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DR. EDWARDS' ATTACK ON PRISON COMMISSION

Claims That His Charges Were Not Probed

REVIEWS THE EVIDENCE

GIVEN AT THE SITTINGS OF THE COMMISSION.

He Makes Charges Against the Roman Catholic Chaplain, Declaring He Received Money Through Mails for Convict.

(Continued from Monday.)
Mr. Edwards: That is an indication of a great mind. My hon. friend laboured hard, I am sure, to work that out. I will leave him to ponder over that and see if he can work out another.

Mr. Gwynne: You have been stronger in making your point as far as humanity is concerned than you have been in regard to religion.

Mr. Edwards: Well, I am more a humanitarian than a churchman. "A guard who was discharged, makes a charge of perjury arising out of a dispute in the year 1898. The evidence adduced to sustain this charge was his witness uncorroborated recollection of a verbal statement by the deputy."

Refused Corroboration.
Uncorroborated, why? Because the commission refused to allow any evidence to be given in corroboration. In that connection I want to say something which was stated before the commission, and which does not appear in the report, because the chairman of the commission instructed the stenographer not to take it down and requested the press not to publish it. Major Hughes, in the course of his evidence before the commission, stated in the presence of the three commissioners, the deputy warden, and eight or ten other persons that, if the deputy warden were to receive a sentence of three years for every charge of perjury against him, he, the deputy warden, would spend the rest of his days behind prison bars. That is also the opinion of one of the inspectors in regard to the deputy warden. This statement was made by Major Hughes under oath in the course of his evidence. Therefore I think I am justified in making that statement here, because of the fact that I preferred a charge against the deputy warden and was prevented by the commissioners from adducing evidence in support of my charge. It is certainly curious that the deputy warden would lie down under a charge of this kind, made by Major Hughes and one of the other witnesses, ex-Guard Patterson. The deputy warden was present when both gentlemen made the statement, but he has not yet taken steps to prosecute either of them. Therefore, I do not think the general public will have very much confidence in a man of this character, who is practically in control of the institution.

In regard to the charge of neglect of duty resulting in attempts to escape, Dr. Platt says:

"A convict designated as dangerous and marked for special care escaped under circumstances which force one to the conclusion that well-known, important and imperative duties were either neglected or performed in a culpably perfunctory manner."
He is referring to the escape of Chartrand, who got out in the middle of the night. The bars of his cell door were cut and paper bars were substituted. He had a dummy in his cell. He had constructed a rope ladder with hooks on it to fix to the wall, if he succeeded in getting out of the yard, and the bars in the corridor window, were also cut. Smith was on night duty and might be held responsible for not having detected the cutting of the bars of the cell door; but the bars in the window could not have been cut at night, because the prisoners were all locked up, and therefore the bars must have been cut in the day time. A convict orderly, who has since died, stated that the bars of the corridor window were cut by him in the day time while Guard McConville was asleep. In regard to that particular part of the prison, who performed the duties there? The answer is Smith and McConville. What is the public record of these two men? Smith was a new man who had been only for a short time there, and who had fourteen times been reprimanded for neglect of duty. Two of these occasions were on Jan. 26th and Jan. 28th, 1912, and this escape took place on March 4th. I say there was a lack of judgment on the part of the deputy warden in assigning to a man of that kind the charge of a ward where an especially dangerous convict was confined. Who was the other man on duty? The other man was McConville, a man who had been suspended for drunkenness and had been reinstated because the hon. member for Kingston, Hon. William Hart, insisted that he should be brought back and put on duty. The man who appointed these guards to their positions was the deputy warden. And I say that the record of these two men is proof that the deputy warden did not exercise proper care and judgment in appointing them to the position he did appoint them to. I would ask the minister to consider one or two things that the commission did not follow up and investigate. Smith was called and examined in regard to the Chartrand escape. The other man who was suspended three days afterwards, named McConville, was not called. Why? And why was McConville not examined in regard to posting up a notice just before the last election, "Vote for Moyal," and that notice was put up in the warden's office.

certain officials of that institution from the mother of one of the convicts, and the money order sent to that official was in the possession of the commissioners and if I mistake not is at present in the city of Ottawa, either in the hands of the inspector of prisons or of the minister of justice.

Now, I am going to give you the name of that official, and the name of that official is the Roman Catholic chaplain of the Kingston penitentiary. The orders that were sent were sent to him by Mrs. McNeil, the mother of Convict McNeil, who, I believe, is one of the Stoney Mountain gang. The dates of the several orders were May 3, 1912; July 16, 1912, and January 29, 1913, and the amounts were \$2, \$5 and \$5. These money orders, I believe, are at present in the city of Ottawa.

I ask why the commissioners did not go on and investigate this matter. Why did they not? It cannot be stopped there, a reason must be given for those money orders being sent as they were sent from Portsmouth post office to the chaplain of the institution. These orders were obtained in the post office and are at present in Ottawa. I say that this commission is a farce unless it goes on and gives us a reason why that matter stopped there.

Mr. Proulx: Were they addressed to the chaplain?

Mr. Edwards: Yes.
Mr. Proulx: I suppose he could draw the money if they were addressed to him.

Mr. Edwards: I suppose he could and I suppose he did.

Mr. Proulx: Did he give it to the convict?

Mr. Edwards: I do not know; I was not one of the commissioners. That is a matter which I say should be investigated. I want to call the attention of my hon. friend to section 67 of the Penitentiary act, which provides a penalty of three months imprisonment for any person who gives prohibited articles to any convict or leaves them in any place with intent that they shall be taken by a convict. This is the section which the two guards who were dismissed confessed having violated. That was the section that was held over the other guards if they did not come forward and confess having done the same thing. That was the section in regard to which I ask an investigation in this instance, to see if it has been violated. We are entitled to have the investigation.

Mr. Proulx: Has the hon. member any evidence whether the orders were cashed or not? Perhaps they were returned.

Mr. Edwards: The orders, as I understand, were obtained at the post office in Portsmouth and I presume they were cashed at the post office there.

Mr. Devlin: Did the hon. member bring any charge before the commission as to this?

Mr. Edwards: No, I did not about it. I did not know anything about it then. I may say that I had had complaints made to me in regard to the chaplain, but from first to last I refrained from saying one word in regard to that official and it was only after this matter came to my attention that I mentioned his name. His predecessor in that office was a man who was liked by every person because he strictly attended to his business and confined himself to the duties of his office. I believe that the present chaplain has not done that.

Mr. Kyte: What has he been doing?

Chaplain Discussed.
Mr. Edwards: He has interfered and intrigued and caused a good deal of the trouble that has occurred at that institution.

Mr. Kyte: Political trouble?

Mr. Edwards: Well, I think he has had a good hand in that. He is a pronounced agitator and when you get a pronounced agitator you may look out for trouble.

Mr. Devlin: Is it not a fact that Father Macdonald enjoys the reputation of attending strictly to his duties in connection with the penitentiary?

Mr. Edwards: No, it is not a fact. The question is a direct one and is entitled to a direct answer. The contrary, I am sorry to say that he enjoys a very different reputation with regard to performing his duties that he does more than perform his duties, that he has been charged by no less a person than one of the inspectors, Inspector Hughes, with caballing with the guards and forming trouble at that institution.

Mr. Proulx: Is it not a fact that the hon. member caballed himself for Inspector Hughes?

Mr. Edwards: Not as I understand the word cabal. At all events I was not closeted with my hon. friend from Prescott in regard to the matter. I did do my utmost to have Inspector Hughes appointed as warden of the institution and I am prepared to give good reasons for taking the course. Inspector Hughes was recommended by me for that position because I believed that his long years of service there in different positions made him a very competent man for the position. He was recommended not only by me but by thirty or forty Conservative members of this house and ten or twelve in the legislature of Ontario, as well as by four or five conservative executives in Ontario. He had been spoken of highly in the performance of his duties by every minister of justice during his term of office. If any man ever had grounds to ask for the appointment of a man to a position I had good grounds in this case and I was pretty well backed up. You can call that caballing if you like, but I do not call it that.

I understand the word to mean getting together in little bunches and talking secretly and forming trouble. I do not go so about things in that way. If I wish to get a certain point either valding or talking I go straight to it.

What Commissioner's Drew
I wish to call attention to some peculiarities, not to say a harsher term, of the chairman of this commission. There is ample evidence to show that he ignored a good

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will give the convict who is unfortunate enough to be confined in prison a chance to come out a better man than he went in. I firmly believe that there is some good in every man, no matter how bad he may appear on the surface. I believe that in these institutions we require men of tact and judgment and superior ability, at least in the higher offices, and that such salaries should be offered as will attract men of that calibre. You cannot hope to have any reforming influence upon convicts by appointing to administrative positions in the penitentiaries men who are most illiterate and who have practically no education whatever. If you are going to reform the convict you must place over him men who will be firm in their administration, but who at the same time will show a kindly interest in the convict.

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