

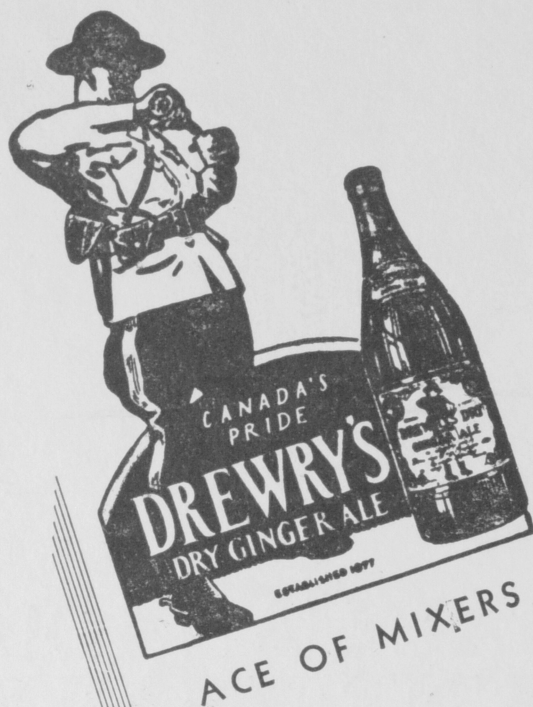
ROYAL CANADIAN MOUNTED POLICE QUARTERLY

OCTOBER 1939

"DREWRY'S DRY"

finest of fine
Ginger Ales

*Famous
Since
1877*



ACE OF MIXERS

*next time order
"DREWRY'S"*

Royal Canadian Mounted Police Quarterly

VOLUME 7

OCTOBER 1939

NUMBER 2

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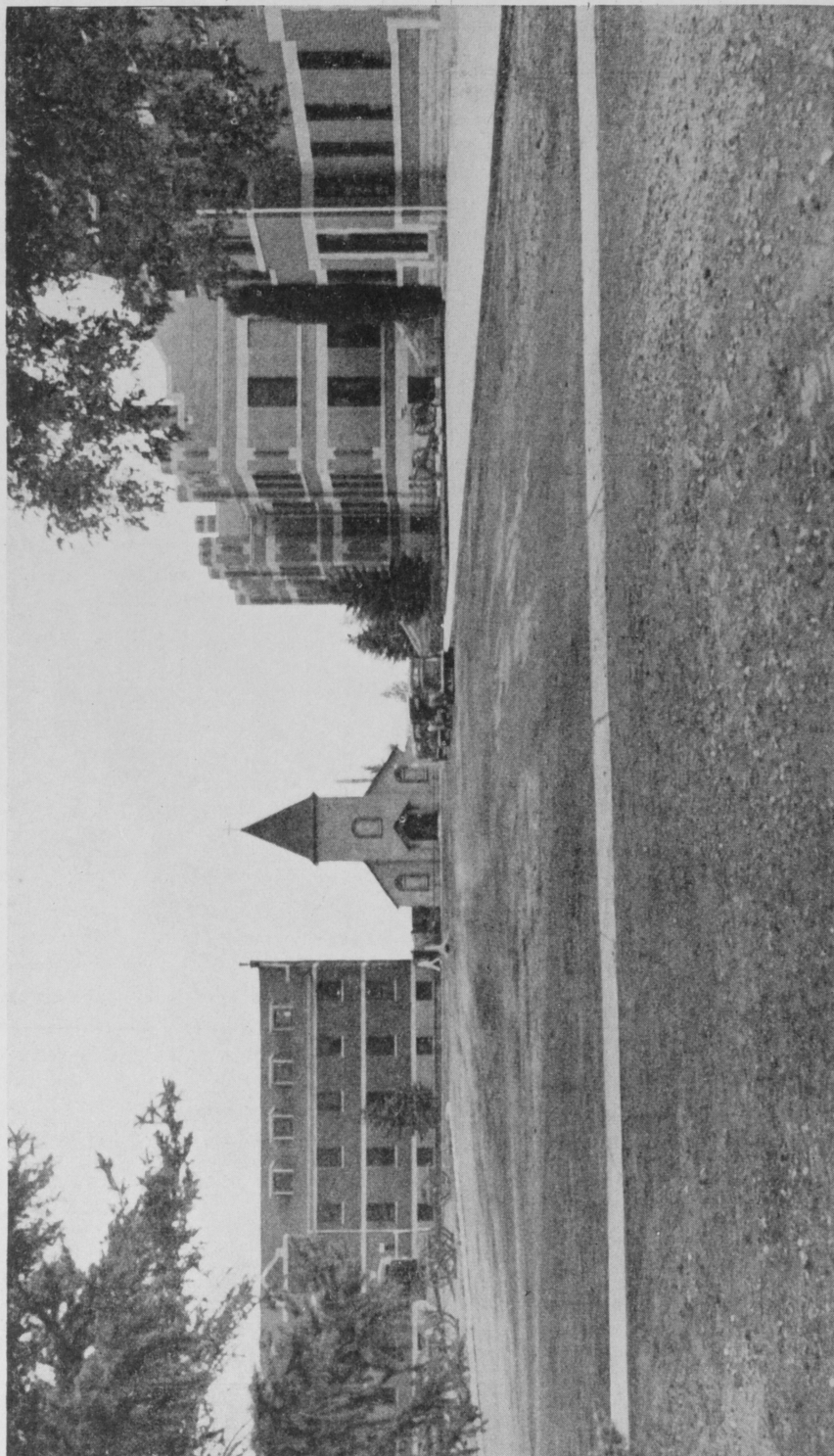


Photo above shows the R.C.M.P. Chapel on the Barracks Square, Regina, Saskatchewan. Remodelling to include vestries and tower has just been completed, and ceremonies are to be held in the near future dedicating it: "To the Glory of God and in memory of the Officers and Men of the N.W.M.P. who served in the original march into the North West Territories of Canada in 1874".

Editorial

Coincident with and since the outbreak of war, numerous applications have been received at Headquarters from Officers and men in the R.C.M.P. anxious to serve the Dominion and Empire in any way, combatant or otherwise. In accordance with this spirit, which typifies the general feeling throughout our organization, Commissioner S. T. Wood communicated with the Minister in control of the Force and humbly offered the services of the Royal Canadian Mounted Police in any capacity, at home or abroad, that the Dominion Government deemed fit.

On September 18, The Right Honourable Ernest Lapointe, P.C., M.P., replied, in part, as follows:—

"I wish to thank you personally and to convey through you, as Commissioner, to the Officers and men of the R.C.M. Police the thanks of my Colleagues in the Cabinet.

I should like to remind each and every member of the R.C.M. Police of the heavy responsibilities which have been placed upon the Force in connection with Internal Security, Intelligence and Secret Service, guarding vulnerable points of national importance, police supervision of the large foreign population and subversive organizations, the registration of alien enemies, and in carrying out, under war conditions, our present agreements with the six provinces in which we enforce the Criminal Code, etc., and also the important duties in connection with the prevention of smuggling and similar matters.

I fully realize that young men in particular will have a great desire to enlist for overseas service, and while this patriotic spirit is entirely commendable, nevertheless, the important duties which I have outlined, when energetically and faithfully carried out, are of no less importance than those which might be performed on active service. Furthermore, it must be obvious to all members of the Force that these important duties can only be efficiently performed by a trained personnel, and for these reasons, I shall not be able to consent to granting any leave of absence to Officers, Non-Commissioned Officers or Constables of the Force for the purpose of serving in any Expeditionary Force which might leave Canada on Active Service, with the possible exception of a representative unit to be recruited from the R.C.M. Police. Neither will it be possible to grant discharges from the Force to enable Non-Commissioned Officers or men to enlist for overseas service. No discharges by purchase will be authorized until further orders.

In conclusion, I further desire to express my sincere appreciation of the services which have been rendered by the Force to the country and the Empire in the past, and to ask you to see that my views on this important subject are communicated to all Officers, Non-Commissioned Officers and Constables."

It is perhaps but natural that one should grow restive and wish to serve in the most demonstrative way in the present national crisis, but it is quite obvious the enlistment in the armed forces cannot be made indiscriminately or left to private discretion. The aforementioned letter suffices to make it plain that we can perform no greater service than that of discharging the urgent duties assigned to our organization. Furthermore it shows that a

wholesale exodus from the ranks of the Force would result in a serious dislocation of the precautionary measures essential to Canada's internal safety.

However, in accordance with the exception mentioned in the penultimate paragraph of the Minister's letter, authority has been granted for the R.C.M. Police to recruit and organize a unit to be known as 1 Provost Company (R.C.M.P.) for inclusion with the National Defence Forces for war service. This representative contingent, unlike the one which attached to the Canadian Light Horse (C.E.F.) and consequently lost its identity as an R.C.M.P. unit, will retain its identity in the first overseas Division which is to be called the Canadian Active Service Force. The total strength of a Provost Company is 112, all ranks, including six first re-enforcements. The 1 Provost Company (R.C.M.P.) will be composed of volunteers from the Force and employed on traffic duties for which their specialized training has fitted them; the strength of this unit will be kept up from the Force itself.

Common logic demands that if we are to gain our ultimate objective, Victory, we must not fail to take account of facts which may lead to our downfall. To give practical assistance to the Empire, Canada must be united and strong. One definite contributory factor to disaster would be a lack of preparedness and ability to withstand any onslaught to our security from the enemy within.

During 1914-18, it was apparent that sundry loyal but seemingly unthinking persons underestimated the importance of maintaining on the home-front able-bodied men of military age and training, while others of the country's manpower were conscripted for active fighting service. These critics, however, were surely blind to the consequences which vacancies or incompetent replacements in responsible positions would entail.

The task that has been entrusted again to the Royal Canadian Mounted Police is a formidable one. As custodians of Canada's domestic solidarity, the Force will have to keep watch and ward against many forms of mischief within its jurisdiction. So far as it is possible, the requisite fundamental precautions have been taken to forestall disruptive or revolutionary tendencies within our borders and to protect vulnerable public buildings and utilities against such bombing outrages as occurred throughout England recently. These and many other war measures must, of course, be taken in addition to continuing in the fulfilment of our contracts with the six provinces in which we enforce all Federal and Provincial Statutes.

Meanwhile, in order that we may efficiently cope with all contingencies likely to arise in the fateful days ahead, a general re-organization is taking place, consisting of a re-shuffling of the present incumbent and the re-drafting on the strength of many ex-members. The machine, as it were, is being overhauled to sustain the added burden it must carry.

Come what may, the Commissioner is confident that all ranks will "carry on" as usual, with whole-hearted co-operation, cheerfulness and perseverance; that each member of the Force will take his place proudly and firmly; and that none will shrink from any sacrifice.

Thus will members of the R.C.M.P. best demonstrate their individual patriotism and loyalty.

Owing to the outbreak of hostilities, A/Master R. A. S. MacNeil of R.C.M.P. Marine Section has vacated the editorial chair of the *Quarterly* and transferred to the Royal Canadian Navy. **R.C.M. Police Quarterly** The two editions put out under his editorship have been of a high standard, both instructionally and for the general interest they contained. Numerous hearty congratulations have been received on the July issue, commemorating, as it did, the recent visit of Their Majesties to Canada. It was due in no small way to the capable and energetic management of A/Master MacNeil that such a level was achieved. The close co-operation and assistance he inspired from the anonymous contributors and Associate Editors, whose work has been productive of such good results, has done much to pave the road for his successors and the Committee take this opportunity of hoping for the continued support of these persons behind the scenes, which has so largely been responsible for making the present standard possible.

* * *

In the present and forthcoming editions of the *Quarterly*, a slight change will be observed in the make-up of the regular fixture: "Notes on Recent Cases." Heretofore it has been the practice to show **Notes on Recent Cases** the summaries of the different cases without appending any head-note thereto, and as a consequence some difficulty was experienced in tracing cases at a later date. Henceforth the name of every case digested will be designated in bold face type superposing an italicized deck at the beginning of each summary. The object of the deck or "sub-caption" is to disclose at a glance the nature of the case or investigation and its predominant features thereby dispensing with the necessity of reading through the text for an indication of its contents. The adoption of this system of head-notes should greatly facilitate reference to any case previously covered, and accordingly we think it an improvement which will commend itself to our readers. Variations of this method of captioning are by no means uncommon. Such well-known periodicals as *The London Police Journal* and *The Journal of Criminal Law*, printed in Great Britain, to mention but two out of many, employ it freely. The recent cases briefed in the *Quarterly* are unique. Frequently they are instructive and very often not reported in any of the law reports although occasionally they present interesting legal aspects.

Prize Winning Articles . . . July Edition

THE EDITORIAL COMMITTEE extend their congratulations to the following members of the Force, whose articles are considered to be of equal merit, and who have been awarded prizes of \$12.50 each for the two best articles published in the July edition of the *Quarterly Magazine*.

L/Cpl. J. Robinson—"Fractured Glass."

A/L/Cpl. S. J. Leach—"Redskins and Redcoats Visit the Antipodes."

Notes on Recent Cases

R. v. Gallant

*Receiving Stolen Goods—Joinder with Theft and Corruptly Taking Award—
Separation of Counts—Scientific Investigation—Malachite Green*

Some time ago the Riley Tobacco Plant, Charlottetown, P.E.I., was broken into and a sum of money, jewelry, \$4000.00 in bearer bonds, share certificates and insurance policies were stolen. This Force collaborated with the City Police, but the culprit had left no clues as to his identity.

A little later the complainant received an anonymous phone call to the effect that the securities would be returned if sufficient money were paid over. An offer of \$25 was rejected by the caller. Later, the same voice agreed to \$50, directions to be phoned subsequently. The complainant was willing to take a chance, and so five ten-dollar bills were skilfully treated with malachite green, and sealed in an envelope. The telephone company, with the consent of the complainant, arranged to have future calls to Riley relayed simultaneously to the phones of the Police Detachment and to the home of one of the investigators.

A few days later Riley was instructed over the phone to proceed along a certain route to a given place. He was to drop the money on the sidewalk upon hearing a whistle signal, and then return home immediately to receive instructions as to the return of the securities. Plain clothes men were posted along the route with a view to intercepting the offender, while others patrolled the route as casual motorists. However, it was necessary to keep somewhat back, and as a result the culprit had gathered up the money and escaped before he could be apprehended.

Complainant and investigators returned to their phones. Shortly afterwards the same voice stated where the papers could be found. He asked, incidentally, what the "funny-looking green stuff" was on the bills. Riley had been coached previously, so he engaged in a lengthy explanation. In the meantime the investigators traced the source of the phone call, and arrested Arthur Armand Gallant just as he was leaving his house.

The accused's left hand was smeared with the tell-tale green color. He would make no admission, but when asked what the stains were on his hands and face (he had since rubbed his hands over his face) he replied that it was dye from his overalls. He was asked to wash himself, and when he did so, it brought out the color all the more distinctly. It is to be noted that when malachite green is properly applied it is scarcely visible; when a person's hands, which have contacted the treated material, commence to perspire, the green becomes visible and an application of water leaves a distinct stain which remains for a few days.

None of the identifiable money was found on Gallant. He was deprived of his clothing which bore greenish marks on the gloves, the lining of the left sleeve of his coat and the left pocket of his overalls, the inside edge of his coat and the fly of his underwear. Fingernail clippings and scrapings were also taken for expert examination. A whistle was found outside the house.

Gallant's movements were checked, and it was found that he had passed a "doped" bill at the home of a bootlegger. The bill was identified by a serial number and the green dust. A check was made as to the sources of the various calls put in by Gallant and information along this line obtained.

He was charged with Receiving Stolen Property under s. 399, and committed for trial. At the Supreme Court, before Judge and jury, defence counsel objected under s. 891 to the form of the indictment which joined three counts: Receiving Stolen Goods, Theft of the same goods, and Corruptly taking award without bringing offender to justice. The Judge separated the third count from the other two. Evidence was given as to Gallant's calls and passing of the bill. The City and R.C.M. Police gave evidence as indicated above. The Provincial Pathologist gave comparisons as to the malachite green on the bill, clothing, and fingernail clippings and scrapings handed to him by the police. Of particular interest was his evidence that colored green fragments of wood found in the tobacco dust adhering to the whistle compared identically with the specks of wood in the tobacco dust taken from Gallant's overalls.

The jury returned a verdict of guilty on both the Theft and Receiving counts; this was not in accordance with the Judge's directions to them as to the law, because a person cannot be convicted of both Theft and Receiving unless such person merely counselled the theft (principal) and later received the goods so stolen, or unless the thief disposed of the goods and then received them back again later: *R. v. Carmichael*, 26 C.C.C. 433. A *nolle prosequi* was immediately entered by the Crown with respect to the Theft count. Gallant was given three years in Dorchester Penitentiary for the charge of Receiving.

* * *

R. v. John Gyonyor et al.

Theft of Chickens

The value of energetic co-operation between detachments and close attention to detail was exemplified in the investigations which led to the conviction of John Gyonyor, Louis Masters, Mike Bepalto and Frank Oros on seventeen charges of chicken stealing.

At 2 a.m. on May 4th our Drumheller detachment reported a 'phone call from Albert Johnson, a farmer living ten miles east of Drumheller, complaining that his hired man had chased chicken thieves out of his yard twice that night. The second time he had found a sack containing twenty-five chickens which the thieves had evidently dropped in their flight. Investigations made in conjunction with our Carbon detachment elicited that the thieves had been travelling in what was described as a Model "A" Ford, slate color, wire wheels, windshield cracked, red cover missing from tail light and a piece broken from the running-board. In addition, tire tracks and a heel print were located and although the field in which these were found was very muddy, it was fairly well established that the tire tracks had been made by Atlas tires.

During the course of these investigations it was discovered that several other farmers had lost chickens, which they had neglected to report. There-

fore, regular night patrols were established on certain highways and on June 3rd at 4 a.m. an old Willys Knight sedan, driven by Gyonyor and Masters, was stopped by the Constable in charge of Olds Detachment and found to contain thirty-one chickens. The car was equipped with Firestone and Eaton Bulldog tires. The chickens were seized owing to the fact that the men were unable to satisfactorily account for them, and a broadcast was immediately put over Station CFCN at Calgary, with the result that a farmer came forward and identified a number of fowl, stating they had been stolen from his chicken house the previous night.

At the time the prisoners were arrested they were wearing shoes practically new, which had been cleaned and polished. However, in a sack found in the car were two old pairs of shoes, together with socks, which were very wet and appeared to have been worn quite recently. Apparently the prisoners had worn the old shoes when committing the offence, possibly with a view to throwing the investigators off the track.

With the assistance of constables from Calgary, an examination was next made of Luft's farm, where tire tracks and footprints were found which corresponded exactly with the old shoes and the tires on the Willys Knight car. When confronted with this evidence, both prisoners admitted their guilt and were eventually sentenced to one year's imprisonment. However, as they denied complicity in other chicken stealing cases, investigations were continued with the result that a storekeeper was located in Calgary who admitted having at different times bought four hundred and fifty chickens from four unknown men driving a Willys Knight and a 1929 Ford. His description of two of these men tallied with Gyonyor and Masters, while later enquiries indicated that the other two men might be Mike Bepalto and Frank Oros.

On June 9th, these men were arrested at Wetaskiwin for theft of tools and gasoline while driving a 1929 Ford which answered the description of the car already referred to, and chicken feathers were found in it. The men were questioned and admitted their guilt, and upon appearing in Court were convicted of sixteen charges of theft of chickens.

In connection with this investigation, it is interesting to note that the information elicited and the conclusions arrived at by the investigators at the beginning of the investigations as to the description of the cars involved, was afterwards fully substantiated.

* * *

R. v. Martin and Vincent Forster

Dog-Tracking—Escaping Prisoners

At approximately mid-day of the 11th January, 1939, two prisoners—Martin and Vincent Forster—were handed over to the gaoler at the County Gaol at Hopewell Cape, N.B., but they escaped soon afterwards and took to the woods at the back of the gaol.

In order to effect their arrest, the services of "Black Lux" were obtained from Moncton. After eliminating one false lead, Const. MacGregor, with a guide and the dog, took up the trail of the prisoners and followed it for about seven miles. As these men would have to come out onto the main high-

way, the trail was left, and Const. Russell of Albert Detachment, who was patrolling the roads, was contacted.

It appeared that these men were following a course parallel to the main highway, but some distance back in the woods. Const. Russell was therefore stationed at the Hopewell Bridge, where it would be necessary for the men to break cover in order to continue their course. "Black Lux" then was taken back towards Hopewell Cape, and at about 6.30 p.m., two men answering the description of the escaped prisoners were seen. Before they could be approached they took to their heels up a side road and across the fields.

Owing to the condition of the ground, pursuit of the fugitives was impossible. When they failed to heed a command to halt "Black Lux" was released and soon overtook and stopped one of them. The other, however, continued his flight. Upon being relieved of his charge, "Black Lux" pursued the fleeing man and, without touching him, brought about his capture.

Taking into consideration the distance our men had travelled, there is little doubt but that for the action of the dog, the prisoners would have made good their escape. Due to the circumstances no charges were placed against them, in accordance with instructions received from the Department of the Attorney General.

* * *

R. v. Beltrano

Excise Act—Examination under s. 67 of Act

On February 13, 1939, Victor Edward Beltrano, of Sault Ste. Marie, Ontario, seventeen years of age, was subpoenaed to appear before an Officer of this Force, in compliance with the provisions of Section 67 of the Excise Act.

Witness appeared at the Detachment for examination, accompanied by his Counsel, and it was quite apparent that the boy had been thoroughly schooled as to the attitude he was to adopt before his questioner.

On being asked to peruse the power to examine on oath, he answered, "I don't swear," and on being asked his reason for not wishing to be sworn, replied "I don't want to be sworn in, that's all."

On February 23, the accused appeared before Magistrate A. Elliot at Sault Ste. Marie, charged with refusing to be sworn or to affirm at an inquiry or investigation as provided by Section 67-5 (c) the Excise Act. J. D. Becking conducted the prosecution and W. G. Atkin appeared for the accused and entered a plea of Not Guilty. The accused was found guilty and fined \$250.00 or in default three months imprisonment—fine was not paid.

This case is of interest, it being the first occasion that the strength of Section 67 of the Act has been tested before the Courts in Ontario.

* * *

R. v. Tardiff

Housebreaking—Defective Indictment—Intent

A complaint was received by our Perth Detachment that at 11.00 p.m. a man entered complainant's home. She called but received only a grunt for answer. Taking up the light, she was in time to see the intruder leave the

house. Investigation revealed that the offender was the above named who attempted to give an alibi.

The case was presented to the Grand Jury and a true bill was returned. Defence counsel showed that the indictment, although drawn in conformity with that on p. 1464, Crankshaw's Code, was defective. He cited the following extract from *McNeil v. R.*, 55 C.C.C. 253:

"To sustain a conviction for shopbreaking by night with intent under s. 461, it is essential that the indictment shall allege intent to commit an indictable offence *therein*."

Prosecution counsel argued that the indictment was correct according to Crankshaw, this Code being later than the *McNeil* case, and that this case was for s. 461 and not for s. 462. The presiding Judge ruled that Crankshaw could make a mistake and could not overrule the Supreme Court of Canada, that there was very little difference between ss. 461 and 462, the last eight words of both being alike, and that an indictment under s. 462 must have the word "therein" or it was bad. The indictment was quashed.

It is to be noted, therefore, that the form "Being found in a Dwelling-house by Night" on p. 1464, Crankshaw, should be amended by addition of the word "therein" at the end of this form. It is well to bear in mind that none of these forms of indictment is infallible and should be checked with the wording of the section concerned.

* * *

R. v. Hughes

Theft of Fox Feed—Malachite Green

During the first week of July, 1939, the members of Summerside, P.E.I., detachment learned that a fox rancher had had his feed shed broken into and four or five buckets of fox feed stolen. This had happened on other occasions, but there had been no clues upon which to work.

However, at this time upon a careful search being made, a flashlight was found in one of the bags of feed. The flashlight was of a very common variety which is widely used among local ranchers. But this flashlight was practically covered with what looked like furnace cement. Having a knowledge of the "shady" characters of their area, the two members at once suspected J. E. Hughes who was a tinsmith by trade.

Unfortunately ownership of the flashlight could not be proved at this time, though traced to a definite class of persons. Moreover, it would be next to impossible to identify a bucketful of "shredded wheat" feed.

Therefore it was decided to remain quiet for the time being. The complainant was advised to mark some of the bags for identification by the addition of malachite green; this was supplied to him from the Detachment. Instructions were given as to its use; the marked bags of feed were left at the edge of the pile.

Shortly afterwards notification was received that the feed house was again broken into and feed stolen. About fifteen pounds were missing from the marked bag of "shredded wheat", and some of the bag of "chow" was spilled on the floor. Addition of water showed the green up plainly. A search warrant was obtained, and upon approaching Hughes it was readily

noticeable that his hands and forearms were liberally stained with the coloring. About fifteen pounds of feed were found on Hughes's premises, and treatment of water brought out the green here.

Confronted with this evidence, the accused admitted leaving the flashlight there on a previous occasion. He was tried by a Magistrate and sentenced to two years in Dorchester Penitentiary. It was found that he had two previous convictions for Receiving stolen goods in 1923 and 1935, for which he was given two and three years respectively.

* * *

R. v. Gutschmidt

Attempted Murder—Changed from Unlawful Wounding—Appeal— Admissibility of Statements

During the first part of the year complaint was received by Gravelbourg Detachment that Edwin Smart, Shamrock Dist., had been fired at through the window of his shack with a .22 calibre rifle, and that the bullet had passed through his shirt, undershirt and skin of the right side of his chest, breaking the skin and causing the loss of a small amount of blood. An immediate investigation revealed the following facts:

Smart lived in a two-room shack. After finishing supper he sat down to read the paper and soon afterwards heard a crash. On approaching the window he noticed a hole in same and felt a nick on his shoulder. He applied a towel to stop the blood and blew out the lamp. He saw someone on horseback and went to get his rifle. Again seeing the figure, he fired over the latter's head and went outside to fire another shot. He thought that the horse was a dark one, but had no idea who the would-be murderer was.

Examination was made of footprints in the snow. It was noted that a horse had been tied up near some machinery; a man's prints were seen leading to the shack, and then a set, made by a person running, led back to where the horse had been. The horse's prints showed that the two hind feet did not entirely clear the snow. None of the outbuildings had been entered.

Thoroughly questioned as to suspects, it was learned that Robert Gutschmidt had called on Smart the night before to get warm. During the conversation then Smart said that he had received \$44.00 for weasel skins he had sold. The investigator enquired if this was the Gutschmidt who went with a certain farmer's daughter and he was informed that he was. The Constable then knew that Gutschmidt would be in need of money as the farmer had been to the Detachment regarding a charge under the Child Welfare Act.

The following day a portion of the bullet was found on Smart's bed and a piece under the stove. The bullet had struck his overall buckle and split, part going under the stove and part piercing his chest and later falling to the bed. Clothing and lead were later taken for examination in the Scientific Laboratory. Certain of the tracks were followed to their source.

Upon questioning Gutschmidt, he denied having been to Smart's shack during the past three years. The horse he rode was found to be a black one and it made prints similar to those at the Smart shack. Further questioning of Gutschmidt was hampered by members of his family apparently advising

him in the German language. He was taken to Gravelbourg, but still maintained that he had not called on Smart. He consented to be brought before Smart; the two argued, and finally he admitted having been there and stated that he had denied this before because "he was afraid that he would be blamed for the offence which occurred on the following night."

The investigating Constable and Sergeant then proceeded to a local store where it was ascertained that Gutschmidt had purchased a box of .22 shells within the past two weeks. After being confronted with this information the accused denied it. Shortly afterwards, however, he broke down and started crying in the presence of the officers saying, "I did it. I needed money."

He was placed under arrest. At his evening meal in the restaurant he was asked if he wanted a lawyer, but he declined. Later he was brought up to the police office where he was given a proper warning with explanations preparatory to being given an opportunity of making a statement. He then said that he wanted to "come clean" and gave a statement partly in his own writing and partly dictated to the investigators. The story coincided with what had been ascertained by the investigation; he intended shooting Smart so as to get the money he required to marry a girl whose father had given him a limited time within which to marry his daughter or face a charge under the Child Welfare Act.

Gutschmidt was charged under s. 274 with Unlawful Wounding, and after changing his plea of Guilty to one of Not Guilty was sent up for trial. Further enquiries were made so as to complete the array of evidence, such as seizure of the rifle involved, etc. Exhibits were examined by our medical and ballistics experts.

At a later date instructions were given to have the charge changed to one of Attempted Murder under s. 264. Gutschmidt was then committed for trial on the new charge. At King's Bench Court the confession was admitted in evidence, and the jury was told that a verdict could be brought in of Attempted Murder, Wounding with Intent, Unlawful Wounding or Not Guilty. The Jury could not come to an agreement as to the verdict, and was accordingly dismissed.

At the next sittings of the King's Bench Court the accused was found guilty of Attempted Murder and sentenced to ten years in Prince Albert Penitentiary. The case was appealed by the defence on the ground of inadmissibility of the statements and against the sentence. The judgments handed down by the Saskatchewan Court of Appeal are found in 72 C.C.C. 128, *sub nom.* R. v. Gutschmidt. It was held that a confession induced wholly by accused's belief that his guilt might be proved from the facts which the police had ascertained in his presence, and not elicited by threats or inducements, is admissible in evidence. No inducement was found by the officers taking Gutschmidt before Smart and by their confronting him with the fact of his purchase of the shells. Mackenzie, J. A., said:

"Such confession is therefore in our view to be appraised as a spontaneous and so voluntary outburst on the appellant's part, induced wholly by his own conception of the provability of his own guilt based upon what he was conscious the police then knew. While it was presumably prompted by fear, such fear came from within himself, not from anyone in authority."

It was also held that the warning and explanation, given before taking the confession while accused was in custody, were sufficient to render the statement admissible.

However, as the jury recommended leniency, as Gutschmidt had no previous record, as he was only twenty-five years of age and as Smart was only slightly hurt, the sentence was reduced to five years, in conformity with a similar sentence given in the case of *R. v. Wambolt*, 1939 2 D. L. R. 416 (reviewed in the April number of the *Quarterly*) wherein the accused was convicted of manslaughter, with the sole defence of intoxication.

* * *

Harold Frederickson

Accidental Death—Gas forming in well—Caution in use of Gas-mask

This case illustrates how a little caution was probably the means of saving further loss of life and also the ingenuity of the member of the Force concerned in the incident.

At Homeglen, Alta., on August 22, 1939, Harold Frederickson, a well-driller, had descended into a well to secure a section of cribbing. After being in the well a very short time he was observed by his helpers to be in difficulty, but having no safety line the assistants were unable to haul him to the surface. A helper attempted to go down the well to give aid but was sickened by gas and had to be brought to the surface.

By this time aid had been requested and Cst. P. M. Christophers arrived at the scene where it was found that the body of Frederickson was about sixty feet from the surface. A lighted lamp lowered to test for gas was extinguished within five feet of the surface, and a doctor present forbade anyone going into the well.

A gas mask was sent for, but prior to use it was examined and found that same could not be used where there was a lack of oxygen; this was definitely the case here.

The chemical cannister of the mask was then removed and a length of garden hose connected, the free end of the hose being kept out above the mouth of the well. This enabled Rodney Jensen, driller's helper, to descend into the well and recover the body.

Had the gas mask not been thoroughly examined prior to use, it is probable that a further fatality would have resulted.

* * *

R. v. Jewell

Forgery—Modus Operandi Identification

On July 21, 1939, a report was received at the Central Modus Operandi Section from the Tillsonburg, Ontario, town police, to the effect that a cheque artist had successfully passed two forged cheques on local merchants. The method of operation tallied with that used by William E. Jewell who was shown in the Modus Operandi records as having uttered bogus cheques in Port Dover, Ontario, during September 1938. Photograph and criminal record under F.P.S. No. 388342 of this subject were accordingly forwarded at once to the Chief Constable at Tillsonburg who identified Jewell as the perpetrator of the offences referred to.

On August 10, 1939, fingerprint forms received from the Niagara Falls City Police indicated that Jewell was serving a sentence of fourteen days imprisonment on a vagrancy charge. This information was immediately relayed to the Chief Constable, Tillsonburg, who caused the prisoner to be re-arrested upon the expiration of his sentence. Jewell was convicted on July 6, for the offences committed at Tillsonburg.

This is a typical illustration of the effectiveness of the Modus Operandi System in not only identifying known criminals but also in co-ordinating police effort when a person is in custody of a Police Department which is totally unaware that the prisoner is wanted at another point.

The following is an excerpt from a letter received from the Chief Constable, Tillsonburg, in this connection:—

"I would like to say that I am well pleased that this man was brought before the Court, and that if it had not been for your Modus Operandi System, I do not believe for one minute that he would have been. I wish to congratulate you on this system."

* * *

R. v. Mae Austin; R. v. William Shaw

Opium and Narcotic Drug Act—Opium obtained by boiling down Paregoric

During the course of recent investigations by members of the Force at Edmonton in connection with the illicit drug traffic, a search was conducted at the rooms occupied by Mae Austin, an addict, and her friend William Shaw, which resulted in the seizure of a number of cotton swabs bearing dark brown discolourations, an eye-dropper and several hypodermic needles. The inside of the dropper was coated with a dark brown substance.

These exhibits were submitted to the Provincial analyst for examination and an analysis revealed that the swabs were heavily loaded with opium and that the substance in the eye-dropper was also opium.

The Austin woman and Shaw were charged with being illegally in possession of opium, Section 4(d) of the Opium and Narcotic Drug Act and at the trial the Crown offered evidence to the effect that the drug had been obtained by subjecting four ounces of paregoric to boiling until about two or three eye-droppers full of the liquid remained. The defence contended that the paregoric, which was legally purchased, had not ceased to be such and that there was no proof that the fluid which remained after the paregoric had been boiled was a narcotic drug within the meaning of the Act.

An adjournment was granted at the request of the Crown and four ounces of paregoric were handed to the analyst with the request that he reduce same to three eye-droppers full and make an analysis of the residue for morphine and opium. This process was completed and an analysis of the resulting fluid proved that it contained 7.7 grains of opium or 15% by volume and 1.5 grains morphine. It was calculated that one ounce of this liquid would contain 54 grains of opium which is 27 times the strength of paregoric provided by law.

When Court re-convened the following day the analyst gave evidence as to his findings, after which the accused, Mae Austin, testified and described the process she had used in boiling down the paregoric.

Both the accused were found guilty and the woman was sentenced to six months imprisonment and a fine of \$400.00 or in default of payment an additional six months, while Shaw received a sentence of six months imprisonment and a fine of \$250.00 or in default of payment an additional six months.

In rendering its decision in this case the Court ruled that in its opinion when the boiling down process had reached a point where the residue contained more than two grains of opium in one ounce, as provided in Section 8 of the Opium and Narcotic Drug Act, it ceased to be paregoric and became a drug, the possession of which was punishable under the said Act.

The defence has appealed by way of Stated Case and it is expected that the case will come before the Court of Appeal on or about Sept. 15th.

Should this conviction be up-held it is considered that a valuable decision will be available as a reference in future cases of this nature.

* * *

R. v. Regan

Supreme Court of Nova Scotia En Banco—Co-conspirator is a competent and compellable witness

A very interesting judgment was recently handed down by the Superior Court of Nova Scotia in connection with charges preferred by this Force against twenty-three persons for "conspiracy to defraud the Federal Revenues" through the smuggling and transportation of non-duty paid liquor, the charges being laid under Sections 444 and 573 of the Criminal Code of Canada.

At the preliminary hearings conducted before the Magistrate at Halifax, Nova Scotia, on January 23, 1939, the Crown proceeded separately against John Tanner, one of the accused, and called as a witness Sydney Regan who was one of the twenty-two indicted with Tanner. This man refused to be sworn or to give evidence and he was committed to jail for eight days for contempt of Court.

Application was then made by Defence Counsel for a Writ of Habeas Corpus and on January 27, 1939, argument was heard before Justice Smiley at Halifax. Defence Counsel argued that Regan was not a competent and compellable witness. Justice Smiley ruled that the issue be referred to the Supreme Court *en banco*.

On February 8, 1939, the Supreme Court rendered a unanimous decision to the effect that Regan was a competent and compellable witness.

Written judgments were handed down by Justices Graham and Archibald and in view of the various points covered and jurisprudence cited, the written opinion of Mr. Justice Graham is quoted hereunder, as it is felt that it will be of considerable interest to many of our readers.

In the Supreme Court—En Banco

In the matter of the application of Sidney Regan, a prisoner detained in custody in the County Gaol at Halifax in the County of Halifax, for discharge from said detention and custody therein.

Graham, J.

The question that lies at the threshold in this case is whether or not persons accused of conspiracy may be charged separately? There is no diffi-

culty in drawing the charge against one; and it has many times been held that, if they are indicted together, they may be tried separately. That being so, why may they not be charged separately? Counsel argued with vigorous confidence that, because two or more must be guilty in order to constitute the crime, and because a verdict for or against one may vitally affect another, all accused persons should be charged together.

If that were so, the inadvertent omission of one might invalidate the indictment; and further, it would seem that a verdict on a separate indictment could have no worse effect than a similar verdict on a separate trial under a joint indictment.

In support of his position, counsel for the applicant cited Harris on Criminal Law, 41th Ed., p. 103, where it is stated that—

"A single person cannot be convicted unless indeed he is indicted with others, who are dead or unknown to the jurors or not in custody."

For this statement of law the authorities cited in the text are *R. v. Kinnersley*, 1 Str. 193 and *Beechey v. R.*, 85 2 J.P.C. 32; neither of which sustains the statement, and *Rose, J.*, to whose attention it was drawn in *R. v. Frawley*, 25 On. R. 431, held that it was not the law. The summing up of Cockburn, C.J., in *R. v. Boulton*, 12 Cox 93, was also referred to; but what was said there seems against, rather than in favour of, the applicant's contention.

There is a supporting pronouncement in *R. v. Sylvestre*, 45 C.C.C. 241. In that case the accused persons were jointly indicted for robbery; and the Judge told the Jury that a declaration made by one in the absence of the others was evidence against all. *Guerin, J.*, (on appeal) said;

"If the charge against them had been conspiracy, the separate trial of each could not have been granted; they would necessarily have been tried together as confederates."

This pronouncement was not necessary to determine the question before the Court. It was *obita dicta* and is obviously incorrect.

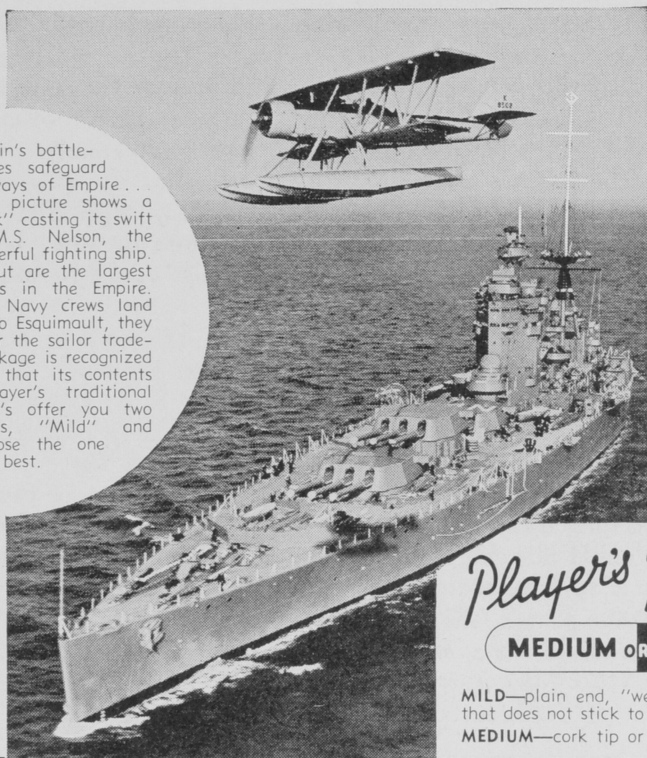
Archbold's Criminal Pleadings, 30th Ed., p. 1435, notes a number of cases (among others *R. v. Kinnersley*, (supra), *R. v. Nichols*, 13 East 412 and *R. v. Cook*, 5 B. & C. 538), where one person was indicted alone in special circumstances, such as:—that another alleged conspirator was dead or not available or had not appeared. If, under some circumstances, one may be indicted alone, the reasonable inference is that there is no essential element in conspiracy to prevent separate indictments.

One person was indicted alone in a number of Canadian Cases. In some, for instance, *R. v. Johnston*, 6 C.C.C. 233, *R. v. Hutchinson*, 8 C.C.C. 486, *R. v. Sinclair*, 16 C.C.C. 20, *R. v. Clarke*, 14 C.C.C. 46 and 57, *R. v. Seguire*, 49 C.C.C. 226 and *R. v. Phillips*, 11 O.L.R. 478, it does not appear whether or not the other conspirators were available. Though it can hardly have been possible, that, in *R. v. Clarke*, all others were unavailable. However, in *R. v. Paradis* (1934) S.C.R. 165 and *R. v. Frank*, 21 O.L.R. 196, it is clear that others were available. In the latter case, the only question raised was as to corroboration of the evidence of the conspirator, who had not been charged. *R. v. Frawley*, 25 O.R. 431, is a direct

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THAT
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MEDIUM or MILD

MILD—plain end, "wetproof" paper, that does not stick to the lips.

MEDIUM—cork tip or plain.

authority that one conspirator may be indicted alone though another is available and might have been indicted with him.

The position of a conspirator under the law is explained in *R. v. Ahearne*, 6 Cox 6. Ahearne was indicted with two others for conspiracy to murder. They pled not guilty, but, having refused to join in their challenges, he was tried alone and found guilty. When brought up for judgment next day, it was objected that he should not have been tried alone; that the others, being amenable and having pleaded, should have been tried with him; but no effect was given to the objection, and he was sentenced to death. Lefroy, C.J., said:

"In the cases in which it has been held that where two are indicted for conspiracy . . . and one has pleaded and the other does not appear and plead, the reason why judgment against one is good is given very pointedly in Brooks Abridgement, p. 21—'Conspiracy against Several; one appears and pleads not guilty and is found guilty with another, who does not appear, and the plaintiff recovered judgment and the defendant brings error because he was condemned and none of the others, and one alone could not conspire, and yet the judgment was affirmed, because it was found that he and another conspired and these are two, therefore this will bind the defendant.'

"In other words, he was properly tried alone because the liability was separate and several. There was no distinction between such a case, and one in which other persons, indicted along with a prisoner, had not appeared and pleaded. The argument of inconvenience, and of a possible resulting repugnancy, on the face of the record applied as much in one case as in the other. See also *R. v. Plummer* (1902) 2 K.B. 341."

The reasonable conclusion, therefore, is that each conspirator may be charged separately, although others are available and are separately charged. It is supported by the weight of authority, and but for the confident opinion of counsel to the contrary, I should have thought it not open to debate.

The final inquiry is whether Regan, who is separately charged with conspiracy with Tanner and others, can be called as a witness against Tanner, who is separately charged with conspiracy with him and others. This is the actual question before the Court; but because the answer so largely depended upon whether or not the parties could be charged separately, I dealt with that first.

It is, of course, clear that persons jointly indicted and tried together cannot be compelled to give evidence (Russell on Crimes, 7th Ed. Vol. 2, p. 2120 (a) *R. v. Daoust* (1902) 3 O.L.R. 653; *R. v. Connors*, 5 C.C.C. 70), and equally clear that *ordinarily* persons separately indicted, or jointly indicted but tried separately, are compellable witnesses. In the course of the argument in *Queen v. Payne*, L.R. C.C. Vol. 1, p. 354, a case was cited where two persons had *been indicted and tried together* and it has been held that one could not call the other to give evidence, Cockburn, C.J., said: "The remedy is to have them tried separately."

In 4 C.E.D., p. 645, the law is stated as follows:—

"As regards co-defendants who are not being tried jointly, one may be compelled to testify against the other. This applied to co-defendants jointly indicted so long as they are tried separately." *R. v. Blais* (1906) 10 O.L.R., 345, and *R. v. Jerrett*, 22 U.C.Q.B. 499."

See also Phipson on Evidence, 6th Ed. p. 453; *R. v. Windsor*, L.R., 1 Q.B. 287; Wigmore p. 1014, Kenney's Criminal Law, 15th Ed., p. 479; *R. v. Gallagher*, 13 Cox 61; where it was held that one who had pled guilty was a competent witness. His interest in the acquittal of another conspirator was the same as the interest of one tried separately. The record made up on the indictment on a separate trial is complete in itself and presents no inconsistency or repugnancy.

The great weight of authority is against the conclusion that any different rule obtains in the case of conspirators. Regan is not a party to the issue against Tanner. I think that the Evidence Act makes him a compellable witness; and I am accordingly of opinion that his application should be dismissed.

Extra Work Involves Extra Hours of Duty

THE EMERGENCY POWERS (Defence) Act and the Regulations made thereunder, together with other Acts and Regulations will bring an extra quota of work for the police, and there are times when it will be impossible for them to get their much wanted and needed period of rest. But when there is a "job of work" for the policeman to do his motto will be as it always has been, "Let's get the job done before we think of rest." Talking of extra hours of duty, we were asked recently if it was true that orders had been issued that in future (during the emergency) the police were to do twelve hours a day instead of the usual eight. Our reply to that questioner was, "A policeman is on duty from the moment he is sworn in till the moment he retires or leaves the Service, and if he is required for 26 hours' duty in one day or eight days in one week, he will be there all the time."

Police Chronicle and Constabulary World.

The Mental Element in Crime

by J. C. MARTIN, K.C.

HUMAN BEINGS are always filled with desires, and what they do is directed towards the satisfaction of those desires. They are endowed with the faculty of choosing among various means or methods by which that satisfaction is to be attained. This faculty of choosing is the will, which expresses itself in our acting or refraining to act, for it must be noted that the latter often requires just as deliberate a choice, just as conscious an effort of self-control, as the former. But society has felt that in its own interest the individual should not be left entirely free to choose, and accordingly, speaking through the Legislature, it has limited his choice. For example, a man may desire a watch and there may be many ways by which he can acquire one, but society has told him that he may not get it by picking his neighbour's pocket. If, in spite of this prohibition, he proceeds to satisfy his desire in that way, society, speaking this time through the courts, will visit its displeasure upon him by taking away his freedom of action for a time.

Yet it is more than a political maxim to say that, under our system, "a man may think the thing he will." The will of society—that is to say, the law—regards rather what he *does*. "The standards of the law," said the late Mr. Justice Holmes, "are external standards, and however much it may take moral considerations into account, it does so only for the purpose of drawing a line between such bodily motions and rests as it permits, and such as it does not."¹ And again, "There is no law against a man's intending to commit a murder the day after tomorrow. The law only deals with conduct."²

Here, in the word 'intending', we reach the essence of the criminal law. It is true that intent is not punishable without action; it is also true, as a general rule, that action is not punishable without intent. However, this latter statement is subject to qualification, and it has been said³ that there are three kinds of subject matter which exclude *mens rea*, or the guilty mind:

(a) Things not really criminal but prohibited under penalty in the public interest, (e.g., offences against the revenue laws,);

(b) Public nuisances;

(c) Cases where the proceeding is criminal in form but really civil in its nature, (e.g., cases under acts providing summary procedure for dealing with disputes between masters and servants). Such cases are often said to be 'quasi-criminal'.

The judgment in a recent Canadian case⁴ contains the following explanation:

"The statute (the Weights and Measures Act) is for the protection of the public, and in respect to such enactments, as well as those relating

¹"The Common Law," by Oliver Wendell Holmes, Jr., p. 110.

²Ib., p. 65.

³*Sherras v. DeRutzen*, 1895, I.Q.B. 918.

⁴*Rex v. Piggly Wiggly Canadian Ltd.*, 60 C.C.C. 104.

to the revenue, the sale of intoxicating liquor, and most, if not all of those containing prohibitions not falling within the proper domain of criminal law,⁵ the general rule is contrary to the common law, that *mens rea* is not a necessary ingredient of the offence. As stated in *Hotchin v. Hindmarsh*, 1891, 2 Q.B. 181, the mere doing of the prohibited thing or 'the physical act' in itself constitutes the offence; the reason as given by Brett, J., in *Reg. v. Prince*, 1875, L.R. 2 C.C.R. 154, at p. 163, being that such enactments 'do not constitute the prohibited acts into crime—but only prohibit them for the purpose of protecting the individual interests of individual persons or of the revenue'.⁶ It has been held, however, that, while *mens rea* may be dispensed with by statute, "the terms which should induce us to infer that it is dispensed with must be very strong."⁷

Apart from these exceptions, it may be said that intent marks the great divide in human conduct, for just as water falling on one side of the geographical Great Divide will flow towards the east and that falling on the other side will flow at last into the Pacific, so may our acts be criminal or innocent, accordingly as intent is present or absent. What then is intent? In the sense in which it is used in criminal law, it has been defined to be "the voluntary direction of the mind to an unlawful or wrongful act or conduct,"⁸ and Dr. Mercier says that "he does wrong who seeks gratification by an unprovoked act of intentional harm."⁹ These two expressions are in accord, although the latter calls for some comment. Provocation may, as we shall see, make a culpable homicide manslaughter instead of murder, or it may be considered in mitigation of penalty, but under the law it does not exculpate. Again, Dr. Mercier would restrict the word 'gratification' to mean the satisfying of some selfish desire,¹⁰ which seems to me too narrow. It is true that most of our actions are prompted by self-regarding desires, yet we are all capable of unselfish ones. Even in the commission of a crime, one man may help another without expecting any benefit to himself, but he will be found guilty along with the more selfish perpetrator.

This brings us to the necessity of distinguishing between intent and motive, the former of which is, and the latter is not, a necessary ingredient in a criminal offence. Motive goes beyond intent. The intent is the immediate purpose of the mind to do something, the motive is the ultimate purpose for which the act is done. This difference may be illustrated by an example which will be familiar to all Canadians. The hockey player who is bearing down on his opponents' goal has it in his mind as his immediate purpose

⁵The expression 'the proper domain of criminal law' is, perhaps, rather a loose one which must be taken to refer to the Criminal Code. It is suggested that the reader will avoid confusion if he bears in mind the general definition of crime and what has already been said regarding 'provincial crimes.'

⁶It should be noted that in the case of *Rex v. Prince*, the accused was charged with abduction of a girl under sixteen years of age. He was convicted although the jury found that he had good reason to believe, and did believe that she was over that age. The judgment of Brett, J., was a dissenting one, but the majority opinion was, not that *mens rea* was not an ingredient of the offence, but that the accused could not "set up a legal defence that he thought he was committing a different kind of wrong from that which he was in fact committing." It was pointed out (per Bramwell, B.) that upon a similar principle a man was held liable for assaulting a police officer in the execution of his duty, though he did not know that the other was a police officer.

⁷Cockburn, C. J., in *Rex v. Sleep*, 1861, 8 Cox C.C. 472.

⁸This definition is not mine but I am unable to give the source of it.

⁹"Criminal Responsibility." by Charles Mercier, p. 98. (1926)

¹⁰*Ib.*, p. 179.

to deposit the puck in the net. That is his intention and it is not affected by the consideration that, in order to do so, he will have to overcome the contrary desire of the goal-keeper. But beyond his immediate purpose, the player's desire continues to operate, certainly to the time when the game itself is won. Perhaps there is some objective beyond that—to become the leading scorer in the league, or to impress the scout for a professional team—before his desire will be satisfied and his mind at rest. That ultimate objective is his motive. A man may murder another to eliminate him as a rival, or to gain possession of his property. In such cases we say that the motive was jealousy or avarice, but the murderer is punished, not for the motive, but for the carrying out of his immediate purpose to kill.

It is a legal maxim that a man is presumed to intend the probable consequences of his acts, and very often his intent will be inferred from what he does.¹¹ On the other hand, many sections of the Criminal Code contain words which make necessary the proof of specific intent. Among such expressions are "maliciously," "with intent to injure," "fraudulently," "knowingly," and "wilfully." Of the last it has been said that "generally in penal statutes, the word 'wilful' or 'wilfully' means something more than a voluntary or intentional act; it includes the idea of an act intentionally done with—an evil intent."¹² Where such words are used, the presence of this element must not only be proved; it must be alleged in the charge or information. Thus, in a case in which a bookseller was charged with selling certain indecent and obscene books, the word 'knowingly,' which appears in the Code section, was not in the information. It was held that the defendant could not be convicted.¹³

"There are cases," it was observed elsewhere,⁴ "where the prohibited act, by definition includes knowledge, and by implication *mens rea*. Such is possession; and in *The King ex rel. Hammond v. Cappan*, (1920) 32 C.C.C. 267, where the charge was for being in possession of a still contrary to the Inland Revenue Act, and the accused's statement was accepted that he did not know that the still was on his premises where it was found, this Court acquitted him for that reason.

"Likewise, in prosecutions for using alum in bread for sale, for permitting drunkenness, and for suffering gaming to be carried on, the word 'using,'—the word 'permitting,'—and the word 'suffering,'—were held to involve knowledge."

It may be added that, according to Mercier, knowledge means an appreciation of the circumstances in which the act is done.

So far, there is no difficulty in apprehending that criminal responsibility will follow in cases where it can be said with certainty that the mind accompanies the hand so that what is done is in the fullest sense the person's act, provided, of course, that it is of a sort which is prohibited. It is when this cannot be said that complications arise. Not infrequently it happens that a man sets out to do one act and in the course of it does another which he

¹¹*Rex v. White*, 62 C.C.C. 76; *Rex v. Slaughenwhite* (No.2), 9 C.C.C. 173.

¹²*Anderson v. C.N.R.*, 35 D.L.R., at p. 480. See also Code sec. 509 and Ex p. O'Shaughnessy, 8 C.C.C., at p. 139.

¹³*Rex v. Britnell*, 20 C.C.C. 85.

did not foresee. He is interrupted, let us say, in a burglary, and in making good his escape, injures the householder so severely as to cause death. Or he may shoot intending to kill A, but miss him and kill B.¹⁴ Such cases are covered by the legal rule that a man engaged in a criminal act is responsible for its indirect as well as its direct consequences. There is a well-known case¹⁵ in which, to quote the judgment:

"About six p.m. or a little later, on July 25, 1919, a girl of thirteen years of age was sent by her father to purchase some small articles at a shop. About half-past six she was seen entering the gate which leads into Carfield Mill. The only person then at the mill was the prisoner Beard who was there in the discharge of his duty as night watchman. He proceeded to have carnal knowledge of the girl by force, and when she struggled to escape from him, he placed his hand over her mouth and his thumb on her throat, thereby causing her death by suffocation." It was argued that there was no intention to cause the girl's death and that the verdict should have been manslaughter, but the accused was convicted of murder. This case will call for further mention in other connections.

Another case illustrative of such constructive homicide was one in which the accused had induced a girl under fourteen years of age to go to his room. Shortly afterwards she jumped from the window and was killed. "There is no evidence," says the reported judgment,¹⁶ "that force was used by Valade to make the girl go with him from the street up to his room. The Judge has stated what the facts are, and I hold that the Robertson girl could not give a consent. We are therefore to conclude that she was taken by the accused to his room against her will. From the time that she went into the building until she jumped or was thrown from the window, I hold that the accused had charge of her.

"In that time he committed an offence upon her. If he threw her out of the window or drove her by fright to jump out of the window, it would have been murder.

"We are of the opinion that there is evidence of manslaughter."

One of the other Judges quotes with evident approval, although the distinction between felonies and misdemeanours has been abolished in Canada, statements that the modern tendency in English law is to limit this rule to such felonies as are likely to cause death, and that "there is great force in the view that this form of murder should be confined to responsibility for felonious acts involving obvious danger to human life."

It is possible, however, to go beyond the immediate point of decision in this case, and to say that, even had the girl been of an age to consent, the accused could not have availed himself of that consent as a defence. This would be true whether there came a moment at which she ceased to be a consenting party and jumped from the window to escape him, or even, to put the extreme case, if he were helping her in her own desire to commit suicide. The Criminal Code provides that "if such consent is given, (i.e.,

¹⁴Archbold's Crim. Pl. 891.

¹⁵*Rex v. Beard*, 89 L.J.K.B. 437.

¹⁶*Rex v. Valade*, 26 C.C.C. 233.

consent to the infliction of death), it shall have no effect upon the criminal responsibility of any person by whom such death may be caused."¹⁷

In 1934 the Court of Criminal Appeal in England gave a comprehensive statement of the law relating to consent in criminal cases. The Court was dealing with a case in which the facts, briefly, were that a girl, in order to gratify the sexual desire of the accused, had submitted to his whipping her with a cane.¹⁸ Excerpts from the judgment are as follows:

"We think it of importance that we should state our opinion as to the law applicable in this case. If an act is unlawful, in the sense of being in itself a criminal act, it is plain that it cannot be rendered lawful because the person to whose detriment it is done consents to it. No person can license another to commit a crime. So far as the criminal law is concerned, therefore, where the act charged is in itself unlawful, it can never be necessary to prove absence of consent on the part of the person wronged in order to obtain the conviction of the wrongdoer. There are, however, many acts in themselves harmless and lawful which might become unlawful only if they are done without the consent of the person affected. What is in one case an innocent act of familiarity or affection, may in another be an assault, for no other reason than that in the one case there is consent, and in the other consent is absent. As a general rule, although it is a rule to which there are well-established exceptions, it is an unlawful act to beat another person with such a degree of violence that the infliction of bodily harm is a probable consequence, and, when such an act is proved, consent is immaterial. We are aware that the existence of this rule has not always been clearly recognised. In his *Digest of the Criminal Law*, Art. 227, Sir James FitzJames Stephen enunciates the proposition that "every one has a right to consent to the infliction upon himself of bodily harm not amounting to a maim." This may have been true in early times when the law of this country showed remarkable leniency towards crimes of personal violence, but it is a statement which now needs considerable qualification."

After citing some exceptions, drawn chiefly from sports involving physical contact, the judgment proceeds:

"In the present case it was not in dispute that the motive of the appellant was to gratify his own perverted desires. If, in the course of so doing, he acted so as to cause bodily harm, he cannot plead his corrupt motive as an excuse, and it may truly be said of him in Sir Michael Foster's words that "he certainly beat with an intention of causing bodily harm, he had no other intent," and that what he did was *malum in se*. . . . Always supposing, therefore, that the blows which he struck were likely or intended to do bodily harm, we are of opinion that he was doing an unlawful act, no evidence having been given of facts which would bring the case within any of the exceptions to the general rule. In our view, on the evidence given at the trial, the jury should have been directed that, if they were satisfied that the blows struck by the prisoner were likely or intended to do bodily harm to the prosecutrix, they ought to convict him, and that it was only if they were not so satisfied, that it became necessary to consider the further question whether the prosecution had negatived consent."

Thus it follows that only in those cases in which the interests of the parties to the act, and theirs alone, are affected, will consent be an excuse. When the interests of other parties, or of the public, are injuriously affected, it is

¹⁷Code sec. 67. See also *Whitelaw v. Wilson*, 62 C.C.C. 172, a case in which husband and wife had entered into a suicide pact.

¹⁸*Rex v. Donovan*, 103 L.J.K.B., at pp. 677, 678.

not an answer. When consent does afford a defence, it does so because, to return to our definitions, it takes away the wrongful or harmful nature of the act.

There are other circumstances which excuse because they take away the 'voluntary' nature of the act. Thus, since self-preservation is our most deeply rooted instinct, self-defence will excuse an act which would otherwise be punishable.¹⁹ In the words of the Code, one is "justified in repelling force by force," provided that he uses no more force than is necessary for that purpose. Moreover, if necessary force be used in putting down a riot or a breach of the peace, in executing lawful process, or in carrying out the sentence of a Court, no criminal responsibility will follow. This, it may be explained in these days of totalitarian theory, is not because the state is everything and the individual nothing, but because criminal conduct is anti-social and, by an extension of the instinct of self-preservation, society will defend itself against its enemies within as well as against those who attack it from without.

Within the same general principle are those cases in which a person acts through fear or as a result of some *external* compulsion. If sovereign power be seized, one does not render himself criminally liable because he obeys the laws laid down by the authority in power.²⁰ The same is true of a person who commits a crime under the influence of fear induced by threats of immediate death or grievous bodily harm. But this will not excuse the commission of a capital crime, an attempt to murder, forcible abduction, robbery, causing grievous bodily harm, or arson. Nor will it excuse a crime committed by a member of a (presumably terroristic) association or conspiracy, because the act of becoming a member was voluntary in the first place.²¹ It used to be the law that a married woman who committed a criminal act in the presence of her husband was presumed to have acted under his compulsion, but the Criminal Code has expressly removed that presumption.²²

While we are dealing with the subject of external compulsion, we may properly mention hypnotism. It does not appear that this has been raised in criminal cases in British jurisdictions, but a discussion in the *Canadian Bar Review*²³ cites a number of cases in Europe and South America in which it was alleged that crimes had been committed by persons under hypnotic influence. There is a reported Canadian case²⁴ in which a professional hypnotist intervened with some surprising results. After interviewing the accused he was instrumental in finding a rifle for which exhaustive searches had been made previously without success. Later he made several visits to the accused for the purpose of obtaining a confession, and after one such visit, informed the police that they might expect a confession soon. Within a few minutes the accused sent for a detective and made a confession to him.

¹⁹This and other "Matters of Justification and Excuse" are covered by section 16—68 of the Code. It will be noticed that in some cases the conduct is 'justified' while in others it is 'protected from criminal responsibility'. In the latter case the person acting must be prepared to show that what he did was necessary if he is to avoid *civil* liability.

²⁰Code sec. 68.

²¹Code secs. 20 and 131.

²²Sec. 21.

²³"Hypnotism and its Legal Import", by Gurston S. Allen. *Canadian Bar Review*, Vol. 12, p. 14.

²⁴*Rex v. Boober*, 50 C.C.C. 271.

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When this confession was tendered as evidence at the trial, a professor of medicine in the University of Alberta testified that the influence of hypnotic power may remain upon the subject after the performer has ceased to be in contact with him. The same witness stated that "the effect may still exist in the subject, although not apparent to the ordinary observer, and that the general effect upon the subject is to weaken his mental control." The trial Judge, not satisfied that the hypnotist had not used such influence upon the accused, declined to admit the confession. The question did not arise whether an accused person would be entitled to acquittal if his crime had been committed under hypnotic influence whereby the will of someone else was, so to speak, substituted for his own. This case cannot be taken to be authority on that point. Still, to judge from the reliance which the Court placed upon the medical testimony, it seems to contain more than a hint that such a defence might be well-grounded.

St. Paul said "When I became a man I put away childish things." Nevertheless, childish things sometimes, and not least in excuses for wrongdoing, continue into adult life. A child soon learns that "I didn't mean to" will often avert parental wrath.

I reach towards an ash-tray and the end of my cigarette comes in contact with my friend's hand. "I didn't mean to," and he forgives me because there was no intent to hurt him, although his burn is none the less painful for that. This excuse will not be effective where an act has been done under mistake of law, because everyone is presumed to know the law,

but it is a good answer when the mistake was one of fact, as when a hunter shot a man in mistake for a moose.²⁵ So it is said that an act will be excused if there is an honest, although mistaken belief in a state of facts which, if it existed, would justify the act. This is the basis of the defence of 'colour of right.'²⁶ If I am leaving a restaurant and pick up someone else's umbrella thinking it to be my own, my mistake excuses me. To take another example, different in kind but equally obvious, a woman who has married a second time, honestly and with good reason believing that her first husband is dead, will not be convicted of bigamy if it appears later that he was alive.²⁷

However, the mistake must be a reasonable one and, if it be otherwise, criminal responsibility will accrue. There is a reported case²⁸ in which a tribe of Indians believed in the existence of an evil spirit called a Wendigo, which appeared in human form and which ate human beings. Believing that a Wendigo was in the vicinity of their camp, the tribe, among other precautions, posted armed guards. The accused, who was one of the guards, caught sight of a person running, challenged but received no answer, whereupon he shot and killed the other, who, as it turned out, was his own foster-father. It was argued that at common law the following of a religious belief would be an excuse, and that in that view the mistake was not unreasonable, but an Appeal Court held that there was no justification for the killing and that the accused was properly convicted of manslaughter.

Again, there are times when the child's "I didn't mean to" receives the answer "But you ought to have known," and much the same reply is sometimes given to adults. This is so, for example, when bodily harm is done "by wanton or furious driving, by racing or other wilful misconduct."²⁹

²⁵*Rex v. Oxley*, 23 C.C.C. 262.

²⁶See Code sec. 347.

²⁷*R. v. Tolson*, 58 L.J.M.C. 97.

²⁸*Rex v. Machekequonabe*, 2 C.C.C. 138.

²⁹Code sec. 285.

(To be continued)

Donation to Museum

MRS. CORA MCGANNON of Brockville, Ontario, daughter of the late Superintendent J. M. Walsh, has very kindly presented to the R.C.M. Police Museum in Regina certain articles and documents of considerable historic value to the Force.

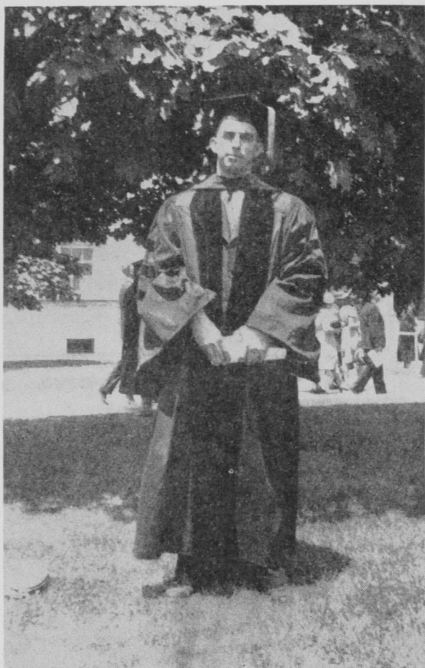
In the collection are specimens of Officers' equipment, including a sword of cavalry pattern, inscribed with the initials of Superintendent Walsh and bearing the motto of the Force. Among the documents is an account submitted during the year 1877 by a firm of Military Tailors relating to the supply of articles of uniform to Superintendent Walsh. This item is of especial interest in that it discloses the fact that the dress tunic for Officers of the N.W.M.P. was patterned identically on that worn by the 13th Hussars, thereby disposing of an argument of long standing. Another paper which is calculated to excite extreme interest is an original address tendered to Superintendent Walsh by the Non-Commissioned Officers and men of "B" Division on the occasion of his retirement from that Command in 1883.*

Superintendent J. M. Walsh served with the Force from September 25, 1873, to September 1, 1883. In the year 1875 he established the second Police Post in the West near the Cypress Hills of Southern Saskatchewan, known as Fort Walsh.

*NOTE: The contents of the document referred to are fully quoted in the "Old Timers' Column" of this edition of the *Quarterly* at p. 168.—Ed.

The Induction of Surgeon Maurice Powers M.D., C.M.

ON JUNE 7, 1939, the Chancellor, Professors and Council of New York University, in recognition of the successful completion of his scholastic work and the requisite course of study of Medicine, conferred upon Surgeon Maurice Powers, M.D., C.M., the degree of Doctor of Medical Science in Forensic Medicine.



At the completion of Commencement Exercises held in Ohio Field on the campus at University Heights, New York City, all candidates appeared in the procession attired in the prescribed academic costume. When the campus bell began ringing all candidates assumed their marching positions in columns two abreast and the procession moved to the field where seats were reserved. The Deans, in the order of the seniority of their respective schools, presented to the Chancellor of the University the candidates for the several degrees.

As the Dean arose the candidates for the degrees in his school arose; the Dean then presented his candidates to the Chancellor and at the conclusion of his remarks saluted the candidates by doffing his cap. The candidates thereupon returned the salute in the same manner and promptly resumed their seats.

Having thus been presented the candidates arose in unison in response to a request from the platform, whereupon the Chancellor pronounced the formula conferring the several degrees upon them.

At the conclusion of this graduation ceremony many candidates and their guests were given the freedom of the campus including colonnades of the "Hall of Fames" as well as the privilege of inspecting the many University buildings. The gathering consisted of some 4,600 graduates and more than 10,000 guests.

In this convocation honorary degrees were conferred upon eight outstanding men among whom was included Edward Johnson, Canadian by birth and now General Manager of the Metropolitan Opera Association, who received the degree of Doctor of Music.

Surgeon Powers has studied in the leading United States laboratories and is qualified in all phases of medico-legal work. He is the only resident of Canada holding the diploma for the degree of Doctor of Medical Science in Forensic Medicine. The Royal Canadian Mounted Police are exceedingly fortunate in having a man of his calibre and training as the Director of their scientific laboratory, which was established in Regina during 1937, and *The Quarterly* wishes to take this opportunity to extend to him the heartiest congratulations of all members of the Force on his latest triumph and to wish him every continued success.

Death of Constable Rhodeniser

ON THE night of August 26, 1939, Regimental No. 12690, Constable Willis Edward Rhodeniser of "F" Division, was killed in the execution of his duty near Carlyle, Saskatchewan, by an escaped Indian-murderer named Nelson Sammy, of the White Bear Reserve.

During the previous evening Nelson Sammy shot and killed his wife, father-in-law and mother-in-law and escaped into the heavy bushland. The motive given was jealousy. On August 26, Constable Rhodeniser with dog "Tell" arrived on the scene from Yorkton to assist in the extensive search for the fugitive which until then was unsuccessful.

On towards dusk that evening word was received as to the definite whereabouts of the fleeing Indian. At this time darkness was just beginning to set in but in view of the danger the wanted man was to others, and of the terror he caused to the Indian inhabitants in the vicinity, the police party of four under Corporal Paton's supervision decided that an immediate attempt should be made to affect his arrest. Nelson Sammy, who was reputedly a good shot, was known to be armed and to have made open threats against any person who stood in his way. After some time dog "Tell" picked up the trail and, working off the leash, tracked it for approximately a mile and a half through thick bushy country when he gave tongue sharply indicating thereby that he had "flushed" his quarry. Constable Rhodeniser, with no thought for his own safety, ran towards his dog, whom he possibly thought had captured the Indian, and turned on his flash light. An exchange of shots followed. Constable Rhodeniser fell mortally wounded. A bullet had passed through his body and he lived only three minutes. So ended the career of the first dog handler in R.C.M. Police to die on duty.

The late Constable joined the Force in Ottawa, on July 2, 1935, at the age of 24, undergoing his training at Rockcliffe Barracks. He was transferred to Calgary the following year and is one of the first candidates to take the dog-training course at the newly-established kennels there. Upon graduating from the school in March, 1937, Constable Rhodeniser was moved to Regina with his canine charge for active police duty. He was very interested in

his work, being exceedingly fond of dogs, and was a popular member of the Division; his untimely death will come as a distinct loss to all who knew him well.

At the request of his parents, Mr. and Mrs. Wallace Rhodeniser, the remains were shipped to his home at Farmington, Lunenburg County, N.S., for burial, where he received a military funeral on 2nd September. Seventeen uniformed members of the Force, headed by Inspector Kempston acted as pallbearers and a mourning party, accompanying the casket to Parkdale Cemetery, four miles away, where interment was made in the family plot. Practically all the inhabitants from the surrounding countryside were present and many floral tributes were in evidence, including wreaths from "F" Division, "H" Division, and Yorkton and Weyburn Sub-divisions of the Force.

Besides his mother and father, Constable Rhodeniser is survived by two brothers and four sisters. The Force again extends to the family through the *Quarterly* its sincerest sympathies in their deep grief.

Another name will be perpetuated on our Honor Roll in the Old Chapel and on the Memorial in Regina to those who have died gallantly in the execution of their duty.



Police Dog "Tell"



Cst. Rhodeniser

My First Northern Patrol

by CONST. J. H. BILTON

DURING THE Spring of 1932 I left Edmonton, Alberta, bound for duty in the North. On reaching Fort McMurray (the end of the steel) we boarded the Hudson's Bay Company's stern-wheeled river steamer, "Northland Echo", and proceeded down the Slave River in the direction of Lake Athabasca, thence to Fort Chipewyan, and on to Fort Fitzgerald, Alberta, where we disembarked and travelled over the thirteen miles of land portage to Fort Smith, in the N.W. Territories. There we boarded the S.S. "Distributor", another of the Hudson's Bay Company's river fleet.

The various passengers on board, consisting of missionaries, nuns, nurses, traders, trappers and natives all bound for their respective destinations, thoroughly impressed me, and made me realize what fine people were to be my friends for the next three years.

For seven days after leaving Fort Smith the stern wheel thrashed the muddy water with easy rhythm as we passed through this vast wilderness, making stops at the various posts along the route, usually one hundred and fifty miles apart, until Fort Norman, where I was to be stationed, was reached.

The white population of this settlement consisted of twelve people, and a sprinkling of trappers appeared there from time to time. It was naturally the meeting place of quite a number of Indian tribes, which congregated on the beach whilst the "Distributor" made fast.

A distance of approximately eleven hundred miles had been travelled by water, during which time I had seen the truly magnificent sight of the much-famed golden sunset over Great Slave Lake.

On arrival I met the man whom I was to relieve. He naturally wanted to know of the "outside" news, and I had many questions to ask in connection with my new post, so that evening soon wore on into morning.

During the remainder of the summer various detachment duties were performed, and in the early autumn the detachment fishery was established, where a member of the detachment, together with the special constable performed the task of feeding the dogs and catching sufficient fish for the use of dog feed during the coming winter. Prior to freeze-up, dogs, equipment, etc., together with several thousand pounds of fish, were brought to the Fort by scow, after which the fish nets were cleaned, dried, folded and packed away for the following year.

With great pleasure I watched the last boat sail for the South in late September, and patiently waited for the river to freeze over. Having only left England some one and a half years before, it was hard to imagine that the MacKenzie River, with its great expanse of water, could freeze to the extent of six feet in depth.

From then on, until the approach of the time I was to make my first long patrol, my duties consisted of regular police routine work and preparing for the winter. Considerable time was taken up in culinary experiments in the kitchen to be assured that the inner man would be properly cared for. Each man took his turn at the noble art on alternate weeks. Harness had to be repaired, and raw-hide soaked and stretched over the

toboggan heads as a protection when travelling on trails through the timbered country.

As the snow began to put in an appearance the dogs were given considerable exercise. It will easily be understood that the writer, not having handled these beasts of burden previously, had considerable to learn. The Corporal in charge of the Detachment, a seasoned old-timer, showed a great deal of patience, in that he took no end of pains in teaching me the art of dog driving. Now and then he said certain things which presumably were not meant for my ears, but fortunately I overheard him. Consequently I was convinced that I must at all times be master of the dog, and not let the dog be master of me.

During the long Fall evenings I listened to stories of the trail. Seasoned trappers with many years in the North would arrive in the settlement in quest of provisions and their mail, and would call at the Detachment; then many unusual and interesting experiences were heard.

I was told of the hardships that were ahead of me on the trail, and learned that the lacings, or thongs, of the snowshoes were the cause of much heartache and discomfort to the new-comers in the north country. In fact I was so thoroughly convinced that I would have blistered and sore feet during my first season of travelling, until such time as I had become accustomed to the continual friction of the thongs, that I thought the Detachment should be issued with invalid crutches to ease the discomforts of the snowshoe patients.

During the early winter short patrols were made. Then a wireless message was received in December from the Officer Commanding the Sub-Division at Fort Simpson, to the effect that a general patrol had to be made to Cameron Bay, or Port Radium, as it is now known. The journey to be covered was a distance of seven hundred and thirty-three miles the round trip, and, of course, had to be made by dog team. Instructions were that if possible the patrol had to be in Cameron Bay by January 18th, which was only twenty-six days away. The purpose of this patrol was to report on general conditions, and certain matters of official nature had to be attended to at Cameron Bay. The patrol was to meet the Inspecting Officer of the Sub-Division at that point on his tour of inspection.

The N.C.O. in charge of the detachment instructed me to prepare for the trip. By this time I had gained, as I believed, some knowledge of the care and maintenance of dogs and equipment. A few days were spent checking and attending to equipment to withstand the long journey. Toboggans were taken indoors, where the boards were smeared with wax and a warm flatiron used. It might be of interest to mention that this treatment is used to prevent wet snow, encountered on bush trails, from sticking to the boards; which results in heavily laden toboggans pulling hard, thus causing the dogs to tire very quickly, and that, of course, must be avoided.

The task of preparing food for the trip was attended to; bannock was made, beans were cooked and then put outdoors to freeze; bacon, sugar, jam, butter, salt and tea were packed, and as a special treat a few tins of sardines were taken along.

The day before departure each toboggan was loaded with its allotted amount of dog feed (green fish, approximately one hundred and fifty

pounds), our rations, candles, matches, eiderdowns, a change of clothing, four sets of snow-boots per man, and duffles. Each man took along an axe, a pair of snowshoes, rifle and ammunition. Then there was the tent, small tin stove and cooking utensils, together with a small medical kit—making a load in all of around three hundred and twenty pounds to each toboggan.

In the early morning of December 27th, the N.C.O. in charge, the Special Constable (Indian guide), and myself, lined up our respective toboggans, three in number, and proceeded to the dog lines, where a great commotion was in evidence. The dogs realized that something was afoot. They were giving tongue in great style, and very anxious to hit the trail. After a great deal of snapping and snarling the teams were hitched, five to each toboggan.

The start was made with the Corporal in the lead, the Indian guide and his team next, then I followed. A prearranged stop was made at the Roman Catholic Mission in the Fort, where a priest with his team awaited to join the party and accompany us to Fort Franklin, where he intended visiting the Indians.

The first few hours of the journey appeared to me a nightmare. The dogs knew no bounds; they were travelling almost as though they were unburdened. My greatest concern was to hold on tight, and endeavour to control them as much as possible until such time as they had tired somewhat and settled down to real hard work.

The distance from Fort Norman to Franklin is ninety-two miles. One third of the trail had been constantly used, therefore the going was comparatively good. In the early P.M. of the second day the patrol first encountered deep snow and no trail. Then the fun began, and here we camped for the night.

From this point on it was decided that I would take care of the four teams. The N.C.O. and the priest, together with the guide, were to go ahead and break the trail with snowshoes, each in the lead alternately for one hour. The snow was soft and wet, with a depth of eighteen inches to two feet in places. In my capacity of attending the teams it was with thankfulness that I found I could avoid wearing the dreaded snowshoes a little longer, as I had to follow behind the last team on the broken trail.

Progress was very slow due to the fact the old trail marks (axe cuts on trees) had to be located. A whole day was spent in covering only eight miles because the patrol was confronted with a large area which had been laid bare by a forest fire during the previous summer. This naturally proved a great obstacle in our efforts to strike the trail at the edge of the timber, where the patrol was to continue its journey.

On looking back it is believed I had the worst job during that period, for if there is anything on earth that can get more tangled and disarranged it is a dog team, and there were four of them to look after. Continuing for a day and a half I thought the time was ripe to approach the N.C.O. and mention the fact that I considered myself no longer a tenderfoot, and wished to put on my snowshoes and get out there in front and do my share of the toil. With a smile he informed me that he had intended that

I should have a taste of it in his own good time, but as I was anxious, there was no time like the present.

It did not take very long for me to realize the consequences of my initiation to the constant wearing of snowshoes. The calves and thighs of my legs began to ache and become stiff, and my feet were blistered at the end of the day. One simply had to grin and bear it, and use a liberal amount of iodine. The prevailing conditions were far different to those when I would take long walks secretly from Norman in an effort to harden myself to the use of these necessary evils, with the thought of creating the impression that my feet were a little better than the average. My feet healed in the course of a few days, and from then on, and for the remainder of my service in the north, I was never troubled again.

Each evening when the camp location had been decided upon each man mechanically fell to his respective task; unharnessing, securely tying and feeding the dogs, cutting and spreading spruce boughs on which we were to make our beds, setting up the tent and tin camp stove, chopping wood, and hauling the equipment and food into the tent to be used for the night. The copper camp kettle would continually be filled with snow, which would be melted on the stove until its capacity of water had been reached (this method is used where ice is not available), then the tea would be made, beans thawed out, bacon cooked, and bannock arranged closely around the stove to thaw out, when the meal would commence.



Patrol on Great Bear Lake, N. W. T.

The dogs would finally be looked over before the tent flaps were secured for the night. The fire would be re-kindled, and our wet foot-gear and clothing set out over the ridge pole to dry. We in turn would recline in our eiderdown robes, discussing plans for the following day, and the accomplishments of the one just spent. After a time the embers in the stove would be smothered with snow, and directly the occupants would be fast asleep.

Every morning, weather permitting, camp would be broken, and in short order the patrol would be on the trail once more.

After several days following the bush trail, the patrol arrived on the shore of Great Bear Lake in the late evening. The roar of the open water could be heard where the lake empties into the Bear River. The current at this point is very swift, the river remains open all winter for a distance of two hundred and fifty yards. It was necessary for the patrol to pass very

close to the water's edge, this being the usual route taken when approaching Fort Franklin. A slight fog was enveloping the lake, but the lights of the dwellings in Franklin across the Bay could be seen.

The best lead dog was used on the first team, as it was thought he would have no trouble in keeping on the trail. However, when a third of the way had been traversed the fog became soupy, and it was difficult to distinguish the team immediately ahead. The lead dog soon failed in his task, and with the danger of open water foremost in his mind, the Corporal called a halt. Seeing it was useless to try to return to shore he ordered all four teams brought together to form a small circle. It commenced to snow and the wind soon attained gale force. We were then instructed to secure the lead dogs to the rear of their respective toboggans. It did not take them long to curl up with their backs to the storm. We, in turn, laid a caribou skin on the ice in the lee of the toboggans, and sheltered ourselves with the eiderdowns, having first tied a rope from the sleighs to ourselves as a precautionary measure, for in the event of the dogs bolting each man would be in the position to handle and control his own team.

Sleep was out of question. We must have looked a pathetic sight out there bunched up as a caravan during a sand storm on the Sahara desert; and with safety and security so near at hand, but yet so far.

As the night wore on the storm cleared. With daylight and a clear sky Fort Franklin was seen in the distance. Frost bites were numerous, especially on the face and hands of all, and the following few days saw considerable skin peeling. It was gratifying to learn that I had experienced that night an adventure just as gruelling as any of the old timers on the patrol had been through before.

With final instructions the Corporal ordered me on the 7th of January to proceed in company with the guide and two trains of dogs to Cameron Bay. The guide had been over the trail on previous occasions, and was familiar with the journey to be undertaken.

When leaving Fort Franklin the patrol took sufficient rations and dog feed for eight days. It proceeded along the shore of the lake for five miles, then crossed the Bay to the south-west end of Kieth Arm, then over a thirteen mile portage in McVicar Arm, where a trapper was called upon, and was delighted to receive his mail, the first for five months. In fact, I was the first white man he had seen in that period. He invited us to stay for the night, which we declined, as time was now valuable and it was my intention to continue on to an Indian encampment several miles distant. He hurriedly wrote the replies to certain of his correspondence, which we later mailed in Cameron Bay, and said adieu.

After making our camp for the night I sought out the Chief of the tribe, and from conversation with him, translated by the guide, it was ascertained that good health prevailed amongst his people. I listened to his exploits, and those of his ancestors at considerable length, and also endeavored to learn the reason for the superstition with regard to the killing of wolves, but without avail. It is an established fact that Indians will not on any account kill or destroy this tyrant of the trap lines.

To say the least these natives cherish their past, and as wards of the Dominion Government their well-being will be preserved down through the years.

With a great deal of handshaking, and with the purchase of additional dog feed attended to, the patrol left the encampment in the early A.M. of January 11th, with two hundred miles ahead of us, without the prospects of seeing another living soul, and with the tent as our only means of shelter. The temperature at this time was between 45 and 60 below zero. The snow on the surface of the ice was very deep due to its being sheltered behind the Grizzly Bear Mountain, which runs the length of the bay for a distance of thirty-eight miles.

Progress was slow. The patrol had only travelled fourteen miles by 1 P.M., when a halt was made for lunch. The remainder of the day was uneventful, except that the patrol was hampered by heavy fog and sleet around three o'clock in the afternoon. Toward evening the personnel and dogs were very tired and weary. A well timbered spot was noticed and we camped for the night, having travelled thirty miles, by which time the head of McVicar Arm had been reached.

While feeding the dogs I noticed one of them gave a slight indication of being lame. On close examination of one of his feet it was noted that the outer skin of one of his pads was bleeding and cut, due to the snow having balled there and, contrary to the habit of sleigh dogs, he had torn it away rather than thaw it with his tongue, when the snow would have readily disappeared. The torn paw was dressed with friars balsam, and a canvas boot (carried for the purpose) placed on his foot, which was eventually dispensed with when the foot had healed.

The following morning the patrol headed out to the open lake, which struck me as nothing more than an inland ocean covered completely with ice and snow. Travelling close to the shore was impossible, as the lake had frozen over the previous Fall to the depth of one foot, and had then been broken up by storms and driven on shore, where jagged blocks were left in vertical positions piled up against the shore.

A mile and a half from shore the ice was found to be smooth and level as far as the eye could see. It was thoroughly wind-swept of snow, and gave the appearance of being a huge mirror miles square. This ice we were later to find was approximately eight to ten feet thick. The scarcity of snow proved a stalemate to the dogs, as they were unable to obtain good footing. This condition was very hard on them. Amusing sights were witnessed



Camp on McVicar Arm, Great Bear Lake.

occasionally, when men and dogs would involuntarily be sprawled on the ice. Good time was made, though, when conditions permitted. Throughout the journey each man and team took alternate periods of two hours in the lead, this tending to relieve the respective lead dogs of their arduous task. It might further be mentioned that the hours of daylight were few, and we were walking and running almost every foot of the way. In short the elements were against us for such a trip.

It was noticed that when travelling on the open lake weather was not to be relied upon. In many cases only twenty minutes would elapse after the first sign of snow before a storm would set in, by which time, with a little luck, the patrol would be camped on shore, having sensed the approaching storm.

On January 15th such an occurrence as outlined in the previous paragraph presented itself. We broke camp at seven o'clock that morning, heading out over the rough ice, and when the rim was reached we continued towards our destination. About ten thirty a.m. snow began to fall, a slight breeze was in evidence, and it was apparent what the aftermath would be. So the patrol turned for shore, and we had scarcely erected the tent and tethered the dogs, when one of the wildest storms I have ever experienced broke loose.

It was our good fortune that we were able to pitch the camp between two stout, well-rooted spruce trees. In them we had a solid anchor. We roped our toboggans lengthwise, parallel with the tent, anchoring both ends to the respective trees. Each pair of snowshoes was pressed into service, being thrust deeply into the snow for the purpose of pegging each corner of the tent. A large tree was cut down and dropped in the lee of a large snow drift. During the operation of felling care was taken that the axe only cut partly through the tree trunk, therefore, when on the ground it still remained attached to the roots. To this the dogs were tied, and they weathered the storm very well.

The use of the camp stove was impossible, for one never knew the moment the whole gear would be sailing away with the wind, and we in hot pursuit. Our time was well taken up in keeping everything intact. It should be remembered that the presence of this timber was particularly fortunate for us, for in this particular locality trees of any size growing close to the shore of the lake are very scarce.

Toward evening the storm spent itself, and it was decided that the camp should remain at this location for the night. Everything was surveyed. Very little damage was done, and all the equipment accounted for.

I went over to the dog lines. Not a dog was to be seen, only a series of mounds of snow. They had laid in one position throughout the storm, no doubt sleeping, and the drift snow had completely covered them. In the odd case the lake ice had lacerated their feet, and their claws were broken. Each foot so effected was thoroughly gone over, the claws clipped and trimmed, and the feet dressed. We knew that with the extra rest and food they would be as lively as ever on the morrow.

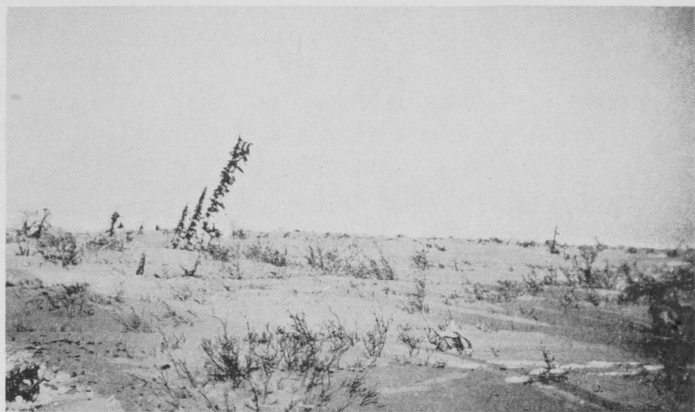
With the exception of a frost-bitten face I came through the storm with no ill effects, as was also the case with my guide.

After everything was placed in order we settled down to our evening meal. Never before, or since, have I enjoyed a meal so well, although it consisted only of beans, bannock, butter, marmalade and tea. It was apparent that I had one of those ravenous appetites a man seldom experiences. It was not long before the tent flaps were once again tied, and we turned in for a well-earned rest, with high hopes of an early start the following morning.

We were astir early, and the aroma of bacon frying was soon in the air. After breakfast the tent was taken down, and together with the camp equipment, was loaded on the toboggans. The stove was emptied, cooled in the snow, and loaded. The surplus cut wood we placed on the hot embers, which provided us with comforts pending the time for moving off at daybreak.

The miles swept by in these first hours of effortless travel. Soon enough, after the effects of the extra sleep-given energy, came the hours of plodding. After

some thirty-two miles the patrol turned inward to the mainland and made camp for the night. The weather was calm, but very cold. It was a clear moonlight night, and our spirits became quite high. A little time was spent on the beach, and our conversation drifted around



Shore of Great Bear Lake near Richardson Island.

to the direction we were to take the following day, and the comforts we intended thoroughly to enjoy when the end of our journey was reached. It was gratifying to know that we were well within our schedule at this point of the trip. Our intentions were to push on the next day across Conjuror Bay, with Richardson Island to our right, and we turned in early, trusting that mother nature would favour us with good weather for our thirty-six mile journey.

A bright moonlight night, be it summer or winter, is a signal for the dogs to have a sing-song. Those familiar with the north will agree that it becomes a very annoying din at times; the dogs never fail to carry it out, and all the inducement in the world to quieten them is practically useless. Each dog in turn will let loose a long-drawn-out howl, pitched in varying notes, until all the dogs are howling in unison. Our dogs, although tired, were true to their hereditary instincts, and they were allowed to continue their endless chorus, for we were very fascinated by it that night.

About two A.M. we were awakened by a loud thunderous noise. Hastily dressing we raced down to the beach where a magnificent sight was witnessed. There appeared in the moonlight a long black line as far

as the eye could see, stretching far out into the lake. During the next half hour the line began to spread out into a wide lane of open water. Having opened for some distance it began to close, and the masses of ice would ride up, forming a wall, then topple back. It was truly a magnificent sight to see hundreds of tons of ice lifted as though it was merely the weight of a feather. The noise was indescribable. The action continued for some time, but eventually all was quiet, and a long natural wall remained.

The patrol was well under way by seven A.M. Some two-and-a-half hours later we were out of sight of land. A slight haze had settled down, but good time was made. A half hour later a stop was made to rest the dogs and have a cup of hot tea from a thermos bottle, this having been made ready the night before.

From then on the outlook was anything but good. It was obvious that a storm was brewing, but there could be no turning back. The patrol progressed, and by eleven-thirty we were in the thick of it. It was blowing down on us from the vast expanse of lake, and lashed our faces as we headed for the shore of Conjuror Bay. There was no let-up. We roused the dogs from their slow plodding, and they courageously responded. Neither man nor beast spent a very comfortable night. In bucking the furious winds I froze my face, the scars from which I carried for weeks.

Our rations by this time were getting low, but it seemed sure from our present location that, with a little luck, we would arrive in Cameron Bay the following evening, and at the most two days hence.

As usual we were up early, camp equipment loaded and dogs harnessed, awaiting the break of dawn. The weather was miserable, but we decided to push on. The dogs moved slowly now, running and walking was evenly divided. However, when we turned into the Bay (at the foot of which was the settlement of Cameron Bay, a distance of one and a half miles from the lake) the moment the smoke from the cabin chimneys entered the dogs' nostrils they excelled in speed.

It was pleasant to realize that we had finished the first leg of our journey in sufficient time, for we arrived there at five-thirty P.M. on January 18th, just eleven days from Fort Franklin. A total of three hundred and ninety-seven miles had been covered.

It was anticipated that only eight days would be taken with the trip over, but due to fog, sleet, storms, and short hours of daylight that had harassed the patrol, it was considered good time had been made.

The whole community turned out to bid us welcome, and many questions were asked regarding our journey around the lake. We were lodged with the Murphy Service's Ltd., whose representative acted as local postmaster, storekeeper, and restaurant proprietor to the entire settlement.

When the dogs had been made comfortable we retreated to the bunk-house where the camp cook had prepared a meal, and needless to say we did it true justice. Meals in the area at that time were \$1.50 each, be it breakfast, lunch, or dinner that was required, due to the high cost of transportation of provisions into the district.

Official business on hand was attended to in the course of the following few days before the Officer Commanding the Sub-Division arrived by plane from Fort Rae during the semi-annual inspection of his district. I accompanied him to the various mines in the outlying regions of the mining area. In fact we were away from Cameron Bay for three days for this purpose, during which time my team of dogs was used for conveyance.

It may be of interest to mention that nearly four hundred miners, prospectors, and trades-people were settled in this locality, also numerous Indians, who visited Cameron Bay from time to time for provisions. At the time of the inspection no complaints were received and crime was non-existent.

With impending expansion, which was to bring further settlers, all pointing to the permanency of the Cameron Bay mining centre, the Royal Canadian Mounted Police established a permanent detachment there during the summer of 1933.

The dogs, with the rest and good feeding, picked up splendidly, and the day fast approached for our return to Fort Norman. Equipment was made ready and provisions assembled for the return trip. We got under way on January 30th. The weather looked anything but promising, but in a day or so it cleared, and good time was made.

The days had lengthened out in comparison to the outward journey, and the fog was practically nil. Therefore long days were spent travelling far out on the ice, thus cutting the mileage down to the bare minimum.

There is very little to add regarding the return journey, for the patrol was not hampered very often by adverse weather. After several days travel from Cameron Bay we met and camped with an Indian and his family at the foot of Grizzly Bear Mountain. It is astounding the way those people just merely decide to move to another district in the depth of winter to trap. His family consisted of his wife and four very young children, and his aged parents. He had settled close to Fort Franklin during the early part of the winter, and thought he would move to the northern-most shore of Great Bear Lake in an effort to secure a good catch of white foxes, as he had been told they were in abundance in that locality. He informed his family of his intentions, loaded his sleigh, which was a large crude affair, with all his belongings and a supply of provisions, and they started out. At the time I feared the worst for the whole outfit should they encounter rough ice. He informed me that he intended to make the journey on the ice up the centre of the lake, where he hoped it would be smooth going



*The writer (centre) with two prospectors,
Cameron Bay.*

all the way. From that point he had to travel two hundred and fifty miles to his destination.

His method was to catch fish enroute for the use of the family, and the feeding of his dogs, by digging holes through the ice and using a hook and line, baited with herring, which the lake trout devour. He showed me his catch for that morning, ten of the grandest trout I have ever seen, ranging from fifteen to forty-five pounds in weight. Time, of course, doesn't mean a thing to those people. I believe they are the most contented people in the world, and go around without a care.

A few days were spent in Franklin resting the dogs and repairing equipment in readiness for the last jaunt through the bush to Norman, which proved a pleasure after being so long on the open lake.

On February 11th we set forth. It was amusing now to be keeping up an average of thirty to thirty-five miles a day, over our old trail on which we had worked so hard to break a few weeks before, when eight to ten miles was considered a good day.

In the late P.M. of February 14th I reported to the N.C.O. at the Norman Detachment that all was correct, the equipment was accounted for, and we attended to official matters the following day. The total mileage for the entire journey was seven hundred and thirty-five miles.

It was grand to be enjoying the pleasures of home again, sleeping on a spring and mattress rather than on the ground for a bed and the tent for a roof, which had been our experience for so long.

In closing I might say the patrol had the usual numerous small troubles and trials, but throughout the entire journey harmony and good will were kept to the front, and no obstacles were too hard to bear or overcome.

For those members of the Force who intend volunteering for service in the north country, I should like to say that it still has the adventures as in the days of old, for there are thousands of miles of tundra and bush country to be traversed; rarely seen by man, and hundreds of miles of rivers and lakes unspoiled by the march of the civilized world.

"Sixteen Years in the Guards....!"

TWO OFFICERS of the Force will vouch for the authenticity of this story:

A familiar sight to recruits at the Depot used to be the unprepossessing figure of old "Bill", an individual employed on such jobs as driving the garbage cart, etc. With his unshaven face, unkempt hair, and generally "scruffy" appearance, he bore anything but the stamp of the old-time Regular.

One day, while emptying the garbage cans behind the officer's quarters, "Bill" was overheard to mutter in a tone of self-commiseration:

"Sixteen years in the Guards, and look at me now."

Intrigued by this apparent revelation of a military past, the occupant of the quarters enquired as to whether or not "Bill" had served in any of the Guards regiments.

"No sir," replied "Bill", "but I would 'ave done if I 'adn't been four inches too short!"

Hollywood

by INSPECTOR W. GRENNAN

A FEW HAVE been privileged to get behind stage and see at first hand the machinery of the Moving Picture Industry. These fortunate ones have enjoyed an experience that will ever remain a pleasant memory. Having been sent there on three different occasions, I will in some small measure, try to portray my observations.

Hollywood is a beautiful part of Greater Los Angeles. The two avenues "Sunset and Hollywood" immediately conjure up dreams of feminine loveliness and fabulous wealth. For it is here, in hotel rotundas, lovely shops, smart restaurants and gorgeous theatres, that one may see the elite of the Movie World. No student of human nature will tire of watching the world go by along these two picturesque promenades. They are sometimes referred to as the boulevards of shattered dreams.

Other suburbs are "Wiltshire" and "Beverley." They are in fact, residential sections of screenland's unique architecture nestling among shrubs of semi-tropical growth. If lucky in obtaining an invitation, the hospitality extended is generous. The city viewed at night from some of the numerous terraces of "Beverley Hills" is a veritable fairyland of dazzling and twinkling lights.

Metro-Goldwyn-Mayer, Fox Twentieth Century, and Warner Brothers are some of the main large studios where all pertaining to filmdom is enacted. The first named is at Culver City, and in every detail is a self supporting community, even down to its own, efficient, Police Department. It is quite impossible to gain access to any of these without properly endorsed credentials.

The following are some of the departments which constitute an up-to-date studio. Production, Script, Research, Casting, Property, Wardrobe, and Business.

In line of sequence the process of producing is somewhat as follows: First the copyright of an outstanding book is purchased. This in turn is handed over to highly salaried script writers. They reduce the story to a condition where it can be properly screened. From here the Research Department takes a hand in acquiring authentic atmosphere. Next, the Casting Office pick the personnel and a Company is formed, which throughout Production is known as either "Maytime Co.," "Rose Marie Co.," or "San Francisco Co.," etc. There are several such companies functioning simultaneously at the same studio. The property branch is notified of the coming production and are expected to have everything available that may be required; and what extraordinary demands are made on this particular staff! A negative answer is not recognized. The wardrobe section now starts to perfect all wearing apparel. This is a tremendous task, especially where feminine stars are concerned. Last but not least is the business end. This embodies financing and publicity.

When all is ready, the EMPEROR of the whole show appears: The *Director*. His word is law. He receives the highest salary and is hardly heard

of. Persons holding these positions are the very cream of the whole organization. Assisting, are camera men and technicians.

The word QUIET on a set is the one most used—generally prior to "Shooting" or filming a sequence. It is autocratic in utterance and if ignored by any present is followed up by caustic remarks with regard to the culprit's intelligence, etc.



*Filming of R.C.M.P. while crossing stream in the production "Rose Marie",
Capilano Canyon, near Vancouver, B.C.*

By "Location" is implied the act of a company leaving its studio for some outdoor setting to film its production. There is very little of this done now-a-days, as almost everything can be duplicated right on the sets at the studios. It is fortunate that this has come about, as most feminine stars being temperamental and accustomed to civilized conveniences do not take kindly to "Location Work." However, one successful picture in which a great deal of the photography was on "Location," was "Rose Marie." The settings in this instance were around beautiful Lake Tahoe in California, and at Capilano Canyon, near Vancouver, B.C.

M. G. M. Corporation have around twenty stage sets on their studio lot, each of extensive dimensions. Their equipment is valued at millions. There is no delay in filming or "Shooting." A company moves progressively from stage set to stage set according to the background required, which is prepared in advance.

The people of the studios (in its broadest sense) are the friendliest one could wish to meet anywhere. They are hard workers, though enjoy well-earned recreation to the full.

The stars of Hollywood possess outstanding ability in their particular categories. They maintain lovely establishments where open house is kept for their own cliché. Any others who are privileged to meet them in this

way are fortunate. I retain happy memories in this respect. The embarrassment caused by an inquisitive and oft-times rude public obliges these people to seek seclusion in many ways.

The high pressure at the Studios during the day is sometimes compensated for by an evening at a popular night club such as the "Cocoanut Grove" or "Trocadero" or a visit to the wrestling or boxing arena, followed by a dainty supper of epicurean quality. Saturday afternoon would generally be given over to riding, polo, or at the races, or attendance at some Varsity football match held at Los Angeles' wonderful stadium. If mid-summer, the numerous beautiful beaches would receive their full quota from the studios. Last but not least, the entire surrounding countryside lends itself to delightful car drives, especially south along the coast to the Mexican border. This pastime is taken full advantage of by the workers in films.

Of the three pictures in which I rendered technical advice, "Rose Marie" afforded me the most interest. When my services were applied for, I instinctively sensed what was required. It was technical information relative to the Force and Canadian life in general, tempered to that degree of correctness which would not take from the Production its romance and glamorous colour, thereby defeating the final end, namely Universal Success. It was this feature which made my duties absorbing and fascinating. The script in its original state needed amending, yet to have harshly corrected same to minute accuracy would have deprived the whole of its attractiveness. I had several interesting and successful discussions in this connection.



R.C.M.P. on location in the film production "Rose Marie", taken at Capilano Canyon, near Vancouver, B.C.

The "arrest" as originally set out in the script was too heavily dramatized. The modifying of the sequence required a deal of persuasive reasoning in order to convince those responsible that a fair and more accurate portrayal

of the Police would be presented by diminishing the active application of armed strength. The success of this amended depiction has proved most gratifying.

In my technical capacity I was expected to have a good knowledge of the customs, habits, dress, etc. of our Canadian people. This necessitated being ever on the look-out for any flagrant inaccuracy and by evening I was glad to relax and enjoy some form of diversion. In this, like everything else, my hosts were indeed most kind.

While on location, the outdoor camping, and travelling episodes around beautiful Lake Tahoe afforded innumerable opportunities of rendering valuable technical help. In the corn dance ceremonies many Nevada Indians were employed, and as they were purely natives of the plains, it required patience instructing them in the handling of canoes. In this connection the whole company enjoyed many hearty laughs observing the "Braves" re-adapt themselves under R.C.M.P. tutorship.

One assistant Director and two camera men spent a month at Vancouver acquiring essential background from the actual mounted life of the Police. Towards this end between forty and fifty of our men gave spectacular displays of horsemanship which unquestionably added very materially to the ultimate success of the production.

Long will I remember the happy days out on location with the two "E" Division Mounted Troops at Capilano Canyon. The great thrill of humour came when a certain N.C.O.'s horse momentarily disappeared in the stream. On next seeing the worthy Corporal, he was being heroically extracted from the icy waters. Another event was during a charge in line, when two horses turned complete somersaults. The men who took part in "Rose Marie" rode daringly. They gave of their best. Only a limited footage was subsequently screened, as the original allotment did not make provision for any more.

Commissioner's Gold Medal Essay Competition for the R. C. M. Police Quarterly

THE COMMISSIONER has authorized an extension of the time limit to December 1, 1939, for all MSS. to reach the Editor in the essay contest relative to the subject:

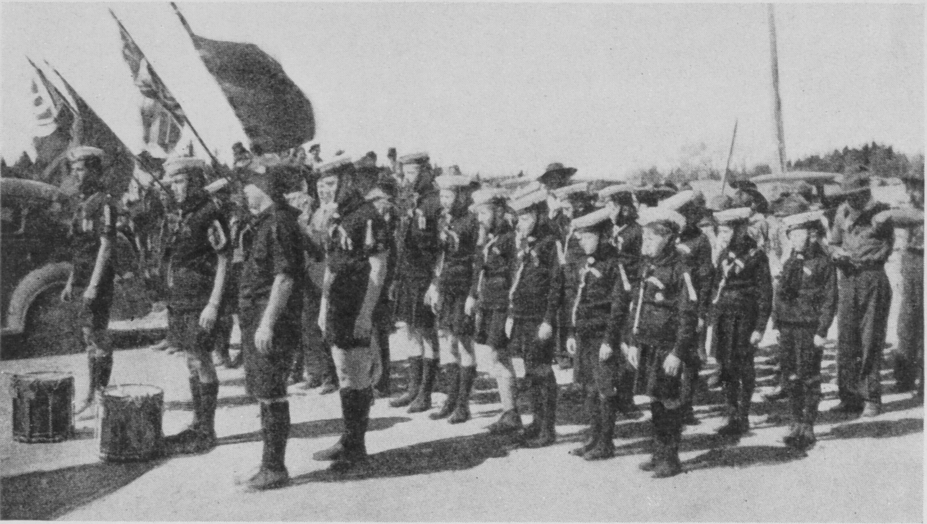
"Any Suggestions Which You Believe Would Increase the
Efficiency of the Force."

Several MSS. have been received already in this connection but to eliminate any possible ground for unfairness, likely to arise due to the haste in which they were prepared to coincide with the date previously announced, it will be in order for the authors, if they so desire, to re-submit their papers.

The convenience offered by this extension should make it possible for every member of the Force and Civil Staff to compile and forward a composition.

Planting Friendship

ON MAY 20, 1939, a group of Canadian and American Boy Scouts met at the International Boundary, Houlton, Maine, and Woodstock, New Brunswick, for the purpose of planting trees to commemorate the birthday of His Majesty King George VI. The American Boy Scouts marched smartly up to the boundary and halted and the Canadian Scouts, accompanied by a troop of Sea Scouts, marched to meet them. The "Star Spangled Banner" and "God Save the King" were then sung by both groups.



Party of Canadian Scouts and Sea Scouts.



At the height of the struggle.

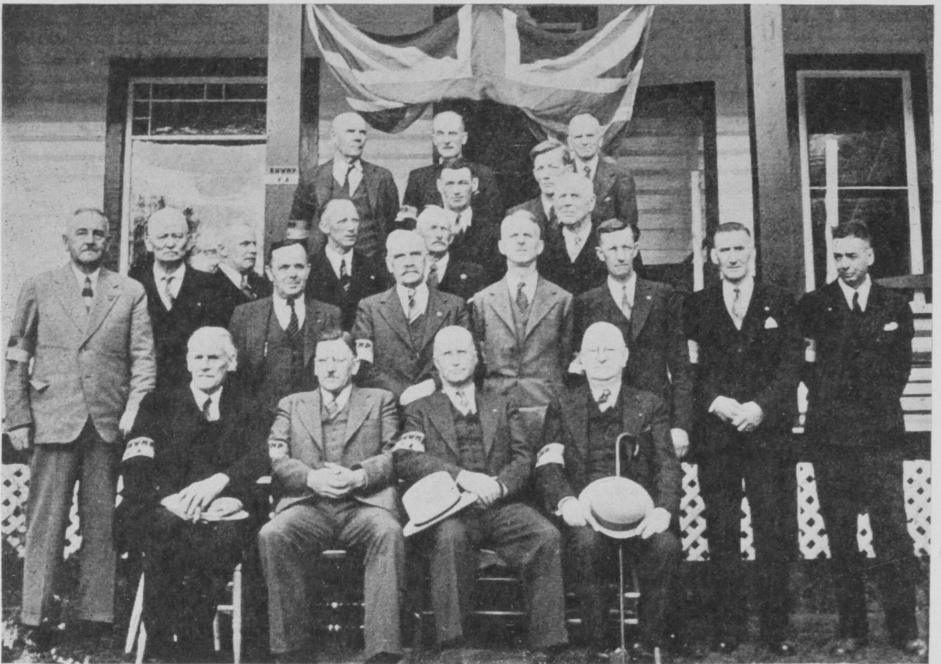
The Canadian Scout Master then read addresses by Sir Edward Beatty, head of the Boy Scouts Association of Canada, and the Honourable J. B. M. Baxter, Chief

Justice of the Province of New Brunswick, who is the District Commissioner for the Boy Scouts Association.

A tug-of-war then ensued between the two groups but inasmuch as the Canadians outnumbered the American stalwarts, two to one, in the interests of fair play, two teams of more equal strength were selected from the combined gathering and the battle de luxe proceeded.

At the conclusion of the sports the two groups mingled freely together and proceeded to plant trees on American soil commemorating His Majesty's birthday. A large crowd was present for the occasion.

R. N. W. M. P. Veterans Association Meet



(See graph on opposite page)

Royal North West Mounted Police Veterans Association Meet

ON MAY 21, 1939, twenty-two members of the North West Mounted Police Veterans Association, "E" Division, met at Banff in response to the kind invitation of one of their number, D. M. Soole, proprietor of the Homestead Hotel and Tavern at that point.

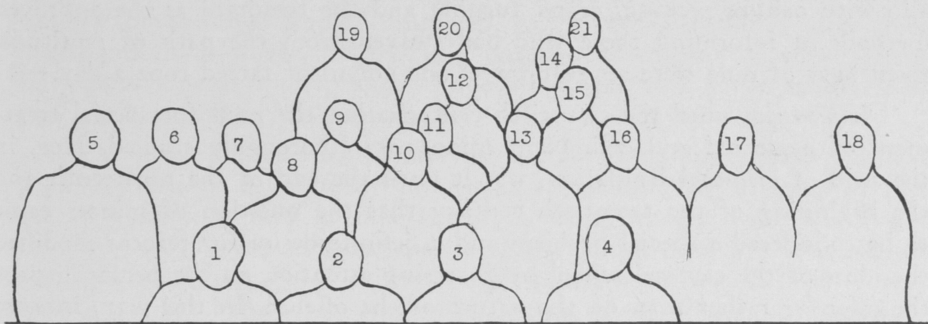
Upon arrival, they all, wearing the official arm band of the Association, were taken by cars on a sight-seeing tour. After visiting points of interest in and around Banff, the party returned to the Homestead Hotel at 4.30 p.m. to hold their regular monthly business meeting, at the conclusion of which a banquet was provided by Mr. Soole. Included in the menu was "Spotted Dog", a dessert which years ago was a weekly treat in the Mess. Toasts were drank to "The King", "The R.C.M.P." and "Absent Members". The repast over, Fred Bagley, the only "Original" present, entertained the gathering with some interesting and amusing tales of his own experiences in the early days of the Force; others of the older members likewise contributed to the evening's amusement. The banquet terminated at 9.30 p.m. with the singing of "God Save the King", and a hearty vote of thanks was extended to Mr. Soole.

Representatives of the R.C.M. Police Calgary and Banff Detachments were present, upon invitation, as guests of the Association.

Regret was expressed by the undermentioned members of the Association who were unable to attend:

Brigadier G. R. Pearks (O.C., M.D. No. 13),
Colonel G. E. Sanders,
Ex-Staff/Sergeant G. O. Reid,
Ex-Sergeants H. C. Oliver, R. Kendall and A. Aspinall.

The graph appearing below, together with the list of names, regimental numbers and present address indicates the identity of each individual in the photograph on the opposite page. The photograph shows everyone who attended the convention, with the exception of Reg. No. 6022, G. Mayson, Banff, Alberta.



(1) Reg. No. 247, F. A. Bagley, Banff, Alta.; (2) Reg. No. 4762, J. Nash, Calgary Alta.; (3) Reg. No. 6516, J. H. Reid, Calgary, Alta.; (4) Reg. No. 3185, P. G. Thomas, High River, Alta.; (5) Reg. No. 4934, R. C. Mansfield, Calgary, Alta.; (6) Reg. No. 1312, J. Stafford, Calgary, Alta.; (7) Reg. No. 4167, D. M. Soole, Banff, Alta.; (8) Reg. No. 4516, H. Sawley, Calgary, Alta.; (9) Reg. No. 8389, W. N. Holmes, Banff, Alta.; (10) Reg. No. 2121, J. R. Manson, Calgary, Alta.; (11) Reg. No. 1286, J. Moore, Calgary, Alta.; (12) Reg. No. 7769, P. McNab, Banff, Alta.; (13) Reg. No. 4563, J. S. Jarman, Calgary, Alta.; (14) Reg. No. 10766, W. F. McCallum, Banff, Alta.; (15) Reg. No. 769, P. W. Simons, Calgary, Alta.; (16) Reg. No. 7346, E. B. D. Mitchell, Calgary, Alta.; (17) Reg. No. 6161, A. Ball, Banff, Alta.; (18) Reg. No. 7718, W. D. Neish, Banff, Alta.; (19) Reg. No. 2004, D. Mayne, Calgary, Alta.; (20) Reg. No. 4738, F. E. Shillam, Chancellor Alta.; (21) Reg. No. 3149, P. Cutting, Banff, Alta.;

The Young Offender

by CORPORAL R. H. BARKER

IN THE year 1833 a lad of nine years of age was sentenced to death at the Old Bailey in London for the offence of breaking and entering a dwelling house and stealing two pennyworth of goods from a cupboard. Mr. Justice Bosanquet, who tried the case, passed sentence of death—he had no alternative, it was the law. In those times, youthful pranks met with stern repression and misdemeanours such as petty pilfering, window breaking, even playing pitch and toss in the street, frequently resulted in sentences of imprisonment with hard labour.

Formerly, the laws of most countries were based on the classic conception of Roman law. Children below seven years of age were considered to have no criminal responsibility and minors between seven and fourteen were immune only so far as they were recognized to be incapable of committing offences. From the age of eight, sometimes earlier than that, children were formerly tried by ordinary courts and according to the procedure followed for adults. Minors nearly always served sentences of imprisonment in prisons for adults under conditions giving them no protection against the contaminating influence of hardened criminals or the moral effect of unrelieved confinement in its most humiliating form.

Toward the middle of the nineteenth century a change was made by the institution of special establishments for minors which, at first, did not differ very much from ordinary prisons. For example, the Boys' Reformatory at Westminster (within the shadow of the Abbey) maintained for juvenile delinquents in London, was a large fortress-like structure with massive entrance gate, frowning walls, barred windows and all the characteristics of the adult prisons at Millbank and Pentonville. The routine was similar also with oakum picking, crank turning and the treadmill as the approved methods of reforming those who had strayed from the path of rectitude. Even boys of nine were set to unravel one pound of tarred rope a day.

It was not until the twentieth century that the need for special treatment of neglected and delinquent minors was thoroughly studied. Nor, in the field of criminal legislation, was it until the end of the nineteenth and the beginning of the twentieth century that the question of minors came to be considered a special problem and a definite desire for reform modified the ideas of the classical school by focussing attention on the personality of the offender rather than on the nature of the offence. In this way, interest being concentrated on the individual, it was realized that the problem of the child differs from the problem of the adult and that a study of the character and environment of the juvenile delinquent is a necessary preliminary to applying suitable measures designed to reform the culprit rather than to prescribe punishment for the offence.

This interesting article deals principally with the causes of juvenile delinquency, i.e. the influence of character and environment. The author has written a sequel, which will be published in a forthcoming edition, entitled "Juvenile Courts and Rehabilitation".—Ed.

1. Biological Influence

The question of biological type and inherited disposition has been a fruitful source of argument ever since Cesare Lombroso advanced his theory that there exists a born criminal type exhibiting distinctive physical and anatomical traits. Among such traits were stressed the heavy jaws, overhanging forehead, inadequate development of the skull, ugliness plus a low level of intelligence and a more than average vanity. Such a theory is hard to accept inasmuch as it is within the experience of each one of us that the virtue of honest men is not always reflected in their features and that the vicious often present the physical characteristics of the virtuous. A good lad may look like a young thug while the blue-eyed young innocent is the scourge of the neighbourhood. In fact, disciples of Lombroso themselves are frequently confounded on discovering criminal characteristics strongly marked in admitted non-delinquents.

The question of heredity is very involved and not clearly understood even by those who have made a life study of the subject. In recent years careful students have modified the view that disposition is inherited and most psychologists and sociologists agree that many forms of human behavior formerly classed as instinctive are really acquired as a result of environment. The truth of this view is borne out by the many remarkably successful results which have been obtained in social work by an intelligent treatment of causes. Seemingly hopeless cases have been successfully dealt with by people who have refused to accept the idea that the young delinquent is a congenial imp, possessed of a devil and born with an instinctive disregard for the rights of property or the peace of the community.

The idea that the young offender is necessarily a moron has had a certain currency ever since Charles Goring announced, without the aid of standardized tests, that the prison populations showed a much higher percentage of weak-mindedness than did the civil population. In consequence, the opinion that feeble-mindedness is a major factor in delinquency is sometimes expressed by people considered to be well-informed. More recent investigations, however, have largely changed that point of view. There is now quite a general acceptance of the minimized role which mental defect plays in the genesis of misconduct.

The question whether mental disease or feeble-mindedness will make a child prone to delinquency can be answered only by a study of representative cases. It may be maintained in theory that a weak mind would be likely to prevent a young person from committing any offence other than disorderly conduct, exhibitionism or other minor offence. Practical experience has shown, on the other hand, that offences committed by children often bear no relation to their intellectual ability or, more particularly, to their moral development. Juveniles whose moral standards are impaired often commit only minor offences while serious offences are committed by children who are merely unable to appreciate what they are doing.

A child with a normally developed mind is less likely to become delinquent, everything else being equal, than a child whose mentality deviates from the average. Lack of balance means lack of adjustment and

most forms of juvenile crime are due to lack of adjustment in some form or other.

So far as physical development is concerned, it is generally found that defectives are more numerous among delinquents than among non-delinquents. Enlarged glands, infected tonsils, seriously bad teeth, adenoids and defective sight are the principal troubles. However, in order to show the true relationship between physical condition and delinquency, the social factors as well as the physical ones must be included in the explanation. An undernourished child, irritated by defective organs, would be more likely to be drawn into misconduct than one less defective. William Healy concluded from his studies of individual delinquents that five per cent of his cases were delinquent chiefly on account of physical defects and more than twenty-eight per cent affected to a certain extent. Cyril Burt, another recognized authority on the subject, found that seventy per cent of the cases he had studied had physical defects but only ten per cent of the boys and seven per cent of the girls were considered to be delinquent chiefly for that reason. Other investigators have noted that a large number of young offenders have been found to suffer from disease or under-development. Study of cases has shown that, while a number of delinquents suffer from physical defect in some form or other, only a small proportion of the defectives were found to be delinquent as a direct result of their infirmities.

It would be an exaggeration to state that juvenile delinquents are constitutionally weak as a general rule. As an example, one may consider the Borstal boy. Most of these lads were born in the darkest homes and broke every law of health before being admitted to the institution but, after a regime of regular hours, good food and physical exercise, they are able to hold their own with anyone.

The study of glandular influence is too recent to be productive of evidence of value. Much attention is being paid to glandular theories by certain schools of criminological thought and it is possible that, in time, they will be developed to a degree of usefulness as knowledge is accumulated and studied. The demand now, however, is for accumulation of evidence on the subject.

Another form of abnormality to be considered is what may be termed "emotional instability." This is not a disease inasmuch as it cannot be traced to any part of the human body, but it is definitely a factor to be dealt with. It covers forms of behavior such as egocentricity, exhibitionism, worry, depression, obtrusiveness etc. Instances of this description are met with in dealing with highly strung children or children passing through certain stages of physical development and are often the cause of delinquency because the child is in an unbalanced condition and very likely to fall a prey to sudden temptation or casual inclination to do mischief.

By far the greater proportion of crimes committed today are committed by young people and figures for juvenile delinquency have reached alarming proportions. Mental, physical and psychological factors play a large part in making the young offender act as he does and an understanding of them goes a long way toward the prevention and treatment of juvenile crime.

2. The Influence of Environment

Harmful influence of the environment in which the child is reared and educated is recognized to be the most important cause of juvenile crime. Special investigations have shown that the majority of delinquent children come from morally or materially unfavourable surroundings, particularly where the home influence is impaired.

Honest parents do generally succeed in keeping their children honest whether the means they employ are moral precept, personal example, the strap or a combination of all three. But where parental control is weak it is often only a matter of time until the boy or girl drifts into misdemeanour and crime for when home life is deteriorated or broken the child is deprived of social background and thrown upon its own resources at an age when it is most impressionable to outside influences. The younger the child, the closer relationship there is between broken homes and delinquency and it is usually found that young offenders bad enough to be committed to institutions come from broken or disorganized homes. It is not necessarily the break in the formal family organization that is so important a factor but rather the cumulative effect of internal discord which militates against control over the child and which cannot fail to result in anything other than misbehavior. The home is the main prop of childhood and the strongest ally of the social worker. Any condition which tends to break up the home or weaken parental influence is an incipient cause of delinquency.

Poor home influence frequently results in a school life conducted under difficulties. The attitude of a certain type of parent to compulsory school attendance is difficult to understand. The more the community is prepared to undertake in providing facilities for education, the more strongly should parents feel impelled to co-operate by exercising authority over their children to compel their attendance. Instead of doing so, however, many abandon what little effort at control they were making and take the attitude that the responsibility is with the school authorities. Lack of parental discipline in this regard, whether from motives of indifference, carelessness or ignorance, leads to truancy.

Truancy is tremendously wide-spread and is often the evidence of a disposition to more serious forms of delinquency. Someone has aptly called truancy the kindergarten of crime because it is commonly true that, even when truancy is the primary delinquency, it leads to a wide variety of offences that may be of great consequence. Bad habits, both of conduct and mental attitude, are built up; they become stronger the longer they exist.

Playing truant from school is an early manifestation of a tendency to misconduct and usually appears early in life before the more serious forms of delinquency. In playing truant, the child is apt to be lead into undesirable company, tempted by example he gets into mischief and from mischief into crime. The prevention of truancy depends on the recognition of the difficulties of each case and the prompt eradication of them while it is relatively easy to do so and by impressing upon parents the importance of their responsibility in exercising co-operative discipline.

The general state of civilization has a marked effect in juvenile crime, in fact on every form of criminal activity. With internal unrest and the

breakdown of the national social organization, abandoned children to the number of thousands become destitute and live by begging, stealing, looting and any other means available. In time of war also, juvenile crime increases and for the same reason, lack of control resulting from the disruption of national and home life. In normal times, the same causes and effects obtain but to a lesser extent. Local areas of industrial activity and districts disorganized by transition from residential to business or industrial zones are more fruitful of delinquency than stable and securely established neighbourhoods. In disorganized areas, homes are poorer and rents are cheaper. To these areas flock the destitute and the improvident. Children brought up under such conditions cannot be expected to be anything but wild and unruly for the reason that they have no home life and little or no control.

In large towns, opportunities and temptations are multiplied. In the absence of sufficient playgrounds, there are restrictions everywhere on free movement and the instinct to work off excess physical energy. Even the excitement of city life is not an absorbant but rather a nervous irritant and the life of the streets starts an appetite that cannot be appeased within the limits of good conduct.

Theatrical and moving picture performances, newspaper reports, adventure and detective stories also greatly excite the imagination of youth and often bring about a temporary tendency to antisocial behavior, particularly to vagrancy and theft. The underlying motive is not always a desire for a given object but rather the need to satisfy the thirst for adventure and daring. The influence of the cinema is sometimes inclined to be over-rated, especially nowadays when more attention is paid to censorship from the point of view of a possibly unfortunate influence on the undeveloped mind or an example for mischievous amusements. In the early days, magistrates frequently asked the culprit if he got the idea from the pictures and the youngster of course answered "Yes, sir." Consequently, "the pictures" became an all-sufficient explanation for any wrong doing, keeping alive the tradition of Deadwood Dick and the penny dreadfuls.

In an indirect way, the unsatisfactory effect of a certain type of film has an unfortunate influence on juvenile crime. It is produced in a subtle manner through the demoralizing effect of some of the pictures on adolescents and young parents, those pictures which depict faithfulness and constancy as virtues not to be expected nowadays and portray married life as a succession of one form of dissipation after another. Such pictures have a demoralizing effect on parents and the child suffers in consequence.

In the matter of amusements and recreations, where no agencies or organizations such as boys' clubs, playgrounds, youth movements etc. exist in the community to direct the energies of idle youth into wholesome channels, the child will be left to its own resources and drawn into bad influences and, eventually, into the juvenile court.

Spare time is dangerous and almost any form of organized amusement or employment that will fill it is something to be welcomed. Most types of work give idle hands a legitimate occupation and deprive the devil of his proverbial opportunity, but there are some kinds of work which have shown themselves as providing both stimuli and opportunity for law

breaking. Jobs giving custody of money, street work such as errand running and street trading, these are provocative. Dealing in scrap, for example, is a very prolific source of delinquency. The youngster who has been dealing in junk soon loses his ability to differentiate between "mine" and "thine" especially if the material in question, rubber, old clothes, metal or whatever it is, does not happen to be in active use by the lawful owner at the time.

After leaving school, boys and girls are often thrown into the world to earn what wages they can without regard to any aptitude they may possess or to the security of the occupation they follow. This results in "blind alley" employment which is obtained casually and thoughtlessly by young persons on leaving school but which cannot be continued after they reach maturity. Unstable employment of this description results in many changes and periods of idleness between jobs, often for a long while, during which many boys and girls are left without aim or interest and become easily attracted to anything that offers relief from the monotony of unemployed existence.

As a guard against blind alley employment and its consequent dangers, juvenile labour exchanges and advisory committees connected with educational authorities have been organized in many cities to give advice and guidance to those seeking work during their adolescent years.

The home, the community, education, amusements and employment are factors which effect the lives of all children whether delinquent or non-delinquent. In considering those aspects which produce or encourage delinquency, the point that stands out is the fact that the child, when deprived of the home background, freed from parental control and left to its own resources, is a potential delinquent. He is left to fend for himself in a world of forces too strong for him to withstand. The home is the foundation upon which the defence against delinquency must be built.

The study and understanding of penal methods has advanced considerably since the time of Mr. Justice Bosanquet. The principle followed today is to reform the offender, thus preventing him from developing into a confirmed criminal, rather than to merely dole out punishment for the offence. With this object in view it is very important that a correct diagnosis of the character and circumstances of the offender be obtained in order that the juvenile court may be in a position to give a decision in the best interests of all concerned.

Application for Position

Dear Sir:—

Finish my course two years ago, my experience detection crime first to cover the shadow, second tracing man on property, third remembering faces, fourth forgery and counterfeit money, fifth murder cases, sixth every kind in investigation and heavy criminal case, it doesn't make me no difference white, yellow, or black people its all in my had, this is my trade.

I had wrote you two letters and you didn't give me no position, if you except my this letter and give me a good position for my living, so I will bring you some good news from here. If you want a good prove about myself so I got two High Officials to prove that.

What You Should Know About Your Camera

by CONSTABLE J. KERR

THE PURPOSE of this article is not to cover every angle of photography, nor is it to go into every minute detail of the taking of a picture. Its purpose is merely to clear up a few problems that confront a great number of amateur photographers and, I hope, aid in overcoming the large number of failures in pictures taken at scenes of crime, which, as you know, in a great many cases can never be retaken at a later date.

A camera is simply a light-tight box, at one end of which has been placed (a) a lens, which gathers rays of light from without and condenses them sharply to form an image on the film at the opposite end; (b) a diaphragm, which controls the size of the opening or aperture of the lens and by means of which the amount of light passing through the lens within a given time may be regulated; (c) a shutter, which regulates the period of time the light is permitted to pass through the lens to the film.

Diaphragm and shutter always work as a team. Setting one depends upon how the other has been set.

Light passing through a lens may be compared with water passing through a tap. The further you open the tap the more water passes through in a given time. Similarly, the larger the lens aperture or stop, the more light it will admit to the film in a given time.

A camera diaphragm is simply an opening, the diameter of which can be changed to meet conditions and is identical with the iris of the human eye. In strong, bright light, the iris of the eye contracts to keep out a superabundance of light. Too much light entering the eye blinds a person temporarily and prevents his seeing much detail in the scene before him. Too much light entering the camera lens "blinds" the film in somewhat the same manner. It renders the film incapable of registering any detail in the highlights. In poor light or in darkness, the iris of the eye dilates or opens wide so as to admit as much light as possible. The same principle holds true with your camera. Therefore we make the rule; the stronger the light, the smaller you make the aperture.

A very common question asked by most amateur photographers is:—"What is $f\ .16$, or $f\ .11$? What do they mean?" Simply speaking, the f number expresses the diameter or size of the aperture. Technically, the f number is a ratio or proportion. It is arrived at by dividing the focal length of the lens, which is the distance from the lens to the film when the image of a distant object is in sharp focus, by the diameter of the aperture being used. For example, if the focal length of a lens is 8 inches and the diameter of the aperture being used is 1 inch, divide 8 by 1 and obtain the quotient of 8 or $f\ .8$. The focal length of a lens remains constant, except when altered by the use of supplementary lenses, such as portrait attachments.

F numbers are similar to fractions: the larger they are numerically, the smaller the size of the opening they indicate. You know that $1/2$ is larger

than $1/3$; $1/16$ is larger than $1/22$ so $f .2$ is a large aperture, $f .8$ is a medium aperture and $f .16$ and $f .22$ are among the small apertures.

When a camera is focused at say 15 feet, certain objects closer or farther than 15 feet from the camera will be in sharp focus. The distance between the nearest and farthest objects in sharp focus is known as the "depth of field" or "depth of focus." The larger the aperture, the less depth of field a lens has; the smaller the aperture, the greater depth of field it has. That is why with large apertures, focusing must be done very carefully.

Before taking any pictures, it is necessary to establish some point of departure. Either the diaphragm or the shutter speed must be the controlling factor. For example, where movement on the part of the subject is to be considered, the speed of this movement will dictate the shutter speed necessary to stop action and give a sharp image. The shutter speed having been determined, the diaphragm opening is then set for existing light conditions so that a properly exposed negative will result. If, on the other hand, we are not concerned with motion but rather with depth of field in order that certain objects in our picture will be sharp, it is then necessary to select the size of aperture which will give the required depth of field. Correspondingly, the shutter speed is then determined by the prevailing light conditions.

Exposure Table for Cameras That Have Double Lens

(Anastigmat, Kodar, Hawk-Eye, Periscopic, Doublet or Rectilinear Lenses).

1 hour after sunrise until 1 hour before sunset with Kodak Vericrome, Kodak Super Sensitive Panchromatic or Kodak Panatomic Film on a clear day.

	Shutter Speed	Stops "f" System	Stops "U.S." System
1. Marine and Beach Scenes, Distant Landscapes, Snow Scenes without prominent dark objects in foreground	$1/25$	$f.22$	US.32
2. Ordinary Landscapes showing sky, with principal object in foreground	$1/25$	$f.16$	16
3. Nearby Landscapes showing little or no sky—Groups, Street scenes	$1/25$	$f.11$	8
4. Portraits in open shade, not under trees or the roof of a porch—Shaded nearby scenes	$1/25$	$7.7-.8$	4

The above exposure table was compiled by a very popular camera company and is probably as accurate a guide as one will find without resorting to the use of an Exposure Meter.

In Police photography, neither pictorial effects nor the taking of objects in motion are problems with which we must contend. Very fine detail is what we are striving for in the majority of cases. This being the case, it naturally follows that we will use stops or apertures of $f .16$ and smaller more often than we will use the larger openings.

Where movement is not a factor, $f .16$ is a good general purpose opening to use and when the light is decreased either by shade or darkness, it is much better to increase the time of exposure rather than to increase the size of the aperture. However every picture presents its own problems and the

photographer must use his own judgment as to whether detail or speed is of primary importance.

Ten Points to Remember When Taking Pictures

(1) In bright light, a small aperture calls for a slow shutter and a large aperture calls for a fast shutter.

(2) In dim light, a small aperture calls for a slow shutter or time exposure and a large aperture calls for a medium shutter.

(3) A small aperture gives you more depth of field resulting in better detail and sharpness in the picture.

(4) A large aperture gives you less depth of field and requires you to focus the camera more carefully.

(5) At close range the depth of field is shallow, but is increased as the subject is moved away from the camera.

(6) The longer the focal length, the larger the image and the shallower the depth of field.

(7) Adjust lens opening, adjust shutter speed and focus the camera for distance to centre of interest before taking a picture. (All distances up to infinity setting should be measured).

(8) Steady the camera by using a tripod, table or other firm support wherever possible for all exposures slower than 1/25 sec.

(9) Make sure everything you want in the picture can be seen in the view finder.

(10) Form the habit of winding the film immediately after taking a picture to avoid double exposures.

The Perfect Guess

ON AUGUST 12, 1939, while on guard duty during evening shift at a Government building in Ottawa, a Constable observed a coupe bearing Saskatchewan license plates parked by the curb. Having been transferred from "F" Division only a week before, the Constable was immediately interested and later drew the attention of the elevator operator to it, wagering that it was the same car in which the late Mr. J. A. Kaiser of Moosomin, had been murdered during the previous winter. (In this case, which received wide publicity, the murderer, Henry Heipel, after hitch-hiking a ride shot his benefactor near Sintiluta. He was captured near Chicago, Illinois, and returned to Regina where he was hanged for the crime).

Later that evening, upon noticing the owner unlocking the car, the Constable introduced himself explaining that he was interested as the car bore license plates for the province where he had recently been stationed. Upon learning this the other, who was a clergyman, informed the Constable that he should know the car then as it had been purchased from the estate of the aforementioned murder victim. The member of the Force concerned had never seen the vehicle prior to that time, and the clergyman was amazed naturally when the elevator attendant told him that it had been spotted. Having selected the automobile from the vast number of others in and about the Capital, two thousand miles from the place where it had been but a few months before, equipped, as it was, with a new set of licenses and presenting no special identification marks, it is considered that this incident should go on record as the perfect guess.

Tropical Cruise

by FIRST OFFICER P. R. F. MILTHORP*

ANOTHER CHAPTER in the history of the R.C.M.P. Marine Section was written when the Cruiser "MacDonald" left Halifax, N.S., on May 11, 1939, en route to the Pacific coast. For some time it had been considered that a vessel of the type of the "MacDonald" was necessary to help enforce the law on the West coast, and, as rum-running on the East coast had been reduced to a minimum, the "MacDonald" was destined to make the journey.

The crew were selected more or less from volunteers eager to tackle a new kind of work. Consideration was given to make everything as comfortable as possible; awnings and windsails were made, electric fans fitted in the cabins and suitable tropical clothing provided.

It was a bright cheerful day when the "MacDonald" pulled out of Halifax harbour. We lingered on deck to bid adieu to the city which had been our home for so long. Some of us wondered when we could see our friends again; thoughts of past exciting adventures that we had had in the pursuit of rum-runners were mixed with thoughts of what the future would hold in store.

Off the entrance to the harbour we ran into a heavy southwesterly swell, and as most of us had been ashore for quite a time it wasn't long before we began to feel the ship's movements. We had nearly seven thousand miles before us; in that time we were sure to run into all kinds of weather, so without more ado, we cruised slowly under the lee of Chebucto Head, rounded Sambro Ledges and bucked into the swell, shaping our course for San Salvador Island in the West Indies.

At daybreak we were well out to sea. The wind had abated and the sea flattened out. Some of us were still groggy but feeling better all the time. Mother Nature was extremely kind to us for several days and we bowled merrily along, averaging close to two hundred and fifty miles a day.

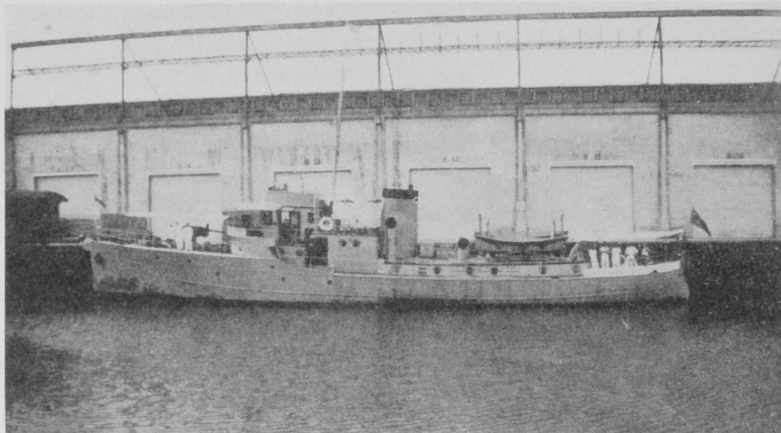
May 13th found us mid-way across the Gulf Stream. The change in temperature was quite noticeable so we discarded our "blues" and donned the light-weights. The sea had changed from the cold fathomless blue to the rich azure hue of warm waters. It wasn't long before we were racing the flying fish over the surface. These accommodating little fellows at night would fly towards the ship's lights and K.O. themselves on deck. It was the usual thing at daybreak to gather up and cook them for breakfast as they are very sweet and make a good meal. The deck department would argue with the engine room department as to who should have them; arguments ceased when a truce was called—the deckmen having all forward of the bridge and the engine men all abaft. What happened to the particular fish that flew through the engine-room porthole and collided with the

*The writer of this article is a graduate of the Training Ship H.M.S. "Worcester", where he received his early training as a cadet. After serving in a number of ships of the British Merchant Service, Mr. Milthorp joined the Marine Section of the Force in 1933, and has served in various capacities in the R.C.M.P. Ships "Fleurdelis", "Baroff", "Chaleur" and "Ulna". He is at present First Officer in the R.C.M.P. Cruiser "MacDonald", based on Esquimalt, B.C.—Ed.

Second Engineer's nose, no one ever knew—that fish wasn't served up for breakfast!

We passed some two hundred and forty miles off Bermuda on May 14, everything bearing an equal strain. We could still maintain direct communication by short-wave wireless with the Halifax Dockyard twelve hundred miles away. San Salvador was raised at 4 a.m. on May 17. This is rather a bleak spot, though doubtless Columbus thought it a bit of heaven, as it was sight of his first landfall after crossing the Atlantic ocean.

The sun at this time was stronger, so awnings were stretched and a degree of comfort gained. Below decks it was almost impossible to sleep owing to the intense heat. On deck the warm damp air was not conducive to healthy sleep; still the hands were cheerful and lack of slumber meant nothing in their lives. At night it was the custom of the foretop to lie under the forward awning, making the night hideous with their songs to the tune of a wheezy mouth-organ.



The "MacDonald" alongside pier at Cristobal.

Cruising through Crooked Island Passage we passed Cape Maysi, the eastern tip of Cuba at 4 a.m. on May 18. One could get an occasional whiff of the sugar-cane on the off-shore breeze. In the afternoon the Island of Gaiti was abeam with its lofty mountains rising to ten thousand feet to be lost in the clouds. It is not surprising that various countries have tried to govern the people without success; guerilla warfare could be carried on indefinitely. During the evening, off Nevassa Island, we set our course for Panama, with the hills of Jamaica visible some hundred miles distant.

Crossing the Caribbean Sea we encountered numerous water-spouts moving rapidly with the nimbus clouds to which they were attached. Here we experienced our first really rough going; a heavy easterly sea caused some discomfort, but our little vessel proved a wonderful sea boat and stood up very well indeed.

Temperature hovered around the ninety-six degree-in-the-shade mark and we were liberally dosed with lime-juice to off-set any scorbutic tendencies.

Sunday, May 21, was a momentous day when the entrance to the Panama Canal was sighted through the early morning mist. As we passed the pier-heads, a huge U.S. Army Boeing swept close overhead; whether giving us the "once-over" or merely a routine patrol, it was obvious they were very much on the job.

We dropped anchor in the roads just off Cristobal. The U.S. authorities were exceedingly good to us and it wasn't long before we were berthed at the pier most convenient to the town. At the first opportunity most of us were ashore, the majority heading for the nearest cafe where elaborate shore-going meals were ordered.

Cristobal might be called the American section of Colon on American territory, it is comprised mostly of shipping offices. One merely crosses the railway track and plunges into the heart of Colon. We found the city full of stores to attract the visitor, many of them run by East Indians, Japs and Greeks. Silks, perfumes, Panama hats, and curios of every description are ridiculously cheap, but one never pays the price that is asked. The wise tourist usually offers about twenty-five per cent, then attempts to walk out. The shop-keeper will most likely rush after him and agree on that price. Still grumbling our tourist will lament the fact that he has been swindled and threaten to inform the other passengers, should he be from a ship. Our merchant then may throw in gratis some other little gift and asks you to have a drink of Cognac—he appreciates a bargainer as good as himself. Coming out of the stores one is continually accosted by taxi drivers and cabmen who loudly acclaim the merits of their vehicle, be it an up-to-date sedan, or a broken-down old hack.

The city is gay and colourful with its cabarets, night clubs, cock-fights and many other forms of entertainment. The U.S. Army afforded us every hospitality, very kindly placing a truck at our disposal and those of the crew who could be spared were driven all round the district visiting various Army, Submarine, Navy and Air bases and all points of interest. One could write reams on the beauty of Colon, of its lovely modern Spanish architecture and the peculiarities of the place.

After a stay of two days we took our pilot aboard and proceeded through the canal. The first series of locks at Gatun raise the vessel eighty-five feet. From there we pass through Gatun Lake with its submarine forest, dead trees sticking out on all sides. Through the Culebra Cut, which was the stumbling block that De Lesseps encountered, we passed the monument to the many men killed at that spot when an ill-timed charge went off. A large freighter loaded down with American planes bound for England caused a stir of interest.

We then drop gradually when our vessel passes through the locks at Pedro Miguel and Miraflores to the level of the Pacific ocean. The canal is about forty-three miles in length. The line of the canal goes up the Chagres Valley on the Atlantic slope, passes through the Continental Divide at Gaillard Cut and descends to the Pacific ocean down the valley of the Rio Grande.

Strange as it may seem, when going from the Atlantic ocean, on the east side, to the Pacific ocean, on the west, the general course is in a south-

easterly direction; this is because the axis of the Isthmus of Panama extends from SW to NE. As the canal was built at right angles to the axis, it can readily be seen why this is so.

A remarkable feature was the absence of mosquitos and malaria. We were informed that scientists had discovered that the flying range of a mosquito is about twelve miles long and the area for about fifteen miles on either side had been cleared, the work being done by planes.

Balboa was reached that evening and we again made fast. Balboa is the same to Panama City as Cristobal is to Colon. Here we replenished our fuel and stores. We were very graciously received by the Canadian Trade Commissioner who did all in his power to make us comfortable and help us with the formalities that one has usually to go through. Some of the officers visited his beautiful residence "La Cresta", appropriately named as it commands a magnificent view of the Pacific ocean and surrounding bays and inlets. One could understand why Balboa so named the Pacific; the peaceful scene struck us immediately.



Members of crew with U.S. army driver at Colon.

We were delightfully entertained at tea at the British Legation, where we had the pleasure of meeting the British Minister, The Honorable Mr. Adam and Miss Adam, Lady Richards, wife of the Governor of Jamaica, also the British Consul. Miss Adam acted as hostess.

One could not help but feel pleased at the patriotic fervour of the West Indians in Panama to the British Flag, most of them anxious to impress us with the fact. On mentioning this to the British Minister, he informed us that Panama had sent eight divisions to the British army during the war of 1914-1918.

Our second day in Balboa was a round of interest, Inspector Myers of the Canal Police acting as host to some of us. We visited several places of interest including the local police station, and were then driven to the Gamboa jail where we had dinner. The prisoners were well treated; so much so that many made it a point to try and get back as soon as they were released. The more hardened cases were occupied road-making. Some we

PARADE TO PLEASURE

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found were engaged in chasing queer little animals called Iguanas out of trees.

The following day we said "adios" to all the new friends we had met and who had made our stay so pleasant and interesting. We left Balboa at 5.30 p.m. on May 25 to begin the second and longest leg of our journey—thirty-one hundred miles to Los Angeles.

Our luck stayed with us and perfect weather prevailed. May 29 found us crossing the treacherous Gulf of Tehuantepec. This part of the Mexican coast is renowned for its sudden and violent storms which sweep down through the mountains and across the sea, blowing from fifty to sixty miles an hour. They die down almost as quickly as they come up. We felt a certain amount of trepidation as we were almost in the hurricane season for this region, and taking no chances we lashed our awnings and were successful in negotiating the Gulf without mishap, though we encountered sudden hard squalls when almost across.

Acapulco was passed on May 31, weather continuing fine. The heat was still intense and one could readily sympathise with the cook and engineers. We passed hundreds of turtles floating lazily on the surface with large sea birds standing on their backs, which would take off on the approach of our vessel. The flying fish, we noticed, were much larger than in the Atlantic—the same with the sharks. One could not suppress a shudder at the sight of these fish which seemed to be waiting to snap at the first sight

of anything. The sea in this vicinity seemed to be a mecca for fishermen and apparently they had no difficulty in catching an abundance of fish.

We crossed the Gulf of California on June 3 and the air was considerably cooler; in fact we were shivering in a temperature of sixty-five, which appeared almost as freezing after the heat we had experienced.

It was at this point that we ran into strong head winds and rough going. Some of us again were sea-sick after such smooth sailing. This kept up until we reached San Pedro in the early morning of June 7.

Arriving at San Pedro we were all impressed with the sight that met our eyes. It seemed as if the whole of the U.S. Navy was anchored in the harbour. Aeroplanes by the score zoomed overhead in close formation. We soon passed the usual formalities of quarantine, immigration and Customs and made fast to a wharf close to the town. We were subjected to the usual run of newspapermen, who were disappointed that we were not in scarlet tunics. Here again we found wonderful hospitality. The Officer Commanding, Colonel Stockton, of the U.S. Army, received some of the officers and placed a car at our disposal. We were driven all over Los Angeles. The Los Angeles Police were not lacking hospitality either; taking some of the hands under their wings and entertaining them handsomely.

The following day we called on the U.S. Coast Guard and were entertained by the O.C., U.S.C.G. Cutter "Aurora". In the afternoon the manager of the Shell Oil Company drove us to Hollywood where we were shown around the Warner Brothers Studios and had the pleasure of seeing several well-known screen celebrities taking part in making films. From there we visited the famous Brown Derby, then drove through Beverley Hills to Santa Monica. Off Santa Monica one could see the S.S. "Rex", the famous gambling haunt lying outside the three mile limit. Our host finally capped the enjoyable day entertaining us to a splendid supper at one of the beautiful garden cafes.

On June 10 at 5 p.m. after replenishing stores, we commenced the last leg of our journey, 1200 miles to Esquimalt. We made good progress in spite of fog nearly all the way. At midnight on June 14 we rounded Cape Flattery and cruised up Juan de Fuca Straits. At 7.30 a.m. on the 15th of June we finally dropped anchor off quarantine, received "pratique", and proceeded into Esquimalt harbour where we made fast at 10.45 a.m.

Our long journey over, we were glad to be at our destination. Altogether a distance of some six thousand five hundred miles had been covered from Halifax to Esquimalt in twenty-seven days steaming time.

Be A Leader

The boss drives his men; the leader coaches them.

The boss depends on authority; the leader on goodwill.

The boss inspires fear; the leader inspires enthusiasm.

The boss says "I"; the leader says "we".

The boss says "get here on time"; the leader gets there ahead of time.

The boss fixes the blame for the breakdown; the leader fixes the breakdown.

The boss knows how it is done; the leader shows how.

The boss makes work a drudgery; the leader makes work a game.

The boss says "Go!"; the leader says "Let's Go".

—Cheesekraft.

Complaint Unfounded

by LANCE-CORPORAL A. CAMPBELL

“SUNDAY ROUTINE”, that institution sacred to all Mounted Policemen, was being observed with traditional ceremony at a rather remotely situated detachment in the Maritimes. The N.C.O. in charge, luxuriantly at ease in the bath tub, was lifting up his voice in song. Peace filled the world on this quiet summer Sunday morning.

This tranquil scene was rudely disturbed by a loud banging on the detachment office door. The chappie in the bath tub, wrestling with the strains of “Sweet Adeline”, subsided into silence after a series of exceedingly discordant notes. Following a brief period of tense stillness, there came another desperate assault on the office door which bid fair to lift it off its hinges. The N.C.O. hastily dried himself and, clad in a resplendent robe, stalked downstairs to deal with the intruder.

Upon opening the office door he was confronted by a tall raw-boned individual who solemnly requested an interview with the minions of the law in connection with a murder. During the ensuing conversation it was ascertained that the complainant was employed in a lumber camp located some distance back in the woods; and that he and a fellow-worker had discovered, in a lake close by, the decomposed remains of a human leg, the same having been severed at the hip and wrapped in burlap. The water level of the lake had been lowered about fifteen feet by workmen of a power company engaged at repairing a dam, thus exposing its grisly secret. With evident sincerity and obviously shaken by the gruesomeness of what he had seen, the witness minutely described the condition of the member, telling how he had observed the toes, heel and knee-joint.

Arrangements were accordingly made to visit the scene of the discovery at the first opportunity as this was manifestly a matter requiring some investigation. The trip, it was found, necessitated travelling on foot over about eight miles of rough bush trail; incidentally the complainant had traversed over twelve miles that morning to reach the detachment.

Guided by their informant, the N.C.O. and a Constable hastened to the spot where the leg had been observed. A blazing hot day, and innumerable flies and mosquitos, made the tramp over the difficult terrain anything but pleasant. However, their minds filled with (doubtful) visions of a torso murder the police endured these discomforts with fortitude. Eventually, they came upon the complainant’s companion, who had remained behind to guard the locale pending the arrival of the authorities, and the two wasted no time in indicating where the human leg was located.

A brief examination soon convinced the investigators that they had struck a “Mares Nest”, or possibly a more accurate description would be a cow’s leg. For the latter it was—a substantial hind leg of beef that had turned bad and as subsequently proved been dumped in the lake by the cook from a nearby lumber camp. Not even by the wildest stretch of the

imagination could the police find the faintest resemblance to a human leg in the mass of putrefying flesh.

Making a leisurely return trip, the police had time to appreciate fully the amusing side of the incident and the peace of the woods was disturbed by their laughter. The embarrassment of the discoverers in some measure repaid the officers for the futility of their strenuous efforts.

Arriving back at the detachment the N.C.O. calmly resumed his ablutions; and, clearing his throat, took up the bar of "Sweet Adeline" at the point where he had been so rudely interrupted.

A short three paragraph report covered the circumstances of this enquiry which went down in the records of the Mounted Police as: COMPLAINT UNFOUNDED.

Royal Escort



R.C.M. Police motorcyclists who served as "Royal Escort" for Their Majesties, King George and Queen Elizabeth, during their recent Canadian tour.

DUE TO the fact that the processional drives practically all ended at the railway stations, to be followed by the immediate departure of the Royal Train, the detail was divided into two squads each "leap-frogging" the other from the places visited. Several times Their Majesties evinced surprise upon observing the same escort which had accompanied them before, but different from the one attending their last procession.

Before embarking on the "Empress of Britain" for England, Their Majesties graciously shook hands with members of the escort, and the Queen voiced her appreciation in the following terms: "Thank you very, very much for what you have done for us. It was marvelous how you handled the crowds in the different cities without accident either to yourselves or them."

Identification Parades

by DETECTIVE-SERGEANT E. H. HERMANSON

IDENTIFICATION parades or police line-ups, as they are better known, are held for the purpose of having witnesses identify persons charged with, or suspected of, offences. The usual method of holding such line-ups is to place the accused or suspect among a group of other persons in a room apart from the witnesses who are to make the identification. The witnesses are then brought in and are asked to pick out from the group the person whom they believe to have been involved in the crime under investigation.

In order that the identification line-up may be held in a fair and unbiased manner—and yet in such a manner that every facility may be afforded the witness to enable him to identify the suspect—it is absolutely essential that certain precautions be taken both in prior investigations and in the selection and arrangement of the personnel of the police line-up.

During the course of an investigation, it is often possible, through circumstantial or scientific evidence, to place one accused or suspect at the scene of a crime. In order to connect accomplices with the offence under investigation, it usually is necessary to prove that the accomplices were associated with the suspect before and immediately after the crime and that they were together in the vicinity of the crime. Frequently, to establish this point, it is necessary to call witnesses who saw the suspect only once. It will be realized that the responsibility falls on the police to establish the fact that the persons called to identify the suspect are able to do so entirely from their own recollection of the suspect's appearance.

The importance of this aspect of preparing evidence is apparent and should be borne in mind while conducting the investigation in the first instance. All persons who have seen strangers in the locality of the offence should carefully be questioned as to the descriptions of the strangers. No leading questions should be asked and no suggestions should be made by the investigating officer as to the description of the suspect he has in mind.

If photographs of known criminals are used several photographs should be shown to the person who is to make the identification. Experience has taught that some people, when asked to identify a suspect from a photograph, are, because of a variety of reasons, unable to do so. The photography may have been imperfect, or for other reasons the photograph may not be a good likeness. For this reason, although the investigating officer may have satisfied himself from information obtained from other sources that he has shown the witness a photograph of the suspect, he should under no circumstances point out the photograph of the person suspected and enquire if that photograph bears a resemblance to the person seen by the witness. It should be borne in mind that this same witness may be able readily to identify the suspect in a police line-up, and any such suggestion made prior to the line-up might influence the witness in his subsequent identification—thus affecting the value of his evidence.

Identification parades should be held in a well-lighted room. The parade should consist of at least six persons in addition to the suspects. An identification made from a parade of twelve persons, would of course, bear more

weight when presented as evidence in court. Care should be taken to ensure that other members of the line-up are not known by the witness.

The participants in a police line-up should be of approximately the same age, height and stature as the suspect. Some should be wearing similar clothing. If the person seen by the witness was wearing a hat, cap, overcoat, etc., the other persons in the line-up should be similarly clad. If the witness recalls that the person wore no hat or cap, members of the parade should be bareheaded. The suspect always should be allowed to wear his own clothing when placed in a police line-up, as identification sometimes can be made from the manner in which a person wears his clothes. This phase of the identification would be lost if the suspect were wearing prison uniform or clothing secured from a different source for the occasion of the parade. This is mentioned because frequently clothing is taken from a suspect for purposes of laboratory examination and the suspect is furnished with other clothing which is often ill-fitting or of a style not adapted to the suspect.

The suspect should always be allowed to choose his own place in the line-up and permitted to change his position if he so wishes after each witness has viewed the parade. The parade should be so placed in the room as to allow witnesses to view it from both the front and the rear. If facilities available prohibit such arrangement, the parade should be asked to turn about during the time it is being viewed by the witness.

After the identification parade has been properly arranged, the witnesses should be sent, one at a time, into the room and asked carefully to view the parade and ascertain if they can identify anyone therein. Witnesses should not be allowed to converse together until all have had an opportunity of viewing the parade. They should be warned by the person in charge of the parade not to discuss their identifications.

When making their identification, witnesses may be requested to touch the person they identify, or they may verbally advise the person in charge of the parade as to the position occupied by the person they identify. If the members of the parade are numbered, the witnesses may be supplied with writing materials and asked to mark down the number of the person they identify. The method of having a witness touch the person identified has been very favorably accepted by the Courts. This method is not always feasible, however, as it has been noted that some witnesses are reluctant to let the suspect know that they have made the identification until called as a witness in court.

When the method of supplying the witness with writing material is used, a permanent record of the identification is available. Witnesses also are able to state whether they positively identify the suspect or whether the suspect merely resembles the person whom they saw. It has often been found that the evidence of a witness who states that a person in a line-up resembles the man he saw has borne weight as evidence, provided that it is corroborated by some other material evidence.

When it has been decided that a certain method is to be employed, the same method should be used by every witness called to view the parade.

Sometimes a witness will recall that the person he is to identify spoke certain words or phrases. In this event, all members of the line-up should be asked to repeat the same words or phrases. Should the witness recall some

peculiarity about the walk of a person he is to identify, all members of the line-up should be asked to walk around the room.

It is essential that the officer in charge of a police line-up should make notes of all particulars respecting the line-up in order that he subsequently may be able to give evidence as to details at the trial.

In a great many cases, witnesses have been subjected to severe cross-examination regarding the characteristics on which they base their identification. Very few witnesses are able to recall and describe all the details about the suspect which enable them to make an identification, and for this reason too much caution cannot be exercised by the investigator to ensure that proper identification parades are held.

When a witness has picked out a suspect from a properly arranged line-up, very little doubt can be left in the minds of the Court and jury as to the correctness of this evidence. This article is submitted with a view to establishing a more uniform system in obtaining the best evidence of identification of an accused.

The following citations, taken from Crankshaw's Criminal Code of Canada, are quoted to illustrate the manner in which evidence of identity is accepted by the courts.

- (1) *Rex vs. Harrison*, 49 Can. Cr. Cases. 356, 40 B.C.R. 53:
"When photographs have, prior to a trial, been shown to a crown witness who has picked out among them a picture of the accused, the crown may properly prove such facts by that witness at the trial."
- (2) *Rex vs. Bagley*, 46 Can. Cr. Cases. 257, 37 B.C.R. 353:
"There is no objection to the showing, without any suggestion, a bundle of photographs to an eye-witness of a crime in order that he may identify from them the photograph of the person who committed the crime. But, the witness must not be shown the single photograph of the person accused in order that he may be assisted thereby in making physical identification in the usual way."
- (3) *Rex vs. Wainwright*, 19 Cr. App. R. 52, and *Rex vs. Haslam*, 19 Cr. App. R. 59, 28 Cox C.C. 105.
"It has been held in England that the prosecution is not entitled to put in police photographs for the purpose of identification as part of the evidence-in-chief. Where identification has been obtained by means of such photographs, the facts of such identification ought not to be given in evidence. The police are not entitled to assist the identification of the suspected persons already under arrest by showing photographs, including that of the suspect, to possible or likely witnesses against him."
- (4) *Rex vs. Dickman*, 26 T.L.R. at 642, per Lord, C.J.:
"The police ought not, either directly or indirectly, do anything which might prevent the identification from being absolutely independent, and they should be most scrupulous in seeing that it is so."
- (5) *Rex vs. Hinds*, 101 L.J. K.B. 762 (1932) 2 K.B. 644.
"A number of photographs including that of the accused, were, prior to his arrest, shown to certain persons, who picked out the photograph of the accused from the series, these persons subsequently picked out the accused from a number of men at an identification parade and were witnesses for the prosecution at the trial. Held, it was not necessary that

the judge in his summing up, should direct the jury that the value of the evidence of these witnesses might possibly be lessened by the fact that they had been shown a photograph of the accused prior to attending the identification parade."

(6) *Rex vs. Millischamp*, 16 Cr. C. App. R. 83.

"When the sole defence is an alibi, identification by a single witness must be conducted with great care and the summing up must deal carefully with the facts of the identification."

The importance of holding properly organized identification parades was emphasized in two comparatively recent investigations in which the writer was interested.

The one concerned a safeblowing in a municipal office of a small Saskatchewan town. Circumstantial and scientific evidence pointed to one of three suspects as being at the scene of the crime but there was no evidence directly implicating the other two. Our information showed that the three suspects had associated together at Regina immediately prior to the commission of the crime; and that they travelled together in Calgary after that time. The trio were arrested while in a car but stoutly denied fraternizing with each other, either in Regina or Calgary. At the preliminary hearings the prisoners were charged with safe-blowing and committed for trial. In order to disprove their statements, hotel clerks, who had only seen the suspects a few times but who were able to pick them from the police line-ups, were called to identify the three accused; and their evidence was supported by corollary testimony of a document examiner.

The positive identifications, by the hotel clerks, of the accused impressed the latter with the futility of endeavouring to establish alibis as to their movements. They pleaded guilty in District Court and were sentenced variously to five, six and seven years imprisonment.

In the second case, identification through a police line-up played an important part in the conviction of a transient murderer of a well-to-do Saskatchewan farmer in the fall of 1938. Scientific evidence was produced to show that the deceased had been shot to death with a certain revolver. This weapon was shown to have been in the possession of the accused a short time before the murder was committed but had not been recovered at the time of the trial. There was evidence also that the accused was in possession of the deceased's luggage after the murder. There were no eye-witnesses to the crime, however, and it was necessary to call several witnesses to prove the movements of the defendant before and after the murder. None of the witnesses along the route taken by the accused prior to the crime and in making his escape were acquainted with him, and they had to rely on their memory and recollections as to his appearance. All the witnesses called to identify the person who had passed their vicinity were able to pick the accused from line-ups at Winnipeg and Regina and their evidence was not shaken during cross-examination.

In his charge to the jury, the trial Judge commented very favourably on the impartial manner the police had conducted the identification of the prisoner. It naturally follows, from the result of the trial, that the jury were impressed by the testimony of the witnesses who had identified the accused in the police line-ups.

The Question Box

(Inquiries on matters of a legal, technical or general import are invited from members of the Force. Such questions will be answered on this page in future editions of the Quarterly)

1. Q. Would you please tell me where the dividing line is between theft and receiving stolen goods, and what constitutes exactly the latter offence?

A. This is often a difficult matter to decide, and many investigators upon finding some stolen property on a person's premises charge that person with receiving where they cannot link him up with the offence of theft. If a man were to break into a house, steal some silverware, and throw it out of a window to a friend below, the second person would be an accomplice and, therefore, a principal and guilty of theft, not receiving: *R. v. Owen*, 1 Moo. C. C. 96. The mode of distinction would appear to be this: when the alleged receiving is part of the theft itself, i.e., *res gesta*, then it is really not receiving under s. 399; the receiving must be a subsequent act.

To constitute a receiving, there must be an act on the part of the receiver involving a change of possession, actual or constructive. The test of receipt is control. The goods received must have already been stolen, antecedently to the act of receiving; the circumstances in which property is received may in themselves be sufficient proof that it was stolen: *R. v. Sbarra*, 13 Cr. App. R. 118. The accused must have received the goods with knowledge then of their having been stolen—not knowledge obtained merely after taking possession. The knowledge may be presumed, *prima facie*, if he knew of circumstances so suspicious as to convince any reasonable man that the goods had been stolen; e.g. when an unlikely vendor offers them for an unlikely price at an unlikely hour. His subsequent conduct may be evidence of such knowledge; e.g. hiding the goods, selling them surreptitiously and over-cheaply, or, being in business, makes no written entry of having bought them. But negligence, or even recklessness, in not realizing that they were stolen will not create guilt; the receiver must have shut his eyes wilfully to facts from which ordinary men would realize it clearly.

S. 399, Cr. Code, adds the alternative of retaining to the offence of receiving; this addition is not found in the Imperial Statute of 6-7 Geo. V, c. 50, s. 33. By s. 849 of the Code a receiver may be indicted even though the principal offender or other party to the offence has not been indicted or convicted. Ss. 993 and 994 contain provisions as to introduction of evidence of property previously stolen or of a previous conviction so as to prove guilty knowledge in the present instance.

Generally speaking, a man may not be charged with both theft and receiving the same goods. However, if he counsels or procures a theft, though he does not actually commit same, he is by our law a principal; if he subsequently receives the goods, he may be charged with both offences. He may be similarly charged if he steals the goods, disposes of them, and then later receives them back: *R. v. Carmichael*, 26 C. C. C. 443.

2. Q. Is there any authority for a member of the Force to administer an oath to anyone during an investigation or to take a sworn confession after arrest on a criminal charge?

A. No. By virtue of the B.N.A. Act, the criminal law in Canada is under the jurisdiction of the Dominion Parliament. S. 179, Cr. Code, makes it illegal for any person to administer an oath "touching any matter or thing whereof such . . . person . . . (is) not authorized or required by any such law." There is no statutory authority in the Cr. Code for a member of the Force to administer an oath. In *R. v. Brown*, 49 C. C. C. 37, the accused entered a plea of guilty before a Justice of the Peace who afterwards administered an oath to him and examined him. On appeal it was held that the Justice had no authority to give the oath; Mackenzie, J. A., commented:

"The Justice's authority to administer an oath under such circumstances is wholly lacking. His conduct, indeed, in this respect might subject him to a criminal prosecution. In any event, I think that it is deserving of censure. Moreover the oath would appear to have been administered for a reprehensible purpose, since it is indicated that the statement was not a voluntary one, but was taken from the witness under warnings of perjury if he failed to tell the truth. It is thus open to the suggestion that, even if not fabricated, it may at least have been colored to mollify the Justice.

"To these may be added a still further potent reason for its rejection, which is, that the accused was not present when it was made, so that he had no opportunity of cross-examining the witness upon it at that time. It is true that he could have done so at the trial, but that might very well fail to compensate him for his previous lack of opportunity. (See *R. v. Lepine*, 4 C. C. C. 145)."

It is to be observed that "nothing in this section (179) contained shall be construed to extend to any oath or affirmation before any justice in any matter or thing touching the preservation of the peace, or the prosecution, trial or punishment of any offence." In *R. v. Brown* (*supra*) the statement under oath was not within any of the exceptions mentioned but was intended for use as evidence in a separate trial against another individual.

Many members of the Force performing Court and investigation duties throughout Canada hold appointments as Commissioners of Oaths from the Province in which they are stationed. Under such authority and in view of the provisions of ss. 13 and 36, Canada Evidence Act, it would appear that statutory declarations only could be given, these for the purposes of attestation, in extra-judicial matters, providing they are properly made.

In *R. v. Skelton*, 4 C. C. C. at p. 479, Scott, J., stated that the object of s. 36, C. E. A., is "to provide a means by which certain statements which are not authorized to be made on oath can be verified. This object is accomplished by permitting certain officers to receive solemn declarations as to such statements." In this case it was also held that the permission granted by the C. E. A. to certain officials (Commissioners for Oaths) to "receive" the declarations of persons voluntarily making same in the statutory form includes an authorization to the declarant to make the same, and constitutes him a person "authorized by law to make a solemn declaration" (s. 175, Cr. Code).

"Press Clippings"

New Problems

As POLICE methods become more scientific and specialized, co-ordination of the various branches of police service for maximum efficiency is apt to become a problem itself, Commissioner S. T. Wood of the Royal Canadian Mounted Police told the Ontario Police Association convention at Ottawa.

As methods of criminals change, taking advantage of modern developments, so do those of the police, he said, with the result that staffs tended to become divided into highly specialized groups dealing with different angles of crime. For instance, there are bureaus for finger prints, photographs, scientific crime detection, recording "modus operandi" systems of criminals, and firearm registration.

"The old type of policeman, whose character and physique alone secured him his employment, is fast disappearing," said Commissioner Wood. "He should at present possess not only those two sterling qualities, but also qualifications commensurate with the particular phase of police duty he would be required to perform."

Next to the keeping of fingerprint records, the Commissioner held the registration of firearms to be most important from the standpoint of tracking down criminals. He urged fuller co-operation between local authorities and the central firearms registry maintained by the R.C.M.P., for while registration was compulsory, local authorities were not compelled to forward copies to the central registry.

Increasing attention is being given, he said, to what is described as the *modus operandi* system of detection, studying the distinctive operating methods of a criminal. Special attention was also being given to identification of automobile tire marks.

Commissioner Wood appealed particularly for increased co-operation by the public with the police. That was essential if Canada was to maintain its reputation as a law-abiding country.

The Canadian Police Gazette.

Smart Dog

IT WAS like watching the dastardly villain of the movies caught in the jaws of that unbelievably intelligent dog Rin Tin Tin, as Chief, the R.C.M.P. trained German shepherd dog from Wakaw, grabbed the wrist of a constable and shook the gun out of his hand in a demonstration put on for members of the Saskatoon Sub-division, R.C.M.P., in a field south of Saskatoon.

Chief, two-and-one-half years old, was bred in Manitoba and trained in police work in Regina. He is handled by Constable A. W. Laird of the Wakaw detachment of the Prince Albert sub-division. Constable Laird handled the dog during the six months' training at Regina.

One of the crack shots of the R.C.M.P., firing six blank shots at the dog, calculated that had they been bullets he would have only succeeded in grazing the dog with one bullet, and missed with the rest. In the demonstration Chief watched the hand of the constable holding the revolver loaded with blank cartridges.

He approached the constable cautiously, with his eye on the trigger finger, and dodged each time just before the report of the gun was heard. Blank cartridges were used, and after each supposed attempt to hit him, he moved in rapidly until he was close enough to spring. He grabbed the constable by the coat sleeve of the wrist holding the revolver, and shook the arm fiercely.

Inspector C. K. Gray of the Saskatoon division, who has watched Chief in action, said that it was impossible to hit one of these police trained dogs with a club, they had been trained so perfectly. They were also taught to climb and jump.

The most valuable work of Chief has been trailing. He has given valuable assistance to R.C.M.P., of the Saskatoon division on many occasions in tracking burglars and recently was successful in finding the bodies of two people who had been missing for some time.

The Canadian Police Gazette.

"Old Timers" Column

IN THE donation to the R.C.M.P. Museum by Mrs. McGannon, acknowledged elsewhere in this edition, is an eight-page scroll of rare value to our collection of antiques. This document represents an address to the late Superintendent J. M. Walsh presented by the members of "B" Division Ft. Qu'Appelle upon his transfer from that command pending retirement from the Force. The script is in ink with the lines about an inch apart and the pages were held together with a length of green ribbon tied in a bow on the front, although several of them have since fallen away from this binding.

Owing to its age the paper is getting rather brittle and because of the variety of colors involved, the *Quarterly* regrets that it is impracticable to reproduce the outside front leaflet of this relic for its readers. The same is artistically designed, a buffalo head being painted on the top left corner, surmounted with the initials "J.M.W." and the inscription "N.W.M.P. "B" Division," while beneath it is a streamer bearing the motto of the Force. The painting also includes two branches of foliage, one going off to the left from the buffalo head across the top while the other is arranged down the left side of the cover, and several pansies and forget-me-nots are delicately interspersed against this green background of flower stalks. Within the decorative border thus formed is the undermentioned:

Memorial
Presented by The
Non-Commissioned Officers and Constables,
of
"B" Division N.W.M.P.
To
Major J. M. Walsh,
Superintendent Commanding Division.
31st May 1883.

The contents of the written address are given in the other pages, and read as follows:—

Major J. M. Walsh
Superintendent
"B" Division
N.W.M.P.

Sir:

We the undersigned Non-Commissioned Officers and men of your Division, having heard with regret of your intention to visit Canada, with the probability of not returning to us again as our Commanding Officer, take this opportunity of tendering you an address accompanied with a substantial testimonial to show our appreciation of yourself as an able and impartial Officer.

There are at present in the troop but two men who were with you on that memorable and terrible march to the Rocky Mountains in '74, and there are only six men left who passed through the exciting and trying times with Sitting Bull at Wood Mountain under your command:—

In a few months, or a year at most all that was original of "B" Troop men will be scattered to the four points of the compass in this Great Lone Land of the North-West.

"B" Troop has always been the pioneer Division in establishing and building Posts: it has been the first one in every new place, and performed more hard work and seen more active service than any other two Divisions in the Force. On account of the brevity of the notice of your departure we were unable to procure the presentation gift which we deem suitable for your use but on your return from

Canada, we will have the articles ready, and at your service, and our hearty wish is that you may live many years to occupy a seat in the saddle which will accompany this outfit.

To Mrs. Walsh and family you will convey the heartfelt regards of "B" Division, for their health and future welfare, and in saying God-speed and good-bye to you we are not bidding you a long farewell, and trust you may return in the course of a few weeks in company with your good lady and family to settle permanently in the North-West is the unanimous feeling of every man of your Command.

Signed on behalf of men of "B" Division

ERNEST BRADLEY, S.M.	JAMES ROSS, Vet. Sergt.
J. MURRAY BLISS, Sergt.	WILLIAM CHARLES ASPREY, Const.
JOHN C. HOLMES, A.H.S.	ALBERT HOUSLEY, Const.
FRANK FITZPATRICK, Corpl.	JAMES COCHRANE, Const.
EMERY LEPROHON, Corpl.	GERALD T. BISHOP, Const.
MATTHEW DOWSE, Const.	

* * *

Golden Jubilee

AUGUST 7, 1939, marked the fiftieth wedding anniversary of Reg. No. 1664 ex-Constable David White of the Northwest Mounted Police, and Mrs. White. Their ranch home in the Maple Creek, Saskatchewan District was the scene of a large gathering of pioneer friends, their descendants and members of the immediate family who had met to celebrate the occasion.

After a picnic dinner, the old couple were presented with a chesterfield suite, a gift from their eight children—four sons and four daughters—nearly all of whom are married and reside in the district.

Later at the tea, a beautifully decorated table, was centered by a three-tiered wedding cake, which was presented to the aged bride and groom from the forty-five members of the family who were in attendance. Flowers and other gifts furnished ample testimony of the esteem and affection in which they were held by their friends and neighbours.

Ex-Constable White served with the Force from October 26, 1885, to October 25, 1890, during which period he led his wife to the altar in Regina, N.W.T. When he retired they took up ranching in the Cypress hills south of Maple Creek and have lived there throughout the ensuing years.

Mr. and Mrs. White are now 75 and 77 years young, respectively. Both are smart and alert and look back over the vista of fifty years of married life without regrets, feeling that they can face whatever lies ahead with confidence.

The Editorial Committee of the Quarterly joins their host of well-wishers in extending congratulations and best regards to them for many more years of health and wedded bliss.

* * *

Pensioned

The following members of the Force have been retired to pension recently; their present addresses are given in each case:—

Reg. No. 11716, Sergeant T. W. Symons—January 31, 1939.

c/o R.C.M. Police, Calgary, Alberta.

Reg. No. 9058, Constable G. H. Perrault—January 31, 1939.

38 Preston Street, Ottawa, Ontario.

Reg. No. 5726, Sergeant W. D. Smith—February 19, 1939.

889 West 26th Avenue, Vancouver, B.C.

Reg. No. 11406, Corporal L. Bradley—February 28, 1939.

28 Great George Street, Charlottetown, P.E.I.

Book and Magazine Review

"I MARRIED A GERMAN", by Madeline Kent.

Now that the war clouds, so long threatening, have dropped their fire and brimstone, and we find ourselves again enemies of the German people, our curiosity prompts the question: "What kind of people are these Germans?" This question is very adequately answered by Madeline Kent.

Let's blame curiosity for another question: "Is she sufficiently informed to be considered an authority on this subject?" I think she is.

Two years before the Nazi seizure of power, Madeline Kent, an English woman, married a German school teacher and went to live in Saxony. In 1936 she and her husband left Germany with the intention never to return as long as that country remained Fascist.

Her book tells, not so much in terms of personal prejudice or political opinion, as in terms of the wreckage wrought by Naziism in the lives of simple every-day folk. She finds them a likeable, sentimental people, with too great respect for authority and too much willingness to be led.

Miss Kent has an irritating way of reminding you that Britishers would jolly well know how to handle Nazi leaders, but she shows also how Naziism was crammed down the throats of the German people.

To the prospective reader I say,—you will find it a profitable and enjoyable way to pass an evening.—A.M.K.

"TAMING THE CRIMINAL", by John Lewis Gillin, Ph.D.

An exhaustive study of the criminal corrective systems of the world, in which the author takes you into the penitentiaries, lock-ups, and reformatories of Japan, the Philippines, Ceylon, India, Switzerland, Belgium, England, and some of the southern United States.

Through an intensive investigation of the effects of incarceration in these various institutions upon criminals of many types and degrees of incorrigibility, Dr. Gillin has arrived at a fair estimate of the good and evil in the numerous systems used in the countries mentioned. To follow him on his journey through the world's prisons is to derive an education in the psychology of the criminal and an appreciation of the advances that have been made in punitive methods in the past forty years; but it is also to realize how far we are from perfection and what difficult strides must be made before we can even approach that goal.

Most interesting are the chapters on the Criminal Tribes of India. Here we have the most difficult type of villain to reform—for generations the profession of his forebears has been that of crime, and it has become his heritage as a vocation and, in some cases, an integral part of his religion.

It may be remarked that the treatment, as a whole, is, perhaps, a little too tabulative, but owing to the breadth of the subject this could hardly be otherwise. Approach this book not as a novel but as a volume of interesting and valuable information and you will find it enjoyable—from cover to cover.—V.A.M.

Registration Difficulty

THE OTHER day whilst in the Lyn District, a member of the Force interviewed a mail route carrier, relative to the treatment of Aliens, etc., and asked this man if he had any Germans, Italians or Japanese in his district.

He replied: "I have no such foreigners as you state, but I have one "Gaw Dam foreigner," jest back of here, a Englishman, living on a farm. The Officer, being an Englishman himself, laughed and asked, "What about the Scotchmen?"

He replied that "they be alright."

Division Notes

"A" Division

Five members of "A" Division attended the D.C.R.A. Matches at Connaught Ranges and all made an excellent showing. Reg. No. 8953, Cpl. Goodfellow, N.E., placed fourth in the Bisley Aggregate, thus assuring himself a place on the Bisley team from Canada in 1940. This is the first occasion for several years that a member of the Force has attained this honour and it will be a very keen disappointment, not only to Cpl. Goodfellow, but to all members of the Division if, owing to the war, the empire shoot is cancelled.

* * *

A very successful picnic was held for members of the Ottawa Sub-Division on August 2. Perfect weather was enjoyed and a long and varied programme was run off, to the keen enjoyment of old and young alike. Unfortunately the duties of "A" Division are such that many members were unable to attend. However, the families were able to enjoy a very pleasant afternoon.

* * *

Three more members of the Division have recently joined the ranks of the Benedicts.

Reg. No. 11834, Cst. Ritza, E. A., was married to Miss Phyllis MacKintosh of Fort Erie North, Ont., on May 27th.

Reg. No. 10298, Cst. Staples, A. E., and Miss Lillian May Thompson of Ottawa were united in marriage on August 14th.

Reg. No. 10786, Cst. Miller, C. O., was married to Miss Wilhelmina Haverstock of Regina, Sask., on September 2nd.

The best wishes of all members of the Division are extended to these young couples for their future happiness.

"C" Division

Spring brought its quota of marriages: Cst. R. B. MacDonald, Cpl. J. A. E. DesRosiers, and A/Sgt. C. R. Broome. Cst. MacDonald is stationed at Rock Island Detachment and came second in our last Instruction Class examinations—he is consistently high in all examinations. Cpl. DesRosiers is in charge of Amos Detachment covering the important and fast developing mining territory of northern Quebec. A/Sgt. Broome's marriage will be remembered for the hilarious super-stag party which preceded it.

* * *

Two members went to pension this summer and were given presents and wished good luck. They were Sgt. T. S. Moore, who was in charge of Sherbrooke Section, and had completed 28 years service on the 9th July, 1939, and Cpl. M. P. L. Delaney, who was in charge of the Valcartier Camp, Quebec, and had completed 20 years service on the 25th July, 1939.

* * *

The latest sport-fad in Montreal is Jiu-Jitsu. The other day six members turned out for a first lesson and now they are massaging aching muscles. These aspirants to the Black Belt are Csts. Parent, Hebert, Nolin, Somers, Bourgault, and D/Sgt. Scrogg. In between lessons the group will practice at the Y.M.C.A., under the eye of Cst. P. E. Parent who is an old hand at Japanese armlocks.

* * *

Golf has had an unusual following this summer. The O.C., is of course an enthusiast. Perhaps the best of the rank and file is Cst. H. G. Langton who shoots in the eighties—he does especially well when fed steak sandwiches.

There has been quite a bit of fresh water swimming too, at Plage Ideale and at Ste. Helen's Island in the St. Lawrence River in the shadow of the great Jacques Cartier bridge. Highlights of the season were the water battles for possession of a small raft at the Island. On one occasion Cpl. R. J. Noel captured the raft, and as he stood with his mouth wide open laughing at the rest of us he was ducked under the damp avalanche of Csts. Hebert, Portelance, Nolin, Guenette, Trepannier and Sgt. Scrogg, and swallowed so much water he nearly drowned.

* * *

Ten-pin bowling is the major sport of this division. We have our own league of four teams at headquarters, the Aces, Kings, Queens and Jacks; and we have a team in the Military Bowling League which doubtless contains some of the best bowlers in Montreal. In our own league the Jacks won the first half of the season, and the Kings won the second half. In the end-of-season playoff the Kings won, and silver cups were presented to the team members (Cpl. Reeves, L/Cpl. Molyneux, Csts. Plaxton, Hebert and Defayette) by the Officer Commanding at a Smoker. In the Military League of twelve teams from local regiments we placed sixth, and the season ended with a gay banquet in the Engineers' armouries.

"Depot" Division

The 25th May, 1939, was a memorable day in the history of "Depot" as it was on that day that Their Majesties the King and Queen visited the barracks, spent an hour resting and making an informal tour of inspection.

* * *

The band left Regina for Ottawa on the 3rd of June; prior to their departure they gave concerts at Fort San, at the Regina General Hospital, and also at the barracks.

* * *

During the past few months General Films Ltd. of Regina have been making a feature film of the training activities at "Depot." A showing of part of the film was given in the gymnasium, and even though in an unfinished state it promised to be a type which will prove very interesting.

* * *

The Musical Ride left on the 21st June for San Francisco to take part in the International Horse Show at the Golden Gate Exposition there. The Ride went over very well indeed, the trip being a successful one all round. This Ride was also put on in the evenings at the Provincial Exhibition at Regina from the 31st July to the 5th August, and was enthusiastically received.

* * *

In the Spring, intersquad competitions in both hard and soft ball were organized but, owing to the numerous transfers, it was found impractical to continue. Exhibition games in baseball were played against strong local and district teams, resulting in nine wins, seven losses, and one game tied.

* * *

A few games of Association Football were played but the teams were broken up. A cricket team comprised of "Depot" and "F" Division members played on All Star team representing the city of Regina, and, considering that some members had not played for many years, a very creditable showing was made—the game was thoroughly enjoyed. Sergeant H. Harvey and L/Cpl. Dodd were top scorers, and Constable Jones, R.W.P. shone as a bowler.

* * *

The tennis courts are in very good condition and have been extensively patronized.

Four marriages of members were solemnized during the past three months:—

Surgeon M. Powers was married to Miss Marguerite Lapointe of Montreal, P.Q., on the 5th June; Lance Corporal Van Patten, R. R., to Miss Bernice Thorstad of Abbey, Saskatchewan on the 4th June; Constable Smith, H. R., to Miss Blanche Oliver of Regina, Saskatchewan, on the 13th May; and Constable Stokes, R. J., to Miss Edythe Lyon of Vancouver, B.C., on the 29th July.

The best wishes of the division are extended to these members and their brides.

* * *

Of much interest to his many friends throughout the Force is the announcement that ex-Constable Charles (Ted) Hutchings, son of Inspector and Mrs. T. B. Hutchings, was united in marriage to Maurice Shirley Stewart, daughter of Mr. and Mrs. G. Fraser Stewart of Regina, Sask. Mr. Hutchings and his bride will continue to reside in the Queen City of the Prairies. The best of good wishes and congratulations are extended to the happy couple.

“D” Division

As in former years softball was one of the main sporting activities at Division Headquarters. A league comprised of teams representing the departments of Highway Traffic, the Staff, Winnipeg Detachment, and C.I.B., and four teams from the Reserve, was formed but bad weather and the outbreak of hostilities in Europe prevented the schedule being completed. However, all games played were hotly contested and proved very entertaining to spectators and non-playing members, and were the means of increasing the spirit of good fellowship between the regular members and members of the Reserve.

* * *

Our thanks are due to the Hudson's Bay Co., Winnipeg, who, as a token of their appreciation of this Force, very kindly presented the Division with a large silver cup for annual softball competition. It was intended that the team winning the league competition would also be the cup winners, but as the league schedule was not finished a straight knock-out competition for the cup was decided upon. This was won by No. 1 team of the Reserve whose star pitcher was far too good for the other teams.

* * *

Two friendly games were played between picked teams from the Winnipeg City Police and “D” Division Headquarters. The first game being won by our team, score 2-0, the second by the Winnipeg City Police, score 16-9. These games played in a spirit of friendly rivalry were much enjoyed both by players and a large number of spectators. Refreshments were served to the players by the Division Mess after the games. Events such as these do much to maintain “esprit de corps” and are indicative of the close co-operation existing between the two forces.

* * *

Tennis was another sport which was very popular. The court at Division Barracks being in excellent playing condition was much in demand toward the latter part of the season. It is hoped that next year a series of individual competitions and tournaments will be possible.

* * *

There are quite a number of golfers in the Division and while no special tournaments have been held there have been a number of friendly matches which resulted in some members paying at least a part if not all of the others green fees. It is understood that some are being recommended for a special course in arithmetic.

* * *

Constable H. C. Park was united in marriage to Miss Hazel Knappe at Winnipeg on August 19th. The good wishes of all members of the Division are extended to Constable and Mrs. Park.

"F" Division

The following "F" Division members have been married since the last issue of the *Quarterly* was published. There are so many, the Division unites in wishing them all that is well in their future happiness.

11844, Const. D. C. Slinn, an old Northern man, was married to Miss Jean Raymer at Regina, Sask., on June 24, 1939. He is now stationed at North Battleford but will shortly be transferred to Goodsoil.

11878, Const. R. L. Mabey, was married to Miss Marjorie Patricia Morris at Regina, Sask., on May 26, 1939. He is stationed at Regina T.S. Detachment.

10572, Const. G. E. Elphick, was married to Miss Eleanor Isabelle Roger at Regina, Sask., on June 3, 1939. He is stationed at Fort Qu'Appelle.

11853, Const. A. C. M. Van Nostrand, was married to Miss Anna Lucile Bartlett at Shaunavon, Sask., on June 21, 1939. He is stationed at Climax.

11750, Const. P. L. Watt, was married to Miss Alice Piche at Ponteix, Sask., on June 12, 1939. He is stationed at Ponteix.

11138, Const. J. S. Vinen, another Northern man, was married to Miss Margaret Maley at Regina, Sask., on June 23, 1939. He is stationed at Wakaw.

11917, Const. S. F. Cunnington, was married to Miss Phyllis B. Hersey at Weyburn, Sask., on June 30, 1939. He is stationed at Weyburn.

10920, Const. A. Stoddart, was married to Miss Eleanor Catherine Knox at Prince Albert, Sask., on August 14, 1939. He is stationed at Shaunavon.

10953, Const. R. L. Woodhouse, was married on July 12, 1939, at Saskatoon, Sask. He has since been transferred to "O" Division and "F" Division will miss this good plain-clothes-man.

11888, Const. A. L. Kirkby, was married to Miss Jean H. Adam at Regina, Sask., on August 5, 1939. He is stationed at Melfort.

* * *

Inspector F. W. Allan has been transferred from Regina to return to Fredericton where he had served previously. The Regina Sub-Division is sorry to lose Inspector Allan and are glad that his health has so much improved. At the same time, "F" Division heartily welcomes Inspector C. E. Rivett-Carnac who has come to Regina in Inspector Allan's place.

* * *

"F" Division has lost the energetic and cordial Sergeant J. H. Hellofs who has been transferred from Moose Jaw to Charlottetown, P.E.I., and we hope he will be as happy by the sea as he was on the rolling prairies.

* * *

One of the "old timers" of the Force, in the person of Acting Sergeant E. M. Jacques, has been transferred from North Portal to Ottawa and "F" Division wishes the Jacques every good luck. A/Sgt. Jacques' regimental number is 3849, probably the oldest number now in the serving members.

* * *

Sergeant G. T. Makinson has again come out of the seclusion of the Far North after serving both in the Eastern and Western Arctic and the MacKenzie district. He is now attached to the Regina Town Station where he does not have so much time for reflexion.

* * *

Detective Sergeant W. J. Woods has been transferred to Vancouver from Weyburn and he has been replaced in "F" Division by Detective Sergeant R. S. S. Wilson.

* * *

The Division was also sorry to lose Reg. No. 12788, Const. J. G. C. Downey and Reg. No. 12495, Const. W. C. Turner to "E" Division. These men were especially

selected for this transfer and we feel sure they will uphold the good name of "F" Division in police work. Incidentally, Const. Downey is the son of Chief Constable Downey of the Ottawa City Police and a nephew of our Inspector E. Carroll.

* * *

Sergeant W. Ward, Patrol N.C.O. for Regina Sub-Division, and Constable G. Nelson of Estevan Detachment, have both retired to pension and the Division wishes them "happy days" ahead. Sergeant Ward has gone to the B.C. Coast but Const. Nelson is sticking to the Prairies.

* * *

In addition to the above, the following transfers took place:—

Constable G. W. Slee to "D" Division, being replaced at Weyburn by Constable J. R. Leger from Winnipeg.

Constable A. T. Loates and Constable B. F. Harvey to "A" Division.

Constable W. E. L. McElhone to "O" Division and also Detective Constable R. L. Woodhouse.

Second Constable R. J. Heppell to "E" Division.

* * *

The Division has two sad deaths to report. The first was Reg. No. 11813, Constable I. M. K. Fraser, who died of a heart attack while leading the Dominion Day Parade at Wadena, Sask. Const. Fraser was a very efficient and popular member and his loss is keenly felt. He was buried in our Regina Cemetery with full Police honours. The firing party, gun carriage and horse were kindly supplied by the "Depot" Division.

On August 26, Reg. No. 12690, Const. Rhodeniser, W. E., our dog master from Yorkton, was killed by an Indian murderer near Carlyle, Sask. It was a sad and gallant death and details are recorded elsewhere.

"J" Division

Tennis remains the leading summer sport. This year has been a most successful one at the Riverside Tennis Club, which is situated on our grounds. Extensive repairs were made to the courts, etc., and, due to the influx of members, it was necessary to open a new court, making a total of five in use. At time of writing this Club is starting the final tournaments and from results to date will have little to fear from their opponents.

* * *

Swimming and boating have taken on an even greater activity than in former years. We are fortunate in having a few members who are competent to instruct in swimming, with the result that those who were "water shy" are now converted into "waterdogs." During after-duty-hours and on week ends, picnics are held on the Islands in the river, transportation being provided for by the Recreation Club boats and canoes owned by members. (For those who do not know the locality, our barracks borders on the banks of the St. John River and excellent opportunity for all types of water sports is available.

* * *

Many complimentary remarks have been made on our barracks grounds. Numerous flower-beds of petunias, zinnias, snap dragon, begonias, sweet alyssum, etc., etc. laid out in different shapes throughout the grounds make a very pleasant and beautiful sight. An active interest is shown in this regard with the result that greater interest is taken in gardening both by the single members in barracks and the married members at their homes.

* * *

During July Sgt. J. D. O'Connell attended the New Brunswick Provincial Shoot at Sussex, N.B., obtaining third place in the grand aggregate, thereby winning

a place on the New Brunswick team to Ottawa. He also won the Revolver Championship Medal.

* * *

Sgt. O'Connell attended the Provincial Meet at Quebec during the first week in August, and from there went on to Ottawa for the D.C.R.A. Shoot and, by consistent good shooting made the twenty-fifth place in Bisley Aggregate. At this shoot the team of Sgt. O'Connell, Cpl. Chisson and Cst. Blais was successful in winning the "James Boa" revolver team championship match.

"K" Division

The "K" Division Cricket Club, Edmonton, concluded its most successful and enjoyable season at the end of September by gaining the Howe Cup, awarded to the runners-up in the Edmonton Cricket League. The choice of L/Cpl. A. B. Johns as Captain and Cst. E. C. Parker as Vice-Captain has been considered a very happy one.

Newcomers were welcomed to the team this year in the persons of Cst. J. S. D. Brandon from Vancouver and S/Cst. R. S. Brown, who prior to joining the Force was one of our opponents in Edmonton Cricket. We suffered the loss of a very showy batsman early in the season in the transfer to Vancouver of Cst. E. Porter who scored 111 runs for us in seven innings, an average of 15.86 runs per inning.

Batting honours for the season went to Cst. E. C. Parker who scored 491 runs for an average of 32.73. Bowling honours went to S/Cst. H. H. Lane who took 51 wickets for 416 runs, an average of one wicket per 8.51 runs.

The B.C. Cricket Association held its annual cricket week early in July at Brocton Point, Vancouver. This Division was represented on the Alberta Eleven by Cst. E. C. Parker of this H.Q., and Cst. G. Pain of Calgary S/Div. Press reports



Back Row—S/Cst. Lane, Cst. Strip, Cst. McMullen, S/Cst. Lane, Arthur Brown.

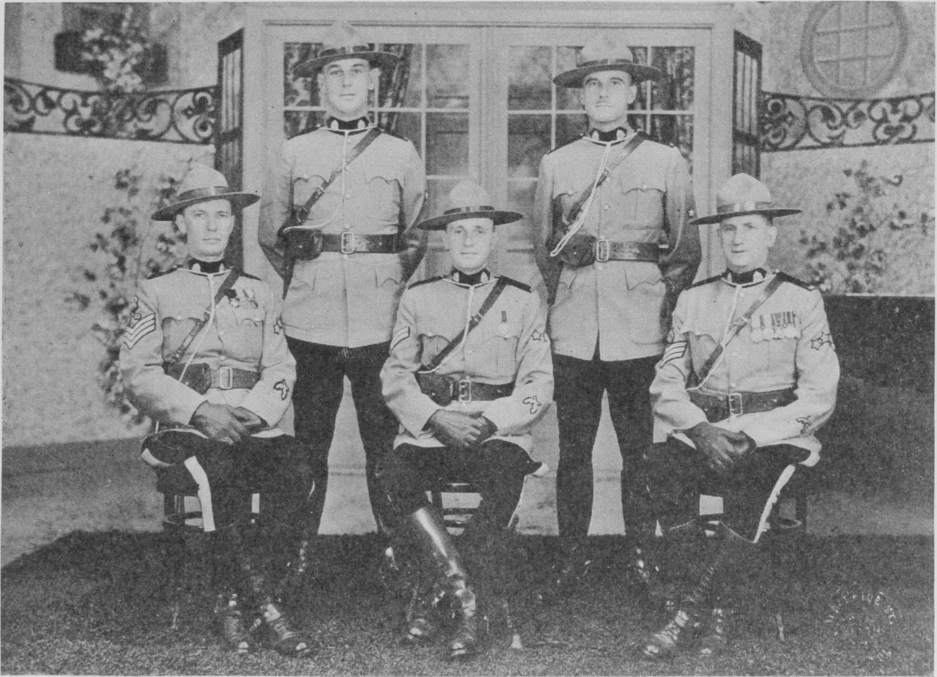
Middle Row—S/Cst. Brown, Insp. Watts, L/Cpl. Johns, Cst. Parker, E. Parker.

Front, Sitting—Cst. McGlynn, Cst. Brandon, Cst. Harrison.

showed that these two men were a tower of strength to the Alberta team. Alberta, having been twice defeated, finished in third place.

* * *

A softball team was organized at H.Q. during the past Summer. Games have been played between this Force and the Edmonton City Police, during which there was a great deal of friendly rivalry, and considerable pleasure was derived from this association.



*Sitting, (left to right)—Sgt. Forsland, Cpl. Mighall, Sgt. Ford.
Standing—Cst. Blair, Cst. Eaton.*

Although time was not found to organize tennis tournaments, as has been done in the past, friendly games were held on the Court at the Barracks, Edmonton.

Peace River went in for tennis in a larger way and held a tournament.

* * *

"K" Division has always been very proud of its revolver shots, and they came to the front again this year by winning the Dominion Marksmen Senior Open Revolver Championship. The shoot-off was against the B.C. Police team, and the winning score was 1462 x 1500. This is a new record. The team members were: Reg. No. 6117, Sgt. Ford, A.; Reg. No. 7479, Sgt. Forsland, D.E.; Reg. No. 10189, Cpl. Mighall, D. C.; Reg. No. 11151, Cst. Blair, R. J.; Reg. No. 11760, Cst. Eaton, M. R. J.

Constable Blair is to be congratulated on being the first member of this Force to equal the individual high score record of 296 x 300, which places him in the class of such shots as: Capt. R. G. Pickerell, C.N.R. Dept. of Investigation; W. E. Tingman, C.P.R. Police; J. H. D. MacDonald, C.P.R. Police; Det. T. E. Lee, Vancouver City Police. Sgt. Ford, whose hobby has been shooting for many years deserves a very great deal of credit for the manner in which he has developed revolver

shooting among younger members in this Division. An expert shot himself, he has always encouraged the young shot, and the success of "K" Division teams has been due to his enthusiasm and tuition. It is hoped that he will write an article on his hobby in the near future.

* * *

The Alberta Police Golf Association held their tournament at Calgary in July last. The R.C.M.P. was well represented, and participants were successful in winning several prizes.

* * *

S/Cst. D. Hicks (better known as Danny to every one here) has joined the Colours. On Sept. 22, at a short ceremony, A/A/Com'r W. F. W. Hancock, on behalf of the members of the Division, presented Danny with a watch and chain, suitably engraved, as a token of the esteem in which he is held by all.

"N" Division

Since the transfer of the Band from Regina to Ottawa, "N" division is becoming very much like the Seven Dwarfs, only we have music instead of whistling while working. The Band and Musical Ride have been greatly in demand during the summer and they have both been getting a great reception wherever they appeared.

* * *

On June 24, the Musical Ride and Band appeared before the Ottawa Valley Hunt Club at Rockcliffe barracks.

* * *

June 29, the Musical Ride and Band went to the New York World's Fair and reports from there indicated that they were given a great hand.

* * *

On July 14, the Band made its first public appearance in the City of Ottawa on Major's Hill Park; a large appreciative audience was there.

* * *

A new departure from the usual work of "N" division commenced on July 17 when two members were detailed for mounted duty on Parliament Hill. These men will be on duty there all summer and are a great attraction for the tourists, cameras being much in evidence.

* * *

On July 27, the "N" division Musical Ride left for the Seventh Worlds Poultry Congress at Cleveland, Ohio. While there the troops were entertained in great style and were asked to remain an extra day, which speaks well for the popularity of the police rides in the States.

* * *

"N" division is now a hive of industry in that carpenters, brick-layers and air drills commenced alterations to the barracks. The gymnasium is being enlarged and a third floor added on top of the barrack rooms; if orders are not heard on parade the air drills get the blame.

* * *

On August 4 the Ontario Police Chiefs in convention at Ottawa were entertained at the barracks; the Band played, the Ride rode, and tea was served on the lawn.

* * *

On August 12 and 19 the Musical Ride and Band performed at the Connaught Park Race Meeting in Quebec before a large crowd.

* * *

A party of English Public School boys visited us on August 16 and seemed to enjoy themselves immensely.

The United States Marine Band arrived in Ottawa on August 20 and the Police Band attended the reception. Unfortunately it rained and the bands were obliged to play in the armouries.

* * *

On August 22, Admiral Waesche and party of the U.S. Coast Guard Service and a large crowd visited the barracks, they were entertained by the Band and two Musical Rides, "N" Division and the Regina Ride which was here enroute to the Canadian National Exhibition at Toronto. A demonstration was also given by the police dogs. Tea was served on the lawn after the performance and everyone seemed to enjoy themselves.

* * *

On Friday morning August 25 the Musical Ride and Band performed for the U.S. Marine Band.

"N" division is fast becoming a place of interest in Ottawa, especially among the tourists; when the alterations are finished here we will undoubtedly have one of the show places in town.

"O" Division

Owing to the sustained heat, summer activities have been somewhat curtailed. A number of interesting games of softball have been played and it is hoped to arrange a series of games between the married and single personnel during the Fall months.

* * *

A program of Fall and Winter sports between active members of the Division and members of the Reserve at Toronto, is being discussed and it is planned to have these under way directly the cool fall weather sets in.

* * *

All members of the Division join in extending best wishes for a speedy and complete recovery to our genial Officer Commanding, Superintendent W. Munday, who is presently confined to Christie St. Hospital, Toronto. It is pleasing to report that Superintendent Munday is making a very satisfactory recovery.

* * *

Best wishes are extended to Inspector R. E. R. Webster who commenced his retirement leave on August 6. Inspector Webster has been a member of "O" Division since the spring of 1938, during which time he acquired a wide circle of friends. All ranks join in wishing Inspector and Mrs. Webster good health and happiness in the years to come.

* * *

Congratulations are in order to Constables Newman, H. J.; Elkin, S. J.; Dexter, G. E.; Lockwood, K. M.; Blyth, J. T.; and Nichol, W. M.; who recently joined the ranks of the benedicts.



Officer: "You say you were held up and robbed last night? At what time was it?"

Victim: "Five minutes to one."

Officer: "What makes you so certain of the time?"

Victim: "I was where I could see the clock on the city hall and I noticed that its hands were in exactly the same position as my own."

Spring 3100.

Obituary

Ex-Assistant Commissioner Theodore Ambrose Wroughton

It is with a feeling of profound sorrow that we record the death of ex-Assistant Commissioner Theodore Ambrose Wroughton, age 77, who passed away suddenly at 1.00 o'clock Sunday afternoon, August 6, 1939, at his residence, 1243 Thurlow Street, Vancouver, B.C.

A son of Major General W. N. Wroughton, British Officer serving in the Indian Army, Assistant Commissioner Wroughton was born in Neilgheries, India. He received his early education at Bedford, England, emigrating to this country as a youth. He attended the Ontario Agricultural College at Guelph graduating as a Veterinary Surgeon, was a medallist of Montreal Veterinary College, McGill University; receiving the appointment of Assistant Inspector, Department of Agriculture at Montreal Port in 1886.

The former Assistant Commissioner engaged with the North West Mounted Police as a Constable at the age of 25 on August 25, 1887, at which time the late Colonel L. W. Herchmer was Commissioner. He passed through the various grades of Non-Commissioned Officer and while Staff Sergeant was appointed Assistant Veterinary Surgeon from January 1, 1888, in which capacity he served Regina, then the Headquarters of the Force. In those days the plains were unsettled and, horses being the sole means of transportation, he did not lack in opportunity to demonstrate his ability and skill in their treatment when sick. He was granted the rank of Inspector on April 29, 1898, and appointed Veterinary Surgeon from March 1 of that year. During the intervening ten years he was stationed from time to time at Prince Albert, Saskatchewan, Fort MacLeod and other points in the newly-opened tracts of the Canadian West, participated in regular law-enforcement duties in addition to his professional work as Veterinary.

In 1906 the then Commissioner, A. Bowen-Perry entrusted him with the command of "B" Division, Y.T., where he remained for five years. In this capacity he held the appointment of Chief Magistrate and as such was the highest Court official of that lawless community during the Yukon Gold Rush. Untiring in his endeavours, Inspector Wroughton more than established himself as being a competent and able Officer. It was due in large measure to his boundless energy that the Force was able to place a quietus on the "gun and dance hall era," and restore law and order to this remote frontier. As Magistrate he tried literally thousands of cases and as Police Officer he directed the activity that culminated in the capture and conviction of that notorious pair of bandit-murderers, Fournier and Labelle, who so terrorized the northland.

From this point he was assigned to command of "N" Division at Athabasca and the following year, 1912, he was promoted to Superintendent and put in charge of "G" Division with Headquarters at Edmonton, Alberta. In the interim he accompanied the R.N.W.M.P. representative contingent which travelled to London for the Coronation of His Majesty, King George V.

He was elevated to the rank of Assistant Commissioner on February 1, 1920, and assigned to the command of British Columbia District with Headquarters at Vancouver, serving there until his voluntary retirement occasioned by ill-health, on November 1, 1924. His long and faithful service extended over 37 of the most critical years during which the Force has passed.

Before joining the Force he served in the Militia as a Commissioned Officer. Veteran of the Boer War, he was with the Second Mounted Rifles as a Lieutenant, for a year.

The late Colonel Wroughton is an uncle of our present Commissioner.

The funeral services were held on Tuesday, August 8, 1939, at 2 o'clock p.m. in Center and Hanna Chapel, with Very Reverend Dean Ramsay Armitage officiating. The remains were forwarded thereafter to Kingston, Ontario, where interment took place. He is survived by his widow to whom the sympathy of the Force will go out in her bereavement.

Ex-Inspector Donald Macdonald Maclean-Howard

With sincere regret we record the death of ex-Inspector Donald Macdonald Maclean-Howard, which occurred at his home in Wilkie, Saskatchewan, on June 5, 1939.

The former Inspector, who was 78 years of age at the time of his death, joined the Force on November 1, 1890, and retired to pension in July, 1920. In the course of his 29 years continuous service, he was stationed at many of the Mounted Police posts in the west and throughout the north. He commanded Saskatoon Sub-Division in 1912. Two years later he was transferred to Port Nelson assuming command of "M" Division. In 1917 he took over the command of Swift Current Sub-District.

The late Major Maclean-Howard was born in Toronto. He received his education at Trinity College School, Port Hope, and Trinity College, Toronto, where he graduated in Arts, and was called to the bar of Upper Canada in Hilary Term 1885. He practised law in Toronto afterwards.

Prior to joining the Force he served actively for seven years as an Officer in the 10th Battalion Royal Grenadiers, passing through the different ranks of Second Lieutenant, Lieutenant and Captain. He held a First Class Grade "A" Military Certificate from the Royal School of Infantry, London, Ontario, and later obtained a First Class Certificate from the Cavalry School at Quebec. He was on service with a draft from his Regiment on duty in the Northwest Territories during the Riel Rebellion of 1885 in General Middleton's column as Senior Lieutenant. Later he was in command of No. 3 Company and was present at the engagements of Fish Creek and Batoche, being wounded in the latter encounter. Major Maclean-Howard was also a veteran of the South African War.

Interment was made in St. James' cemetery at 3 o'clock in the afternoon of June 21.

Reg. No. 396, ex-Constable Frederick Trevor Young

The death occurred at Banff, Alberta, on the 14th February, 1939, of Ex-Constable Frederick Trevor Young, at the age of 82 years.

On June 9th, 1879, Mr. Young joined the North West Mounted Police, serving as constable and corporal until 1884, when he took his discharge. Re-engaging on July 10th, 1889, Mr. Young served for a short time before again taking his discharge. Re-engaging again in 1900, the late ex-constable served until 1903. After taking his first discharge, Mr. Young served until the end of the Riel Rebellion as a member of the Rocky Mountain Rangers.

For some years after his discharge from the Force Mr. Young lived in Calgary, Alta, later settling in Banff, Alta.

The funeral was held from St. George's Church, Banff, with semi-military honours. Members of "K" Division attended. Interment took place in the Banff Cemetery. A wreath was sent from the members of "K" Division.

Surviving Mr. Young are two brothers, Campbell, of Edmonton, and Kenneth, Montreal, to whom our deepest sympathy is extended.

Reg. No. 3516, ex-Constable John Learment

After a prolonged illness, the death occurred at Dawson, Y.T. on July 20 of ex-Constable John Learment at the age of 72. Many old timers will learn with regret of this passing of another from their ranks.

A member of the Force for five years, the late Mr. Learment engaged at Charlottetown, P.E.I., on March 21, 1900, and his entire period of service was spent in the Yukon.

Upon taking his discharge in 1905, Mr. Learment entered business at Dawson, and for many years was proprietor of the Principal hotel there. He retired from active business a few years ago.

A detail of members of the Yukon Sub-Division attended the funeral. Mr. Learment is mourned by a sister, a resident of the United States.

Reg. No. 8133, ex-Sergeant E. Lord

Word has been received announcing the death of ex-Sergeant E. Lord, age 43, who passed away at his home in Miami, Florida, Friday, May 12, 1939.

The late Mr. Lord was a veteran of the Great War, having served with the C.E.F. overseas. He joined the Force on June 25, 1919, and was stationed at Regina for several months before being transferred to Montreal and Quebec. He was invalided on March 25, 1924, since which time he has made his residence in the United States.

The late Mr. Lord is survived by his widow, to whom we extend our deep sympathy.

Reg. No. 6523, ex-Constable Alan Brooker

The death occurred near Edmonton, Alberta, on August 26, 1939, after a lengthy illness, of ex-Constable Alan Brooker, at the age of 45. He is survived by two brothers to whom our sympathy is extended.

The late Mr. Brooker was a native of England, having migrated to this country in 1913. He joined the R.N.W.M.P. on March 10, 1916, and was stationed both in the Yukon and Northwest Territories.

In May, 1918, he enlisted with the R.N.W.M.P. Overseas Cavalry Draft attached to the Canadian Corps, and proceeded to England, thence to France. Private Brooker performed good duty and was mentioned in despatches by Sir Douglas Haig, later being awarded the Military Medal. He returned to Canada in March, 1919, and re-engaged in the Force upon demobilization of the C.E.F. shortly afterwards.

The funeral service was conducted by the Reverend George A. Macdonald, Knox United Church, at the chapel of the Howard & McBride Undertaking Parlour, Edmonton, on August 30, last.

Interment took place in the R.C.M.P. plot at Fort Saskatchewan cemetery. Six uniformed members of "K" Division attended as pallbearers.

Reg. No. 2150, Ex-Constable John Mackie

Death brought to a close the eventful career of ex-Constable John Mackie in London, England, on June 12, 1939. Mr. Mackie, who was 80, had been in ill-health for some time and his passing was hastened by a road accident in which he was involved over two years ago.

After spending some time in Australia as a boundary rider and prospector, Mr. Mackie settled down for a while in the region of the Gulf of Carpentaria, Queensland, as a trading store proprietor. In this capacity, he was the owner of a schooner in which he visited the South Sea Islands. In quest of further adventure, Mr. Mackie came to Canada in 1883 and engaged with the North West Mounted Police on May 28, 1888. At this time he had just reached 30 years of age and he remained with the force for five years, having been stationed at Regina, Saskatchewan and Cartwright, Manitoba, which was then, of course, part of the Northwest Territories. Upon taking his discharge he went to Pretoria, South Africa, and fought in the Boer War as a member of Brabant's Horse. He figured in the Siege of Wefener and received the Queen's medal with five clasps in the Battle of Belfast.

Mr. Mackie was educated at Sterling Grammar School. He was possessed of high literary ability and, when only 21 years of age, won the Gold Medal of the Highland Agricultural Society for the most outstanding essay of the year. It was not, however, until later life that he seriously took up writing for the love of travel and excitement had first to be appeased.

Policeman, sailor, soldier, traveller and explorer, Mr. Mackie's various colorful adventures formed the material for many of the novels which he wrote. A prolific author, more than fifty books came from his pen, including, "The Devil's Playground," "Sinner's Twain," "The Treasure Hunters," "Hidden in Canadian Wilds" and "The Great Antarctic." He also contributed largely to such well-known periodicals as "Chums," "The Captain," and "The Wide World Magazine".

The interment took place at Hampstead Cemetery with a large representation of friends present.

Reg. No. 2636, ex-Constable Hugh Thomas

Ex-Constable Hugh Thomas died in the Maple Creek General Hospital on August 10, 1939, after a lengthy illness.

Mr. Thomas, who was 71 years of age at the time of his death, was born in Wales. He joined the N.W.M. Police on March 19, 1891, shortly after his arrival in Canada. Constable Thomas remained with the Force for twelve years during which time he was stationed at Maple Creek and also in the Yukon Territories. After taking his discharge, Mr. Thomas engaged in the ranching industry near the Cypress Hills in southern Saskatchewan.

Shortly before his death, the late Mr. Thomas expressed a desire to be buried in the old Mounted Police cemetery at Fort Walsh, and accordingly arrangements were made by the Commissioner to have this done. Uniformed members of the Force, acting as pall-bearers, accompanied the remains to their last resting place. A host of friends were present to pay a last tribute of affection and respect.

This is the first burial in the historic cemetery at Fort Walsh since 1906. There had been no interments at this point prior to that date since 1883.

Reg. No. 11813, Constable Ian Malcolm Kenneth Fraser

It will be a distinct shock for many to learn of the untimely decease of Constable Ian Malcolm Kenneth Fraser, 31, who passed away suddenly from the affects of a heart ailment. The death occurred on the morning of July 1, 1939, while Constable Fraser was mounted leading the Dominion Day parade at Wadena, Saskatchewan, where he was stationed.

Constable Fraser joined the R.C.M. Police on November 15, 1932, and was stationed from time to time at Kelvington, Kamsack, Yorkton and Wadena Detachments in Saskatchewan. Before joining the Force he studied science and medicine at Dalhousie University, Halifax, for four years. His qualifications and record presaged a bright future in the Force. The late Constable was greatly beloved by his co-workers and others who knew him; as a mark of the high respect in which he was held by the community, all flags in Wadena were flown at half mast during the time his body rested there.

After a short service in this town the remains were shipped to Regina, where a funeral service was held on Wednesday morning, July 5, at the Sacred Heart Roman Catholic Church. Later the casket was borne on a gun carriage to the R.C.M. Police Cemetery at the Barracks, where he was buried with full Military Honours. Members of the Boy Scouts Troop formed a Guard of Honour at the Church and, in addition to members of this Force, the Regina City Police were represented.

The deceased is the son of Mr. T. M. Fraser, Assistant Clerk, House of Commons, Ottawa, who resides at Westport, Ontario, with his family. We extend the deepest sympathy to the relatives in their sad loss.

Reg. No. 8458, Sergeant Robert Alfred George Baker

Sergeant R. A. G. Baker of Edmonton Sub-Division, Alberta, succumbed to a heart attack at his home in Edmonton on September 4, 1939.

Sergeant Baker had been a member of the Force for the past twenty years, having engaged at Montreal, P.Q., on July 14, 1919. He saw service in the Northwest Territories and at Edmonton, where he was stationed for six years prior to his death. The deceased also served with the Canadian Expeditionary Force in France during the Great War for slightly over three years.

The funeral service was conducted by the Reverend G. P. Gower. Six fellow Sergeants acted as pall-bearers. Act/Assistant Commissioner Hancock was in attendance together with a large detail of Non-Commissioned Officers and Constables. Representatives of the Edmonton City Police, Legion of Frontiersmen, and the Canadian Corps Association were present.

Sergeant Baker is survived by his wife, his father, Mr. F. Baker of Montreal, two sisters and two brothers, to whom our deepest sympathy is extended.

Reg. No. 4479, ex-Sergeant Basil George Meyrick

Ex-Sergeant Basil George Meyrick, age 55, passed away at the Vancouver General Hospital on August 7, 1939.

Sergeant Meyrick joined the Force on May 18, 1906, taking his discharge by purchase on October 31, 1908. He re-engaged on September 15, 1914, and was stationed in the Southern Saskatchewan district. On September 14, 1916, he again took his discharge to join the Canadian Expeditionary Force, remaining Overseas in the Army until 1919, when he returned to Canada and was re-engaged on April 17, 1920. He was stationed at Regina, Saskatchewan, practically from that date until his retirement a little over two years ago.

Sergeant Meyrick will be remembered by hundreds of recruits who passed through "Depot" during his time because of his work as Organist in our Chapel. He was an accomplished musician, having obtained Degrees both on the organ and violin.

The funeral service was held on Thursday, August 10, in St. Margarets Anglican Church and interment was made in the Returned Soldiers Plot, Mountain View Cemetery, Vancouver.

The late Mr. Meyrick is survived by his widow and two daughters, who reside in Vancouver, B.C., and to whom we extend our sympathy.

Reg. No. 10299, ex-Constable Albert Edward Brewer

The death occurred at Dartmouth, N.S., on August 5, 1939, of ex-Constable Albert Edward Brewer, who for medical reasons was retired from the Force last year.

Born on May 26, 1903, Mr. Brewer spent five years at sea as a seaman and joined the Force on May 24, 1927. In 1933, while en route to the Dockyard for duty he sustained a severe multiple head injury through being run down by a reckless automobile driver. He fought gallantly through a series of major operations and won a battle for his life which doctors thought hopeless. Misfortune, however, dogged his footsteps, and the unfortunate Constable was again struck in 1935 by a hit-and-run driver in Halifax. Eventually he became so incapacitated that it was necessary to invalid him on May 23, 1938.

In accordance with a last request, the deceased was buried in uniform. Pall-bearers from the Dockyard Detachment, where he had served, walked beside the hearse, followed by a military cortege of fourteen members from Halifax Detachment. The many floral tributes present were eloquent of the marked respect and esteem in which ex-Constable Brewer was held. Interment took place at Mount Herman Cemetery, Dartmouth.

Surviving Mr. Brewer are his widow and three young children, to whom we extend our deepest sympathy.

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