

# ROEBUCK RAPS POLICE

## FAILURE AT THE RIOTS

Counsel for G. W. V. A. Declares Charges of Inefficiency Proved to the Hilt.

### PLEA FOR MULHALL

Others are Responsible Besides Inspector, Who Was Too Generous Taking Blame.

Declaring that the charge of inefficiency on the part of the police in failing to protect property during the first night of the riots in August last had been proved to the hilt, Mr.

A. W. Roebuck, counsel for the G. W. V. A. at the riot probe, commenced a severe arraignment of the Toronto police force at the conclusion of the evidence at the City Hall to-day.

"At Sunnyside," he said, "several armed policemen were present when the restaurant was wrecked, the place looted and till broken into."

He expressed sympathy for Inspector Mulhall, who had in a manly way taken the whole responsibility for lack of action there.

"I think Mulhall was too generous in accepting all the onus," he said, "and I do not believe the haven of safety he afforded his subordinates will be as safe as it looked to his comrades on that occasion. No officer there can hold himself without responsibility."

#### Not Out for Blood.

He said the organization he represented is not out for blood or scalps at all. It asked that the entire blame be not fastened on Mulhall.

At the New London Cafe, he went on, there was hundreds of dollars' worth of damage done and only one feeble effort to make an arrest.

Circumstances, he said, were similar at the Marathon. When he mentioned the failure of the military authorities to co-operate.

Mayor Church: "It is a question whether the dual control on the streets should continue."

Discretion, he said, should not be the better part of valor on the police force. When two or three constables

faced the marauders at the restaurants he thought they should have opposed them as long as they could stand.

#### Cause of the Riots.

Mr. Roebuck did not think the underlying cause of the riots, as he saw them, should be overlooked. That

he held to be the failure to regulate the alien enemy problem. The soldiers in the riots were indignant and the police on the Friday night were probably sympathetic.

"These police officers on that first night hardly knew what was their duty, and that attitude may be traced to the head of the force. The handing of cigars by soldiers to the police indicates a sympathetic understanding.

Col. Denison: "Are you under the impression that the G. W. V. A. was the moving spirit in this trouble?"

"I certainly do not."

Continuing, Mr. Roebuck said: "There never has been a lack of a high hand in the police force, but on this night there certainly was a lack of a strong hand."

Mayor Church: "What do you think the police should have done the first night?" "Fought till they fell."

"What, use their batons?" "Yes."

"Well, I'm interested to hear your argument now as to their using their batons on the second night."

Upon taking the other side of the case, Mr. Roebuck contrasted the gravity occasioned by the recounting of the injuries received by Inspector Snyder and the merriment caused by the tale of William Cook, returned soldier, who was struck down by a baton on his way home.

#### Differs From Mayor.

"With every possible respect, I must differ from your Worship as to the rights of individuals on the streets in an unlawful assembly.

#### Like Belgian Atrocities.

He recalled the riots of 1875 in which conviction for rioting of a man who fired a revolver was quashed because he had acted with no common purpose with others.

Col. Denison: "You think then a constable should stop and question every member of a crowd before taking action?" "Not at all."

Judge Winchester: "There was no justification for the assault upon Partridge or Dwan."

Mayor Church: "The police gave these people at the restaurants plenty of warning to get away."

Judge Winchester reminded Mr. Roebuck when he touched on the Dunlop affair that stones were being thrown at the constables who held him, which might account for the scar on his head.

"Well, that probability cannot apply to the Woods case where Mrs. Woods was thrown against a telegraph pole."

Judge Winchester: "I agree with you. It was unjustifiable."

Mr. Roebuck: "Why, it savors of the White Book on Belgium. These men were then biting like a pack of mad dogs.

"Then the Partridge case——" he was about to continue.

"We agree with you in that," said Judge Winchester. "Some police officer is swearing to what is false."

"And the Dwan assault——"

Judge Winchester: "We are in accord with you that that also."

"And those great welts on Woodrow were put there by a brute not fit to be a butcher in an abattoir."

"And the Zeyburn case, where a Prussian officer cut down a cripple with his sabre compares very favorable with the Button case."

Judge Winchester: "Oh, don't say that. Remember what Button did."

Mayor Church: "Notwithstanding"

what Button did, he should not have been hit."

Mr. Roebuck: "And four constables who stood around him when he was struck swore nobody struck him."

Two little newsboys, who were said to have been clubbed by the police on Saturday, Aug. 3, were on hand when the riots broke resumed to-day. Constables Martin and Ellis were called, and Ellis was asked:

"Did you see any policeman with a gun in his hand?" "Yes, inspector of police."

"What did he do with it?" "He handed the gun over to Holmes, I believe, when the soldiers advised him to put it up."

He said he went up Teraulay street just at the hour Partridge was struck on Teraulay street, but he declared he did not commit the assault nor did he see it done.

"What's the reason of your hesitation?" Col. Denison demanded. "You may go, but it looks suspicious."

"I have done nothing to be ashamed of," retorted the constable.

Constable Holmes admitted receiving Inspector Tripp's gun, but he did not know why it was handed over.

Constable Jones said that when Constable Nevin was knocked out the crowd seemed to take his part, exclaiming it was a shame.

#### Newsboy Was Struck.

Louis Savine, a newsboy, called earlier in the day, said he was just going home on the Saturday night of the riots. He was struck lightly on the head by a constable's baton, but he ran away without waiting to see who hit him.

Alex Lavine, his eight-year-old brother, said he rode his bicycle up Yonge street, got off when the crowd rushed and was hit over the head.

"Did you fall?" asked Mr. Roebuck. "No."

Constable Tait, who was accused of striking a newsboy, was called and denied having struck either of the previous witnesses or any other newsboys.

"I didn't see any newsboys around that corner at all that night."