

# COMPOUND

McCord, of  
ont.

POUND HE WAS  
KEEP OWING  
AD AND



ere sufferers are sure to find  
and banish forever their load of  
and pains. Thousands in the  
found a new life, and now  
the full pleasure of perfect  
sweet sleep and rest, and  
ly health, after using Paine's  
mound.

proper authorities will take  
indicate the evil.

JOHN J. DOWNEY.  
Foreman.

of the old men at the Old  
have been having a hilar-  
during the past 24 hours. One  
as gloriously drunk yesterday  
and the spree was continued  
ng. As one alderman put it,  
dition are celebrating the dis-  
the caretaker and the resigna-  
chairman of the committee."

sed that liquor was smuggled  
me by some outsider. It has  
set for some time that one  
has been regularly supplied.

est value for your money at  
rdware.

oughing.

the ailments of Throat

gs there is no cure so  
nd permanent as Scott's  
d of Cod-liver Oil. It is  
easy on the most deli-  
ach and effective

Scott's  
mulsion

es the appetite, aids the  
of other foods, cures  
and Colds, Sore Throat,  
is, and gives vital strength  
It has no equal as nour-  
for Babies and Children  
not thrive, and overcomes  
Condition of Wasting.

mplicit on Scott's Emulsion. Free,  
e, Belleville. All Druggets. 50c. & 81.

## WESTMINSTER PENITENTIARY.

Report of Hon. Justice Drake on  
the Investigation into Its  
Administration.

A Scandalous State of Affairs Re-  
vealed—The Deputy War-  
den's Actions.

Following is the report of Hon. Justice Drake as commissioner to investigate the affairs of Westminster penitentiary. It was recently submitted to parliament in compliance with a motion of Mr. Corbould, M. P. I have the honor to report that in pursuance of the royal commission to me directed, I opened the same at the court house, New Westminster, on the 22nd of June, after due public notice, and the subsequent inquiry was held at the penitentiary. The warden and deputy warden, steward and guards, were all represented by counsel, and I received valuable assistance from Mr. Charles Wilson, who acted for the crown. The inquiry took a wide range, as I did not have the advantage of the various complaints and reports which had been made to your department until I had been engaged for some days. As soon as I had the opportunity of perusing these documents I was able to direct my investigation with better success. The evidence in consequence is more lengthy than it would have been otherwise. I did not think it necessary to go back beyond 1887 in my investigation, as I considered six years ample time to enable me to ascertain the mode in which the penitentiary has been carried on. As a result of my investigation I found considerable friction existing between the higher officials and the deputy warden, in consequence of which errors of judgment have been magnified and many complaints made which the exercise of a little tact would have avoided, but making every allowance for this state of things it is so patent that the rules and regulations have been in many cases entirely ignored and in others only partially observed. The responsibility for this rests on all the chief officers, except the surgeon, the chaplain, school master and hospital keeper. I find that the warden's authority has been little more than nominal. The first establishment of the penitentiary he states that he was informed by the inspector that he was to consult the deputy in all matters, as he was a person of experience in the new duties which the warden had to perform. In time this had led to an usurpation by the deputy of the warden's authority, and the warden expressed himself as being only the warden in name. His orders to convicts and officers have in some cases been disobeyed by the express direction of the deputy. The effect has been detrimental to discipline.

I will detail the various rules which have been persistently ignored: (1.) No muster roll of convicts has ever been called (rule 92). (2.) The duty of examining the locks, bolts and bars twice a month with a blacksmith has never been done during the three years the blacksmith has been here (rule 93). The deputy's explanation is that if it was reported to him that any repairs were required he instructed the blacksmith to do them. (3.) The arms were found by Mr. Foster in a neglected condition (rule 93), and the guards state that their weapons have never been inspected. (4.) The deputy repeatedly rebuked the guards and officers in the presence of convicts (rule 264). (5.) The deputy employed guards and convicts in work on the orphanage and supplied wood, iron, and cement from the supplies of the workshops, and the orphanage vehicles were repaired by the convicts. No copies of these works or supplies appear in the books. On one occasion only was requisition made for work to be done in the carpenter shop, which was for the orphanage, and the costs charged to the deputy. The convict labor book contains no entry of any labor performed at the orphanage. The entries made on the days when it was proved certain guards and convicts were at the orphanage shows that they were apparently working in the grounds. Courts, one of the guards, states that he was employed between thirty and forty times at the orphanage, and other officers and convicts on many occasions. (6.) One convict, MacDonald, was frequently employed outside without an officer at 8 p.m. (7.) The blacksmith and carpenter workshops were frequently absent whole days from their duties by order of the deputy and without the warden's knowledge, to work on the farm, leaving the convicts in the workshops. The warden stated that they were all trustworthy men, but the deputy admits that keys of the corridors and back door were made in the blacksmith shop, which he fortunately discovered and got possession of. This fact sufficiently shows the necessity of the rule being strictly enforced (vide rules 291 and 292).

As the inquiry progressed specific charges were made against the deputy warden and the accountant. As regards the deputy, Mr. Keary brings forward a claim for work done in the tailor's shop for the deputy amounting to \$60, for which no requisition was given. It appears that the work done in the tailor shops used to be entered in a rough memorandum book, difficult to decipher. But under rule 124 the accountant of that period (1884 to 1892) should have discovered the accounts and entered them properly; the deputy says he frequently asked the trade instructor to make out his account, but it was not done because it was contained in books of previous years now brought up as a charge against the deputy. In my opinion it is a mere matter of account, and if the deputy was wrong in not obtaining requisitions for the work done the accountant was wrong in not having discovered the account

sooner, and I am afraid the discordant feeling that I have referred to is accountable for this and some minor complaints, but there are other matters of a more serious nature which have not been explained away. The deputy has received at various times from Mr. Justice McCreight for the pastures and keep of a horse at the penitentiary over \$300. Many of these sums were paid in cash, other by cheques. The only entry made in the books is \$80 credited to the justice in April, 1893. The amount paid to the deputy, which he does not dispute, is over \$220. The only letters that passed on the subject are marked 1, 2, 3, 4, 5, and the cheques "A," "B," "C." With regard to cheque "B," for \$135, only \$50 was for the pastures, the \$85 balance was paid to the sisters at Sapperton at the justice's request. While on this subject, Mr. Justice McCreight received a letter (exhibit "F") from the Rev. Mr. Morgan, acting chaplain. I took an early opportunity to give him an emphatic warning as to the impropriety of his conduct.

The land occupied by the penitentiary buildings and grounds is about 32 acres. Part of this is pasture land, part in hay, and in 1887 there were ten acres in cultivation; now there are about 14 acres. The warden and deputy warden have three cows between them running in the pasture. They also had fowls, but none exist now. There were also sheep and pigs belonging to the government, and some pigs belonging to the deputy. No entries appear in any books belonging to the institution of the produce raised on the farm, or what has been done with it. Pigs to a considerable number have been killed, hams and bacon have been cured, sheep have been killed. There is some evidence that the hams and bacon were used by the warden and deputy warden. The deputy says that he had pigs in the institution, but they had no distinguishing mark and were fed with the general stock. Two penitentiary pigs, however, were sent by the deputy with the warden's sanction to the orphanage—value about three dollars each. The deputy had sole management of the farm. Mr. Keary asked frequently for the farm accounts, but was always refused, and no accounts have ever been kept. The deputy asserts that he had the roots and other crops weighed into his barn, but no entries were produced nor memorandum of any kind. The annual returns of the farm—which for the years 1888 to 1892 inclusive appear to have been altogether omitted from the parliamentary returns—have been in my opinion merely imaginary. In 1887 the returns show crops equal to 13 tons to the acre, there being in that year only ten acres in cultivation and a gross return of \$350 an acre, in 1892 a gross return of \$186 an acre. These figures are extracted from the annual report and make a wonderful showing as compared with Manitoba, which only returns some \$15 an acre, excluding the hay, which I understand is cut outside the farm. These figures, taken in connection with the absence of any entries produced to me, lead me to the conclusion I have already expressed. It was also proved that bread, potatoes, fruit, vegetables, coal, cement and lumber have been at different times taken out of the premises by order of the deputy warden. With regard to potatoes, the deputy's receipts for the years 1891, 1892 and 1893 covering three and a half tons, and says these are the potatoes that went to the orphanage. I am unable to check his figures, as the potatoes went out in small quantities, and no account was kept. With regard to the coal the deputy says he sent the orphanage a ton as they were out of coal in the winter and he bought another ton to replace it, and produces the receipt from the vendor, Rogers (exhibit "K"), but again from want of entries I am unable to check him. The coal that went to the orphanage is not entered, neither is there any requisition for it, and the coal that replaced it does not appear anywhere.

With regard to the bread, fruit and vegetables, it is proved that various articles of this character were taken away, but as regards the fruit and vegetables the deputy claims that they came out of the garden which is laid out in front of the building, and that as the garden was originally planted by the warden and himself he considered he was entitled to the produce. A large number of empty flour sacks (between 3000 and 4000) were, it was stated by James Miller, removed by the deputy warden, which he denies. I have been unable to trace them.

Some evidence was given of spying by Guard Smith on Mr. Keary, and there is no doubt that a general feeling of distrust exists among the officers that this is not a solitary instance, but it is hardly possible to establish the fact absolutely. The deputy excuses himself for non-compliance with the regulations by stating that it was arranged between the warden and himself that he should go out to work with the men and that the warden should do the deputy's duty. This the warden denies. I can see no reason for the deputy going with the convicts to clear land, remove stumps and build fences. Any officer of ordinary intelligence could do this work, but the deputy says his officers were incompetent, which I see no reason to believe. I also inquired into the escapes and attempts to escape, which amount to 12 since 1892 (see exhibit "O"), and it was stated by some of the guards that in their opinion the number of convicts sent out in the range were too many for the number of officers. Three officers and sometimes two had charge of from 40 to 50 convicts working in the ravine—a difficult place to control so large a number. This, however, is a matter on which I cannot express any opinion; the guards employed and the warden all concur in stating that they consider this number of convicts dangerously large for the officers in charge.

I took the opportunity of seeing all the convicts who desired to see me, and there was a very general complaint of the food, and the manner in which it was served before Mr. Foster's presence last year. It was alleged to be a common occurrence to have their food placed on the floor near or in their cells and occasionally kicked to them by the guards. The result was that a very large amount of food and bread was wasted, so much so that there is now a saving of nearly one hundred pounds a day in bread alone by feeding the men in a decent and cleanly manner. There is also a complaint that irons are too frequently used in punishment. The warden admits that when irons were ordered they do not always appear in the punishment book. There is a universal expressed satisfaction by all the convicts I examined at the change wrought by Mr. Foster in the internal discipline and management of the penitentiary.

I made a careful inquiry into the attempted escape of Kennedy on the 14th of December, 1893, when he was shot in the leg and the result I have arrived at is that the shooting was unnecessary. Kennedy was on a ladder trying to get over the fence. Guard Smyth came up and shot him. From the appearance of and convict's clothes, which are burnt with powder, the pistol must have been used at very close quarters. Guard Smyth probably lost his head in the excitement of the moment and I think used his pistol unnecessarily. I examined into the matter because there appears to have been some difference of opinion between the guards as to the fact and contradictory statement forwarded to the department of justice.

I have not in the above report dealt in detail with all the numerous matters brought to my notice, as they are fully set out in the evidence, but my investigation fully satisfies me that the irregularities were shown to have existed would have been practically impossible if the regulations had been adhered to. As I stated before the officers did not work well together, the guards complained of favoritism in the appointment of their duties and there is no doubt that the numerous complaints which have been made from time to time have had their origin in a feeling of dissatisfaction which seems to have existed for the last two or three years. Charges were made against Mr. Keary of concealment of some of the books of the institution which had been kept by a previous accountant. He admitted the fact. The books were subsequently found and the reason of his action is difficult to discover. He was also charged by Mr. Fitzsimmons with having asked him to store some feed for him and the inference was that the feed was government property. Mr. Keary says it was feed he had bought for his horse and there is no reason to doubt it. The buildings were not kept in the condition of cleanliness they ought to be by the medical officers, and some of the guards spoke strongly on this subject, but this is now being rectified.

The medical officers suggested that the hospital keeper was too frequently taken for other work to the neglect of his hospital duties. As the inquiry both the warden and deputy warden were present the whole time and heard all the evidence and at their request I called any person they desired, and permitted the fullest cross-examination limited to the inquiry. I refused to allow the Sisters to give evidence as to what the orphanage had received from the government property or where it had gone to, if it was shown that any had been taken away from the institution.

The late guard Finnegan desired to give evidence and I allowed him to do so and he took the opportunity of alleging drunkenness against McInnes the steward and Guard Robertson, but he never reported them and also made a charge against Keary of using improper language, but I place very little reliance on the statement of this witness. In conclusion I may say that the warden has rendered me every facility in making the inquiry and very frankly admits the existence of dissatisfaction but says that the deputy was in his opinion a first class officer up to three or four years ago, when he sustained a severe domestic bereavement, from which time he dates the changed tone of his intercourse with the officers and the lack of interest in his duties.

All of which is respectfully submitted.  
(Sgd.) M. W. TRYWHITT DRAKE,  
Commissioner.

LAW INTELLIGENCE.

Appeal in Confederation Life Association vs. McInnes Dismissed.

The divisional court yesterday, composed of Justices McCreight and Drake, full the appeal in Confederation Life Association vs. T. B. E. McInnes. The plaintiffs sued the defendant, who is a Nanaimo barrister, for \$129.86, the amount of two premium notes given to plaintiffs on his application for insurance, and Judge Harrison gave judgment for plaintiffs and the defendant appealed. The application for insurance was accepted, but the policy when received in September was objected to by the plaintiff as not correct in the description of his residence, which it gave as "Victoria, Vancouver district," and was sent back to Toronto for alteration. Afterwards when the policy was presented to defendant he said he would not be able to pay the notes for six or eight months and returned the policy and took a receipt from the general agent, Mr. Dunderdale, for the policy returned. The head office refused to receive back the policy and sued on the notes. The defence set up was accord and satisfaction and also a new contract with the company, by the general agent varying the terms of the original contract, and that the act of the general agent bound the company. According to the written conditions of the agreement one of the terms was that agents were not authorized to make, alter or discharge contracts or waive forfeitures. The appeal was dismissed with costs.

Jindley Crease for appellant and A. E. McPhillips contra.

Closing out sale tinware at Shore's hardware, 57 Johnson street. Come and see prices.

## RUSSIA IS STILL INTRIGUING

Under Certain Emergencies She  
Will Protect Corea—The  
Japanese Object.

The Kaiser Reviews the Guards—  
British Action in Armenia  
—Bi-Metallism.

London, May 31.—The Daily News this morning has an editorial on the report of Sir Julian Pauncefote, British ambassador to the United States, on the condition of husbandry in America. The Daily News says: "We are not inclined to attach much value to the calculations in the report based upon the probable adoption of the silver standard in America. The American farmers must be shown enough to see that an inflation of the currency would add to the cost of living no less than to the prices for their product." The report arrives at the discouraging conclusion that the British farmer must probably, in the future, reckon with the same competition as heretofore. "In wheat, meat, and dairy produce, if anything, the competition is likely to become severer with the decrease in the cost of production. The article continues: "The report from the Boston consular district is inclined to blame our farmers for the competition in dairy produce and fruit, which has developed from the New England States, alleging a lack of education and enterprise at home as the cause of its development." The Times to-morrow will print a dispatch from Tientsin, which says that the Japanese are rapidly evacuating the Liao Tung peninsula, and that the movement will be completed in ten days.

In the house of commons to-day Sir William Hartourt, the government leader, replied to the attack on the government's foreign policy by Sir Ellis Ashmead-Bartlett, who has been an active champion and defender of the Turkish government against the charges of atrocities in Armenia. Sir William Hartourt admitted that the government was acting conjointly with France and Russia regarding Armenia, but denied that it had allied itself with these powers against Germany or other leading nations. The government, he said, desired to act in amity with all the powers.

The Times publishes a dispatch from Hong Kong giving details regarding the trouble on the island of Formosa. They show that the action which resulted in the island declaring itself a republic was promoted by the Chung Tong party as opposed to the Li family. Gen. Tchong has been appointed foreign minister and Kih Sing-Kuk, the originator of the movement, has been superseded by Tang. Dissensions have already occurred and the common people, it is stated, regard the declaration as an official dodge. H. R. Morse, commissioner of customs at Tamsui, island of Formosa, has refused to recognize the republican flag, and the German consul at Tamsui, addressing Tang as governor of the island, protested against the declaration of the port of Tamsui with torpedoes in time of peace.

Five Japanese warships arrived at Tamsui on May 26 and took soundings in the harbor without being molested by the garrison of the Chinese fort. Only a portion of the soldiers support the republic. Prior to the declaration of the republic it is stated that a French cruiser visited Tamsui and two of her officers had a secret interview with Tang. No importance, however, is attached to this fact.

A petition has been forwarded to Peking from south China, praying the emperor to introduce constitutional reforms, to remove incapable officials, to abolish the pig-tail and foot-binding and to allow freedom of speech and of the press. Briefly, the petition advocates a reform on western lines.

The correspondent of the Daily News at Vienna telegraphs to that paper a report that the Korean premier has negotiated a treaty with the Russian ambassador whereby the Russian government protects Corea in certain emergencies. "Corea would become Russia's protegee," the correspondent continues, "without losing her independence. The king of Corea refuses to sanction the treaty. Japan threatens to recall her representative from Seoul if the treaty is sanctioned. The treaty contains two clauses. I am informed that China has given Russia a conditional permission to cross the Chinese frontier at any time the Chin see or Tartars molest the Russian workmen employed on the trans-Siberian railway. This may explain the reported invasion of Manchuria."

Berlin, May 31.—The Kreuz Zeitung to-day says that the Emperor William, after reviewing the guards on the Toupelhof parade grounds, addressed them as follows: "Comrades and Fusiliers!—The 29th of May is a day never to be forgotten. Seven years ago I led your brigade before the Emperor Frederick at Charlottenburg. Those were the only soldiers ever inspected by my father of blessed memory. You should never forget that day. The present generation will recollect the high honor thus perpetuated in the brigade. I have determined to pass this day in your company and trust that you, by your devoted service and faithful performance of duty, will prove yourselves good soldiers. Be mindful of the victorious struggles of 25 years ago. At that time this brigade especially distinguished itself and sealed its devotion to the Fatherland with its blood. In the same manner you have seen how the enemy is assailed, driven from its position and thrown to the ground. In the remembrance of this day I bestow upon your colors the collar of the Hohenzollern family order."

The annual review of the garrison of Berlin took place yesterday at the Toupelhof parade grounds. The Emperor, Empress, the young princess and other members of the imperial family, in addition to a number of royalties, were present. The Emperor led the second regiment of guards past the Empress and after delivering his usual criticism of the army, His Majesty rode at the head of

the color company to the castle. He was heartily cheered.

The Chronicle editorially congratulates Newfoundland upon her issue from her embarrassment. The paper says: "The conclusion of the loan shows that her finances are not so irretrievably bad as the public has been led to suppose. It means also that Newfoundland is no longer under compulsion to change her political status. We still believe her best interest would be consulted by joining Canada. We hope that Colonial Secretary Bond will bring with him an acceptable compromise on the French shore question."

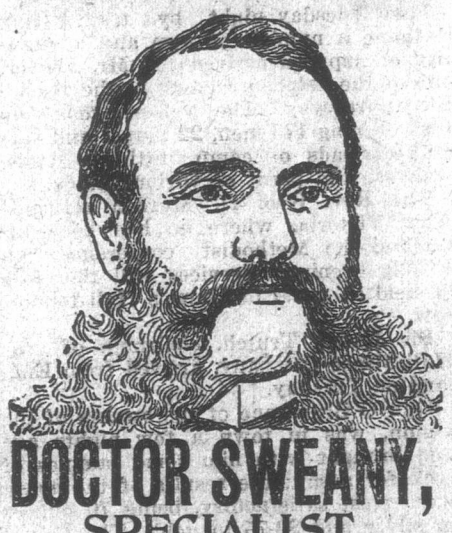
The Daily News has an editorial commenting upon the recent incidents at Jeddah, Moush and Beyrout involving assaults upon the representatives of the Christian powers by the Mohammedan residents. The editorial says: "It is not too much to say there are many signs of a holy war against all Christian communities and all Christian rights whatsoever represented on the Armenian commission cannot possibly mistake its character. Armenia was probably never nearer to complete and final delivery than at this hour."

The Times also comments on the Sultan's delay in accepting the Armenian scheme of reform and calls him the great international mischief-maker. The Times contends that the delay, besides serving to add fuel to the anti-Turkish agitation in Europe, stimulates the anti-Christian spirit in Turkey. The Jeddah and Moush outrages prove that the old fanatical temper of Islam is not extinct and may readily lead to deeds for which exemplary reparation will have to be exacted. The folly, zeal or savagery of any local leader or local rabble might cause an out-break of anti-Christian fury which the authorities would be impotent to stay. It is for the Sultan's sake, therefore, to consider what the consequences of such an outbreak might be. If the Sultan is unable to secure the speedy punishment of the offenders at Jeddah and Moush we may ourselves be compelled to chastise the offenders."

The Times this morning has an editorial commenting upon the agricultural report to Mr. Hugh Gough, first secretary of the British embassy in Washington saying: "All the dismal comparisons contained in this report tell one of enormous production at non-redeemable prices. With exceedingly cheap land and with economy of production and handling carried to a remarkable length by commercial ingenuity, the American producers are yet baffled by the magnitude of their own operations. Loudly as the American farmers complain, they at all events live in a land of plenty. Most of them would probably have failed to enjoy as much of this had they remained in European cities to glut the labor market. They all desire, however, to command more of the good things of life, and it is from that the demand comes for all sorts of economic experiments. They are firm believers in the notion that an increased currency would cause a rise in prices. Therefore they are an easy prey with persons who want to sell silver. But the price of grain at Liverpool would not alter though every western farmer had all the silver currency the mine owners are anxious to supply."

The article arrives at the conclusion that the British farmer might make much of his changes.

## WHEN OTHERS FAIL CONSULT



DOCTOR SWEENEY,  
SPECIALIST.

Formerly of Philadelphia, Pa. For a number of years has had permanent offices at Seattle, Wash. 713 Front St. (Union Block), where the sick and afflicted can receive treatment in the future to they have in the past from the ablest and most successful specialists of the age.

**YOUNG MEN** If you are troubled with "exhausting drains, pimples, hairiness, aversion to society, stolidity, despondency, loss of energy, ambition and self-confidence, which deprive you of your manhood and absolutely unfit you for study, business or marriage, you should take treatment from this noted specialist before it is too late.

**MIDDLE AGED AND OLD MEN**—There are thousands of you troubled with weak, aching backs and kidneys, frequent painful urination and sediment in the urine, and other unmistakable signs of nervous debility and premature decay. Many die of this difficulty, ignorant of the cause. The most curable cases of this character treated with unfailing success. Delay is dangerous.

**PRIVATE** Diseases—Inflammations, Stricture, Weakness of Organs, Hydronephrosis, Varicocele and kindred troubles quickly cured without pain or detention from business.

**CATARH**—Which poisons the blood, stomach and lungs and saps the vitality, gives rise to Consumption, Throat, Liver, Heart, Kidney, Bladder and Constitutional and Internal troubles, also Rheumatism, Erysipelas, Scrofula, and all diseases of the blood. Pimples, Scrofula, Syphilis, etc., etc. The cause of all these troubles is a strong, pure and healthy blood.

**BLOOD AND SKIN**—Pimples, Scrofula, Syphilis, etc., etc. The cause of all these troubles is a strong, pure and healthy blood.

**LADIES**—If you are suffering from pain, stricture, intolerable itching, or any of the distressing ailments peculiar to your sex, you should consult Dr. Sweeney without delay. He cures when others fail.

**WRITE**—Your troubles if they arise from the blood, and send them to Dr. Sweeney at home by mail, and receive prompt attention. Strictly confidential. Medicine sent secure from observation. Free of cost. **DR. SWEENEY'S** sent free to those who describe their troubles. Address: **LEVERETT SWEENEY, M. D.** (Union Block) 713 Front St., Seattle, Wash.