

MONDAY, JUNE 5,

MAY CONCLUDE HEARING TODAY

Probe Cannot Use Telegrams to Define Source of Lewis Charges

COUNSEL WILL BE HEARD

Hearings of the MacIntosh Commission, which has been inquiring into the charges of Alex. Lewis, M.P.P., regarding the death of Capt. Orville Huston at Fort Frances, may be concluded this afternoon, when counsel will present argument.

On adjourning the Saturday morning sitting it was announced that argument would be heard when the commission resumes this afternoon. Commissioner MacIntosh and Gordon Waldron, K.C., representing the Government, expressed their willingness to go on with argument on Saturday, but H. S. White, K.C., asked that this be delayed because the senior counsel for E. W. Backus, I. F. Hellmuth, K.C., was not present.

Read Telegrams.

Reading telegraphic communications between The Evening Telegram and its Winnipeg correspondent occupied most of Saturday morning's sitting. Major Lewis was called as a witness and questioned for a few minutes by Mr. Waldron.

Before opening the sealed envelope containing the telegrams, which had been forwarded to the commissioner by the Appellate Division on delivery judgment Friday night, D. L. McCarthy, K.C., entered protest as to admissibility. He contended that the judgment of the Appellate Division directed that the communications should be admitted only if they were relevant to some of the matters under inquiry by the commission. There was nearly an hour's argument on this question, Mr. McCarthy being the only one present who had in his possession a copy of the Appellate Court's reasons for judgment. The commissioner thought that the correspondence might be relevant as to the question of efficiency of the Attorney-General's Department. After detaching one telegram and handing it to J. D. Spence, K.C., who represented the Canadian Pacific Railway Telegraphs, the commissioner handed the other 17 communications over to Mr. Waldron. This was strenuously objected to by Mr. McCarthy, but without avail.

Refers to Phone Call.

One of the telegrams from G. C. Porter referred to a certain telephone call which Huston had had from someone at Fort Frances, which should be valuable to "the man in the Legislature," it said.

"You were 'the man in the Legislature?'" asked Mr. Waldron of Major Lewis.

"I suppose so," replied the witness.

He failed to recognize in any of the correspondence "the Porter report," to which he had referred in a previous examination.

Major Lewis refused to answer one question. Mr. Waldron asked him if he would still maintain his previous statement that he had gone to stir up The Telegram rather than The Telegram stirring up him on the Huston matter.

"I won't answer the question in that form," declined witness.

"Then answer it in your own way."

Major Lewis explained that he had asked J. R. Robinson of The Telegram to have G. C. Porter get certain information for him regarding Captain Huston's death.