are remembered and stand out in the minds of the public like live coals in a pitch dark room. As an example of this unaccountable apathy on the part of the public, it may be said that at least two witnesses, in their evidence, told of parents and friends of the boys at the summer camp at Lake Couchiching visiting there, being entertained, and expressing themselves as highly satisfied with the work the Athletic Commission was carrying on there; yet none of these citizens who had enjoyed the hospitality of the Camp came forward to give evidence in favour of the Camp or the Commissioners. Evidence favourable to the former Commissioners would have been welcomed and, no doubt, could have been submitted and substantiated.

The period investigated may roughly be said to be that period during which the following gentlemen held office as Commissioners:

Mr. T.A. Murphy	Appointed May 7th., 1925.
Mr. H.I. Price	Appointed May 7th., 1925.
Mr. M.M. Robinson	Appointed May 7th., 1925.
Mr. T.A. McGinnis	Appointed May 7th., 1925.
Mr. M.R. Twomey	Appointed June 20th., 1927.

CONSTITUTION AND OBJECTS:

The objects of the Athletic Commission, as set out in section 2 of the statute, chapter 261, R.S.O., 1927, are:

"The object of the Commission shall be to assist, promote and encourage amateur sport and recreation in schools, community centres, and through associations of amateur sportsmen."

The statute provides for the appointment of five members to serve without remuneration, but entitled to received travelling expenses and actual disbursements in transacting the business of the Athletic Commission, and a per diem allowance as a living allowance when absent from home. This allowance was fixed at \$15.00 per day.

The Athletic Commission is authorized to employ such clerks, officers and servants as are necessary at salaries to be fixed by it, but subject to ratification by the Lieutenant Governor in Council.

The revenues of the Athletic Commission are derived from the following sources as set out in the Act, chapter 261, R.S.O., 1927. :

Tax on Gate Receipts Section 8, subsections 1 and 2

Licenses Section 9

Penalties Section 11

Forfeits Section 12, sub-section 2

Fines Section 14

The surplus of revenue over operating expenses may be used by the Athletic Commission for the assistance, encouragement and promotion of sport and recreation in such a way and by such means as the Athletic Commission may decide.

The Athletic Commission is required to furnish quarterly statements of receipts and expenditures in each quarter to the Lieutenant Governor in Council. Its books and accounts are to be audited and checked from time to time by the Provincial Auditor or other auditor. Such auditor shall present an annual report to the Treasurer of Ontario. A statement containing the report of the auditor for the last preceding fiscal year and the receipts and expenditures of the Athletic Commission ^{and an account of the proceedings of the Commission} during the year is to be laid before the Legislative Assembly at each annual session.

CRITICISM OF THE ADMINISTRATION:

Like many other quasi-public bodies, the Ontario Athletic Commission seems to have been composed of active and inactive members. The active members were Mr. T.A. Murphy, then chairman, and Mr. H.I. Price, then vice-chairman. Mr. M.M. Robinson, a farmer of Burlington, Ontario, seems to have oscillated between the two classes. The two inactive members were Mr. M.R. Twomey, of Windsor, and Mr. T.A. McGinnis, of Kingston.

An analysis of the minute books gives the following picture of the members' attendance:

The Ontario Commission is authorized to collect and disseminate information and reports on the economic conditions in the province and to submit to the Legislature a report thereon.

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In 1932, there were 34 meetings held of which, at 22 of them, only two members were present; at 12 meetings, three members were present, Mr. Robinson being the third member.

In 1933, there were 44 meetings held of which at 28 of them, only two members were present; at 15 of them, three members were present, and at one meeting four members were present.

In 1934, there were 30 meetings held at seven of which two members were present; at 21 meetings, three members were present; and at two meetings four members were present.

In this connection Your Honour's attention is drawn to section 3 of the statute which says:

"The majority of the members of the Commission shall form a quorum."

Persons who accept appointment to a Commission, whether active or inactive, share in the credit given for successful work. So, too, when there are failures or shortcomings, inactive members must bear a portion of the censure that follows, irrespective of their lack of attendance.

By reason of the consistent non-attendance of three of the five members, the active Commissioners were deprived of the possibly steadying influence and guidance that might have been present had not the work of carrying on the business of the Commission fallen upon the shoulders of Messrs. Murphy and Price.

The Commissioners were aware that the Athletic Commission met each Monday. Partly as the result of their non-attendance, the former chairman and vice-chairman, anxious perhaps to maintain and increase the revenues of the Athletic Commission, paid considerably more attention to details in connection with wrestling and boxing bouts than to furthering the declared objects of the Commission, that is to say, the promotion and encouragement of amateur sport.

A summary of the attendance of the various members from the time they took office in 1925 until September 7th., 1934, is given below:

<u>For the year ended</u>	<u>No. of Meetings</u>	<u>T.A. Murphy</u>	<u>H.I. Price</u>	<u>M.M. Robinson</u>	<u>M.R. Twomey</u>	<u>T.A. McGinnis</u>
Oct. 31, 1925	12	12	12	9	-	2
" " 1926	11	11	11	8	-	2
" " 1927	14	14	14	11	2	3
" " 1928	16	16	16	8	3	0
" " 1929	35	35	30	12	1	1
" " 1930	13	13	13	3	0	0
" " 1931	16	16	15	11	1	0
" " 1932	34	34	34	11	1	0
" " 1933	44	44	39	20	2	0
Sep. 7, 1934	<u>30</u>	<u>30</u>	<u>29</u>	<u>23</u>	<u>1</u>	<u>1</u>
Total	<u>225</u>	<u>225</u>	<u>213</u>	<u>116</u>	<u>11</u>	<u>9</u>

The operations of the Commission, largely directed by Messrs. Murphy and Price, lacked Governmental supervision and guidance inasmuch as no one possessing higher authority seemed to have considered it his business to see that quarterly reports were furnished as required by statute. These quarterly ^{statements} reports of receipts and expenditures were not furnished to the Lieutenant Governor in Council as required by section 8, subsection 3, of the statute. Further, the annual reports as required to be furnished to the Legislative Assembly by section 15, subsection 2, were incomplete and misleading in respect of certain important details.

It was not to be wondered at that under these circumstances the real objects of the Athletic Commission were lost sight of and that abuses began to appear in the management of affairs of the Athletic Commission. The Athletic Commission, accordingly, found itself in the position of being unable to meet its liabilities from the regular revenue which it was authorized to collect by statute.

FINDINGS OF YOUR COMMISSIONER:

Accounts and Records:

Mr. J.F. Hoskin, C.A., of the audit firm of Messrs. Jenkins and Hardy, testified that in September, 1934, he had made an audit of the books and accounts of the Ontario Athletic Commission and found them in very bad order; that the general ledger had not been properly posted or ruled off for the year ending October 31st., 1933; that the cash book had not been written up since June, 1934; that no postings whatever had been done to the general ledger for 1934; nor had it been properly written up for 1933.

Evidence of Mr. J.F. Hoskin, C.A., also indicated that the minutes of the Athletic Commission's meetings were incomplete and carelessly compiled.

Evidence submitted by the former chairman, Mr. T.A. Murphy, and the Secretary, Mr. J.P. Fitzgerald, shows clearly that their opinions differed as to who was responsible for the proper keeping of the books.

The former chairman, Mr. Murphy, stated that ^{the} Secretary, Mr. J.P. Fitzgerald, was responsible. Mr. Fitzgerald testified that he knew little or nothing about the books of account and left the keeping of them to Mr. W.A. Train, of the Provincial Audit Department staff. Mr. Train testified he was not especially engaged to write up the books, although he did make entries for which services he was paid an honorarium by the Athletic Commission. This difference of opinion as to the responsibility for keeping the books accounted in a large measure for the state of confusion in which the records were found by Mr. J.F. Hoskin.

A similar confusion appeared to exist as regards responsibility for the custody of the books and records, a situation which had an unfortunate sequel when, later, a number of vouchers and files were found to have been removed from the Athletic Commission's office.

Mr. W.A. Train, although a member of the Provincial Audit Department staff, was engaged by the Athletic Commission (not a department of the Provincial Government) to make certain bookkeeping entries and to inaugurate a new bookkeeping system. Mr. Train received from the Athletic Commission the sum of \$350.00 for his services and thus became in a sense a servant of the Athletic Commission. Your Commissioner is of opinion that it was improper for a member of the audit staff to receive remuneration from the Athletic Commission.

Failure to keep the books and records of the Athletic Commission in a safe place made it easy for unscrupulous persons to remove them from the office of the Athletic Commission, and on or about August 7th., 1934, after Mr. W.A. Train had been drawing off the details of the travelling expenses of former Chairman T.A.

Murphy, M.P.P., the cash books for the fiscal years 1928, 1929 and 1930 and certain travelling expense vouchers were stolen from the office of the Athletic Commission. After a search, some of the books were found ^{behind} various cupboards and filing cases. The cash books for the fiscal years ending October 31st., 1928, 1929 and 1930, and the vouchers, were missing and were never found even although a later search was made by Mr. J. F. Hoskin, C.A., of Jenkins and Hardy, auditors.

In connection with the travelling expenses of the former chairman, Mr. T.A. Murphy, M.P.P., a clumsy attempt to falsify the cash book by scratching out an entry of \$750.00 which appeared on page 13 of the cash book under date April 27th., 1931, which entry represented the expenses of Mr. Murphy to England, and substituting for the correct amount of \$750.00 a lesser amount, viz, \$70.50, was made by some unknown person or persons.

As to the responsibility of keeping of books and records, it should be said that the Secretary, Mr. J.P. Fitzgerald, was in error in assuming that the responsibility for the custody of the books and records rested with the representative of the Provincial Auditor's Department rather than with himself. Mr. Fitzgerald also seems to have been unacquainted with the provision of section 3, chapter 261, R.S.O., 1927, as to the number of members of the Athletic Commission necessary to form a quorum.

Two facts which stand out are -

1. That Mr. Fitzgerald conscientiously discharged his duties as he understood them, and
2. that his integrity is beyond question.

ATTENTION PAID TO THE FOSTERING OF AMATEUR SPORT:

Your Commissioner finds that the object for which the Athletic Commission was established was achieved only to a very limited degree. So much of the Athletic Commission's revenues was diverted to the Camp at Lake Couchiching, where a comparatively few high grade athletes received special training, that little was left for the assistance of amateur sport in general.

SPORT IN THE SCHOOLS:

With regard to the Athletic Commission's attitude towards the schools of the Province (including, of course, secondary, public and separate schools), it had been the policy of the Athletic Commission to send coaches to the various schools as far as practicable. On the initiation of the Lake Couchiching Camp project, the Commission abandoned the policy of general coaching and proceeded to select the best athletes, by a series of elimination contests, for special training at the Camp. Unfortunately, except in the case of four or five of the larger city schools, the Camp idea failed to hold the interest of the pupils and teachers of the public schools of the Province, with the result that the public school pupils not only lost the benefit of such coaching as had formerly been available but derived no benefit whatever from the large sum expended on the Lake Couchiching Camp.

LAKE COUCHICHING CAMP:

The total capital expenditure on the Camp to October 31st., 1933, was \$53,344.17. The average annual operating expenses were \$4,432.54. The Camp has a maximum ^{um} accommodation for 66 boys and, as the camping season has been divided into two periods of three weeks each, the maximum yearly attendance is 132 boys. The Camp was never filled to capacity and, of the actual attendance, a considerable part was made up of paying guests, sons of parents in comfortable circumstances. These paying guests were admitted to the Camp for any period on payment of \$10 a week, a sum which is less than the cost of operating and maintaining the Camp per boy per week, when consideration is given to depreciation and interest on invested capital.

Whatever the merits of the Camp may have been, it was not an unqualified success, in that it encouraged only boys from the high schools and concentrated on those already fairly proficient in field and track athletics. The project swallowed ^{up} such a large portion of the revenue as to impoverish the Athletic Commission and make impossible the more general encouragement of sport and recreation, among the rank and file of school boys. Such a policy tends to develop only the more adaptable boys and fails to give encouragement in sport and recreation to the average school boy or

girl who should be given an opportunity to take part in games requiring team play; such games are calculated to inculcate a spirit of cooperation and real sportmanship. That the athletes in the primary schools received considerably less encouragement than those in the secondary or high schools, is clearly shown by the fact that while the total gross revenues of the Athletic Commission for the period November 1st., 1930, to September 7th., 1934, amounted to \$106,169.23, the sum of \$53,344.17 (or 50 per cent of the gross revenue) was invested in the Camp project. This large investment and the annual operation costs constituted a heavy drain on the finances of the Athletic Commission. (Where the term public school is used in this report, it is meant to include also separate schools.)

METHODS OF FINANCING:

The Athletic Commission failed to keep the expenditures within the limits of their revenue and resorted to borrowing from the Bank. In 1933, the current liabilities exceeded the current assets by \$13,031.50 and in 1934 the excess of current liabilities over current assets amounted to \$10,920.16.

On September 3rd., 1930, the Athletic Commission borrowed \$10,000 from the Bank of Nova Scotia in connection with the financing of the Camp project. This the Athletic Commission did without statutory authority. The Bank of Nova Scotia in advancing the money to the Athletic Commission did so under the belief that the Commission was a department or branch of the Government of the Province of Ontario. In this belief, the Bank of Nova Scotia was in error. At September 7th., 1934, the Athletic Commission was still indebted to the Bank of Nova Scotia in the sum of \$3,500.00. In 1931, the Athletic Commission arranged with the Department of Public Works to construct buildings and equipment at the Camp at a cost of \$10,000, the arrangement being that the debt would be liquidated at the rate of \$3,000 per annum. Of this sum, \$4,000 has been repaid, there being still a balance owing at September 7th., 1934, of \$6,000, all of which is overdue. This transaction was conducted in an irregular manner and without statutory authority.

ANNUAL STATEMENT:

In examining the annual statement for the fiscal year 1932-1933, Messrs. Jenkins and Hardy, public accountants, found it necessary to adjust the statement prepared by the Provincial Auditor.

These annual statements, as required by section 15, sub-section 2, chapter 261, R.S.O., 1927, were found to be incorrect, in that the amounts shown as general surplus was overstated as follows:

1931	\$1,728.41
1932	\$2,449.04
1933	\$2,191.29

The current surplus was incorrect in that the following liabilities were omitted: Due to the Department of Public Works, 1932, \$8,000.00; 1933, \$6,000.00.

The statements of receipts and expenditure were incorrect in that part of the Commissioners' travelling expenses and per diem allowances amounting to \$4,026.29 for the year 1932-1933, were improperly charged to the following accounts :-

Athletic Coaching - General Expense	\$ 500.00
Medals and Trophies	\$ 500.00
Travelling Expenses	\$1,500.00

The operating expenses of the Lake Couchiching Camp for the years 1931 and 1932 had been improperly capitalized, the amount for these years being \$5,455.49.

Funds received by the Athletic Commission as cash bonds from promoters and for club licenses paid in advance, amounting to \$977.70 in the year 1932-1933 were not shown as liabilities in the statement furnished the Legislative Assembly.

No provision was made for bad debts in respect to the sum of \$936.00 owing by the old Toronto Baseball Club, a bankrupt organization.

COMMISSIONERS' TRAVELLING EXPENSES:

The travelling expenses of Messrs. Murphy, Price and Robinson bulked large in the Athletic Commission's expenditures. Between November 1st., 1930, and September 7th., 1934, travelling expenses of the five Commissioners amounted to \$13,522.06 out of a total revenue for that period of \$106,169.23. In other words, the Commissioners spent 12.7 per cent of the Athletic Commission's

income in travelling expenses. The former chairman and vice-chairman had a penchant for travelling and in four years incurred travelling expenses amounting to \$10,432.81.

The Commissioners often failed to submit detailed statements in respect of their travelling expenses, thus making it impossible for any auditor to determine whether the expenses had been properly incurred. In this connection it should be observed that Commissioner M.M. Robinson received \$400 over and above the amount paid to the Canadian Olympic Committee for his expenses and for which no accounting was made by him.

RELATIONS WITH PROMOTERS OF WRESTLING BOUTS:

Evidence as to their treatment at the hands of the Athletic Commission was given by two promoters, Mr. J.J. Corcoran and Mr. Ivan Mickailoff. Their respective charges coincided as regards fines inflicted on them and the Athletic Commission's refusal to grant them a hearing in connection with the justification for these fines. I find that, in the last three years, Mr. John James Corcoran did pay to the Athletic Commission in fines and penalties the sum of approximately \$3,500; that he demanded but he did not receive a hearing from the Athletic Commission; that he was ^{given} ~~giving~~ no opportunity to place his grievances before that body.

I find also that Mr. Ivan Mickailoff, of Arena Athletic Club, former promoter of wrestling bouts, paid substantial sums to the Athletic Commission by way of fines and forfeits aggregating approximately \$1,800, and that he also demanded and was refused a hearing from the Athletic Commission.

The following charges were made by Mr. John James Corcoran against Mr. T.A. Murphy, the former chairman:-

1. That two payments of \$500 each were made by Mr. Corcoran to Mr. Murphy;
2. that a number of ^{free} wrestling exhibitions were given at the request of Mr. Murphy and at the expense of Mr. Corcoran in the riding of Mr. T.A. Murphy, M.P.P. ;
3. that Mr. Corcoran was invited to provide and did provide at his own expense entertainment for the meeting of the Quebec-Ontario athletic visitors;

4. that Mr. Murphy was a partner of Mr. Corcoran in wrestling promotion in Ottawa.

Before considering these charges, Your Honour's attention is directed to the circumstances under which Mr. John James Corcoran's evidence was given. The books of the Queensbury Athletic Club, of which Mr. John James Corcoran is the promoter and owner, were impounded on the orders of Your Commissioner. Mr. J.F. Hoskin, C.A., examined these books and opened up a number of lines of enquiry with the result that Mr. John James Corcoran was subpoenaed to give evidence. He was an unwilling witness and twice failed to appear before the Commission when his name was called, owing to some supposed difficulty in his travelling arrangements. He gave his evidence with great reluctance and only after he was accorded the protection of the Commission except as to perjury.

Mr. Corcoran charged that Mr. Murphy was his partner in promoting wrestling bouts in Ottawa, commencing in the fall of 1931. The following spring, according to Mr. Corcoran, Mr. Murphy inquired as to the financial results and was informed that the venture showed a profit of over \$900. Thereupon, Mr. Corcoran swore, he paid Mr. Murphy \$500, considering that sum Mr. Murphy's share of the profit. Mr. Murphy denied both the alleged partnership and receipt of the \$500.

swore

Mr. Corcoran/that following a telephone call from Mr. Murphy, he gave him (Mr. Murphy) \$500 in 25 bills of \$20-denomination on Bay Street ^{near} Grenville Street in the City of Toronto. He said the money was paid over in the presence of John Kogut, a wrestler, who drove Mr. Corcoran to the alleged rendezvous.

Mr. C.W. Harris, bookkeeper for Mr. Corcoran, swore that at the time of this payment, he drew a cheque for \$500 payable to cash; cashed it and turned the money over to Mr. Corcoran. He said Mr. Corcoran told him the money was for Mr. Murphy and that the parties were to meet at Bay and Grenville Streets; and that Kogut drove Corcoran away, presumably to the rendezvous.

Jack Kogut, whose proper name is Peter Paul Kogut, came from Portland, Oregon, U.S.A., at the request of Mr. Corcoran to give evidence. Kogut swore that, while in Mr. Corcoran's office, he

heard Mr. Corcoran ask Mr. Harris to draw a cheque for \$500.00, saying, "I have got to pay Murphy." Mr. Corcoran then said to Kogut, according to the latter, "Drive me down Bay Street to see Murphy." Before leaving the office, Kogut swore that he saw Mr. Harris hand several \$20-bills to Mr. Corcoran. He described driving Mr. Corcoran's car up Bay Street and finally parking near Grenville Street, where Mr. Murphy appeared a few minutes later. He said that he saw Mr. Corcoran hand 'something' to Mr. Murphy when they were about 15 feet away from the car, but was unable to say what the 'something' was.

Your Commissioner is of opinion that Kogut's evidence should be believed. He not only came a great distance to testify but returned to Toronto at the risk of being arrested for failure to pay sums due to his wife for her support under a court order. Had Mr. Corcoran wished to procure perjured evidence, he would hardly have gone to the expense, about \$150, of bringing a man from the Pacific Coast.

I find that this cheque for \$500.00 was drawn, was recorded in the cash book of the Queensbury Club, was cashed, and the money given in \$20-bills to Mr. Corcoran; that Kogut drove Mr. Corcoran to Bay and Grenville Streets, where Mr. Corcoran met Mr. Murphy and handed him 'something'. There is no proof that this 'something' was money other than the sworn evidence of Mr. Corcoran. The significant nature of these relative facts, however, compels me to believe the evidence of Mr. Corcoran as to this charge.

Mr. Corcoran also charged that on or about October 6th., 1932, he paid a further \$500.00 to Mr. Murphy in the Athletic Commission offices. Mr. Harris, Mr. Corcoran's bookkeeper, testified that he drew and cashed the cheque and gave the proceeds to Mr. Corcoran, following a telephone conversation between Mr. Corcoran and some unknown person. After that conversation Mr. Corcoran said to him, (Mr. Harris testified) "Murphy wants another \$500."

I find that the cheque was drawn and cashed and that the proceeds were given to Mr. Corcoran. In the absence of ^{any} corroborative evidence, I am unable to say conclusively that the money was

handed to Mr. Murphy by Mr. Corcoran.

Mr. Corcoran also charged that he furnished at considerable expense to himself 20 wrestling exhibitions in the Beaches riding of Toronto, Mr. Murphy's constituency, and that for this he received no compensation. The staging of the exhibitions was admitted by former Chairman Murphy, who declared that Mr. Corcoran received a benefit commensurate with his outlay from an advertising standpoint.

I find that Mr. Corcoran did expend sums of money in conducting wrestling bouts in the riding of Chairman Murphy.

Mr. Corcoran also charged that on another occasion, at the request of Mr. Murphy, he furnished entertainment at a local hotel for delegates from Ontario and Quebec to a sports meeting. His expenditure at that time was about \$225, covering whiskey, entertainers and souvenirs in the form of marble desk sets and mirrors with timepieces.

I find that Mr. Corcoran, while holding a license issued by the Ontario Athletic Commission, did provide entertainment with etceteras without consideration or payment by former Chairman Murphy.

Mr. Corcoran also charged that he drove former Chairman ~~in~~ Murphy to Montreal and Ottawa at the time when the alleged partnership in Ottawa wrestling began. Mr. Murphy ~~admits~~^{admitted} going to Montreal and Ottawa with Mr. Corcoran, but denied the existence of any partnership.

CHARACTER OF WRESTLING IN ONTARIO:

Considerable time was taken up in hearing evidence as to whether wrestling bouts, supervised by the Athletic Commission, were, in the words of the former chairman, on the 'up-and-up'. Evidence was given by promoters, referees, timekeepers, by former Commissioners and by the Secretary, and this evidence conclusively showed that while the bouts are more in the nature of exhibitions of skill than contests staged to determine which contestant is the better wrestler, it cannot be said that they are 'fixed' or that the outcome of the bout ~~has been~~^{is} pre-arranged.

RECOMMENDATIONS:

RECOMMENDATIONS:

I have the honour to make the following recommendations:

1. That any member of the Athletic Commission who fails to attend a specified number of meetings without reasonable cause be reported to the Lieutenant Governor in Council for removal from the Athletic Commission.
2. That no member of the Athletic Commission shall hold office for a longer period than three years and no ex-member shall be eligible for re-appointment until after the lapse of one year from the date of the termination of his former appointment.
3. That Commissioners be required to submit proper expense accounts and be reimbursed only for actual out-of-pocket expenses incurred in the performance of their duties.
4. That Commissioners be not paid a per diem allowance.
5. That the Athletic Commission make provision whereby promoters, wrestlers, and others may appeal against decisions in respect of fines, penalties or forfeits.
6. That the Clerk of the Executive Council be held responsible for the obtaining of the quarterly statements required by section 8, sub-section 3, and that, on the failure of the Athletic Commission to file such statement within seven days of the specified dates, he be requested to notify all members of the Athletic Commission of such failure and that a copy of his letter be sent to the Legislative Assembly at the next opening ~~xxxxxxx~~ session.
7. That the Provincial Auditor be required to prepare an annual statement of receipts and expenditures and of assets and liabilities and to give a certificate that his report is in accordance with the books and records of the Athletic Commission, that he has received all necessary information, and that his responsibilities as an auditor have been fully discharged and that all financial transactions of the Athletic Commission are within the powers vested in the Athletic Commission by statute.
8. That the Athletic Commission shall not be permitted to expend or to incur any liability in any fiscal year in excess of the gross revenue for that year.

9. That the members of the Athletic Commission shall be held jointly and severally responsible for any debts created by the Athletic Commission which are not authorized by statute.
10. That in the expenditure of surplus funds, as contemplated by section, ⁸ sub-section 2, chapter 261, R.S.O., 1927, more funds be used for the development of competitive games in the public schools of the Province.
11. That the Ministers of Education and Health each have representation on the Ontario Athletic Commission.
12. That, until the Athletic Commission has liquidated all its outstanding liabilities and has accumulated an operating fund, the Camp at Lake Couchiching should not be reopened by the Athletic Commission, but should be maintained in a proper state of repair.

CONCLUSION:

Your Commissioner desires to place on record his appreciation of the services of Mr. J. Frank Hoskin, C.A., who by his ability and knowledge of accounts gave the inquiry valuable assistance. Thanks are also due to Mr. W.B. Common, K.C., counsel, for the manner in which he advised Your Commissioner and brought out, impartially and fully, all relevant facts.

I have the honour to be,

Sir,

Your Obedient Servant,

(Sgd) Chester L. Walters

COMMISSIONER.

Dated at the City of
Toronto,
Province of Ontario,
This Fifteenth Day
of January,
A.D. 1935.

BELL-FAST BOND

9. That the members of the Athletic Commission shall be held jointly and severally responsible for any losses sustained by the Athletic Commission which are not authorized by a vote.

10. That the Commission of Athletic Affairs, as constituted by section 10, chapter 2, chapter 211, R.S.O. 1907, shall have the same for the purpose of the development of competitive games in the public schools of the province.

11. That the Minister of Education and Health shall have reference to the Athletic Commission.

12. That until the Athletic Commission has reported all its outstanding liabilities and has examined an existing fund, the Comptroller of the Public Accounts shall not be required by the Athletic Commission, but shall be maintained in a proper state of repair.

COMMISSION:

Your Commission is hereby notified to place on record the resignation of the members of Mr. J. Frank Hunkler, D.M.S., who by his ability and knowledge of accounts gave the public valuable assistance. Therein are also set out Mr. W.H. Cowan, A.C., secretary, for the names in which he advised your Commission and brought out in detail and fully, all relevant facts.

I have the honor to be,

Sir,

Your obedient servant,

John A. Walker

COMMISSIONER

Office of the City of
 Toronto,
 Ontario,
 this 15th day
 of July,
 1911.