

SISTERS TESTIFY IN BASIL CASE

They Denied that any Dope was Prepared for the Plaintiff

Papal Delegate's Letter—Said Mother Superior Must Bear Responsibility — Mother Magdalene and Sister Vincent were Present in Sister Basil's Room, When Her Removal Took Place.

When the Supreme Court session adjourned at 5.15 o'clock Friday evening, it was uncertain if the case of Sister Mary Basil vs. Archbishop Spratt et al would be completed on Saturday, but there were hopes that the case would go to the jury before Saturday evening. Several more witnesses were to be examined. Mother General Francis Regis, Mother Magdalene, and Sister Vincent took up the attention of the Court all day Friday. The Mother Superior continued her evidence. Mr. Tilley asked witness why she did not take up the challenge of Sister Basil who said that if any of her charges were not proven she would apologize. Witness did not think the charges were true.

Witness said she had talked to the Archbishop about Sister Basil's conduct. The Archbishop had never told her that Sister Basil intended to complain to Rome. Witness did not know that Sister Basil was writing out a report. The day after the alleged abduction the Superior told witness that she saw a parcel of papers in Father Mea's hand, which were to be mailed to Rome. "You said you discussed her vicious conduct? Tell us about this," Witness gave the names of some sisters she claimed Sister Basil had insulted. Sister Basil had threatened to break one sister's face. "When did you first think of getting rid of Sister Basil?" "I could not say."

Witness said that Sister Basil's conduct was regarded as such by the council, that it would be better to have her removed. Mr. Tilley wanted to know why Dr. Phelan, a celebrated alienist, had not been called. Witness said first they had to remove Sister Basil from the influence of Father Mea. In Montreal she would be under constant observation. "Did the Archbishop advise you about Sister Basil's removal?" Witness said that the Archbishop did not advise.

Witness declared that the Archbishop did not say anything when he knew of the arrangements to take Sister Basil to Montreal. "Silence gives consent," remarked Mr. Tilley. Witness told of telephoning the Archbishop on the night of the alleged abduction. Witness told about having Sister Basil ready to go to Montreal. The Archbishop said he did not know what to do about it. "Did you give any instructions after you got this message?" "Constantly Naylon asked what to do and I told him to go on." "The last instructions you gave was to go on to Montreal."

Witness could not remember, as there was so much talking. Papal Delegate's Letter Mr. McCarthy read a letter sent to the Archbishop by the papal delegate, in which the latter pointed out that the responsibility for the removal of Sister Basil must be borne by the Mother Superior. Witness stated that she seen Dr. Phelan twice a week as a rule, but that she did not ask his advice. Witness had told him that Sister Basil was troublesome. She did not ask him if Sister Basil should be placed in some institution. Dr. Phelan was not the person to decide. This question should be decided on in Montreal. There were doctors at the Hospital of St. John of God, to decide this.

The minute book of the Council was produced with a record of the late Dr. K. N. Fenwick advising that Sister Basil would eventually become insane. This minute was not signed. Witness did not know when this was written. When Mr. Tilley again took the witness in hand he asked: "You know she was perfectly sane?" "I could not say. Judging by her actions it was impossible to say." "You would not say she was insane?" "No," was the reply. Mr. Tilley wanted to know why Sister Gabriel had been sent west, in view of the fact that the trial was coming on. Witness said she did not know that there was going to be any trouble. Sister Gabriel had been sent west in would be any trouble.

"Did you tell Sister Gabriel that

interrupt the mail between me and Sister Basil?" "I don't know," was the reply.

Witness stated that once she had told the Mother General that if Father Mea and Sister Basil were separated things might improve. On the night of the removal of Sister Basil witness said that Sister Vincent told her she had a letter for Father Mea, but she did not see it. Mother Magdalene then told of the removal of Sister Basil. When Constable Naylon arrived she asked him why he had not come earlier, and he said he had come at the hour he was told to arrive. The witness testified that when they entered Sister Basil's room that Sister had all her underfooting on.

Mother Magdalene said she remarked to Sister Basil: "Now Sister you know you have not been well. We're only taking you to Montreal for treatment, and you'll be back again soon." She denied that any violence had been used upon sister Basil. In cross-examination by Mr. Tilley the witness said that Sister Basil never told her what the real trouble was. Mr. Tilley caused a ripple of laughter when he remarked to Mother Magdalene that Constable Naylon did not appear to be afraid to tackle an insane person, but he appeared to be afraid of the witness when he appeared on the scene at the orphanage.

Mother Magdalene, local superior of St. Mary-of-the-Lake, was the next witness. She said she had been in the order for forty-three years. She came to the orphanage from Chesterville in 1916. For a short time she lived with Sister Basil in the Brockville hospital. She also was with her in the mother house for a couple of years. She was always on friendly terms. Witness said sister Basil told her she could not get on with one of the Sisters in the ward of the Brockville hospital and she had to be moved. At another time she complained about being banished from the house. At the orphanage Sister Basil occupied most of her time attending upon Father Mea and she did not see her very often at the exercises.

Mr. McCarthy asked witness how she found the condition of affairs when she became superior of the orphanage. Mother Magdalene said she made an inspection on the third day. She found the children in the clean room looking bright and clean. The witness declared there was no such a thing as a subterranean passage in which the children were kept as alleged by the plaintiff. "Are you the designer of this costume?" asked Mr. Tilley, producing a black dress. "No, I was not," replied the witness.

Did Not Prepare Dope "Had you to do with the preparation of a little medicine that night to give to the plaintiff—a little dope to keep her quiet?" asked Mr. Tilley. "I had not," replied Mother Magdalene. "I would not know how to give dope?" "Oh, well, you would if you had an intelligent doctor to tell you about it," remarked Mr. Tilley. Sister Mary Vincent Sister Mary Vincent was next called to the stand and her examination was continued until the time of adjournment at 5 o'clock. Witness was elected as a member of the Council in 1913, and was re-elected in 1916, and was an assistant to the Superior General. Witness said she had heard complaints about Sister Basil, but did not come into contact with her so paid very little attention to them.

These complaints were against the Superior General. Witness acted as Superior General while Mother Regis was in the west. Sister Basil complained to witness about being sent home from the west, stating that she did not want to come back to Kingston, and that she would have been glad to have remained in Daysland. Witness said Sister Basil blamed the Mother General for sending her home from the west. Witness had heard several complaints about Sister Basil while the latter was in Smith's Falls, by some of the Sisters there. These complaints were similar to those she had already received.

Regarding the proposed removal of Sister Basil, witness stated that she had received no personal instructions. The matter she understood had been decided by the Council. On the day previous to the one arranged for the removal of Sister Basil, the other General asked her to accompany Sister Basil to Montreal. The Mother General gave witness money to pay the expenses to be incurred by the trip. Witness remembered being told that a man would assist her. Night of the Abduction The night of the alleged abduction, witness left the Mother House with Sister Alice and another sister and arrived at the orphanage between 8.15 and 8.30 o'clock. Witness said she had a letter to give to Father Mea from the Mother Regis. When she arrived at the orphanage she gave the letter to one of the sisters there, and then went upstairs and stayed until 10 o'clock. Sister Basil came upstairs shortly afterwards.

"Have you anything to add about the alleged abduction?" asked Mr. McCarthy, "or would what you have

to say just be a witness made her remark that she was in Sister Basil's room continually on the night the alleged abduction took place. "Was the plaintiff gagged?" asked Mr. McCarthy.

"She was never gagged with anything," replied the witness. "And did Constable Naylon put his thumb under Sister Basil's chin?" Witness said that Sister Basil was not wearing two skirts, and contradicted the statement made that she was scantily attired. Did Not Know It Was Wrong Mr. Tilley then took over the witness and fired many questions at her. "If the Mother General tells you to do a thing do you do it whether it is wrong or not?" asked Mr. Tilley. "I don't believe in doing anything that is wrong."

"But why did you do it?" "It was not knowingly." "And do you justify yourself in doing what you did just because you were told to do it?" "Witness said she did not know that she was doing wrong. "But you know now that it was wrong?" "No," said the witness. "Taking everything into consideration how do you justify yourself?" "I did not think we were taking Sister Basil to an insane asylum."

"No, I did not," replied the witness. "The arrangements were made in the Mother House." Mother Magdalene said she did not question her orders. She was told to take Sister Basil to Montreal and she obeyed the Mother General. She did not know why Sister Basil was being removed but supposed it was because she was causing trouble. "Why did you need help?" asked Mr. Tilley. "Because I knew that no four sisters could handle her when she did not want to do a thing," replied the witness.

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in given for Father Mea personally. Witness said she did not like to go to his room. She was told to give it to Father Mea herself. She got another sister to rap on Father Mea's door and hand the letter in to him. Witness had been censured by the Mother General for not handing the letter to Father Mea herself.

"Have you much to complain about Sister Basil?" "Nothing personally," was the reply. Witness admitted that she herself had made complaints in her day, as she put it. Witness stated that she was not present to divulge private matters concerning the Council. "Are you being influenced by the rule that you must not disclose certain things?" Witness said she was not being influenced by anyone.

Mr. Tilley then asked the witness if there had been complaints such as Sister Basil had made. Witness stated that there had been considerable complaining. During the session James Stewart postmaster, gave evidence to establish proof of the mailing, by registered letter of Sister Basil's communication to Rome. Superior General Gave Evidence Mother Regis had heard many complaints about Sister Basil's conduct for years past. She denied the charges made about St. Mary's orphanage. Mother Regis declared that the statement that the boys and girls were allowed to go dirty was entirely false. She had investigated the case of a boy whom Sister Basil declared that but for the intervention of a layman with the Archbishop would have been turned out on a cold winter night. Witness said the boy would not have been kept there, but Father Mea insisted that he be retained.

A Large Well-Lighted Basement With regard to the subterranean passage in which Sister Basil said the little boys were kept Mr. Tilley said they were kept in the basement, which was large and well-lighted. It was a good recreation room. To reach this room the children would have to go through a passage in the basement. The Mother General said she hardly knew to whom the plaintiff referred when she spoke of the boys being kept with tramps and grown-up imbeciles. Some men may have come as tramps. With regard to the replacing of the heating plant at the orphanage, Mother Regis said that the other plant did not heat the building. It was decided that the installation of the present system would save keeping an engineer the year round. Witness did not go to see Sister Basil after the latter made her report, nor did Sister Basil go to see her. Occasionally she met her at the orphanage. Father Mea came to the House of Providence to complain but she could not remember the date. Further complaints came from the orphanage about Sister Basil interfering with the offices of other officials and making unkindly remarks about those in authority. After her re-election as Mother General on the 19th of July, 1916, more complaints came about Sister Basil. One was that she made an attack on the Superior. This was a verbal attack in the way of criticism. There was a retreat on the 23rd of July, and Sister Basil was named to come to the Mother House for the retreat. Sister Basil attended the retreat, but did not appear before the Superior.

Witness recalled the decision of the sister to ask that another confessor be appointed to the orphanage and the bringing of the younger sisters to the Mother House and replacing them by older ones. Asking For Care of Sister Witness said that she wrote to the Superior of the Hospital of St. John of God, at Montreal. The letter was produced and read by Mr. McCarthy. The writer asked if the hospital could care for a sister who had been causing much anxiety. Reference was also made to the sister's mental condition. The reply revolved quoted rates, etc. Witness asked Dr. Phelan to get Constable Naylon. Witness was informed that it was not necessary to have transfer papers made out here, as new papers would have to be taken out in Montreal. Witness said that the conduct of the plaintiff was such as it was impossible to get along with the community.

"Could she have been dismissed?" asked Mr. McCarthy. Witness said that as far as she was aware she could have been dismissed through the Archbishop. If plaintiff had been given dispensation and accepted she would have no longer been a member of the community. "What was your idea in sending her to Montreal?" "Because she would be under ob-

servation and away from Father Mea's influence. Perhaps in a few months, it could be seen whether or not her mind was unbalanced." Witness told of a conversation she had with Father Mea, when the latter said Sister Basil was a good cook and a good nurse. Asked why she wanted Constable Naylon, witness said he was wanted as it was feared Sister Basil might do injury to some of the sisters. Witness fixed the date of the trip to Montreal and put Mother Vincent in charge. Witness on the day set for Sister Basil's removal wrote a note to Father Mea, stating that Sister Basil was to be removed. The note was given to Mother Vincent for delivery, with the request that it be delivered previous to the removal of Sister Basil.

Witness said she got a note from Dr. Phelan, but did not know what she did with it. Dr. Gibson had promised to send her a paper, but he never sent it. Recalling Events Mr. McCarthy turned to events which occurred on the night of the alleged abduction. She recalled Father Mea stating that if Sister Basil was taken to Montreal he would take habeas corpus proceedings. She heard Constable Naylon appeal to Father Mea and ask him to allow the sisters to do what they wanted to do and then take action afterwards. Witness told Father Mea that she had no authority. Witness said she had instructed all the sisters to be kept to Sister Basil. Father Mea had informed witness on February, 1917, that certain documents had been sent to Rome. Questioned by Mr. Tilley, witness said she was on friendly terms with Sister Basil until 1913. In 1913 witness was elected as Mother. Witness was then questioned as to the voting on her election. She had never heard that there had been some canvassing done. Witness recalled her trip to Daysland. She asked Sister Basil if she was coming back to Kingston. "From that time to now how many conversations have you had with Sister Basil?" "I could not say."

Witness thought she had told about all the conversations she had with Sister Basil. Looked up the Records "Did you go through the council book to see what was in it about Sister Basil?" At the time of the proposed transfer of Sister Basil an assistant of the witness looked up the records of the minute book. "From the time Sister Basil returned from Daysland in 1913, did she have office in the community?" "She certainly had."

Witness added that in Smith's Falls she had the office of chaplain. Witness had the power of appointment. On her return to the orphanage in Kingston, she was not given an office immediately, but that later on she was appointed to do "white sewing."

"But Sister Basil says this was practically nothing," said Mr. Tilley. "That is not so," said the witness. "It would take her all her time." "Who moved Sister Basil to Smith's Falls?" Witness said Sister Basil wanted to do hospital work, but was sent to do chapel work in Smith's Falls. The Archbishop proposed sending her to Smith's Falls and the witness approved of it. Mr. Tilley asked about complaints witness said she received from different sisters about Sister Basil. Witness gave the names of several Sisters. She could not remember all the names as so many charges were made.

A Couple a Week "Were these complaints coming in frequently?" "A couple of times a week any way." "I suppose you decided to investigate them?" "I looked into them."

"And did you send for Sister Basil?" Witness said she did not send for Sister Basil. She believed what the sisters had told her. It was doubtful if Sister Basil would come to her if she had asked her. "Let us have the worst about the way Sister Basil treated you." "I think some of the other sisters could tell you better."

Witness said on one occasion she spoke to Sister Basil and the latter did not answer. On two or three occasions both passed without speaking. On two or three occasions witness saw Sister Basil trying to get out of the way of the witness. "No sign of insanity yet surely," remarked Mr. Tilley. Witness told of another occasion when Sister Basil turned her back on her. She regarded this as very disrespectful. Witness could not say just how many times she had visited the orphanage when the alleged trouble

with Sister Basil was. Court adjourned at 1 p.m. for lunch. Pa Report in Waste Paper Basket When the court resumed in the afternoon, Mother Regis' cross-examination by Mr. Tilley was continued. The witness admitted that Sister Basil was entitled to make the report which she sent to her. She said she did not present the report to the Council. For some time it lay on her desk and then she put it in the waste paper basket. It was customary for her to destroy the reports made by sisters after looking over them and taking notes from them. If she deemed it advisable she would present the facts to the Council. Mother Regis gave as her reason for not presenting the report to the Council that Sister Basil was not observing the rules and regulations herself and because she made investigation and found that the charges were not true. Mother Regis also said that she did not show the report to the archbishop. The latter did not call at the House on an average of once a month.

"Is it right to say that you made no investigation into the charges made in the report because you already knew that they were false?" asked Mr. Tilley. "No, I spoke to the superior at the orphanage," replied the witness. "And you discussed the charges with one whom the report says had not the intelligence of a thirteen-year-old child," remarked Mr. Tilley. "Did Father Mea assure you that he believed some of the charges were true?" "Yes, I think he did," replied the witness. "He referred to the complaints about the way in which the children were treated, did he not?" "Yes."

"Pretty serious charges too, were they not?" "Yes, if they were true; but they were not true," replied Mother Regis. "Why did you not give the chapter a chance to decide?" "To this the witness replied that she was not bound to present the report to the chapter. Witness admitted that she received perhaps 60 or 70 reports from sisters and presented them. "You presented all these and left Sister Basil's unpublished?" remarked Mr. Tilley. "Because the charges were untrue," replied the witness.

Mother Regis was asked if she had ever seen the orphanage put to bed. She said she had, but could not say when. Mr. Tilley asked Mother Regis about the steam heating plant. There was a new building erected in 1909, with a new steam plant, and it was taken out in 1914. "Did you get any expert advice?" "The idea was the place was uncomfortable for the nurses."

"But who told you to take the steam plant out and put in a hot water plant?" "My own common sense."

"Did you consult with your nephew?" "Witness was slow to answer, and Mr. Tilley asked her to hurry up. "Finally the witness said she did not act on the advice of her nephew. "What did it cost to make the change?" "I don't know."

"Was it done by contract?" "It could not be done by contract!" "Did you ask your nephew to do it by contract?" "I don't remember."

"Did you consult any person else but your nephew?" "No other contractor." Report in Error At the opening of the Supreme Court on Friday morning, Mr. McCarthy for the defence, drew the attention of the court to the account of the trial in Thursday night's issue of the British White, and pointed out certain inaccuracies. The White had attributed to the archbishop the statement that Sister Basil had not been given a chance for defence. This and other passages read from the examination for discovery should have been credited to Mother Frances Regis and not to his Grace.

SERGEY WHITE WOUNDED Mrs. Ellen E. White, 78 Gordon St. of this city, has received a report from the Records Office at Ottawa that Sergt. Charles Lewis White, infantry, had been admitted to the 6th field ambulance depot on Nov. 6th, suffering from gunshot wound in the head. Sergt. White, who is well known in Belleville, was for several years a cook at the Anglo American Hotel. He enlisted and went overseas with the 116th battalion, Oshawa, Ont.

Miss Alport of Montreal is spending a few days with Mrs. Thomas Ritchie, Bridge Street East.

Edw. and Edna, and Mrs. White, House West, Stirring yesterday, at the Morris o'clock two o'clock, pers in the trial men at War?" "Consent, Consent announced Consent

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