

Q. Did you order any firing in the penitentiary?

A. No, sir.

Q. Did you carry firearms that evening?

A. Yes sir, a shotgun.

Q. Did you fire any shots yourself?

A. Yes, sir.

Q. How many?

A. At least two, sir.

Q. What did you shoot at?

A. I shot at the wall to scare those two fellows who were digging towards the chapel.

Q. How many guards were around the outside of the cell blocks?

A. There were groups of them all the way round.

Q. Did you take command of them?

A. I visited them.

Q. Did you place them in position?

A. I did, sir ... that is around the corners.

Q. What instructions did you give them?

A. After the incident I had reference to ... after that that there was no more shooting I know of. I told them not to do any more shooting.

Q. You were of the opinion further shooting was unnecessary?

A. I didn't think it was necessary after that. There seemed to be a lull.

While there is no statement that the deputy warden actually ordered the guards to fire, from what I know of the inquiry I conclude that he, as deputy warden, was the officer who would be entitled to do so if the warden was not on the scene at the moment. The statement has been made that General Ormond ordered the firing. General Ormond did not take control of that penitentiary until the twenty-second, two days later; he was there because I sent him there, but the warden was in control of the institution until the twenty-second. On the twenty-second when it became apparent that acting warden Smith was giving way or had lost his nerve after the trials through which he had gone during the previous forty-eight hours, it became clear that he was not the man for the job. He was sent away for a rest and after that, on my instructions, the superintendent took charge of that penitentiary. That was after the riot was over, and an inquiry was held which lasted for approximately two months. Nine hundred prisoners were examined; they stated their complaints, which were taken down, and I have read them all.

Many of the complaints made by prisoners would appear trivial to many of us, but they mean much to these men. Of complaints then made there are very few which have not been remedied. The chief complaint was about cigarette papers and cigarette smoking; that was granted. Another complaint was in regard to the silence rule; that was granted. The question of hair cutting, the close cropped head, was also dealt with. Open air exercise

was dealt with; permission to have certain toilet articles was granted. Altogether thirty-eight requests were granted and I think probably about twenty-five requests were not granted. Some of the prisoners insisted on theatres, radios, football and baseball matches and the like. The vast majority of the men, however, emphasized those matters to which I have referred, and the great majority of the complaints were in regard to cigarette paper. The officers and staff were all examined with the idea of seeing what, if anything, was defective in the system, and after the most thorough investigation it was decided to relieve certain officers on the staff from duty. That was only done after careful examination. I think the only complaints I have had in regard to the retirement of officers were from my hon. friend from Kingston City and from the men themselves, so I need not go further than I have already gone this afternoon in stating that all the papers and documents are available to the hon. member for Kingston City if he desires to examine them.

There is one further point about which I should like to speak. I have been asked specially by the hon. members for Winnipeg North Centre and Kingston why Warden Megloughlin was recently removed. I have no hesitation in giving the reason, and my statement will be somewhat similar to the statement I made in the house on a former occasion. Apparently the warden did not carry out the definite instructions given to wardens in regard to penitentiary regulations. I mentioned some of them. He did not institute the course of exercises laid down in the regulations, but permitted a certain looseness which developed into noisy baseball games and demonstrations which are not permissible under penitentiary regulations. Such sports are permitted in Sing Sing penitentiary in New York, and one of the demands made by some prisoners in Kingston is that that they be granted all the privileges granted in Sing Sing. Another point was in regard to smoking. Very definite regulations have been passed that smoking must not be permitted in any building where there is inflammable material. That regulation I am afraid the warden disregarded, and two fires ensued. Whether such fires were caused by smoking or by some other means I am not prepared to say; we have not yet been able to ascertain that fact. There were a number of other regulations which at the moment I cannot recall, but action was taken because of the warden's failure to put regulations into force. They are in force in the other Canadian penitentiaries. I admit that Warden