

Volume 3

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1900-1919

ANNUAL REPORT OF THE BRITISH COLUMBIA PENITENTIARY, NEW WESTMINSTER -
AUGUST 24, 1900 - J. C. WHYTE, WARDEN

The appropriation for this Institution for the year was \$47,700.00, of which we expended \$40,583.18. Returning to the government the sum of \$17,116.82. In comparing an Institution of this size with the larger Institutions as to per capita cost it should not be forgotten that living here costs are much higher than any other Penitentiary in Canada. Also we have a staff here, equal to the handling of three hundred convicts in a modern constructed prison with a stone wall enclosing the premises. If permitted to enter into the manufacture of some government necessities; say military clothing or mail bags, it would greatly reduce our costs. The repairs to the Penitentiary have been well kept during the year without further increases to the per capita cost. We also suffer the misfortune of having about half a mile of our twelve foot fence blown down. Also a greater part of our prison roof taken off in a severe wind storm last fall. The water supply has proven satisfactorily but it will be necessary to purchase a much larger pump.

By agreement made by the civic authorities and the Minister when he was here we have carried out our instructions to macadam all Columbia Street, in front of our premises with the broken stone taken from our ravine. The city supplying the rock crusher, engineer and feeder. We supplied the balance of labour necessary. I am pleased to say that an excellent road has been constructed which makes it possible to open the windows of residences without the dust covering everything within.

By your permission I will purchase sixty volumes of history of all the nations of the world for the general library. I trust you will grant authority to purchase more books of a lighter nature to make the library more attractive and readable.

I also intend to take down the walls between the two chapels and bring them into one, as both chapels are too small and sufficiently ventilated for hot weather. By this means more room and better ventilation will be given. In the event of constructing new chapels this can be turned into a school room which both size and convenience will be much better than the present one.

All Officers have been faithful in the discharge of their duties. Discipline has been well maintained during the year. We have had one death, a Chinaman, by suicide. No escapes.

Your obedient servant,

J. C. Whyte
Warden.

January 1901

A Warden's Conference was held in Kingston, January 1901, those in attendance were the Warden's of various Penitentiaries and the Accountants and the Inspector of Penitentiaries. The subjects discussed included Statutes governing the Penitentiaries and in addition to regulations, prison labour, prison construction, discipline, dietry, clothing, sanitation, records and accounts and the details of external and internal management. In almost every instance the conclusions arrived at were unanimous and the discussions throughout were characterized by unison and harmony.

Resolved that we express to the Minister of Justice that the infliction of corporal punishment by Penitentiary Officers, when such punishment of effecting the reformation of the convict so punished and is unfair to the Prison Officials who are thus compelled to incur the hatred and enmity of the prisoner at the very commencement of his term of incarceration. The convicts heart is thus steeled against us, against all reformatory influences and no matter how he is in prison, he harbours revenge against the officials of the prison and against society in general. We respectfully recommend that the custom of sentencing convicts to the Penitentiary for flogging should be discouraged and discontinued in the near future. It was urged that whenever the disgrace of corporal punishment is attached to the sentence, the flogging should be administered **before the** convict is transferred to the Penitentiary, for the reasons stated in the resolution.

Resolved that the system of permanent Night Keeper be adopted and the permanency of the remainder of the night staff being inflected gradually as circumstances will permit.

Since that date of the convention permanent Night Keepers have been appointed at Kingston, St. Vincent de Paul and Dorchester.

The foregoing were a few of the resolutions of the Warden's Convention.

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January 26th, 1901

The Columbian

ALONGSIDE THE INSANE ASYLUM STANDS THE PENITENTIARY,
A DOMINION GOVERNMENT INSTITUTION.

It is an object lesson to men who are inclined to make comparisons between conditions not adapted to the process, for the cost of no branch of the service at the Penitentiary can be gauged by that at the Institutions in Eastern Canada, with their larger populations and access to cheapest supplies. That the British Columbia Penitentiary costs more per capita than do others in the Dominion it is not the fault of the Ottawa Government, who have tried hard enough to bring this Institution down to the Eastern level. They have learned by now, however, that this is impossible, and are satisfied to pay the higher cost of the efficient administration provided by Warden Whyte and his staff.

By the way, while Dr. Clark, of Kingston, has been here, our Warden has been at Kingston consulting with the other Wardens as to general Penitentiary affairs. It is good policy to have the responsible heads of these Institutions exchange ideas once in awhile, and from this point of view, the visit of Dr. Clark to our asylum was at least not out of place, as a combination of his practical experience under the Canadian system with Dr. Eodington's experts trained in the English

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school, ought to prove as beneficial as no doubt it was interesting to both these experts.

If the recommendations run only to dollars and cents, Western ideas must prevail in dealing with them.

The Mutual Life of Canada...

WILLIAM J. TWISS, General Agent South Eastern B.C., KASLO

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HENDERSON'S BRITISH COLUMBIA

New Westminster.

New Westminster.

Snag Boat "Sampson."
J. L. Carl, master.
Thomas H. Hathersley, engineer.
Murdoch Young, mate.
Richard Toop, fireman.

Customs, Angus Munn Collector of customs and registrar of shipping; John Stilwell Clute, J.P., inspector.

James A. McMartin, clerk.
Neil Malcolm Matheson, clerk.
Martin Minthorne, landing walter.
Post Office—George Kennedy, postmaster
Dominion Lands—John McKenzie, agt.
Crown Timber Office—James Leamy, agnt.
Clerk and Stenographer—Thomas O. White.
Inland Revenue—William Wolfenden, collector.
Indian Agent—Frank Devlin.
Fishery Inspector—Colin Buchanan Sward.
Asst. Inspector—Thomas Robinson.
Fishery Guardian—Malcom Matheson.
Steamer "Swan," Fraser river patrol Master—Wm. Kennedy.
Engineer—Thos. Hembrough.
Steamer "Georgia," Master, D. Matheson.

BRITISH COLUMBIA PENITENTIARY.

J. C. Whyte, warden.
Deputy Warden, D. D. Bourke.

Rev. Thos. Scouler, Protestant chap.
Rev. Chas. DeVriendt, R. Catholic ch.
W. A. DeWolf Smith, M.D., surgeon.
James W. Harvey, accountant and warden's clerk.
Benjamin Burr, storekeeper.
Robt. J. Robertson, steward.
Wm. J. Carroll, hospital overseer and schoolmaster.
Geo. McKenzie, shoe instructor.
Alexander Coutts, blacksmith inst.
Jas. Nelson Aitchison, tailor instructor
J. Martin, baker instructor.
Harold Disney, carpenter instructor.
John McNiven, farm instructor.
James Doyle, brick-making instructor
Hamilton, McKee, keeper.
Friday; Stewart, keeper.
Patrick Smyth, guard.
Thos. Sampson, guard.
W. Arthur Patchell, guard.
Richard Atkins, guard.
Ralph Dynes, guard.
Alex. McNeil, guard.
M. Lavelle, guard.
William Walsh, guard.
Robt. J. Sainsbury, guard.
Edward Walmsley, guard.

John Inlah, guard.
Patrick Dervine, guard.

MILITARY.

Armouries and Drill Hall, T. J. Mahoney caretaker, cor. Queen's and 6th St.
Sixth Duke of Connaught's Own Rifles, "A" and "B" Companies.
Major—J. C. Whyte.
Captains—Alex. Henderson
Lieutenants—W. A. Johnson and J. R. Grant.

CHURCHES.

METHODIST CHURCH.

Queen's Avenue Church—6th St., cor. Queen's Ave., Rev. George H. Morden, pastor; res. Queen's Ave., nr. 4th St.
Sapperton—Keary St., Rev. John Calvert, pastor.
West End—6th Ave., ns. 12th St., Rev. John Calvert, pastor; res. 6th Ave and 8th St.
Columbia Methodist College.
Columbia Methodist College, Queens, Ave., cor. First, opp. Queens Park.
Rev. W. J. Sipprell, B.A., B.D., principal.
Rev. Ebenezer Robson, bursar.
Prof. J. G. Davidson, B.A.
Ladies, E. Springer, lady principal.
Mary E. Henderson, teacher.

PRESBYTERIAN CHURCH.

St. Andrew's—Rev. Arthur E. Vert, pastor, 51 Blackwood; res. 319 Carnarvon.
Knox Presbyterian Church, Sapperton.
West End Presbyterian Church.
cor. 6th ave and 12th sts.
Rev. R. A. King, pastor.
Rev. Thomas Scouler, chaplin B. C. Penitentiary.

CHURCH OF ENGLAND.

Diocese of New Westminster.
Rt. Rev. John Dart, D.D., D.C.L., Lord Bishop of New Westminster, res. Carnarvon, cor. 4th st.
Ven. Archdeacon Richard Small, M.A., res. Lytton.
Ven. Edwyn S. D. Pentreath, Archdeacon of Columbia, res. Vancouver City.
St. Mary's—Rev. J. H. Davis, M.A., Oxon, rector, Sapperton.
Holy Trinity (Cathedral)—Rev. Alfred Shildrick, rector, cor. Church and Carnarvon.
St. Barnabas—Rev. Algernon Silva-White, rector, cor. 10th st. and 5th ave.
Chinese Mission—Carnarvon; James Hall, cathecist.

ROMAN CATHOLIC CHURCH.

St. Peter's Pro-Cathedral, Blackwood

WARDEN'S ANNUAL REPORT OF THE B. C. PENITENTIARY - October 4, 1901

Sir:

I have the honour to submit my Annual Report with the usual statistical and financial statements for the year 1901.

The appropriation for this Institution for the year was \$48,000.00, of which we expended \$42,119.56. Returning to the government the sume of \$5,880.44. Comparing an Institution of this size with a larger Institution as to per capita cost it should not be forgotten that the cost of living here is much higher than in any other Penitentiary in Canada. We have a staff here equal to the handling of three hundred convicts in a modern prison constructed with a stone wall enclosing the premises. The following statement shows the movement of convicts during the year just closed.

Remaining at midnight June 30:	103 males
	1 female
Received since from common jails:	46 males
	1 female
TOTAL:	<hr/> 149 males
	2 female
	<hr/> 151 convicts
Discharged by Expiration of Sentence:	28
by Parole:	2
by Pardon:	6
Removed to Kinston Penitentiary:	2 males
	2 females
MAKING A TOTAL OF:	<hr/> 40 convicts

With the Minister's consent we purchased and erected a modern brick plant and next year we will be able to turn out 12,000 bricks per day by the time we have received permission to erect an addition to our present cell accomodation.

I have found that the ticket of leave system one of the best inducements to good discipline that ever was introduced into the Penitentiaries. This year twelve inmates have been granted their conditional release and from personal observation and inquiries no one of these twelve men have in any way committed a breach of trust in accepting imposed conditions. They are all living good lives and so far have proven they were accidental criminals.

The memorandum drawn up at the last Warden's Convention fully explains the Warden's ideas as to its operation and what suggested improvements we thought would make it more of a success than it has been. I received a great deal of instruction and information attending the Warden's Convention held in Kingston last January, also in visiting Warden Kirk in Dorchester, Charleston Prison, the Mass. State Institution, Concord Reformatory, Sing Sing Prison. General Bridges of the Mass. State Prison, Warden Scott of the Concord Reformatory and Warden Johnston of Sing Sing treated us with the greatest of courtesy and explained in full the working of the Institution and their changes. In the disciplinary department the system is almost identical with the Canadian Institutions. In the manufacturing department we are far behind as they are allowed to manufacture for state purposes and in consequence there is a busy air about the Penitentiary that we do not find in Canada.

The Concord Reformatory is worthy of special mention on account of their magnificent equipment and the manual training principle. Warden Scott has grasped the idea that to keep them out of crime it is necessary to teach them when young, a trade, as a large percentage of convicts in Penitentiaries today are without trades.

By your permission we have purchased some two hundred and seventy five volumes for our library which makes it very complete, in my opinion. It should be better to make a certain allowance every year than every three or four years. All the Officers have been faithful in the discharge of their duties. The

discipline is at present well maintained and has been through the year. We had no deaths. Again I have not been favoured with a visit from you this year.

I have the honour to be Sir,

Your Obedient Servant,

J. C. Whyte
Warden

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April 29th, 1902

The Columbian

The Dominion Government is to contribute to the building boom in New Westminster by the addition of a new wing to the Penitentiary to contain one hundred cells. During the discussion in Supply in which this announcement was made, attention was called again to the fact that the greater cost of supplies in the west makes the expense per capita greater here than in the Eastern Institutions. Ottawa appears to have given up trying to bring the British Columbia Institutions down to the level of those in the east; and Victoria might well take pattern in the matter of the hospital for the insane.

REPORT OF THE WARDEN July 2, 1902

Sirs:

I have the honour to submit my Annual Report accompanied by the usual statistical and financial statements for the year 1901-1902. The expenditures for this Institution for the year was \$42,019.06. In comparing this Penitentiary with a larger Institution as per capita cost it should not be forgotten that the cost of living here is much higher than in the other Penitentiaries in Canada. Also here we have a staff equal to the handling of 300 convicts in a modern constructed prison with a stone wall enclosing the premises. The following statement shows the movement of convicts during the year just closed.

Remaining at midnight 30 June 1901 :	101 convicts
From Common jails:	32
Returned by Order of Court:	1
TOTAL:	<hr/> 134 convicts
Discharged by expiration of sentence:	24
by pardon :	3
by parole :	9
Removed to Kingston Penitentiary :	2
Removed by Order of the Court :	1
Returned to Provincial Authorities :	1
TOTAL:	<hr/> 44 convicts.

We stated brickmaking on June 1st of this year and expect to have made by the middle of September 750,000 bricks, 30,000 of which will be pressed. The machinery purchased last year has worked very successfully having been installed and operated without the assistance of any outside labour. When the kiln is burned we will have sufficient brick for one years work for construction of increased cell accomodation.'

On November 2, 1901 in company with Lt. Col. Irvin of Manitoba Penitentiary, I attended a National Prison Congress Conference held in Kansas City. We had on September last the pleasure of a visit from Inspector Dawson, the first Inspector's visit since I joined the Service in December 1896. I trust in the future it will be an annual if not a semi-annual event.

After burning of our brick kiln on October we propose the starting of building of the new cell accomodation, this work will be continued unremittingly until finished.

Taking everything into consideration I think we can say consciently that this has been one of the busiest years for some time. It has not been necessary as some intelligent people seem to think to look for work for our inmates. Our difficulty seems to be at present that we have more work than people to do it. In view of the building improvements contemplated I find that we should be short of stone, I therefore begon inquiries in reference to securing a quarry. I consulted with Mr. James Levy, Crown Timber Agent, who suggested the setting aside for the purpose of Goose Island which is situated about twenty miles by water from here, in the centre of Pitt Lake, one mile and a half from the nearest shore. It consists of about 150 acres, well wooded and is one mass of grey granite. Not only will it supply granite for all time to come but will materially reduce our net expenditure for fuel if we decide to place a small gang of short timers there to open the quarry and cut wood.

Discipline has been very well maintained. This as well as last year, owing to a great extent in the operating of the parole system and from hearsay, those who have been granted the privilege have in no way abused the recommendation of the Minister and I have no reason to change the opinion expressed in my last Annual Report.

All the officers have been faithful in the discharge of their duties. I have much regret to say that we have lost by death guard T. J. Lobb who joined the

Service October 1, 1895, an excellent Officer, conscientious and faithful in the discharge of his duty.

I have the honour to be Sir,

Your obedient servant,

J.C. Whyte

Warden

ANNUAL REPORT OF THE B. C. PENITENTIARY 1902 - 1903

Sirs:

I have the honour to submit my Annual Report accompanied by statistical and financial statements for 1902 - 1903.

The expenditure for this Institution for the year was \$46,736.64. We continue brickmaking this year and owing to your decision to have first tier of cells built of press brick it was necessary to work our brick yard with that object in view. As a consequence we will this year make about 750,000 pressed and 250,000 common brick. We start erection of the new wing about the middle of October, at the North East corner we found a bed of sand which necessitated our gang going down twelve feet before securing a proper foundation. We expect before the winter sets in to have half of the outside walls erected and will place over this a temporary canvas roof so that we can continue during the winter building the cells. With this protection we expect to have two and a half to three tiers of cells erected before the Spring season sets in.

The work of building is in charge of Instructor Imlach. Under the supervision of Chief Trade Instructor Disney, both Officers have been attached to the staff for some time in other capacities. We expect to fully complete this building of modern construction with convict labour and our own staff without any outside expense whatever for labour. The outside walls are constructed of brick and the window barriers of steel pipe which is less expensive and just as strong as havey iron rods, easy to erect and less impediment to light. The steel barriers for cells, also the locking bar arrangements are being manufactured for us at St. Vincent's de Paul Penitentiary. All the rest of the work in connection with this building will be done on the premises.

In tearing down the present small building attached to the present cell wing I found that it was practically sandstone veneer and on making an investigation

I found that the whole construction of the wing and main building is of the same nature. We have secured your permission and will as soon as wet weather sets in commence the construction of the bakery in our basement in connection with the kitchen in order that the Steward may supervise both departments. I received on October 14th, ten convicts from the Yukon. I regret to say that the Northwest Mounted Police did not see their way clear to manufacture boots, shoes and clothing for prisoners in the Yukon - preferring to purchase on the spot. I consider this reciprocity could not in any way be objected to by the outside manufacturer any more than he would object our manufacturing boots, shoes and clothing for our own convicts.

During the year we have a visit from Inspector Dawson and Architect Adams. I am pleased to see that the Inspector's visit will now be made annually. The discipline has been exceptionally well maintained over the past year and the Officers continue to do their duty faithfully. So far as I can learn, those favoured with a ticket of leave, by their conduct, fully justify the Ministers' clemency.

I have the honour to be Sir,

Your obedient servant,

J.C. Whyte
Warden

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Wednesday, February 4th, 1903

The Canada Gazette

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL

On a Memorandum, dated January 21st, 1903, from the Minister of the Interior, stating that application has been made by the Minister of Justice for the transfer to his department, for the purpose of the British Columbia Penitentiary, of Goose Island, situated about the center of Pitt Lake, in Section 25, Township 5, Range 5, west of the Seventh Meridian, in the Railway Belt in British Columbia, the said island being required for the quarrying of stone thereon for use in connection with the Penitentiary.

The Minister recommends, as the land is vacant in the records of the Department of the Interior, that, under clause 31 of the Dominion Lands Act, it be transferred to the Department of Justice for the purpose of the British Columbia Penitentiary as above mentioned.

The committee submit the name for approval.

John J. McGee
Clerk of the Privy Council

Goose Island was also known as Wright Island and Penitentiary Island, it was worked until 1908 when it was abandoned by the penitentiary because of the many escapes.

Wood and stone was taken from the island for use in the penitentiary and some cobble stone was supplied for the streets of New Westminster.

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In the late 40's or early 50's a Mr. Bjerke requested permission to buy the timber on the Island, it was thought that a bug had invaded the timber and the authorities were afraid it might spread to Garibaldi Provincial Park. The Department of Justice insisted that he buy the island if he wanted the timber, which he did.

No insects were found in the timber. No. 1 Fir was used for peelers and Cedar poles were used for piling.

When logging was completed a Vancouver company bought the island for a summer resort but this failed to materialize, due in part to the cold glacial fed water of Pitt Lake.

The sign erected on the Island by the B.C. Penitentiary is now resting in Irwin House.

This was the first satilite of the B.C. Penitentiary.

AT THE GOVERNMENT HOUSE AT OTTAWA

Wednesday, the 4th. day of February, 1903

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL

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The Minister recommends, as the land is vacant in the records of the Department of the Interior, that, under clause 31 of the Dominion Lands Act, it be transferred to the Department of Justice for the purposes of the British Columbia Penitentiary as above mentioned.

The Committee submit the same for approval.

JOHN J. MCGEE,
Clerk of the Privy Council

March 3rd, 1903

The Weekly Columbian

PENITENTIARY AFFAIRS

In the inspectors report on the B.C. Penitentiary, the net cost of the local institution was \$40,635.00, the cost per capita being \$418.00.

The inspectors report on the extensive improvements in progress or contemplation at the B.C. Penitentiary shows that the institution has accommodation for 104 convicts only so that owing to lack of room, the time has come, it has become necessary to transfer convicts to other penitentiaries. An extension of the cell wing has been authorized, to be of brick or stone foundation, with 105 well-ventilated cells. The cell barriers will be of steel, and the floors of cement, while the galleries will be of glass, supported on an iron frame. The building will be fire proof. Stone for the foundations was prepared last winter. A new brick making plant was installed last spring, and operated during the summer by the convicts. 600,000 bricks have been made. The outlay for the material required in thier manufacture was less than \$2.00 per thousand, oil and fuel for the engine and wood to burn the bring being the important items of expenditure.

Brick manufactured elsewhere and delivered at the penitentiary would cost 6 to 7 dollars per thousand.

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A board fence now encloses the thirty acres included in the penitentiary grounds, but since it affords very slight security, plans for a wall are in course of preparation. The hillside on which the penitentiary is built will be cut away at the upper side and filled in below. The wall on the lower side will retain this filling. From foundation to coping will be fifty feet in height. The foundation will be quarried by convict labor in Pitt Lake. The principal expenditure will be for cement.

It is recommended also that the prison shops, being but temporary structures of very inflammable material, be replaced by a permanent fire-proof industrial building near the prison.

These improvements treated of in greater detail in the report of Warden Whyte, the substance of which will appear in our news columns.

"COPY"

PROCLAMATION

MINTO

CANADA

E.L. Newcombe
Deputy of the
Minister of Justice,
Canada

Whereas in and by
the Revised Statutes of
Canada, chapter
182, and entitled

"An Act respecting Penitentiaries" it is amongst other things in effect enacted, that the Governor General in Council may declare from time to time, by a Proclamation to be published in the "Canada Gazette", that any tract of land within Canada, of which the boundaries shall be particularly defined in the Proclamation, is a penitentiary and is to be so held within the meaning of the said Act, and by such Proclamation, may declare for what part of Canada the same shall be a penitentiary,-

NOW KNOW YE that by and with the advice of our Privy Council for Canada, We do hereby proclaim and declare in virtue of the said Act that the tract of land situate in the Province of British Columbia and described as follows, that is to say, Goose Island, situate about the centre of Pitt Lake in Section 25, Township 5, Range 5, west of the Seventh Meridian, in the railway belt in the Province of British Columbia, is a Penitentiary and is to be so held, within the meaning of the said Act, as a penitentiary for the Province of British Columbia, in Our Dominion of Canada.

Of all which Our loving subjects and all others whom these presents may concern, are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed. WITNESS, Our Right Trusty and Right Well-Beloved Cousin and Councilor the Right Honourable Sir Gilbert John Elliot, Earl of Minto and Viscount Melgund of Melgund, County of Forfar, in the Peerage of the United Kingdom, Baron Minto of Minto, County of Roxburgh, in the Peerage of Great Britain, Baronet of Nova Scotia, Knight Grand Cross of Our Most Distinguished Order of St. Michael and St. George, etc., etc., Governor General of Canada.

At Our Government House, in Our City of OTTAWA, this Seventh day of March, in the year of Our Lord one thousand nine hundred and three, and in the third year of Our Reign.

By Command,

JOSEPH POPE,
Under-Secretary of State.

July 21st, 1903

The Weekly Columbian

PENITENTIARY SALARIES

In the penitentiary act, now before the Dominion parliament, a half-hearted attempt appears to have been made towards fixing the salaries of the various officials in the five Canadian institutions on a more uniform basis, and a perusal of the schedule of salaries shows that some of the officers of the local penitentiary benefit by the proposed changes. The salary of the Warden is increased from \$2,000 to \$2,200 which is the amount paid to the Wardens at Dorchester and Manitoba as against \$2,600 paid to the Warden at Kingston and \$2,400 received by the St. Vincent De Paul Warden. The Chaplains get no raise, \$800 being considered sufficient here, although parsons in Ontario and Quebec are more expensive by \$200 a year. The Surgeon's salary swings up from \$600 to \$1,500 and a provision is made for a Chief Trade Instructor at \$900, and for an Engineer at the same salary.

The unfortunate guards will receive only \$600, which amount, will equal that paid at the other institutions, must be considered quite inadequate remuneration in this province, while the \$700 to be paid the trade instructors is not a salary likely to cause keen competition among competent tradesmen for the jobs at the "Pen". The Keeper gets a raise of \$100 a year. In the offices in which the salaries are

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reduced, present officials will not be affected.

The Act contains an apparently stringent clause relating to prerequisites, and 69 other clauses relating to the duties and responsibilities of the officials in this branch of the civil service.

August 4th, 1903

The Columbian

TO TRIM WARDEN WHYTE'S GARDEN

Thursday, July 30th the Mayor and City Council met in committee last night and discussed bridge approaches with representatives of the Provincial and Dominion Government, at the request of the latter.

The Provincial Government and Bridge was represented by Mr. Waddell and Mr. Seltzer; Mr. Keefer Resident Engineer, appearing for the Dominion.

Though the meeting was private the gist of discussion was subsequently learned. The time having arrived to commence in earnest the construction of the city side railway approach to the New Westminster Bridge, a proposal was made to the City Council. In order to get space for the railway track and the tramway track along Columbia Street, opposite the Penitentiary, it is necessary to widen the street by at least ten feet. This means another slice of ten feet is to come off the front of the grounds at the Warden's residence and to this, it is understood Warden Whyte **strenuously** objects. However, the present stone retaining wall has been condemned, being weak in several places. It was built by convict labour so no one is hurt very much by it being replaced with a more durable work, except that the Warden's front garden would be ten feet smaller.

It is understood the matter was discussed by the Warden and Mr. Keefer on their late official visits to the Department

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at Ottawa. The negotiations have been carried on for several months with the city and now as one result, two alternatives are offered to that of cutting off some of the Penitentiary property. One of these provides for the present sidewalk to Sapperton being raised and carried along the top of the proposed retaining wall. This plan might give enough space for vehicular traffic without encroaching on the Penitentiary grounds but objection is raised to the poles required on the road. The other alternative is to allow the C.P.R. to move it's tracks out and let the trains using the bridge have the inside track. To this, however, it is believed, the C.P.R. will not agree. In any case the tram track to Sapperton will have to be shifted and it was to have this undertaken that the meeting was requested.

The Mayor and the Aldermen take the stand that this is an affair in which the city is not particularly concerned as long as the present width of Columbia Street is not lessened or vehicular traffic rendered dangerous, they will not consent to the street being broken up until the two Governments come to a definite agreement.

The matter is now being threshed out between the two Governments and the city is waiting to see what comes of the consultations.

The conference was to have been held with Warden Whyte this afternoon but he says any report he would have to make will become confidential to the Department. He thinks however, there is plenty of room for railway tracks outside the street

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over the shallow water and this should have been provided for from the former slice of ten feet was given from the Penitentiary property.

August 7th, 1903

The Columbian

REMARKABLE ESCAPADE

Sometime ago it was noted that a patient at the hospital for the insane had escaped. The patient was Mr. Vogel, a gentleman having, it is said, considerable property at Rossland, and whose mental trouble takes the form of belief that people are seeking to take his property away from him. Vogel escaped once before, secured work and behaved sanely enough. However, he told his fellow workmen about the alleged designs of his relatives on his property and his story reached the ears of the asylum authorities, who located him, and brought him home again.

When Vogel got away the other day he was evidently well aware that a strict search would be made, and he rose to the occasion. He somehow procured a ladder and made his way to the Penitentiary. Reaching one of the walls, Vogel put up his ladder, climbed up and pulling the ladder after him, descended comfortably into the Penitentiary grounds where he lay snug until the hue and cry quieted down a bit. Then he left Warden Whyte's domain in the same easy manner as he had entered it, and departed, nobody knows where. He left the ladder behind to tell the story..

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Tuesday, September 15th, 1903

The Columbian

F.C. Gamble, C.E., advising the council that the Dominion Government has given its consent to the moving back the stone retaining wall opposite the Penitentiary to make Columbia Street wide enough to accommodate the tram and railway tracks. Board of Works to act.

October 21st, 1903

The Columbian

DAWSON CONVICTS ARRIVE

Three hard looking gaol birds, in the prison stripes, numbers on their backs and wearing knickerbockers, and stout black stockings, arrived from Vancouver this morning having come by the latest steamer from the north. They are long term convicts and for this reason have been transferred from the Dawson gaol to the B.C. Penitentiary at this city. That they need watching is apparent to look at them, hence they were not only handcuffed to each other but were conducted hither by five of the Northwest Mounted Police, viz Inspector Routledge, Staff Sergeant Bes Danes, Corporal Cobb and Constables Somer and Browning.

The prisoners were transferred to a city tram and taken to the Penitentiary.

880

Friday, April 29th, 1904

The Columbian

Work was commenced yesterday on the Warden's Grounds at the Penitentiary. The terrace where the retaining wall curves will all have to be removed, which is a pity, though necessary, the hedge will have to go as well.

881

Rev. Thomas Scouler, Protestant Chaplain of the British Columbia Penitentiary died on May 9th, 1904, in his 61st year.

882

Friday, May 27th, 1904

The Columbian

This morning the Rev. A.E. Vert was sworn in as Chaplain of the B.C. Penitentiary.

883

Wednesday, July 13th, 1904

The Columbian

The retaining wall in front of the Warden's Grounds at the Penitentiary was completed yesterday. It is a very solid piece of work with a base nine feet in breadth.

884

Tuesday, August 9th, 1904

The Columbian

A party consisting of Mayor Keary, and Alderman went out to Sapperton about 7:00 o'clock this morning to look over the situation caused by the necessity of moving the tram track farther over on the Sapperton road between the Western end of the Penitentiary wall and the Grant corner, to make room for the V.W. and Y. track. Engineer Seltzer had already been over the ground and had run a line of stakes for the centre of the new track seven feet beyond the old line. This left the road not narrower in any place than twenty-four feet, but caused difficulty for the B.C.E. Ry. at the Grant corner. After going over the ground several times it was finally decided to give the tram company two feet at the corner with the understanding that they remove the guard rail there and plank their track in order that teams might drive over it in case of necessity.

What is taken from the road by the moving inwards of the tram track is added on the other side by changing of the line opposite the Penitentiary cottages, by setting back the sidewalk over the ravine, and by moving of the wall opposite the Warden's grounds. The width of the distance which the tram track will be moved varies from nothing to seven feet and back to nothing. In no place will the street be narrower than it was before.

ANNUAL REPORT B.C. PENITENTIARY 1904 - November 25/1904

Sirs:

I have the honour to submit my Annual Report accompanied by statistical and financial statements for the year 1903 - 1904.

The expenditure for the year was according to our schedule of expenditure \$44,174.44.

We expect to have walls, cells and roof on the new wing erected by Spring next year. We would have the work completed earlier only for the substitution of fire proof roofing for wood and galvanized as first proposed. The new roof will be cement and expanded metal and will be absolutely fireproof which will make the new wing when complete a model as far as fireproof construction is concerned.

By the way the prison population is increasing it will not be finished a day too soon. We hope to have everything ready for occupation by July 1st, 1905. The Chief Trade Instructor annexed report goes fully into what work has been done this year.

I very much regret to say that on May 9, 1904 we lost by death our amenable Portestant Chaplin, Reverend Thomas Schuler who served this Institution faithfully and well from his appointment January 1st, 1897. His loss was keenly felt by both convicts and Officers and his kindly way and christain forebearance endeared him to eyeryone, re-respective of their religious beliefs.

Discipline has been well maintained during the year and the Officers continue to do their duty faithfully.

I have the honour to be Sir,

Your obedient servant

J. C. Whyte
Warden

REPORT OF THE CHIEF TRADE INSTRUCTOR 1904

(as referred to above)

Memo to the Warden:

In accordance with your instructions, I have the honour to submit the following report for the fiscal year ending June 30th, 1904.

New Wing:

Work on the new wing has been carried on as continuously as possible since its inception. During the Winter months work was carried on under a canvas roof which although broken down once under a heavy fall of soft snow, was replaced and the first two tiers of cells erected. The outside walls were built up during the summer they have now been added to and are now the height of 28 feet, the top of the third tier.

Repairs to Buildings:

General repairs to buildings have been numerous during the year but only necessary work has received attention.

Alterations in Basement:

The walls on each side, north end of the basement hall, also wall across on the west side have been removed and triple steel beams supported on cast iron columns were inserted. This change has made a great improvement in the basement, making more room in the Kitchen and lighting up the whole floor space, besides giving better ventilation. The Kitchen received a coat of paint etc.

New Bakery:

The new Bakery was provided on the west side of the basement. The outside wall was stripped of the decayed lath and plaster and bricks were substituted. A Bakers oven was built in the north west corner of the basement which has given every satisfaction. A glass partition was put in under the steel beam to enclose the bakery and allow supervision by the Steward.

Meat Room:

A Meat Room was provided at the south end of the basement hall by putting in a glass partition with door.

K. Block:

Temporary cells were made on the top floor over the Chapel. To accomplish this the brick walls on each side of the Hall were taken out and timber beams inserted to carry the weight of the roof. The bell was moved towards the front of the building. The space over the chapel has been floored and cells formed by nailing corrugated iron on the rafters and studs and fitting doors made with wooden frames and iron rods. This alteration gives us fourteen additional cells, although not so secure as those in the wing relieves the overcrowding of the prison.

Brick Yard:

The brickyard has kept busy all summer making bricks for the new wing. About 800,000 common besides press brick were turned out satisfactorily.

Stone Shed:

A number of men were employed during the winter making hollow cement bricks for the new wing cell fronts when the weather was suitable. 1550 blocks were successfully made accounting for 5500 cubic feet of stone. The loss through frost and other causes was about 2%.

Reservoir No. 2:

The ground has been excavated for a new reservoir, circular in plan. The inside dimensions of the finished reservoir will be 33 feet 6 inches in diameter 12 feet deep. The wall will be built of brick bedded in cement mortar and grouted with cement and sand - one to three mixture. The thickness of the wall at the bottom will be twenty-six inches to a height of four feet, twenty-two inches thick for the next four feet and the remainder eighteen inches thick. The bottom will be covered with concrete five inches thick composed of crushed rock, sand and cement in a proportion of five, three, one. The finish will be composed of a part cement, one part fine sand and half part lime paste.

Reservoir No. 2 continued:

This will be applied one inch thick on the bottom and one half thick on the walls. A white tight covering will be put over the reservoir. All will be covered with loftus roofing cement.

Shops:

The shops have been constantly employed. Besides their usual work there have been work done in connection with the new wing.

H. Disney
Chief Trade Instructor

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December 10th, 1904

The Columbian

A REWARD

Ten dollar reward will be paid by the Warden of the B.C. Penitentiary to anyone giving information to the Warden or the Chief of Police leading to the conviction of the party or parties who, on the night of the 7th of December, broke two lanterns placed as danger signals on Columbia Street in front of the B.C. Penitentiary.

885

Tuesday, January 17th, 1905

The Columbian

The iron fence for the top of the retaining wall at the Warden's residence, Sapperton, has been completed by the maker, Mr. J.N.O. Reid, of this city, and has been placed in position. It adds considerably to the appearance of the masonry and is a great credit to the manufacturer.

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May 22nd, 1905

The Columbian

Tenders for supplies for the Penitentiary at New Westminster are being advertised for in the Vancouver Liberal Press. The advertisement is not published in this constituency because it is regarded simply as a pap, and the Columbian is not on the pap list. Under Laurier, only Liberals have any right to receive public money, although it must be admitted that Conservatives retain the right to pay taxes.

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May 30th, 1905

The Columbian

Patsy, the deer which was everbodies pet at the Firemen's Zoo, was returned here today from spending some months with the deer at the Penitentiary, after running in the Glenn for so long with the Pen herd, Patsy got quite wild, and for some time declined to be captured. But now there is a new companion at the zoo, he will be more contented with his lot.

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Saturday, October 3rd, 1905

The Columbian

BALLOON MAN LANDS INSIDE JAIL WALLS

Most of the people who manage to get inside the walls of the B.C. Penitentiary in this city are from the underworld, and it is very seldom that Warden Whyte receives a visitor from up above. Such was the case, however, on Saturday night when Professor Ball, the man who goes up in the air attached to a balloon, the upper stratum of ether and, descending, landed inside the Penitentiary grounds.

As is usually the case, it is much easier to get in than to get out, and Professor Ball found this to be very true. The parachute landed him safely enough within the high board fence, but when he got there transportation facilities to the outer world were so scarce that he began to wonder how long his sentence was. After considerable rustling around he found a friendly guard who led the lightly clad aeronaut to the gate, and once again the Professor breathed the open air of freedom.

ANNUAL REPORT OF THE B. C. PENITENTIARY October 10, 1905

J. C. Whyte, Warden

Remaining at midnight June 30, 1904:		109 convicts
Received from common jails	:	<u>59</u>
TOTAL:		168
Discharged by expiration of sentence:		17
by pardon	:	1
by parole	:	7
by death	:	1
Returned to provincial jails	:	2
Removed by court order	:	1
TOTAL:		<u>29</u>
TOTAL ON OCTOBER 10, 1905	:	<u>139</u>

I expected to be to report that we had occupied our new wing by this time but owing to an unfortunate delay in the delivery of barriers and materials the occupation has been delayed at least six months. When occupied we will have cell accomodation for two hundred and twelve. Judging by the increase of convicts in British Columbia I think it advisable to start as soon as possible to build another wing which will not only be necessary soon but will give employment to a large number of men.

The Chief Trades Instructor's memorandum goes fully into the seasons work and Officers continue their work faithfully and well.

New Wing:

Good progress for remainder of the building. Concrete work finished with the exception of the press brick lining on the inside face of the walls and the granilitic floors in the basement. The press brick should have been made last summer but our Brick Instructor being employed at the Penitentiary in Manitoba and not returning until late in the season we had to wait until this year.

However, one kiln is ready to burn so we hope to be able to finish the brick in the near future. The outside of the walls above the granite foundations has been finished with a coating of cement and sand laid into the blocks. The cornice being composed of cement stone blocks. A date stone of 1904 being left in each side of the building. The roof is composed of concrete with expanded metal embedded in and finished with a coating of trinidad asphalt making it water proof as well as fireproof. The rain being carried down soil vent pipes in the centre of the building.

Sixty cell barriers were received on the 28th June. These we hope to have in place before long and then we will be ready for the remaining sixty. We have the water to cells which gives us considerable extra work in piping. Two distinct services having to be used, on account of our spring water supply being insufficient for all purposes we have to connect this to the wash basins and use the creek supply from the dam for flushing the water closets.

New Building:

An addition to the coal storage house and wharfs, sixteen by twenty six was erected during the winter for storage of coal. The brickmakers have nearly completed a kiln containing about 45,000 pressed and 200,000 common bricks. This department gives employment for about thirty eight convicts. The cement blocks for the new wing were all finished by November 18th last, after which a considerable amount of granite was prepared for the foundation of the new wing extension. A dressed granite crossing for the sidewalk at the front gate containing 448 square feet was prepared and put down and is giving good service. Spare men were employed breaking granite for macadam.

Reservoir No. 2:

This work was finished and put into commission on the 17th October. Its capacity being 65,937 gallons.

Retaining Wall:

The round end of the retaining wall at the Warden's quarters was finished by us. It is joined at the wall, erected by the Provincial government at one end and the other end is finished by a pier.

During February nearly four hundred feet of fence was blown down in four different places. This was all replaced. About forty tons of ice was stored in February. So far this has kept in fair condition although no proper ice house is available. General repairs are being carried out as necessary to the shops although a great deal more will have to be done. The shops have been fully employed and handicapped as they are for room have done well in both quality and quantity of work turned out.

H. Disney
Chief Trade Instructor

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The Columbian

November 1st, 1905

CONVICTS BREAK FOR LIBERTY

An exiting episode occurred at the Penitentiary this afternoon, when it was discovered that a convict named Paul Newman, had made his escape from the gang working in the garden.

The alarm being given, the regulation round-up of all hands was made, and a swarm of beaters were soon in pursuit. It was believed that the man had crawled under the fence and made his way into the bush near the cemetery. This theory proved correct, when in less than an hour the guards came upon him hiding in the shrubbery and returned him to custody. Newman came from Nanaimo about three years ago, and had two more years to serve. He is likely to have cause to regret today's episode, as there have been so many escapes from other Institutions in the Province that punishment has to be made deterrent.

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The Columbian

February 1st, 1906

THE PENITENTIARY RECEIVED ANOTHER CHINESE GUEST YESTERDAY.

This particular Chink came from up the Coast. He had been convicted by the Indian Agent of selling whiskey to Indians on the Skeena River, but he will now have a couple of years in which to learn another trade.

THIS INDENTURE

made this 10th day of May in the year of Our Lord one thousand nine hundred and six.

IN PURSUANCE of the "REAL PROPERTY CONVEYANCE ACT"

BETWEEN

Wesley E. Vanstone of the City of New Westminster in the Province of British Columbia, Plumber, hereinafter called the "Grantor",

Of the one part,

AND

His Majesty, King Edward VII, in right of His Dominion of Canada, hereinafter called the "Grantee,"

Of the other part,

Whereas a report of the Committee of the Honorable the Privy Council, approved by His Excellency, the Governor General of the Dominion of Canada on the 31st day of March 1906, gave authority for the purchase of the lands and premises hereinafter particularly described at the price of one thousand dollars, and that the expenditure be charged to the appropriation for the British Columbia Penitentiary;

NOW THIS INDENTURE WITNESSETH that in pursuance of the said authority and in consideration of the sum of One Thousand Dollars (\$1,000.00) of lawful money of Canada, now paid by the said Grantee to the said Grantor, (the receipt whereof is hereby by him acknowledged), he the said Grantor DOETH GRANT unto the said Grantee His Heirs and Successors FOREVER;

ALL and SINGULAR that certain parcel or tract of land and premises situate, lying, and being in the City of New Westminster in the Province of British Columbia, and being more particularly known and described as Lot Twelve (12) in Suburban Block Four (IV), as shown on the official plan or survey of the said City of New Westminster and Suburban Lots,

TO HAVE and TO HOLD the same unto the said Grantee His Heirs and Successors, in right of and for the use of His Dominion of Canada; SUBJECT HOWEVER to the reservations, limitations,

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provisions, and conditions expressed in the original grant thereof from the Crown,

The said Grantor COVENANTS with the said Grantee that he hath the right to convey the said lands to the said Grantee, notwithstanding any act of the said Grantor, and that the said Grantee shall have quiet possession of the said lands free from all encumbrances,

The said Grantor covenants with the said Grantee that he will execute such further assurances of the said lands as may be requisite,

And the said Grantor COVENANTS with the said Grantee that he hath done no acts to encumber the said lands,

And the said Grantor RELEASES to the said Grantee ALL his claims upon the said lands.

IN WITNESS WHEREOF, the said parties hereto have hereunto set their hands and seals.

SIGNED, SEALED, and DELIVERED
in the presence of

[Handwritten signature]

[Handwritten signature]

Received from the above-named Grantee, the sum of One Thousand Dollars (\$1,000.00), being the full consideration above expressed to have been paid over.

WITNESS:-

[Handwritten signature]

[Handwritten signature]

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The Columbian

June 4th, 1906

TRAIN ROBBERS ARRIVE TO SERVE LONG TERMS.

Well, luck to you, and here's where I sign the pledge, and George Edwards, alias Bill Miner, tossed off what, if the intentions of justice are followed out, was probably the last drink of whiskey he will ever take.

The little scene was enacted in the train at a mile east of the city, about nine o'clock Saturday night, just before delayed Number one pulled into Sapperton, when the trio of notorious train robbers was transferred to cabs and swiftly driven to the B.C. Penitentiary, where two of them will spend the remainder of their days, and from whose confines the third, now a young man, will pass after twenty-five years, a stranger to the outside world, well over his prime.

C.P.R. Train Number one was delayed Saturday by a slight mishap near Port Hammond, and on this account, instead of arriving in the city at 7:15 p.m., it did not pull in 'til shortly after 9:00 o'clock. Quite a number of people had gathered at the downtown station to see the robbers debark, but these were disappointed both at the earlier and later hours, for, according to custom, the prisoners were transferred to cabs at the Sapperton crossing and from there were driven the remaining

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short distance to the Penitentiary. About two hundred people, however, had gathered at the depot in the eastern suburb and there was a general crush to catch a hasty glimpse of the men who had risked and lost their liberty in a vain attempt to become rich by the robbery of His Majesty's mails. The large squad of Provincial and C.P.R. detectives and police had quite a contract on hand to pilot their charges through the crush, while the curious throng elbowed and jostled this way and that to get just one look at "Old Bill" Miner, Shorty Dunn and Colquhoun. Once they fled in the cabs there was no delay and in a moment more their rigs with their load had disappeared behind the high walls of the long term prison. "Old Bill" Miner was the chief topic of conversation in the target for a greater number of glances and as a study he certainly deserved the bulk of any attention that was going. It would be natural to suppose that with a long record of crime which attaches to that now notorious name, Edwards, alias Miner, would be a subject likely to attract and hold the attention of those who find a morbid pleasure in such things. This was no doubt the case, but aside from this the personality of the old man, white haired, white moustached and almost feeble as he bore his 64 years, was more than enough to appeal to those who had once caught a glance from those kindly, bright eyes. That he should wear the name of

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perhaps the most daring holdup man now alive in the west became a marvel when one looked at him as he sat there on the box beside the station, deep in conversation with Colquhoun, to whom he was handcuffed hand and foot.

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B R I T I S H C O L U M B I A P E N I T E N T I A R Y .

WARDEN J.C. WHYTE

JUNE 1906

INSTRUCTIONS

TO OFFICER IN CHARGE OF WRIGHT ISLAND GANG.

1. The Penitentiary Regulations, a copy of which is herewith, are to be observed (so far as they are applicable to conditions in camp) as strictly in the prison itself. I call your attention particularly to Regulations 9, 131, 134, and 135. Such relaxations of discipline as are referred to in 131 and 135 are particularly dangerous in the conditions existing in camp.

2. The liberty from confinement to quarters which is allowed the convicts after working hours and on Sundays must be strictly governed by the instructions below.

CARE OF TOOLS, ARMS, ETC.

3. The tool chest supplied is to be kept locked, and all portable tools are to be kept therein when not in use.

4. Arms and ammunition, except such as the officers have upon their persons, must be kept under lock and key, in the receptacle provided in the officers' quarters, which must be kept locked continuously. When the men are in camp, one of the officers will act as doorkeeper, and it will be his duty to see that all doors are kept locked, except when some person is actually passing out or in.

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5. The prison boat is to be used only in case some emergency makes it necessary. In no other circumstances shall an officer on duty on the island, leave it until relieved, or permit any convict to leave it. When the camp is opened, the boat is to be taken up to the house and securely fastened with chain and padlock, a covering sufficient to protect it from injury by heat of the sun being provided. The rudder, oars and rowlocks are to be kept in the officers' quarters, the latter being locked up in the arms chest. You will satisfy yourself by daily inspection that the fastening of the boat is secure.

STORES

6. You will be responsible for the proper care and use of the stores, which are to be handed to the cooks under your direction, by one of the officers. Convicts must not be allowed to enter the store room or officers' quarters. You will see that requisitions for stores required are forwarded regularly and promptly.

COMMUNICATION

7. You should be able to send down at least one loaded scow per week, and visits of inspection will be made from time to time by the Deputy-Warden or myself, so that, except in case of serious illness or accident, it will not be necessary for you to send an officer away from the island. A dozen carrier-pigeons will be sent you each week. You will use one of these each day during the week to carry brief reports of progress. The remaining birds (if not used) you will set free when the new consignment reaches you. Pigeons are to be kept in the

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special coop provided. In any case of emergency (whether serious enough to warrant sending an officer or not) you will send a message by pigeon, repeating it after a few minutes, and in a serious case, such as an escape, or if the surgeon is wanted, you will send three or four birds at short intervals.

8. As soon as you take charge of the gang, you will ascertain which of them have had practice in rowing, and you will make a list of these for reference. If it should become necessary to despatch an officer from the island you will send with him four of the most trustworthy men on that list, instructing him that they are to relieve each other at the oars, two and two, every half hour.

ROUTINE

9. Except on Sundays and holidays, breakfast is to be served at 6:45 a.m., dinner at noon, and supper at 6 p.m.. The men will leave the house for work at 7:30 a.m. and 1 p.m., and returning will, if at the quarry, leave work at 11:45 and 5:45, if at the timber, on the east shore, 5 minutes earlier. Saturday afternoon will be devoted to bathing and clothes-washing, all the officers being on duty until the work is finished.

10. After supper, a party not exceeding 3 men, under charge of an officer, will bring up a supply of water, and another similar party will lay in a supply of firewood. Convicts not so employed will remain in the house, under charge of the night watchman. When the wood and water have been procured, all the convicts may be in the open air within the limits defined, until

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sundown, provided the weather is clear and fine: but in all cases the convicts must be in bed and the light in their dormitory arranged for the night, at 9 p.m.

11. On Sundays and holidays, breakfast and dinner may be forty-five minutes to an hour later. Between breakfast and dinner, and again between dinner and supper, convicts may, in fine weather, remain in the open air, either within the limits defined or at the dock, or at "Prospect Point". Convicts may go to Prospect Point under charge of one officer, but a party going to the dock must be under two officers. Except the wood and water parties, above provided for, two separate parties of convicts must not be outside the limits at the same time, and with the same exception, no convict shall be allowed outside the limits after supper.

12. You may, at your discretion, make these regulations more stringent, if it appears well to do so, but they must not be relaxed. In damp weather, you will see that convicts are not allowed to sit in the house or outside in damp clothes, and should a fog come up at any time, you will immediately order all convicts into the house.

13. The convicts are to work in one party, under both officers. Should it become necessary at any time to leave the gang under one officer, he must be cautioned to exercise the utmost care to keep all the men in front of him and under his eye.

NIGHT WATCHMAN

14. The Night-watchman will be in charge from the time the

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convicts are locked up at night until 6:15 a.m. when he will give the rising signal. From 6 p.m. until locking up, and from 6:15 a.m. until the men sit down to breakfast, he will assist the day officers in the general oversight of the convicts.

REPORTS

15. You will enter daily, in the book provided for the purpose, a short statement of the nature of work, such as "loading stone" "moving derrick" - "cutting wood". You will add in every case your certificate that the boat and pigeon cote have been examined and found secure, and that the water barrels are full. This book is to be submitted to the Deputy-Warden, the Chief Trade Instructor or myself, when either of us visits the island, and each day's report, since the last inspection, will be initialed by such officer.

16. The daily routine report by carrier pigeon is to be sent off immediately after dinner, while the convicts are locked up. It need not, when all is well, contain anything further than the simple statement of that fact.

ACCIDENTS

17. The box containing "first aid" requisites will be kept in a specified place in the officers' room. You should take an early opportunity of instructing the officers under your charge in the nature and use of its contents.

June 15th, 1906

PENITENTIARY SALARIES

As will be seen from the table printed below, increases in the salaries of the officials of the Penitentiary, have been granted by the Government. The increases range from one to two hundred dollars a year, except in the case of the Surgeon, whose salary was raised from six hundred dollars to fifteen hundred dollars a year, an increase of nine hundred dollars. The scale is as follows:

New Salary Scale

Warden	\$2,200.00
Deputy Warden	1,500.00
Protestant Chaplain	1,000.00
Roman Catholic Chaplain	1,000.00
Surgeon	1,500.00
Accountant	1,200.00
Store-Keeper	900.00
Steward and Baker	900.00
Hospital Overseer and School Instructor .	1,000.00
Engineer and Blacksmith Instructor	1,000.00
Chief Trade Instructor	1,000.00
Trade Instructor	800.00
Keepers	800.00
Guards	700.00
Chief Watchman	900.00
Watchman	750.00
Temporary Guards	600.00

The Deputy Warden and the Accountant and the Chief Trade Instructor receive no increases. The Chief Trade Instructor received an advance in the salary two years ago, but the reason for passing over the Deputy Warden and the Accountant is not given. Several new positions have been created since last year.

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The Columbian

July 24th, 1906

PITT LAKE SCENERY SURPRISES VISITORS.

Weekly excursions are to be run to Pitt Lake by the Steamer Ramona each Monday.

Great interest was manifested in the messages sent from the Ramona by carrier pigeons. About eighteen prisoners from the Penitentiary are working on Pitt Lake taking out stone and cord wood. The officer in charge two or three times a weeks sends messages to Colonel Whyte by carrier pigeons. The Ramona yesterday took up supplies to the Island and also twenty-four pigeons. Colonel Whyte kindly allowed the excursionists to send messages. The messages were addressed to the Columbian and to the three Vancouver papers. They were written on thin paper and sewed to the main tail feathers of the pigeons. The birds were liberated at 1:05 p.m. They rose to above the mountain, circled for a brief time and then made a beeline for New Westminster, arriving back in their dovecotes in twenty-eight minutes. The messages were then removed and forwarded by telephone.

ANNUAL REPORT OF THE BRITISH COLUMBIA PENITENTIARY, NEW WESTMINSTER, B.C.

August 28, 1906. J.C. Whyte, Warden

We have opened up Wright Island Quarry, Pit Lake. Situated 27 miles from here by water. We have there fifteen convicts under a Trade Instructor and we expect before the season closes, about the 1 September, to have about two hundred cords of wood, five hundred tons of rock for foundations. Next season we expect to do better as it has taken about six weeks to erect log houses, wharf, etc. This quarry will be worked about three months a year and will supply a long felt want for wood for the brick kiln and rock for foundations of the new building.

As by recent instruction the report on the work of the structure has been delegated to the architect. I will only say that we occupied our new wing with accomodation for 116 convicts about January 1st and in all reports it has more than filled our expectations, giving us a total accomodation for about 225 convicts. *(I would expect that the new wing they are referring to would be the north wing cell block.)

End of Report

* readers comment

Owing to the serious illness of the Warden, no report has been received from the British Columbia Penitentiary for the nine months ending March 31, 1907.

Report of the Protestant Chaplin

Report of the Protestant Chaplin for the nine months ending March 31, 1907. Of the convicts received three were total abstainers. Six used liquor occasionally. Eight are intemperate while one is addicted to the use of opium and one to the use of morphine. In ten cases liquor, opium or morphine is averted to be the cause of the present trouble if that is so there is no reason to doubt that one may hope with the cause removed and a period of reflection afforded, the words of Paul may be grandly realized in more than one case. Now no chastening for the present seemeth to be joyous but grievous, never the less afterward it yieldeth the peaceful fruits of righteousness unto them which are exercised thereby.

End of Report

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Wednesday, June 12th, 1907

The Columbian

INSPECTOR DAWSON ON ANNUAL TOUR

Inspector of Penitentiaries, George W. Dawson, is in the city on his annual inspection tour. Having arrived from the East on Monday.

When interviewed at the hotel Goichon, where he is registered, Mr. Dawson stated that he had found everything in order at the Penitentiary, and that the best provisions were being made for the care of the convicts.

New buildings, which would greatly add to the industrial equipment of the Institution, were in the course of erection and would shortly be available for use. The inspector also stated that arrangements have been made for a good season work on the Penitentiary farm, which is located a short distance up from the river.

Mr. Dawson has been an Inspector of Penitentiaries for a number of years, during the last five years has been making annual trips to the Pacific Coast. Previous to his appointment Mr. Dawson occupied a seat on the Liberal Benches at Ottawa as a member for the constituency of Lennox and Addington in Ontario.

Mr. Dawson will remain in New Westminster about a week.

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The following is an abbreviated account taken from the official files of the Inquiry into the escape of Bill Miner and three other convicts.

Telegram dated August 8th, 1907.

To the Inspector of Penitentiaries Ottawa.

Four convicts escaped from Brickyard this afternoon.

Signed

D.D. Bourke
Acting Warden

Telegram dated August 10th, 1907.

To Inspector of Penitentiaries Ottawa

Suspended Guard McNeil yesterday afternoon.

Signed

D.D. Bourke
Acting Warden

Telegram dated August 9th, 1907

To G.W. Dawson, Inspector of Penitentiaries Ottawa

Will I offer reward, if so how much, Bill Miner among those gone.

Signed

D.D. Bourke
Acting Warden

538A

August 12th, 1907

MEMORANDUM

To the Commissioner of Dominion Police

From telegraphic reports it appears that four convicts escaped a few days ago from the British Columbian Penitentiary. One of these is the somewhat notorious Bill Miner, with whose history you are no doubt intimate. The Inspectors are of the opinion that it is useless to offer the ordinary reward and I have to request that you will take the matter in hand through some Officer in who you have confidence and endeavor if possible to effect the recapture of these convicts especially Miner. You are authorized to offer a reward, such as in your opinion may be necessary, up to say a limit of \$500.00 for Miner's rearrest. I shall be glad to confer with you if there are any other details which you desire.

Signed

A.B. Aylesworth

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THE WORLD
Vancouver Newspaper

\$5,000.00 TO HELP BILL MINER.

That Bill Miner had his plan of escape well worked out and had communicated with friends outside who were in the vicinity waiting for the consummation of his attempt to assist him with food, clothes and money, there are good grounds to believe. A most significant circumstance, considered in connection with other details, has been discovered by The World which supports this theory very strongly.

At the time of his escape on Thursday afternoon Miner had been working for ten days in the Brickyard. He got this privilege on the ground that his health was failing him in indoors and exhibited a swollen and sore feet in proof. In the light of succeeding events it would be interesting to know his method of producing sore feet while working in the Penitentiary shops.

At the end of July Miner started work in the Brickyard. On August 5th a man came to Vancouver from Smilkameen, where Miner is known to have friends, and put up at a good hotel. Next day he disappeared and has not been seen around Vancouver since. While at the hotel he confided during the

538C

evening to one man that he had \$5,000.00 which he was willing to spend to get his friend Bill Miner out of the Penitentiary if that amount of money could do it.

Two days later he left the Vancouver house Bill Miner et al escaped from the Penitentiary. These are the facts, though for obvious reasons The World cannot publish the man's name and the exact address. The attention of Deputy Warden Bourke has been drawn to the matter and it is being investigated.

Bill Miner will not be caught anywhere in the vicinity of New Westminster or Burrard Inlet is the opinion of The World man, who has been studying the situation here. As far as the immediate chase is concerned, there is little doubt that Miner has got clear and is now working East along with flanks of the mountains, most likely taking the ease that becomes his age and quite prepared to do a month summer's camping until the chase shall have quieted down and times stalled the keenness of the officials. On the other hand nothing is more likely than that one or two, perhaps all three of the others, will fail to make the getaway and word of their capture may be received at any moment. Many people have sympathy with the robber in fact his position in the opinion of many people today is almost exactly that occupied

538D

by Robin Hood in the Yorkshire mind a few hundred years ago. Miner is expected to travel alone and this is what can be expected of an old dog whose self reliance would not need company to keep it up and who prudence would teach him that a lone man stands a better chance of concealing himself than more would in addition to which if there are hardships to be endured in the hills, the effect on temper is such that the choosing of the right companion, or none at all, is of first importance. The trail followed by the dog yesterday morning showed that shortly after the separation, one man lay for awhile in the corn patch of the Gunn homestead, which is closeby. Also the same Thursday evening, there was some excitement among the Gunn chickens and one of them has not been seen since. After discovering the bed in the corn, the hound threw up his head and failed to take up the scent any further. Miner has many friends, in Chilliwack alone he is well known, and well thought of by a number of people.

Further East, down the Smilkameen Valley, he has friends, one of whom, Budd has been corresponding with him regularly since his incarceration, and it is unlikely that Budd represents only himself. Miner is too wise to allow the authorities to know who all his friends are, and he is also too

538E

wise to have left the Penitentiary without a good idea of how he could reach safety.

538F

GUARD MCNEIL SUSPENDED

Guard McNeil who was so curiously oblivious to Miner's engineering work on Thursday afternoon when the tunnel was made under the fence, has been suspended by Deputy Warden Bourke. The Deputy Warden takes a view that McNeil, had he been patrolling the top of the wall at proper intervals instead of standing too long in one place, should have seen the operations of the convicts before the escape. Mr. Bourke has forwarded his report to the Department at Ottawa and is not disposed to give his own opinion of just how far McNeil was blameworthy.

538G

A report dated August 12th, 1907

To Inspector of Penitentiaries Ottawa

Sir:

In regard to escape of convict Bill Miner alias Edwards, McCloskey, Clark, and Woods, I beg to report as follows: These convicts escaped through a hole dug under the fence at the rear of the Brick machine. On getting through this hole they made for the northwest corner of a second fence in back field, broke the lock securing ladder at number ten stand which they used to get over the fence, and then ran through the field and crossed the road near the Glen Bridge.

Instructor Doyle was in close pursuit and did not return to prison til next morning. As soon as I got the convicts locked up I detailed every available Officer to scour the bush at the rear of the Penitentiary grounds. I had some of the Officers called in before night, and left other to watch the roads. I then detailed all spare Officers to remote points so as to guard all avenues of exit. I placed some at Port Moody, some at the junction, some on the Vancouver car line and some on the river. Although the search has been continued diligently up to this moment 10:00 p.m. I have had no positive trace or information of them. I have had many

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reports of men like them having been seen, but I would require a regiment of men to verify those reports. Any report, however, that appears to be well founded was attended to as well as I could. This morning I was informed that two men answering the description of Clark and McCloskey were seen yesterday at 6:00 p.m. at Woodward's Slough, Lulu Island, some twelve miles distant. I telephoned to our two Officers at Eburne to look up this report, and I also sent three other Officers down there at once. This report coming from a reliable source had, at least a good colour.

Shortly afterwards Provincial Constable Spain phoned me that he had a wire from Mission stating that a man answering Bill Miner's description was seen at Nicomen Island. He was very tired and complained of sore feet, Miner has very sore feet. These are the only reports that have given me any hope. The Provincial Police are investigating this with strong hope of catching Miner.

The Acting Deputy on making out the details for that day placed three guards and some sixteen men at the wharf unloading a scow load of wood from Wright Island. Two guards superintending the work and one on the road with a rifle.

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Guard Walsh has six men building the brick kiln, and Instructor Doyle had twenty-one in Brickyard. Had we a spare Officer, Mr. Steward would have placed him assisting Doyle.

To have a clear idea of affairs in the Brickyard you will require an explanation. The Guard at the Kiln is placed there to oversee the men, that is those men building the Kiln and so many of Instructor Doyle's men as may be at the lower part of the racks. The Guard on the stand is supposed to oversee everything on the reserve within ranges of his vision and Guard McNeil was supposed to oversee the Brickyard in general, but could not be held responsible for places that did not come within the range of his vision. In order that all points are on the machinery should be under the eye of the guard on number three Stand. I had a walk over one hundred feet long placed on top of wall and connected with the Stand. I first proposed the straightening of the fence and moving the stand, but this proposition not being entertained I suggested the walk. Guard McNeil saw those convicts working there at or near the machinery. He knew that Instructor Doyle's duties took him all over the yard. He know Doyle had to visit the kiln frequently to see that the work was being done properly and seeing that Doyle

538J

was absent from machinery he should certainly have moved up and down the walk while Doyle was at the lower end of the yard. No doubt the convicts saw he was not alert and planned accordingly. Guard McNeil had his warning about a year ago when Newman went under the fence at the garden and was into Colthour's orchard before being noticed by him on number four stand. Under all the circumstances of the case I did not feel I should be doing my duty to the Penitentiary to allow him to remain longer on duty till the whole matter was cleared up and so I suspended him and wired you. The hole under the fence gives clear indication of the outside part having being dug from the outside. As no one would go there during the day this part of the work must have been done at night. This and other circumstances lead me to believe that Miner has had outside assistance in getting away. I shall forward you another report when we abandon the search.

I have the honour to be sir, your obedient servant.

D.D. Bourke

Acting Warden

538K

August 14th, 1907

DAILY NEWS

MISSION FARMER FED MINER LAST SUNDAY

Anyone desiring to correspond with one William Miner, late of the B.C. Penitentiary, should please address the correspondence, c/o Provincial Constable Lane, Nicomen. All other addresses are unreliable. Constable Lane will make every effort to deliver the missives with dispatch.

Of the many rumours concerning the present whereabouts of Bill Miner, the story that he is at present concealed somewhere of Nicomen Island is finding the most credence with the authorities. More attention is being given to this part of the country than to any other and unless Miner again changes his address without loss of time, his capture is bound to follow.

George DesRochers, a french farmer living at Nicomen, yesterday informed the News that he had given Miner, or at least a man whom he identified as a notorious desperado, a meal on Sunday morning. Mr. DeRochers had lived at Nicomen for over thirty years, and is over seventy years of age, and appears to be the last man in the world to concoct a bullcon yarn. This is his story: "On Sunday morning I was working in the barn near my place when an old man appeared and asked

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me whether I had seen a brown horse with four white feet passing this way. He said that the horse had strayed away from the camp early Saturday afternoon, and he had been following it since four o'clock that morning. He appeared to be very tired, and asked whether he could have a meal, as he had had nothing to eat all day. I told my wife to give him something to eat, and he sat down and disposed of enough food to satisfy three ordinary men. He got away with five cups of coffee, a whole loaf of bread, nearly three pounds of cold meat, and half the jar of preserves. He told me before commencing the meal that he had no money on him but that the camp at which he was working would soon be coming within a short distance of my house, and he would pay me then. I said it would be alright, after disposing of the meal, the man started away in the direction of the bridge, having first asked me a number of questions concerning the lay of the land. I had my doubts as to the man at the time, and while I was watching him he went off in a different direction from what he had said he intended going. I figured out at the time that I had been entertaining a tramp. He had close cropped hair and was dressed in dark clothes. He wore a soft felt hat. On Sunday afternoon I received a copy of the Daily News and on seeing the picture of Miner, I immediately recognized him as the man who had

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called at my place in the morning. A few hours later, Constable Lane called upon me and I told him about Miner's visit. He had other pictures of the convict and I recognized them immediately. The description of the man I had fed tallies in every way with the published description of Bill Miner. Constable Lane is hot on the trail of the fugitives and expects to catch him within a short time."

Several other people in that vicinity report seeing Miner around Nicomen, and all of them are positive that they have made no mistake.

538N

On AUGUST 21, 1907 Inspector Dawson who was on a tour of Inspection at Dorchester Penitentiary was ordered to report to the B.C. Penitentiary and conduct an investigation into the escape of the four convicts.

On AUGUST 22nd, 1907 Acting Warden Bourke wrote the Inspector of Penitentiaries in Ottawa:

Sir:

Continuing my report of the 12th instance I beg to say that I have but little information about the escape of the convicts since my last report. McClusky's socks, with his number, 142, on them and two prison caps were found on Westham Island by the Provincial Police. Having no further particulars regarding these articles I cannot form an opinion as to whether they were placed there to mislead us or were cast away by the convicts themselves. I kept up the search until the 19th when considering further search in this locality useless, I resumed the regular work. In view of the long continued search made by our own men, of the active assistance given by the Provincial Police, and of the widespread publicity given by the press, it is remarkedly strange that we have nothing positive about them since they were seen near the Glen Bridge by the Slater boys just after

5380

crossing the rear fence. The only conclusion I can come to is that the convicts were aided in getting away. I have had officers at the following points, Pitt River Bridge, Port Moody, Steveston, Eburne, Ladner and Point Roberts, besides using the gaoline boat to visit points on the river. I am pleased to say that, in my opinion, the officers discharged their duty in the search as faithfully as they could, for they all felt, as I felt myself, that a severe blow was struck at the discipline and reputation of the prison.

I have the honour to be sir, your obedient servant.

D.D. Bourke

Acting Warden

538P

The following is a report by Instructor James Doyle to D.D. Bourke, Acting Warden:

Sir:

Aug. 8th 1967

I beg to report at 3:05 p.m. ~~A~~ convicts number 5 Edwards, 114 Woods, 137 Clark, and 142 McClusky made their escape from the Brickyard by digging a hole under the fence. At 3 o'clock I saw all four convicts and at about 3:05 or 06 I missed them from their place of work, on investigating I found a hole under the fence, I asked the lookout guard McNeil for the keys to gate to leading to back fields, I followed chase and found ladder on back fence. On the outside of the outer fence, I met two Slater boys who told me the convicts had crossed about four or five minutes ahead of me. Guard Walsh, Devine and Sampson joined me at about 4:00 o'clock and we remained searching the Glen between the 6th and 10th Avenue 1st and Cumberland Streets until 9:30 a.m. of the 9th. At 4:00 p.m. on the 9th with Guard Devine took electric car to Central Park and walked to Vancouver making inquiries along the way as far as False Creek Great Northern Railroad crossing returning to prison about 9:00 o'clock A.m. on the 10th. At 4:00 o'clock p.m. on the 10th with Guard Devine on Powell Street and Hastings Road remaining all night, returning to prison on 9:00 a.m. on the 11th. At

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3:00 o'clock p.m. on the 11th left the prison with Guard Devine walked to the head of Burnaby Lake and remained all night at a small side station. On the morning of the 12th started through Burnaby for Barnette inquiring at the camps - reached Barnette at 12:00 noon. Reach Port Moody about 1:30 and walked over Blue Mountain - reached prison about 6:00 o'clock p.m. finding no trace of missing convicts.

On the 13th at 6:20 with Guard McLure left prison by C.P.R. for Westminster junction. Left junction about 7:00 p.m. walked to Benson's ranch reached there about 11:00 p.m. remained until daylight. On the morning of the 14th walked over to Oliver's ranch on Pitt Meadows, returned by way of Alderson's ranch reached Benson's at 12:00 noon, started for Pitt River Bridge to inquire of Keeper Patchell if he had any news of escaped convicts, returned by Hyere's ranch remained there all night, arrived at the prison at 9:30 a.m. on the 15th. At 6:00 p.m. on the 16th left prison with Guard McLure for 10th Avenue and Cumberland Street remained all night. Returned to prison at 6:00 a.m. on the 17th. On the 17th at 6:00 p.m. left prison for 10th Avenue and Cumberland Street remained all night returned to prison at 4:00 a.m. on the 18th. Found no trace of escaped convicts.

538R

Sir, I am your obedient servant.

James Doyle

Instructor

538S

The following is the report of W.A. Patchell, Keeper.

AUGUST 19th, 1907

TO: D.D. Bourke
Acting Warden

Sir:

With reference to my movements re search for escaped convicts. I beg to state that when the alarm bell was rung I was engaged in unloading wood from scow at Penitentiary wharf. I immediately hurried my men to the prison and after the convicts were locked up was sent with a number of officers to search the bush at the rear of the Penitentiary reserve. Officers G. McKenize, Doyle, Sampson, Walsh and Devine were already there, we made a thorough search back as far as Throne Road and also north of Cumberland Street but could find no trace of the fugitives, returned to the prison about 6:30 p.m. for orders. I was instructed by the Acting Warden to place all the officers, that were then available, to the north and west of Sapperton to try and prevent the convicts getting away in that direction. I placed two men on 10th avenue between Cumberland and 1st Street, two where Cumberland Street crossed Thorne Road and two more when Thorne Road joins Columbia Street, then accompanied by guard

538T

Smyth I went to the Brunette Sawmills and got the night watchman to remove the oars and oarlocks from all boats near the mills, afterwards we took up a position for the night were the C.P. Railway crossed Brunette River. The next morning about 5:30 a.m. Officer Doyle, Devine and McLure and I accompanied the gentleman from Vancouver who had brought over a bloodhound to try and track the fugitives. But after two hours of wandering through the bush the hound got sulky and refused to work so the search in that direction was abandoned. Friday about 5:30 p.m. Instructor Coutts, Guard Camerson and I drove to the north arm bridge making inquiries along the way, on this bridge we took up a position for the night the next morning we returned to the prison.

On Saturday afternoon Instructor Disney, Coutts, Imlah and G. McKenzie, Guard McLure and I went down to Eburne on the government Launch. Here I got information that two men who had answered to the description of Woods and Clark had breakfast that morning near Magee Station, and had afterwards taken the road in the direction of Point Grey. We proceeded in the Launch to the Indian Reservation at the mouth of the north arm where we made inquiries and warned the Indians about keeping watch over their boats, we also

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called at a Salmon Cannery on the way down where the foreman promised to remove the oars and rowlocks from twenty-five or thirty boats that were laying there and also said he would put on a watchman for the night. We then returned to the Eburne Bridge and remained there all night returning to the prison about 11:00 o'clock Sunday morning.

On Sunday afternoon was sent with Guard McLure in the direction of Point Grey, we made enquiries along the road, went to the Indian Reservation again and also a logging camp close by we could get no clue, remained on the road all night in the morning crossed over to English Bay made enquiries among the numerous fishermen that are scattered along the beach between Point Grey and Vancouver, returned to the prison at 2:00 p.m. Monday.

Monday night was sent with Instructor McKenzie beyond the Asylum Farm where the Pitt River Road crosses the C.P.R. In the morning we drove out the Blue Mountain Road to near Port Moody returning home by North Road. Tuesday night was sent with Guard Devine to Pitt River Bridge to relieve Guards Atkins and Henderson. Remained there watching the bridge night and day until called in at 1:00 a.m. Thursday by the Acting Warden. On Friday afternoon with six other officers we searched the cattle sheds in the exhibition grounds also

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the water tanks in the back field, piggery and ravine and barns on the prison grounds. On Friday and Saturday nights was stationed where the B.W.&Y. Railway cross the Pitt River Road. This finished the search which I regret to say was without success.

I am sir, your obedient servant.

Keeper W.A. Patchell

Every officer involved in the search was required to turn in a report.

George McKenzie in his report said "Up to now out of seventy-two hours I only had six hours rest."

The two foregoing reports will show what was expected of a Penitentiary Officer in 1907.

AUGUST 23, Acting Warden D.D. Bourke writes the Inspector of Penitentiaries a further report on the escape of the four convicts, and in the letter he says "I beg to thank you for allowing me to discontinue work on Wright Island as directed by your telegram of this date. I am now relieved of very much uneasiness.

We have some wood there and as soon as I get that wood down we shall abandon the camp."

538W

On SEPTEMBER 4th, a letter to Douglas Stewart, Inspector of Penitentiaries, Ottawa from G.W. Dawson.

Dear Mr. Stewart:

I arrived here yesterday at 2:00 a.m. Since then I have been going over the mass of correspondence, newspaper and other reports, and listening to the long statements of the Deputy Warden as to how the convicts got away. I hope to begin my formal investigation tomorrow, and as soon as possible there after I shall send in my report.

Mr. Dawson's report to Mr. Stewart dated September 16th, contains the following paragraph:

Mr. Bourke was warned on the 1st of July by Mr. Reverend A.D.E. Owen not to give Miner too much liberty.

Nevertheless he transferred him from the shoe shop to the brickyard because he thought he was breaking down and he wished to give him a change and his feet were blistered and swollen. The surgeon did not know that his feet were sore the hospital overseer had not been treating him for sore feet. Mr. Bourke felt sorry for Miner who was getting old and was sick he treated him as well as he could. I enclose a letter from Mr. Bourke in which he intimates that he

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desires to retire from the service if his retiring allowance can be arranged.

I recommend that he be retired and granted such allowances as may be lawful.

Yours faithfully,

G.W. Dawson

Apparently Acting Warden D.D. Bourke retired from the service and Guard McNeil was not reinstated.

Correspondence regarding the escape of these four convicts was sent back and forth between New Westminster and Ottawa as late as December 31st, 1909, by this time Warden J.C. Brown was Warden of the B.C. Penitentiary, and from this correspondence it would appear that Clark had been picked up in the United States and that the Provincial Government were pressing for Clark's extradition. A reward of \$500.00 has been offered for the recapture of Bill Miner, but he was never returned to British Columbia. Bill Miner died on Tuesday, September 2nd, 1913 in Milledgeville, Georgia.

Following is a thumbnail sketch on the life of Bill Miner taken from one of the local papers sometime in 1909 and I quote: "I believe that if everything were known concerning

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the exploits of Billy Miner, the noted highwayman for whom the police of two countries searched unsuccessfully for some years, and who was only recently captured in Canada after an exiting chase, participated in by the Northwest Mounted Police, Provincial Police, local detectives, railroad employees and Indians, it would be seen that he had established a record of crime and daring never before paralleled, and perhaps never again will be, in the history of that branch of crime on this continent. But sufficient is known of his doings to make a readable story.

Miner who had been known by many aliases, was born in Western Canada only a little better than 50 years ago, and adopted the profession of a road agent very early in life. In fact, he had scarcely celebrated his twenty-first birthday ere he was undergoing an imprisonment at San Quentin, California, for taking part in a stage robbery in that section of the country. Released from jail in the spring of 1880, he journeyed to Denver, Colorado, where he became acquainted with Bill Leroy, one of the most daring of the Rocky Mountain Highwaymen.

Together the pair did all the principle towns of Colorado, and early in the month of November 1880 held up the Del Norte Stage, securing \$3,600.00 in gold coin for their

538Z

trouble. Leroy was soon afterward captured and hanged, not for the Del Norte robbery in particular, but for a large number of previous misdeeds of a similar nature. Miner however, got safely away with all the booty.

Miner next turned up in Chicago where he purchased several suits of fashionable clothes. A few days later he arrived in the town of Onondaga, Michigan.

Possessing naturally an easy, graceful carriage, Miner or as he has now styled himself W.A. Morgan with his Chicago cut-clothes made himself a conspicuous object amongst the good people of the town. He proclaimed to all that he was a California capitalist, and that he was the owner of great blocks of houses in Sacramento and San Francisco, was the possessor of rich gold mines without number and that he was in the East for the purpose of winding up an Estate of which he was the sole surviving heir. He was a great favourite with the ladies, one young lady who had become dazed at his dashing manner and immense wealth, became engaged to marry him and deemed herself most especially favoured.

It was during the latter part of February 1881, that he told as many confiding friends that it was necessary for him to return to California immediately; his aged mother was in

538AA

feeble health, and he was anxious to see her again before he passed to The Great Beyond. On the eve of his departing the prominent towns people gave him a banquet at which the mayor presided, and Billy was the hero of the hour. Bidding his betrothed a tearful and affectionate goodbye W.A. Morgan of California journeyed again to Denver. In Denver the raiment that had played such a conspicuous part in the recent social season was sold to a second hand dealer, and with the money this secured Miner purchased a Winchester rifle, two pistols and a knife. Together with Jones, Miner started for the Rio Grande and Saguache Counties on a pillaging expedition. In the latter part of March 1881 they again stopped the Del Norte Stage, but the booty they secured paid them poorly for the risk they had run. Stealing two horses near the Del Norte they fled north closely pursued by Lou Armstrong, Sheriff of Rio Grande Country. They abandoned their horses near the town of Saguache and crossed the mountain range on foot through Marshall's Pass into Gunnison County, where they went to work for a week or two on the Denver and Rio Grande Railroad.

About the 1st of May they quit work and again started on a pillaging expedition, taking with them a green hawk of a fellow named James East. Going back over Marshall's Pass to

538BB

Sagauche they stole a horse and robbed a store. Near Villa Grove they stole two more horses and outfits and a fourth horse and saddle within a mile of Sagauche.

By this time the country was well roused. W.A. Bronaugh, Sheriff of Sagauche County accompanied James Goodven started in pursuit, following them through the foothills in the direction of Del Norte. After a tedious search lasting four days the robbers were seen about dusk, riding leisurely across their bridge about forty miles from Del Norte. They were armed but were finally covered by the officer's rifles and captured.

Bronaugh and Goodven tied the three prisoners with baling wire and putting them on a freight wagon started for Del Norte the same evening. They were compelled to camp at a place called Wagon Wheel Gap for the night. Bronaugh and Goodven were so completely exhausted that they fell into a deep sleep about 11:00 o'clock, leaving the teamster in charge of the three prisoners.

About 1:00 a.m. the officers were aroused by loud cries of the teamster. Springing from their bed they were startled by the sharp report of a bullet. They shot and broke Goodven's arm.

538CC

Bronaugh at one realized that Miner and Jones had succeeded in untying themselves, and with a pistol that had been overlooked in the search, were making a desperate attempt to escape. The second shot broke the Sheriff's right arm at the shoulder, and the third and fourth shots struck Goodven in the left arm, completely disabling him.

The two desperados then dashed away in the darkness and were seen no more. East, who had been unable to untie the cords that bound him did not escape. He was convicted of horse stealing and sentenced to five years in the Colorado Penitentiary. On November 7th, 1881 four highwaymen were secreted behind a huge oak tree. The stage from Senora came tolling up the hill, the four men with masked faces appeared on the road each armed with a shotgun. The leader of the quartet cried out "halt," the order was instantly obeyed. Then taking up a commanding position on the hillside he gave these orders. "Number 1 stand in front of the horses, number 2 take care of the passengers, number 3 take the sledge hammer and break open the iron box inside the coach." The heavy blows fell upon the box and in a few moments the spring gave way. The lid flew open and \$3,200.00 in gold coin was placed in the hands of the leader.

538DD

One of the passengers had hidden a sack containing \$500.00 in gold dust under one of the seats in the stage but this was not overlooked. The leader of the highwaymen when the work was finished ordered the passengers to get into the stage, and consume more than ten minutes. This is one of the most successful holdups ever committed in California. Not an article was left behind that would in any way lead to the discovery of the perpetrators of the affair.

Miner when captured pleaded guilty and received twenty-five years in prison.

In 1901 Miner was released from San Quentin and immediately began work at his old profession. His exploits in Western Canada since then are too well known to need elaborating on here. Suffice to say that Bill Miner is now safe between the locks and bolts and bars for holding up the Canadian Pacific Train near Kamloops, British Columbia. That he will never again have another opportunity of ordering a stage drive to halt, or to throw down the box, and that express passengers and train hands may ply their calling without the slightest apprehension that Miner may one day hold a pistol at their head and demand that they turn the property under their charge over to him.

538EE

One Pinkerton man had not heard of Miner's escape from the Penitentiary, and expressed surprise that so well known a criminal should be at large without the fact coming to his attention.

This is the end of the Billy Miner story.

538 FF

November 17th, 1909

The Columbian

BILL MINER IS IN MORE TROUBLE

Bill Miner, who in polite society is known as George W. Edwards, is in further trouble. When he made his exit from the Dominion Government Penitentiary in 1907 without even stopping to say goodbye he left without paying his Solicitor's fees and this oversight is now causing him further trouble. Some admirer, whose name is unknown, has deposited some one hundred and fifty or two hundred dollars to his credit at the Dominion Treasury at Ottawa, but as Bill is not taking a trip in foreign parts he has neglected to call and get his money. Unless he gets busy right away before next Monday and secures the money, or else enters an appearance at the Registrar's Office in this city, he stands a pretty good show of losing this amount which will go to reimburse the lawyer who defended him the last time he came up for trial.

At County Court last week Adam S. Johnston, acting for W. Norman Bole, K.C., made application before Judge Howay for the right to serve Miner with Notice of his premeditated action by means of a Notice posted in the Registrar's Office in New Westminster. He explained that Miner, or Edwards as he is known to the Courts, was in parts unknown and had neglected to settle a little account of some five hundred dollars before leaving. It appears that E.D. Macintyre, of Kamloops, who defended Miner and his two pals, Louis,

538 GG

Colquhoun and William Dunn, alias John Grell, at their trial in 1906, was never paid for his services. The account mounted to five hundred dollars but these gentry had evidently slogged a closely acquainted with the inside of express cars and other money repositories that they thought the bill hardly worth bothering about. Colquhoun and Dunn are still the guests of Warden Brown, but Miner is absent.

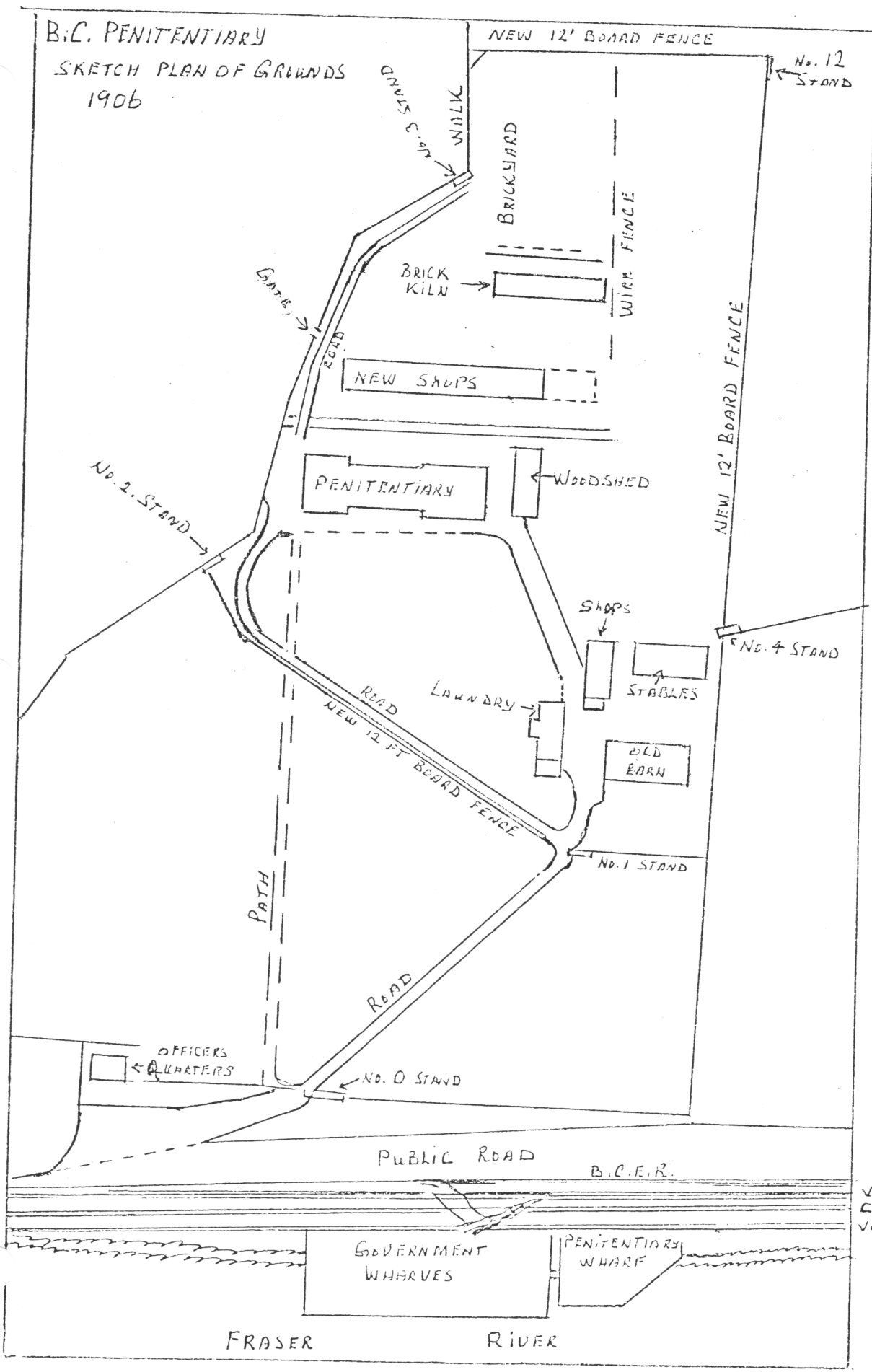
After considering the matter Judge Howay gave leave to sign up Judgment within eight days unless Miner enters an appearance and to sieze the monies in the Treasury placed to his credit. The eight days are up next Monday and the officials at the Registry Office are discussing the chances of Bill Miner strolling in some morning this week to enter an appearance in the case. It would be rather unique in the history of New Westminster for the Registrar Cambridge to have to affix the necessary stamps together with a signature and the Court Seal while the muzzle of a revolver was within a few feet of his head.

On December 8th, 1909, an article stating in connection with the Judgment of the New Westminster Court awarding W. Norman Bole, K.C. on behalf of Mr. Macintyre, of Kamloops, who defended Bill Miner, the train robber, five hundred dollars and twenty-eight dollars and eight-five cents costs it is said here that all the Department of Justice holds in trust belonging to Miner is one hundred and forty-nine dollars and ten cents and some valuables.

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Legal opinion is that money and valuables taken from the convicts are held until the prisoner is released. Such money cannot be taken to pay such claims as that of Mr. Bole. Miner was sentenced to life imprisonment and in the natural course of events his relations would be given his money and his gold watch at his death.

B.C. PENITENTIARY
SKETCH PLAN OF GROUNDS
1906



V.W.T.Y.R.
C.P.R.
V.W.T.Y.R.

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August 22nd, 1907

The Columbian

SIX CONVICTS ESCAPE IN TWO WEEKS

Desperate guards give frantic but futile chase.

Eighteen guards dispatched with instructions to capture quarry at all cost. Convicts disappear as mysteriously as did Bill Miner two weeks ago. Two more convicts from the Penitentiary have been added to the quartette including Bill Miner, who made such a sensational escape about ten days ago. Last night at nine o'clock Louie Kelly, sentenced to two and one half years for robbery, and William Brewer, made their escape from the wood cutting gang stationed at Wright Island in the middle of Pitt Lake, about thirty miles from New Westminster.

The men were so crafty in making their escape that they effectually cut off any means of communication with the Penitentiary by taking the homing pigeons that are kept there with them. By this means the news of the escape reaching the Penitentiary was delayed until this morning and Deputy Warden Bourke again sent his guards out on the trails to watch for the missing fugitives. They however, have had such a long start that it would have been impossible for them, with hard work, to have reached the mouth of the river and conceal themselves among the encampments of Indians situated around Steveston where the Indians have stationed themselves during the fishing season.

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In this manner they may elude capture much in the same manner as Miner and the men who escaped with him. Warden Bourke, however, has prepared for that and launches have been sent both up and down the river to see if any trace can be found of the boat in which the Indians made their escape. It was a small boat but capable of carrying the two Indians as far down the river as they would care to go. No word has reached the Deputy from the Patrol boats who were watching the river last night that any boat passed them going down the stream as if in a hurry. This is rather remarkable as the night was illuminated partially at times by a moon which shone through the clouds and gave a fair light. Ten convicts were stationed at Wright's Island and have been during this season for the purpose of cutting wood for the Penitentiary. The only boat attached to the establishment is kept padlocked to a small wharf which has been built by the convicts to aid in loading the cord wood on the scows for transportation. The regular retiring time of the convicts while on this duty at Wright Island is 9:15 p.m. and it was not until nearly this time that the two men were missed.

Rushing to the bank of the river guards Thompson and Sullivan found that the padlock securing the boat was broken and the boat with the oars, which had been lying in one of the houses nearby, had also been taken. The officers

615 B

immediately made a thorough search of the Island and the river in the immediate vicinity but could find no trace of the missing men.

On going to the homing pigeon coop where a couple of dozen birds are kept for the purpose of communicating with the Penitentiary, they found that the whole coop, including the birds, had been stolen and carried away by the fugitives. This effectually frustrated any attempt of the guards to communicate with the Penitentiary and place those officials on the watch. The officers were also marooned with a bunch of eight convicts without any communication with the shore and the assurance that people might not come to the Island for days. Guard Thompson thought of a raft and climbed into the water about ten o'clock last night and constructed a rough raft large enough to carry himself and three other convicts, and dint of hard work managed to paddle the rough craft to Patterson's lumber camp, about two miles and a half above Wright Island. They had some difficulty in routing out the lumbermen as it was after two o'clock when they landed at the camp and the lumbermen were not sure of the identity of the men. However the sight of Guard Thompson's uniform, although beraggled, muddy and soaked, convinced them and they decided to allow the guard to have the boat.

He started down the river in the night with the convicts with him working at full speed. On several occasions he bumped

615 C

into logs and sticks, but fortunately did not have any mishap. It was after ten o'clock this morning when the weary convicts climbed out of the boat in Sapperton and were marched up to the Penitentiary when Guard Thompson made his report of the escape. He stated that the men practically had the freedom of the Island, as it was thought that escape was impossible. They had evidently hidden one of the axes during the day and managed to break the padlock securing the boat without any noise, because the officers had only been a short way from the wharf when the Indians must have made their escape.

Upon hearing the story Deputy Warden Bourke sent guards out to the different points where the Indians would be likely to go. Both men are well acquainted with both the bush and the lower Fraser and that of the upper country where they were sentenced.

Up 'til noon today no word had been received at the Penitentiary of any person seeing the escaping criminals. The Provincial and the City Police have been warned to use all endeavours to locate the Indians, who it is expected will go to some settlement and lie up for some weeks.

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The Columbian

October 7th, 1907.

DOORS OF PEN ARE WIDE OPEN

At the Fall Assizes, which opened here this morning at eleven o'clock, Justice Morrison presided. The first case which was called was that of the Crown vs. George Stone, a convict serving a five year sentence in the Westminster Penitentiary, and accused of attempting to break jail. Stone in giving his own evidence under oath, made a couple of rather startling admissions regarding his opinion of the matter in which the convicts were guarded.

Guard Patchell, in giving his evidence stated that he observed the accused looking strangely at one corner of the cell. Upon being asked what he was doing, he replied, "oh, nothing". Later in the morning when the convicts were at service Guard Patchell made an investigation of the cell and discovered three bricks loosened. The operation having been concealed by a towel which hung in the corner. He considered the prisoner was making a hole in the wall to connect with the ventilator which would lead to the roof from which the man would then in some manner make his escape.

Asked if he wanted to tell his side of the story the convict was escorted to the witness stand, and upon oath

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stated that he was only making a hiding place for tobacco and other little things which prisoners are in the habit of making out of horse hair, etc. He spoke as if it was quite a matter of course for prisoners to have tobacco and hiding places for it. Stating that he had made them before, in fact there was another one of the same nature in the prison, which he had wished to show to the Inspector, who declined to see it, "He didn't seem to want to see it" said Stone.

When asked by some of the Jury if he considered it possible to escape by cutting through the wall, he said it wasn't worth the trouble, as there were lots of opportunity to escape from the outside whenever they wanted to. He referred to the ones who went away a short while ago, evidently meaning Miner and his crowd, and stated that all the convicts knew the plans of the escape long before the men went. Throughout his story he seemed to give the impression that it was only a matter of accommodation on the part of the convicts to stay there at all.

The Jury turned in a verdict of not guilty. Inspector Dawson throughout the trial occupied a seat in the body of the courtroom, keenly taking in the evidence.

The Columbian

October 10th, 1907

LIEUTENANT COLONEL J.C. WHYTE SUCCUMBS AFTER LONG ILLNESS.

Surrounded by members of his family, Lieutenant Colonel J.C. Whyte, Warden of the British Columbia Penitentiary and Commanding Officer of the Sixth Regiment succumbed to a long and painful illness at his home on Columbia Street at nine o'clock yesterday evening.

The causes which led up to the death of the late Lieutenant Colonel John Connal Whyte, had their beginning in the month of February last, when the deceased showed symptoms of a malady which was at the time pronounced to be inflammatory rheumatism, but was later discovered to be tuberculosis.

Born on August 2nd, 1861, Lieutenant Colonel Whyte was a native of Sterling, Scotland, and the son of Robert and Jean Connal, both of Sterling. In 1863 the family moved to Canada taking up the residence at Ottawa where the late Warden was educated, distinguishing himself in several branches of his studies while attending the Ottawa Collegiate Institute.

In 1896 he assumed charge of the B.C. Penitentiary, the last eleven years of his useful career being marked by the

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impartial and conscientious manner in which he discharged his duty to his country and the unfortunates under his care. He was also Honourable Vice-President of the National American Prison Congress.

Colonel Whyte was laid to rest on October 11th, 1907, with full Military Honours and to the accompaniment of the solemn Dead March, played by the Military Band of Vancouver. The body of the late Lieutenant Colonel J.C. Whyte, Warden of the B.C. Penitentiary, carried on the shoulders of twelve Penitentiary Officers was slowly borne to his last resting place in the Church of England Cemetery this afternoon.

After a private service held in the house for the benefit of relations and near friends of the family, following which the public service was held, at the conclusion of which the open casket, containing the remains of the late Warden, was raised upon the shoulders of the attending guards, the Regiment formed up and to the mournful notes of the Dead March and the muffled beat of the drum the said procession started on its way.

Vancouver and New Westminster Companies of the Duke of Connaughts Own Rifles assisted at the ceremony.

October 16th, 1907.

DEPUTY WARDEN BOURKE RESIGNS

A few weeks ago Deputy Warden Bourke, of the B.C. Penitentiary, forwarded his resignation which has been accepted. His action he says was not prompted by any fear but censure would attach to him beyond what might attach to anyone in charge of the prison at the time of the escapes, and, therefore, in that sense responsible. Other considerations influenced him.

He joined the service on the 23rd of July, 1886, having been appointed Hospital Overseer at Manitoba Penitentiary, by the late Sir John Thompson. On the 13th of October, 1892, he was promoted to the position of Deputy Warden by the same Minister. On the 12th of August, 1895, he was transferred to B.C. Penitentiary by Sir Charles Tupper, then Minister of Justice. Mr. Bourke says that he objected very strongly to being sent here as successor to Mr. Fitzsimmons, but he had to obey orders. He was given to understand, however by the Inspector, that it was intended to advance his interest later on, but the advancement, he says, has not materialized in the direction expected.

He left Nova Scotia for Manitoba in May 1884 and taught school there until his appointment to the Penitentiary service.

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The Columbian

October 17th, 1907.

ENFORCING GREATER DISCIPLINE.

Since the Inspector of Penitentiaries G.W. Dawson sat in the Court House a couple of weeks ago and listened to convict George Stone make admissions regarding the easy manner in which convicts received and secreted tobacco and other odds and ends, the cords of discipline have been considerably tightened. Convicts are now searched going out and coming in to the Institution, and several other inovations of a like nature have been instituted.

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The Columbian

October 21st, 1907

CONVICTS FOILED BY BRAVE GUARD

Armed with a heavy stone hammer George Stone and another convict named Walker, made a murderous attack on Guard Emlah in a desperate attempt to make their escape from the Penitentiary Saturday afternoon.

Among a gang of fourteen men in charge of Officer J. Emlah, Stone and Walker had been working all afternoon on the masonry in connection with the new shops now in process of construction at the Penitentiary. About four o'clock Stone and Walker were ordered inside of the new building to complete the concrete work around a pump which was being installed, and having finished the work informed the guard who was in charge.

Guard Emlah entered the building and after a cursory glance stooped down to closer examine the work, when the convict Stone seizing a heavy hammer which lay at hand dealt the officer a crushing blow on the back of the head.

Half dazed the officer swung around to face his assailant, when another blow from the murderous weapon stretched him on the ground.

Quick as a flash the convicts sprang at the prostrate Emlah to secure the revolver which lay in his hip pocket when the

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officer, with heroic effort staggered to his feet and grappled with Stone, wrenching the hammer from his grasp, and hurling it at the other convict, who with a heavy piece of scantling had joined into the fray.

Emlah, while fighting for his life managed to shout for help, his cries being heard by Acting Deputy Warden F. Stewart, who was entering the prison building at the time.

Realizing that something unusual was happening, Stewart rushed to the rescue, and arrived at the scene of the conflict just as the convicts, who by this time, had broken loose from Emlah, and were bounding up the stairs carrying a long ladder between them.

The convicts, probably rattled by the turn events were taking, managed to stick the ladder at a turn in the stairs, and hastily abandoning their one means of scaling the fence, closely bounded up the remaining stairs, closely pursued by Acting Deputy Stewart, who by this time had jerked his gun from his pocket and opened fire on the fleeing men. The convicts, however, disregarding the flying bullets and the Deputy's call to halt.

Reaching the end of a large open space upstairs, the fugitives jumped through an open window and by means of a temporary scaffold which was being used in the construction of the wall, managed to strike the ground, and continued their race for freedom in the direction of the brick yards, where in the gathering darkness they evidently hoped to evade

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immediate capture.

Almost at the same instant that the convicts reached the ground the Acting Deputy arrived at the window, and without a moments hesitation followed the convicts down the scaffold, turning loose again with his six shooter, as soon as he reached the ground.

As the brickyard was neared the officer was drawing closer to the convicts, and Stone realizing the game was up dropped to his knees, and with an oath shouted to Walker, "throw up your hands you fool", at the same time holding his own high ~~above~~ his head.

Coming up to the convicts Stewart ranged them in single file and with their hands still above their heads herded them back to the prison at the point of his gun.

The guard, John Emlah, who was the victim of the murderous assault, was immediately attended to by the prison doctor under whose care he is at present. While suffering from severe bruises it is probable that Emlah will endeavour to return to duty as soon as possible.

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The Columbian

November 4th, 1907.

DEPUTY WARDEN'S TENURE CLOSES

Saturday night which marked the closing of D.P. Bourke's long term as Deputy Warden of the Penitentiary was fittingly commenurated by the presentation of a handsome gold chain and locket to the retiring officer, the gift, a token of esteem from the guards of the Institution.

Mr. Bourke replied thanking the officers very sincerely for the gifts, but more especially for the expressions of friendship which accompanied it. He was glad to learn that his usefullness as a Public Servant was appreciated by those who knew him best. He referred to the peculiar nature of the service saying that he knew of no other service unless it be the management of the unfortunate insane in which there was such necessity for men of stirling character as in the Penitentiary Service. He thought when a man arrived at the end of his career whether official or final, nothing could give him so much pleasure as to look back and be able to say "I have done my duty faithfully and fearlessly". Again expressing his thanks he shook hands with every officer present and bade them all an affectionate farewell.

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The Columbian

November 26th, 1907.

PENITENTIARY WARDEN

The report to the effect that J.C. Brown, of this city, had been appointed Warden of the B.C. Penitentiary, was confirmed today in the following telegram dated Ottawa, November 25th, and addressed to J.C. Brown, New Westminster.

"Order for your appointment passed in Council Saturday".

This would be November 23rd. The news has just been received that J.C. Brown, who is in Victoria, is unaware of his appointment, and will probably not learn the news before to-morrow as he leaves Victoria tonight for this city.

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The Columbian

November 30th, 1907.

NEW PENITENTIARY WARDEN IS SWORN IN

In the presence of Inspector Dawson and the assembled officers and guards, J.C. Brown the new Warden of the B.C. Penitentiary, was formally sworn in yesterday and entered on his new duties this morning. At the closing of the prison yesterday evening the officers and guards in charge of Inspector Dawson assembled in the guard room, and Mr. Brown having taken the oath of office, Mr. Dawson in a short speech personally introduced each officer to the new Warden, commenting very highly on the efficiency and willingness of the guards of the Institution, and expressed his deep sense of obligation to the men for their prompt attention to duty, and their readiness to assist in all matters appertaining to the discipline of the Institution, since he had been in charge.

Inspector Dawson will remain for a few weeks longer to assist Mr. Brown in familiarizing himself with the running of the Penitentiary, following which he will return to the east. No Deputy Warden has been appointed yet but this matter is expected to be attended to in the course of a few days.

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The Columbian

December 6th, 1907.

DEPUTY WARDEN APPOINTED

Hospital Overseer W.H. Carrol was yesterday appointed Deputy Warden of the B.C. Penitentiary. Vice D.D. Bourke who resigned sometime ago. The installation of the new Deputy was conducted by Inspector Dawson and Warden J.C. Brown in the presence of the guards, following the closing of the prison last night. Mr. Carrol has been an employee of the B.C. Penitentiary for twenty years and prior to that has an honourable record for service in the N.W.M. Police, having taken an active part in the operations against Riel during the Northwest Rebellion.

More appointments were announced on December 7th, 1907, following the appointment of W.H. Carrol to the post of Deputy Warden of the Penitentiary, Keeper F. Stewart who has been Acting Deputy for the past few months was last night installed in the position of Hospital Overseer. Guard W. Walsh was also appointed Keeper. Mr. Stewart first entered the Penitentiary service in 1885 while Mr. Walsh's appointment as a guard dates from 1896. On December 16th, 1907, the Columbian announced the new Penitentiary workshops which have been in course of construction during the summer are now practically complete and the convict tradesmen are expected to move in before long. At the present the

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heating system is being installed and Penitentiary teams in charge of Officer Dynes were busy unloading a car of pipes and steam fittings at the C.P.R. depot this morning to be used in the building.

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The Columbian

December 26th, 1907.

PENITENTIARY CELEBRATIONS

Yesterday being Christmas day the prisoners at the Penitentiary did not perform the usual rounds of duty, but following the church services which took place in the morning had a holiday for the rest of the day. Several specials such as mince pies, etc., were served with the regular dinner in honour of the occasion.

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The Columbian

April 11th, 1908.

ATTEMPTED TO ESCAPE

One of the Penitentiary convicts serving a ten year sentence, concocted a clever scheme to make his escape yesterday afternoon, which was however, frustrated. Having carefully removed sufficient bricks from a large pile in the brick yard, the convict concealed himself unknown to the guard, his absence not being noticed until closing-up time, when a general search was instituted. After some time spent in searching the grounds Officer Doyle finally located the man in the brick pile.

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The Columbian

April 21st, 1908.

FOR WRIGHT ISLAND

About fifteen Penitentiary convicts left this morning for Wright Island, Pitt Lake, where they will put in the summer getting out cord wood and quarrying rock. The convict detachment was in charge of Guards Doyle, Twedell and McGreenera. They expect to complete their duties on Wright Island by the 1st of September.

ANNUAL REPORT OF THE BRITISH COLUMBIA PENITENTIARY, SAPPERTON, B.C.

APRIL 22, 1908 - J. C. BROWN, WARDEN

Sirs:

I have the honour to submit my first Annual Report as Warden of this Penitentiary. The detailed statements and Officers reports which I transmit herewith contain full information as to the number and condition and employment of convicts and summary of statements of the years transactions. In all departments of our work except bricks and construction which will be dealt with in the general report by the architect.

Number of prisoners received at this Penitentiary during the year increased the average of the last nine years by 38, and in the greatest number received in any of those years by 25.

Our books show that all accounts against the Penitentiary have been certified for payment and all amounts due to the Penitentiary have been collected. The good fortune which I enjoyed in having Inspector Dawson with me for some days after I took charge five months ago has been continued and confirmed by ready and efficient aid I have received in the discharge of my duties from every member of the staff of whom I am able to speak in terms of praise.

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The Columbian

May 27th, 1908

JAIL BIRDS CONVICTED.

George Stone and Frederick Walker, convicts of the Penitentiary, were convicted by the Jury this afternoon of the charge of wounding guard Emlah last October, with intent to do him grievous bodily harm, and his Lordship, Chief Justice Hunter, sentenced Stone to serve seven years and Walker to six years in the Penitentiary, these terms to be added to the term of five years and three years respectively which the men are now serving.

MESSAGE FROM WRIGHT ISLAND TO PENITENTIARY

VIA PIGEON / May 27th, 1908.

To the Warden
 In some Gasoline
 boat up at once coins
 30 and 125 made an
 assault on Mr. G...
 and myself at 2.10 PM
 time 3.55 PM
 W. H. Ald...
 G. A. ...
 wife ...

PIGEON DESPATCHED FROM "GOOSE" OR "WRIGHT" ISLAND
 AT 3:55 P.M. ON MAY 27TH, 1908 AND ARRIVED AT THE
 PENITENTIARY AT 9:00 A.M., MAY 28TH, 1908.

MESSAGE FROM WRIGHT ISLAND TO
PENITENTIARY VIA PIGEON - May 28th, 1908.

May 28th 4:30 PM
To the Warden
I am sending up the
Gasoline boat as per
and 12.5 made 2 murders
account on Mr. Brennan &
myself in the stone quarry
yesterday afternoon we got
them handcuffed here
no person left about
ready by water

I am Sir
Your obedient servant
Tommy Williams
Wright Island

PIGEON DESPATCHED FROM "GOOSE" OR "WRIGHT" ISLAND
8:10 A.M. AND ARRIVED AT THE PENITENTIARY AT 4:30
P.M., MAY 28TH, 1908.

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May 28th, 1908.

The Columbian

CONVICTS BREAK AWAY FROM PENAL COLONY

Sometime yesterday or early this morning a break for liberty was made by the convicts in the Penitentiary Island Colony at Pitt Lake and at present Warden J.C. Brown, of the Penal Institution, with a posse of guards is scouring the mountainous territory about the lake by the men who took french leave. How many managed to make their getaway is not known at present, but it was learned from well informed outside sources this afternoon that some of the convicts had seized a favourable opportunity and were enjoying new found liberty.

Curiously enough the officials at the Penitentiary had not been warned to look out for the runaways, as is shown by the following conversation carried on over the phone today between Deputy Warden Carrol and the Columbian.

Question: Could you give us the particulars of the break-away at the Pitt Lake Colony?

Deputy Warden: Don't know anything about it.

Question: But there was a break up there was there not?

Deputy Warden: Don't know. Haven't heard anything.

Question: But the Warden went up this morning with some guards, did he not?

Deputy Warden: Yes, he's up there now.

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Question: Did you receive a report by carrier pigeon of a break for liberty by the convicts?

Deputy Warden: No haven't heard anything. The Warden's up there now. I guess there's nothing in it anyway.

However, from another and better informed source it was learned that this morning a carrier pigeon arrived at the Penitentiary with a report of trouble at the Pitt Lake Colony, by several convicts had broken loose. Warden Brown immediately collected a posse of guards and hastened to the scene by boat, and he is there now, with the guards. It would seem that the present was a very opportune time for an attempt such as occurred at Pitt Lake today, as several guards of the Penitentiary were off duty attending the Assizes, where three prisoners were being tried for similar offences of attempted jail break. This left the staff short-handed, and no doubt, the convicts at the lake, ever on the look-out for opportunities, and ever ready to improve those opportunities when they come along, saw their chance and acted upon it.

Some months ago two convicts managed to make good their escape from the Wright Island Colony, then the precious quartet, including the notorious Bill Miner, vanished into thin air, while later the Indian Patsy walked away, but was later returned.

629 B

In the light of this list of getaways, the remark made yesterday by His Lordship Chief Justice Hunter, when sentencing Stone and Walker, the two convicts who attacked Guard Imlah in an attempt to regain their liberty, is more than passing interest. In this connection the Chief Justice said that the B.C. Penitentiary was unsuitable for men of dangerous character, and he thought it would be desirable to remove them to some other Penal Institution in the Dominion where conditions were more satisfactory.

The Columbian

June 11th, 1908

CHASING DEER IN A STEAMER

A party of New Westminster people while navigating Pitt Lake yesterday on a pleasure jaunt in Captain Croll's boat, The Clive, had the exiting experience of catching two deer in the water and landing them unharmed. The animals a buck and doe, are now in safe custody in the menagerie at the Penitentiary. The boat was steaming along about in the middle of the lake when the deer were sighted some distance ahead, swimming side by side in the direction of the nearest shore. Captain Croll gave chase under full steam and when they caught up with the fugitives, a small boat was lowered and a couple of men headed for the buck, which they succeeded in tying down after a hard struggle. Byt the time the fighting buck was heaved, well shackled, on to the steamer, the doe was about a mile away heading towards shore. She was entirely played out and winded, however, and the steamer easily caught up to her and for a time it seemed that she would drown from sheer fatigue, but the small boat was lowered in time and she was safely taken on board. Captain Croll and Bryce Brown made the captures. The captain said that he never saw two deer together in the water before, although he had captured over a dozen by running them down in his boat. Mr. C.G. Major, who was one of the party, is of the opinion that the buck is about eight years old.

June 24th, 1908

The Columbian

ADDITION TO THE B.C. PENITENTIARY

Two residential properties in Sapperton known as the J.O. Coulthard and the O'Reilly properties have been acquired by the Dominion Government and will be added to the B.C. Penitentiary Holdings. The addition of these grounds will give the Penitentiary authorities a clear sweep right down to Columbia Street from the end of the Asylum property to Cumberland Street. Warden J.C. Brown said this afternoon that no plans had yet been made for extending the wall to take in the newly acquired pieces, but he was of the opinion that earlier steps would be taken to clear away the piece of wooded land included in the O'Reilly estate, which flanks the Penitentiary grounds on the southeast side, and which has, because of the density, always afforded a possible avenue of escape for convicts. It was the intention of the Government to utilize the Coulthard house for some time as a residence for the Deputy Warden.

The Coulthard property was sold sometime ago to Mrs. W. Norman Bole and the Government acquired the property from Mrs. Bole for the sum of Eight Thousand Dollars. The price paid for the O'Reilly property was Six Thousand Five Hundred Dollars.

January 27th, 1909

Editorial:

THE DEATH PENALTY

It is not long since a facetious gentleman remarked that when Radcliffe, the Public Executioner, died, hanging in Canada would have to be abolished. No one else would take the job. It would be generally supposed that in this era of humane sentiments and legislation the revolt in public sentiment would be so great and universal that manning, so far as this country is concerned, would be at one with doing away with the extreme penalty. But a Sheriff who had charge of the convicted murderer not many years ago, remarked that a sort of a craze prevailed within his jurisdiction for the position of the man's executioner. He observed that none of the aspirants knew anything about the details of their office, but, that seemed the only qualification lacking.

However gruesome and repugnant the idea of putting a manifest murderer out of this world seems to men of broad humanity, experiments of other countries do not bear out their supposition that the putting of men to death by the state does not diminish murder. When the punishment administered are inordinarily severe for the offence, the severity of the law defeats the purpose. But a meeting of their doom

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to convicted murderers, in the public practise, the rule that it has not been of advantage to a government to abrogate is a rule of life for a life.

In France the death penalty was practically abolished some years ago by permission of the National Legislator to the President to exercise his prerogative of commutation to life imprisonment. It was found that crimes of violence then increased at an alarming rate and a few days ago the punishment of the guillotine was restored in the case of four especially atrocious criminals. This was a tactical mission by the government but the time was not mature for complete suspension of the use of the guillotine. The decapitation of these persons was witnessed by a mob of criminals, while they were being led out to slaughter and who gave forth exclamations of delight when the heads fell into the basket. This demonstration is not to be regarded so much as a manifestation of savagery as of popular satisfaction that the act of justice to notorious criminals.

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February 16th, 1909

The Columbian

THE PENITENTIARIES

From an Official Report

The unusual number of escapes is a matter of extreme regret, all occurred at British Columbia Penitentiary and were due to general lack of discipline and to disregard of prison regulations.

The staff of the Penitentiary has been reorganized, and several subsequent attempts to mutiny and escape have been frustrated. The tendency of some officers to act upon their individual judgment in defiance of the established regulations, which are the product of decades of experience invariably leads to disastrous results. The superior officer who disregards the instructions, regulations by which he is governed cannot enforce obedience from subordinates who naturally exercise the same right of private judgment in the discharge of their duties the successful commander is he who has first learned to obey.

The Warden of the British Columbia Penitentiary, in his first report records substantial improvement made in connection with all departments of the Penitentiary work.

The above was the part of the report dealing with the B.C. Penitentiary.

February 24th, 1909

ESCAPE OF TWO CONVICTS

Using a pipe wrench to pry off a barrier from the bakery window, through which they scampered, two convicts Alfred Skelton and John Labourdette, broke away from the Penitentiary shortly after six o'clock this morning and have not yet been recaptured. The escape happened with the first morning stir about the Penitentiary, while all the other convicts were still in their cells and before the Day Guard arrived. Night Guard Glem was still in charge.

It was customary for the Night Guard to unlock Labourdette and another baker at six o'clock and send them down to the Bake Shop to commence work.

While letting him out he pulls back a long bar which double locks the whole row of cells, but of course the convicts are still secured with individual padlocks and these have to be opened singly with keys.

Night Guard Glem through back the bar this morning and at three minutes after six o'clock, turned the key of Labourdette's cell and sent him down to the basement of the bakery, he then went along the corridor to the other side of the wing to let out another baker, who also went downstairs

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to work. Twelve minutes later a guard entered the Bakery and found Labourdette absent. The broken bar and the pipe wrench lying on the floor told the story. The other baker who did not take advantage of the opportunity to escape, said that another convict had gone out with Labourdette and on investigation it was found that Skelton who had occupied a cell near Labourdette's had destroyed the lock on his cell and disappeared.

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Tuesday, March 9th, 1909

This is a letter by Ex-Warden Bourke to the Editor of the
Columbian:

Some well meaning persons find it next to impossible to believe that such an outrage as altering a telegram would be committed by a Departmental Official. Indeed I do not wonder at this impression, for, before I joined the service it would have been impossible to convince me that such a thing would be done by a Government Official anywhere. But I have been enlightened through a painful process and my intention is to pass the light without the pain to my fellow citizens. In a short letter one can only deal with a few incidents.

When it was found at the investigation in Stony Mountain Penitentiary in 1897 failed to force me out of the service, the next best thing was done. The charges preferred against me at the investigation were handed out privately from the Department and published in the Winnipeg Tribune - the object, no doubt, being to injure me in public estimation. To the credit of the press of this Province, be it said, no paper, so far as I am aware, made any reference to the Tribune sensation. To trot me out alone would be far too glaring, so the Warden was trotted out with me - with great care, however, being taken to see that his load was light, and jaunty as compared to mine. The affair would not have looked so bad, had my defence been published with the charges.

At the close of the enquiry I received a letter from a friend

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in Winnipeg stating that Mr. Wade who conducted this investigation had me booked for official decapitation. Sir Oliver Mowat was Minister of Justice but rumour had it that he was soon to become Lieutenant-Governor of Ontario, as he had the reputation of being exceptionally fair and just man and as he had the reputation of being exceptionally fair and just man and as he had been a long time in public life and understood all the undercurrents of officialdom, I was extremely anxious that he should judge my case. Therefore I looked impatiently for the statement of charges. It came. On reading the charges over I saw my reply would take my spare time for several days and when that reply reached Ottawa he would be in a gubernatorial chair, consequently I prepared it hastily in three evenings. Naturally I felt distressed that I had not received the letter earlier. I looked at the envelope, and lo there was the New Westminister Post Office stamp mark on it dated eight days efore. I showed the envelope to the Postmaster Mr. J.C. Brown who made inquiry but could not explain the delay, the conclusion I drew then and which I still hold is that the letter, which was registered, had been tampered with by some Penitentiary Official unfriendly to me and who felt there might be a better chance of disposing of me with another Minister.

Perhaps the following will show better than any instance given the intensity of the feeling towards me. Some eight or nine years ago an order came from the Inspector to have all the officers undergo a medical examination, I made, a year or two

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later, an inquiry as to the method adopted at Stony Mountain. It was this: the officers were asked to show their tongues, the pulse and breathing were recorded, the chest was bared and the heart and lungs examined by a stethoscope. This was all.

I have a copy of the typewritten instructions under which the surgeon of the British Columbia Penitentiary was to conduct the examination, assisted by the hospital overseer. Here are a few details: The officer was to strip naked, hop around on one leg, hop around on the other, drop on one knee and jump up, drop on the other knee and jump up, drop on both knees and jump up, bend over and place his fingers on his toes and while in this position the surgeon was to examine his backbone.

At first sight I thought all was fair, although foolish and wicked as I was told the same course would be adopted in all Canadian Penitentiaries and no exception made in favour of any officer, but the Chaplains. A little later the Warden told me he had been exempted by the Inspector, and still later the Warden told me the Inspector had exempted the Accountant. Here I saw two officers, one over me in rank and one under me exempted. It dawned on me then that this scheme was planned for me especially. I was an old man well up in the fiftys, my height six foot four inches and weight two hundred and eighty. Besides I had met with an accident when a boy which, though not in any way impairing my usefulness as a Deputy Warden, would add to the difficulties of my age, height and weight in the

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calisthenic exercises called for. I asked the Warden to be relieved. He told me it could not be done. I then wrote to a friend in Parliament stating the circumstances and enclosing a copy of the typewritten instructions which I requested him to show the Hon. Mr. Mills. He did so and immediately the Minister wired the Warden not to attempt to have me stripped for medical examination and asked for full particulars regarding the whole business. As a consequence of my stand in the matter all further examinations of this kind were discontinued by order of the Minister.

It is not within the limited scope of the human mind to see how far reaching such brutal conduct may have effect. Mr. Jackson the storekeeper became ill, he was a man about my own age and height, for two or three days during the early part of his illness he remained on duty. Everywhere I met him during those days he stopped me to speak about that stripping order. Mr. Bourke, he said, I have had a great deal of trouble during my life but there have been only a few instances in which I felt the irritation so keen as I do over this crazy order, I felt sorry for him and told him I was trying to get clear myself and if so I would help him. But the poor man went home, lay down and never got up. I am not a medical man, but I am confident that order so worried him that it lessened his chance of recovery.

I believed then and I believe now this form of medical examination is planned to entrap me it was thought I would disobey the order, that I had no influential friends to take up my case, and with a long plausible story to the Minister

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I could be easily disposed off. Is it not time the country should know of these crazy antics?

When a high Penitentiary Official would swear wrongly against me, when officials have the boldness to hand out privately from the Department of Justice the charges against me for publication, when such a trap as the medical examination was placed before me, when the officials had the meanness to tamper with my registered letter, and when they did many other disreputable acts still fresh on my memory, I have no difficulty in concluding they tampered with the telegram of the 9th of August.

The stubbornness with which I contended for justice for myself and others has made no friends for me among higher officials. Here is a case in point.

In 1896 Guard McGillivray. His widow received \$5.00 in payment of services for that month up to the date of his death. I told Warden Moresby she was entitled to the full months pay, that I had seen the order in council, bearing the matter, and though I could not recollect when, but thought it was in the auditor general's report. I requested Warden Moresby to write the Inspector and tell him so. The Warden wrote and received a wire in reply stating that he was to pay only up to the day of death. The next officer to die was Warden Moresby. I wrote to the Inspector myself, as I was then Acting Warden, and told him about this order in council, he replied by wire saying to pay

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up to the day of death only. The next officer to die was Mr. Jackson. I told Warden Whyte about the correspondence on the full months salary. He said if I could find the order-in-council he would have some grounds to re-open the question, but otherwise he would not. By more chance I found the order-in-council in the auditor general's report a few days later and showed it to Mr. Whyte. Now, here is a statement that could sound better in Siberia than in Canada. Mr. Whyte saw plainly those widows were entitled to a full months pay and he sympathized with them, but he so feared the Inspector's ill-will that he positively refused to take any action.

I told him that I felt these women were cruelly wronged and that I felt it a duty I owed to my conscience to get justice for them as long as I was aware of the injustice. He asked me how I was going to proceed. I replied that I could not proceed in the regular way only through him and as he refused to act I should try some other way. I wrote to a friend of mine in the House of Commons, and stated the case of the three widows. I asked him to see Hon. Mr. Mills, Minister of Justice and point out the order-in-council on page A16. I know well I stated in my letter that the Minister was too noble minded to wish to see the money in the public treasury belong to widows and orphans. He did as I requested and the widows got their money. Mrs. McGillivray \$35.00, Mrs. Moresby \$83.00 and Mrs. Jackson \$36.00 and I got an additional bad mark.

It has been stated in the House and elsewhere that I say "too

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much or too little". The strongest statement I have made so far is contained in this letter in speaking of the false oath at Stony Mountain. For obvious reasons I have not mentioned the name and therefore it maybe thought I have said "too much or too little". If required I am prepared to go before a committee of the House and make this statement good to its satisfaction. In thirty minutes, if I cannot do this I am prepared to stand in the estimation of the people of Canada as a condemned criminal unworthy of citizenship in a free country.

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March 10th, 1909

The Columbian

CONVICT CLARK COMES BACK

Convict Clark, the fugitive from the British Columbia Penitentiary, who was captured in Mount Vernon, about two weeks ago and has since been fighting extradition, returned across the Border today in charge of Penitentiary and Provincial Government officials and is now safely in the toils once more. He steadily affirmed that he would never willingly return to the Canadian side, but he gradually weakened until yesterday he informed Sheriff Stevenson of Mount Vernon, that he would do whatever his brother advised in the matter. The Sheriff in company with Deputy Warden Carrol, drove out to Burlington, where the convict's brother resides, and induced him to use his influence with the prisoner to get him back across the line. The brother agreed that it would be the better course and so advised the convict by long distance telephone. This morning Clark asked for a barber and after undergoing tonsorial application he announced his readiness to come back to British Columbia. Accompanying the prisoner to New Westminster were Assistant Superintendent Murray, of the Provincial Police, Deputy Warden Carrol, of the Penitentiary, Sheriff Stephenson of Nanaimo, and Sheriff Stevenson, Mount Vernon.

Clark is still mum regarding the particulars of his escape

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from the Penitentiary in August 1907, with Miner, Woods, and McCluskey. Superintendent Murray questioned him today on that point and replied that he had nothing to say.

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April 1st, 1909

The Columbian

OPIUM LAW EFFECTIVE

The new opium law, which was passed by Parliament last year, came into force today. It is now illegal to import into or prepare smoking opium in Canada though the drugs may be imported for medical purposes.

ANNUAL REPORT OF THE BRITISH COLUMBIA PENITENTIARY, APRIL 1, 1909

J. C. BROWN - WARDEN

I have the honour to submit my Annual Report with statistical and other statements from the different departments of the B.C. Penitentiary. In my report last year I noted the increase in prison population and been larger than any other year since this Penitentiary was opened and I expressed a fear that the rate of increase would rise rather than fall. I am sorry to that the anticipation was realized, the increase last year exceeded that of any other year by twenty five and this year shows an increase of twenty seven over last year in the number of prisoners received. This rapid increase with the corresponding increase in the percentage of manpower normally classed as criminals has made the management of the Penitentiary more difficult than what it would otherwise have been, as the improvements designed to bring the prison into proper condition for the safekeeping of the class referred to are not yet advanced to the point of efficiency.

Fair progress has been made in the work. The new industrial building partially occupied at the time that my last report was completed before the fall rains set in so that during the winter we were able to demolish the old wooden buildings which were a constant menace to the safety of the prison and we were also able to make a start upon the building of the enclosing wall which when completed will make escapes difficult. A number of attempted escapes were made during the year and one of these was successful. The escaping convict still being at large. On the other hand two convicts who escaped in 1907 have been recaptured. Once outside the walls the convict has many chances of making good his escape and the knowledge of this among the prisoners, together with the fact, that the formation of the ground is such that each of our sentries sees only a small part of the enclosing wall is a standing invitation to convicts to attempt to escape. Two convicts committed suicide during the year. One was a chronic invalid of weak

mind and despondent temper, in the other case no cause could be assigned.

There is a paragraph in Warden Irvin's report last year which I quote. " I would respectfully suggest that some change be made in the prisoners sentence by the court to be flogged. I feel convinced that to serve the purpose for which it was imposed it should be administered as soon as possible after sentence has been passed and at the nearest common jail to the place to where the crime was committed, and not in the Penitentiary a long time after the prisoners incarceration by Officers unfamiliar with the facts surrounding the case." I would like to express my hearty concurrence in the suggestion and to add to it my own opinion that a flogging if it is to be used as a deterrent should be at least as public as the death sentence, and further to point out, the policy of compelling an Officer to incur the special personal emity of the criminal with whom he must come into daily contact for years.

In conclusion may I bear testimony to the good work done in aiding and counseling discharged prisoners by staff Captain Collier who was in charge of the department of the work of the Salvation Army in Vancouver.

Albert Edward Bert was the Protestant Chaplin and E. Lambot was the Roman Catholic Chaplin.

A. B. Alyesworth was appointed 15 November 1910.

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April 6th, 1909

The Columbian

BOURKE SUED FOR LIBEL

A.D. McIntyre, of Kamloops, has commenced proceedings against Ex-Warden D. Bourke of the New Westminster Penitentiary for Libel, charging that on or about the third day of March last Mr. Bourke unlawfully and maliciously published a defamatory libel in the Columbian newspaper. The article objected to by Mr. McIntyre was one of the letters published or said to have been published by Mr. Bourke with a purpose of throwing some light on the escape of Bill Miner and other convicts from the Penitentiary in 1907. Mr. McIntyre was the legal representative of Bill Miner at his last trail in Kamloops. W.N. Carty, of the Columbian, has been summoned as a witness, and the preliminary hearing will be held on Thursday morning. Mr. Bourke will be served with the Writ today.

.....

Bourke made a formal apology and the Libel Suit was dropped.

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April 6th, 1909

The Columbian

LIVELY OCCURRENCES AT THE PENITENTIARY

Convict Ryan of the Penitentiary risked his life yesterday for a chew of tobacco and did not even get the tobacco. With a gang of convict workmen he was labouring near Columbia Street clearing brush from the government land, when he saw a pedestrian walking along, and rushed over towards him to ask for some tobacco. He had not proceeded many feet before an erratic guard sent a rifle ball whizzing after him. The bullet tore its way through his trousers hugging his anatomy uncomfortably close. Ryan immediately returned to work.

The foregoing is a version of the incident which has been received in a roundabout course. Warden Brown, of the Penitentiary, was asked to confirm it but he referred to the rules of the Institution, which, he claimed, forbade any member of the staff reporting Penitentiary incidents outside. Warden Brown this morning was also questioned concerning the suspension of Guards Doyle and Saunders but with a similar result. The Warden would not talk. It is presumed, however, that these men were held responsible for the escape of convict Mullen of the Penitentiary a few days ago. Doyle was in charge of the gang, including Mullen, which was working on the erection of the Penitentiary barn.

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The convict merely carried a ladder from the barn, raised it against the wall and climbed over. It is understood that a fuller investigation will be held later.

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May 4th, 1909

The Columbian

SIX MONTHS ARE ADDED

Convict J.W. Clark, who escaped from the B.C. Penitentiary in company with Bill Miner and two others in August, 1907, appeared before Judge Howay this morning for trial and was sentenced to serve six months additional for escaping from lawful custody. The prisoner went into the box and told his own story, readily admitting that he had escaped, but pleaded not guilty to the charge of breaking out by force or violence, a crime which carries a penalty of seven years. He said that he had not been consulted by Miner or the other two men regarding the plan of escape. He had merely noticed the hole under the wall and had embraced the opportunity. It was only after getting past the first wall that he learned of the escape of the others. An interesting feature of Clark's story was his statement that he had made his way to Vancouver in company with Miner after the escape and that they were met there by Woods and McCluskey.

James Doyle explained what he knew of the escape:

Miner was repairing brick pellets, McCluskey operating a mixing machine, Clark wheeling brick and Woods also on the job. The men were engaged in the drying house and had some trouble about piling the brick and he had gone over to show them how to proceed. Both Miner and Clark he noticed were

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working when he started for the brick racks and on his return not more than three minutes later both men were absent. After looking about he found a hole under the wall, and after rounding up his men, discovered four men had escaped, namely Clark, Miner, Woods and McCluskey. He had not seen any of them again except Clark and he only after his recapture. The Judge said the prisoner did not impress him as being a bad man. He had got into bad company and was not passed redemption. In view of the fact that the authorities had not been put to any trouble to repossess themselves of the prisoner from the American side he would make the sentence light. Clark seemed pleased with the result.

June 15th, 1909

The Columbian

WILL ENLARGE PENITENTIARY

Inspector Dawson, of Penitentiaries, was at the British Columbia Institution this morning. Interviewed by a Columbian reporter he said that the present Penitentiary was about taxed to its capacity with its two hundred and twelve inmates. Provision was being made in one of the out-buildings to build sixty-six cells. He thought that this would serve until another wing was built. A big wall was being constructed for further security for the place was now most insecure. The sight also was most unsuitable for that kind of an Institution. No other service rendered by the Crown was more arduous than Penitentiary Management. He cited the case of the Deputy Warden of Edmonton who was a wonderfully genial man, kind to the convicts, yet one of them, without the least provocation killed him on the spot. Inspector Dawson then took the reporter through part of the Institution and showed the various improvements in course of construction.

Mr. Dawson, of course, depreated all the tax made on the government and officials in regard to the escape of Bill Miner, but admitted that Miner was helped from the outside. The only point left out of the investigation was the visit of Bullick. When asked if he was going to make an investigation into the recent escapes, he said he acted only when irregularities were apparent.

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June 17th, 1909

The Columbian

ACCIDENT AT THE PENITENTIARY

Guard William Walsh was struck on the head by a revolving arm on the brick making machine at the Penitentiary this morning. The wound was dressed by the Penitentiary Surgeon, Dr. Smith, and Walsh was removed to his home where he is doing nicely.

Guard Walsh was acting as Instructor for a gang of convicts engaged in making brick in the Penitentiary yard. The clay appeared to be clogged in the machine and Walsh looked in to see if it required cleaning. He did not remove his head soon enough and the revolving arm that throws the lever hit him just above the temple, inflicting a nasty, though not serious scalp wound. As there were guards on the walls overlooking the spot the convicts did not attempt to cause any trouble.

Walsh went at once to the Penitentiary office where he reported the accident. Dr. Smith dressed his wound and he was removed to his home in Penitentiary Row. When seen by a Columbian reporter at his home Mr. Walsh was lying in bed with his head bandaged. He stated that the injury was only slight and that he expected to be out again in a few days.

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July 22nd, 1909

The Columbian

BIG FIRE AT PENITENTIARY

A serious fire broke out at the B.C. Penitentiary last evening which might have resulted in considerable destruction of property had it not been for the prompt and efficient action of the city fire department under the charge of Fire Chief Watson. As it was the carpenter and paint shops were destroyed and the other buildings were slightly damaged by smoke and water. It is estimated that the damage will approximate ten thousand dollars.

It is claimed that a considerable delay occurred in sending in an alarm to the fire department, which resulted in the flames gaining great headway before any organized effort was made to check them. About ten twenty o'clock central rang up number one fire hall and asked if they had heard anything of a fire in the Penitentiary. The man in charge at the hall replied that no notification had been received of it. He at once rang up the Sapperton hall and the fireman in charge there stated that no report had yet been received on any fire at the Penitentiary, but that they could see a very bright glow in that direction. It was not until sometime had elapsed that the alarm was received.

The Sapperton brigade and the outfit from number one hall then galloped out to the spot. When they arrived they found the upper part of the carpenter shop blazing furiously,

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flames pouring out every window. There is only one hydrant in that vicinity and in a short time two streams of water were playing on the fire, which had by this time gained great headway.

The fire was located in the central part of the Penitentiary workshop and had evidently started in the carpenter and paint shops. On the east side a dead wall separated the burning building from the recently completed temporary cells which were not yet occupied and prevented the blaze from spreading in this direction. To the west the firemen mounted a winding stair and after a hard fight stopped the flames from spreading to the tailor and shoe shops.

How the fire started is a mystery which will probably remain unsolved. There is large quantities of oils, turpentine, paint and waste lying in the building and the theory is advanced by the Penitentiary Officials that the hot afternoon sun and an open window caused spontaneous combustion. The feature of the affair is that fact that one of the convicts was the first to notice the fire. He told the night watchman, who gave a general alarm.

When the flames got in the paint, oil and waste then burned fiercely and the roof was destroyed. The firemen were able to check the blaze in time to save the machine shop below and the shops on either side of the carpenter shop. The walls remain standing and all who saw the fire commend the

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the fire brigade for stopping so fierce a fire. The two hundred and fourteen convicts at the Penitentiary were very much excited, but were not in any danger.

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August 10th, 1909

The Columbian

CONVICTS WILL STAND TRIAL

Two convicts from the Penitentiary Walker and Clark, appeared in the Police Court this morning charged with being out of legal custody on June 11th last. Warden Brown, Instructor Imlah and Guards Exley and Walsh gave some interesting evidence, showing some details of the inner workings at the Penitentiary.

According to one witness, Walker had secured his short saw from the carpenter shop, at noon hour, or a few minutes to it, he got out of his cell and when seen by one of the guards was sawing the bars of one of the prison windows. The other convict Clark, had also got out of his cell and when seen was crouching on the outside of it.

The supposition of how the prisoners had got out of the cells was told by Warden Brown and other witnesses. It seems that the prisoners are supplied with a stick about three feet in length which they use to call the attention of the guards by scraping on the bars of the cell doors. When the officer locks a tier of cells he has to walk to the end of the row. From Walker's cell to where the officer walked is about forty feet. While his back was turned to the prisoner, taking the stick, manipulated it so that he threw the mechanism, which locked his cell out of gear. That this can be done was testified by Warden Brown, who said that he had discovered the fact himself some six months ago and had given orders

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that the defect should be remedied. There is a slight projection built passed the cell doors so that the prisoners cannot communicate with each other. Owing to this the guard had not observed that Walker's cell was not locked.

It was claimed that had the prisoners been counted before the tier was locked it was not likely that the door would have remained unlocked. The system of locking in this part of the Penitentiary has been in vogue since the new wing was opened.

When discovered out of his cell Walker had sawn about three quarters of the way through a bar about seven eighths of an inch in thickness. Clark was standing outside of his cell.

Clark is one of the convicts who figured in the Bill Miner escapade getting away for nineteen months and was discovered in Mount Vernon, Washington.

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August 21st, 1909

The Columbian

ON VISIT TO THE PENITENTIARY

The Penitentiary at New Westminster is now closely looked after by the Department of Justice at Ottawa. Some months ago Inspector Dawson came out here and remained for over a week looking into the management. Early in August the Dominion Parole Officer Archibald came along and he too spent a week here interviewing the prisoners and looking up cases where Parole was justified. Another Inspector in the person of Douglas Stewart arrived at the Penitentiary yesterday and he too is examining into the condition of affairs.

Is there any significance in the fact that there have been so many inspections of this Penitentiary during the past two months, queried a Columbian reporter of Inspector Stewart yesterday. None whatever replied Mr. Stewart, I do not do much of the actual working of inspecting Penitentiaries for I am now engaged with the business of the Department at Ottawa and leaving the actual inspection largely to Mr. Dawson. However, as I was out here at the coast I felt I should not let this chance go by to see the Penitentiary. I will also inspect the Penitentiaries at Edmonton and Stony Mountain on my way east. Inspector Stewart had just returned from Seattle with his wife and daughter where he attended the American Prison Reform Congress.

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Asked about the escapes from Canadian Penitentiaries during the past year Mr. Stewart stated that there were not many considering the large number of convicts. In this connection Warden Brown, of the New Westminster Penitentiary, referred to the escape of a convict from the New Westminster Penitentiary last March. It appears that this convict, who has not been recaptured, escaped by cutting one of the steel bars in the windows and bending the others. Warden Brown had given the guards exclusive instructions to watch this man closely. They were all engaged in watching another outlet. It seems that whoever had the bars put in had allowed an inferior quality of steel to be substituted. As the bars run the full of the window they are found to bend easily.

Warden Brown said that this grave defect is now being remedied. The Warden has now two hundred and ten guests, one having been allowed his freedom this morning on completing his term.

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Tuesday, November 30th, 1909

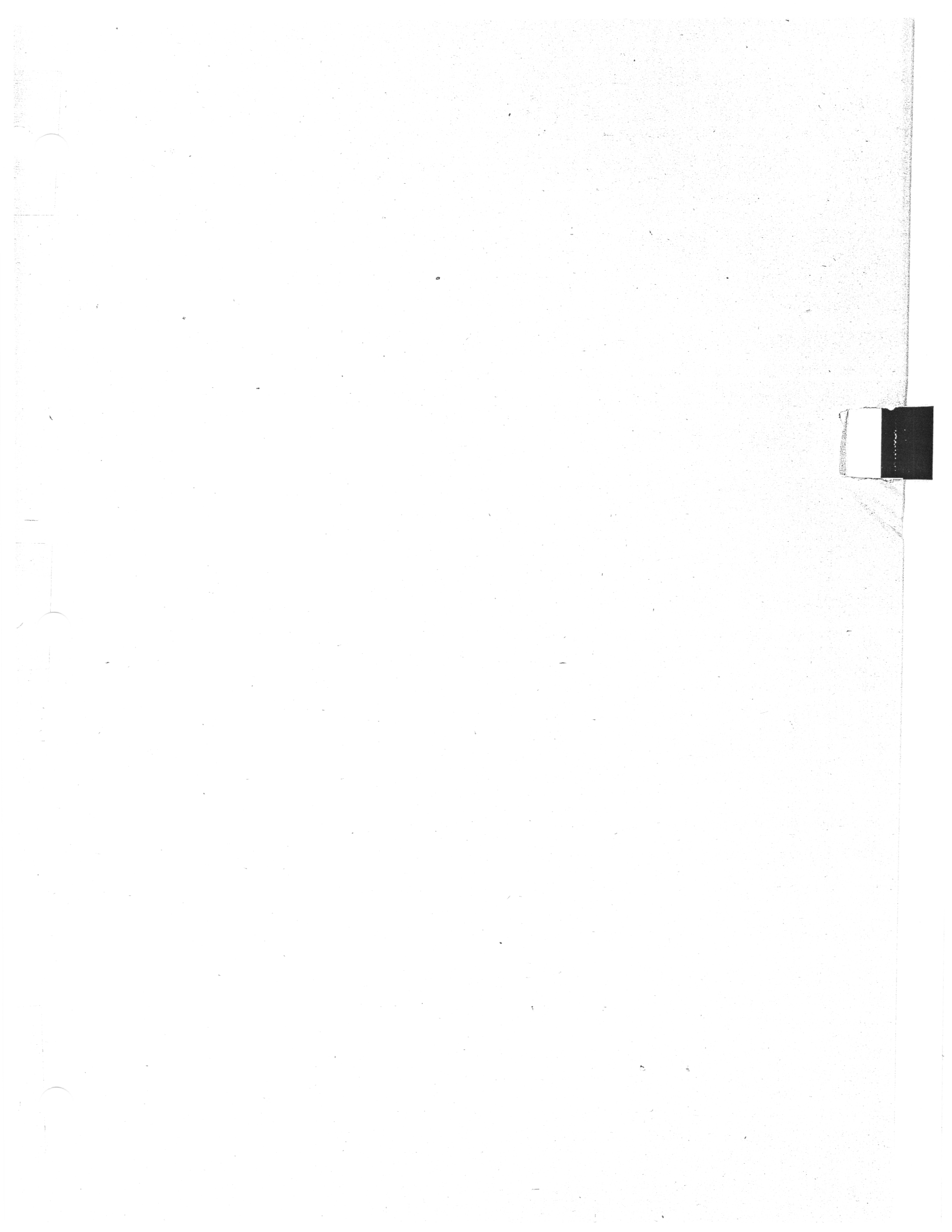
The Columbian

WARDEN BROWN'S REPORT IN PART:

I regret to have once again to call attention to the high percentage of convicts under twenty-one years of age. Out of the seventy-five received there are sixteen lads under the age of twenty-one years and two of these are mere children, aged sixteen. The fact that the Penitentiary Inspectors, men of large knowledge in such matters, realize the unsuitability of Penitentiary environments for juvenile offenders fosters the hope that something may be speedily done towards the solution of this problem.

E. Lambot, O.M.I., Roman Catholic Chaplain, says that the number of convicts entered on the Catholic Chaplain's register on March 31st was seventy-three against fifty-three last year. Out of the eighty-nine under his charge at some time during the year only eight white men were practical catholics, having received communion during the year preceding incarceration.

One hundred and fifty white men were in prison, twelve Indians, nine Indian half-breeds, five Coloured and twenty-two Mongolians.



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February 11th, 1910

The Columbian

PENITENTIARY SHORTHANDED

The New Westminster Penitentiary is shorthanded at the present time there being no less than five men absent. One of the old employees is away on a holiday trip and four others are ill with La Grippe. Those who are suffering from the changeable weather are the Deputy Warden, the Farm Instructor and two Guards. In consequence much of the work that requires heavy guarding has been abandoned for the present.

ANNUAL REPORT OF THE B. C. PENITENTIARY: APRIL 30, 1910 - J. C. BROWN - WARDEN

In contrast with the large increase in prison population noted in my reports for last year and the year before the slight addition to the closing figures of last year shown by this report, 209 as against 204 is cause for congratulations. It is true that a large number of discharges in the closing days of the year is unusually large and also during the year we discharged 27 more than the previous year, but the number received during the year was 17 less than 1908-1909. This is more noteworthy because there is a considerable increase in the population of the province and is I think mainly due to the demand for unskilled labour has been large during the whole year. Urgency in railway and municipal work inducing contractors to keep their men employed through out the winter. A considerable percentage of the prisoners received during the period of about fifteen months which was the close of the fiscal year 1908-1909, were young men who being strangers in the country, destitute and unable to obtain work have resorted to theft. The imprisonment of these was shortened under the parole system and I am glad to say that many of them now give fair promise of becoming useful citizens.

The readiness, of the Penitentiary Chaplins and the Salvation Army, to help in obtaining work for all discharged prisoners who show a desire to help themselves has contributed gratifying results.

One prisoner died during the year. He contracted pneumonia and died after a few days illness. One man was transferred to the Industrial School and a man turned out to have been insane when admitted was returned to the Provincial authorities.

Ten prisoners were deported during the year.

The disaster in the piggery has of course inflated the wrong side of our farm account which is further reduced by the fact that two years supply of chemical

fertilizer, - 1909-1910-1911, was purchased during the fiscal year covered by the report.

Discipline has been well maintained, notwithstanding the number of changes in the Police Staff due to the fact that more remunerative employment is easily obtained.

Several attempts to escape but these were stopped in the initial stages. One of the men who escaped from Wright Island in 1907 returned voluntary in February to serve out his term.

Last summer we were compelled to slaughter the whole herd of our swine. Hog cholera having broken out among them. The loss was the more unfortunate as pork has gone up greatly in price. The piggery has recently been restocked and it is hoped that it will supply the prison to the close of the current year.

Respectfully submitted

John C. Brown
Warden

INTERNATIONAL PRISON CONFERENCE OF THE INTERNATIONAL PRISON ASSOCIATION

An International Prison Conference of the International Prison Association at Washington D.C. September 28, to October 8, 1910. The International Prison Congress has apparently been in operation since 1872. The first being held in Stockholm, Rome, St. Petersburg, Paris, Brussels, Budapest, and the eighth in Washington.

The Congress were held on the official invitation of the governments of the countries in which these cities were capitals. The government of Great Britain extended an invitation to the congress to hold its next meeting in London. By the unanimous vote of the congress the invitation was accepted and accordingly the next congress will be held in London in 1915.

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June 15th, 1910

The Columbian

OUT DOOR LIFE FOR PRISONERS:

ENLARGEMENT UNDERWAY AT THE LOCAL PENITENTIARY.

"A prisoner enjoying a measure of freedom is less liable to attempt escape than one denied it", according to psychologists, said Dominion Inspector Dawson, of Ottawa, who is on an annual tour of inspection of the prisoners and Penitentiaries of the country.

"It is my own opinion that it is risky to give any opportunity at all to prisoners to escape".

These remarks were occasioned by a reference to new measures being taken at the central prison, Toronto, which is conducted by the Ontario Government.

In 1901 there were ninety-five prisoners in the local Penitentiary, now there are two hundred and twenty-one.

The work on the wall, which will enclose five acres of land, is progressing, it will be done by prison labour. The new wing will be 230 X 54 feet, and will accommodate two hundred and forty prisoners.

The cells will be fireproof and of standard size. All the work in connection with their construction with the exception of the heavy castings, will be performed by the inmates. The workshops are so equipped that all brick, cement, carpenter, and machine work will be done by prisoners, the only wood

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used in construction of the new wing will be window frames and a stool. The additional cells are being provided on account of the rapid growth of the country. The brick wall is half completed at present and the balance will be finished in about two years time. On each of the four corners is stationed a sentry tower, raised to such a height that the sentinel can see what the prisoners are doing in the yard at all times. At present the towers have all been finished and also the wall in the immediate vicinity.

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October 28th, 1910

The Columbian

THE BENCH ON PRISON SYSTEM.

A sentence of six months imprisonment upon each of the three convicts who unsuccessfully attempted to escape from the New Westminster Penitentiary, was imposed by Mr. Justice Murphy yesterday at the Assize Court. The significant fact was that the sentences were made to run concurrently with the time the prisoners were originally sentenced to serve. This, following upon the riders to the jury's verdict recommending the criminals to mercy on the ground of the temptation offered them by the facilities for getting away, afforded by the lax system of the prison administration, and the scathing remarks from the bench on the same state of affairs, were features in the trial. Mr. Bole in a concise and lucid exposition stated the facts he was prepared to prove to the jury. The prisoners, he pointed out, were unattended and he would simply lead evidence as to the facts and circumstances and leave the jury to draw their own conclusions. Ellis one of the convicts on trial, gave the jury his story.

On July 7th another prisoner had made a dash for freedom, a shot was fired, he was left unguarded and the gate was open. He went through that gate curious to see what had happened to the flying convict, whether he had been shot or successful in his break-away. There was nobody in charge of him. He had not the slightest intention at first of escaping when he went through the gates, but when he found himself outside he realized

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that he was free from supervision, he yielded to the temptation to regain his liberty.

He considered he was not in lawful custody and when outside the jail he saw no sense in voluntarily going back again. When a man was doing three years he was prepared to take a chance.

Earnst Dodds, a convict serving a term of three years sought to cut it short, on August 22nd, 1910, on his own authority.

Guard Bushell stated that the prisoner on the day in question was working on the new wall. He saw the prisoner and another man making a run for the fence surrounding the prison. They had a ladder which they placed against the fence with the evident intention of getting over it, he fired a shot to give the alarm.

Instructor Imlah deposed the prisoner was one of his gang of twenty on the day of the attempted escape, working on the new wall. His attention was drawn by a shout to an attempted escape by two men at about half past two o'clock. The men were the prisoner and another convict. They had a ladder placed against the fence surrounding the prison and appeared to be scrambling to get over. The ladder was a hastily constructed affair, seven or eight feet long, composed of scantlings with pieces of rope for rungs. The height of the fence was about twelve feet. Once they had got over that they would find themselves in a potato field and would have no trouble in getting away.

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When he saw them, both men were trying to scale the ladder at the same time. None of them got up. He could not say which of the men placed the ladder against the fence, both men had their hands on it.

The prisoner in his statement denied any knowledge of the manufacture of the ladder. He alluded to the fact that he had been heavily ironed for two months and appeared to consider he was justified in his attempt to regain his liberty.

In his statement the Judge said that, ironed to a weight of forty pounds for two months, he had yielded to temptation. The loss of his good time, five year, was, he thought a sufficient penalty for this offence. Justice Murphy in sentencing the prisoners, prefaced the penalys by a few caustic remarks. Prisoners, he said, were hardly to blame if they took advantage of the facilities that seemed to be given them in New Westminster to escape.

The evidence showed that there was considerable laxity in the prison system and there was strong temptation offered prisoners to try for liberty. He was going to deal leniently with them, taking these circumstances into consideration, but it must not be taken as a precedent. That sort of thing must be stopped.

December 27th, 1910

The Columbian

HOW CHRISTMAS WAS SPENT

Christmas passed quietly in the city and the stranger in town finding the streets deserted might well have thought that the feast of the Nativity was not being celebrated in New Westminster.

But the festival was strictly a home one, and behind the drawn curtains of hundreds of residences, behind the bars of the jails and in the sick rooms of the hospitals, the spirit of peace and goodwill prevailed.

At the B.C. Penitentiary and the Provincial Jail special privileges were granted to the prisoners. At the Dominion Institution prisoners were not allowed to leave their cells but were at liberty to read or otherwise amuse themselves without other restrictions.

At the Jail prisoners were permitted to wander through the corridors and the exercise yard.

At both places special meals were given; there was, of course, no turkey or pudding, but meat and fruit was a welcome variation from regular prison fare.

February 1st, 1911

The Columbian

BETTER SALARIES FOR PENITENTIARY EMPLOYEES

A matter of much interest to a large number of persons in New Westminster was brought to the attention of the House of Commons this afternoon by Mr. J.D. Taylor, who made an earnest plea for the speedy relief of the employees of the Penitentiary now on salaries notoriously insufficient for comfortable likelihood of themselves and their families.

The discussion was on a motion for papers which had been standing in Mr. Taylor's name since early in the session, but which has stood because Mr. Taylor was advised the department might be able to come to some decision as to the course of action, before the discussion in the house. As will be seen, however, from Sir Allen Aylesworth's reply, no decision has been arrived at yet, and he intimates that his colleagues in the ministry may not agree with his views of what should be done. Hansard reports the discussion in this way. (This is taken in part)

In the meantime public attention has been directed to the conditions in the New Westminster Institution. We had a few years ago a report, a most unfair report, from an official at Ottawa referring to irregularities in that Penitentiary, and claiming that these showed in-attention, neglect or perhaps incapacity on the part of the officers, notwithstanding that the officers had petitioned in vain for efficient help,

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and also to have the conditions of those who were employed made tolerable. We have had the matter brought before the public in a new and a very formal manner in a report made by the grand jury at the city of New Westminster, which report the attention of the government was invited to the conditions at the Penitentiary, and which declared that these conditions were such as to invite and facilitate the escape of every prisoner confined in it.

I am anxious to impress upon the honourable members as forcibly as I can, the fact that there is not in the minds of the public at New Westminster, any reproach upon the Penitentiary Officials. The view taken locally of that Institution is that there is indeed a lack of efficiency which we have the right to expect, but that this is due to the fact that the rate of pay offered by the department for those in charge to secure the class of help which they desire in order to carry out its work effectively. They find their old hands constantly leaving to accept more lucrative employment outside. They find the material available to fill the vacancies consists only of persons temporarily out of employment who take that service merely as a means to obtaining better positions outside later. The matter of salary is regulated, I believe, by statute, and therefore, cannot be so readily adjusted as if the conditions were otherwise. But I see in the estimates a move on the part of the Minister of Inland Revenue to deal with the officials of that department west of Ontario by providing a special allowance of One hundred and fifty dollars a year for every employee below a

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certain amount. I would suggest that a similar course should be followed with regard to the New Westminster Penitentiary and other Institutions, pending a more statutory adjustment which might well be made in the shape of a general increase in the salaries of the Officials of those Institutions.

As everybody is aware who knows anything about western life, the cost of living is higher in the west than in the east.

We also know that men occupying the position, for instance, of instructors in these Institutions, command, as a rule, very much larger wages outside than are receiving from the government. Men occupying positions similar to those in the Stony Mountain Institution receive in Manitoba anywhere from five, six or seven dollars a day, and I understand that these men are working for the government for something like two dollars and fifty cents a day.

This, surely, should not be continued and I enter a plea with the Minister of Justice to consider the influence of these men, taking into consideration at the same time the fact that they must be men of ability to instruct those who are placed under their charge and a good deal of force of character to command the respect of those whom it is their duty to instruct.

Sir Allen Aylesworth states that the Penitentiaries Act passed in 1906 by that statute, a very considerable increase in salaries was given. There was an effort to make that uniform.

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I think that effort was in the right direction. I should like to see the salaries uniform. It is difficult to satisfy the man from Nova Scotia or New Brunswick that his services in the Penitentiary are not worth just as much as those of the man in identically the same position as Stony Mountain or New Westminster.

In respect what is to be done about it, I cannot give any other answer than to say, and I do say in all sincerity, that the subject is receiving, and will continue to receive, the most careful consideration of which I am capable.

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February 16th, 1911

The Columbian

PRISONERS ON CARS

A resolution moved by Reeve Weart and seconded by Mr. Sprott, was passed unanimously. Drawing the attention of the police authorities of Vancouver and the Provincial Police to the desirability of providing a suitable vehicle for the conveyance of prisoners between New Westminster and Vancouver, or otherwise than by cars used by the public. The resolution stated that the practice was "humiliating to all prisoners", except those of the most hardened and callous nature, exposes them to public scrutiny and parades their offences in a manner repugnant to the dictates of humanity of the twentieth century.

I, W. A. Patchell

do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty, King George V. as lawful Sovereign of the United Kingdom of Great Britain and Ireland, of the British possessions beyond the seas, and of this Dominion of Canada, dependent on and belonging to the said Kingdom, and that I will defend Him to the utmost of my power against all traitorous conspiracies or attempts whatsoever, which shall be made against His person, crown and dignity and that I will do my utmost endeavour to disclose and make known to His Majesty, His heirs or successors, all treasons or traitorous conspiracies and attempts, which I shall know to be against Him or any of them; and all this I do swear without any equivocation, mental evasion or secret reservation. So help me God

Sworn at the

British Columbia Penitentiary

this 7 day of March 1911
Before me.

W. A. Patchell

John C. Burn

I, W. A. Patchell

do promise and swear that I will faithfully, diligently, and justly, serve and perform the duties assigned me as an officer in the British Columbia Penitentiary, to the best of my abilities; and that I will carefully observe and carry out all the regulations of the Penitentiary. So help me God.

Sworn at the

British Columbia Penitentiary

this 7 day of March 1911
Before me

W. A. Patchell

John C. Burn

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March 23rd, 1911

The Columbian

THE PLOT IS FOILED

Owing to the vigilance of Warden J.C. Brown and his Assistants at the New Westminster Penitentiary a well laid and desperate plan of nine convicts to escape was happily frustrated on Sunday last.

The men were held at the points of rifles in the hands of the guards and relieved of their crude weapons and placed in close confinement. When approached by a reporter of the British Columbian this morning Warden Brown belittled the whole affair, but admitted that he had reasons to believe that the convicts were planning an escape and he had nipped it in the bud.

It is understood that there were nine convicts concerned in the plot to emulate Bill Miner.

In some manner they had armed themselves with scissors and with finely ground points, lead slings, hammers and other weapons, without the knowledge of their guards, and were evidently planning to rush at the first favourable opportunity. On Sunday morning last they went to chapel, as usual, but prepared to make the attempt.

Warden Brown had an inkling of what was in the wind, however, and seized the moment when the plot was complete to foil it.

As the convicts filed out of the chapel they were met by levelled rifles in the hands of determined guards and were ordered to hold up their hands. The suspected men were

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quickly searched and were placed in close confinement and will be closely watched in future.

The Warden said this morning that it was necessary to be constantly on the alert for such attempts. Some of the convicts are always looking for a chance to take advantage of the slightest liberty to make a break for freedom. Those who are found out, of course, lose their good conduct time and also many privileges accorded for good behaviour.

ANNUAL REPORT FOR THE B. C. PENITENTIARY - 1911 - J. C. BROWN, WARDEN

I have the honour to submit my Annual Report for the year ended March 31, 1911 together with statistical and other statements. I regret that I again have to report a large increase in prison population. A year ago I noted a matter of congratulation that the net increase was only five, this year it was fifty one. Two things seem to be mainly responsible, the first is that in several of the Sound Cities just across the border, the Police have been more than unusually active and many bad characters driven from these cities have found their way into this neighbourhood. The other, the demand for unskilled labour just past was not nearly so large as in the winter of 1909-1910.

One prisoner died during the year. He had a complication of diseases and I do not think his life was shortened by imprisonment. Two prisoners who developed symptoms of insanity were transferred to the public hospital for the insane where they still are.

There was one successful escape during the year, an Indian prisoner employed on the Farm gang and worked outside the walls succeeded in eluding the vigilance of the guard and has not been recaptured.

There have been fifteen attempts to escape or at least actions on the part of the convicts that might be viewed in that light, and in eleven cases, the facts left no room for doubt that escape was contemplated but in the other cases the action may have resulted from a mere desire to give trouble or to create a suspicion of insanity. The frequency of these attempts is probably due in part to the fact that the work in making the prison more secure is being pushed forward as that those men who are never allowed beyond the inner yard feels that everyday lessens the chance of success of any such attempt. In part to the fact that a man who does succeed, a start of a few minutes outside the fence has a fair chance of being able to conceal himself and make good his escape. Apart from these attempts the discipline of the prison, more particular during the Fall and Winter, has been

very good. The disaster to the piggery noted in my last report has been retrieved to a certain extent by the success which has attended the branch of the farm work since restocking a year ago.

I find a total cash expenditure for the purebred stock and for feed and miscellaneous expenses for the year has been \$354.25. We received in cash for young animals sold to neighbouring farms desirous of improving their stock \$68.50.

The piggery has been able to supply the Stewards Department with all the pork required during the past few months. The cost which if purchased at the average market price during the period would have been \$312.45. This of course takes no account of the kitchen leavings commonly called swill, which has been the main part of the food in which, if the pigs had not eaten would have gone to waste.

The farm department suffered severely from a dry summer. The months of July, August and September being practically rainless, potatoes particularly were below average resulting in a loss of over \$600.00 by the shortage of the crop.

The rapid increase in prison population has made it necessary for an increase in the staff, it is difficult to find men physically qualified and otherwise suitable, willing to take a position on the staff at the present rates of remuneration and the temptation to increase the remuneration by illegitimate means has proved too much for several of the officers during the year. Those detected in this practice have of course been discharged.

During the summer bricklaying had to be suspended for some two months as a large percentage of the bricks burned the previous autumn were too soft for use, and early in the year the old kiln shed was pulled down and a larger one erected. The material in the old one being used to construct a large wood shed. The brick dryer was also constructed and improvements made in the arrangements for bringing in the clay.

About 2000 feet of four inch pipe thrown out of use by the forced abandonment of an outlying dam on the stream which runs through the reserve was taken up and relayed to connect the reservoirs in the back field of the prison. This gives an additional supply of about 14,000 gallons a day. A system of intermural telephones has been put in operation and has proved very useful.

In accordance with your decision the shops and brickyard are to be operated in the future by electric power. The necessary pole line was in course of erection at the close of the year and the new system will be in operation before this report reaches you. Practically all the work has been done by the prisoners. It is confidently anticipated that this system will prove cheaper as it will certainly be more convenient than the alternative of the installation of new boilers and a new engine. Extra provisions against fires has been made by putting in four hydrants and building two hose carts.

The north east corner of the reserve purchased two years ago has been completely cleared and a wire fence erected around it.

The New Year finds us just ready to break ground for the erection of the East Wing.

Respectfully submitted,

John C. Brown
Warden

Surgeon Report

The surgeon reports the value of drugs on hand 31 March 1910 as \$296.96

The amount of drugs purchased 1910-1911 - \$249.54. Making a total of \$546.53.

Received from medicines supplied officers: \$27.85

From the Annual report of the Inspector of Penitentiaries, 1911

The average daily population of the penitentiaries for the past 5 years.

1906-1907	1433
1907-1908	1418
1908-1909	1625
1909-1910	1824
1910-1911	1834

12 May 1911

DAILY ORDER #152

Officers in charge of convicts are required to give their whole attention to their duty. Any Officer found reading or doing anything else which would necessarily distract his attention from his duty will receive censure or other punishment at the discretion of the Minister.

Friday, August 4th, 1911

The Columbian

UNIQUE OUTRAGE

An extraordinary affair, and one probably without parallel in the history of British Columbia took place shortly after midnight last night in Burnaby when Mr. Charles R. Legg was shot by a Penitentiary guard in mistake for an escaped convict. The wounded man was taken to St. Mary's Hospital where his wound was dressed, and unless complications set in he will recover.

Mr. Legg is employed as a garener in Burnaby, and last evening he attended a party. After spending a pleasant evening in congenial company, Mr. Legg started to walk home shortly after midnight. When he arrived at the intersection of the Pole Line Road and Hastings Road he was accosted by two men who asked him where he was going and if he was in a hurry. Mr. Legg is said to have told the men that it was none of their business where he was going, and when one of them called on him to halt he believed the men were footpads and took to his heels. Guard Patrick Keenan thereupon fired in the direction of the fleeing man with a .32 calibre revolver, the bullet struck the sidewalk, ricocheted and hit Mr. Legg in one ankle.

The cries of the wounded man awoke the Ceperly family, living near where the shooting occurred, and Mr. Legg ran into the Ceperly home for protection and aid. The guards did not follow the wounded man, and it was not until the Ceperly motor car was in front of the house, ready to take Mr. Legg to the hospital that they made their appearance and that one of them had done

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the shooting. The injured man was taken to St. Mary's hospital, where his wound was dressed, but it has not yet been ascertained where the bullet is located.

Chief of Police Townsend was on the scene as soon as possible after the shooting and obtained the names of the two guards involved in the affair. They are Patrick Keenan and William Webb, and it was the former that did the shooting.

What mystifies the people of Burnaby is that the guards should have mistaken Mr. Legg for an escaped convict, for at the time he was shot the victim wore a straw hat, fancy white vest and other apparel in keeping with them, and Mr. Legg is a well dressed man.

As a result of the shooting of Mr. Charles R. Legg of Burnaby, on Thursday evening, by guard Patrick Keenan, of the Penitentiary, an investigation will be held before Magistrate Walker at the Municipal Hall in Burnaby on next Monday morning at ten o'clock.

The investigation will be held regardless of whether or not Mr. Legg makes a complaint against the guard, for if Mr. Legg does not do so sometime today, Chief of Police Townsend, of Burnaby will make a formal complaint.

The wounded man is still at St. Mary's hospital. The bullet has not yet been located, but Mr. Legg is suffering less pain than formerly.

Magistrate Walker and Constable Townsend went out to St. Mary's Hospital to take Mr. Legg's deposition in connection with the affair.

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On August 7th, 1911 the British Columbian reports, Guard Patrick Keenan appeared before Magistrate Walker at Burnaby Police Court this morning on the charge of shooting Charles R. Legg on Thursday night. Warden J.C. Brown of the Penitentiary was present and at his request the case was remanded until Saturday next, with a promise on the part of the presiding Magistrate of a further adjournment if necessary, in order that Mr. Brown might receive advice from Ottawa as to the action to be pursued by him in the matter.

October 24th, 1911 the British Columbian reports, Guard Patrick Keenan, the Penitentiary guard who shot Charles Legg, in mistake for an escaped convict, was acquitted in the County Court this morning of unlawful wounding. Judge Lampman, who presided in the absence of Judge Howay in Victoria, held that the essence of a criminal charge of this nature was intent, and as shown by the evidence it was clear that Keenan had only fired to frighten Legg into halting, the bullet however glancing from the sidewalk. Mr. W.F. Hansford, for the Prosecution argued that Keenan must show that he had sufficient grounds for suspecting the wounded man to be an escaped convict, but the Judge held that Keenan had had no opportunity of ascertaining that the man who he had shot was not the man he sought.

In these circumstances he held Keenan was justified in attempting to halt him so that he might have an opportunity of satisfying himself that Legg was not the escaped prisoner. That this attempt had ended so disastrously for the innocent man was purely accidental.

August 8th, 1911

The Columbian

THE PEN IS MODERN

The new wing at the Penitentiary will be built with all possible speed and the foundations are at present being excavated. How long it will be before the work is completed is a matter of surmise. The Warden, J.C. Brown, explained to the British Columbian the arrangements that were being made to handle the increasing number of convicts. At present there are two hundred and eighty-two convicts in the Penitentiary or rather, to be accurate, there were yesterday, for one was to be released last night bringing the number down to two hundred and eight-one. The present cell capacity of the Penitentiary is two hundred and ninety-six so it can be seen the enlargement is required. It is not expected that the number of convicts will increase during the summer but in the late fall especially if there should be a lack of demand for unskilled labour, there is little doubt that the capacity over-taxed. To meet any such contingency the Warden is making arrangements for temporary increased accommodation pending the building of the new wing with its two hundred cells. This wing will be built of brick, concrete and steel the only wood being the window sashes and the small fold down table, with which each cell is fitted. Light and air are two essentials which modern prison builders humanely insist on. The present cell accommodation is splendidly lighted and aired but the new wing will be even better, the windows are being carried the whole depth of the building to ceiling to flooring. In the

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present building there are a few older cells far lighter and far more roomy than prison cells are generally imagined to be, but these are being gradually done away with and the cells at present chiefly in use are larger in width and height, thoroughly lighted and ventilated. All the work in connection with the building will be done by convict labour. They dig the clay and make their own bricks within the Penitentiary grounds. Many improvements have been made by the Warden during the four years he has held the office in the way of laying out grounds and more are planned.

This was the article in part.

15 August 1911

DAILY ORDER #491

The Inspectors direct that the following decision and comments of the Honorable Minister of Justice on the reports of the Warden and Inspectors re: escape of convicts McCoy, be placed in orders.

Guard Bennet cannot be reinstated.

Guard Smyth should be reprimanded for lack of vigilance and the Deputy Warden for neglecting to place anyone in charge of the yard. It seems carelessness almost inexcuseable and scarcely creditable, though discreditable enough, that a convict in prison clothing could quietly walk out of the Penitentiary, in broad daylight, with no one the wiser til the plank he has used is noticed leaning against the wall.

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August 23rd, 1911

The Columbian

It is a pity that the Ottawa Government has not seen fit to deal with the Penitentiary employees' petition for justice, before election day, as in the case of the fishermen who had been deprived of a portion of their livelihood without proper excuse.

These Penitentiary employees are asked to continue to take the Government on trust, and are told that if those who have proved delinquent in their duty in the past will give the Government another chance the Ministers will do better.

They have been told this in a letter from the Minister containing a mis-statement so palable and deliberate that attention has only to be called to it to cause reflection on the part of those interested, as to deceive during the course of the campaign, with a view to obtain support under false pretences.

For several years the Penitentiary employees have been petitioning; in the supposition that earnest attention was being given to them in the department. Investigation by Mr. Taylor, when he moved for a return, showed that these petitions have been treated as so much waste paper. Last fall a delegation from this city went to Ottawa on other business and while there made it his business to intercede with the Minister of Justice for an increase of pay for the Penitentiary staff. He in turn was led to believe that

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something was about to be done; but nothing being heard from the Minister during nearly two months following, Mr. Taylor made enquiry in the House on the 23rd of January. The Minister's answer was sympathetic, admitting the justice of the case and indicating that he would do something soon.

Towards the end of April, having in the meantime made diligent enquiry with a view to finding out if any progress was being made, Mr. Taylor addressed the Minister as follows:

Dear Sir Allen:

I am leaving tonight for New Westminster, there I am sure to be asked by some of the Penitentiary employees as to the prospect of success of their petition to you. Can you send them any encouragement? Their position is pitiable in the extreme.

J.D. Taylor.

The answer of the Minister:

Dear Mr. Taylor:

There is nothing definite that I can say, but I have no doubt something will be done. I think it must be.

A.B. Aylesworth.

Before Mr. Taylor addressed the House on the subject, the Minister of Inland Revenue had offered provision in the estimates for special allowance for employees of his department in the west.

A member of the House acting on behalf of the St. Vincent De Paul Penitentiary employees did prepare a new schedule, to which he endeavoured to secure the support of the department.

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What luck he had, never appeared. During the last spasm of the proceedings at Ottawa, this member informed Mr. Taylor that he was still endeavouring to have the Minister bring in the bill covering his schedule. But the bill was never introduced.

But the Minister promises now that if his Government is sustained the increase asked for will be made. Mr. Taylor has no hesitation in saying that if, as he expects, a more worthy Government succeeds to the present-time servers as the result of the election, the seed he has sown in urging this matter on Parliament will have early fruit in the proper re-adjustment of the Penitentiary scale.

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October 20th, 1911

The Columbian

MINER IS THANKFUL.

"Old Bill Miner", the famous train robber, who escaped from the State Prison Farm at Milledgeville Tuesday and who is still at large, is having fun with the officers of the Georgia Penitentiary. Over his own signature the highway man boasts that when he secured a transfer a few weeks ago from the roads of Newton County to the State Farm, on the plea that he was seriously ill, he was only carrying out a plot to escape.

Today the chairman of the Georgia Prison Commission received a card in "Old Bill's" own handwriting reading:

The letter begins;

My Dear Sir:

I write to thank you for your kindness in putting me at Milledgeville.

My Dear Sir, do not trust a prisoner no matter how sick he is or makes out he is.

Yours truly,

B. Miner.

The card was dated October 17th and bore the post mark of the railroad post office in this State. The Southern Express Co. and the Southern Railroad have offered large rewards for old Bill's capture. Old Bill cached a lot of the money he secured when he held up the Southern Railway train and it is believed he has secured the treasure and is headed for the far North West where he formerly operated.

The Wardens Report to the Minister of Justice 1911-1912

Sir: I have the honour to submit my report for the year ended March 31st.1912 together with statistical and other statements.

I have again to report a large increase in prison population, at the close of last year there were two hundred fifty eight prisoners within the walls of the Penitentiary, the end of this year found us with three hundred twenty nine, an increase of seventy one, which is the actual net increase for the year. The number of insane convicts in the provincial asylum being the same.

The number received during the year was one hundred eighty one as against one hundred forty five during the previous year, of these seventy seven were received during the four months, November to February inclusive. Five convicts escaped during the year, two of these got away from the provincial asylum to which they had been transferred and three from the Penitentiary, of the later, one escape was due to carelessness and the officer responsible was dismissed. The other two who escaped risked their lives, a defective cartridge gave them time to get partial cover and they consequently escaped the bullets sent after them, one of them was retaken.

The increase in prison population has made it necessary to provide further cell accommodation in advance of the completion of the East Wing, accordingly we began in July last to prepare a site for a building 145 ft. by 45 ft. and 25 ft. from floor to plates, to be used eventually as an industrial building but in the meantime to hold one hundred ninety two temporary cells, the close of the year found this building almost ready for occupation and will be occupied before this report reaches you. It being necessary to push the construction of this building, work on the yard wall was suspended for about six months and the close of the year found it three or four days short of completion, before work was suspended however, the wall was completed except that a part was twelve feet high only so we were able to remove some fourteen hundred feet of the old wooden fence and to make some progress in remodeling the road approaches and laying out the grounds.

A large quantity of the old fence material has been used in the construction of the new building and temporary cells and in building a temporary kitchen for the convicts therein confined.

In remodeling the road approaches and grading of the brickyard some four thousand cubic feet of earth have been removed, a greater part being wheeled a considerable distance and used to widen the road along the bank of the "Glen"

The whole upper floor of the administration building has been thrown open into one room which is now the Chapel, the old Chapel being much too small for the congregation.

Discipline has been fairly well maintained, the number of convicts punished was 40.65% of the total number in confinement against 32.20% last year but a large number of offences entailing punishment were in connection with trafficking, this was not due to the increase in the practice but to the fact that since the number of keepers was increased and a Chief Keeper appointed it has been possible to do more to detect and suppress trafficking, tobacco, sometimes in considerable quantity has been found and confiscated and several officers have been discharged.

The old standing difficulty of obtaining competent and trustworthy officers continues to keep the staff below the desirable standards of efficiency, but on the whole I think I am fortunate in having so many on the staff who are faithful in the performance of their several duties and loyal to the service.

The substitution of electric power for steam noted in my last annual report came just in time and has proved most useful, the improvement in the pipe connection between the reservoir on the grounds and the laundry and the bathroom has resulted in an appreciable savings, our payments to the city being \$322.00 less than last year, notwithstanding the considerable increase in prison population.

I am pleased to be able to repeat and emphasize that I have said in former reports of the readiness of the Chaplains to assist discharged and paroled prisoners in obtaining employment and of the good work done by the Salvation Army representatives in the same direction.

Respectfully submitted John C. Brown Warden

Annual report of the Chaplins, B.C. Penitentiary, March 31st. 1912

Report of the Protestant Chaplin, Albert Edward Bert

I am convinced that the great majority of men value the privilege of attending chapel, in no other way can I account for the conduct of the men in the chapel which will compare favourably with that of any congregation in the country. It is impossible to speak in other than the highest terms of the services rendered by the choir.

The Roman Catholic Chaplin, Edward Maillard

Amongst the newcomers received since I am in charge, I have remarked that the greater number of them had a very poor knowledge of the religion, others were Catholic in name only, but I may say that a good number of them show good will for the better.

BRITISH COLUMBIAN, Monday, October 7th, 1912

REMARKABLE DISCIPLINE - OTHER CONVICTS AT PENITENTIARY TOOK
NO PART IN DARING ATTEMPT - DESPERATE FIGHTING - MELEE IN
WHICH GUARD JOYNSON LOST HIS LIFE WAS A HOT ONE

The outstanding features of the attempt to escape on the part of convicts H. Wilson and Joseph Smith last Saturday afternoon at the Dominion penitentiary were the remarkable discipline of the other prisoners who had it in their power to aid or participate in the escape, and the bravery and ability of the guards in handling the grave situation. Were it not for these facts, the consequences might easily have been even more serious.

Warden J. C. Brown took a representative of The British Columbian over the ground covered by the convicts in their Saturday's escapade and the details of the affair stamp it as one of the most skillful and dangerously near successful attempts at jail delivery that has ever been recorded. After having remarkable success and good fortune, the convicts were frustrated in their plot, with the key to the last gate barring them from liberty in their hands.

Near the east wall of the penitentiary grounds are a number of stalls where the convicts work crushing rock. Smith was

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working in the first stall and a short distance down the walk was Wilson. It seems the rock crushing job is given the men, or at least some of them, as a disciplinary measure, Smith having had a generally bad record while serving out his ten year sentence. Wilson had also come under suspicion lately, it having been found that he had smuggled a bar into the shop in which he had been working.

While Guard Craig, who was in charge, was patrolling at the lower end of the stalls Smith walked down to Wilson and began to talk with him. Craig walked back to Smith who had returned to his stall when he saw the guard coming and reprimanded him. "Smith," he said, "you know it is against the rules to talk. I want you to cut that out." He turned around and started to walk back when Smith felled him with a blow on the right side of his head with a mallet. Craig fell to the ground dazed but recovered quickly and began to grapple with Smith. Getting the best of him, the guard seemed to be having things all his own way when Wilson joined the fracas. They soon disarmed the guard and started on a dog trot towards the entrance to one of the shops. The men did not race along but trotted coolly and apparently in no great hurry. The guards at the southeast and northeast towers saw the disturbance but dared not fire for fear of shooting Craig, so closely were the men together during the first struggle.

The other convicts working on the stone piles instead of

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assisting Smith and Wilson protested against their attacking the guard. Several of them cried to quit or they would kill the guard, and some of them started forward to help Craig out of his predicament. By this time, however, they had procured Craig's revolver and they covered their fellow convicts to prevent them from frustrating their plans. Craig was not severely injured and was able to go on duty again this morning.

Upon arriving at the entrance to the shops they found Guard Round locking the door of the blacksmith shops just as they approached him. This was a fortunate circumstance, as Round upon wheeling around at the command "hands up" looked into the muzzle of Craig's gun which happened at the time of this occurrence to be unloaded although Round as well as the convicts, were unaware of that fact. Round, after being relieved of his weapon, was then forced to unlock the door to the tunnel leading under the heavy brick wall and he was marched in front of Wilson and Smith through the tunnel and into the brick yard. At this stage fate again played into the hands of the convicts. The guard on No. 2 tower had been attracted by the commotion raised at this time on the inside of the yard and failed to notice the procession of Smith and Wilson with Round in front coming out of the tunnel. He was looking for the event he thought was transpiring inside the wall. Previous to their entering the tunnel the convicts had prevented Guard Craig from following them by shutting the door of the shop in his face just as he arrived to tell Round that their gun was not

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loaded. Craig was just an instant too late and he was barred out from further participation in the events when the door was slammed shut in front of him. By this time the alarm bell had been rung in the prison and the authorities began looking for the scene of the disturbance.

Meanwhile Smith, Wilson and Round moved forward, the latter being instructed on pain of death, to make no false move. They approached Guard Morrison, whose attention was directed towards the ravine where a number of his men were engaged unloading wheelbarrows. As he turned around and saw the three men approaching him he became suspicious. Before he had time to act, however, he was facing two pistols, held by convicts who were, however, shielded by one of his fellow guards. Morrison was requested to get in the procession and he complied. Instead of leaving by the gate in which the wheelbarrows were being taken they desired to get out via a gate further along which would admit them into an inclosure through which Smith attempted to escape last summer and with which he would naturally be familiar. Guard Elson was patrolling the top of the fence here and he was commanded to throw down the keys and his rifle. He did as requested but did not throw down his revolver with which he soon effected the turning of the tide of events.

At this point the unfortunate Joynson who had been in charge of the gang of convicts filling the wheelbarrows, came running up and opened fire on the two convicts. It appears that Wilson

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replied to the fire with Elson's rifle, then turned round to pick up the keys which had been thrown down by Elson. As he did so Elson opened fire with the revolver and caught Wilson in the side of the neck. Wilson sank to the ground with a bad wound, crying "I'm wounded, Smith; the game's up.". Smith, however, continued fighting, starting towards Joynson and firing a fusillade of shots at him. Morrison hurried towards the tower to get a pistol from the guard to help in the fight but Round by this time having fired all of the charges in the rifle was forced to leap for Smith and grapple hand to hand with him. The fight proved a bitter one while it lasted but shortly afterward Deputy Warden Carroll, locating the scene of the battle arrived, armed with a rifle and Smith seeing that reinforcements were coming and that further fighting was useless signified that he was ready to quit. Poor Joynson was lying near the brick plant mortally wounded. He expired 40 minutes after he had been shot and removed to one of the penitentiary buildings.

In the meantime the numerous convicts in the yard stood by and watched the fight making no move whatever to participate. Had they joined in the fracas the result might have been far different. Not a man moved from his place, not one of them made a single effort to get away. With three of the guards apparently disarmed and another shot, their conduct is regarded as remarkable in view of the fact that liberty seemed so easily available.

BRITISH COLUMBIAN, Tuesday, October 8th, 1912

DEAD GUARD LAID TO REST - CASKET COVERED WITH CANADIAN FLAG
BORNE TO GRAVE BY FELLOW GUARDS

The body of Guard Joynson was this morning removed from the Penitentiary and laid away in its last resting place by his fellow guards.

The funeral service was conducted in the main entrance hall of the institution by the Rev. E. G. Thompson of the Knox Presbyterian church, assisted by the Rev. A. E. Vert, the prison chaplain. The guards assembled in the hall around the coffin while the friends and widow of the deceased gathered in the warden's chamber.

The coffin containing the body was draped with a Canadian flag and the numerous flowers and wreaths were heaped on top of the casket, the body itself, true to the military custom of the day, being dressed in the official uniform.

After the ceremony was over 18 of the guards, in relays, carried the body to the Oddfellows' cemetery, where, after a short service, the casket was lowered into the grave and interred by the guards. Warden Brown was present during the funeral and superintended the ceremonies.

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The penitentiary bell during the whole funeral procession tolled out its last farewell to Guard Joynson and did not cease until the body had been buried.

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Today it is reported that Wilson will recover unless blood poisoning sets in the wound. An X-ray examination, made yesterday showed that the bullet is still lodged in the shoulder and that it is not in a dangerous place.

BRITISH COLUMBIAN, Tuesday, October 8th, 1912

REVOLVER WAS NOT LOADED - GUARD TESTIFIES THAT HE CONSIDERS
THIS THE BEST PLAN IN THE CIRCUMSTANCES

At the coroner's inquest held yesterday afternoon at the City Police Court the penitentiary guards involved in the preventing of the escape of convicts H. Wilson and Joseph Smith from the Dominion penitentiary Saturday afternoon, testified to the details of the incident.

It developed by the testimony of Guard Craig that he had been in sole charge of the rock crushing gang of twenty-seven men, some of whom were among the most desperate of the prisoners. As stated in The British Columbian yesterday the fact was revealed that his revolver was unloaded while he was on guard over these men.

In answer to the question of whether or not this was a safe practice, Guard Round later testified that he thought it certainly was the safest plan that could be followed. A man might stand a chance with two or three of them with a loaded

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revolver, stated Round, but with a gang of men who might easily overpower him while he was not looking it would be far better to have the gun unloaded as was that of Craig.

Guard Robert Craig testified that after he had rebuked Smith for violating the rules in talking to Wilson and other prisoners, the former struck him over the head with a mallet. He then grappled with his assailant and had him down when Wilson ran to the assistance of Smith and together they overpowered him, took away his revolver, and ran at a dog trot towards the corridor. The distance of the corridor from the stone crushing stalls was about sixty yards, he said.

Guard Ernest Round related an interesting story of the part which he played in the attempted escape. He stated that he was in the act of locking the blacksmith shop when the two prisoners came upon him. At the command to hold his hands up he said that he turned around to look into the barrel of a revolver. Smith took his revolver, he said, a thirty-two Colt. In the meantime the convicts slammed the door of the vestibule of the shop, so that Guard Craig following him could not assist him or give him warning that the revolver thrust in his face was empty. They then forced Round, according to his testimony, to unlock the door leading into the tunnel underneath the prison wall. He was asked if this did not happen very quickly, because of the fact that Guard Craig was unable to get to him. He replied that owing to the fact that he had

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a gun shoved against the back of his head that he felt it would be wise to move quickly. Round and the convicts marched along to where Morrison was supervising convicts unloading the wheelbarrows. Under cover of Round they forced Morrison to give up his revolver. He said that they then proceeded to No. 12 stand where Guard Elson was patrolling. The latter levelled his rifle at the men but he dared not shoot because of the protection afforded by Round and Morrison. The convicts shouted out also that if he fired they would shoot both of the guards.

"Wilson shouted for a second time," testified Mr. Round. "They told him to throw his rifle into the brickyard and he did so. They called to him again to throw down his keys and he replied that they were in the tower a short distance away. As he was going for the keys Guard Joynson appeared on the scene and opened fire. The two convicts returned the fire, Smith with two revolvers and Wilson with the rifle. Wilson also turned around, pointed the rifle at Elson and demanded the keys. Elson threw them down and as he did so Elson fired at him with his revolver, hitting him in the neck. He dropped the rifle and I picked it up. I saw Wilson was done for and I turned around to see what had become of Smith. As I did so I saw Joynson stagger and Smith coming in my direction, with three revolvers, two in his left hand and one in his right. He was shooting at me. I shot at him with the rifle and then saw that it was the last shot in it. I took cover behind Wilson, while Smith advanced towards me. When he was a

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couple of yards away I jumped and got him by the throat, as one shot whistled by. I then held his wrists and held him until Deputy Warden Carroll and Training Instructor Mackenzie arrived with Winchesters. Then Smith gave in."

In reply to questions by the jurymen Round stated that Wilson had Guard Craig's revolver and that he had only fired one shot that he knew of and that was out of the rifle. He stated that he did not know that Craig's revolver was empty and that his own was loaded. Smith, he thought, was the first to fire at Joynson. The whole of the brickyard was covered by guards at the stands, but parts of it were obscured by buildings. The witness stated that when there were a large number of convicts together that it was customary to keep the arms in the armory so they could not be obtained by a concerted rush.

Guard Hector Morrison stated that he was on duty Saturday superintending the unloading of wheelbarrows. He said that at first he did not pay any attention to the convicts who were with Guard Round, but when he looked again at them and before he could draw his gun he saw that they were armed. Smith then took his revolver and he and Round were then marched to No. 12 stand where Elson was on duty. "After Elson had been commanded to throw down the keys and rifle and after he had thrown down his rifle Wilson appeared and began firing. The convicts were then behind Round and myself. I turned and ran," he said, "towards No. 3 stand where I asked a guard to drop me a

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gun, but he refused and I ran back. Joynson and Wilson were both lying on the ground then."

Guard George Woolcock testified that he saw Craig, running along the prison yard with blood on his face, from his position on No. 2 stand, which commanded both the prisonyard and the brickyard. When he heard the prison bell ring to bring in the prisoners, he looked for trouble on that side. Hearing the shots he looked over towards the brickyard and saw the affray at No. 12 stand. He said he saw both convicts fire at Joynson and saw Joynson fall. A remarkable feature of his testimony was that he stated he saw Smith run up to him and stoop beside him but he could not say whether or not he fired at him.

Ewen McInnis, guard at the new wing, stated that he first heard someone shout that there was trouble in the stonebreaking shed. He turned around to see Craig running and the latter shouted "shoot, shoot," but he could not see the two convicts running, all he could see was the gang bunched together.

Guard Elson was standing on the No. 12 stand when he saw the convicts approaching with Guards Round and Morrison and levelled his gun at them, but could not shoot. When he was commanded to throw down his rifle he hesitated, and they commanded him to hurry. He had to go the fifteen paces to the tower door to get the keys and by that time Joynson had opened

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fire. After returning the fire, Wilson turned his rifle towards him and demanded the keys. He threw them down and as Wilson started to pick them up, he shot him with his revolver which they had forgotten to ask him for, wounding Wilson in the neck. Smith then advanced toward the fence and he saw Round fire at Smith with the rifle. Altogether he had fired four shots, once when he wounded Wilson and three shots aimed at Smith.

Deputy Warden Carroll said that he and Instructor Mackenzie went to the armory and seized two rifles. By the time that both men got to the scene of the affray both Wilson and Joynson were lying on the ground and Round was struggling with Smith. When Smith saw the Winchesters he threw down his revolvers and gave up. He stated that when the alarm was sounded the prisoners were taken back to prison in good order.

Mr. Carroll said that he spoke to Joynson who was in great agony, apparently. Joynson had asked him to look after his wife and children and the deputy warden had replied: "You are not as bad as that, old man," attempting to comfort him.

Mr. Carroll stated that Smith had a bad record in the prison and that he had attempted to escape once before. Smith had thrown ammonia into a shopkeeper's face in an attempted robbery in Vancouver for which he was serving a ten years' sentence. Wilson was also serving a ten years' sentence for robbery, being sent to prison from Fernie.

From THE BRITISH COLUMBIAN, Tuesday, October 22nd, 1912

JOYNSON FUND IS REOPENED

"Trouble comes not in single spies but in battalions," wrote Shakespeare but in the case of the Joynson family the seeds of misfortune have burdened the widowed mother and her three children. Now, two of the three children in the family are down with scarlet fever and one of them, the eldest, is in serious condition; the house has been quarantined.

The column goes on to say that the fund would not be closed but would remain open to augment the sum of \$836.55 so that it may be used to help alleviate their suffering.

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From THE BRITISH COLUMBIAN, Tuesday, October 29th, 1912

JOYNSON FUND NOW CLOSED

This would indicate that the fund which had been started to relieve the necessities of widow of Guard Joynson, who was killed by convicts Smith and Wilson, now stands over the \$1,000 mark and is therefore closed.

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BRITISH COLUMBIAN, Thursday, October 10th, 1912

CONVICT WENT TO GUARD'S ASSISTANCE - LONG TERM MAN WITH BAD
RECORD SHOWED COMMENDABLE ATTITUDE IN ATTEMPTED ESCAPE

A full investigation of the attempted escape from custody of Convicts Smith and Wilson from the Dominion Penitentiary Saturday, which resulted in the death of Guard J. H. Joynson and the wounding of Convict Wilson is under way by Warden Brown of that institution, and although it is not yet completed the warden has sufficient facts to lead him to believe that none of the other convicts were involved in the plot to escape.

On the contrary, a most remarkable incident has been revealed, which may result in a long term prisoner, with a previously bad record, having his term shortened on the recommendation of the prison official.

It developed that when Smith brutally assaulted Guard Craig, the other prisoners on the stone gang showed indications of desiring to help the guard, but were prevented from doing so by Wilson, who seeing their attitude, held them off at the point of a pistol taken from Craig. The fact that Smith was seen conversing with a number of the stone gang previous to the outbreak is not believed by the authorities to have been an attempt to incite a general prison delivery.

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After Craig had been felled and was lying on the ground in a partially dazed condition this convict, who was serving out a 20 year sentence, together with a short term man, sprang to his assistance, lifting him to his feet. Guard Craig states that previous to this time the long term man had remonstrated with Smith and Wilson for the brutal manner in which the two convicts had assaulted him and would undoubtedly have fought for him had he not faced the barrel of the revolver.

For some time this long term prisoner has had a black record having been caught in several desperate attempts to escape. He has also been guilty of minor breaches of the prison rules and for that reason considerable time had been added to his previous sentence. For the past year, however, Warden Brown states that he has been a model prisoner and the culmination of his change of attitude was in his action in assisting the guard Saturday instead of joining Convicts Smith and Wilson. The prisoner was called into the office of the warden when he was commended for his action and it was explained to him how behavior such as he had shown would operate to his advantage. He was promised that as a reward for his action, a recommendation would be made for the cancellation of the time that has been added to his sentence because of previous bad conduct. This matter will be taken up by the warden at once.

In attempting to ascertain the attitude of the prisoners in regard to the attempt to escape, the penitentiary officials were

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able to discover only one man that was in sympathy with the action of Smith and Wilson. Most of the remainder openly deplored the brutality they had shown toward the dead and wounded guards.

Warden Brown has been informed by Dr. Green, who has been attending Wilson, that the convict is strong enough to appear in court to answer to the charge of murder and that he will be brought up for a hearing just as soon as the time can be arranged by Warden Brown and the prosecutor, Mr. Martin, who has taken this case in charge.

BRITISH COLUMBIAN, Thursday, November 14th, 1912

HELD COURT IN PENITENTIARY - TRIAL OF CONVICT ON MURDER CHARGE
WAS FOR A TIME CONDUCTED ON SCENE

A unique feature in connection with the trial of Convict Joseph Smith, for the murder of Guard Joynson at the Dominion penitentiary on October 5, arose when the Court of Assizes adjourned for the first part of the afternoon session to the penitentiary grounds and with all the court officials carrying out their regular duties, the trial proceeded under the shelter of the stone sheds. It was here that convicts Smith and Wilson made the break for liberty.

The twelve jurors, several witnesses, with the officials of the

court, and the prisoner in custody of two members of the Provincial Police starting at the stone sheds, were shown the exact steps in the daring attempt at escape. Guard G. Imlah was called upon to explain to the jury the salient points of a diagram of the penitentiary grounds. Every word of the proceedings was taken down by Court Stenographer Langley, exactly as if the trial were proceeding in the Court House. Smith watched the proceedings with great interest and talked frequently to his guards.

Guard Imlah was put on the stand again on the return to the Court House, and was subjected to a close cross-examination by Mr. W. F. Hansford, counsel for the accused. Mr. Hansford insisted on the witness telling him who directed him to mark the spot on the map, showing where Joynson fell. Mr. Imlah replied that Guard Elson, who was stationed at Tower No. 12, had requested him to mark the spot with a cross.

Dr. T. B. Green, who was summoned to attend to Guard Joynson, described the nature of the wounds. One bullet had entered at the eleventh rib and was found to have lodged just under the skin near the breastbone. The course of this bullet was described as upwards and inwards. Internal hemorrhage from this wound was directly responsible for Joynson's death. Another bullet had penetrated at the right buttock, and lodged in the right side of the abdomen. Its general direction was the same as the first wound. An abrasion was found on the bullet that

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had caused death, entered as exhibit No. 10. With completion of Dr. Green's testimony the court adjourned until this morning at 11 o'clock.

Today's Session

When the trial resumed this morning Mr. W. G. Harris, of the Murchie Undertaking Parlors, testified that he had removed Mr. Joynson's body from the penitentiary on the evening of October 5.

Identification of revolvers in use on that date was made by Mr. W. A. Patchell, chief keeper of the penitentiary. He told the court that it was customary when issuing revolvers to enter the number opposite the guard's name. Morrison's revolver had six empty shells; Craig's revolver was unloaded; Round's revolver six loaded shells, while Joynson's revolver had six empty shells. Since October 5, Mr. Patchell testified, the guards on the inside were not allowed to carry revolvers at all.

Deputy Warden W. J. Carroll was next put on the stand. On the day of the tragedy he was working on reports in the library, when he noticed two convicts running towards the vestibule. Taking a Winchester he ran through the main door of the penitentiary along the outside of the south wall, entering the brickyard enclosure at tower gate No. 2. He saw a commotion among the convicts, and proceeding up the grade, found Joynson

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writhing on the ground. Guards Round and Smith were still struggling. Smith threw away an empty revolver and gave up when Carroll covered him with his rifle. Wilson was reclining in a sitting posture.

Craig's revolver was later found in the ventilator of Wilson's cell, where the keys of the vestibule were found. Since the occurrence Craig had been censured for his failure to conform with the rules.

Guard Craig was put on the stand and told of the assault made on him by Smith when the gang of twenty-seven convicts, over which he had charge, was working in the stone stalls.

BRITISH COLUMBIAN, Saturday, November 16th, 1912

DEATH PENALTY IS PRONOUNCED - ON CONVICT SMITH, CONVICTED OF
MURDER OF GUARD JOYNSON AT PENITENTIARY - CASE MAY BE APPEALED
- CONDEMNED MAN HEARD HIS DOOM WITHOUT LOSING COMPOSURE -
NODDED HEAD IN ASSENT

Convict Joseph Smith must pay the extreme penalty of the law for the murder of Guard Joynson at the Dominion penitentiary on October 5. That his life shall be taken on January 31 next, to pay for the life he ended, was the sentence of the assize court, passed by Mr. Justice Murphy last night.

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As the death sentence was solemnly pronounced in the silence of the crowded court room, Smith nodded his head slightly, almost as if in assent.

"Alright," he murmured almost inaudibly.

Except for an occasional deepdrawn sigh, he showed no signs of any emotion, and even after the sentence had been passed he did not lose his composure.

The case went to the jury at 5.15 p.m. After deliberating for exactly three hours, the jury returned and Foreman Dockstedder announced that they had been unable to agree. They asked to have the difference between manslaughter and murder pointed out to them. Fifteen minutes later the jury returned with the verdict of "guilty."

Mr. Justice Murphy turned toward the prisoner.

"Stand up," he ordered, and as the prisoner made no move he repeated the command.

"I am standing, sir," Smith protested, gulping.

He is so short of stature that his shoulders barely came above the prisoner's dock.

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"Have you anything to say why the sentence of this court should not be passed upon you?"

The prisoner shook his head negatively.

"No sir."

"The sentence of this court therefore is, that you shall be taken from hence to the place from which you came, there to be kept in close confinement until the 31st day of January next, when you shall be taken from thence to the place of execution and hanged by the neck until dead. And may God have mercy on your soul."

The prisoner was then removed from the dock and subsequently taken to the Dominion penitentiary, where he is being kept in solitary confinement.

Mr. W. F. Hansford, who conducted a particularly brilliant defense for the prisoner, against an accumulation of evidence that in many cases would have resulted in a verdict of guilty being brought in almost immediately, stated after court had been adjourned until Monday next that the case would be appealed. No step can be made, however, until the evidence is transcribed. Further action will depend largely upon a conference with the condemned man.

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A court of appeal is sitting in Vancouver at the present time, while another will be held in Victoria during January before the sentence of death is carried into effect on Smith.

Unless the Governor-General sitting in council otherwise orders, Convict Smith will be hanged in the Dominion penitentiary at Sapperton in this city on January 31, 1913. The usual custom is to execute the death sentence at the provincial jail, but as Smith is a convict in the Dominion penitentiary, he will be hanged there, the first prisoner to be executed within its walls.

Guard Elson, at whose stand the fight, resulting in the death of Guard Joynson, and later that of Convict Wilson, was made, was put in the witness box yesterday morning, and examined at great length by Mr. Hansford, counsel for the defense.

Although the witness became confused at times in his testimony, under the rigorous cross-fire of pointed questions, he made no admissions that helped the case of the defense. At the time he fired at Smith, the convict was close to the fence, and almost in a corner, removed from all proximity to Joynson, Elson swore.

One of the convicts whose sentence has since expired gave evidence that had tremendous weight with the jury. He declared that he had followed the two guards and the two convicts, Smith and Wilson and had seen every shot that was fired. It was a

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bullet from Smith's revolver that had caused Joynson to drop. Even after Joynson had fallen and had put up his hand as if for mercy, Smith again fired at his prostrate form. Guard Wilcox, who had a partial view of the scene, told the court that he saw Smith fire at least one shot at Joynson, and saw him advancing towards the dead guard.

No witnesses were called by the defense, after the crown's case had been completed early in the afternoon. Following a ten-minute adjournment, during which he held a consultation with the prisoner below in the cells under the court room, Mr. Hansford began his address to the jury. It was understood that Smith had asked not to be put in the witness box.

Tracing each point of the evidence, Mr. Hansford declared that there had been nothing brought in by the crown to show that murder had been intended. The strong point of his address was that it was possible, in fact probable, that a bullet from Elson's revolver had unfortunately struck Joynson and caused his death. Elson, he said, had admitted that his shots had been wild. The evidence of two witnesses had tended to disprove the testimony of Elson himself that he had fired at Smith after Joynson was down, and when Smith was in the corner, at a decided angle from the line of fire. Wilson had died, and a life had been taken for a life. Justice had been administered. His summing up took fifty minutes.

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In reply Mr. Grant, crown counsel, stated that if Elson was trying to eliminate any possibility that he had fired the fatal shot all he had to do was to say that he did not fire at all. Elson was in the stand when Joynson fell, getting the keys. The fact eliminated all element of doubt from the case, he submitted.

In charging the jury, Mr. Justice Murphy declared that only three verdicts could be brought in under the indictment: murder, manslaughter and acquittal. It was a violation of their oath to let any sentiment against capital punishment hinder them in administering justice. A definition of murder, as applicable in the particular case before them, was made. In reviewing the evidence, he declared that in his opinion three or four witnesses had testified that Joynson was down before Elson shot at Smith. He disapproved of the point brought out by the counsel for the defense that Wilson's death had satisfied justice.

After the jury had been out ten minutes they were brought back on Mr. Hansford's request and further instructed on the legal aspect of manslaughter.

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From THE BRITISH COLUMBIAN, Friday, November 15th, 1912

ADD NEW WING TO PENITENTIARY

In order to accommodate the increasing number of convicts a new wing is being constructed at the Dominion penitentiary at Sapperton. The addition is being built with/^{the}large concrete blocks formed in the cement plant of the prison.

Penitentiary authorities state that the number of convicts has doubled within the past two years at the penitentiary. In the main buildings, together with the temporary accommodation provided, there are now over five hundred cells. The new wing will contain a total of 278 cells, which will bring the total number to 778 cells. Numerous other alterations are being made within the prison walls, new work rooms are being installed, all tending to increase the efficiency of the penal institution.

From the files of THE BRITISH COLUMBIAN, Tuesday, January 7th,
1913

Convict Joseph Smith, under sentence of death for the murder of Guard Joynson at the Dominion penitentiary on October 5th, has only twenty-four more days in which to live. Unless a stay is granted he will be hanged in the prison at Sapperton according to the sentence passed by Mr. Justice Murphy on November 11th last. Sheriff Armstrong, in whose hands the arrangements for the hanging of the condemned man are left, said yesterday that Hangman Ellis, Dominion executioner, would spring the trap that would end Smith's life on the morning of January 31st. It is within the jurisdiction of the sheriff to hire anyone to carry out the extreme penalty imposed by the law, but owing to the fact that no other execution will take place in Canada on or near the end of this month Ellis will act. Not until a few days ago was it learned that Smith had any near relatives living. It is now learned that his father is living in Leeds where Smith spent his early boyhood as a street urchin and where he fell in with the company that led him into the life of crime.

Sheriff Armstrong declared this morning that he had received no instructions to have the convicts of the penitentiary paraded for the execution and that he did not believe any order to this effect would be sent out by the new Minister of Justice, The Honourable C. J. Doherty. Although press dispatches

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were sent out stating that the convicts had been compelled to witness the execution of a convict at Edmonton penitentiary, this has been denied by the warden. Provided the weather conditions are favourable, the scaffold will be erected in the main prisonyard at the penitentiary, probably the day previous to the hanging. If it is stormy Smith will be executed inside one of the buildings. The Rev. A. E. Vert, prison chaplain, according to custom, will say nothing concerning his meetings with the condemned man.

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From THE BRITISH COLUMBIAN, January 27th, 1913

The execution of Joseph Smith, condemned to die on the gallows at the Dominion penitentiary of this city next Friday for the murder of Guard Joynson, may be delayed. A respite may have to be obtained from the courts until word comes from the Minister of Justice at Ottawa, Sheriff Armstrong said this morning that he cannot make the necessary preparations for the execution until the dispatch ordering him to proceed is received. As of this date Smith has three more days to live according to his sentence.

THE BRITISH COLUMBIAN, Tuesday, January 28th, 1913

Telegraphic instructions were received by Sheriff Armstrong yesterday afternoon from the Minister of Justice at Ottawa ordering the sentence of death of Judge Murphy in the case of convict Joseph Smith carried out at the Dominion penitentiary of this city next Friday.

At break of day Smith will be taken from the cell where he has been confined since the night on which he was sentenced, November 15th, to the scaffold to pay the penalty exacted by law for the murder of J. H. Joynson at the penitentiary on October 5th last. The scaffold will be erected within the prisonyard northeast of the former workshops now used as the protection for temporary cells. Smith will be led past the stone sheds where, together with convict Wilson, who died from the infection of wounds, he struck Guard Craig with a stone hammer and started on the attempted prison break that ended in the shooting of Guard Joynson, the death of Wilson and now his own execution. The gallows will be put only a few feet from the spot where Smith struck Craig.

From THE BRITISH COLUMBIAN, Thursday, January 30th, 1913

SCAFFOLD IN READINESS

Precautions will be taken by the penitentiary officials to prevent any of the convicts from witnessing any detail of the execution, Warden Brown stated this morning, and the three hundred and sixty-odd convicts will be carefully locked in their cells. A few will be permitted to witness the judgment of death. These include provincial officials, physicians and newspapermen to the number of about thirty.

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From THE BRITISH COLUMBIAN, Thursday, January 30th, 1913

JOYNSON FUND

A statement has been received from The Rev. E. G. Thompson by this paper showing how the money raised for Mrs. J. H. Joynson, wife of the penitentiary guard killed by Joseph Smith, was expended. A total sum of \$1,382.88 was raised for the widow and her family of which all but \$162.88 has been expended. With the money subscribed a house costing \$1,400 was purchased upon which \$1,000 was paid. There were \$70 paid for funeral expenses, \$48 for three months' rent, \$38.50 paid in cash to Mrs. Joynson and \$64 were in the furniture bought, making a total expenditure of \$1,220.50, leaving a balance of \$162.88.

From THE BRITISH COLUMBIAN, Friday, January 31st, 1913

FACED DEATH WITH STOICISM

For the murder of penitentiary Guard J. H. Joynson, Joseph Smith expiated his crime this morning on the gallows erected within the prison grounds. The trap was sprung at 8:30 a.m. death occurring instantaneously. Smith, the burglar, the convict and murderer, met his fate stoically walking erectly up to the gallows without the tremor of a muscle or the murmur of a sound.

Although physically a midget of a man, he displayed the same fearless front and iron nerve that had characterized his whole career and more recently in his terrible attempt to escape from prison in which he killed his guard, and later through the ordeals of his trial and while in solitary confinement, carrying them off with the spirit of bravado and reckless abandonment right up to the last minute he spent on earth.

Shortly before 8:30 o'clock the cell room swung open and there began the silent death march, the prisoner being proceeded by Sheriff E. J. Armstrong and Warden J. C. Brown of the penitentiary, followed by keeper Harry Norman and guard William Leslie. The prisoner was dressed in a plain blue blouse, coatless, and had his hand bound securely behind him before he left his cell.

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Rev. J. S. Henderson, his spiritual advisor, walked beside Smith linking his arm in that of the prisoner but the latter needed no support. He looked straight ahead, hardly blinking an eye, etc., etc.

Once upon the platform there was no time wasted, the hangman Mr. Ellis moving swiftly in carrying out his duties, the prisoner was immediately placed upon the trap, the black cap drawn over his head, the rope adjusted and all was ready. The condemned man stood there for a period of forty seconds while The Rev. Mr. Henderson began to repeat the Lord's Prayer. The prayer was unfinished. When he reached the words "... on earth, as it is in heaven" the trap was released and Smith was hurled into the great beyond. So suddenly was the trap pulled that the little group of persons standing behind and below the gallows hardly realized what had happened until it was all over. Smith died without leaving a message of any kind. He seemed neither remorseful nor penitent. Last night he went to bed at the usual hour and slept soundly until 5:40 this morning. He ate a hearty breakfast of bacon, eggs, toast and coffee, for the remaining portion of the morning conversed pleasantly with his guard.

During the time of the execution all of the prisoners were kept locked up within their cells, as it was thought best to keep them confined during this ordeal. His pulse continued to beat for nearly thirteen minutes after he fell through the trap, although his neck was broken. Mr. Ellis, who has officiated

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at many similar events, stated that this execution was carried out as successfully as any he had ever attended. Those who were present at the execution were police and provincial officials and newspapermen to the number of about thirty. Among the witnesses was Chief Round of the Coquitlam police force, who as one of the former guards at the penitentiary, participated in the fight waged when Smith and Wilson attempted to break away from custody last October. He came to see the man executed who had so desperately attempted to take his own life.

Shortly after 9 o'clock, number 1433, as Smith was known in the penitentiary, was placed in his last resting place in a far corner of the penitentiary grounds where the world will soon forget him.

ANNUAL REPORT OF THE B. C. PENITENTIARY - JOHN C. BROWN, WARDEN

May 7, 1913

The net increase in prison population was shown by the number of convicts in custody when the year began and it ended as twenty.

The statement of punishment on the other hand appears to show more difficulty in maintaining discipline than in previous years, but as a matter of fact discipline on the whole was more satisfactory. A large number of punishments inflicted were short terms of bread and water diet or loss of a few days remission and the bulk of these were reports arising out of a greater strictness in searching the convicts in their cells. A more determined effect has been made throughout the year to suppress trafficking and this has resulted in weeding out the staff and also as indicated, increasing the number of punishments inflicted on prisoners. The statement of recommissions is rather more favourable than the previous year.

Early in October an outbreak of violent temper on the part of a convict led to the death of an Officer and two convicts. When a considerable number of convicts, some who are drawn from the worst, most lawless classes on the coast are working in gangs using stone hammers, axes, picks and shovels, it is impossible to guard completely against the occurrence of such deplorable affairs as that above referred to. But, measures have been adopted which, to some extent at least, will decrease the probability of serious results. No escapes reported. It is true three men on one occasion and one man on another ran away from the gang on which they were employed but they were recaptured within a short distance and with little difficulty. None of these men had a year to serve, they were all good conduct men who might fairly expect release on parole before their time was up and the fact they risked, in such circumstances, incurring penalties attached to the attempt to escape shows how difficult it is to carry on work outside the Penitentiary walls without employing an extravagantly large number of guards

or risking occasional escapes. I am speaking particularly of the situation here where large patches of bush are only a few minutes run from almost any point of the reserve and the whole surrounding neighbourhood, owing to the rapid development of this part of the country, is gridironed with roads and rails.

The principle work to which our main attention is given is the building of the east wing. Here, there is a heavy cement basement which rising some two feet above the ground at the upper end next to the prison is some sixteen feet at the lower or east end. This was completed some time ago and the close of the year found the brickwork for the walls well under way. Work was suspended over a month on account of an unusually heavy snow fall in January but since its resumption very satisfactory progress has been made. We now hope this building will be ready for occupation in the summer of 1915.

The new entrance to the prison was opened January 1st, it is more convenient for the public and much less objectionable in the manner of guarding against intercourse between the public and convicts at work at the old entrance. The new entrance road is not completed yet, but is quite useable during the summer weather.

I wish to put on record here my sense of obligation to the Officers of the Salvation Army and several employers of labour for their kindness in looking after and finding employment for discharged convicts, and also the Chief's of Police in New Westminster and Vancouver and the detectives under them for their assistance in a goodmany matters in connection with my duties as Warden.

Respectfully submitted,

John C. Brown
Warden

REPORT OF ALBERT EDWARD VERT, PROTESTANT CHAPLIN

The large number of men either admitted to parole or reported as worthy of note. I have to report two deaths during the fiscal year, concerning the sad circumstances surrounding these deaths it is perhaps better to be silent.

Surgeon Report

The surgeon, W. A. DeWolf-Smith reports on April 1, 1913 that one convict Norman Wilson aged 22 died by a bullet wound. On convict Joseph Smith, age 24, was hanged 31 January 1913.

In custody Marsh 31st.1913

<u>Penitentiary</u>	<u>Males</u>	<u>Females</u>
Kingston	501	10
St.Vincent De.Paul	401	
Dorchester	229	2
Manitoba	172	
British Columbia	377	
Alberta	189	14
Saskatchewan	<u>108</u>	
	1977	<u>26</u>

Total in custody-2003

From THE BRITISH COLUMBIAN, Thursday, May 1st, 1913

BLOODHOUNDS NOT ON THE PEN STAFF

It was reported along the waterfront this morning that a prisoner must have escaped from the penitentiary because a guard was seen yesterday on the south bank of the river working with two bloodhounds. No prisoner did escape, however, and the explanation of the alleged guard and the bloodhound is that keeper Norman, of the penitentiary, has a pair of young dogs of that breed which he is amusing himself by training in his spare time. The dogs are not officially on the staff of the penitentiary but Warden Brown states, might be made use of if needed. Warden Brown further said that there is no trouble at the penitentiary beyond the loss of two guards, both good men, who had left to better themselves. W. A. Cameron, six years in the service, has taken a position in a grocery store in Sapperton with a possibility of a partnership ahead of him. And Guard McLennan, not long in the service and a seaman by training, will take command of a Vancouver tugboat.

From THE BRITISH COLUMBIAN, Tuesday, June 3rd, 1913

WAGE SCALE IN PENITENTIARY

The wage conditions under which the penitentiary employees work are now to be remedied at a rate of pay more in keeping with present conditions and the increased cost of living is to be inaugurated. In the supplementary estimates due provision was made for the increases and by the resolution of the government the different gradations of these increases are indicated.

The resolution introduced by The Honourable Mr. Doherty, Minister of Justice, to amend the Penitentiary Act was as follows.

The pay scale as follows: a warden with quarters heated and lighted \$2,800; deputy warden with quarters heated and lighted \$1,800; surgeon \$1,700; superintendent of insane ward \$1,000; accountant, chief clerical officer \$1,600; clerical assistants \$1,200; chaplains to give exclusive service to the prison \$1,200; chaplains with permission to take outside work \$900; chief keeper \$1,200; chief watchman \$1,200; steward \$1,200; assistant steward \$900; hospital nurses \$1,000; assistant nurse \$900; matrons with quarters heated and lighted \$700; engineer and electrician \$1,300; assistant engineers \$1,000; chief trade

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instructor \$1,200; industrial guards to act as instructors \$1,000; watchman \$900; guards \$800; day firemen \$800; night firemen \$800, without uniform \$900; temporary and probationary officers \$100 or less than the scheduled rate for permanent officers.

July 22nd, 1913

The Columbian

ARTICLE IN PART:

When the present Warden took charge (J.C. Brown) one hundred and forty-five prisoners were handed over to him and seven hundred and seventy-two have entered since, the number of prisoners over whom Mr. Brown has had charge has been nine hundred and seven. Of this number he has lost four but offset that he has recaptured three who had escaped before his time, giving a net loss of one. Not a bad record when it is remembered that the B.C. Penitentiary, the ultimate home of half the captured gumboot men between Panama and the North Pole on the Pacific Coast.

Highwater mark in the number of convicts in the Penitentiary was reached this spring with three hundred and sixty-six and on two occasions the numbers have been three hundred and sixty-five. The total accommodation at present in the four sections is four hundred and seventy-six but of these, two sections containing sixty-six and one hundred and ninety-two respectively, are known as temporary cells. This means that there are only two hundred and eighteen cells with thoroughly up to date fastenings, or what are known as regular confinement cells. In the new wing which is being built entirely by prison labour there will be two hundred and sixty regular confinement and fifty isolation cells and spare cells. This wing is already half erected and it is estimated it will be finished within two years.

With the exception of one of two firemen to keep the brick

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kilns alight at night, the whole thing is done by convict labour within the present prison wall. Clay is got from the clay pit in the grounds, bricks are made in the brick yard on the grounds with very little instruction the men are building a prison wing that will be the latest thing in prisons for utility convenience.

The enormous work that has been done in the way of rebuilding can be seen. The entire convict settlement as it now stands is a creation of recent years all done by prison labour.

With regards to the units that constitute the Warden's charge he speaks of course on general terms. These unfortunates contain all the grades of human type that has run up against the strong arm of the law from the accidental criminal who, through one circumstance or another has gone astray, been detected and is expiating his folly in deep shame and contrition to the jail bird without the slightest conscience regarding himself as temporarily worsted in the fight with his national enemy-society.

There was for some time some months back a considerable amount of trouble with some of the prisoners, plot after plot being unearthed. Sometime back, however, Mr. Carroll, the Deputy Warden, had reason to believe that there was one convict who was the brains of the whole affair. Isolation was tried and the plotting stopped at once. Incidentally it may be added that

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it is suspected that the plotting of this man was at the back of the attempted jail breaking which resulted in the death of guard Joynson and convict Wilson and the hanging of convict Joe Smith.

It may be further added that Joseph Smith was not the man's name and that his people were very highly respected and on that account the actual name was never made public.

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From THE BRITISH COLUMBIAN, Saturday, August 30th, 1913

NEW SYSTEM IN THE PENITENTIARY GOES INTO EFFECT MONDAY - AS
A RESULT OF CERTAIN CHANGES IN THE STAFF

The introduction of a new system and new schedule in the Dominion penitentiary which comes into force on September 1st has resulted in the change of titles and duties of the officers. The change which has also taken place in the staff is due entirely to the new system and otherwise no changes would have been made.

Guard Patrick Smith, who is believed to be over 70 years of age and who has been in the penitentiary for the past 30 years, is retiring with full pension. Stuart William Walsh is also retiring. Mr. Walsh has been an officer of the penitentiary for the past 18 years.

Keeper Samson and Devine become assistant stewards and keeper Norman a hospital nurse. Hospital nurse R. J. Robertson becomes steward. Two temporary men who were unable to qualify as guards have been let out, while several new guards have been appointed. The only appointment of public interest is that of Guard Round, who returns after being Chief of Police at Coquitlam.

Guard Round was on duty when convicts Wilson and Smith made

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their break for liberty and Guard Joynson was killed. It was Guard Round who shot convict Wilson down and brought about the capture of Smith. Wilson died of his injuries and Smith was hanged.

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October 14th, 1913

The Columbian

PERMISSION TO INSPECT THE DOMINION PENITENTIARY IS REFUSED

On Monday, October 6th, 1913 the Grand Jury at the Assizes made their report yesterday afternoon. (Apparently this Grand Jury examines all public buildings, Hospitals, the Insane Asylum, Colony Farm and they made comments on Logging Camps, the paying of compensation and the C.N. Railway, it is of interest only because of the E.C. Penitentiary.

Members of the Grand Jury would liked to have visited the Penitentiary officially, but we were informed we could not do so, that the Dominion Acts governing the management of the Penitentiaries preclude the Grand Jury having anything to do with them. You, Your Worship, in your charge to us stated that we could inspect any building on which public monies were being spent. You did not say any Provincial Buildings, and we can only assume that this was an inadvertance. We think however, that it is a pity that all buildings including Dominion Buildings cannot be inspected at the same time by the Grand Jury if the members so wished. If this inspection is good for Provincial Buildings, it must be equally good for Dominion, no harm could possibly result in any case, and there might be some good.

The Wardens Report from the B.C. Penitentiary, April 11th. 1914

Sirs:

I have the honour to present herewith the statistical and other reports for the British Columbia Penitentiary for the year ending March 31st. 1914

The year is notable as witnessing a visit of inspection to the Penitentiary only the second in its thirty six year history by the head of the service, the Minister of Justice. The Officers were glad of the opportunity to bring certain points to his attention and in the fact that the Minister has the personal knowledge of local conditions which his visit would give him is a source of satisfaction to those who serve under him in the outlying section of the department.

The prison population when the year closed was greater by twenty five than when it began and the daily increase in population over last year was twenty four.

The year has been as free from unpleasant incidents as any year in the history of the Penitentiary could well be, there has been no deaths, no serious accident, no escape and except that one man was detected in a futile attempt to dig through a wall, not even an attempt to escape. We have among the prisoners eight or nine idle talkative fellows and these with others whose craving for tobacco leads them to break rules in their efforts to obtain it, and are responsible for the very large offences and punishments reported. The majority of the prisoners have behaved well and worked with fair industry, of three hundred seventy six in custody at the close of the year one hundred ninety had clean sheets, no breach of rules had been recorded against them and sixty nine had only one such report.

A point to which attention may be drawn is the recent introduction of a new element in our prison population, the year 1910-11 saw the reception of our first Hindu prisoner, the close of 1913-14 finds eight of these people in custody.

The increase in pay of the officers has, among other good results, given a more permanent character to the prison staff, formerly the position of guard was often sought merely as a temporary expedient until something better could be secured, and of course the interests of the prison suffered, but since the increase in pay came into effect, officers feel

that the position is emolument, and other conditions quite equal to any of the positions which formerly induced men to leave the service, therefor it is easier to get and keep properly qualified men, resignations are less frequent.

Taking the staff as a whole, I have reason to be very well satisfied with the loyalty, service and general harmony and absence of complaint which marks the every day discharge of duty, with support and assistance given me by superior officers I am more than satisfied.

Work has of course gone on steadily during the year, all the usual industries have been in operation, progress has been made in the work of improving the grounds through which the public approach to the prison lies and the construction of the new cell block has been pushed on as rapidly as possible, we hope that another year will see it almost if not ready for occupation.

The Chaplains continue to make the matter of discharged convicts a matter of deep concern, the Salvation Army, are as always ready to do what they can in aid of any deserving case, irrespective of creed or colour.

All have during the year been cheered by reports of steady continuance and honest work and decent living of some of those who have been under care.

I have the honour to be, your obedient servant, John C. Brown, Warden Roman Catholic's report for the year 1913-14

I submit herewith report for the year ending March 31st. 1914, at the beginning of the year one hundred twenty Catholic convicts were enrolled, at the end of the year there were one hundred eleven, among the forty two admitted one was well grounded in his faith, a few had imperfect knowledge but the majority were perfectly ignorant of Catholic doctrine. The singing during devine service has been greatly improved, thanks to the efforts of the new organist.

I can once more only deplore the fact of the admission of young offenders to this institution to find themselves mixed with criminals of the lowest type.

From my personal observations during these three years I am more than ever inclined to think that the work of reform in the Penitentiary will be really efective when the system of segregation will be adopted.

Yours respectfully. E. Maillard O.M.I.

Farm report, 31st. March 1914

To the Warden;

Sir:

I have the honour to submit my annual report for the year ending March 31st. 1914.

The crops on the whole this year were a very fair average, the potatoes being very good indeed.

I am pleased to state that I have been able to supply the Penitentiary with all the pork required and when the new piggery, which is now under construction is completed I anticipate more satisfactory results.

The old piggery was too small and of antiquated construction. I have again to call to your attention the necessity of clearing and cultivating more land in order that the farm may be able to meet all the requirements of the Penitentiary.

The crops this year were not sufficient to supply the demand, more vegetables could be used by the convicts, the soil being of a gravelly nature requires considerably more manure than we at present are able to give it.

Respectfully submitted

R. Dynes, Farm Instructor

I, Alexander Wilson

do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty, King George V. as lawful Sovereign of the United Kingdom of Great Britain and Ireland, of the British possessions beyond the seas, and of this Dominion of Canada, dependent on and belonging to the said Kingdom, and that I will defend Him to the utmost of my power against all traitorous conspiracies or attempts whatsoever, which shall be made against His person, crown and dignity and that I will do my utmost endeavour to disclose and make known to His Majesty, His heirs or successors, all treasons or traitorous conspiracies and attempts, which I shall know to be against Him or any of them; and all this I do swear without any equivocation, mental evasion or secret reservation. So help me God

Sworn at the

British Columbia Penitentiary

this 18th day of April
1917

Before me

John Brown

Alex Wilson

I, Alexander Wilson

do promise and swear that I will faithfully, diligently, and justly, serve and perform the duties assigned me as an officer in the British Columbia Penitentiary, to the best of my abilities; and that I will carefully observe and carry out all the regulations of the Penitentiary. So help me God.

Sworn at the

British Columbia Penitentiary

this 18th day of April
1917

Before me

John Brown

Alex. Wilson

I, Robert Douglas

do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty, King George V. as lawful Sovereign of the United Kingdom of Great Britain and Ireland, of the British possessions beyond the seas, and of this Dominion of Canada, dependent on and belonging to the said Kingdom, and that I will defend Him to the utmost of my power against all traitorous conspiracies or attempts whatsoever, which shall be made against His person, crown and dignity and that I will do my utmost endeavour to disclose and make known to His Majesty, His heirs or successors, all treasons or traitorous conspiracies and attempts, which I shall know to be against Him or any of them; and all this I do swear without any equivocation, mental evasion or secret reservation. So help me God

Sworn at the

British Columbia Penitentiary

this 20th day of April, 1914

Before me.

R Douglas

I, Robert Douglas

do promise and swear that I will faithfully, diligently, and justly, serve and perform the duties assigned me as an officer in the British Columbia Penitentiary, to the best of my abilities; and that I will carefully observe and carry out all the regulations of the Penitentiary. So help me God.

Sworn at the

British Columbia Penitentiary

this 20th day of April, 1914

Before me

R Douglas

Tuesday, May 12th. 1914; The British Columbian

Advices received today from Ottawa state that the House of Commons yesterday, third reading was given to a Bill providing for payment of an annual pension of \$500.00 to Mrs. Alice Joynson, widow of a guard at the B.C. Penitentiary who was killed in the performance of his duty. Joynson met his death while opposing a daring attempt to escape on the part of H. Wilson and Joseph Smith, convicts, on October 5th. 1912. The question of a pension was brought to the attention of the government by Mr. J. D. Taylor for New Westminster.

Friday May 29th.1914; The British Columbian

Editorial: In answer to an article in the Vancouver Sun regarding mismanagement in the B.C.Penitentiary.

The Penitentiary had a thorough inspection by a well qualified Officer who came from Ottawa for that purpose. This Officer is not easy to please as shown by the fact that his visit to other institutions in the West on his way to British Columbia was followed immediately by complaints regarding the re-organization of staffs there, but in New Westminster no serious complaint from any quarter, either prisoner or Officer and in every respect, the best managed in Canada.

May 1st.1915. Annual report of Warden John C. Brown, B.C. Penitentiary

Sirs: I have the honour to submit my report for the year ending ~~May~~ March 31st.1915 together with the usual financial and statistical statements. I have for the first time the pleasure of reporting a substantial decrease in prison population, the number in confinement at the close of the year being three hundred and forty nine whereas we had three hundred seventy six when the year opened, two prisoners died during the year, both from heart disease, one was in very poor health when admitted and was speedily placed in hospital, the other collapsed when returning from work, as he had not complained of an illness the coroner ordered a post mortem examination to establish the cause of death.

There were no escapes or attempted escapes during the year. The condition of the prison as to discipline has been fairly satisfactory, the number of convicts punished was 20.5% of the total number in confinement during the year.

Five acres have been added to our farm area during the year, a piece of fairly good land in the outskirts of the reserve having been cleared, drained and fenced ready for cultivation during the coming summer. The non receipt of parts for the locking machinery ordered some time ago will delay the completion of the new cell wing, but we hope to be able to move into it within a few weeks as convicts are now in a temporary cell block, Good progress has been made on the construction of the concrete sewer along the course of the "Glen" stream, this work has given constant employment to a large number of short term men who are allowed to work outside the walled prison yard, and consequently the work of improving the appearance of the approach to the prison building has not made much progress.

Since my last report the officers have as a rule been faithful and diligent in the discharge of their duties and the work of the prison has been carried on with the minimum of friction during the year. The Salvation Army Band of Vancouver kindly gave an open air concert during the year which the inmates enjoyed very much, the behaviour of the prisoners on the occasion was admirable, I have reason to believe the moral effect was good.

I have the honour to be Sir, Your obedient Servant

John C. Brown

Warden

Annual report of the farm for the year ending March 31st.1915
B.C.Penitentiary, R.Dynes,Farm Instructor.

The root crop this year is exceptionally good and of plenty quality.
I hope to have enough potatoes to last until the new crop is ready for
use.

The new piggery,completed this year is a great improvement on the old
one and gives a good deal more room for our heard of swine.
Since my last report we have been clearing some of the blocks of land
belonging to the penitentiary at the back of the reserve and when finished
will give about ten acres more good land for cultivating purposes.
I am sorry to say I had to kill one of our best horses this year on
account of his having an incurable disease.

R.Dynes,Farm Instructor

Report of the Inspector of Penitentiaries for the Fiscal Year ending 31st. March 1916.

Sir:

I have the honour to submit my report for the year ending March 31st. 1916 with statistical and financial statements summarizing the work of the year.

Again I am able to report a decrease in prison population, from three hundred forty nine in custody when the year opened to three hundred thirty when it closed, three hundred twenty eight being within the walls of the Penitentiary and the remaining two in the provincial mental hospital.

The average daily population was three hundred thirty seven and a fraction and the number punished for offences against prison discipline was a fraction under 22% of all in custody during the year.

There have been no deaths during the year and no escapes but two life prisoners made an ingenious attempt to cut their way out of their cells, serious consequences might have ensued had not the attempt been detected in time.

The five acres added to our farm during the previous year produced a fairly good crop, the prisoners confined in the temporary cell house constructed in 1911-12 have been moved into the new wing of the permanent building, the south side of which has been completed.

The work of preparing the temporary cell house for use as a laundry, tailor and shoe shops has begun, the departments named required the extra space and the transfer will set free two large rooms for any new indoor industries it may be found possible to establish.

Work on the new heating system is well advanced and a great improvement on the old style of heating is confidently anticipated.

During the year two old and faithful officers have been removed by death, Industrial Guard G. McKenzie who had been in the service since 1883 and Industrial Guard R. Dynes whose appointment was dated January 1st. 1894, five others have left to do their bit, four as members of the Canadian Expeditionary Force and one as a munitions worker in England. The Chaplains and the Salvation Army Officer in charge of prison work have given all possible assistance in the matter of caring and finding work for discharged and paroled prisoners, and have had a gratifying manner of success.

The Salvation Army Band of Vancouver kindly came over again this year and gave an open air concert which the prisoners greatly enjoyed.

I have the honour to be Sir;Your Obedient Servant,John C.Brown,Warden.
The Protestant Chaplins report for the year 1916

During the past year the work of the Chaplin has not varied from that of past years,there has been the preaching of the word,visiting the sick and exorting and encourageing the well,in all these phases of the work I have simply tried to do my duty,what the results may be I cannot venture to predict.Among the letters I have received from discharged men I would especially like to note one from far off Calcuta,it was the kind of a letter that helps to cheer a chaplin in his somewhat discouraging work.

It was deemed necessary to suspend the chapel services for two weeks on account of prevailing sickness,I am glad to say I have no deaths to report.The sacrement of the Lords Supper was dispensed once during the year,the attendance was satisfactory and what is of more consequence, I think the spirit of those attending this service was satisfactory.

Again I have to thank Mr.McNess the organist and Mr.Sampson the choir leader for their unremitting efforts in connection with the choir.

A special musical service was held on Christmas morning,I am deeply indebted to Mr.McNess and his friends for making this service a great success,I have to thank you and the staff generally for the kind co-operation accorded me in the discharge of my duties.

Yours Respectfully Albert E.Bert Protestant Chaplin.

Report of the Roman Catholic Chaplin to the Warden.

I beg to submit the following report for the year ending March 31st.1916 As I have but recently been appointed Chaplin,I must depend almost entirily on data furnished by my predecessor,Rev.L.Choinel for the contents of this report.On April 1st.1915 there were one hundred eight Catholic prisoners in the institution,on April 1st.1916 there were ninety three prisoners in the institution,services have been very satisfactory as a rule although on one or two occasions some of the convicts have been rather disorderly,I must say however that is in no way due to the carelesnes of the guards.I wish to thank you for the courtesy you have always shown and to say that I have experienced nothing but courtesy and kindness during my short term as chaplin,may I express the wish that this same feeling will be continued.I have the honour to be, Your Humble Servant H.P.Bessette R.C.Chaplin

Annual report for the farm, March 31st. 1916, B.C. Penitentiary

Owing to the resignation and death of the late farm instructor, Mr. R. Dynes in January last, I have been in charge since that date.

The crops, owing to the dry season effecting us on the side hill have not been quite so heavy as in other years but we were able to produce all the new vegetables required for consumption, with the acreage added by new clearing we shall be in a better condition in the future.

The piggery has done well, and we have supplied all the pork needed by the institution and have a good stock of pigs on hand.

I must again draw your attention to the necessity of heavy manureing as the ground is washed out every season by the heavy rains prevalent on this coast.

Your obedient servant, Arthur J. Christmas Farm Instructor

Wardens annual report for March 31st.1917

Not withstanding the comparative failure of the oat crop, common all over the district, the farm has had a successful year, the roots and garden vegetables were very good, the potatoe crop being the heavyist in the history of the Penitentiary and the piggery also had a successful year, partly because of large crops and partly because of the decrease in prison population we had a considerable surplus of potatoes and pork for sale and also a fair quantity of garden vegetables.

The work of bringing the prison up to date has gone on steadily during the year, the new cell wing has been completed and now holds all the prisoners in custody except a few in the hospital.

The modern cell accomodation here is now almost equal to the largest number of prisoners ever in confinement in this Penitentiary at any time and therefor considerably in excess of present requirements.

This fact enables us to give exclusive attention to other improvements and we have begun construction of a modern kitchen on the ground floor and a fine hospital on the second and third storys, we hope to make rapid progress with this during the summer.

The outstanding feature in the history of the year is the great decrease in prison population, this is the third time I have been able to report a decrease, the figures are, prisoners in the Penitentiary March 31st. 1915, three hundred fourty nine. March 31st, 1916 three hundred twenty eight. March 31st. 1917 two hundred twenty seven. This does not include two men on our books who are confined in the provincial hospital for the insane. March 31st. 1914 saw three hundred seventy six prisoners within the Penitentiary walls so that the war years have brought a most notable decrease, in a considerable extent, that decrease is a direct result of the war.

The boom times of 1912-13 largely increased the population of the province and the depression which followed left it with a stranded surpulus unable to find employment and equally unable to return to distant homes.

Of these when war came, thousands enlisted as well as thousands of others who were comfortably settled in various employments so that it speedly became true that the employer was looking for labour rather than labour looking for employer, thus cureing that condition of no work and money which leads so many into petty crime.

Only one officer of the Penitentiary enlisted during the year but the staff generally has kept up contributions to the patriotic and other war funds with commendable regularity and liberality.

There were two deaths during the year, both from tuberculosis, one a Chinaman, was sent to the hospital almost immediately after he was received, the other an Indian contracted the disease while in prison.

There was one temporary escape, a prisoner working on the outskirts of the reserve ran away and was not recaptured for several hours.

The new heating system was in use during a considerable part of the winter, it appears to be entirely satisfactory.

The Salvation Army Officer in charge of that branch of the Army's work continues faithfully and successfully to look after the interests of discharged prisoners.

J. C. Brown Warden

Monday, August 27, 1917

British Columbian

WARDEN'S HOUSE BROKEN INTO:

David Johnston, a halfbreed with a prison record was this morning committed for trial by Acting Magistrate Whiteside on a charge of breaking and entering, and a separate charge of assault with intent. He is alleged to have broken into the Warden's residence at the Penitentiary with which he was well acquainted while a trusty there.

Mr. Brown who was on the point of retiring put a pistol in the pocket of his dressing gown and proceeded down stairs.

Opening the door of the kitchen he first observed a pile of broken glass on the floor, then he saw the form of a man wearing what he thought at first were cricketing flannel trousers. The man arose and came towards Mr. Brown silently and menacingly.

Mr. Brown ordered him to halt or he would shoot, but the man came on. Unwilling to kill him, and fearing the result of a hand to hand encounter, Mr. Brown backed out through the door by which he had entered the kitchen and locked it. Then he telephoned for the Police who were quickly on the spot. By that time, however, the man had disappeared, and a minute search of the premises failed to discover him.

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Johnston has had a checkered career. He served a term of two years in the Penitentiary for housebreaking at Harrison Mills, and a term of six months for deserting from the 131st Battalion.

After that experience he sailed on a ship for the Orient where he visited Borneo, he had only recently returned from the far East.

Friday, August 31, 1917

British Columbian

PLEADS GUILTY IN COUNTY COURT:

David Johnston, ex-convict and deserter, pleaded guilty this afternoon in county court to a charge of breaking and entering the dwelling of Mr. J.C. Brown, Warden of the Penitentiary, last Saturday night and was sentenced by His Honour, Judge Howay to 18 months hard labour.

Johnston is a halfbreed and claims to have been drunk on Saturday night, and not to have known what he was doing when he got into the Warden's house, although no evidence was adduced at the preliminary hearing to show that he was under the influence of intoxicants.

Annual report, 1918, Warden J.C. Brown for the British Columbia Penitentiary

The prison population continues to decrease, having fallen during the year from two hundred twenty nine to one hundred sixty one, discipline has been fairly well maintained, of two hundred eighty in custody during the year two hundred thirty incurred no punishment.

Satisfactory progress has been made on the construction of the new kitchen and hospital building.

Chaplains and School Instructors report a year of **quiet** useful work, seventeen prisoners were treated in hospital and there were seven hundred twenty seven dispensary treatments, nearly half of them for constipation, the per capita cost of drugs was .67¢, there were no accidents but two deaths occurred from natural causes.

The saving of coal by using driftwood which has been considerable for some years past was increased to a total of at least one hundred forty tons.

From the farm we sold \$2000.00 worth of pork and \$1400.00 worth of potatoes and other vegetables after providing ample for prison requirements.

Six permanent officers volunteered for military service overseas during the year and one was drafted making a total of sixteen who have gone overseas since the war began, as a consequence, of the guards and watchmen now employed, 70% are temporary officers, this to some extent increases the difficulties of management.

The necessary statistical and financial statements accompany this report, all of which is respectfully submitted.

J.C. Brown Warden

Tuesday, August 6, 1918

British Columbian

THE PENITENTIARY ASKS ATTENTION:

A request has been sent to Ottawa by Mr. W.G. McQuarrie, Member of Parliament that authority be given to the Honourable T.W. Crothers, Minister of Labour, to visit New Westminster for the purpose of discussing with the temporary employees of the Penitentiary the working conditions under which they are working. As in the case of the Post Office the situation of these men has been aggravated by the unexplained delay in administering the conditions made for them at the last session of Parliament, and the absence of any assurance they are to be sharers in the War Bonus by Parliament.

The administration of this bonus is left as a matter of necessity to the discretion of the head officers of the various departments. Last year direct assurance was sent to temporary employees of the Penitentiary that they would share in the money when divided, but this year they have received no message, and an uneasy impression has been created by the fact that notice calling for men, placed by the Warden in the Post Office in this city, was ordered to be withdrawn because it mentioned salary \$950.00 where as the rebuking order from

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Ottawa stated the salary is \$800.00, the difference is the bonus voted by Parliament. Even with the bonus the pay of these men would be small compared with prevailing rates in other employment, and the hours are very long. There are about fourteen so-called temporary employees, mainly taking the places of regular guards absent on military duty. Some of these are themselves returned soldiers.

Recognizing the great responsibility of their positions, these men are trying to secure by negotiation the attention which they think should bring redress, but the department proves so difficult to deal with that some of the guards may have to seek more profitable employment before any settlement is arrived at.

Wardens annual report, British Columbia Penitentiary, 1919

J.C. Brown Warden

The decrease in population is continued, there were in custody when the year closed one hundred forty eight as against one hundred sixty one when it began, four or five of the convicts were classed as incorrigible and these spend a good deal of their time in isolation, the others are as a rule well behaved.

Spanish Influenza made its appearance in the prison on the 18th. of December and caused five deaths, the total number of cases among the prisoners was eighty four, this largely increased the per capita cost of drugs which was \$1.61 for the year, there were in all one hundred hospital cases, dispensary cases were eight hundred eighty eight, twelve officers were laid up with the disease throwing extra work on the others, the Deputy Warden, Chief Keeper and Hospital Nurse were the men who upon the weight of the burden fell and their efficient handling of the situation deserves special mention, two conscientious objectors in prison for refusing military service volunteered as nurses when the disease broke out and rendered good service during its continuance, there were no accidents and no escapes, the epidemic of course, delayed ordinary prison work, particularly in the construction of the new kitchen and hospital building and the cutting down of the high banks on the north side of the entrance road which was begun in November. The kitchen however should be ready for use before the end of May and at the end of the year the cutting down of the bank had progressed far enough to give the man on number one tower a good view of the operations and some oversight of the entrance road. Coincidentally some 6,500 yards of earth have been thrown into the ravine save one third of the quantity necessary to raise the soil there to street level.

The Chaplains and the School Instructor have nothing to report, the work went on during the year without disturbance except that during the epidemic the school was suspended and the work of the Chaplains increased. The Salvation Army Band from Vancouver under the leadership of the Army's prison visitor and a local orchestra under the leadership of the prison organist gave prisoners a concert during the year, these the prisoners greatly enjoyed and I have no doubt they contributed to the general good conduct which I have noted above.

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