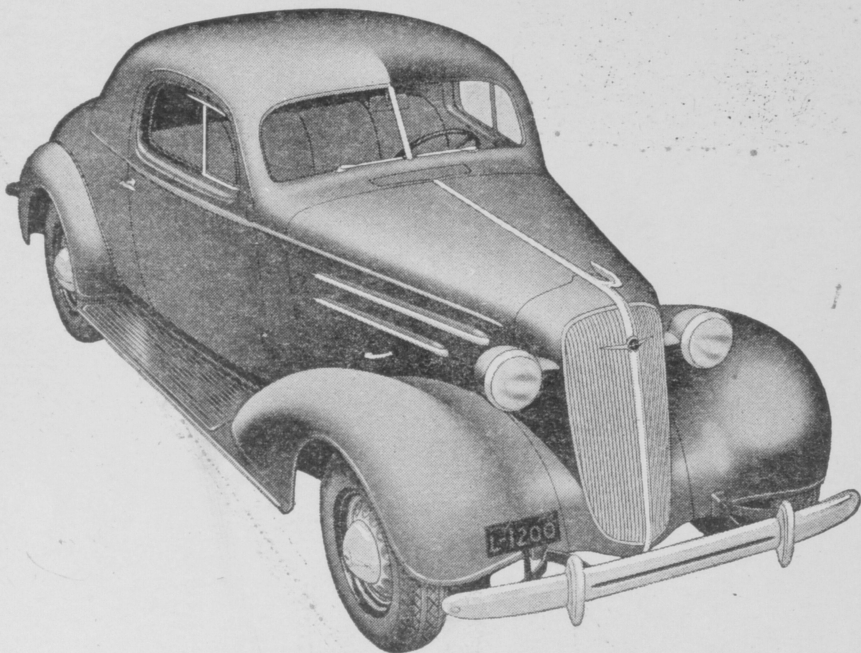




ROYAL CANADIAN MOUNTED POLICE QUARTERLY

J U L Y
NINETEEN THIRTY-SIX

ASK: "DOES IT GIVE ME ALL SIX[★]?"
Before You Buy Any Low-Priced Car



If you are buying a new car today, you're entitled to demand all these features—and modern progress demands their presence: (1) Perfected Hydraulic Brakes . . . (2) Solid steel Turret Top roof . . . (3) *Knee-Action gliding ride . . . (4) High-compression Valve-in-Head engine . . . (5) Fisher No-Draft Ventilation . . . (6) Safety glass in every window.

And Chevrolet for 1936 maintains its title of The Only Complete Low-Priced Car by being the only car in its price range to offer you ALL of them!

We could try to tell you how much these features add to value—and to your pleasure. But we believe that "one ride is worth a thousand words". So, we invite you to drive this new Chevrolet today, and be your own judge.

Let it win you on performance—then on the *savings* it offers, thanks to low delivered prices, lowest costs for gas, oil and upkeep, and terms to suit your purse on the General Motors Instalment Plan.*

*On Master De Luxe Models

★ CHEVROLET
gives you ALL Six

PERFECTED HYDRAULIC BRAKES . . . TURRET TOP BODIES BY FISHER
. . . VALVE-IN-HEAD ENGINE . . . FISHER NO-DRAFT VENTILATION . . .
KNEE-ACTION (on Master De Luxe Models) . . . SAFETY GLASS
THROUGHOUT



Royal Canadian Mounted Police Quarterly

VOLUME 4

JULY, 1936

NUMBER 1

Contents

	PAGE
Frontispiece	3
Editorial	5
Notes on Recent Cases	14
Lieutenant-General Sir Archibald Cameron Macdonell, K.C.B., C.M.G., D.S.O.	17
The Right to Search <i>by J. C. Martin, K.C.</i>	25
A Bird Rock Rescue <i>by Skipper-Lieutenant H. W. Coffin</i>	28
Court Work <i>by Sergeant H. W. H. Williams</i>	36
Recruiting <i>by Superintendent V. A. M. Kemp</i>	39
An Aid to Crime Investigators <i>by Corporal D. Tozer</i>	42
Police Dogs and Their Training <i>by R. Arundel, Ex-Supt. Yorkshire W. R. Constabulary</i>	48
The Old North and the New <i>by Inspector C. E. Rivett-Carnac</i>	50
The Silent Partner <i>by Sergeant R. C. Rathbone</i>	52
The Evolution of the Liquor Cache <i>by Ex-Sergeant D. P. Guptill</i>	55
Musings of a Magical Mountie <i>by Corporal E. S. Covell</i>	57
Indoor Rifle Shooting Season, 1935-36, "H" Division <i>by Petty Officer W. E. F. Bell</i>	59
Salmon Fishing on the Miramichi River, New Brunswick <i>by Constable L. B. Matchett</i>	62
"Old Timers" Column	64
Book Review	65
Review of Other Police Journals	67
Division Notes	70
Obituary	

EDITORIAL COMMITTEE

SUPT. M. H. VERNON, *Chairman*

SUPT. V. A. M. KEMP

INSP. R. ARMITAGE, *Treasurer*

INSP. C. E. RIVETT-CARNAC, *Secretary-Editor*

The Royal Canadian Mounted Police Quarterly is published by the Royal Canadian Mounted Police, on the first day of January, April, July and October.

EDITORIAL OFFICES AT R. C. M. POLICE HEADQUARTERS, OTTAWA, CANADA.

Subscription, \$1.00 per year; single copies, 25c.



LIEUTENANT-GENERAL SIR ARCHIBALD CAMERON MACDONELL, K.C.B., C.M.G., D.S.O.
N.W.M.P. 1889-1907

Editorial

In view of the fact that the duties and conditions under which an organization operates are invariably mirrored in its equipment, it may be of general interest to note that according to the Annual **Strength of the Force** Report for the year 1874, the strength of the Force consisted of 295 officers and men, 273 horses and 347 cattle. Figures for the present year disclose that our organization now has a total strength of 2677 officers and men (of whom 224 belong to the Marine Section) while its transport under present day conditions consists of automobiles, large and small craft for use on maritime waters, and dogs for Northern patrols. Aeroplanes are also utilized on the Eastern and Western seaboard for observation purposes in connection with enforcement of the Customs Act. The horse, however, from its one time position of supreme importance, has now been relegated to one of a more subsidiary nature, although Reserve Mounted Troops are kept at various points in Canada as a contingent factor in dealing with riots or disturbances of a serious nature and for ceremonial occasions.

* * *

It is an unfortunate fact that no form of decoration for acts of bravery on the part of Peace Officers appears to be in existence in Canada. While the average Policeman will look on deeds of courage performed in the face of extreme danger as being in the customary routine of duty, it would, nevertheless, be a source of gratification to his relatives—and incidentally, to the organization of which he is a member—if some signal token of appreciation such as a medal were to be granted for acts of individual bravery. This especially applies in cases where a policeman lays down his life in the execution of his duty as happened in the recent case of Constable John Lewis of the Sarnia Police Force when engaged in the apprehension of a notorious criminal during a liquor store hold-up.

Many deeds of supreme courage are performed by Peace Officers throughout the length and breadth of the Dominion and the bestowal of a token of appreciation of this nature for gallant service performed would appropriately signify the appreciation of the State and of the public whose interests they serve.

* * *

Elsewhere in this edition of the Quarterly Magazine appears an Obituary Notice regarding Colonel James Walker, who joined our organization in 1874 immediately subsequent to its inception, and recently died at Calgary, Alberta, aged ninety years.

On the occasion of Colonel Walker's death, the following telegram was received by His Excellency the Governor General of Canada from His Majesty King Edward VIII:

"Please convey to the Commissioner Royal Canadian Mounted Police the King's regret at hearing news of death of that distinguished veteran of the Force Colonel James Walker".

Colonel Walker was one of Canada's most famous Western pioneers and took a very active part in the settlement and development of the Prairie Provinces, more especially the city of Calgary and Province of Alberta.

* * *

On July 1, 1935, members of our Force and Regina City Police when engaged in arresting certain individuals connected with the "On-to-Ottawa" trek, became involved in a riot at Regina, Saskatchewan. Detective **Regina** Charles Miller of the City Police Force was killed by strikers and **Riot** a large number of Peace Officers and transients were seriously injured. The trek, which consisted of approximately two thousand individuals, the great majority of whom were strikers from the Federal Relief Camps, was under the leadership of a self-avowed member of the Communist Party.

Following the riot, a Commission of three Judges was appointed by the Provincial Government to enquire into the cause of the disturbance. Evidence was heard by the Commission covering a period of months, the following extract from the report of the Commission being a part of the finding finally arrived at:

"Page 119

Elsewhere in the report will be found a full account of the actions of Colonel Wood and the Royal Canadian Mounted Police in connection with the events on Market Square on the night of July the 1st. We think, that we should here state that in our opinion Colonel Wood, during all the time the strikers were in Saskatchewan, acted with care, discretion and moderation, always, of course, keeping in mind the orders from his superior officer which he was bound to obey. We think also that it is due to the members of the Force as a whole to say that during the riot they acted with courage and marked restraint, often amidst circumstances of the greatest danger to themselves, and this notwithstanding the fact that they were repeatedly engaged in repelling attacks which were characterized by viciousness, brutality and a disregard for human life. In our opinion no action of the members of this Force at the time of the riot in any way detracts from the proud position which it has always held in the minds of the people of Canada".

Among other determinations, the Commission also found, from the evidence adduced at the hearing, that had the trek not been halted at Regina, a riot of more serious consequences might have resulted on the arrival of the unemployed at Ottawa, by which time the number of those engaged in the trek would have been considerably augmented by supporters from other points en route to the Capital.

* * *

Ottawa was recently visited by three Police officials from England who are making an inspection of Police methods in Canada and the United States. The visitors were Colonel F. Brook, D.S.O., M.C., **Police Officials** Inspector of Constabulary for England and Wales; Mr. **Visit Ottawa** John Maxwell, C.B.E., Chief Constable of the City of Manchester, and Mr. R. M. Howe, Assistant Commissioner, Criminal Investigation Department, Scotland Yard.

After a tour of Headquarters and "N" Division at Rockcliffe, the three Overseas officials left for Washington, U.S.A., to inspect the work of the Federal Bureau of Investigation.

Notes on Recent Cases

AN IMPORTANT investigation which commenced during 1934 and which is generally known as the "Tank Car Conspiracy Case," was recently concluded in the Montreal district.

Preliminary investigations indicated that alcohol was being smuggled into Canada en route to Montreal by means of railway tank-cars, the contraband being disguised as shipments of fuel oil. An examination of tank-cars arriving from points in New Jersey disclosed the fact that a number of the cars in question had been divided into three distinct compartments and later it was found that the centre compartment was used to convey a cheap grade of fuel or commercial oil, while the end compartments contained the alcohol. This method provided a good system of camouflage, since any examination of the contents of such tank-cars would invariably be made via the central dome, located immediately over the compartment containing the oil.

Investigation included a check-up of the firms in the United States who were engaged to do the welding work necessary in placing the compartments in the tank-cars, this after they had been leased from the General American Tank Car Company, and statements were taken from persons who actually did the work. The liquor partitions were also removed and photographed, these later proving invaluable as exhibits. An important factor in establishing that two compartments were used for alcohol was borne out by close examination of the metal partition, those abutting on the alcohol containers showing signs of rust, while those contacting the oil compartments were in a good state of preservation.

The rendezvous of the railway tank-cars under suspicion was traced to a small siding in the vicinity of Dorval on the outskirts of Montreal, where a business was carried on under the name of Eastern Equipment Company.

A search of the premises disclosed large submerged tanks, the tops of which were covered with several inches of cinder ash, and it was necessary that this be cleared whenever shipments were placed in or taken out of the tanks. It would appear that the principals concerned became suspicious while preliminary enquiries were being made and that the contents of the tanks were hastily removed before the containers were actually discovered by the investigators. Members of the search party were lowered into the tanks and, fortunately, were able to secure samples, which, upon analysis, showed distinct alcoholic content. It was also significant that the capacity of the tanks which had obviously been used for storing alcohol, was approximately 2,000 gallons each, and this corresponded almost exactly with the carrying capacity of the railway tank-car compartments which had been used for importing the liquor.

The tanks, also other miscellaneous equipment in the form of empty barrels, large boilers, pump and derrick, were placed under seizure. Upon examining the ground in the vicinity it was found that large quantities of oil had been dumped, it being obvious that the oil shipments received were only a secondary consideration to the main business of handling illicit alcohol.

As it was necessary to present evidence of numerous persons in the United States in connection with the proposed conspiracy charges, arrangements were made whereby evidence was taken before a Rogatory Commission in New York and Newark, N.J. This action was decided upon in view of the expense which would have been involved in bringing such witnesses to give evidence in the Montreal Courts.

Upon conclusion of the investigation, three residents of Montreal were charged, under Section 573 of the Criminal Code of Canada, with conspiracy to defraud the Department of National Revenue of an amount of approximately \$1,700,000.00. The accused appeared for Preliminary Hearing and, on October 22nd, 1934, were committed for trial, appearing the following December in the Court of King's Bench. After a lengthy trial the jury brought in a verdict as follows:

The instigator of the scheme was found guilty on all nine counts contained in the indictment. He was sentenced to serve a term of four years' imprisonment, together with fines amounting to \$500.00; in default of payment, to serve an additional term of imprisonment amounting to two years and three months.

One of the accused was convicted of eight of the charges. He was sentenced to a term of imprisonment similar to that imposed on the instigator. In addition, to pay a fine of \$300.00, or in default of payment, to serve a term of one year and three months, to commence at the date of the expiration of the previous sentence.

The third man was found guilty on four counts only. He was sentenced to serve a term of imprisonment for one year. In addition, to pay a fine of \$200.00, or in default of payment, to serve a term of one year and three months; sentences to run consecutively.

At the conclusion of the hearing, the presiding Judge commented very favourably upon the manner in which this case had been presented by members of the Force.

An appeal was entered by the defence and was heard by the Court of Appeals in Montreal on November 19th, 1935. Judgment was handed down on November 27th dismissing the appeal—the decision of the Judges being unanimous.

The defendants were granted leave to appeal in the Supreme Court of Canada and the case was argued at Ottawa on May 7th and 8th, 1936, judgment being handed down on May 27th dismissing the appeal and upholding the original sentences.

* * *

Information was received recently at one of our Detachments in Manitoba to the effect that the wife of a farmer in the district had been found brutally murdered. It was also reported that the husband was absent from the farm at the time and that the son, aged five, was missing. A patrol immediately left for the scene of the crime, where it was found that the woman had been killed, obvious indications disclosing that murder had been committed.

The Coroner was notified and an Inquest held, the jury bringing in a verdict to the effect that the deceased had met her death by being beaten with a blunt instrument, by a person or persons unknown.

An exhaustive search was made for the child and finally a flashlight was placed inside a glass sealer and lowered into a nearby well, where the body was found. The Coroner's Jury impanelled to enquire into the cause of the child's death brought in a verdict to the effect that death was caused by drowning, the boy having been taken from his bed and thrown down the well, also by an individual of unascertained identity.

No clues were found at the scene of the crime with the exception of some footprints which appeared in the snow; these were carefully guarded. Possession was also taken of some pieces of cordwood and a stove-lifter on which blood marks appeared, with the result that subsequent to further investigations being made the husband of the deceased woman was placed under arrest on a charge of murder.

The outstanding feature of the case was the callous behaviour of the murderer, who stated that after disposing of his wife he had re-entered the house to see whether the child was sleeping and had then entered into the following conversation with the boy:—

The child said, "Is that you, Pete?" I said, "Yes". I walked in and came up near the child and he asked me "Where is mother?" I said, "Come on and I'll show you." He put his arms around my neck and I carried him on my right arm.

The following questions and answers portray in a vivid manner, the brutality of the man:

Q.—What did you do with Eddie then?

A.—Threw him in the well.

Q.—Is there a fence?

A.—There is a gate and it was open. I don't know which gate I walked through.

Q.—While carrying him to the well did he ask you where you were carrying him?

A.—No, he just was hanging on to me.

Q.—He was frightened of you?

A.—No, he knew me well.

Q.—When you got to the well how did you throw him in?

A.—Caught him by the hand and let him go. I heard the splash and the ice break.

Q.—What did you do then?

A.—Walked back to the house and closed the door.

The accused in this instance was found Guilty of Murder and sentenced to death, the order of the Trial Court being duly carried out at a subsequent date.

* * *

Recently members of the Force searched premises in Vancouver in which they suspected a quantity of Opium and smoking paraphernalia was secreted. Upon knocking at the door and while waiting for an answer one of the men heard a window opening and the sound of a tin can bouncing

on the alley below. They therefore forced the door and upon entering found two Chinese in the room. A search revealed an opium lamp, pipe, needle, etc., and a quantity of Opium and Yenshee. The two inmates were arrested and charged under Section 4(d) of the Opium and Narcotic Drug Act—Possession.

The accused appeared for trial before a Judge of the County Court and were dismissed, His Honour remarking:

"It is an unfair construction of the criminal law to stretch the facts in this case in order to introduce here a charge of possession, which is a very serious one, and which means the penitentiary and leads to deportation of these men."

Continuing, he stated:

"The two Chinamen no doubt were or had been smoking in the room, and that is the real offence and I think it is stretching the criminal law when on the facts here you are trying to make this charge of possession. Neither one of them were tenants of the room. They were in there for the purpose of smoking, and I am not going to find them guilty of possession on this evidence."

An appeal was entered against this decision and a new trial was ordered, the Court ruling that:

"Tenancy is not the determining factor in proving unlawful possession of Opium as a criminal offence. Possession may be actual or constructive, according to circumstances, and may be inferred from its use by smokers secreted in a room. The fact that possession is more severely punishable than using should not influence the conviction."

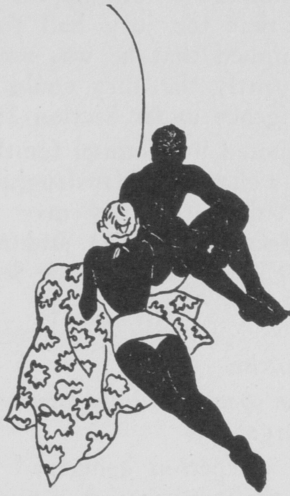
The accused again appeared in County Court on the original charge of possession and were found guilty. They appealed against their conviction to the Court of Appeal, but in this they were unsuccessful.

* * *

During the month of May, 1933, information was received from the State Police Headquarters at Prague, Czechoslovakia, to the effect that one of their subjects was in Canada and was thought to have been living here since 1926; also, that a warrant had been issued for the arrest of the individual concerned, who was suspected of being an accomplice of other persons who, during July, 1926, at an uninhabited spot on the Volosianka highway, had assaulted another Czechoslovakian, dealing several blows on his head with a stick, with the result that his death was occasioned by reason of the attack.

On account of the paucity of the information available it was difficult to establish definitely where the accused was actually situated in Canada. During the month of June, however, his location was successfully ascertained with the result that he was subsequently arrested on a charge of vagrancy, under Section 238 of the Criminal Code. A number of remands were found necessary before the proper documents could be obtained from Czechoslovakia but finally in August, 1935, an information was laid against the accused under the Extradition Act.

When the accused appeared before the Extradition Judge, his counsel very strongly protested against the admission of certain depositions, these



"What did she say when you rescued her?"

"Give me a Sweet Capl"

SWEET CAPORAL CIGARETTES

"The purest form in which tobacco can be smoked."—Lancet



being the records of the evidence given in the trials of accomplices of the accused charged with murder. Objection was also taken to the translation of the documents received from Czechoslovakia and as a result the Government of that country was requested to furnish a complete transcript of evidence taken at the trials of the individuals against whom charges had been laid in Czechoslovakia. Due to the fact that the case in question arose in 1926, the Czechoslovakian authorities were unable to supply the documents requested. It was ascertained in fact, that so many of the witnesses had died or had disappeared, that the officials referred to finally requested that the matter of application for extradition be revoked and the accused was accordingly released.

There was no evidence to indicate that the alleged culprit had, at any time, prior to his entry to Canada, served a sentence of imprisonment in his native country, which would have enabled the Immigration authorities to deal with the subject under Section 3, Sub-section (d) of the Immigration Act relating to the prohibited classes.

* * *

Recently in the Manitoba district a pedestrian died as a result of injuries received on being struck by an automobile, the driver of which was later charged with Manslaughter.

The jury, after hearing the evidence, found the accused not guilty of Manslaughter, as originally charged, but found him guilty of criminal

negligence under Code Section 284. An appeal was entered against this conviction on the ground that the jury had found him not guilty of Manslaughter. This also implied that he was not guilty of any culpable negligence and that consequently the Jury could not for this reason find him guilty of criminal negligence under Section 284 of the Code.

Numerous cases were quoted by Counsel for the Crown and Appellant, but the Court ruled that, on a charge of Manslaughter for killing a pedestrian while operating a motor vehicle, the jury may acquit the defendant of Manslaughter under Code Section 951 (3) and may convict him for the lesser offence of criminal negligence under Code Section 284.

* * *

A very well known maxim—

“The female of the species is more deadly than the male”
is illustrated by the following:

Recently a get-rich-quick person conceived the idea of inveigling a fairly well-to-do man into the company of a woman who was anxious to make some money. The woman took the well-to-do gentleman out and after they had wined and dined she manoeuvred him into a compromising situation. By prearranged signal, the instigator arrived at this juncture, threatening both persons with publicity and possible Court action unless the sum of \$1100.00 cash was paid. Very fortunately for the victim payment was accepted by cheque and this gave him an opportunity to take some action. Before the banks were opened he consulted the police, with the result that payment was stopped on the cheque and the instigator of the plot was arrested and charged under Section 452 of the Code. He later appeared in the Supreme Court and was sentenced to a term of imprisonment. Unfortunately the woman in the affair was killed in a motor car accident two days prior to the trial.

* * *

During July last a quantity of illegally imported or manufactured rum was seized from Reginald Hobbs near Halifax, N.S. A charge was laid under Section 169 of the Excise Act, which was later dismissed by the Magistrate.

The Magistrate, at the request of the Informant, stated a case for the opinion of the Appeal Court on a question of law. The Court answered the question, reversing the Magistrate's decision and sending the case back to him for disposition. The Magistrate, when dismissing the charge, stated that the Excise Act only applied to spirits manufactured in Canada and not to liquor illegally imported. The Appellate Division of the Supreme Court did not support this view, taking the stand that Section 169 of the Excise Act applies not only to spirits illegally manufactured in Canada, but also to spirits illegally imported.

A fresh summons to defendant was obtained in this case and every effort made to serve the accused, but in this we were unsuccessful, due to his having left the Province.

Counsel for the Crown again endeavoured to secure from the presiding Magistrate a Warrant to Apprehend, but without success, the Magistrate stating that the accused had appeared on a Summons to answer the original

charge and that he could see no reason why a Warrant was necessary in this case.

In view of the fact that the accused had proceeded outside the Province, it was advisable that we secure a Warrant. Counsel for the Crown again appealed to the Supreme Court of Nova Scotia for an order to compel the Magistrate to issue a Warrant. The Mandamus, however, was refused, the Court stating that the Magistrate had absolute discretion in the matter, and it was for him to decide whether a Warrant to Apprehend or a Summons to Defendant should be issued.

* * *

A case of particular interest was investigated in the Peace River District. A telegram was received by members of this Force stating that one, Louis Jobin, an aged half-breed residing in the High Prairie District, had been murdered, death being due to gunshot wounds.

Investigations disclosed that the daughter of deceased, aged sixteen, had been keeping company with a half-breed youth by the name of John Ferguson, who had been employed as farm hand by Jobin and had expressed a desire to marry the daughter. The father would not consent to the marriage stating that the girl was too young. Finally with a view to securing the permission of the parent, Ferguson declared that the young lady was enceinte, but even this did not secure for him the necessary permission.

Ferguson had further stated that Jobin owed him the sum of \$50.00 for wages and that if he could not get a settlement from Jobin "He would smash his head in".

It appears that the day prior to the death of Jobin, Ferguson had gone to a neighbour and borrowed a sporting rifle, stating that he intended to go moose hunting. He was advised not to shoot all the moose in the district, but he replied that he only intended to get one.

Early in the morning on the day of the fatal shooting Ferguson called at the home of Jobin while the latter was at the barn doing the early morning chores. He advised the girl he wished to marry that her father desired to speak to her in the barn, and while they were walking in its direction she enquired where her father was. Ferguson then pointed to a spot where her father was lying and at the same time produced a rifle, remarking—"You will be the next to be lying there and I will be lying there also".

The murderer of Jobin then induced the girl to leave the premises with him, seeking refuge with friends some distance from the scene of the shooting. However, they were followed by the girl's mother who endeavoured to persuade her to return home. In this the girl was prevented by Ferguson who threatened her with death should she comply.

Ferguson was later arrested and charged with the crime. The Defence endeavoured to prove that the shooting was done by the girl, but in this they were unsuccessful—Ferguson being found guilty and hanged.

* * *

It has been said that "the way of the transgressor is hard". Recently a man was arrested on three charges of stealing wheat and, being without

funds with which to employ counsel, called on a neighboring woman and under threats to kill secured from her cash and documents to the value of \$50.00, including two promissory notes.

This individual then called on an aged farmer and, posing as a policeman, stated he was conducting an investigation regarding the circulation of counterfeit money and requested that he be allowed to examine the cash in the farmer's possession. The victim consented and the pseudo policeman declared that all the money produced—a considerable sum—was counterfeit and that it would be necessary for him to retain possession of it for further investigation. The aged farmer remonstrated, but to no avail.

A police enquiry was conducted into both cases and later additional charges were laid against the man, he being sentenced to serve a term of imprisonment in the penitentiary, in addition to terms imposed for theft of the wheat.

During the trial two witnesses for the defence committed perjury, for which offence they were later convicted, both being sentenced to imprisonment for a term of one year.

* * *

During June, 1935, the Officer Commanding at Montreal received information that a Norwegian Steamship en route to Montreal, via Saint John, Newfoundland, had cleared the latter port, retaining on board 5,000 cases of liquor. When the vessel in due course arrived at Montreal, minus the liquor cargo, the Master of the vessel neglected to make reference on his "Inwards Report" to disposal of the liquor during the course of the voyage. On his being examined under oath together with a young man who was travelling as super-cargo on the steamer, it was established that the liquor had been transferred to smaller vessels on the high seas, en route to Montreal.

At the time this vessel was boarded at Montreal by members of the Force, the super-cargo had in his possession a camera containing several undeveloped exposures. The camera was detained, the film when developed revealing several clear photographs of vessels contacting the ship and taking aboard cases of liquor.

A penalty of \$400.00 was assessed against the vessel, this amount being paid by the Master on behalf of the owners.

* * *

The open season for navigation in 1932 was one of great activity for rum-runners operating in the lower reaches of the St. Lawrence. All were well organized and equipped, and in the early part of the season undoubtedly plied their smuggling activities with considerable success, landing quantities of alcohol along the shores of the Gaspé Peninsula.

A Customs Seizure effected shortly after this Force assumed Preventive Service duties, has only recently been successfully concluded by conviction of the individual concerned at the January Sessions of the Court of King's Bench held at Quebec City during the present year.

Investigations conducted by members of the Carleton Detachment in June, 1932, indicated that a consignment of liquor had been landed in the

vicinity of Miguasha West, Bonaventure County, the liquor having been cached near the point of landing. As a result of enquiries which were made it was discovered that certain farm premises at Miguasha West had been used for the latter purpose referred to and a search party was accordingly organized. When approaching the buildings in the darkness, four men, who made a hasty retreat into the adjoining bush, were observed leaving the barn, the darkness successfully cloaking the identity of the fugitives.

Search of the barn revealed 280 gallons of canned alcohol, concealed behind bundles of shingles, it being later ascertained that the farm premises were owned and occupied by a farmer and his son. Both these individuals were interrogated and claimed that the person who had placed the liquor in the barn had unloaded it from a vessel and had represented himself to be a Government Official who had seized the liquor and wished to place it in temporary storage.

The investigation was widened and a check-up of the movements of the motor vessel *I-No-U* resulted in her seizure being effected for having conveyed the liquor landed at Miguasha. The master and crew of this vessel were subsequently charged under Section 217 of the Customs Act with respect to the landing of liquor, but the charges were dismissed when the farmer and his son failed to identify the master, despite the fact that they had previously advised our men that the Master of the seized vessel had remained at their house for supper the night he allegedly posed as a Government Official, and had made arrangements for storing the liquor in the barn.

The vessel *I-No-U* was, however, shown to have made the landing and seizure was maintained, the vessel being forfeited, and, in accordance with the policy followed at that time, being subsequently sold by tender.

The hostile attitude of the farmer and his son when called as Crown witnesses at the prosecution of the Master of the rum vessel resulted in further investigations being made which indicated that these individuals had more than a passing interest in the landing and subsequently charges were preferred against both, under Section 217-3 of the Customs Act, for "possession of smuggled alcohol".

The preliminary hearings were conducted by the Magistrate at New Carlisle, P.Q., and in January, 1933, the charge against the father was dismissed, whilst his son was committed to stand trial at the next sittings of the Court of King's Bench, at that point.

No sittings of the Court were held at New Carlisle during the years 1933 or 1934, and when in the fall of 1935 it was ascertained that none would be held that year, an application was successfully made by the Federal Government to the Attorney General of the Province of Quebec, for a change of venue to Quebec City.

The case was finally heard in January, 1936, when the son was convicted and was sentenced to pay a fine of \$500.00 and costs, or in default, twelve months imprisonment.

Lieutenant-General Sir Archibald Cameron Macdonell, K.C.B., C.M.G., D.S.O.*

DESTINED TO achieve renown in the National military field, on September 28, 1889, Lieutenant Archibald Cameron Macdonell, late of the Royal School of Mounted Infantry at Winnipeg, was appointed an Inspector in the North West Mounted Police.

Born at Windsor, Ontario, on October 6, 1864, a son of Samuel Smith Macdonell, Q.C., D.C.L., LL.D., one-time Mayor of Windsor, General Macdonell received his early education at Trinity School, Port Hope, Ontario, subsequently attending the Royal Military College of Canada, then in the formative period of its history, under its first Commandant, Colonel (afterwards Lieutenant-General) Hewett, C.M.G., R.E. Associated with him as classmates were several young men who, in later years, were similarly to become famous, such as Major-General Sir Percy Girouard, K.C.M.G., D.S.O., Major-General Sir Dudley Ridout, K.B.E., C.B., C.M.G., Brigadier-General A. E. Panet, C.B., C.M.G., D.S.O., Major-General Sir William Heneker, K.C.B., K.C.M.G., D.S.O., Brigadier-General H. G. Joly de Lotbiniere, D.S.O., and Brigadier-General W. B. Lesslie, C.B., C.M.G.

On his graduation from the Royal Military College in 1886 with the rank of Sergeant-Major, General Macdonell received a commission in the Royal Artillery but subsequent events making it impossible for him to join the Imperial Army, he resigned and entered the Canadian Mounted Infantry. From this unit he later transferred in 1889 to the North West Mounted Police. The following year he married Mary Maud Flora, daughter of Lieutenant-Colonel J. T. Campbell of the 72nd Highlanders, Imperial Army.

During his service with our organization—which extended over a period of seventeen years—General Macdonell (as an Inspector) took a prominent part in the capture of Almighty Voice in May, 1897, when this Indian resisted arrest near Batoche, Saskatchewan, after the murder of Sergeant Colebrook of the North West Mounted Police in October, 1895, and the subsequent mortal wounding of Corporal Hockin, Constable Kerr and a Mr. Grundy, a Postmaster at Duck Lake.

In the course of his Police career, General Macdonell was stationed, at various times, with "Depot", "F", "B", "G", "K" and "N" Divisions, and commanded Wood Mountain, Moosomin, Saltcoats and Regina Sub-districts. On the occasion of the "Jubilee Contingent" proceeding to England during the reign of Queen Victoria, he acted as assistant to Superintendent (afterwards Major-General), A. Bowen Perry, C.M.G., in equipping and training the personnel, being subsequently nominated A/Adjutant of the Force in August, 1901, a position which he filled until appointed to command the 5th Canadian Mounted Rifles in April, 1902, during the South African War. Prior to this latter appointment, however, General Macdonell proceeded Overseas with the 2nd C.M.R., a regiment officered almost entirely by officers of the North West Mounted Police and commanded by Lieutenant-Colonel

* Based, in part, on an article entitled "The Knight of the Old Red Patch" appearing in the *Canadian Defence Quarterly*, July, 1925.

L. W. Herchmer, then Commissioner of the Police. While with this regiment, General Macdonell rose to the rank of Major, was dangerously wounded, was twice mentioned in despatches, and was created a Companion of the Distinguished Service Order. After a period of convalescence in Madeira, General Macdonell returned to Canada and raised the 5th Canadian Mounted Rifles for service in South Africa, later commanding the regiment.

On the demobilization of the 5th C.M.R., he returned to duty as an Inspector in the North West Mounted Police; rapidly being promoted to the rank of Superintendent, he assumed command of "Depot" Division and later of "C" Division and Battleford district. In 1907, General Macdonell resigned from the North West Mounted Police and transferred to Lord Strathcona's Horse (then the Royal Canadian Mounted Rifles) with the rank of Major; in 1912 he was promoted to the command of the regiment. With the outbreak of the Great War in 1914, he took Lord Strathcona's Horse Overseas to England.

Proceeding on active service to France in May, 1915, with his regiment after the gas attack at Ypres had decimated the Canadian Division, the Strathcona's, fighting as infantry, did wonderful work under his command.

On the formation of the 7th Canadian Infantry Brigade, Colonel Macdonell (as he then was) was promoted to the rank of Brigadier-General and was given the command of the 7th Brigade, which comprised four regiments, the Royal Canadian Rifles, the Princess Patricia's Canadian Light Infantry, the 42nd Highlanders and the 49th Edmonton Battalion.



MACDONALD'S

Smoke a FRESH cigarette

**BRITISH
CONSOLS**

**COSTLIER
MILDER
TOBACCOS**

PLAIN OR CORK TIP

While serving with the 7th Brigade, General Macdonell was wounded in the shoulder by a bullet from a sniper, but returned to his command within a few weeks. It was also at this time that a great sorrow came into his life, his only son, a pilot officer of the Royal Flying Corps, being killed in action.

After Vimy in 1917, when General Sir Arthur Currie took command of the Canadian Corps, General Macdonell left his Brigade to assume command of the First Canadian Division, with which he remained until its demobilization in the spring of 1919. In addition to the distinctions conferred upon him by the British Government, such as the C.M.G. (1916), the C.B. (1917), and the K.C.B. (1919), he was also appointed an Officer of the Legion of Honour and awarded the Croix de Guerre by the French Government.

On returning to Canada, General Macdonell received the call to another great triumph. He was asked to assume command of the Royal Military College at Kingston. He accepted the task and added further prestige to the enviable reputation which he had built for himself during the World War. He readjusted the curriculum and raised the educational standing of the Gentlemen Cadets on graduation, bringing their qualifications to the point where the Universities welcomed R. M. C. graduates who wished to proceed to a degree and indeed, made special concessions to Cadets who were well recommended. The College grounds were enlarged and improved, an old Martello tower being converted into an interesting museum and the Sir Arthur Currie Hall into the Valhalla of the Canadian Corps, the badges of all units being painted in oils around the balcony and other historic emblems included. In recognition of his administrative ability and his educational efforts at the Royal Military College, the Honorary Degree of LL.D. was conferred upon him by Queen's University and as a fitting crown to his career, his well earned promotion to the rank of Lieutenant-General was announced.

At the termination of his appointment as Commandant of the Royal Military College after six years of duty in this capacity, General Macdonell retired and proceeded to Calgary, Alberta, where he became Secretary of "The Ranchmen's Club". Two years later he returned East to Kingston where his association with the Royal Military College held so many happy memories and where the Canadian Legion of the British Empire Service League have recently named their local Branch "The Sir Archibald Cameron Macdonell Branch".

On retiring to civil life after many years of active duty and service at the Royal Military College, he carries with him the respect and affection of thousands who have served under him, very many of whom have especial occasion to remember his great qualities, both from the personal viewpoint of a friend and also from the standpoint of a leader. By reason of his devotion to duty and his wide understanding gained in the course of an unusually eventful career, General Macdonell was singularly well equipped to reach a high zenith of fame in the military field and to richly earn the order of Knighthood which, in 1919, was so fittingly conferred upon him for his nationally recognized achievements.

The Right to Search

by J. C. MARTIN, K.C.

ON SEPTEMBER 17, 1920, the *Kittiwaki*, a small yacht used for the pleasure of the owner and his family, left Windsor, Ontario, proceeded up the Detroit River and anchored in Lake St. Clair. Aboard her were the owner's sons with a party of young people whom they were entertaining. While the party was at supper, a retired minister who had been appointed an inspector under the Liquor Act of the Province, boarded the yacht along with two men under his command. The inspector apparently thought that it was another boat, but, upon finding out its identity, he still proceeded, without a warrant, to search it for intoxicating liquors, in order to show his men that he treated everybody alike. No liquor was found.

As a result of these incidents, the owner brought a civil action for damages and recovered a judgment for \$500.00 and costs. On appeal,¹ the following observations were made by the Court: "The office which the defendant took without any kind of experience or training, was one for which he has in this case proved himself entirely unfitted. The proper exercise of the duties of a peace officer requires much experience, tact, patience, and knowledge or training, and for a partizan to undertake them must be to court just such things as have happened in this case; bringing trouble and loss to the unfitted officer, wrong to others and ill-repute to the administration of the law. If the law is to be respected and properly enforced, the enforcement of it must never be committed to such persons as the defendant, it must be left to trained, experienced and impartial officers of the law.

"The whole course of conduct of the defendant and the men under him, in the matters of which the plaintiff complains, makes that all very plain. It had more the appearance of a stage burlesque of the administration of justice in Ontario than such as it should have been and has always been hitherto. The experienced officer does not go, even among criminals, with a senseless display of firearms;—

"Immediately after boarding the yacht, if not before, the defendant became aware of its true and altogether innocent character, so that if he ever had any belief, or even suspicion, that it was engaged in any infraction of any of the provisions of the Act, that was immediately dispelled, and he and his assistants should have at once left the vessel. The search of the vessel after that was altogether illegal and inexcusable, and having been done with the ludicrous and offensive display of firearms and otherwise as detailed in the evidence of the trial, the case is plainly one in which exemplary damages might be awarded; and, having regard to all its circumstances,—I feel bound to say that \$500.00 damages are in no sense excessive."

These remarks have been cited at some length partly for their relevance to the subject in hand, partly for their generality, and their value here is not at all lessened because they were made in a case which arose under a statute other than the Criminal Code, or because the search in question was made without a warrant.

The right to search has had a gradual, and, as it must seem to us nowadays, an inevitable growth. At common law the rule was that a search

warrant could be issued only to search for stolen goods. "The case of searching for stolen goods", says one of the old reports,² "crept into the law by imperceptible practice. It is the only case of the kind that is to be met with. No less a person than my Lord Coke denied its legality."

The case quoted was one in which a master had dismissed a servant and, finding that some tools were missing, suspected that the servant had taken them. He therefore applied to a Justice of the Peace for a warrant to search the servant's boxes. It was held that the Justice had, by virtue of his commission, inherent power to issue a search warrant, and that he might do so although the information did not allege that a larceny had been committed "if the fair intendment of the allegations made in the information is that the informant has reasonable grounds to suspect, and does suspect, that a larceny has been committed."

This decision was based upon an earlier case³ from the report of which the following excerpt may usefully be noted, inasmuch as it has not been affected by the provisions of the Criminal Code:

"It need not be a positive and direct averment upon oath that the goods are stolen in order to justify the magistrate in granting his warrant. There are many cases in which a cautious man might not choose to swear that his property is stolen, nevertheless he might have great reason to suspect a particular party, and the magistrate would be well warranted in granting his search warrant. Suppose the case of a horse which has been lost by its owner, and it is found in the possession of another person, the owner might not like to take upon himself to swear that the horse had been stolen for it may have strayed; but when he finds his horse is concealed in the stable of another person, he may very naturally conclude that it must be stolen, from the circumstance of the concealment; and therefore he may very conscientiously swear that he suspects it to have been stolen. If, under such circumstances, the magistrate is not authorized in issuing his search warrant, in might happen in many cases that felonies would go undetected."

Yet, having gone thus far, the common law frowned upon any attempt to extend the right to search. If not the first, certainly the most notable of such attempts brought about a civil action for trespass arising out of the fact that the Earl of Halifax, as Secretary of State, had, by warrant, authorized the search of the premises of one Entick for seditious matter contained in certain issues of *The Monitor, or British Freeholder*.⁴ The Court said:

"Our law holds the property of every man so sacred that no man can set his foot upon his neighbour's close without his leave; if he does so, he is a trespasser, though he does no damage at all; if he will tread upon his neighbour's ground he must justify it by law; . . . we can safely say that there is no law in this country to justify the defendants in what they have done; if there was, it would destroy all the comforts of society; for papers are often the dearest property a man can have."

These words were spoken in 1765; it is interesting to note the vigor with which this precedent was urged in 1935 when the Incitement to Disaffection Bill was before the British House of Commons.

Meanwhile the right to search for documents has become well established. In 1934 an action was brought against the Metropolitan Police in London,

England, in which damages were claimed for an unlawful search.⁵ The police, in executing a search warrant, made a raid upon the headquarters of a certain organization and seized a large number of documents. Later, the secretary of the organization was convicted of a criminal offence, and some of the documents were used as evidence upon his trial. In the civil action, however, a verdict was given against the police, not because they had no right to seize documents, but because they had not, when the criminal trial was over, returned those which had not been used as evidence. This case is authority for two propositions:

1. If police officers, when lawfully on premises, seize property the seizure of which would otherwise be unlawful, the seizure is excused if such property is capable of being and is used as evidence in criminal proceedings against any person.

2. The police are entitled to retain property the taking of which is excused until the conclusion of any charge on which the articles are material.

Considerations somewhat similar arose in Canada in the criminal prosecutions which followed the general strike at Winnipeg in 1919.⁶ Counsel for the accused objected to the admission of seized documents falling under three headings:

1. Documents found in the possession of the accused.

2. Documents found in the possession of persons not named in the indictment.

3. Documents passing between persons other than those named in the indictment.

These documents, it was noticed, were of two mixed classes, one of which dealt with labour problems, the other with advanced radical ideas of the type referred to at the trial as 'left' or 'red flag' socialism of a revolutionary kind. All of the documents so tendered were received in evidence, the Court holding as follows:

"Documents found in the hands of the accused are clearly admissible in evidence and are *prima facie* evidence against him, it being inferred that he knows their contents and has acted upon them.

"Documents found in the hands of persons whom the Crown charges with being parties to a conspiracy and relating to it, are admissible if they were intended for the furtherance of it, and become evidence against the accused.

"Documents found in the hands of third parties are admissible in evidence if they relate to the actions and conduct of the persons charged with the conspiracy or to the spread of seditious propaganda."

The search for incriminating documents is but one of the many ways in which the rule at common law has been extended. By statute, both federal and provincial, the use of search warrants has been authorized, to quote one of the judgments, in ways entirely opposed to common law principles but which have become necessary to cope with crime. Under the Criminal Code we find the following:

Sections 632 and 645, which authorize search in cases of forgery and the fraudulent marking of merchandise;

Section 633, under which explosives may be seized if it is suspected that they are intended for some unlawful use;

Section 634, by virtue of which a warrant may issue to search for offensive weapons which may endanger the public peace;

Section 636, which deals with cases of theft of public stores. It is to be noted that what is required under this section is not the warrant of a justice of the peace but the authorization of a public department;

Section 637, which authorizes the issue of a "general search warrant" in cases in which it is alleged that ore, quartz, or similar material is unlawfully deposited in any place;

Section 638, under which search may be made for timber and the like, alleged to be unlawfully detained;

Section 639, which authorizes the search for liquor near His Majesty's vessels;

Section 640, by virtue of which, and under the conditions there specified, search may be made for women in houses of ill-fame;

Section 641, which provides a special procedure for search in disorderly-house cases. This is a big subject, and one which must be dealt with by itself.

Under the Code, however, it is Section 629 which is the governing provision in this connection. That section authorizes the search, under the warrant of a Justice, for three specific kinds of goods:

a. anything upon or in respect of which any criminal offence has been or is suspected to have been committed;

b. anything which there is reasonable ground to believe will afford evidence as to the commission of any such offence;

c. anything which there is reasonable ground to believe is intended to be used for the purpose of committing any offence *against the person* for which the offender may be arrested without warrant.

The forms of information and warrant relevant to this procedure are set out as Numbers 1 and 2 in the schedule which follows Section 1152. What it is important to notice in both is the direction to "describe things to be searched for and offence in respect of which search is to be made", and in the information the further direction, "here add the grounds of belief, whatever they may be."

These directions came under the consideration of the Appeal Division of the Supreme Court of New Brunswick in a case in which the accused had been convicted of obstructing a peace officer in the execution of a search warrant. That Court quashed the conviction, holding that the peace officer was not acting in the execution of his duty when the warrant was defective on its face because it did not state any offence, and further that the information upon which it was issued was invalid because it did not state the cause of suspicion. The following is an extract from the judgment:⁷

"It will be noticed in this form that it distinctly provides that the things searched for must be described and the offence in respect of which the search is made must likewise be described to make the warrant valid and the procedure thereunder legal. In the warrant which was issued in this case this was entirely omitted, nothing further being done than describing the article which it was sought to recover. The offence in respect of which the warrant was issued was not stated, nor referred to in any respect so that I am of opinion that the warrant itself was not sufficient in law.

"Form 1 provides the following words, "Here add the grounds of suspicion whatever they may be." This has been omitted in the information. . . . I am of the opinion, however, that it is a very serious defect so far as the information is concerned, and has not been overcome."

At the same time, the Court took issue with a statement in Seager's Magistrate's Manual that the information must be signed by the informant, and refused to hold the information bad because it was not so signed. "In my opinion, the real question in the matter is, did the complainant swear to the information; and in this case he did so." Still, this is a point which should not occasion any practical difficulty. If the informant is prepared to pledge his oath to the information he is not likely to object to affixing his signature, and it is better to have the information signed.

In the case just quoted, the search was for a horse and, inasmuch as there had been a mistake in the identity of the animal, the search was fruitless. Had it been found, the case might have ended differently, for it is well established that if goods are found which fall within the classes set out in Section 629, technical objections to the sufficiency of the search warrant or of the information upon which it is based are of no avail. The cases are very clear in stating that evidence is none the less admissible because of the invalidity of the search warrant upon which it was secured.

The following was laid down in a well-known case:⁸

"The question is not, by what means was the evidence procured; but it is whether the things proved were evidence; and it is not contended that they were not; all that is urged is that the evidence ought to have been rejected because it obtained by means of a trespass—as it is asserted—upon the property of the accused by the police officials engaged in this prosecution. The criminal who wields the "jimmy" or the bludgeon, or uses any other criminally unlawful means or methods, has no right to insist upon being met by the law only when in kid gloves or satin slippers; it is still quite permissible to 'set a thief to catch a thief'."

To return to the matter of setting out the grounds of belief in the information, there is one objectionable practice which should be mentioned. Sometimes one sees an information which, in this connection, contains only the words "Information received." It is to be borne in mind that a search warrant is issued because of the *suspicious* of the informant. The justice or magistrate must be satisfied that those suspicions are reasonable; he should not substitute the judgment of the informant for his own in that respect.

Here, from a reported case,⁹ is an illustration of the way in which the information may be worded—the fact that the case was not under the Code does not affect its applicability:

"The grounds of suspicion are that the deponent is told on reliable authority that a package or box was taken into the said dwelling-house which there is ground to believe contained intoxicating liquors."

This case is authority for the proposition that, if confidential information has been received, it is not necessary to name the person from whom it came:

"It is argued that the name of the person who told Pellow should have been disclosed. But here we are concerned with suspicion only, and I see

no reason for compelling the informant to disclose the names of *his* informants, unless the magistrate saw fit to do so."

Under Section 630, a search warrant can be executed only by day unless the justice states otherwise in the warrant, and, under Section 2, 'day' or 'daytime' means the hours between 6 a.m. and 9 p.m. By virtue of Section 661(3), a search warrant issued under the Criminal Code may be executed on Sunday. In a number of cases the courts have discussed this point with reference to warrants issued under other Acts, and the effect of the cases is that a search warrant cannot be executed on Sunday unless the particular statute under which it is issued gives that authority. They are specific, however, in holding that the Code does give it.¹⁰

Subsection 1 of Section 40 of the Criminal Code states it to be the duty of everyone executing any process or warrant to have it with him and to produce it if required. That provision would, of course, include a search warrant. The person executing it should, moreover, have someone with him who can identify the goods if they are found, and he should be careful to take no more goods than those which he is authorized to take. If the search is to be made in a dwelling-house, the officer must demand admittance before breaking in.

Subsection 2 of Section 629 deals with the execution of search warrants beyond the territorial jurisdiction of the persons who issued them. This subsection, not to say the whole of the law relating to search warrants, has been thoroughly covered in a series of cases arising out of the prosecution, in 1930, of the brokerage firm of Solloway and Mills.¹¹ Charges of conspiracy to defraud were laid in Alberta and warrants were issued for searches to be made in British Columbia and Ontario where the firm had maintained offices.

In British Columbia two warrants came into question, one issued in Alberta and backed by a justice in British Columbia, the other issued by the same justice in the latter Province under his own original power under Section 629. The Court of Appeal held that *both* warrants might be executed, and expressed the view that "the jurisdiction exercised herein is not a trial one but inquisitorial and ancillary to another trial in which the criminal machinery of Canada is to be regarded as a whole and not in pieces."

The decisions in Ontario also are to the effect that in the administration of the criminal law the Dominion of Canada is to be regarded as a unit, although in one of the cases the warrant was quashed because the information did not sufficiently set out the cause of suspicion. The following may usefully be quoted from one of the judgments:

"The question which arises is, does the section of the Code relied upon authorize a justice of any Province to endorse the warrant, or is the action of the Alberta justice limited to the Province of Alberta only? . . . I can find nothing which justifies the giving of a narrow meaning to the words used. It is not hard to see why, with respect to the particular matter dealt with by s. 629, the parliament of Canada may well have intended process to be executed in any part of the Dominion."

Another judgment is based largely upon a reference to Section 9 of the Interpretation Act, which provides that unless otherwise stated every Act of the Parliament of Canada shall be considered as applying to the whole of Canada.

Incidentally, in dealing with the object of the intended search, it was said:

"Mr. Greer suggests that the documents might be secured for the purpose of evidence by the issue of a subpoena, but this would clearly not meet what is aimed at. Books have been known to disappear when wanted. They are easily tampered with. The idea underlying the statute is that the Crown should be able, when it deems it necessary, in the interests of the administration of justice, to take possession at once of that which it is believed will afford evidence of guilt and remove it beyond the risk of loss or tampering."

In Alberta a search warrant was before the Court which set out merely "that there are reasonable grounds for believing that books of account, documents, securities, records, stock certificates, share certificates, correspondence, papers and goods and chattels, are concealed in the building known as 229 8th Ave. West, Calgary, Alberta", and went on to authorize and require the "said things" to be brought before the magistrate. It was attacked as not setting out the offence and as not particularizing the things to be searched for, and was quashed on the former ground. As to the latter, the Court expressed the following opinion:

"A more accurate or specific description of the things to be searched for should have been set forth in the warrants as I can hardly conceive that in an office such as the Defendant's it would be possible for a police officer to know just what to seize. I do not think it was ever contemplated by the Code that anything and everything therein would be taken but such things only as may be the object of the search."¹²

It will be observed that Section 629 refers to the search of "any building, receptacle, or place." What right, it may be asked, has a peace officer to search the persons of those whom he finds therein? This question is answered by a case¹³ in which a police sergeant, proceeding to execute a search warrant under a provincial Liquor Act, took with him a woman who, at his request, searched the person of one Annie Garnier, the proprietor of the premises. As a result, a charge of common assault was laid against the woman who made the search. The magistrate dismissed this charge, but, upon the hearing of a case stated by him, a different opinion was expressed. The following is quoted from the judgment:

"What the warrant in this case authorized was a search of the "shop and premises" of the complainant. . . . In prosecuting his search the statute enables the constable to break doors, locks, closets, cupboards, etc. But nothing is said about searching the "persons" of the occupants. If it were contemplated to authorize so unusual a proceeding, one would expect the legislature to say so definitely and precisely; for to search the person of the occupant is pushing further the invasion of one's privacy than breaking open a door or closet. It is not necessary to point out the results which would follow if the Court held that under a warrant to search a defined place or premises, the officer might search the "person" of anyone who might at the time be found within such defined place or premises. I have been unable to find any case where so wide a construction has been given to the power of search. There are cases where express power to search the "person" has been given . . . ; but Mr. Murray has not directed our attention to

any case, probably because none can be found, where the right to search the person has been established by implication from the power to search the premises.

"There are cases where parties under arrest have been searched: *Rex v. O'Donnell*, 7 C. & P. 138. This is for the purpose of securing evidence of a crime already committed; or for the purpose of preventing further mischief by the prisoner or some like purpose. Such cases are quite distinguishable from a case where there has been no arrest, now where, as far as the evidence shows, no offence has been committed."

While these expressions would apply generally to searches under Section 629, it must be borne in mind that in some cases search of the person is especially authorized. This is true of Section 126, which deals with offensive weapons; it is also true of Section 636, to which reference has already been made. Moreover, the writs of assistance provided for under the Customs Act and the Excise Act authorize such a search.

¹ *Fleming v. Spracklin*, 38 C.C.C., at p. 100.

² *Jones v. German*, 66 L.J.Q.B. 282.

³ *Elsee v. Smith*, 1 D. & R. 97.

⁴ *Entick v. Carrington*, 95 E.R., at p. 818.

⁵ *Elias v. Pasmore*, 103 L.J.K.B. 223.

⁶ *Rex v. Russell*, 51 D.L.R. 1.

⁷ *Rex v. LaVesque*, 30 C.C.C. 190.

⁸ *Rex v. Honan*, 20 C.C.C. 10.

⁹ *Rex v. Swarts*, 27 C.C.C., at p. 93.

¹⁰ *Ex p. Willis*, 27 C.C.C. 383; *Rex v. Pasternak*, 51 C.C.C. 426;
Rex v. Wright, 52 C.C.C. 285; *Rex v. Boughner*, 53 C.C.C. 170.

¹¹ *Solloway Mills & Co. v. Att'y-Gen. of Alberta*, 53 C.C.C. 234;
Rex v. Solloway & Mills, 53 C.C.C. 261; also at p. 271;
Solloway Mills & Co. v. Att'y-Gen. of Alberta, 53 C.C.C. 306;
Solloway Mills & Co. v. Williams et al., 53 C.C.C. 403;
Rex v. Solloway & Mills, 54 C.C.C. 214.

¹² See also *Rex v. Frain*, 24 C.C.C. 389.

¹³ *Rex v. Ella Paint*, 28 C.C.C. 171.

ESSAY COMPETITION: Literary contributions received for the R.C.M. Police Essay Competition are at present under the consideration of a Committee of Officers who have been appointed by the Commissioner to act as judges. The names of prize winners in the Competition will be published in the October issue of the Magazine. The essay which is considered the most outstanding contribution will also be published in the same edition.

A Bird Rock Rescue

by SKIPPER-LIEUTENANT H. W. COFFIN

LONELY, GRIM and brooding, Bird Rock towers for over 100 feet above the waters of the Gulf of St. Lawrence, its white occulting light the one guide-post encountered by traffic making the diagonal run across the Gulf from Cabot Strait to the River. Most northerly of the Magdalen Group, it is entirely cut off from civilization—dependent only on the far-apart visits of government vessels bringing supplies and mail. Even a radio is lacking, that nowadays common link between lonely outposts and the world.

Here one bitter late November morning was enacted a scene which still lives with the writer, and is brought vividly to mind again by the recent death of Captain Alfred La Couvee, who commanded the *Margaret* at the time of this incident, and who had spent nearly forty years in preventive work along the Atlantic seaboard.

Patrolling the waters adjacent to Prince Edward Island, the *Margaret*—on which the writer was serving as Chief Officer—received a wireless message about 10 o'clock one morning tersely stating that vessels passing Bird Rock had reported the light not burning, and that distress signals had been sighted. The ship was directed to proceed with all possible despatch, and render what assistance might be required. Course was altered immediately, and "Full Ahead" rung down to the engine room.

The destination was reached about 1.30 next morning—no easy matter with the light out of commission. To quote from a Charlottetown press report at the time:

"The *Margaret* made a record trip, reaching Bird Rock, which was in total darkness, as though a magnet had drawn her to the exact spot."

To make matters worse, a S.E. snowstorm was brewing, limiting visibility, and lashing seas against the tiny concrete pier which was the island's only means of physical contact with the outer world.

A boat, manned by the writer and five others, was lowered, and cautiously approached the pier. To come alongside was impossible, owing to the pounding to which she would have been subjected. Finally the anchor was lowered, and slowly paying out the line, the boat was allowed to drift down to leeward, and to within jumping distance of the concrete. Even then our efforts seemed to be balked, when, as luck would have it, one of the crew made out the end of a line hanging over the edge of the pier. After several attempts to secure it, finally the end was grasped and four of us scrambled ashore. The other two men were left in the boat to haul her off so that she rode to her anchor until required.

There was no foothold on the wharf, coated as it was with weed and slime. Crawling slowly and painfully, soaking wet, we eventually reached the foot of the steps leading up the sheer, steep face of the cliff. The first twenty steps were heavily coated with ice, which had to be hammered away before any ascent could be attempted.

After some difficulty, the summit was gained, and entrance effected into the tiny dwelling. Small wonder that the light was out of commission!

Of the five people on the rock, two were women and three were men. The latter were all in bed, completely incapacitated by sickness, and utterly incapable of any physical movement. They had lain there for days, unable to help themselves, tended by the two women, who, in the intervals between looking after the helpless men, had made constant efforts to attract attention of the passing shipping. Two of the men were in slightly better condition than was the elder—Bourke—whose condition was acute.

The pressing problem—there was no time for commiseration, with a gale blowing up—was to get the whole party down the face of the cliff. Ordinarily this would have been easy, as a small gasoline hoist was generally used to lift supplies to the top. This, however, was out of order, though fortunately the car itself was at the top. Gravity could take care of one load.

Finally a scheme was hit upon. Lashing several trunks and mattresses to the truck, the elder man was securely fastened to this improvised litter and lowered by hand to the bottom. This then disposed of the hoist, no longer of any use. There was nothing for it, then, but to make fast a line under the shoulders of the other two and lower them as gently as possible. Despite all care the journey to the bottom was for them a torment.

The women were plucky. Normally afraid of venturing down that ladder even at the best of times, they essayed the trip to the pier. Helped each foot of the way, eventually they reached the bottom.

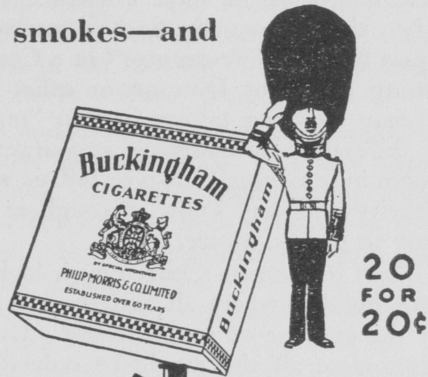
Daylight was breaking as the last boat load was hoisted on board. Cheerless and grey, the dawn broke. The wind, which had now reached gale force, screamed and whistled as the last boat trip was made. An hour later it would have been impossible to tranship the loads.

Weighing anchor, a course was laid for Prince Edward Island. As we neared East Point the wind, which had dropped somewhat, veered suddenly, and then blew like fury from the North West. Bucking heavy seas, the Point was finally rounded.

During the run, the condition of the elder man had grown steadily worse. Off Georgetown, the Captain decided that immediate medical attention was necessary, so again course was altered and the *Margaret* nosed her way into the harbour. No sooner had we arrived than it was learned that the local doctor was away on an emergency call and that no medical aid was available. The parish priest, however, came on board and administered the last rites of the Roman Catholic Church. He also advised the Captain that it would be well to proceed to Charlottetown as soon as conditions would permit. Accordingly, we sailed immediately.

By now the wind had increased to hurricane force. Northumberland Strait, usually so peaceful, was now alive with crashing curling seas. The need was urgent, so we tried to "drive" her, but it was useless. Finally it was necessary to repeatedly reduce speed, as the ship could not survive the combers which were being shipped. In spite of all efforts, however, Bourke died at midnight. A tragic part of the whole affair was that his wife, due to a bad attack of seasickness brought about by the liveliness of the ship's

● Balance of 62 different tobaccos
means smooth, mild smokes—and
throat-easy.



Buckingham

CIGARETTES "Throat Easy"

movements, was unable to be with him at the last. So far as we were capable with our extremely limited facilities, the body was prepared for burial.

Eight o'clock next morning saw us entering Charlottetown Harbour, having been fourteen hours covering a sixty-five mile run usually accomplished in one-third the time. The dead man was taken ashore to an undertaking establishment, and the sick were rushed to hospital, where all conveniences were at hand to restore them to health.

Some time later, *Margaret* was again cruising north, and late one night picked up Bird Rock away to port. No light flashed from its summit, but on that night—calm, starry and moonlit—the tiny islet seemed to be the very embodiment of peace. A black speck, hardly discernible but for the silver reflection of the moon on water smooth as a mirror.

Court Work

by SERGEANT H. W. H. WILLIAMS

THIS ARTICLE is being submitted to the *Quarterly Magazine* in the hope that it will be of some assistance to younger members of the Force when they eventually find themselves on their own resources and are called upon to act as "Prosecutor" in a Court case. No matter how intensive the training at Depot Division or other Headquarters, or how brilliant a member may be when taking part in "mock trials" with brother members, a vastly different atmosphere is encountered when appearing in a crowded Court room in some small town or village where the accused may be somewhat of a celebrity and may know, through experience, that the Prosecution will endeavour to prove its case.

In many instances a Court case is looked upon by the "locals" as a form of Roman holiday where all and sundry may go and spend a few exciting hours at the expense of someone else. Usually the Court room is too small to accommodate all the would-be onlookers and long before the case gets under way the member attending the Court will probably be taken to task for not having the proceedings held in some large room or hall. He will be criticized for having the Court in the place chosen by the Justice, who, after all is said and done, is the one person to decide where the Court should properly be held. If the Justice is a local business man he often has an office or other small room which he is willing to use for the purpose of hearing cases and if the room is large enough to accommodate the Justice, the accused and his Counsel, the complainant and a few witnesses, together with the Prosecutor, the room is suitable; these parties are the interested ones and merely because the room will not hold all the carefree residents who wish to attend the policeman should not be blamed for the lack of space. Nevertheless he will be blamed and until he becomes "case hardened", the somewhat pointed remarks which he will overhear regarding the paucity of the accommodation are quite liable to cause some mental worry.

No matter how humble the room may be in which the Court is to be held, it must never be lost sight of that it is a "Court of Justice" where an individual's property and liberty are at stake. It is, therefore, essential that every effort be made to uphold the dignity of the proceedings. While undergoing training the member has received instruction as to how the general assembly of a Court room should be made up, the table should be here, the chairs and inkwell there, etc. This is all to the good and should be followed whenever possible, but when the member finds himself, as the writer has done on more than one occasion, in a small room, poorly lighted, the Justice having been given the most substantial chair; a packing case sometimes performing the offices of a table; the accused taking up his position on an apple crate or some such article; the balance of the people in the room either standing up or reclining on the floor, it may be difficult to be very dignified. However, a supreme effort must be made and it is the member's duty to impress on all present the seriousness of the proceedings.

Opening the Court

For the matter of convenience, it is proposed that the case to be tried is one known as a Summary Conviction matter and having arrived at the stage

where the Justice signifies he is ready to proceed, the member should make certain that the parties necessary to the hearing of the case are present. On being satisfied in this regard he should call "Order, please", when everyone present, with the exception of the Justice should rise to his feet. The next move is to open the Court, which is effected by the member saying, "I declare this Court open in the name of the King". The opening of the Court is formal and the words used should not be hurried but should be uttered in such a manner that the individuals in the farther corners will realize that they are in Court and not in Tom Brown's spare room.

The Court having been duly opened, all individuals present, with the exception of the Constable on duty, may sit down. At this stage of the proceedings it is well to look around the Court room in case anyone has overlooked the fact that his cap or hat has not been removed or a cigarette or pipe has remained unextinguished. It will sometimes be found that Court seems to be the place where peanuts acquire a new flavour or chewing gum a louder snapping sound and practices of this nature should be immediately put a stop to or the offender requested to leave. All unattached juveniles other than witnesses should also be requested to take their departure. On being quite satisfied that the proper dignity is being observed, the member may turn to the business in hand.

In case the charge has been laid before the Justice by an individual other than the member prosecuting the case, such as a private complainant, and the member has, consequently, not had an opportunity to view the "Information", he should request the Justice's permission to do so. The Information being the basis of the proceedings, too much care cannot be taken to ascertain that it is in order. The wording of the charge, the date the Information was taken by the Justice and the signatures on the Information must always be checked, the wording to comply with the Section under which the charge is laid, the date, in case the matter has, by reason of time limitation, become outlawed; the matter of signatures should require no explanation. Should an error or omission be noted, it is the Prosecutor's right to ask for a correction or amendment and it is always a safe procedure to have the complainant re-swear to the Information, whether it is actually required by statute or not.

Initial Steps on Arraignment of the Accused

Having taken all possible care that the Information and Complaint is correct in every detail, it is returned to the Justice, who then reads the charge to the accused. If the accused does not rise to his feet when addressed, he should be told by the member to stand up while the charge is being read to him. The charge having been read, the Justice should satisfy himself that the accused understands its nature, immediately subsequent to which he must make his plea.

It is at this stage of the proceedings that the member may experience the first twinge of nervousness. The writer has never forgotten an experience which occurred several years ago when he suddenly had to take over a prosecution, the N.C.O. in charge of detachment being absent on account of an emergency patrol. The case had been prepared by the N.C.O. and the writer merely attended the proceedings to learn a few points. The charge on this occasion was one of "Common Assault", the local barrister acting in defence of the accused. The Justice trying the case had many years'

experience in regard to Court procedure and after glancing over the Information, read the charge to the accused, making the usual query, "Are you guilty or not guilty?" The Defence Counsel at this point instructed his client to refuse to answer the question. The Justice took this to mean the accused was entering a plea of "Not Guilty" and so informed the barrister, who, in turn, intimated that if the question was put in the proper form, the proceedings would be shortened considerably. His Worship again read the charge, again asked the same question, using slightly different words, and again Counsel took the same objection. His Worship turned to the writer for guidance who, wishing he was somewhere else, was unable to make any suggestion. Finding the proceedings were being delayed, Defence Counsel referred His Worship and the writer to Section 721 of the Criminal Code, which reads, in part, as follows:

"If the Defendant is personally present at the hearing, the substance of the Information and Complaint shall be stated to him and he shall be asked if he has any cause to shew why he should not be convicted or why an order should not be made against him . . ."

His Worship then put the necessary question to the accused, who, having no cause to shew, was duly sentenced.

To be caught unawares in a crowded Court room has a very humiliating effect, whether the barrister is correct or otherwise, and in this particular matter the attitude taken by Defence Counsel was undoubtedly unusual in view of the fact that the usual procedure followed in all Courts of Justice in Canada is for the accused to be asked to plead either "guilty" or "not guilty".

Providing that matters run smoothly and the accused pleads guilty, there is very little that the member has to do insofar as Court duties are concerned beyond noting that the sentence is in accordance with the penalty imposable under the provisions of the particular statute which concerns the charge. Subsequent to conviction, however, the member should ascertain that the Warrant of Commitment, in cases where imprisonment is awarded, is correctly made out by the Justice before custody of the prisoner for transfer to a place of detention is accepted.

In the event of the accused pleading "not guilty" the member should inform the Court that he is appearing for the Prosecution and is ready to proceed and if no objection is raised, the case for the prosecution is then commenced in its initial stages. The Defence have the right to ask the Court that all prosecution witnesses be excluded from the room, to which no objection should be made. On such a request being made, the Member, if he is a witness in the case, should so inform the Court and request that he be allowed to give his evidence first, even though it may be out of sequence. This action shows a fairness and impartiality and obviates the possibility of the suggestion being made later that the member moulded his evidence to conform with the evidence of other prosecution witnesses. It must always be remembered that under no circumstances should offenders be brought to book by any means that are unjustifiable and the member must make it his business to have a reputation for strictest integrity. It is while in Court that the general public have an opportunity to watch the actions of the individual who is responsible for maintaining law and order in their district

and by his actions it is of paramount importance that the public should be certain that the ethics of the member in all his dealings are beyond question.

It rarely happens that a member has to take over the prosecution of a case in regard to which he has incomplete information. Usually the matter of investigation is in his hands from the commencement and he should, therefore, have with him a "brief" of facts in correct order according to dates, importance and other requirements, and the witnesses called should follow each other in sequence as the events took place so that when all evidence for the Prosecution has been entered there is a complete and comprehensive account of particulars.

Identification of Exhibits

Particular attention must always be paid to any exhibits that are necessary to the case and care must be taken that the witnesses who are about to identify them do so in a proper manner. To lose patience with a witness who takes plenty of time in examining an exhibit before positively identifying it, is fatal. If the identification is completed by the witness during the examination-in-chief, the evidence of the witness is not so likely to be placed in jeopardy, insofar as this particular point is concerned, when he is cross-examined by Defence Counsel. Beware of the witness who hardly looks at the exhibit, yet who immediately identifies it. Never be satisfied with a cursory examination but have the witness point out to the Court how and by what means he is certain of identification. When identification is complete, the exhibit should be duly entered and correctly marked. This is especially important where there are numerous exhibits of a similar nature and it is better for Defence Counsel to become impatient when a little time is taken up in the identification and marking of an exhibit during the examination-in-chief than it is to have him finally score by having the exhibit ruled out by reason of incomplete identification. In case of dispute, the ruling of the Court must always be taken with good grace, even though the decision given be incorrect. It is in order to argue strenuously to win a point but once the Court has given a decision, further argument may do considerable harm to the case for the Prosecution.

While on the question of arguments in Court, it sometimes happens that the member is giving evidence and an objection is raised by the Defence. The member, although at such a time is fulfilling the obligations of a witness, is also the Prosecutor and he is entitled to answer the objection by appeal to the Court; in situations of this kind, cool-headedness and quick thinking will stand him in good stead.

Examination of Witnesses

The subject of the examination of witnesses cannot be fully covered in an article of this nature but a few suggestions may be of some assistance to the young "Prosecutor". No hard and fast rule can be adhered to when examining witnesses and the approach to the witness depends largely on the individual's mental constitution, tact and patience sometimes being strained to the breaking point. It must always be remembered that most witnesses are not present in Court of their own liking and every effort must be made to gain their confidence. If a witness appears frightened, endeavour to set him at his ease by questioning him in a quiet and even tone, and while dealing

with matters of comparative unimportance, gradually proceed to the more essential evidence. Even if the witness is exasperating, never show him that his attitude is unusual; an encouraging smile will sometimes work wonders with a difficult witness.

All questions should be framed with care so that the witness will have no difficulty in understanding what is required of him, this being especially important when questioning a foreigner. The objectionable habit of using "leading questions", *i.e.*, questions that suggest the desired answer, must not be resorted to except in especial cases where the witness has shown himself hostile to the side calling him and permission has been given by the Court. To shorten proceedings to the material points of the action, it is permissible to put leading questions to the witness in matters which are not in dispute but are merely introductory. This applies both to the examination-in-chief and to the re-examination. If witnesses have been questioned before the trial (which is advisable in all cases) the witness of average intelligence will readily grasp the meaning of the questions. Care must, however, be taken when examining witnesses before the trial that the interrogation does not take the form of "schooling" and a witness should be cautioned that it is quite in order to admit that he has discussed the case beforehand with individuals associated with the prosecution. This question is so often asked by the Defence in the expectation that the witness will deny having spoken about the case and thereby afford opposing Counsel an opportunity to discredit his evidence that it is as well to be careful. There is no harm in admitting discussion of the case, the harm lies in discussing what the evidence will be.

When dealing with the examination-in-chief, the witness should always tell all that he knows about the case which is material and relevant. Good results are obtained by allowing the witness to give his evidence in his own way, freely and without too much prompting, care being taken that material points are not omitted. A free, unhampered testimony has a better effect on the Court than testimony which has to be dragged piece-meal from a witness.

During the cross-examination by the Defence, the line of questions must be closely followed, any differences being noted and an attempt made to clarify them on re-examination. If the difference is of minor importance and does not materially affect the issue, no benefit will accrue from labouring the point but if the difference is such as to change the whole aspect of the evidence, then rectify the matter by intelligent re-examination.

Should the Prosecutor have a number of witnesses to examine, it is always best to call the strongest witnesses first and last, using the weaker or least intelligent ones in between. In other words, never start or finish a case with weak witnesses if it can be avoided.

At the conclusion of the examination of prosecution witnesses, the Court should be informed that the last witness has been heard by simply stating, "That is the case for the Prosecution, your Worship". Never be in a hurry to close the case when the last witness has been heard, but carefully check and note that all material evidence has been presented to the Court. If it is found that a material point has been overlooked, a respectful request to the Court to recall the witness will generally be acquiesced to when the gap in the evidence may be filled in. Defence Counsel may have noticed the omission

of the vital evidence and may appear impatient with the delay, as it is, of course, in his favour to have the particulars left out, but the Prosecutor is conducting the case for the Prosecution and should refuse to be stamped.

At the conclusion of the case for the Prosecution, the Defence may ask for the charge to be dismissed on the grounds that a *prima facie* case has not been established, in fact, the objections may cover a wide field of imagination, but whatever they are, the Prosecutor has the right to answer them and it is at this stage of the proceedings that the value of care and thoroughness being exercised by the Prosecutor in presenting his case will be realized. If the Court finds the objections are not substantiated, the Defence may call witnesses, even though the accused is not called upon to testify.

Importance of Taking Full Notes of Defence Evidence

When Defence witnesses are testifying, the Prosecutor must take as complete notes as possible of the Defence testimony so that the witnesses may be cross-examined to the best advantage. The sole object of cross-examination is to test the truthfulness of the witness. It is more difficult to undertake than direct examination and may strengthen the Defence rather than weaken it if poorly conducted. The Prosecutor should direct his cross-examination with the purpose of weakening the testimony given, to gain some point that may tend to prove the truthfulness of the prosecution witnesses and to show that the Defence witness is unreliable in regard to veracity. The Prosecutor, when cross-examining a witness, should always keep the witness under observation, carefully noting his demeanour, facial expressions, etc. With experience, a great deal will be learned which will enable the Prosecutor to decide, in many instances, as to whether the witness is honestly mistaken or deliberately lying, therefore, too much attention cannot be paid to a witness during the time he is under interrogation for purposes of cross-examination. To decide whether to cross-examine or not is a question which can only be answered by experience.

At the conclusion of evidence having been taken from all Defence witnesses, if any matter has been introduced which takes the Prosecution by surprise, a request to the Court to produce evidence to rebut the new evidence should be made.

Addressing the Court

Upon the conclusion of all evidence, the Court may request the Prosecutor and Defence Counsel to argue the case. When no Defence witnesses are called, the Prosecutor argues first and the Defence Counsel last, but vice versa if evidence is produced on behalf of the accused. It is not suggested that the argument be of great length, a good deal depends on the number of witnesses called and the nature of the charge, but in general, a reference to the Section under which the charge is laid, the necessary ingredients that have to be proved and reference to the witnesses who have proved the required points should be sufficient as far as the prosecution is concerned. Discrepancies noted in the evidence of Defence witnesses should be mentioned and the attention of the Court should be called to the most reasonable evidence and the inference or inferences to be drawn therefrom. When witnesses are quoted, particular attention must be paid to the exact wording of the statement made by the witness so that the Defence will not

have the opportunity to object on the grounds of misquotation of remarks of the witness and thereby infer, for the benefit of the Court, that unfair tactics are being adopted by the Prosecution. Should Defence Counsel make a misquotation, a quiet remark addressed to the Court that a mistake has been made will have the desired effect without entering into a verbal battle. Should he continue to misquote or wish to argue the matter, appeal to the Court to refer to the evidence taken down and abide by the decision of the Court.

Judgment of the Court

Having heard arguments for both sides, the Court will most likely adjourn to decide on the evidence. When once the Court is adjourned and the room cleared of all parties, including the Prosecutor, the latter should not re-enter the room where the case is being deliberated (even at the request of the Justice) unless he is accompanied by Defence Counsel. No matter how innocent the action may be at the time, there is always the danger that one of the onlookers may place a wrong interpretation on the action and later make derogatory remarks about the Justice of the Peace or Magistrate sitting on the case and the Prosecutor. At no time should the Prosecutor voice an opinion on the penalty that should be imposed. If the Justice calls upon the Prosecutor to state the amount of the police costs while he is deliberating, it is in order to comply with the request in the presence of counsel for the Defence.

During the adjournment it very often happens that certain individuals will make it a point to endeavour to draw the Prosecutor into an argument about portions of the evidence and it is a safe rule never to discuss the case with anyone. In small towns, if the case has been an interesting one, arguments will be heard on all sides about the evidence and about some of the witnesses, very pointed remarks sometimes being made. It is quite in order for the public to discuss the case so long as their argument cannot be heard by the Justice but if the participants become too noisy they should be cautioned to either moderate their tones or to move away from the vicinity of the Court. Occasions arise when the Prosecutor may have a long drive to make and inwardly is impatient, hoping that the Justice will not take too long in arriving at a decision but under no circumstances should he voice his thoughts. The whole attitude of the Prosecutor should, in fact, be one of strict impartiality and thereby impress the public that no matter how trivial a case may be, it must receive the proper consideration of the Court.

On being informed by the Court that a decision has been reached, all parties should be so advised and the Court called to order again, making certain that correct decorum is being observed. The accused should be made to stand up when sentence is being awarded and note should be taken of any preamble. The exact wording of the sentence should be noted, particular attention being paid that the penalty conforms with the statute under which the charge was laid. Should a mistake be apparent, the attention of the Court must be tactfully drawn to the error so that it may be corrected.

Sentence having been pronounced and recorded, if no other cases are to be heard, the Justice should be asked for permission to close the Court.

On permission being granted, all present must be called to order, the Court being closed formally by the member standing at attention and saying in a moderately loud voice, "I declare this Court closed. God save the King". These words should never be hurried but must be delivered in such a manner that all will realize a Court has been held.

On leaving the Court, if the member is compelled to remain for any time in the town, he will probably be asked what his opinion is regarding the sentence, there being in all small towns someone who is always ready and anxious to criticize. The question may be asked at the dinner table or in one of the stores but no matter where it is asked the answer should always convey to the questioner that any discussion of the sentence meted out is distasteful and will not be tolerated. This same rule applies if the case is dismissed, even though the member has lost what he may have considered was a good case and one that, in his opinion, called for a conviction. In short, no remarks should be passed before the public concerning the decision of the Court.

Recording Particulars of Legal Points

Court being over for the day, on returning to detachment the member should make notes for future reference of any point or interesting argument that occurred during the trial. If Defence Counsel cited a higher Court decision, the name of the case and the Law Report or Digest should be carefully noted and the memorandum filed away with other material so that it can be referred to when prosecuting other matters of a similar nature. If this procedure is carefully adhered to, the member will, in time, have a very useful and necessary legal library to which he can always refer when acting in the capacity of Prosecutor. It should always be remembered that the Defence may employ a barrister. This gentleman, by his profession, has access to all the latest reports on rulings handed down by appeal in other Courts, whereas the member does not have this opportunity but is, nevertheless, expected to put up an equal, if not better fight, for the case. The member should never neglect an opportunity of making notes on recent decisions, especially so as it will be found that the trouble taken in following this suggestion will amount to nothing when compared with the satisfaction which is felt when a just verdict has been reached in a difficult case through the member being in a position to answer any argument put forward by the Defence.

In conclusion, the writer desires the more juvenile and inexperienced members of our organization, to whom this article is addressed, to realize that when a case is being prosecuted they are representing the Crown and that it is their duty to see that no innocent person is convicted or one who is guilty escape lawful punishment. Never resort to unfair tactics to secure a conviction, whether the accused is rich or poor, defended or not by Counsel, always bearing in mind the honourable motto of our Force, "Maintiens le Droit".

Recruiting

by SUPERINTENDENT V. A. M. KEMP

THE NECESSITY for repairing wastage in the field of employment and the steps taken to devise a solution of this economic problem bring to the notice of Governments and individuals alike a study which is both interesting and of great importance. This applies particularly to commercial life but in addition has a certain bearing insofar as the spheres of military and police activity are concerned.

In the "good old days" as they are so often called, the methods adopted to secure a full strength of personnel differed somewhat to those followed in modern times. The Navy in the early part of the 19th century overcame the problem of securing new blood by the simple expedient of the "press gang", while more recently the opposite arm of the service, the Army, necessarily had to rely on the smooth-tongued oratory of the recruiting Sergeants, individuals of wondrous bearing, having the gift of tongue and a prodigious fund of anecdote concerning the sometimes imaginary adventures met with during the course of their careers.

In our own Force time was when an advertisement discreetly published in certain specified publications announced that individuals wishing to join the ranks of our organization could, by following a certain routine, bring their names forward as prospective policemen; expeditions were even undertaken to the British Isles in an effort to obtain volunteers to whom the life of a Mounted Policeman might appeal.

During recent years, however, as is well known, the need for advertisements insofar as recruiting is concerned, or for such Overseas campaigns, has completely disappeared. Applicants by scores, even by hundreds, present themselves monthly to the offices of the Force offering themselves for service as probationary peace officers.

While the record for 1932, when over five thousand applications were listed, has never been broken, a great many are still received daily and at the time of writing, the present year already shows promise of producing a large aggregate of applicants to join our organization, due possibly, to the recent screening of "Rose Marie" with its story centering as it does, upon the exploits of a "film-land" member of our Force!

It is not unusual for enthusiasm on the part of would-be recruits to be fired by the advent of a motion picture or some kindred production. A recent musical ride returning to "N" Division from New York brought in its wake a host of applications. The screen play "Rose Marie", with its romantic plot, its delightful scenery and singing may, therefore, be expected to do its part in this direction.

The stiffening up of educational and physical tests has brought beneficial results. Directions are issued that the printed examination questions which applicants are required to answer must be treated as confidential and retained on official files. The system of using several different tests precludes, to a certain extent, the practice of one applicant "tipping off" a later arrival in regard to the form of the questions.

A rather amusing incident occurred at Headquarters when a young man, on making application, was given test No. 1 to complete. Half an hour later he pleaded a headache and left the office, promising to return the next day. On his return he seemed somewhat startled to receive test No. 2 and a recurrence of his previous malady again compelled him to make his departure. The next day he re-appeared and was handed test No. 3, which finally seemed to depress him permanently as he has not been seen since.

A total of approximately fifteen thousand applications has been received since the commencement of 1932 and during this period some sixteen hundred applicants were engaged. As this figure, however, includes members of Provincial Police Forces and members of the Preventive Service who were added to the strength during 1932 on the amalgamation of the various Provincial Police Forces and Preventive Service with the Royal Canadian Mounted Police, the actual number of recruits engaged is very small and amounts to approximately five per cent of applications received.

Occasionally one meets with applications which contain a certain amount of unintentional humour. One of the more delightful efforts of this nature is that of a young man who expressed his desire to enlist in the Force but naively added a postscript to the effect that he was, by the same mail, applying for the position of hangman! A psychologist might possibly explain the mental process by which this applicant reasoned out his choice of vocations but it is beyond me.

The efficacy of the finger print system has been supported by the identification of a certain number of applicants who possess criminal records. An applicant coming within this category had stated on his application form that he had never been convicted of any offence. On proof being produced, as a result of his finger prints being examined, to show that he had served a term of imprisonment for assault, he stated, in extenuation, that in view of the assault having been perpetrated on his wife, such a conviction should not warrant serious consideration as it could hardly be regarded as an offence!

Another applicant, on attempting to join the Force, requested that he be engaged as a Sergeant-Major, stating that he had been informed that Senior Non-Commissioned Officers were not required to groom horses, an outrageous libel on the "back-bone of the Force".

A further humorous interlude in the routine of receiving applications was the case of the young hopeful who, to test his literary capabilities, was given the task of writing an essay on his favorite sport. He commenced in the following strain: "The milk of the cow is sweet and fresh", and then subsided, giving the essay up as a bad job. It has fallen to the lot of many of us in the Force, in the course of our duties, to extract milk from contented or even discontented cows, but to discover an individual who apparently regarded an occupation of this nature as his favorite sport certainly placed him in a class by himself.

The fanaticism with which some people devour the lighter brand of detective thriller, imbues in some the unshaken faith that they are destined to go out into the world as "master detectives". The following letter received at Headquarters is an authentic example:

"I would like a job detective work or police. But I am calling myself a detective. I have plans that are my own in the line of detective plans. I am twenty-three, wait 167 pounds but my prove is what conts. I couldnt tell you just how I will work but if I cant give you sadisfashion I dont want any money from you. All I want is my expences to go ahead. I am hoping you will sadicefy my wants an I will give you a few lines on it next time. I have some plans that has never been none before. I can pick the gelty one every time no foolin, bleeve it or not. Dont think Im bleevin think that are not write. Well I guess I wont tell you any more today."

The following answers were submitted by one applicant to some of the routine questions set to test his general knowledge:

Q.—What is your reason for desiring to join the Force?

A.—I like to travel around the country from place to place.

Q.—Who is the President of the Canadian ** Railway?

A.—Mr. ** was the only big shot I ever heard of.

Q.—Who is the Chief Justice of Canada.

A.—Don't know him, never had the opportunity of being in Court.

Q.—Who is the Chairman of the Radio Commission?

A.—Never heard that man's name either.

Q.—What is the date of Remembrance Day?

A.—When I last noticed it it was May 10th I think.

Q.—What is the difference between prorogation and dissolution of Parliament.

A.—It's all the same to me, don't know anything about it.

It appears hardly necessary to add that of the illustrations given in this article of the various applications made, none of the originators have, so far, been successful in commencing their probationary careers as members of our organization!

Police Buildings

We notice in a contemporary Overseas publication that action is being taken in England and Scotland to provide better housing accommodation for policemen. Already several properties have been acquired in different parts of London for the benefit of married men and single members of the Metropolitan Police. All buildings will be constructed on the most modern lines with private cubicles for the occupants and commodious Common Rooms, Libraries, etc. It is understood that a number of these buildings have already been erected and that the campaign figure for modern accommodation for the Metropolitan Police in London is set at approximately \$20,000,000.

In Scotland this question is also receiving attention, various Police Committees having agreed to proceed with improvements in regard to accommodation with all possible speed.

An Aid to Crime Investigators

by CORPORAL D. TOZER

ACTUATED BY a little knowledge, which, the philosophers tell us, is a dangerous thing, and imbued with the desire to turn that knowledge into something of use, the writer, after having had recourse to several text books and the literary works of such authors as Dr. Sydney A. Smith, C. Ainsworth Mitchell and W. Lloyd Woodland, has assembled together in as small a space as possible, such articles as he considers necessary as an aid to successful preliminary investigations at the seat of major crimes. The following summary is submitted, therefore, in the belief that particulars regarding the component parts of such a unit may be of interest to other members of the Force who may wish to assemble a personal crime investigation unit, apart from those supplied officially by our organization. It is, of course, appreciated that the question of the articles most essential as an aid to crime investigation is a matter of individual opinion, but as a general compendium, however, it is suggested that the articles described below should be included in a unit of this nature:

- Camera (with good lens);
- Tripod or stand for above with supply of plates or films;
- Some system for supplying light for the taking of photographs where natural or artificial light is unobtainable;
- Finger print material for the discovery and development of latent finger prints upon articles which cannot be moved, such as safes, etc.;
- Compass, preferably a Prismatic, to establish direction and bearings;
- Surveyor's tape measure (100 feet);
- Plaster of Paris for the taking of casts;
- Glass test tubes with corks for the safe custody of small articles such as hairs, fragments of clothes, etc.;
- Scissors, razor, knife, tools, envelopes, pencils, etc.

With the purpose of equipping himself with a practicable unit for crime investigation purposes, the writer has constructed a box of very light wood in which are assembled those articles considered to be of most importance. The box itself is made with hinges attached to the top and front which give ready and easy access to all its contents. The dimensions of the box are 27" long, 13" deep and 10" wide; it is constructed of basswood which has the advantage of combining strength and lightness. All joints or unions are glued and are secured by screws and in order to keep out all dust, the top and falling front are edged with velvet, making a perfect dust proof joint. The fastening devices are a trunk lever snap and an ordinary chest lock. Handles have been placed on each end and on the top for carrying purposes.

Into this box have been assembled the following articles, each piece being securely fastened in order to prevent movement in transit and to prevent damage or breakage:

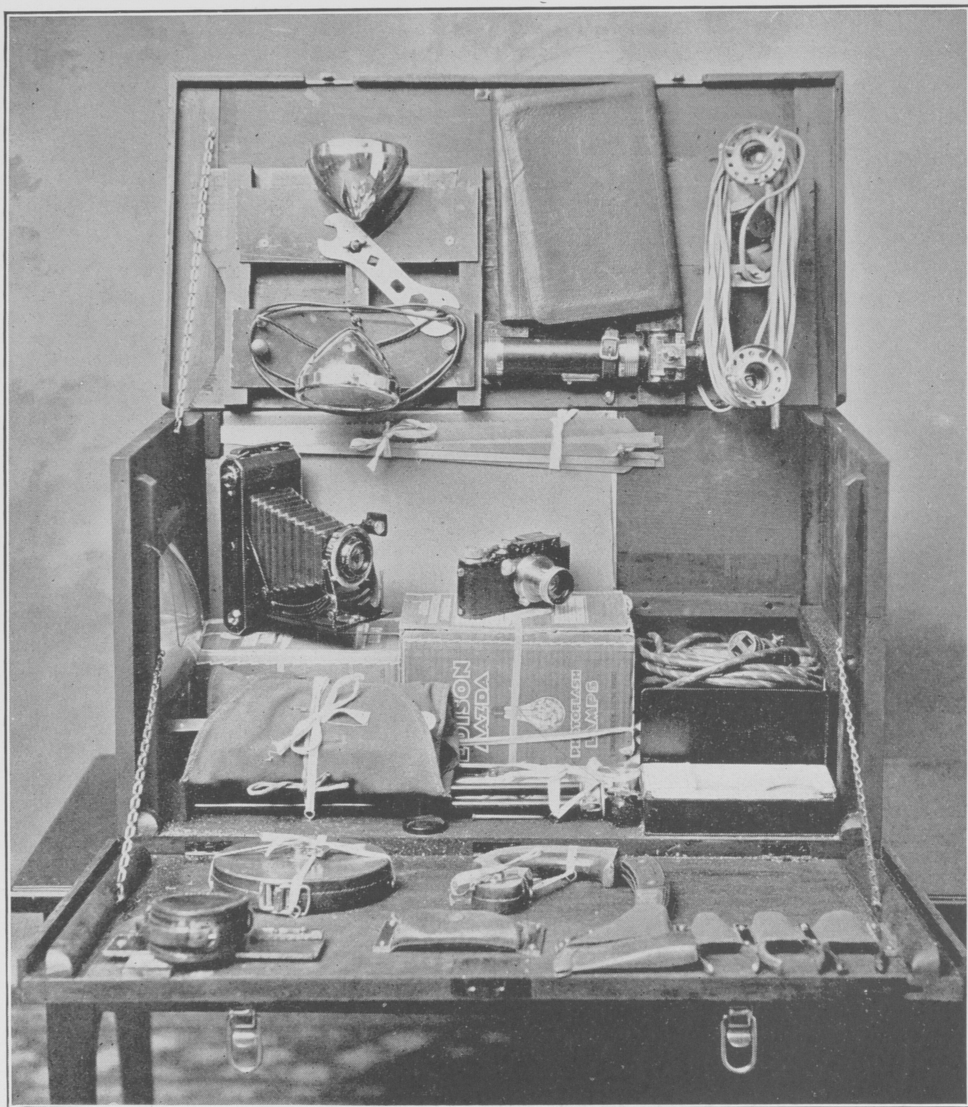
- 1 Leitz Leica Camera F/2.5 cm lens;
- 1 Kodak 616. 2¼ x 3½ - F 4.5 lens;
- 1 tripod for above;
- 1 Photoflood (2 unit) stand and reflectors complete for use with domestic electric current;

- 1 Photoflash flashlight (3 unit) complete with reflectors for use when no electric current is available;
- 2 Automobile Cowl lamps mounted on bakelite, for use with automobile battery, for *time* pictures of finger and foot prints in places where electric power is not obtainable;
- 2 15 ft. lengths of single core rubber insulated flexible wire for use with battery and cowl lamps;
- 1 15 ft. length double core rubber insulated flexible wire for use with Photo-flood unit;
- 6 Photoflood electric bulbs—large size;
- 6 Photoflash electric bulbs—large size;
- 1 Mark IV Prismatic compass in case;
- 1 Surveyors' tape (one hundred feet);
- 1 lb. screw top tin of Plaster of Paris for casts;
- 1 Small hand axe with hammer head;
- 1 Keyhole saw with 3 blades;
- 1 Spatula, pliers, nest of screwdrivers, etc.;
- 1 roll containing the following: 1 good magnifying glass; 1 watchmakers' eye magnifying glass; 1 cloth manufacturers' magnifying glass (1 in. square); 1 glass tube of black finger print powder; 1 glass tube of grey finger print powder; 1 oil can for dusting black finger print powder; 1 oil can for dusting grey finger print powder; 1 Stockmans pocket knife; 1 pair scissors; 2 pair tweezers; 2 calipers (for inside and outside measurements); 1 straight razor; 1 package safety razor blades; 1 package pins; safety pins; drawing pins; white marking chalk; 3 test tubes with corks; 1 roll adhesive tape; sealing wax; 1 ball fine strong twine; 1 glass cutter.

It is by no means intended to imply that the list of contents as outlined is complete or that the several articles described are considered to be of the wisest selection. It is considered, however, that the assortment of articles described for investigational purposes may form a basis of informative value for those individuals who may be interested in providing themselves with a personal unit of this nature and may act as an incentive to members, to whom the subject appeals, towards further development.*

The weight of a box containing the full amount of paraphernalia shown above would be heavy for one man to carry for a long distance on foot but nevertheless it can be done should occasion arise where other means of transport was not available. Two men, however, would find no difficulty in this respect.

*The whole question of improving upon and of supplying a number of official units of this nature for investigational purposes is under consideration at present. In a subsequent issue of the Quarterly Magazine an article will be published describing the component parts of such a unit, together with details of information in regard to the purpose served by such modern aids to investigation as the Fluoroscope (or ultra-violet ray) and other apparatus of technical value. The Commissioner considers that members of the Force at present proposing to improve upon any personal crime investigation unit in their possession would do well, therefore, to postpone doing so until further information is available in regard to the standardized form of equipment which is at present in process of adoption.—*Editor*.



*A Personal Crime Investigatory Unit assembled by CORPORAL D. TOZER,
"J" Division, Fredericton, N.B.*

Police Dogs and Their Training*

by R. ARUNDEL

Ex-Supt. Yorkshire W. R. Constabulary

(Continued)

It has been said there is a something intangible which differentiates the great from the average detective; and that what it is no one knows, not even those who have it. This remark is applicable to the dog trainer. Apart from those whom one may broadly classify as good, bad or indifferent, now and again, the trainer is met who with his dog-magic and instinctive handling seems to have been born for this work. One recognizes that he has a wonderful and mysterious power over dogs, a gift he appears able to exercise no one knows how, and least of all himself. All dogs that go through his hands obey him instinctively as it were and never forget him. Almost without word or signal, he influences and directs them. Needless to say, a trainer such as this is rare, otherwise the following advice would be superfluous.

It is necessary for the trainer to have a good general knowledge of the nature, likes and dislikes of the particular dog he intends to train, as well as a satisfactory acquaintance with the properties and peculiarities of the whole breed. Above all, patience with the young dog is absolutely essential. As the mother and the teacher plod along patiently with the education of the child, so, and more so, is patience needed in a young dog's trainer. As there are times when a human being is both physically and mentally unfit for work, so it happens that occasionally the dog is unable to accomplish his task. Only from a dog which has completed his first year can be expected real good and intelligent work. The training must be done with kindness; by that alone can one make a true, faithful and self-sacrificing companion. With the whip or stick one only succeeds in producing a slave. The Police whistle should be the only kind used, so that the dog can distinguish it from the ordinary ones used in the street.

To use a whistle well requires patience, temper and experience. It should be done not loudly, but low, and not too much of it, or it may happen that the dog will become weary of it and you, and will pay no attention. Use it sparingly, but take care it is always obeyed and followed.

In such a way and manner should the young dog be trained that he feels it a punishment to be spoken to harshly or not at all, and he must be daily taught that he must not do what he likes, but what he is expected to do. If cruelty of any description has any part in the training of a Police dog, failure in the dog's work will be the inevitable result.

Trainers must realize that every dog at birth is endowed with a definite mental capacity, which will be found to vary very much, some dogs appearing to exhibit instinct merely, others evincing a degree of acuteness very similar to reason. This mental capacity does not increase or improve after maturity. Therefore as is pointed out in Article 3 in the following section, training merely serves to bring out such intelligence as the dog receives at birth and is not in any way the result of training as some seem to imagine. A dog of poor natural endowment cannot be trained for Police duties.

* Reprinted from *The Garda Review*.

The bringing out of the dog's intelligence is done by repeating the lessons laid down—dogs, like humans, learn by repetition—simple ones to begin with, and as they are mastered those of more difficulty, always assuming the dog shows enough aptitude and ability to undertake the advanced course. Trainers will note the insistence on praise and the giving of the "tit-bit" for good work. Such are incentives to greater effort for—again like human beings—the stronger the incentive the greater the pupil's diligence. A reward when the dog does right, gentle correction when he does wrong.

In this connection the animal's temper is an object that the trainer must not lose sight of; some dogs require frequent correction, while with others the mildest treatment and encouragement are indispensable. Trainers will observe that corporal punishment should never be given to a dog unless under absolute control; in fact, the dog should not be suffered to move till by a word or two of caution, spoken in a mild tone, his alarm is dissipated and trainer and dog are reconciled. Foolish, passionate men may be observed to let their dogs run away immediately the punishment is over, and to aim another blow at them as they are going away; nothing can be more censurable than this, for when the dog next commits a fault, and you wish to chastise him he will not allow you to approach sufficiently near to lay hold of him. The safest method of punishment is that laid down in Exercise 16 and is always effective when, as frequently happens, the young dog manifests an inclination to hunt sheep. A dog should be corrected, in fact, the moment he is observed to display the slightest inclination even to notice sheep, as he will, if not checked, first look and set, then chase, and ultimately worry them. When once dogs have tasted mutton they are never to be trusted and cannot be cured by this or any other mode short of confinement or death.

In regard to poultry, the evil is not so great, nor the disposition to worry so difficult to subdue, and they afford better, as well as more frequent, opportunities of observation.

During the training exercises apart from the words of command the less the dog is spoken or whistled to the better. During the training the dog should never be suffered to go out but in company with the trainer. He is thus accustomed to obey one person only, and becomes perfectly familiar with his mode and manner. If dogs become subject to many masters they cannot be expected to be perfect.

The trainer should give his words of command in as low a voice as possible and avoid any unnecessary calls or whistling. He must not drag at the line, nor yet chide or punish the dog, but coax him and praise him in a low voice so as to keep him working.

The trainer should always take care that before beginning work the dog's bowels have been thoroughly moved and that he has quenched his thirst. Let him have his accustomed food regularly, but when he has any heavy work in front of him a good meal of flesh meat is advisable a few hours before starting. As to his bodily temperature, that can be judged from the coldness of his nose. The bodily welfare of his dog should always be the trainer's first care, and he should not be made to work at any time that he is obviously unwell.

In conclusion, the trainer should ever bear in mind the fact that the best Police dog can in a very few days be spoilt and made absolutely worthless by improper handling.

As I have already said, for it will bear repetition, train with kindness. Far better let a fault go by now and then than meet every peccadillo red-handed. You can always give a whipping—you cannot undo it. As often as not—especially when it is a matter of scent—the dog is right, the man is wrong, and more dogs are ruined with the whip than without it. Don't use anything heavier than a light switch; don't give a lot of blows, but one—not that if you can help it.

See the lessons are not prolonged; stick to the time-table. The youngest dog is soon tired, and this leads to boredom, and boredom spells careless work.

The Training of the Police Dog

1. Early, good and sound training brings out the good and extirpates the bad qualities in a boy and makes him turn out a gentleman. So in like manner will be brought out the capabilities of a dog so specially adapted to assist, protect and serve his master.

2. As running, jumping, etc., are necessary to develop physically the child's body, and thus indirectly his mind, likewise the young dog requires plenty of exercise, and without it only develops into a lazy, clumsy brute, without passions or intelligence.

3. Training a dog means nothing else but to minimize or eradicate inborn bad or useless proclivities, and to bring out and perfect his good and useful qualities and propensities.

4. Experience shows that bad management of young dogs spoils their future usefulness for proper training. Hence great care is needed not to make them shy or frightened animals before ever they are fit and old enough to be trained.

5. To be able to successfully train a dog his individual qualities and propensities have to be carefully observed and studied.

6. Up to six months of age no dog is responsible for his actions; he is too stupid to know the why and the wherefore, consequently must not be punished, otherwise he runs the danger of being useless for successful training.

7. Only the trainer should feed and play with the dog, and during the time of training he must be well fed and cared for. If children or other persons handle or play with the dog he is sure to get muddle-headed, playful, superficial, erratic, untrustworthy, headstrong, and often snappish or vicious. The young dog only has the sense of self-preservation; he likes, clings to and follows him that feeds and caresses him; later on this liking and clinging develops into love, gratitude and faithfulness.

8. As soon as the trainer has finished playing with the young dog he must replace him in the kennel. Should the dog start yowling, a shot or two from a catapult, saying "Quiet", will soon teach him to stop it at the word "Quiet", and after a short time altogether. Dogs that have not been taught in this way are sure later on to join other dogs when yowling or barking.

9. Shortly after feeding time, say a quarter of an hour, but never longer than half an hour, the trainer should take the four months old puppy into his room, or house, and watch him closely whilst playing with him. If the dog gives any sign of going to mess, return him quickly into his kennel. In case he has messed, take him gently, saying "Shame" and put him back.

The man who pushes the dog's nose into the excrement has no idea of training dogs, and lays the foundation for future bad faults of character. A trained dog can be made house-clean in a moment by using a slight punishment.

Training Exercises

It is now assumed that the dog has become proficient in the foregoing exercises, but it should be borne in mind that he must continually repeat what he has already learnt in order to remain fit and useful, because whatever he learns he must learn thoroughly. Here it may be useful to remark that on no account should he be trained to perform silly tricks, which only tax his nerves and bodily strength, but that his training should be confined entirely to the exercises as laid down. Before going on with the next part of the work it will be necessary to obtain the following training implements:

1. A straw whisk, 30 inches long, of which the middle part should be tightly bound to about the thickness of a man's wrist.
2. A block of wood for carrying purposes, with an arrangement at both ends for increasing or lessening the weight.
3. A leather bag for carrying purposes, and constructed in such a way that at both ends it can be weighted with shot or small stones.
4. Large old clasp knife.
5. Long line, 20 yards.
6. Stuffed dummy.
7. A movable boarding, 2 yards high and $1\frac{1}{2}$ yards wide. The implements Nos. 1 to 6 lie in the training room, and the stuffed dummy figure should stand in a corner hidden behind the boarding.

The trainer and the dog should be fresh and vigorous when starting work, and all training proper should be done before feeding time. The trainer should fetch the dog for all training exercises out of the kennel by the line, and by the line take him back into the kennel, and should not remove the collar until by petting and praising he has quietened down the dog and regained his confidence. The trainer must give all commands or orders in such a low voice that the dog is forced to give all his attention to him. Every raising of the voice by the trainer should act upon the dog as a kind of correction and punishment. A short, sharp command should affect the dog like a hit with the whip, and make him obey instantly. Corporal punishment should never be administered unless the dog is held by the line and under absolute control. Really the trainer should not be satisfied until he is able to manage his dog by a scarcely audible whistling or by a slightly lisped "pst." Each day that the dog has had a training lesson the trainer must take him for a walk during the afternoon, and after each training exercise and each walk the dog must be taken back into the kennel to quieten down there.

Exercise 1.—To teach the dog to sit. Word of command: "SIT".

The object of this exercise is to teach the dog manners, and it will further be a preparation for future exercises, such as "lie down", "watch", "give up".

Method: Take a few walks with the dog round the exercise room, stop suddenly in the centre, turn left about, thus standing with the right side of the dog towards you. Take hold of the line with your right hand close to the collar, and place your left hand gently on the small of the dog's back,

push him down with the left hand and slightly pull back his head with the right, at the same time giving the word of command "Sit". If the dog sits down, praise him and slowly stand up, but hold the line tight. If the dog tries to get up, give him a little jerk with the right, and gently press him down again with the left hand and order "Sit". When the dog stops sitting look at him and with your index finger raised command "Sit". As soon as the dog sits still place yourself close to him in such a way that his toes are in line with the heels of your boots. After the dog has been sitting a few minutes, take a few turns round the room, stop again in the centre and repeat the exercise. Always take great care that the dog without turning or much moving promptly sits down and close to your left leg.

Exercise half an hour with two repetitions.

Exercise 2.—Word of command: "SIT", "STOP".

The object of this exercise is to get some groundwork for future exercises, and to get the dog thoroughly under control.

Method: Stop in the centre of the room and order "sit". Step a little in front and face the dog, keep the line slack in your left hand, lift up your index finger and command "Stop" keeping your eye meanwhile on the dog. Take a step or two to the left. If the dog obeys and "stops" praise him. Go back to him and then take a few steps to the right, always ordering "Stop". Then proceed a little farther off, and try to walk slowly round him, but keeping your eyes on the dog, the line in your left hand and now and then order "Stop". After a while take another few turns round the room and start the exercise afresh. Finally walk round the sitting dog without repeating "Stop".

Exercise for half an hour with five repetitions.

Exercise 3.—"Sit" and "Stop" without having hold of the line. Words of command: "SIT", "STOP".

The object of this exercise is to prepare the dog for learning to "sit" and "stop" without being fastened to the line and under all conditions.

Method: After having ordered the dog to "stop" drop the line and proceed to walk slowly round the dog, but keep your eyes on him. Pet him and show that you are pleased with his performance. Take a few turns with him round the room and repeat the exercise, but place the dog in such a position that he can see the entrance door. Then having walked around him a few times, walk slowly up to the door, stop short, walk quietly back to him, and a few times round him, pet and praise him, then treat him to a few turns round the room. Repeat the exercise, but when you have come to the door order "Stop" and leave the room, but watch through the keyhole to be ready to give orders to "Stop" in case the dog should become restless. After a short time re-enter the room slowly and unconcerned, and walk a few times round him. If the dog did well, pet and praise him and reward him with a few more turns round the exercise room. During the remainder of the exercises stop outside the room up to about ten minutes.

Practice time, one half-hour, and five repetitions.

(To be continued)



The Asbestos Light Rifles, a Quebec Eastern Townships Organization.

Team Work

Competitive spirit and good sportsmanship, as encouraged by Dominion Marksmen Competitions, makes for team work in any activity. The contests sponsored by this nation-wide organization of shooting clubs and groups are a stimulus to proper training for shooters of all ages.

The Dominion Marksmen Competition for owners of .22 calibre rim fire sporting rifles has met with the wholehearted support of marksmen throughout Canada. Join these thousands of ardent supporters . . . application blanks, rules and targets are supplied *free* and there is no entry charge! All you need do is fill in the attached coupon and mail it . . . *NOW!*

COUPON DEPT.
R.C.M.P. 1-36

Dominion Ammunition,
P.O. Box 1260, Montreal, Que.

I am interested in your prize
competition for shooters of .22
calibre sporting rifles. Please
send me full particulars.

Name

Address

"DOMINION" AMMUNITION

"ALWAYS



DEPENDABLE"

CANADIAN INDUSTRIES LIMITED

"DOMINION" AMMUNITION DIVISION

HEAD OFFICE: MONTREAL

BRANCHES: ST. JOHN'S, NFLD. HALIFAX WINNIPEG SASKATOON
EDMONTON VANCOUVER

The Old North and the New

Mackenzie River—North West Territories

WITH THE march of progress on the Mackenzie River there is no doubt but that great changes have been wrought in the last twelve years—twelve years ago the North was very different. In those days, before the aeroplane facilitated the transportation of modern prospecting equipment and enabled great distances to be covered in a very short time, the dog team in winter and pack dogs in summer formed the main methods of travel by land; by water, even the outboard motor for use on canoes was almost unknown.

In those days the white residents (for this is the correct term) of the Mackenzie River Valley comprised the Trapper, Trader, Missionary and Policeman—all were “Old Timers” who had lived in the North over a varying term of years and who understood the country. All of these individuals were of the same type as their early predecessors—mentally they spoke the same language as Alexander Mackenzie (who first navigated the River which bears his name, to the Arctic), Simon Fraser, and the very early pioneers. It was not primarily for profit that they were there, but rather to find out what was behind the next bend of the river, or on the other side of the range of hills which they could see in the distance. To live at all in the North before Old Woman Civilization (for without doubt that is her gender!) came knocking fussily at the precincts of the country, required both “back-bone” and courage and as, in common with all pioneer communities, an estimate of an individual’s worth was judged mainly by two attributes—by his capacity for physical endurance and by the degree of integrity he possessed—it followed, as a matter of course, that very many fine old gentlemen were to be found living in out of the way places where the spirit of financial competition had not taken precedence over all other considerations. Many of these old gentlemen are still living in the North, though others who have died, or have taken their departure, have been replaced by a new genus with more progressive ideas.

In the present era of “ten minute” adulation on the part of the public for individual acts of courage and endurance, while applauding with the rest, sometimes I think (and know) that buried contentedly in the Northern backwoods are many men whose entire lives form a saga of determination and sacrifice in pursuit both of a livelihood and an ideal. While relegated somewhat to the background by the exploits of their more spectacular counterparts of modern times who flame through the skies in a period of hours over trails which the Old Timers broke by dog team and pack dog after weeks of persistent effort, they or their ghosts are still there making their quiet journeys through the forest pathways.

It is to these old friends that the following verses are dedicated:—

To Many Old Friends

by INSPECTOR C. E. RIVETT-CARNAC

When the coffee's on the table and the iron stove is roaring,
And the breeds and trappers mingle in the foggy humid air,
You will hear them tell their travels while the Arctic night unravels
Like a shawl of sombre silkwork shot with diamonds here and there.

As the Northern lights climb upward and each starlight winks in wonder,
And the river forms a silver streak that stretches out below,
You can hear the rapids thunder, mutter, pass and die down under,
Where the waters travel northward 'neath the scintillating snow.

Then's the time to quit the corner, gather where the firelight's glimmer
Lights the sitting circle with its robin-breasted glow;
Watch the ever changing fashions of the multitude of passions
Cross the eager hatchet faces of the Children of the Snow.

Watch the jumping shadows flicker in the lines that Mother Nature
Traces on the furrowed faces of her offspring gathered there;
Writes indelibly the story of each winter's sweeping glory,
With its tale of frozen hardship in the ice-encrusted air.

If you've studied human faces, roamed the world in search of knowledge,
Seen the Oriental sitting snugly in the sun;
Analyzed the earth's last primer, 'till you've seen the real "Old Timer",
You can't call your knowledge perfect or your lifetime's study done.

For there's something in their bearing missed in every other country,
Just a hidden sense lying dormant, resting quietly 'neath the form;
And their sometimes sleepy poses mask a strength that there reposes
As a fund for mind and muscle in their battles with the Storm.

For they're Nature's winning Children in their gage of High Endeavour,
Flung as everlasting challenge to the Frost King's icy throne;
As they penetrate the Open Spaces, subjugate the Mighty Places,
Would you join and fight their battle, help their quest for lands unknown?

Could you drive a team of huskies through a tract of barren snowlands,
Mushing with your leaden snowshoes biting at your bleeding feet?
Would you quit or go on running, or with town engendered cunning,
Make your partner's sledges pack you when you thought yourself dead beat?

Could you travel from the lake lands down the frozen Northern rivers,
Forty miles from morn to even—got to make it, live or die?
Would your groaning muscles hear you when your brain refused to cheer you
In the night time, on the spruce boughs, 'neath the open Arctic sky?

Could you perforate your belt-band, pull it tighter to your stomach,
Grin and eat your ration when the grub was falling low?
Could you stop and help your brother when the blizzard's icy smother
Is silting up your nostrils and it's fifty-five below?

Could you stand the thousand tortures that write with Nature's pencil
On the faces as I see them circled round the dying glow?
Would you be a Man in truth, my sonny, leave the land of Milk and Honey,
Come and share the hardships of the Children of the Snow!

The Silent Partner

by SERGEANT R. C. RATHBONE

IF THE old adage, "Actions speak louder than words", is to be relied upon, then Dale, regimental number K20, is not by any means a silent dog. If Dale never performs another service to the Police or public, he will have fulfilled his Destiny, for he rescued and probably saved from death by exposure, two and a half year old Eileen Simpson, after one hundred searchers had been working for hours to find her.

Dale will continue to carry on uncomplaining, loyal to his breed and training, ever on hand to answer his master's command. There is no promotion or compensation for him and he will be known to his last day only as regimental number K20. His acts of faithful service to the Police and public have not gone unsung and already he has received the "Diploma of Honour" of the Dog World of the United States. He is a true thoroughbred, not alone through his lineage, but through his accomplishments. The dam of this dog, Dale, is Lady of Gold Bond, grand-daughter of Kathe Von Der Krone, a famous dog trained in Germany; while the sire is Chapion Derich of Cosalta.

Being a descendant of a line of well-trained German Police Dogs, Dale fully lives up to the reputation of his kind. He can and will follow a person from ground scent or will take the scent, in some instances, from the air; he will find articles from ground scent and will retrieve to hand lost articles; he will also hold an unruly prisoner or man at bay, even if the party is armed. As in all great thoroughbreds, he is temperamental and knows only one master, and that is Constable Thurston, who has, at present, full charge of his upkeep and training.

Dale is now four years of age and was formerly owned by Sergeant J. N. Cawsey of Calgary Sub-Division, who is a trainer and lover of dogs. Dale was recently given a refresher course by Captain Harwich, a man of some twenty years' experience in the training of dogs. Captain Harwich, together with Sergeant Cawsey, has given Constable Thurston a complete training course in the handling of Dale, and as a result, Constable Thurston and Dale work in perfect harmony, which is conducive to obtaining the best results. This is evidenced by the cases on which they have worked.

The reader may, perhaps, be interested in some of the exploits of Dale, which have led to his recognition in Canada and the United States, as being a dog of almost human intelligence. The following are but a few of the instances where he has worked as a silent partner of the Force, performing acts of mercy and public service.

One outstanding case in particular is that of Rex vs. Angus Taylor. In this case Taylor was charged with shop-breaking and theft, and theft of an automobile. Through mud and snow Dale trailed the suspect for over five and a half miles and finally located him asleep in a house. Subsequently evidence was produced in the form of plaster casts of tracks, etc., which would fasten the crime on the accused. However, the Judge discharged the accused saying he was bound by the decision of the

Appeal Court of British Columbia in the case of Rex vs. White. This case is reported at length in *Western Weekly Reports*, page 481, Volume 2, 1926.*

A case, however, which brings Dale nearer to the members of the Force than any other, is in the instance of Sergeant T. S. Wallace and Constable George Harrison. These men were shot and killed by desperadoes near Canmore, Alberta, on October 7, 1935. Dog Dale was called into service and was leading members of the Force directly to the murderers when they broke cover and were shot and killed.

No case is too big or too small for Dale as is evidenced by the two following cases: A relief recipient of Forrest Lawn, Alberta, had sent her young daughter to the local store to pay a bill amounting to \$8.75. While en route the money was lost and after a diligent search, the child gave up and started to cry; however, instead of returning home, the little girl, realizing how much this meant to her mother, went where Dale was boarded and was successful in obtaining not only his services, but the lost money.

On a particularly dark night and when the wind was blowing its strongest, a woman left for town to purchase some milk. She placed three one dollar bills in the receptacle which she was carrying and when the lid was removed, the bills were blown away. Dale, after a diligent search, recovered the bills, much to the satisfaction of the loser who could ill afford even such a small loss.

The arrest and subsequent committal to the Ponoka Mental Hospital of Bruce Little of Carstairs, Alberta, no doubt prevented the repetition of further crimes similar to the following: On June 17, 1935, William Russel, a farmer near Crossfield, was awakened by a heavy explosion and then noticed smoke coming from his cellar. The explosion was of such intensity that it caused the linoleum on the floors to raise in grotesque form. With the assistance of his hired man and wife, the fire was extinguished. Examination of the cellar disclosed that some person had entered by the cellar door, saturated the walls with gasoline, and left an old suit of underwear, also soaked with gasoline, at the cellar door. The explosion took place at about 2.30 a.m. but Dale was not brought to the scene until about nine hours later. The weather was very bad, with heavy soil drifting so that neither man nor dog could even see; yet Dale was able to follow this very difficult scent and provide sufficient evidence to warrant the apprehension of Little.

Dale has been instrumental in finding the culprit for the theft of wire netting, wheat and chickens; he was the means of bringing to justice two men who were each convicted on seven charges of theft. Under his guidance, three men were apprehended for the theft of an automobile. Other cases of a similar nature are credited to his uncanny ability to catch the scent of a culprit out of the air, or to trail him through adverse weather conditions.

There is no doubt that there are, and will be, many more cases where Dale could be used to distinct advantage. He is at the service of members of the Force and it should always be kept in mind that he is on the strength and is our "Silent Partner".

* Space does not permit of the inclusion of full particulars regarding this case. Summarized, it relates to a trial for murder where evidence of the actions of bloodhounds employed to track the murderer was regarded as inadmissible on appeal. The findings of the Appeal Court of British Columbia in connection with this matter are also described in Vol. 45, Canada Criminal Cases, Rex v. White, pages 328-357.

The Evolution of the Liquor Cache

by EX-SERGEANT D. P. GUPTILL*

TO THE "man on the street", the fact that the Police so often fail to find contraband liquor after being told that it is cached in a specific building, or on certain well defined premises, is a source of never-ending wonder and quite often he gives vent to his amazement in language that is uncomplimentary to say the least.

In writing this article I have two purposes in mind—primarily to enumerate some of the difficulties encountered in enforcing the Customs and Provincial Liquor Acts and secondly to give a general description of the methods used by bootleggers in this district when "caching" their supplies.

I can readily understand the reasoning of the "man on the street" as some years ago I had the idea that it would be easy to find liquor handled by the various bootleggers if only a proper effort were made. My mind was, however, relieved of that idea very soon after entering the employ of the Provincial Government of New Brunswick as an Inspector under the old Prohibition Act. This was some years ago and I well remember that shortly after commencing my duties, a large fishing boat landed approximately two hundred cases of assorted liquors on the Island of Grand Manan, within three miles of my home and in a locality with which I was especially well acquainted. The landing was made at night and I received information in regard to it at noon the following day. I left home after lunch absolutely certain that I would discover the complete consignment before nightfall. That was during the early part of February and during the remainder of the winter I only managed to seize two quart bottles of the two hundred cases. The chances are I would not have found that quantity had I not happened upon the man who landed it stalled in a snowdrift with the two quarts in his car! This merely illustrates the point I wish to make which is that sometimes the task is more difficult than is at first apparent.

In the early days of which I write, bootleggers did not go to any great trouble to construct caches. So long as the liquor was well hidden they considered it safe, and it usually was. However, with the advent of the Provincial Police and later, the amalgamation of that Force with the Royal Canadian Mounted Police, conditions rapidly changed; and so did the ideas of the bootleggers. They realized that if they were to survive they must conceal their liquor where it would be more difficult to find. When once they arrived at this decision the battle of wits was on, with the bootlegger, to use a common expression, usually "one jump ahead" of the Police.

The first type of cache devised was usually to be found between the floors or within the walls of a building. Although some of these were cleverly constructed, they were, on the whole, easy to locate and in view of the fact that the law of New Brunswick provides a penalty of \$200.00 and two months imprisonment for having contraband liquor on one's premises, it did not take long for the bootleggers to conclude that better hiding places must be provided.

* At the time of writing this article Sergeant Guptill was a member of our organization; he has since been appointed Chief of The Municipal Police Force at Saint John, New Brunswick.

The next improvement was known as the "shingle hide"; it was very simple but escaped discovery for a long time. The method of construction of a cache of this nature was to remove a section of the boarding with the shingles attached from a shingled wall. The points of the top row of shingles were cut off approximately two inches from the top edge of the board while the bottom row of shingles projected slightly below the edge of the lower board. When this section was replaced with the points of the top shingles under the stationary shingles on the wall and the space within between the studding filled with bottles, it formed a cache that proved difficult to find for some time.

After this type of cache was discovered, the old method of burying the liquor in the back yard was resorted to by the bootleggers. However, we soon knew, by the small quantity found, that a new cache had been devised and was in general use and some weeks passed before we were able to solve the puzzle. In one particular case, on search being made we found that a wooden ash barrel which was always full of ashes in a certain back yard contained a false bottom about half way down with a loose stave that would slide up, the lower half of the barrel being filled with bottles containing good liquor.

After this there came a period when we were completely baffled. It seemed that all bootleggers were well supplied with liquor, that is, they were able to obtain a continuous supply in small quantities, and we could not discover where this came from. Several weeks of investigation elapsed before we were finally convinced that the source of supply was a large building located on a busy street in the city. The lower part of this building was used by a reputable business concern, the upper flat being vacant. On entering the upper flat, which was void of all furnishings, the odour of alcohol was strong. This flat was in excellent shape with very high ceilings and all walls finished with plain white plaster.

Try as we would, we were unable to discover a place where a cache might be hidden. After six different searches with four men, it was finally ascertained that one of the front bedrooms contained a clothes closet with a wooden ceiling which, on examination, presented certain suspicious features. Although it had been closely scrutinized on several occasions, it appeared to be solid and showed no signs of having been tampered with. During the seventh search, however, one of the men who had been examining the ceiling again from a stepladder, almost giving up in disgust, struck it with his fist. A faint vibration was immediately heard as though a taut wire had been struck. After listening to this sound several times, instructions were issued to break through the ceiling and after a great deal of labour and the demolition of the ceiling, our efforts were rewarded by finding nearly one hundred gallons of liquor. It was also observed that a greater quantity had previously been stored there.

The roof of this building was very flat, with a space of about three feet between the ceiling and roof at the highest point, the clothes closet being situated directly beneath the apex. The ceiling of the closet was made of heavy tongue and groove lumber fitted on one side with two hinges and opposite the hinges with two Yale locks of the ordinary latch type. Attached to the top of the ceiling was a heavy steel spiral spring with its upper end

fastened to a roof girder. When the ceiling was down in place, the locks were fastened and the spring fully extended. The knobs of the two locks were drilled with a piece of wire connecting them and to the centre of this wire another wire was joined, which extended across the floor joists and down into the kitchen where it was connected with a wall light fixture. By pulling straight up on the light fixture enough strain was transmitted to the locks to cause their release, thus allowing the spring to raise the ceiling in the clothes closet. With the knowledge gained by this discovery, a systematic search was made and several more of the same type of cache were discovered in the course of subsequent investigations.

Since that discovery another type of "hide" has been found, consisting of a small flat metal tank placed between the floors of an upper flat with the floor securely fastened in place. The fill pipe was connected to the tank with its open end concealed behind the window case which, being fastened with screws, was readily removable. The outlet pipe was constructed in the same fashion, only it led to the flat below, being fitted with a small tap similarly concealed behind a window casing.

Despite unceasing vigilance on the part of the Police, the game goes on and it never loses interest. I am convinced that the bootlegger gets as much "kick" from the contest as we do. In fact, one of them remarked a short time ago after we had discovered a cache that it was great fun to build hiding places and see how long it would take us to find them!

These are only a few places of concealment used in New Brunswick and are illustrated to cover the possibility of their being duplicated elsewhere and so be of interest to members of the Force who have occasion to make searches for concealed liquor.

The ingenuity displayed by offenders dealing in illicit liquor is remarkable. It would be instructive, from a Police viewpoint, if information in regard to descriptions of caches in other Provinces could, from time to time, be exchanged so that up to the moment information would always be available to effectively deal with the construction of new forms of caches by the bootlegging fraternity, especially so as these are undoubtedly duplicated in other parts of the Dominion where the smuggling of liquor forms a profitable business.

Price 2/-

Third and Enlarged Edition of

POLICE DOGS and THEIR TRAINING

By R. ARUNDEL, Ex-Supt. Yorkshire W.R. Constabulary

The most important feature of the third edition of this well-known book remains the series of training exercises, adapted from the work of Gersbach, the well-known Continental authority on the subject, from whom the author purchased the sole English rights of translation. In addition it contains a brief historical outline, descriptions of the various types of Police Dogs and their characteristics, valuable hints on choosing and feeding the dog, and some light reading in the form of true stories of cases where the Police dog has been able to help his master.

POLICE REVIEW PUBLISHING CO., LTD., 5-6, RED LION SQ., W.C.1

Musings of a Magical Mountie

by CORPORAL E. S. COVELL

OFTEN I am asked the question, "What do the Indians and Esquimaux think of your magic and ventriloquism?" Well, that is rather a hard question to answer. Plumbing the depths of a native's mind is like taking a dip in a "lucky tub", one always pulls out the unexpected and it is never quite the thing that is wanted.

Perhaps the recounting of a few experiences may be of interest and partly answer the question. For six years I annually visited at least ten different trading posts in the area of James Bay and Hudson Bay and on every occasion I was requested by the Chief or Councillors to give an exhibition. At such exhibitions every man, woman and child within striking distance of the Post would be on hand long before the appointed hour, together with the usual sprinkling of dogs.

I soon attained the reputation of being able to perform extraordinary feats, far surpassing anything that I could actually hope to carry out. Natives returning to their hunting grounds after having witnessed a performance would recount to their contemporaries what they had seen, enlarging on the facts in true native style. These natives would in turn recount the story to others, each in turn adding a little, until by the following summer, what had been a small feat of sleight of hand would have become a miracle of gigantic proportion.

It is not so easy to perform for natives as it is to an audience of white people. Card tricks cannot be resorted to as few natives understand cards. Experiments must be confined to articles and animals known to the natives and the effect must require the minimum amount of explanation as it proceeds. The performer's "under-hand" movements cannot, therefore, be covered by a flow of distracting conversation. On one occasion a half-breed interpreter was requested to inform the audience that I would sprinkle some magic powder on an article and it would disappear. Imagine my surprise on hearing the interpreter use the Indian word "O-Pis-I-Kun" meaning baking powder. Magic Baking Powder being the locally used brand was, apparently, the only magic powder known to the interpreter. After this and other similar experiences with distorted interpretations, I dispensed with the services of interpreters and left unsaid anything that I could not explain myself.

During a performance at Albany Post, a cigarette paper was borrowed from an old Indian named Johnny Wynne. A lighted match was applied to the paper, whereupon it turned into a \$1.00 bill. This was presented to Johnny with the explanation that it was his property in view of the fact that the original cigarette paper had simply been changed by magic. After the performance the Hudson Bay Company Post Manager asked Johnny what he thought of the trick. "It was very good", he replied, "but too bad that the policeman did not make it into a \$10.00 bill while he was about it". The following day the Chief appeared at our camp with a bundle of newspapers which he had obtained from the Mission and requested that I burn them for him!

On another occasion an Indian, in all seriousness, informed one of our Officers, who was, at that time, acting in the capacity of a Magistrate, that he would not try to run away from the policeman as the policeman could see for miles in the bush and would find him no matter where he hid.

At Eastmain Post, the hypnotized broom experiment was demonstrated, a common corn broom being held upright on the floor with one hand while the other hand was passed over it. On removing the supporting hand, the broom remained standing in the centre of the floor. Upon command, the broom would come towards the performer or go away from him, finally jumping out among the spectators. Later that evening I came upon Allego Weetaltuk, an Eskimo, seated upon a case at the rear of the Post buildings. He was making passes over a broom, which repeatedly fell down when he released it. Time and again he repeated his endeavours until he finally sighted me and scuttled away, slightly embarrassed at being observed.

One Christmas a big entertainment was given at Moose Factory Post, the Hudson Bay Company loaning a large boat building shed for the occasion. Some six hundred natives were packed into the improvised theatre, which boasted a splendid orchestra consisting of two fiddlers, two mouth organists and a drummer. The magical part of the entertainment was brought to a conclusion with the presentation of two illusions, "Sawing a woman in two" and "Packing case escape". The latter illusion consisted of the policeman being handcuffed and nailed up in a packing case, which had been constructed by the local halfbreeds, the case being further secured by many yards of rope. A clerk from the Hudson Bay Company then stood on the platform and was covered with a sheet. A Moose River Indian, quite a local character and well mentioned in police records as a home brew artist, was among the six natives invited on the stage to do the examining and securing of the case. As he was leaving the stage after completing the task he remarked to the audience in general, "Well, at last I have the policeman where I want him. Now I can make some home brew". One can imagine his consternation when about to regain his seat he found the policeman already seated there. On removing the sheet from the person on the stage it was found that this was now the Hudson Bay Post Manager's wife, while the clerk was found securely handcuffed inside the packing case.

The following day we received a caller at the detachment in the person of Maria Cheechoo, an Indian woman whose leg had been amputated some years previously. She wished to know how we had managed to get the Post Manager's wife joined together after sawing her in two. She was informed that the local doctor had been of great assistance in this matter. "Well", said she, "maybe he could put my leg back on". We assured her that no doubt he could, providing she could find her leg!



Indoor Rifle Shooting, Season 1935-36

"H" Division

By PETTY OFFICER W. E. F. BELL

THIS YEAR, in addition to entering the Senior Division of the Halifax Garrison Indoor Rifle League, it was decided to enter a team in the Junior Division also. This was done primarily to encourage more members and also to build up a reserve for the purpose of strengthening the Senior Division Team, if this should be found necessary next year. In this object we were successful inasmuch as several members of the Junior Team proved themselves to be consistent shots and keen competition for a position on the Senior Team for next year is to be anticipated.

The Junior Team did not get away to a good start but eventually settled down and, for a first year's showing, did very creditably and finished the League about half way up the table. One especially noteworthy achievement in this showing is the winning by Ordinary Seaman N. R. Starr of the Individual High Score Trophy in the Junior Division, which is awarded to the competitor making the highest individual score throughout the entire season. His high score was a 99 and in the shoot-off with another competitor who also scored 99, he won the trophy with a score of 92. Corporal S. H. G. Margetts won the Individual High Aggregate Cup for the Junior Team, a prize awarded to the member of each team having the highest average for the season.

The Senior Team had a very successful season. Entering the Senior Division of the Halifax Garrison Indoor Rifle League—fifteen teams—we set a high standard from the first and succeeded in maintaining this standard to the end, in one match scoring a Range Record of 481 x 500, although this record was later broken by another team. There are three Trophies to be competed for. The manner of competition and the results are as follows:

(a) THE MOIRS CUP—Decided on the match principle, 2 points for a win, 1 for a draw. We tied for 3rd place in this with a total of 23 points out of 28. (b) THE PROBERT CUP—This is awarded on points given for Team standing in each match, i.e., Team with high score gets 14 points, next high 13 points, etc. We won this with a total of 170 points. (c) THE COLWELL CUP—This is awarded for the Grand Aggregate for the season. We also won this with a total of 6611 points out of a possible 7000.

The Individual High Aggregate Cup for the Senior Team in this League was won by A/B Parnell, J., of the Marine Section.

A team was also entered in the Dominion Marksmen Matches and the D.C.R.A. Competitions and creditable scores were turned in. In addition we also competed, on an elimination basis, for a private trophy donated by the Division Sports Club and open to all members. This trophy was won by Petty Officer W. E. F. Bell of the Marine Section.

Season's averages of the members of the Senior Team, winners of the Probert and Colwell Cups in the Halifax Garrison Indoor Rifle League are given hereunder:

Inspector L. H. Nicholson—average 95.41—High Aggregate, D.C.R.A.; 2nd Class Spoon, D.C.R.A.; High Aggregate, Dominion Marksmen; Bronze Medal, Revolver Aggregate; A/Sergt. Beale, A.G.—average 93.91—2nd Class Spoon, D.C.R.A.; P/O Bell, W.E.F.—average 93—2nd Class Spoon, D.C.R.A., Club Trophy; Const. Cullen, J.—average 93.8; Const. Douglas, J.L.—average 94.16; Const. Bentley, P.L.—average 93—(10 shoots only); A/B Parnell, J.—average 95.5—Individual High Aggregate.



"H" Division Indoor Rifle Team, 1935-'36, Winners of the Probert and Colwell Cups, Halifax Garrison Indoor Rifle League

Front row (left to right)—O/SEAMAN M. J. O'CONNER, A/SEAMAN J. PARNELL, O/SEAMAN N. R. STARR.

Second row—CORPORAL S. H. G. MARGETTS, INSPECTOR L. R. NICHOLSON, ASST. COMMISSIONER D. RYAN, Commanding "H" Division, PROVISIONAL SUPERINTENDENT G. M. HIBBARD, Commanding Marine Section, PETTY OFFICER W. E. F. BELL.

Back row—O/SEAMAN P. R. FLEMING, CONSTABLE J. L. DOUGLAS, CONSTABLE P. L. BENTLEY, STAFF-SERGEANT A. G. BEALE, WARRANT ENGINEER C. E. BASTABLE.

Golden Jubilee

July 4th marks the Fiftieth Anniversary of the arrival at Port Moody, B.C., of the first Transcontinental train over the Canadian Pacific Railway. The engine that was in operation when the primary journey was made will be on demonstration at the Vancouver Jubilee Celebrations this year.

Salmon Fishing on the Miramichi River New Brunswick

by CONSTABLE L. B. MATCHETT

SALMON FISHING on the Miramichi River and Bay is one of the main industries of the Province, besides being one of the chief attractions for sportsmen who come to New Brunswick.

Miramichi Bay is situated on the North East coast of New Brunswick, the greater proportion of operations being conducted through the medium of fishing boats. These boats are owned and operated by resident fishermen who reside in the districts of Neguac, Tabusintac, Escuminac, Bay St. Anne and Loggieville, many of them being supplied with nets by the W. S. Loggie Company, Limited, and the A. R. Loggie Company, Limited, of Loggieville and Chatham. In return for the use of these nets, the companies take fish from the fishermen on an exchange basis.

The fishermen, so far as this form of fishing is concerned, are called "drifters". They sail out to sea about one hour before sundown, put their nets out and drift all night with the tide, taking the nets up in the very early morning and subsequently coming to shore with the catch, which is then hauled by truck to Loggieville and Chatham, placed in freezers and eventually shipped to all parts of the world, the salmon from this area being of very high quality.

Incidentally, a few years ago one of the chief methods used in smuggling liquor into New Brunswick was by means of persons associating themselves with the fishing fleet. Boats containing such individuals, who would ostensibly be fishing in the locality at night, would make contact with a rum runner lying in Northumberland Strait and would bring tins of alcohol or kegs of rum ashore. There were so many boats employed in fishing that it was very difficult to discover which were actually engaged in smuggling. A small amount of liquor would be brought in at one time, the minor quantity of such cargo carried making it a great deal easier to dispose of than would be the case if transported in bulk. Many of the offenders, however, were caught and their boats and gear confiscated, a heavy fine or imprisonment also being inflicted. This action resulted in the activities of liquor smugglers being curtailed to a considerable extent.

The duties of a Fisheries Officer in the Miramichi section are varied. Patrols in many cases are made by boat, this being necessary on account of the fact that fishermen can only operate to a certain line which extends from Neguac Beach to Escuminac, a distance of approximately twenty miles. A constant patrol is, therefore, necessary at night to see that this line is not crossed. The Bay, which eventually forms the entrance to the Miramichi River, narrows quite rapidly at this point and if fishing was to be allowed beyond the designated line, very few salmon would ever travel up the river to the spawning grounds.

Fishing boats, as a general rule, are equipped with almost a mile of net and are usually manned by three men, the net being of the straight variety of five inch mesh and with "floaters" attached to the surface line. Lead

sinkers on the base line perform the office of keeping the net vertical in the water.

There are four runs of salmon up the river to the spawning ground which take place during the months of June, July, August and September respectively, the salmon sought after by the fishermen being known as the "bright" or "silver" salmon.

In the river itself fishermen are known as "stand" fishermen. This means that a man who has a grant of land in his name can obtain a license to fish a net from the shore of his property. These nets are tied by stakes which are driven into the bottom of the river and reach out as far as one-third of the channel. The nets are of the box type, from ten to twelve feet square, with wings leading from each side, the "box" or "pound" being made with a trap so that when the fish enter it is almost impossible to escape. The reason for the wings, of course, is that when a fish coming up the river strikes the net it follows it along looking for an opening to go through, finally coming to the trap which it enters for lack of any other aperture. In view of the fact that the trap is set inside the box-shaped net, it necessarily follows that it cannot get out when once it has entered the opening.

Nets of this particular variety are set in the evening and raised in the morning when the catch is taken. The boxes are made of small mesh net and naturally catch a number of undersized fish which, according to the regulations, must be given their freedom. Sets of the nature described are only legal in tidal waters which, in the case of the Miramichi, run from the Bay to about sixteen miles above Newcastle on the Northwest branch, the total distance from Miramichi Bay being approximately fifty or fifty-five miles.

Individuals engaged in illegal fishing use a straight net with cedar floats on the top line and lead sinkers on the base, the net being set in the channel where the fish are known to run. Heavy weights are attached at each end which are anchored; this form of net is not of the box type as previously illustrated but is simply an ordinary straight net. It is set under cover of darkness and is taken up before daylight. Nets set under such circumstances are difficult to locate when used by experts in poaching who make a study of illegal fishing, the nets being often set so that the top line with the floaters on it will be under water. Unless the warden is cognizant of the whereabouts of a net which has been set in the manner described, he could pass over it with a boat many times and remain unaware of its proximity.

The work of the Department of Fisheries is coming to be more and more appreciated by those whom it affects and responsible individuals interested in the fishing industry feel that if strict enforcement is maintained as in the past, their material benefits will be correspondingly increased; they are quite aware of the fact that the more fish that have an opportunity of spawning, the more will return to the river in subsequent years. As a matter of interest, it is said by old fishermen and observers, that salmon invariably make their way back to the river of their initial origin.

In the higher reaches of the Miramichi where the river is small and shallow, a number of different sets are used by poachers, one being known as "sweeping the pool". A set of this variety is employed when a pool is available where the fish stop for a period of rest on their journey against the

current and consists of a net made of twine (with a mesh from $2\frac{1}{2}$ to 6 inches) which is placed around the upper side of the pool. Either one or two men operate each end of the net, while an assistant with a boat prevents the net from becoming snagged on obstructions. The net is then dragged the length of the pool, the ends being taken to the shore, with the result that every fish is removed from the pool. Three men can sweep one of these resting places in a very short time by the method described. A look-out is usually kept above and below the pool to watch for the warden and it is accordingly extremely difficult to catch poachers of this variety when engaged in their depredations.

Another set is known as a "rapid" set. The net in this case is made of chicken wire from six to eight feet square and two and a half feet high and is similar in construction to the box net used in tidal waters. This form of set is made with a pound (or trap) and wings. The wings are weighted at the bottom with rocks, a forked stick being set on the lower side so that the water running against the wings will hold the net in an upright position. The pound itself is usually about two feet high, the top being removable, and is weighted with rocks at the bottom; the wings previously described are attached to its sides. In some cases only the pound or box trap is taken up and hidden in the woods, the wings being left in the bed of the river weighted with rocks ready for the next occasion.

Fly fishing on the Miramichi is enjoyed by sportsmen from all over the country and there are many visitors from other parts of the world to this famous water, especially from the United States. These visitors, who usually have an international experience of fly fishing, claim that the salmon fishing on the Miramichi River is one of the most enjoyable varieties which can be found anywhere. The coming of these sportsmen to New Brunswick is encouraged to the fullest extent both by the Provincial Government and the residents of this favoured section where such fishing facilities exist.

There would appear to be a decided attraction about the game waters of New Brunswick which brings back each year those fortunate enough to enjoy the pleasures of salmon fishing in this locality and the beauties of a place where peace and quietness are available are undoubtedly discussed with their contemporaries. So keen are some of our visitors to return that they visit the Province before the snow has gone in order to be on hand when the first black salmon make their appearance.

CORRECTION: In a contributed Review which appeared in the April 1936 edition of the Quarterly Magazine the price of the recently published volume entitled "Policing the Arctic" by Major Harwood Steele, M.C., was inadvertently given as \$5.00 per copy. We express our regrets to the author for this error; \$3.50 is the correct price of this book.

"Old Timers" Column

WE READ in a recent issue of the "Lethbridge Herald" that on April 4, 1936, Captain William Parker celebrated the sixty-second anniversary of his entry into the North West Mounted Police. Captain Parker is now a partner in a real estate firm at Medicine Hat, and first joined the North West Mounted Police in 1874, enlisting at London, Ontario.

Born in England in 1853, Captain Parker came to Canada in 1871, enlisting in the N.W.M. Police three years after his arrival. With two hundred other recruits, he travelled through the Northern part of the United States and marched from Fargo on the Red River, 160 miles South of the Canadian Border, to Dufferin, Manitoba, (now Emerson), and remained there until the departure Westward of the Force, en route to the fork of the Bow and Belly Rivers. Leaving Dufferin on July 6, 1874, with the Force, Captain Parker passed in the general vicinity of Medicine Hat.

On the return journey Eastward of the Force, Captain Parker proceeded to Swan River, Manitoba, where he was stationed before leaving for Fort MacLeod in 1876. In the same year, Captain Parker obtained his first glimpse of the Medicine Hat valley during the course of negotiations being carried out in regard to Treaties with the Wood Cree Indians.

In his actual Mounted Police experience, Captain Parker, first settled at Medicine Hat in 1905, when he was stationed there in command of the district, with the rank of Inspector. Retiring from the Force in 1912, he remained in Medicine Hat and later acted as recruiting officer for the 175th Battalion during the Great War.

Captain Parker is now eighty-three years of age. We read in the press that on the occasion of the present anniversary of his joining the Force on April 4, 1874, a large number of congratulations and good wishes were received by him from his many friends. To these we would wish to add our best wishes also and to congratulate him on retaining his excellent physique and good health at so advanced an age. Apparently he still strides vigorously to work every morning.

* * *

Colonel T. S. Belcher, who recently retired from the Force with the rank of Deputy Commissioner, was married on February 2, 1936, to Miss Mary Babuka at the Joan of Arc Chapel, Westboro, Ontario.

Colonel Belcher, who had a very long association with the Force, and who has resided in Ottawa since his retirement, left for the Pacific Coast with his bride after the ceremony where he and Mrs. Belcher will take up residence at Vancouver.

Although we will all regret Colonel Belcher's departure from Ottawa, everyone who knew him will join in extending their felicitations to the bride and groom and in wishing them many years of enjoyment in their new environment in Western Canada.

* * *

Another recent marriage of interest to members and ex-members of the Force is that of ex-Assistant Commissioner G. S. Worsley, who was married on May 11th at Comox, B.C., to Miss Evelyn Marriott.

Lieutenant-Colonel Worsley is very well known to the present personnel of our organization, having been at the time of his retirement in 1931, in command at Regina, Saskatchewan. Universally popular, Colonel Worsley has a great many friends in the Force who will wish him and his wife every happiness on the occasion of their marriage.

It is understood that Colonel and Mrs. Worsley will reside on Vancouver Island, where he has been living since his retirement from the Force.

* * *

A recent visitor to Ottawa was Inspector C. Trundle, who retired from the Force on December 31, 1930, and has since been touring the world on a motorcycle.

Inspector Trundle, since leaving the R.C.M. Police, has visited nearly every country in the world and has met with numerous adventures. Among countries visited are the U.S.A., Malay Peninsula, China and Japan, India and Australia and New Zealand. Inspector Trundle arrived in Ottawa from Miami, Florida, and is now en route to Africa where he will visit Tripoli and Libya. He rides a Coventry single cylinder motorcycle which is understood to have a mileage of 120 miles to the gallon; during the course of the 37,000 miles which he has travelled by this medium, he has had no mechanical trouble of any kind.

Inspector Trundle's visit to Ottawa was the occasion of a reunion with many of his old contemporaries in the Force with whom he was in close association during the time he was in command of "N" Division, in 1923, when stationed at Rockcliffe.

* * *

Pensioned

The following members of the Force have recently retired to pension. Their present addresses are given in each case:

Reg. No. 5074, Cpl. Holgate, F. P.—March 24, 1936, Coutts, Alberta.

Reg. No. 8947, Cst. Nicholas, R.—March 31, 1936, Christie Street Hospital, Toronto, Ontario.

Reg. No. 5916, Cpl. Stiven, B. S.—April 21, 1936, 255-12th Street North, Lethbridge, Alberta.

Reg. No. 11457, Cst. Dickenson, H. H.—April 30, 1936, P.O. Box 285, 46 Seventh Street, S.W., Portage la Prairie, Manitoba.

Reg. No. 4563, Cpl. Jarman, J. S.—April 29, 1936, 333-15th Avenue West, Calgary, Alberta.

Book Review

Crime and Its Detection. By W. TEIGNMOUTH SHORE. Published by the Gresham Publishing Company, Ltd., London, England.

The aim and scope of this work are indicated by its title. It deals with crime and its detection; the subjects of importance and direct interest to every citizen, not excluding criminals.

The book is published in two volumes. The first volume deals with detective organizations and the methods of work. The second volume illustrates these methods with accounts of crimes which have exercised the ingenuity and persistence of detectives.

The work is confined to operation of the detective in Great Britain, but much information of value to operatives in this country is contained therein. Sir Howard Vincent's definition of "Crime" is included: This is as follows,—

"A crime is an act for which the law provides punishment, which is enforced by prosecution, as distinguished from damages and other penalties recovered by civil action. To be convicted of a crime the accused must be proved to have done the act with criminal intent; i.e., on purpose, and knowing it to be wrong."

But in applying this rule the following points must be borne in mind:

- (a) A person is presumed to have intended the natural or probable results of his actions. It is, therefore, no excuse if he did the act recklessly or negligently.
- (b) Every person is bound to know the law, and ignorance of the law is no defence.

Omitting to do something which the law requires to be done is just as much a crime as doing something which the law forbids.

The author states that criminals may be divided into two classes—the occasional and the professional; the former presenting by far the more difficult problems to the detective. A murderer, especially one who commits a single offence, is an example of the occasional criminal, often setting a case for elucidation which the detective finds it far from easy to solve because the perpetrator is generally unknown to the police.

In view of the fact that criminals have improved their method of attack, the police must utilize improved methods of counter-attack and defence. The forger of today is more scientific in his work than he was a few years ago; but far more so is a police expert in inks, papers, and handwriting.

It is also stated that only a thin dividing line exists between the virtuous and the wicked, the inoffensive and the offenders, and that a criminal is very often one who has not acquired the habits of self-restraint that keep the majority of us more or less respectable.

The eyes are the features that most often betray character or disposition, their expression being difficult to control. But the threadbare saying that a liar cannot look you in the face is far from accurate; a practised liar makes a habit of so doing, whereas a timid teller of the truth may be shy and evasive in his looks.

A successful detective should be persistent, quickwitted, accurate, have a good memory, and possess tact and powers of observation. Success can only be attained by strict attention to duty and hard work—there is no other formula for success.

A number of copies of "Crime and Its Detection" have been purchased for the use of members of the Force; it is also considered that this publication would be a very suitable one for inclusion in our Police libraries.—R. A.

* * *

Review of Other Police Journals

"The Outpost"

"The Outpost", the regimental magazine of the British South African Police, is making great strides as a monthly publication and the issues for January, February and March contain many articles of interest.

The March issue remarks editorially that "The Outpost" was first published twenty-five years ago and has remained in existence ever since under varied changes in name. It commends its contributors for their public support and it is agreed that the "amateur spirit" must prevail in such periodicals, otherwise their identity and spirit are soon submerged to commercial gain.

The prize essays on "Superstition and Crime in Southern Rhodesia" are well and sympathetically written; one writer does not believe in destroying native beliefs unless they can be replaced by something better and considers that the South African Native is now going through a very critical period of transition. A new essay competition has been started for 1936 and the subject is "The Aid of Science in Police Duties; a review of the past with probable development of the future."

There is a long article in the March issue on "The Guardians of Greater London" taken from "Our Empire", which is a very informative summary on the subject of the Metropolitan Police.

The British South African Police apparently have a Veterans' organization which is known as "The Regimental Association" and its objects are those of mutual assistance and the strengthening of the bond of comradeship existing between all members of the former and present forces of the B.S.A.P., an amalgamation of six forces.

The Association keeps a veterans' book at "Rhodesia House", London, containing the names and addresses of all ex-members in England, which would appear to be a good suggestion for our own Veterans' Association to follow at "Canada House".

Further articles describing the actual work performed by the British South African Police will be looked forward to with interest.—C. D. LAN.

* * *

The Police Magazine Jamaica

This magazine, the Quarterly Magazine of the Jamaica Constabulary Force, is a comparatively recent arrival in the field of Police publications, having made its debut in October, 1935.

The issue of April, 1936, contains fifty-six pages of interesting material and is effectively illustrated. Several long articles appear, descriptive of conditions in Jamaica, among which "The Ramifications of the Quack Doctor" by Staff-Sergeant-Major Locke and "Dangerous Drugs" by Constable S. A. Ingram, are especially informative.

Of these articles, the former, as the title implies, is an expose of the methods employed by pseudo medical practitioners in their attempts to profit at the expense of the more credulous members of the public, while the latter deals with the question of the illegal importation of opium and the local manufacture of "Ganga" or "Hashish" as it is more familiarly termed in Canada. The writer covers his subject well and describes some of the difficulties met with in enforcing the local legislation pertaining to the importation and possession of narcotics. In view of the fact that the hemp plant is grown in Jamaica, especially in the more remote districts, traffic in the narcotic product of the plant must be exceedingly difficult to effectively control.

A shorter article by Inspector T. N. Drake refers to the question of the personal civil responsibility of a Constable on traffic duty as the result of an accident brought about by an incorrect signal given by him. As the author of

this article points out, no definite legal ruling appears to exist on this point, but the inference is made that a traffic Constable is not liable in the civil courts for a mistake on his part which results in a vehicular mishap. Regarded from a certain angle this is undoubtedly a reasonable viewpoint, although the question would also appear to hinge on the degree of contributory negligence present on the part of the Constable and on the question as to whether the accident would have occurred had it not been for such contributory negligence. The point, however, is one which is open to discussion to a large degree and it is probable that conflicting rulings might be handed down according to the local attitude taken on the subject. While on the one hand the Policeman's lot might be one of increased difficulty, if the view is taken that he is civilly responsible in such cases, on the other hand there is no doubt but that the public are entitled to a definite degree of protection in such matters, and the fact remains that they should not be financially penalized for damages incurred by reason of undue lack of efficiency or contributory negligence on the part of the traffic officer. This, however, is a purely personal viewpoint.

We will look forward to receiving further editions of the Quarterly Magazine of the Jamaica Constabulary for, as Constable D. S. Pinnock very correctly remarks in the "Correspondence Section", when dealing with the value of a literary education, "Information stored up is knowledge" and information in regard to local conditions in Jamaica is both of great interest and is also most valuable from the standpoint of knowledge of conditions in a locality and climate far removed from Canadian conditions.

It is interesting to note that the Jamaica Constabulary Force was first organized in 1868, approximately five years prior to our own organization.

* * *

The Police Chronicle and Constabulary World

Published weekly in England, the Police Chronicle has now reached No. 80 of its New Series, or No. 2222 Old Series. If antiquity of origin can be regarded as any criterion of experience, it must necessarily follow that the Police Chronicle is the most experienced of all Police publications. This contention is certainly supported by the quality of the editorial comment under the heading "Views and News of the Week", which is always very much to the point and exceedingly sound in its discussion.

Among other items of informative value contained in the issue of May 22, 1936, are extracts from the Annual Report of the Metropolitan Police Commissioner, Sir Philip Game. Of interest to those of us who live in more sparsely settled countries than England, and are consequently not concerned to the same extent with the question of handling very large crowds at public functions, such as the Jubilee Celebrations, is the method by which great convergences of traffic and humanity are managed without accident or damage to the component units. Space does not permit of the method employed being given in detail, but this, in brief, has to do with the use of loud speakers mounted on vans to shepherd pedestrians and vehicles so as to minimize congestion and the risk of accidents. Arrangements are also made whereby Scotland Yard receives periodical telephonic notification of prevailing conditions at a series of fixed points and thus, by means of a map situated at Headquarters, is in a position to keep a close check on the distribution and density of crowds over the whole area, thereby facilitating immediate disposition of blockages of traffic and foot passengers which appear imminent.

"The Police Chronicle and Constabulary World" provides twenty pages of information regarding matters pertaining to Police circles each week. For some time past the magazine has been including a series of articles on "Ju Jitsu for the Police" by Constable J. McCormack. These are very interesting and well worth the study of all instructors who have to deal with this subject when training recruits.

The Police Chronicle also appears to be unique insofar as it contains a "Mrs. Policeman's Corner" where various recipes of a culinary nature are given each week which our respective wives would undoubtedly do well to study!—R-C

Division Notes

"A" Division

THE FINAL competition of the indoor shooting season took place on March 25th and 26th. Forty-two spoons for rifle and forty-two for revolver shooting were awarded; these were divided among fifty-seven members. Only three members won more than two spoons and of the twenty members who won two spoons, seventeen won one with the rifle and the other with the revolver.

The season's prizes were won as follows: Grand Aggregate, Constable C. C. Wilson—2047 x 2240; Rifle Aggregate, Corporal C. A. Christie—962 x 1000; Revolver Aggregate, L/Corporal E. Tutin—543 x 600; Consistency (least variation in twelve rifle scores) Corporal C. A. Christie; Canteen Cup, Constable H. J. Blais—288 x 300.

* * *

A boxing and wrestling tournament was held on April 16th, this being the second athletic meeting held during the winter season. The program consisted of eight boxing bouts and three wrestling bouts, and some very keen contests were witnessed. No decisions were given. In a portion of the bouts, the Police representative was matched against a member of an outside Athletic organization. The greatly increased attendance indicates that these tournaments are appreciated.

* * *

Two members of the Division were married during the past Quarterly period; Constable M. J. E. Taillefer on April 11th to Miss Winnifred Hutchinson and Constable O. Olson on May 26th to Miss Marguerite Pinard. The felicitations of all members of the Division are extended to the respective brides and bridegrooms. Mrs. Taillefer and Mrs. Olson are both residents of Ottawa.

* * *

The Annual General Meeting of the Division was held on the afternoon of May 15th and committees were elected to conduct the Social and Athletic Club for the ensuing year.

One branch of the activities of the Social and Athletic Club is the Sick Committee. The members of this committee undertake to visit members of the Division who are seriously ill or in the hospital and their relatives. Small grants are made from the funds of the Club so that comforts may be taken to those visited.

Constable A. R. Smith is still very ill in the Ottawa Civic Hospital and ex-Constable McKay is still receiving treatment at the Royal Ottawa Sanatorium.

* * *

An inter-Division Softball League has also been formed, four teams being entered by Headquarters Sub-Division, four by "N" Division, and one by "A" Division. It is proposed to play a schedule of thirty-six games during the summer months. Competition is keen and a pleasant season's sport is looked forward to by all members of the Association.

"F" and "Depot" Divisions

On April 9, 1936, on the occasion of the Commissioner's visit to Regina, a boxing tournament took place in the barracks' gymnasium. Under the supervision of Sergeant Sykes and Constable Coughlin, nine excellent bouts were fought, the contestants showing to a marked degree the results of the tuition they had received. This occasion was a preliminary to the Saskatchewan Amateur Championships which later took place on May 5th and 6th and in which "Depot" Division entered six competitors.

Of these competitors, Constable Menzie won his heat the first night. Constable McNeil won the first round of the welterweight class but due to a badly sprained

hand was unable to hold his lead the second night and finished as runner-up, while Constable Wonnacott finished in first place for the Novice Middleweight Championship. None of these men had previously made a public appearance in a ring and certainly deserve congratulations for the excellent showing made.

* * *

The members of the shooting team competing at the Armouries on April 10th obtained very satisfactory results, eight firsts, including a Cup and Shield, being brought back to barracks. Sergeant Hinton, Sergeant Leatham and Constable Woodrow secured top scores in the Grand Aggregates.

* * *

Three new tennis courts are in process of construction at the barracks. It is expected that they will be ready for play by July.

* * *

A new departure in training is being tested this summer, sixty recruits from "Depot" having been attached to "F" Division, Regina, and "K" Division, Edmonton, for tuition in Police duties. It is anticipated that this will result in better trained personnel being available before final transfer is made for duty purposes to the various Provinces.

* * *

A Musical Ride of thirty-two men is being prepared by Sergeant-Major Griffin for display at the Regina Fair this year.

"H" Division

Members of "H" Division have distinguished themselves during the past year at the various classes attended by them, Acting-Sergeant N. W. Churchill taking first place in the Thirteenth Instructional Class for Non-Commissioned Officers at Regina, while Constables Murray, Swales and Cheesman finished first, second and third in the order named at the N.C.O.'s class held at Fredericton, N.B., which terminated on May 27, 1936. The excellent showing made by these members is very gratifying to the entire Division.

* * *

The Bowling League completed its schedule on March 2nd. The "Midnight Hawks" captained by Constable Thurston, took first place, winning by one point from the "Dawn Patrol" captained by Constable White. Constable Murray had the high individual average—98.1. This sport proved so popular that the first league was scarcely completed before—in response to insistent demands—a second league was organized and under way. Four teams of five men each are taking part.

The stenographers of Division Headquarters have also shown keen interest in bowling activities and while they have not, as yet, organized a regular league, they are frequently noticed in the alleys. It is also noticed that they have no difficulty in securing numerous coaches. Probably next year we will be able to form a mixed league and give these enthusiasts an opportunity to show their skill in regular competition.

Constable Morrow, a particularly good bowler, has been turning in some fine scores in the second league and his performance has been noticed by the management of the alleys, with the result that he has been invited to go to St. John with an All-Star team representing the Imperial Alleys and take part in the Maritime and New England Candlepin Championship. He has also been selected as a member of the All-Star Team to bowl in the Nova Scotia Championship for the MacDonald Tobacco Company Shield.

"J" Division

On March 31, 1936, Colonel, the Honourable Murray MacLaren, C.B., C.M.G., M.D., Lieutenant-Governor of the Province of New Brunswick, paid his annual visit to "J" Division Barracks. He was accompanied by Mrs. MacLaren and Miss MacLaren. Major Barker, A.D.C., was also in attendance.

* * *

A new shooting gallery measuring 100' x 10' x 12' is now under construction by our own personnel and will be completed in the near future. This should prove to be a great asset here as members of the "J" Division are keenly interested in marksmanship. The building will be a great improvement over the makeshift range formerly in use. The new range will provide facilities for use of the .45 revolver, as well as for miniature rifles.

* * *

Winter sporting activities such as basketball, and volleyball, have now ceased but at present the organization of a softball team is under way. There is a very strong softball league in the city of Fredericton and we are naturally desirous of testing our strength in that direction.

"K" Division

The "K" Division bowling team, consisting of Constables Keen, Binnie, Burgess and S/Constable Allen, together with two civilians, has achieved considerable success. The team entered the City Open Five-Pin Championship Competition and bowled 3414 total pins in three games on April 2nd, taking first place. From sixty to seventy teams competed in this event. Each player on the winning team received a prize and also a table lamp.

* * *

The badminton court in the gymnasium in the new barracks has provided the chief indoor sport since occupation of the new quarters during January, 1936. Although there have been no competitions held during the past season, it can be safely asserted that next winter will see some first class badminton played and very keen competition. The court is open to visitors two days a week, namely, Wednesday nights and Sunday afternoons. On Sunday afternoons the wives of members of the Force provide tea, a consideration which adds a great deal to the general enjoyment.

* * *

Regimental No. 11709, Constable W. R. Valintine, is still, after eighteen months, confined to hospital with Poliomyelitis, or what is commonly known as Infantile Paralysis. He has shown a remarkable fortitude in his tragic affliction and this, in a large measure, is the secret of the splendid progress he has made towards recovery. He still has a long and trying period before him and it is the sincere wish and hope of all who know him that his ultimate complete recovery will be fully realized.

* * *

A Police team was entered this year in the Edmonton City Billiard Tournament and was successful in winning the "B" class (or amateur class) trophy. Other teams competing comprised the Legion, Army and Navy and Elks. Forty-eight games were played, each game being of 125 points, the winner being determined by calculation of the total points of the team (eight players) on the different nights of play. S/Constable H. H. Lane captained the "K" Division team and assisted very largely in its success.

Obituary

Colonel James Walker

During the early morning of March 31, 1936, Colonel James Walker, one of the original members of the North West Mounted Police, died in his ninetieth year at the Holy Cross Hospital, Calgary, Alberta.

Born at Carluke, Wentworth County, Ontario, in April, 1846, Colonel Walker first saw service at the time of the second Fenian Raid in 1870 as an Ensign of the 37th Battalion of Halderman Rifles, subsequently organizing an infantry company at Rockton and assisting in the organization of the 77th Wentworth Battalion, of which he became Major and Adjutant. In 1873 he took a course in Gunnery at the Royal Military College at Kingston, Ontario, and there met Colonel G. A. French, who was shortly afterwards to be appointed the first Commissioner of the Force. Joining the North West Mounted Police the following year as a Sub-Inspector, Colonel Walker took part in the famous march of 1874 and later in 1876 was stationed at Battleford, from where he established detachments at La Corne, Prince Albert, Duck Lake, Carlton and Fort Pitt. For several years Colonel Walker, while serving with the North West Mounted Police, acted as Indian Agent to the Cree Indians at Fort Carlton and rendered valuable service to Canada by his diplomatic handling of their affairs at a period which was a crisis in the history of the West. As a mark of esteem he was subsequently appointed a Chief of the tribe by the Indians, who named him "The Eagle that Protects".

In 1880 Colonel Walker was transferred from Battleford to continue his duties at Fort Walsh, and shortly afterwards resigned his commission of Superintendent in the North West Mounted Police to take up a position as Manager of Senator Cochrane's ranch at Cochrane, Alberta. Later, through his influence, the Cochrane interests established one of the first sawmills in the vicinity of what is now the hamlet of Seebe.

Resigning in 1882 from his appointment as Manager of the Cochrane ranch, Colonel Walker entered the contracting business and erected the Mounted Police Barracks at Calgary when "E" Division Headquarters was first established at that point.

Undoubtedly one of the most famous of Western pioneers, Colonel Walker was also the longest serving Militia Officer in the Dominion. At the age of sixty-eight he served in the Great War, being stationed in England and Scotland as a Forestry Expert; at the time of his death he was Honorary Colonel of the 15th Canadian Light Horse, a unit which he had organized in 1905.

Colonel Walker, from the early years of his first joining the North West Mounted Police, devoted himself to the development of the Prairie lands, which were at that time in the first process of habitation. Following his resignation from the Force, he was very closely associated with the material, political and educational progress of Calgary.

Calgary remembers Colonel Walker as its first Immigration Officer; the owner of its first telephone system; for his work in reserving Victoria Park where the Calgary Exhibition and Stampede is held; as the organizer of Calgary's first school and later the moving genius of its school board for fifteen years. As a lasting monument, the school in Colonel Walker's district was named "The Colonel Walker School".

Colonel Walker's passing will be universally mourned, not only by his many friends in Alberta, but also by the inhabitants of the entire Western Provinces, to whom his name stood as an epitome of the great qualities essential to the early pioneers and to the later successful fulfilment of civic leadership.

Regimental Number 9170, Constable William Alfred Gill

Following an unfortunate accident on May 21, 1936, Constable William Alfred Gill died at Cogswell Street Military Hospital, Halifax, N.S., aged forty-one years.

At the time of the mishap, Constable Gill was apparently standing at the rear of his car after backing it down a gradient when the vehicle moved and crushed him against the side of his house.

Constable Gill first joined the Dominion Police on June 11, 1919, being subsequently taken on the strength of the Royal Canadian Mounted Police, when the two organizations were amalgamated during February, 1920. Prior to engaging in the Dominion Police, Constable Gill was employed by the Department of Marine and was stationed at Sable Island, N.S., for a period of seven years. While serving with the R. C. M. Police, Constable Gill resided exclusively at Halifax, N.S., where he was held in high esteem by his many friends.

Constable Gill was buried on May 25th with full military honours in the Roman Catholic cemetery at Eastern Passage, N.S. He leaves a widow and family, to whom we extend our sincere sympathy.

Regimental No. 333, ex-Sergeant William Fury

The death occurred at Richmond Hill, Ontario, of Mr. William Fury, who passed away on April 19, 1936, aged ninety-five years.

Joining the North West Mounted Police as a Constable on June 9, 1879, at Kingston, Ontario, Mr. Fury proceeded to Saskatchewan, where he served through the Riel Rebellion of 1885. During his service with the N. W. M. Police, he was stationed at Regina, Fort Walsh and Calgary, attaining the rank of Sergeant and also of Squadron Sergeant-Major in a temporary capacity.

While serving with the Force during the Riel Rebellion, Sergeant Fury, on the occasion of an encounter with Big Bear and his tribe, was seriously wounded on June 3, 1885, at Loon Lake, Saskatchewan; this wound subsequently resulted in his being invalided from the service on August 6, 1888. Sergeant Fury, during the course of his career with our organization, also took a prominent part in the policing of the Mountain Division of the Canadian Pacific Railway during the process of its construction.

Following his discharge from the Force in 1888, Mr. Fury resided in Toronto until his marriage, when he bought a farm at Richmond Hill, Ontario. He later moved to Maple, Ontario, for a comparatively short period, returning, however, to Richmond Hill, where he resided until his death.

Mr. Fury is survived by his wife, to whom our sincere sympathy is extended.

Regimental Number 999, ex-Constable Arthur Clare

Mr. Arthur Clare died at St. Andrews, Manitoba, recently.

Joining the North West Mounted Police on January 11, 1884, at Winnipeg, Manitoba, Mr. Clare proceeded West and served for varying periods at Calgary, Regina, Prince Albert and Fort Carlton. After approximately three and a half years' service in the N. W. M. Police, he purchased his discharge and returned to Manitoba, where he resided until his death. He was seventy years of age.

Regimental Number 10513, Constable J. C. Jesse

Constable J. C. Jesse died suddenly while at Bothwell, Ontario, on May 31, 1936. He was 31 years of age.

Constable Jesse first joined the Royal Canadian Mounted Police on October 25, 1928, and served for approximately seven and a half years with the Force. Previous to joining the R.C.M. Police, Constable Jesse was a member of the Royal Canadian Corps of Signals. Immediately prior to his death, he was stationed at Muncey Detachment, "O" Division.

Constable Jesse was unmarried and leaves his father and younger sister at Kingston, Ontario, to whom we extend our sincere sympathy.

Constable Jesse was held in high esteem by his comrades in the Force and by the residents of his detachment district. He was interred at Kingston, Ontario, on June 2nd with full military honours.

Regimental Number 2018, ex-Sergeant-Major William McClelland

On May 6, 1936, Mr. William McClelland died at Toronto, Ontario, in his seventy-third year.

Born at Waterford, Ireland, Mr. McClelland came to Canada in 1878 at the age of fourteen years,, later serving in the Riel Rebellion of 1885 with the "Queen's Own Rifles".

After taking his discharge from the Militia on July 7, 1887, he joined the North West Mounted Police and served until September 21, 1910, when he retired to pension. During his service with the North West Mounted Police, Mr. McClelland was stationed for several years at Whitehorse, Yukon Territory, where he became Sergeant-Major of "H" Division.

Mr. McClelland also saw service in the Boer War with the 2nd Canadian Mounted Rifles and was present at the engagement of Diamond Hill, for which he received a bar to his South African Medal. He was also a recipient of the North West Rebellion Medal, the King Edward Seventh Coronation Medal and the Long Service and Good Conduct Medal of this Force.

On retiring to pension in 1910 Mr. McClelland made his home at Toronto, where he resided until his death. He is survived by his widow and family, to whom we extend our sympathy.

Bruce Salt

On April 25, 1936, a most regrettable accident occurred on the St. John River, N.B., which resulted in the death of Bruce Salt, aged seventeen years, the son of A/Superintendent E. C. P. Salt, commanding "J" Division at Fredericton, N.B.

During the afternoon, Bruce and a friend, Sub-Constable Potter, embarked in a small boat on the river which, owing to a strong wind, was considerably rougher than appeared at first to be the case. Before a return could be made to the shore, the boat overturned. After strenuous efforts Sub-Constable Potter was able to reach the shore in an exhausted condition but Bruce Salt was drowned.

Bruce Salt was exceedingly popular, not only among the members of the Force with whom he came in contact but also with his many friends among the residents of Fredericton.

The funeral was held on April 29th, the service being conducted by the Venerable Archdeacon Bate of St. Ann's Church. It was very largely attended, floral offerings of sympathy being strikingly numerous.

Bruce will undoubtedly be greatly missed by his friends in the Barracks at Fredericton and deep sympathy is universally felt throughout the Force for his parents and the remaining members of the family.

Regimental Number 3076, ex-Constable William John Ryan

Mr. William John Ryan died suddenly on May 2, 1936, at MacLeod, Alberta, aged sixty-one years.

Mr. Ryan first joined the North West Mounted Police on June 2, 1894, at MacLeod, Alberta, and served for a period of approximately three years as a bugler. On August 23, 1897, he purchased his discharge from the North West Mounted Police, but after a short period re-engaged on December 12, 1898, as a Constable. He finally concluded his association with the Force on December 11, 1901, at the termination of his second period of engagement.