

came to the Central Prison his right to hold an inquest had been denied on this ground, and on the ground that the surgeon of the prison had attended McKelvey for some time before his death, had been present when he had died, and that, therefore, there was no ground for suspicion. This was what Captain Prince had stated to him (Mr. Wood). Dr. Riddell had then gone to Mr. Langmuir, and made complaint that he had not been allowed to hold an inquest. Mr. Langmuir, knowing that there was no provision in the Central Prison Act with regard to the holding of inquests, very naturally turned to the Act in reference to penitentiaries, which provided that inquests should take place only in cases where death was supposed to occur from other than ordinary causes. Acting on that provision, Mr. Langmuir had thought that there was no necessity for holding an inquest. He had, however, communicated with the Attorney-General, who, upon looking into the Acts, found that according to the Act in the statutes of Upper Canada relating to prisons, an inquest would be necessary in all cases of the death of prisoners. Mr. Langmuir had then given instructions to Capt. Prince, but in the meantime McKelvey had been interred. He (Mr. Wood) might state that a *post mortem* examination had been held by Dr. Aikens, who reported as follows:—"I made a *post mortem* examination on the body and found ulceration of the bowels, and in the ulcer the disease had effected an opening large enough to admit the finger. Through this opening or perforation the contents of the bowels had escaped and caused the prostration and inflammation which ended in and produced death." The truth was, that this man McKelvey had taken sick; he had been placed under the treatment of Dr. Aikens, and had been attended by him for some days; he had been apparently getting better, but had been taken suddenly worse with what was suspected to have been typhoid fever; Dr. Aikens had been sent for, and the man had died in the doctor's presence. He proposed to read Dr. Aikens' full statement in regard to the case. It was as follows:—"Toronto, 7th February, 1877. Dear sir,—As it appears from the papers that some questions with reference to the death of an inmate of the Central Prison, in 1875, are to be considered this afternoon, I will, for your information, state some facts regarding the case of John McKelvey, John McKelvey presented himself for medical treatment May 6, 1875, complaining of constipation. May 8—Reported himself again, complaining of costiveness. May 10—Reported himself, complaining of sore throat. May 12—Reported himself, complaining of diarrhoea, and was seen by me and received treatment on each occasion. May 13—Did not report himself. May 14—Did not report himself. During his whole illness he was in the dining hall, either mending stockings, &c., or sewing the uppers of shoes. He went regularly to his meals till dinner of 14th, when he remained in his cell and his dinner was sent to him. Between two and three o'clock on the afternoon of this day he was taken suddenly with pains in his bowels; some time during the afternoon a message was left at my residence to go to the prison, as a prisoner was sick and could not pass his water; I was absent from home at the time, but on my return proceeded at once to the prison, bringing my case of catheters with me, as at that time there were no catheters in the prison; I introduced the catheter, but soon found this was not the source of danger, but that he was evidently suffering from perforation of the stomach or bowel, and stated so to the officer who accompanied me; it was apparent to me that the prisoner was going to die, and I told him so; he was perfectly conscious, and in answer to my questions told me his real name, and where his relations lived in New Jersey; I gave him medicine, and as there was no time to send for a clergyman did not hesitate to direct his attention to the cross of Christ; I do not think he knew his danger till I told him of it, and I have not the slightest remembrance of his calling for the priest while I was present and I am satisfied he did not do so; I remained with him till he died; I do not think the guards were aware of the man's danger, as complaining of sudden and violent pains in the bowels is of very common occurrence among the prisoners, owing generally to the fact of allowing their bowels to go for many days without operating. McKelvey died about or before 8 p.m.; a day or two after his death I made a *post mortem* examination on the body and found ulceration of the bowels, and in one ulcer the disease had effected an opening

large enough to admit the finger; through this opening or perforation the contents of the bowels had escaped and caused the prostration and inflammation which ended in and produced death; I sent a report at the time to the Inspector of Prisons, stating the above facts; McKelvey's was the first death in the prison; I think there was no inquest, as there seemed to be an impression in the Warden's mind that there was no authority for holding the same; on the evening of the 15th of May, after the prisoners had been locked up for the night, and the guards were leaving, Coroner Riddell with a jury visited the institution, but the inquest was objected to, either owing to the lateness of the evening, or the absence of authority for holding it. The coroner the same evening went to see the inspector about the matter. The body was buried before the matter was finally settled, and the command given to hold the inquest. I think McKelvey had mild typhoid fever. No human vision could have foreseen the approaching perforation, and no amount of medical attention afterwards could have saved his life. W. T. AIKENS, M.D." The most serious charge was that McKelvey, just before he died, being a Roman Catholic, had asked that a priest be sent for and that this request had been refused. Considering the importance with which this was regarded by members of the Roman Catholic Church, and that McKelvey had been a man who had led a sinful life, the charge that he had been refused by the prison authorities the ministrations of a spiritual adviser in his dying moments was a very serious one indeed. There were two persons who had stood by his bedside for hours before he died. He (Mr. Wood) did not propose to refer to any statements made by one of these gentlemen, as it was against him that some of the charges of cruelty had been preferred, but he would simply ask the House to notice what Dr. Aikens had said on that subject.

Mr. MEREDITH asked when this evidence was taken.

Mr. WOOD said that this evidence did not come up at the inquiry. It was a statement made by Dr. Aikens.

Mr. LAUDER—Made at the request of the Government.

Mr. WOOD—Not made at the request of the Government.

Mr. MEREDITH—What is the date of Dr. Aikens' letter and to whom is it addressed?

Mr. WOOD said that it was dated February 7th and addressed to him (Mr. Wood). He proposed now to refer to the charge that he had been trying to injure Mr. Beaumont. So far as that charge was concerned, he had always on the contrary acted very leniently towards that gentleman; and his report after the enquiry with regard to him had been a very mild one. He (Mr. Wood) had carefully avoided dragging his name into the discussion, and had said nothing about him until his statements had been brought forward as evidence by the hon. member for South Simcoe. When Beaumont's name had been thus forced upon the House it became necessary for them to say something with regard to Mr. Beaumont. The hon. member for East Toronto had gone so far as to say that he (Mr. Wood) had known all the circumstances, and had knowledge of the certificates of character which the hon. gentleman had referred to. What he had stated in reference to Mr. Beaumont, and what he was now prepared to repeat, was that, so far as he (Mr. Wood) knew, there had been a rumour that he had been guilty of theft in the Old Country, but that no attention had been paid to it at first. But when the charge was made that he had been guilty of stealing at the Central Prison, and when they found that his statements as to his not having been at Hamilton at all for a certain time, and about his receiving the money of the prisoner, were flatly contradicted by the affidavits of men such as the present Chief of Police of Hamilton and other credible witnesses, it had raised the question in his (Mr. Wood's) mind, as to whether he might not be a man guilty of taking the money that did not belong to him. He (Mr. Wood) was not prepared to say that the certificates which had been referred to had not been shown at the time of Beaumont's employment. He had not employed him, for he was not in the Government at the time, but so far as he knew of them at all, to-night was the first he had heard of them. Mr. Wood then read the evidence of a person named Hardy (who had been in the 13th Hussars Regiment at the same time as Beaumont) to the effect that he had been tried by a district court-martial and sentenced to a