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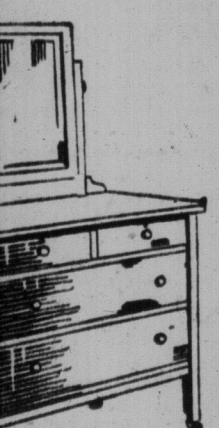
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The Toronto World

SATURDAY MORNING JULY 31 1920

40TH YEAR—ISSUE NO. 74,507 TWO CENTS

SINN FEIN MURDER GANGS GROW BOLDER IN OUTRAGES

Ontario's Vote on "Bone Dry" Issue Is Deferred Nearly Six Months

LEGAL RIGHT EXISTS FOR TAKING OVER OF GUELPH RADIAL LINE

Eminent Counsel Express Such an Opinion to the Mayor.

BINDING AND VALID

Guelph, July 30.—The Hydro-Electric Power Commission of Ontario

some time ago sent to the city of Guelph the opinions of two of the

most eminent counsel in the city of Toronto, respecting the agreement for

the acquiring of the Guelph Radial Railway System, which was executed

and forwarded to the city of Guelph by the Hydro-Electric Power Com-

mission of Ontario on June 24 last.

These opinions were yesterday handed by the mayor of the city of Guelph

to the press, and are signed by Mr. George H. Kilmer, K.C., and Col. C. S. Maclean, K.C.

These counsel, as may be seen from the opinions given below, consider the

agreement, as entered into by the commission and the city of Guelph, to be a legal, valid and binding one:

Gentlemen—Mr. Drury has stated that the city solicitor for the city of Guelph, before the transfer of the

city and the commission for the sale of the Guelph Railway was entered

into, advised that there was no legal authority for making such an

agreement, and Mr. Drury expresses regret that such advice was not fol-

lowed. Mr. Drury has been misinformed. The facts are that the city solicitor

was not aware of section 2 of the Hydro-Electric railway act, 1914,

which expressly authorizes the acquisition by the commission of the whole

or part of the street railway, and which reads as follows:

"The agreement may include in its terms the purchase or leasing or ob-

taining running rights over any street railway, electrical railway, or street

railway, or any part thereof, as part of the line of railway to be constructed

and operated by the commission."

When these statutory provisions were pointed out to the city solicitor,

together with the fact that the agreement being submitted contained this

provision, he advised that the agreement was valid and binding.

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LUCAS MAKES ESCAPE AMBUSHED ON THE WAY SEVERAL SOLDIERS SHOT

Is Picked Up By Military Lorry Which Later is Attacked by Armed Men — Volley Kills Two and Wounds Several, But Second Vehicle Arriving Puts Assaulters to Flight.

Belfast, July 30.—Brigadier-General Lucas, who in June was captured by Sinn Feiners and was taken to an unknown destination, has escaped from his captors and is now in Tipperary barracks. He was picked up at Limerick by a military lorry, which later was ambushed by Sinn Feiners, the result being the death of several soldiers and the wounding of others.

Reports received here regarding the escape indicate that Gen. Lucas was accompanied by 12 or 15 armed soldiers at the time of the clash.

Escorted by the soldiers, he was being conveyed from Limerick in a lorry. As the lorry approached the village of Oola, a party of armed raiders appeared, demanding that it halt and surrender. The driver responded by putting on speed and the lorry was disabled by a volley of shots from the raiders.

General Lucas and some of the soldiers were killed, but before they could use their another volley from the raiders rang out. Two soldiers fell dead, several were wounded and the remainder surrendered their arms. The raiders carried off the soldiers' equipment and were about to set the lorry on fire when another lorry appeared, full of soldiers. The raiders thereupon fled and General Lucas, with the survivors of his escort, was rescued.

The general is reported at present to be in the military barracks at Tipperary with a half battalion of armed soldiers.

Hydroplane Will Fly to York Factory

The largest hydroplane ever flown in Canada, owned by the Canadian Aero Film Company, will leave Centre Island at 8 o'clock this morning for York Factory, Hudson bay.

The object of the trip is to take moving pictures and make an aerial survey of that part of the country around the bay for the provincial and federal governments.

If the plane safely reaches its destination, it will be the farthest north that anyone has been, and will no doubt prove to be a great novelty with the residents of that part of the country.

The plane will make the following stops on the way to its destination: Toronto to North Bay, to Cochrane, to Moose Factory to York Factory.

The six passengers going on the trip are as follows: J. H. Blake of the Ontario government motion picture bureau, Irwin Proctor of the Canadian Aero Film Company, Blane Irish Roy Lash, a moving picture camera man and two government surveyors.

Preliminary Steps Taken Toward Korean Autonomy

Seoul, Korea, July 30.—Official decrees issued today create provincial, municipal and village advisory councils for Korea. This is said, in political circles, to be a preliminary step toward self-government for the Koreans.

Seven Koreans, carrying bombs, were arrested today, charged with intending to assassinate officials and destroy public buildings.

Prominent Irishmen Murdered by Sinn Fein

Close Friend of Viscount French Shot While in Conference With Railway Director in Dublin.

Dublin, July 30.—Frank Brooke, wealthy country gentleman, close friend of Viscount French, the lord lieutenant, and member of a committee on Irish reconstruction appointed last year by the viceroy, was assassinated today.

Mr. Brooke was killed in the directors' room of the Dublin and Southwestern Railway in Westland row, where he had gone to attend a meeting of the directors of the railway.

Three assassins entered the room and fired while he was talking with Mr. Cotton, who is another director of the road, and is also manager of the London and Northwestern Railway. One of the shots entered Brooke's lungs and he died immediately.

Brooke carried a revolver, but had no time to use it. Other men had been left on guard outside the room during the shooting and the assassins escaped.

Mr. Brooke held large agricultural and commercial interests and was a frequent visitor at the vice regal lodge.

One reason assigned for the shooting of Brooke is his association with Viscount French. It will be recalled that Robert Barton, member of parlia-

ment for East Wicklow, was sentenced to three months' imprisonment early in the year on a charge of threatening Viscount French and coupling Mr. Brooke's name with that of the lord lieutenant. In his statement regarding the shooting, Barton is reported to have said that if any Sinn Feiner suffered, French and Brooke would be made to suffer.

Another suggestion is that the shooting was in reprisal for the dismissal of railwaymen for refusing to operate trains carrying police and soldiers. It is pointed out, however, that the Dublin & Southwestern Railway, with which Mr. Brooke was connected, has not been seriously affected by this movement, and that there have been fewer dismissals of men from it than from any other line in Ireland.

Mr. Brooke, in political quarters, had been conspicuous only during the last 12 months as the confidential friend and adviser of Viscount French. The shooting, it is thought here, may hasten the imposition of martial law, which some officials favor.

But it cannot be said to have created any special excitement in Dublin, where such occurrences seem to be taken as a matter of course.



BRIGADIER-GENERAL LUCAS.

JUDGES ADVISE THAT IMPROPERLY SECURED PATENTS BE VOIDED

Royal Commission Recommends Action Against Port Arthur Man. NO RIGHT TO TIMBER

Judges Riddell and Latchford have made the following interim report to the lieutenant-governor:

"We, the commissioners appointed by commission of date the 9th day of March, 1920, have the honor to make the following interim report in respect of certain operations of Walter H. Russell, of the city of Port Arthur, either individually or by and thru companies of which he was the principal and almost the only stockholder, or the manager:

"1. The business of Mr. Russell and his companies has been, since 1907, the exploitation of the pulpwood resources of the province of Ontario in the district of Thunder Bay.

"2. The pulp wood which they there obtained has been for the most part put into the United States.

"3. In order to secure certain valuable areas of pulp wood, Mr. Russell conceived and carried into operation a scheme for taking advantage of what he supposed to be the legal effect of the mining acts of the province.

"4. This was done by causing a number of persons closely connected with him, or in his employ, to take out mining licenses, nominally for themselves, but in reality for him and his companies, the fees being paid by him. As he himself says, the licenses were taken out and the locations selected and obtained solely for the purpose of stripping the properties of the pulp wood thereon, and it never was intended that any of the slightest development should follow the alleged discovery of minerals.

"5. This was done by Mr. Russell to have been done, malafide.

"6. Very large quantities of pulp wood were wrongfully obtained in this manner by the Russell Timber Company show that in 1913-1919 there were so procured at least 70,350 cords.

"7. In addition to the above, Mr. Russell and his companies have trespassed for many years upon government lands without shadow of right, and have cut and carried away a large amount of pulp wood of great value, which they have dealt with as the it had been cut upon mining locations.

"8. In our opinion, upon the facts admitted, the patents improperly obtained, and also to recover the value of the pulp wood, and for damages generally, should be taken.

"9. We transmit herewith the evidence respecting the above matters."

PRICES OF GRAIN AGAIN COLLAPSE

Quotation Drops Below Price Guaranteed by Congress Last Year.

Chicago, July 30.—For the first time since the ending of federal government control of the wheat market, wheat has been sold in Chicago at less than \$2.23 a bushel, the price which last year was guaranteed by congress. December delivery of wheat went as low today as \$2.21, an over-night tumble of 12 1/4 cents.

Absence of buying demand was the outstanding feature in today's operations, not of unusual rush to sell. A generally accepted explanation of the apparent reluctance of purchasers was strained financial conditions, notably weakness of foreign exchange.

Corn, oats and provisions declined in sympathy with wheat, but kept within normal limits. The amount of business in the feed grains exceeded by many times the total of transactions in wheat. Dealings in future deliveries of the latter cereal appear to be increasing a little daily, but still are far below an old-time average.

Over the Peak.

Wheat, for immediate delivery, sold in Chicago at \$2.55 yesterday. New wheat is less than that in Kansas City with no demand for export. Look out for two dollar wheat at the Canadian elevators as soon as the farmers begin to drive up with their loads.

Everything is over the peak; if not over the peak, the public will not call for the article.

The market gardeners are out hollering for some one to stop potatoes going to a dollar a bushel.

There are people to be met with everywhere who want to do business with you, to sell you things, to serve you. You can get more things done now while you wait than have your boots mended.

There are bargains on the Montreal Stock Exchange in the way of paper, sugar and other inflated stocks.

Wait for the drop in the price of sugar. It's coming down the pike like the rest.

AUXILIARY STEAM PLANT FOR HYDRO COMMISSION NOT TO BE CONSTRUCTED

Owing to High Cost of Material and Labor, as Well as Operation, Scheme is Abandoned—Two Units of Chippawa Plant Ready Next Year.

The final tenders for the construction of an auxiliary steam plant were only received in time for submission to a meeting of the Hydro-Electric Power Commission of Ontario held yesterday, when the tenders and reports of the engineers were fully considered.

In view of the following facts, the commission decided not to proceed with the construction and installation of the plant:

1. Owing to the high cost of material and labor, the capital cost for a 20,000 h.p. unit would exceed five, and a half million dollars.

2. The guarantee of the earliest deliveries by the various companies tendering would not permit of the plant being constructed and ready for operation earlier than December, 1921.

3. It was also estimated that the high cost of operation, and the high price of coal as well as the cost of installation would add at least \$10 per h.p. to the cost of power in the Niagara district.

4. Messrs. Hugh L. Cooper and Company, who are preparing an extensive report on the Chippawa-Queenston development at Niagara Falls, advise the commission that the two units of 35,000 h.p. each will be ready for commercial operation on October 1, 1921, provided there is no further interference with the construction program of the commission.

MEIGHEN LEAVES FOR HIS HOME TOWN

Will Be Accorded Reception Monday by Portage la Prairie Citizens.

Ottawa, July 30.—(By Canadian Press.)—Hon. Arthur Meighen left this evening for Portage la Prairie, Man., the prime minister's home town, where he will be accorded a reception by the citizens on Monday. The prime minister was accompanied by Mr. Meighen.

In reply to an address of welcome on Monday, Mr. Meighen will speak, but owing to the non-partisan character of the home-coming reception, his remarks will not touch on political topics. Mr. Meighen will return to Ottawa in time to attend the dinner to be given next Thursday night by the government to the delegates to the imperial conference, who will then be in session at the capital.

REFERENDUM DEFERRED UNTIL APRIL 18, 1921

Dominion Government Will Give Time for Revision of Ontario Provincial Voters' Lists to Prevent Disqualifying of Thousands of War Veterans.

Ottawa, July 30.—(Canadian Press.)—On account of representations made thru various organizations in Ontario the government has decided to postpone the date for holding the referendum vote in the province of Ontario until Monday, April 18, 1921, in order to permit of a revision of the Ontario provincial voters' lists. The date originally set for the taking of the vote in Ontario was October 25 next. The present postponement has become necessary in order that the Ontario voters' lists may be thoroughly revised and brought up to date before the vote is taken.

The legislation passed by the house of commons on June 25 last special provision was made for the taking of the referendum vote in Ontario, as there were in that province existing provincial voters' lists, which had been prepared and used in the provincial election of October, 1919. It was, therefore, provided in the franchise act that the provincial voters' lists of 1919 in the province of Ontario should be used without revision for the referendum vote in Ontario, in the first instance. In the city of

Ottawa, they were so recent that it would be both unnecessary and unwise to go to the expense of revision. However, it has now been pointed out that the provincial lists in Ontario are by no means satisfactory, and that if they are used for the purpose of the referendum vote, the result may be the disqualification of a very large number of voters, and particularly of returned soldiers. Various organizations in Ontario have objected to the use of these lists for the referendum vote, without revision.

Dominion Alliance's Stand. Immediately after the passage of the act in June last, the Dominion Alliance passed a formal resolution of protest against the use of the Ontario provincial lists, without revision, and accompanied the same with a letter from the Rev. E. H. Spence, secretary of the alliance, to Hon. Hush Guthrie, dated June 28, in part as follows:

"The vote, in the judgment of our committee, should be a fair one, upon fair lists. We feel that there is bound to be dissatisfaction in the province in many quarters if these lists are used. They were imperfectly prepared in the first instance, and have been further deteriorated by the passage of the act. Moreover, old lists (Continued on Page 7, Column 8).

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COMMERCE BOARD CAN APPEAL FROM COURT'S JUDGMENT

Privy Council's Decision Pleases Official Circles in Ottawa.

JURISDICTION ISSUE

London, July 30.—(C.A.P.)—Before the judicial committee of the privy council today application was made for leave to appeal in the matter of the board of commerce of Canada and the combines and fair prices act of 1919. Deputy Minister of Justice Newcombe said the application concerned the validity of certain Canadian statutes in which the board of commerce was interested. Their lordships granted the leave to appeal and also intimated that all provinces should be allowed to intervene.

Ottawa, Ont., July 30.—(By Canadian Press.)—News that the judicial committee of the privy council has granted leave to appeal from the decision of the Canadian supreme court in the matter of the jurisdiction of the Dominion Bank of Commerce was received with satisfaction in official circles here tonight. The supreme court divided equally on the question of the powers of the board under the act constituting it to deal with combines and the fixing of prices. This left matters somewhat in the air, and it is regarded as most important that a decisive judgment should be secured from the highest court in the empire.

Challenged Jurisdiction. The challenge to the jurisdiction of the board came from the newspaper manufacturing firm of Price Brothers, Quebec, which declined to be governed by the orders of the board. Subsequent to the finding of the supreme court, there was little activity on the part of the board, but this was due almost wholly to the resignations of all its members. It is understood that the reconstituted board, while assuming that its jurisdiction in regard to combines and price-fixing, is not gone, at least until there is a definite judgment by the privy council, does not propose to institute any new inquiries under this section of the act, but complaints will nevertheless be looked into by officials of the board.

COUNCIL OF LEAGUE OPENS SESSIONS

Expected That It Will Take Up Not Only Minor, But Practical Questions.

San Sebastian, Spain, July 30.—The opening session of the council of the league of nations began at 4 o'clock this afternoon. The conference will take up minor but practical questions, such as making traveling easier in Europe.

The council probably will empower the International Transit Commission in Paris to settle directly and promptly the difficulties arising from new passport and customs regulations, which now delay international trains at all frontiers, thus causing annoyance to the passengers.

The council also will consider whether, in view of the heavy expense and slow work of the Sarre commission, the total cost should be borne by the Sarre population, as a gesture. The feeling here is that the Sarre, which France and Germany are most directly interested in this work and should share the expense between them.

The remainder of the session, which will be private, probably will be devoted to questions referred to the league by the Red Cross.

The first public session of the council will be held Tuesday.

FULL DEMOBILIZATION NOT UNTIL APRIL NEXT

Ottawa, July 30.—(Special.)—Complete demobilization will not be accomplished in Canada until April next. There are 300 men in Great Britain disposing of stores and equipment. Two military hospitals are still maintained and require a number of men. About 700,000,000 worth of stores remain in Canada, which are being disposed of thru the war purchasing board. Of the half million men in the Canadian army, all have been demobilized, and have been absorbed into the civilian population but 3000, and these will all be out of the service within a year.

BANG GOES OUR SIXPENCE.

Profits count for nothing now. The order has been given to clear out all straw and Panama hats. How best can we do it? You'll find the answer on the next page. If there's a red blooded man who can resist this offer and who needs a hat—well opportunity will have come on its knuckles before he'll wake up to his chances. We are prepared for the biggest day's business in our history. W. & D. Dineen Co., Limited, 140 Yonge street, opposite Yonge Street Arcade.