# **COUNSEL WITHDRAW** FROM POWER PROBE Fourteen Orientals Who Were Found

Deny Commission Has Any Power to Deal With

Insisting that the commission appointed to determine as to whether the Electrical Development Company is taking more water than sufficient to develop 125,000 horsepower from the Niagara River, and composed of Chief Justice Sir William Meredith, chairman; Mr. Justice Sutherland, and Mr. Justice Kelly, and confirming the stand previously taken by Arthur W. Anglin, K.C., D. L. McCarthy, K.C., and H. J. Scott, representing the com-pany, refused to submit that the commission had jurisdiction at the sitting

"We will not take up time by repeat-ing to the commission the statements made on behalf of the Electrical Dewelopment Company by the counsel who appeared on Oct. 11, namely D. L. McCarthy, H. J. Scott and Arthur W. Anglin, but we again wish to protest against the commission passing upon matters which can only be decided in a binding way by the court, and we again refer to the fact that two actions now pending in court in which the questions essential to any and the commission must and finding by the commission must and

opinion of the commissioners whether right or wrong cannot be and it is unfair and unjust to the company that the matters in question should not be inquired into and pass ed upon by the commission.

Withdraw From Hearing. "In view of the foregoing we have advised the company to take no parin these proceedings, and beg to with draw therefrom and to protest against the statement in the notice given by the commission that the company will be bound by such proceedings or by the action of the commission."

Notwithstanding, the commission groceeded, and the first witness called last night was Stuart Jones, inspector for the hydro. Answering a question by G. H. Kilmer, K.C., government counsel, he explained the reading of the meters at the Electrical Development Company's stations, telling how the figures were determined. To Sir William Meredith he said a reading of 149,000 h.p. on March 20 was momentary and he could not say as to how long that amount was generated.
On another occasion he had read 101,200 h.p. at the peak load. William Meredith: Do you say that, taking the average for 24 hours, result the company is exceeding 125,000 h.p. ed. Mr. Graham stated that he was

Gates May Be Adjusted. Mr. Jones told Sir William that the water gates can be adjusted to regulate the quantity of water used. His evidence went further to show that in order to hold to a given quantity

senting the Hydro Commission, said horsenower available at

generation of certain horsepower.

amount of water used to develop 125,- charged a stand-by price, paying so checked by Ald. Risk with "This is 000 horsepower. Present conditions much for the capacity he will use at required 10.130 second feet to develop any given time. 125,000 horsepower at the plant. Ho said there was not less than 160,000 8 o'clock Monday evening.

MANY CHINAMEN TAKEN

in Elizabeth Street House Will Face Gambling Charges.

Many different schemes to barricade doors and prevent the police from raiding Chinese gambling places have been tried in the downtown section of the city, but when Plainclothesmen Scott and Ward raided 10A Elizabeth

Reld would in Toronto today to hold a precedent when we come to take a conference with the Ontario llydro Commission. In his capacity as of the Ontario Municipal Electric Association the mayor said he would hold a conference with them in regard to

the export of power.

The mayor also stated that T. J. Hannigan, the secretary of the association, was trying to arrange for a conference with both the federal and and provincial governments in regard to hydro matters in accordance with a resolution that was passed Tuesday

stand the facts."

The mayor ead a letter from the finance commissioner to W. H. Moore stating that in the event of not receiving a statement inside of two weeks the matter would be placed before the Ontario Reliway and Muni-CONFER WITH ROWELL. that in two weeks you will put the matter in the hands of the Ontario Graham and Pardee Decline to Give

Hon. George P. Graham and F. Pardee, chief Liberal whip, were in the city last night and were in confor several hours at the Prince No information as to the purpose of result of the meeting could be obtain-

WANT AUTUMN LEAVES.

National Council Y.M.C.A. wants colored autumn maple leaves that have been waxed to send to wounded Canadians in hospitals overblocked or a wheel made idle.

G. O. Phillip, electrical engineer in the employ of the hydro, replying to a question by C. C. Robinson

four generators of 8000 k.w. had car- and that would generate 97 per cent., this, and Mr. Baker assured the corried a load of 12.500 k.w. for a period or approximately 155,400 horsepower. r approximately 155,400 horsepower. trollers that they did not want the The company could limit the load city to make public matters that were Henry G. Acres, hydraulic engineer by a governor at the wheel and this essentially private. in the employ of the hydro, was ex- was a practical thing to do he said. amined by Mr. Kilmer and stated that F. Gaby, chief engineer of the hydro it was possible to determine the commission, said that if 146,700 horseamount of water consumed in the power was developed on a certain day generation of certain horsepower. that amount was being consumed by tion some stormy passages occurred. The design of the plant, he said, made the customers. The usual contract, he The mayor started to speak about it difficult to determine the exact declared, provides that a customer be some statements being incorrect, to be

THE DAY'S EVENTS REVIEWED

Island, still remains in Russian possession, but the Germans have inter-

rupted the communications between the two. Petrograd has lost touch with

the garrison on Oesel Island, and Berlin declares that it has surrendered

to the Germans. In nosing about among narrow and tortuous channels a

fleet against Russia, in order to destroy the Russian navy. It is possible however, that the Russian navy is merely cheese to bait a mouse trap. Any-

one may imagine in what a predicament the Germans would find themselves.

if after landing large forces on the shore of the Gulfs of Riga and Finland.

they discovered an allied navy sailing into the Baltic to engage or to block-

ade their fleet. They would suffer a military, if not a naval disaster. This

possibility has not escaped the allied naval directors. The United States

to cut off the shipments of metals and other supplies from neutrals to Ger-

many, so as to compel her to accept defeat. The allies will deprive the enemy of metals essential for a continuance of the struggle. They will force Sweden and other neutrals to cease exports to the enemy and to send

their surplus products to the allies. The neutrals must also export their goods to the allies in their own bottoms. Thus the allies have finally re-

influence on the fortunes of the campaign. It took a forty months' struggle

going to make the present session of the Italian parliament critical. The

Altho the Italian people are determined to win, they naturally shrink from

prospects of starvation. This is one of the countries that urgently call for

consumption on this side of the ocean in order to feed those suffering want

a freezing over of the Baltic in November.

German dreadnought struck a mine and had to run ashore. Malmo, Sweden, reports the appearance of many German warships in the Baltic and ventures the supposition that the German fleet in that sea is receiving strong

The Germans thus appear to be meditating the extensive use of their

USSIAN reinforcements are on their way to Oesel Island for a coun-

any time. Moon Island, which has close connection with Oesel

The commission then adjourned until we thank you for your lecture."

Bylaw Was Passed. At another point the mayor reiterated that the act gave the city three months in which to pass a bylaw, and \* WAR SUMMARY \* the bylaw had been passed inside of

Ald. Ball: "Yes, you passed the bylaw all right." The Mayor: "The city officials are sick and tired of this whole business and feel like washing their hands of

the whole thing."
'Mr. Baker: "If that is the case we ter-attack to oust the Germans. This onset may develop almost at will have to get a new bunch of offir The controllers assured the deputation that no time was being lost by

TEAMSTER LOSES HORSE

the city in regard to the matter.

Express Agent Drives Into Boggy Ground and is Unable to Extricate

When his teamster drove too near the edge of the reclaimed ground in Ashbridge's Bay when he was dumping refuse behind the tannery of the A.R. Ciarke Company, Eastern avenue, Charles Bowering, an express agent, could co-operate with a splendid force of dreadnoughts and with other lost a valuable horse.

dreadnoughts available in the French and British navies, a formidable allied . The ground, which has been filled in

sea force could proceed to dominate the Baltic Sea. The chief drawback by the contractors who are reclaiming to an enterprise of this sort is the lateness of the season and the danger of that section of the marsh, is composed mostly of ashes and sewage, and the edge where the animal fell in was in a The lull before battle has again set in on the British front in Flanders struggled to a distance of 20 feet very pasty condition. The animal and only the aviators figured in the official bulletin from general head- from the firm ground. After several quarters last night. Field Marshal Haig, in brief, is too busy to write vain attempts to rescue the horse, Inbulletins. Finer weather has improved the battlefield in Belgium so that spector Ballingall of the Human Sothe patrols can move about. The exchange of bombardments is proceeding ciety, who was on the ecene shortly at a rapid pace. The French, too, have bombardments to report on the after the accident, found it necessary to wade out in the slime up to his waist Chemin des Dames and the left bank of the Meuse. The Italian guns also keep active on the Julian front and they are dominating as usual the Aus- and put the horse out of its misery trian artillery. A raid shook up the enemy in the region of Selo, north of

has lost. The London conference of the allies has decided on blockade measures Toronto Wants No Federal Way In Its Affairs, Says the Mayor

Mayor Church was shown the article which appeared on the front page of The World yesterday morning, which compared the facility with which the federal government took solved to take the muzzle off the British navy and to let sea power exert its which of the British newspapers to induce the London government to adopt a bold over the C.N.R. and the way the city has allowed five months to elapse in negotiations which have apparently brought the purchase of the Metropoli-The extensive riots at Turin and the big shortage of food in Italy are tan Railway no nearer.

After reading the comparison the members are so roused that it is deemed advisable to order secret sessions. mayor said: "We want no federal way around here. We want no union government food, hence Canadian and American food controllers are striving to limit way. We want full value for every dollar expended."

He then said that, in his opinion among the allies. Italy must import three million tons of wheat this year six months had been lost in sending and the allies must find the tonnage. The forcing of neutrals to provide men to the front as reinforcements shipping will relieve the shortage a little. Active construction of new bot- thru the efforts expended in forming a union government.

### FIVE WEEKS' DELAY EXEMPTION CLAIMS **DEPUTATION SEEKS** TO COUNT BALLOTS SPEEDIER ACTION

Extremely Early Hour.

trol Regarding Metro-

politan Purchase.

thru in a few days or a few months. Some of those here do not under-stand the facts."

fore the Ontario Railway and Muni-

Railway and Municipal Board, Does the city intend to carry that out?"

The Mayor: "No, we intend to have

f we can help it."
Controller O'Nell: "Not at the

At this point the finance commis-

sioner declared that the deputation was unfair in its demands.

Withholds Statement.
Mr. Baker: "We want to know

"If the railway never puts in a

During the hearing of the deputa-

present time."

stated Mr Baker

nothing to do with the railway board

A deputation of North Toronto By a Staff Reporter.
Ottawa, Oct. 17.—Instructions for street last night they discovered a new ratepayers, led by Aldermen Ball, the guidance of returning officers, their system. The system, however, proved useless to the offenders, as the plain-clothesmen were "wise" to the combination, and before any of the 14 al-leged gamblers could leave the room bination, and before any of the 14 alleged gamblers could leave the room the police were upon them. Mong Lee is charged with conducting a gambling house, and the other fourteen are charged with "being found in."

The police say that there had been many big games going on in the rooms, which are over a store. When Scott and Ward called to pay their unwelloome visit they put their hand thru

premier, and the leader of opposi-tion. Presiding officers and deputy a precedent when we come to take over the street railway in 1921.

Denies Any Delay.

"There has been absolutely no looseness and no delay." was the emphatic statement of Finance Commissioner Bradshaw. "We desire to carry this thing thru as rapidly as possible. This cannot be carried possible possible presiding officers and deputy president president president president president p

SPECIAL PRAYER SERVICE.

ber of the church men at the front.

This was also the occasion for a shower of gifts towards the Christmas mand of Brigadier-General Sir Henry

ACCIDENTAL DEATH.

## CANADIAN **CASUALTIES**

INFANTRY.

Killed in action—H. E. Wynn, Hilden, N.S.; H. Aucoin, Glace Bay; S. Kemmet, Halkirk, Alta; S. Boutilier, Springhill Jot., N.S.; J. A. Smith, Portsmouth, Ont. Died of wounds—L.-Corp. J. Irving, Hamilton, Ont.; W. S. Miller, Montreal; D. J. Bala, Paisley, Ont.; J. S. Hardy, Wordsworth, Sask.

Died—W. J. Garbutt, Collingwood, Ont.; D. Chisholm, Scotland.

Presumed to have died—C. Hanson, San Jose, Cal.

Wounded and missing—J. E. Eckersley, When their units proceed overseas,

the act gave the city three is which to gase a bylaw, and what been passed inside of what deep passed inside of what deep passed inside of all which to purposes, discipling, and the presumed to have deed—C. Hanson, San Joe. Call.

All troops left in the district when their units proceed overseas, once the thing. The city officials are divided of this whole business is like washing their hands of role thing. The case was bunch of officials are was seven the deputation of the thing. The case was bunch of officials are the controllers assured the deputation of the controll

Died-F. J. McNeill, Victoria, B. C. MEDICAL SERVICES. Died-A. Kell -A. Kelly, Cowley, Alta. ursing Sister A. M. Kennedy,

**ELEVEN TO ONE** 

Appears Before Board of Con- Polls in Cities Will Open at Fifteen Hundred More Men

Fifteen Hundred More Men

Filed Papers in Military

District.

Somewhat of a storm was caused in the board of control meeting yesterday morning when Mayor Church alleged that the city was not living up to the agreement under which the striking street cleaners and scaven-gers returned to work, inasmuch as they were not receiving as much overtime work as might be expected.

The streets are in a deplorable condition, said the mayor, street commissioner Wilson, subthese, 2,813 filed applications for exemption and 264 reported as ready for military service. It will be noticed that altho the total papers filed yesterday equaled the total of the three preceding days, the proportion seeking exemption is still over eleven to one, as compared to those reporting as much overtime work as might be expected.

The streets are in a deplorable condition, said the mayor, said the mayor, said the mayor, said the mayor. Street Commissioner Wilson, submitted a report to the effect that he had been in constant touch with his had been in constant touch one, as compared to those reporting

twhich are over a store. When Soott and Ward called to pay their unwelling the event of the two parties failing the event of the two parties failing to a secret "peep" hole leading from the form entrance of the building, and by pulling a cord they say they automatically opened three doors, which cleared the way for them to round up their men. The 15 Chinamen were taken to Agnes street police station and will appear this morning in police court.

HERE FOR CONFERENCE

Government Officials and Mayor Church Said yesterday.

Mayor Church Said yesterday that Hon. Frank Cochrane and Hon. Dr., Rekl would in Toronto today to hold

R. L. Baker said that the legislation secured by the city provided that the legislation secured by the city provided that the purposes of the poll. Some of the two parties failing to a secure of the building, and by persons qualified to vote even the tent that the vent the time of nomination, 28 days be fore polling day, no list of pollers yet the polls are to open at 5 o'clock in the morning, while elsewhere they will close everywhere at 5 o'clock.

They will close everywhere at 5 o'clock.

Allocation in France, and 2,086 for service on the said the referred to the company. We don't want the company. We don't want the company. We don't want that have an influence and establish and will have an influence and establish and way or church said yesterday that will have an influence and establish and provided in this matter that have an influence and establish and provided in this matter that have an influence and establish and person of clocks.

The returning officer for the purposes of the boundaries of the provided that the two form nominal the terefred to the two parties fail
Municipal Board for settlement by the form the united states. The sail will have the m Company, 5; Army Service Corps, 4; Military Police, 3; Machine Gun Corps,

retain their vote they are subject to service in the Canadian overseas forces. As Syria is a part of the Turkish Empire there is a possibility Rhodes Avenue Presbyterian Church of the Syrians being classed as Turks. If this action is taken it will mean that they are deemed to be An unusually successful and inter- alien enmies and therefore lose the esting event took place last night at privilege of voting and also that they Rhodes Avenue Presbyterian Church are not subject to military service. when a special prayer service was held Ottawa has not as yet made a ruling Mr. Baker: "In that letter you say for the soldiers overseas. It was contained that in two weeks you will put the ducted by the pastor, Rov. H. A. Berlis. The advice of the Toronto authorities that in two weeks you will put the ducted by the pastor. Rov. H. A. Berlis. The service was illustrated thruout by is that Syrians wishing for exemption lantern slides, hymns and scripture can do so on the grounds of being readings, as well as pictures of a num- allen enemies and then wait to see

boxes for the 300 men whose names M. Pellatt, C.V.O., paraded 450 strong appear upon the honor roll of Rhodes at the armories last night. A route Avenue Presbyterian Church. Bay and Queen streets.

Appointments to the 1st Depot Bat-talion. 2nd Central Ontario Regiment, Mr. Baker: "We want to know where we stand as ratepayers paying our full share of the taxes and with out transportation."

The jury under Coroner G. H. Gardiner, conducting an inquest at the morgue last night into the cause of death of William Sulley, returned a verdict of accidental death. Sulley cial situation to be considered. We will have a terrible time, but Mr. Bradshaw thinks it can be done."

The financial side of the matter was about to be explained by Commissioner Bradshaw, but the mayor prevented this, and Mr. Baker assured the constitution of the cause of

Rifles, has been appointed commanding the Machine Gun Corps in the No. 2 Military District. Other Monday if Possible. City Conservatives Request appointments to this corps are: Adjutant, Lieut. Geo. Turner Cockshutt, Sith Regt.; officer instructor, Lieut. board of control meeting yesterday that he favored the insurance of talion, late 19th Battalion; paymas- draftees who had real dependents and teer, Hon. Capt. Hugh Murray, 91st claimed that the whole question, of

Highlanders.
The casualties department of Toronto Military District will hereafter sider. be known as No. 2 Casualty Unit; under command of the district casualty

CITY NOT CARRYING **OUT ITS AGREEMENT** 

So States Mayor in Regard to Complaint of Members of the Street Cleaning Department.

and the department articipated no hardship. If overtime were allowed the appropriation would soon be over-

city was living up to the agreement and he did not believe that the men should be allowed for all the time they were off by overtime. He said he was not going to sit at the board and have it said that the city did not carry out its part of the agree-

CHILD LEAVES HOSPITAL

Nine\_year\_old Max Solman Found Wandering on Street in Early Morning.

Max Solman, aged nine, a patient in the Isolation Hospital, escaped from that institution early yesterday morn-ing and was found walking along Gerrard street in his nightgown. The boy was found opposite the base hos-pital by Charles Musgrave and W. H. Samuels, who were on their way home from a dance. Young Solman told them that his home was at 240 Terau. lay street, and the men wrapped him in some motor rugs and took him to his home. From there the lad was later removed back to the hospitar. When asked about the boy escapin the hospital superintendent, Dr. Black, stated he could not understand it. The Ald. M. M. MacBride of lad, he said, was not sick, but was a

diphtheria carrier and had only been in the hospital one day. A nurse had attended him a few minutes before Solman ran away. According to the doctor the boy suf. fered no injury whatever. Both Mus-grave and Samuels had to have their ciothing disinfected before they could return to their homes.

KILLED IN MUNITION PLANT. James Hogg Struck on Head by Slot.

While working in a munition plant on Lansdowne avenue yesterday afternoon, James Hogg, aged 30, of 20 North Shaw street, was struck on the head by the top of a slotting machine and so badly injured that he died within five minutes. Workmen near. by noticed blood pouring from the man's head and called a doctor. The a fracture of the skull. The chief coroner was notified and the body coroner was notified and the body was removed to the morgue. Coroner ASK WHITE TO RUN

Controller Cameron stated at the most vital that the city had to con-

The question will be dealt with at the meeting of the council next Monday, providing there is time, if not, a special round table discussion may deal with the matter.

VETERANS NEED SECRETARY

The following missionaries have recently been appointed to the foreign fields by the women's missionary society of the Presbyterian Church in Canada: Miss Lilian Brydon, Miss

Whatever the result is, the nation is

determined to carry on the war to a
victorious end and defeat the efforts

with regard to both these situations, pietely.

"Belgian communication: Yesterday our artillery successfully shelled enevictorious end and defeat the efforts my works before Dixmude. Our fire

TORONTO MAN WON **VICTORIA CROSS** 

Sergt. Hobson is Given Die tinction After Gallant

Death in Action. Canadian Associated Press Cables London, Oct. 17.-Victoria Crosses have been gazetted to

tion.
Sergt, Frederick 1
cipient, enlisted in
1914, aged 41. He
and his occupation
His next of kin is
merly of 1381 Lansdo
"During a strong the gunner to correct the stoppag-rushed forward against the adva-enemy with his bayonet. He clubber rifle and, single-handed, held the rifle and, single-handed, held the mans back until he himself was by a rifle shot. By this time, how the Lewis gun was again in action, inforcements shortly afterwards arrithe enemy was beaten off. The and devotion to duty displayed by non-commissioned officer gave the ner the time required to set the gun a in action, and he saved a most se struction."

situation."

Private Henry Brown. 226353, the other recipient of the Victoria Cross, enlisted in London, Ontario, in August, 1916, ag. 19, a farmer. He was born in Gananoc Ontario. His next of kin was his most Helen McAnlisse of East Emily, Ontario. LABOR MEN NAME **BRANT CANDIDATE** 

Brantford Consents to Be Standard-Bearer.

Brantford, Oct. 17.—The nomination of the executive of the Independent Labor party of Ald. M. M. MacBride of the MacBride Press, to contest Brant for the federal house, has been approved by the party, and the nomination has been accepted by Ald. MacBride. The Labor party has come out in advocacy of a vigorous prosecution of the war and better pay and higher pensions for the men who are serving in uniform. In other political circles matters are fairly quiet. The completion of the union cabinet upset calculations, which called for a straight party fight, and the suggestion is now being made that W. F. Cockshutt be not opposed, save by the Independent Labor party. John Harold, who resigned we Liberal candidate in Brant, will be accorded an acclamation as a union winthe-war supporter.

FOR TORONTO SEA

Sir Thomas to Be Candidate.

By a Staff Reporter.
Ottawa, Oct. 17.—It is possible that Sir Thomas White will be a car for one of the Toronto seats at t general election. An effort is being made by Toronto Conservatives t have him now there, but it is unde stood he has not made up In viewjof the possibility of his not contesting Leeds, John Webster, ex M.P. for Brockville, will seek the nom-

If Sir Thomas White went to To-

AS TROOPS LEAVE

son, founder of the Ontario Veterinary College; of Prof. Geo. Buckley and Prof. Andrew Smith were unveiled at of the intransigeant Socialists, who are trying to spread dissatisfaction among the troops and induce them to cease fighting after October 31.

Which below Blaintaide. Of the order the college half Tuesday evening the artillery actions on October 15 and 16 caused very serious day only 100 students are enrolled. More than 200 graduates are serving the region of Dixmude." the college hall Tuesday evening. To overseas.

toms will relieve the shortage a great deal.

the Hermada Plateau.

and vigorous policy.