

## Discrimination Charges Heard

Charges that two Dresden restaurant keepers had discriminated against colored people by refusing them service, were aired at a public hearing here Monday, and a report of the proceedings will be made by the presiding judge to the Minister of Labour.

The community hall at Lambton-Kent arena saw a crowd of three hundred white and colored people on hand. Judge William F. Schwenger, sitting as a commissioner appointed by the Department of Labour, said he hoped that an amicable settlement to the situation would be reached. He said decision would be reserved until his report had been made to the Minister of Labour.

Ten witnesses were called for the hearing of complaints against Emerson's Restaurant and Kay's Cafe. First on the stand was Phillip Shadd, of Raleigh Township, who testified that he, his wife, sister and brother-in-law had been refused service in Kay's last June. On the stand, Mr. McKay said that he knew he was breaking the law when he refused to serve colored people but that he persisted because he didn't want to lose his business.

Complainants against Emerson's were Lyle Falbot, Louis Hall and Frank Nolan, all of Windsor, who claimed they had gone into Emerson's one Sunday night last June, following a singing engagement at Queen Street church, had asked for a bottle of pop, and had been told by Mr. Emerson that the restaurant was closing for the night. On the stand, Mr. Emerson said the time was "between five and ten minutes after ten." On cross examination by the complainant's lawyer, he said that service had been refused to colored persons on other occasions because "it has been a policy. We know if we mix white and colored people it would be detrimental to our business."

David Lewis, counsel for the complainants, argued that both proprietors should be prosecuted under Ontario's new Fair Accommodation Act. Roland Carscallen, appearing as counsel for Mr. McKay and Mr. Emerson, claimed that "by prosecuting McKay and Emerson, you are not going to correct the situation overnight. The situation can be best cured by educating the people," he said.

The hearing on Monday attracted a number of out-of-town newspapermen. The Vancouver Sun had a representative present; the Toronto Telegram had photographers and reporters there, and had arranged a wirephoto setup for early transmission of pictures; and other daily papers were well represented.