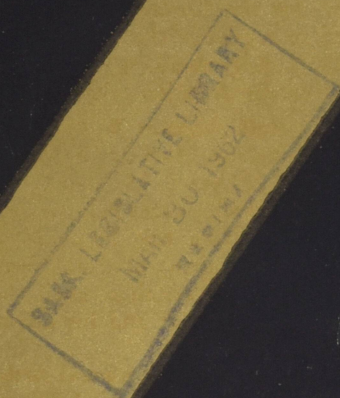




ROYAL CANADIAN MOUNTED POLICE QUARTERLY

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This year a remarkably high standard of marksmanship was established in the competition between the Counties of England and the Provinces of Canada. To the Quebec team, in particular, much praise is due. Their total score, 3968 x 4000 ties the official record made by Ontario in this competition in 1937.

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"DOMINION" AMMUNITION DIVISION

Royal Canadian Mounted Police Quarterly

VOLUME 5

APRIL 1938

NUMBER 4

Contents

	PAGE
Frontispiece	220
The Late Commissioner Sir James Howden MacBrien, K.C.B., C.M.G., D.S.O.	221
The Funeral of Sir James MacBrien	225
Essay Competition	234
Notes on Recent Cases	235
Summary Convictions	
<i>By J. C. Martin, K.C.</i>	241
The Italian "Invasion" of Halifax County!	
<i>By Assistant-Commissioner C. D. LaNauze</i>	250
The Peace River District	
<i>By Inspector E. Radcliffe</i>	254
"From Sea to Sea". The "Adversus" Leaves the West Coast	
<i>By Skipper-Lieutenant J. W. Bonner</i>	260
Confessions	
<i>By Detective-Constable D. O. Forrest</i>	267
Development of a New Tradition	
<i>By Skipper R. A. S. McNeil</i>	270
Fort Macleod—Past and Present	
<i>By Lance-Corporal F. J. Brailsford</i>	273
Cryptogram Contest	275
Division Notes	276
Obituary	283

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

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

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



MAJOR-GENERAL SIR JAMES HOWDEN MACBRIEN, K.C.B., C.M.G., D.S.O.,
COMMISSIONER, ROYAL CANADIAN MOUNTED POLICE, 1931-1938

The Late Commissioner

Sir James Howden MacBrien, K.C.B., C.M.G., D.S.O.

by SUPERINTENDENT V. A. M. KEMP

IT is with a feeling of profound sorrow that we record the death of our beloved Commissioner, which occurred at Toronto on the evening of March 5th, 1938.

In the passing of Major General Sir James Howden MacBrien, the Force has sustained a very great loss. The first Commissioner to die whilst in office, he was responsible for so much that has been done for the good of the Force and Canada during the past six years. It is unlikely that this Force has ever witnessed such a complete change in structure as took place under his direction. The tremendous spontaneity of sympathy which passed over the country and which included testimony from those in high positions, as well as those occupying more humble stations in life, culminated in an impressive tribute to his memory on the occasion of his funeral. A description of this ceremony will be found elsewhere in these pages.

Words cannot describe the remarkable esteem in which Sir James was held by all his comrades in the Force. He was the Commissioner, but in addition he was a man, with an understanding of men, possessed of unusual personality and of amazing ability to instil keenness in those privileged to serve under him.

Not only was he the first Commissioner to answer the last Roll Call whilst actually holding office but he was the first to have risen to that position after engagement in the ranks as a Constable.

This Force has produced many men who, after a period of useful and outstanding Police activity, have achieved renown in other walks of life. Particularly is this true of those who have turned to the military profession. Awards of the Victoria Cross in at least three instances, appointments to Companionship in Orders of chivalry, and elevation to Knighthood have been accorded former members of the Force, while appointments to senior military rank with important commands have followed in many additional instances.

Throughout the length and breadth of Canada, in fact in practically every corner of the English-speaking world, the name of our late Commissioner was held in respect, a respect engendered by his amazing capacity for efficient administration, coupled with unparalleled ability to create and hold keen personal friendship.

His progress through non-commissioned and commissioned ranks and his eventual rise to the highest office in the Military Forces of Canada, that of Chief of the General Staff, are eloquent testimony to his remarkable administrative ability and in addition furnish inspiration and example to young Canadian manhood.

It is not the purpose in these lines to emphasise the achievements of the Commissioner in military circles. In other pages that story has been portrayed. It is, however, only fitting that in the Royal Canadian Mounted Police Quarterly, a publication founded and fostered by him, special refer-

ence be made to his distinguished career in this Force. The work performed by General MacBrien in the Military world was of tremendous importance and far-reaching effect and added lustre to Canada's Defence Forces but we, of the Mounted Police, take special pride in thinking of him at this time as our Commissioner. The wholesome effects of his administration will be felt for years to come. As stated by Commissioner Wood the work which he performed in the Force will stand as an enduring monument to his memory. We also feel a pardonable thrill of pride that one who was to be such an influence for general good in other phases of our national life commenced as a recruit in the North West Mounted Police.

On the 7th day of April, 1900, Reg. No. 3588, Constable James Howden MacBrien, was engaged at Toronto by Supt. G. B. Moffatt for a period of five years' service. The small service file bearing the number 3588 contains no indication of the eventual Commissionership. The handwriting has remained unchanged with the passage of years. The signature of the recruit is identical with that of the Commissioner. Of further interest is the statement on the application form, "I have been used to horses all my life," a statement that could have been truly uttered in 1937. The love of horses never changed. A period in the saddle was the unvarying daily routine of the Commissioner. At his home, "Chateau Deschenes" near Ottawa, he maintained a stable of five horses, which he rode, frequently exercising as many as three or four a day, and even the exacting task of piloting aircraft on an extended journey was insufficient to damp his keenness for riding. It is recalled that on one occasion he returned from a solo aeroplane flight from the United States, having covered a distance of 1100 miles in one day. On landing his plane at about six in the evening, he remarked that if he hurried he would "still have time to ride before dark." To indicate further his keen horsemanship it should be mentioned that at the time of his death he held the position of M.F.H. of the local Hunt.

He was discharged from the ranks of the Force on the 27th February, 1901, on joining the South African Constabulary. A letter is on file from Durban, Natal, addressed to Inspector (later Assistant Commissioner) J. O. Wilson, in which the following appears: "I like South Africa and think I will get along better here than in the Mounted Police. I have been confirmed as Sergeant and am recommended for Staff Sergeant. I have been in Durban for a month and my work has been branding and breaking horses."

It was after a period of some six years in the South African Constabulary that he returned to his native land to join the Canadian Militia.

To bring the recital forward to the point where James Howden MacBrien having risen from the rank of Constable becomes the Commissioner of the Royal Canadian Mounted Police, it is necessary to turn the pages of over thirty years. On the 1st August, 1931, he assumed the Commissionership of the Force, a position he held for six years and seven months. This period is somewhat below the average incumbency in office, but with the possible exception of the stirring years between 1873 and 1885 it is doubtful if so much activity occurred in our past history in so short a time, so completely did the organization change. Not only did the Force increase (in fact it has doubled in strength) by the absorption of the Provincial work in Alberta, Manitoba, and the Maritimes and the Preventive work throughout Canada, but numerous other changes were wrought. To detail these would be

to relate what all in the Force know. The formation of an Aviation Section, a Marine Section, and a Reserve, were a few of the undertakings for which Commissioner MacBrien was responsible. The extensive but essential building programme throughout the Force, the introduction of equitable allowances, of qualifying courses for promotion, of a Long Service Medal, and the extension of married privileges, have been of untold benefit to all and have stimulated interest in the efficient discharge of duty. These numerous changes have worked to the advantage of our personnel, but what is more important is that they have resulted in a keener appreciation of duty, and the public, the Masters of the Force, have thus been better served.

Not only were these improvements the result of the "efficiency" of the Commissioner; behind that lay an abiding love for "the Force." In this there is a great lesson for all. Service to our country is not the only requisite in the performance of duty, but couple with that service an *esprit-de-corps*, an affection for the good name of the Force, and the result is the Ideal. Even on his bed, when in the Valley of the Shadow, concern for the Force was uppermost in the Commissioner's mind. On his last day of duty at Headquarters, despite the gravity of the situation facing him, he discarded thoughts for personal affairs and concerned himself only with instructions for the welfare of the Mounted Police.

One of the salient points of the Commissioner's personality was his ability to keep unruffled no matter how disturbing was the situation. It was his pride that he never lost his temper, and at no time did anyone enter his office without his welcoming smile. Ready at all times to perceive humorous situations, his infectious laugh would be heard in adjoining offices; while his courteous demeanour to all, irrespective of rank or station, was a model for everyone to consider. He had the most amazing capacity for work, coupled with which was unusual perception of the salient details of the problems of administration. Matters of policy or administration were determined with directness and thoroughness which resulted in very efficient and prompt solution, and those who were privileged to closely associate with him in office will never forget his wonderful characteristics in that connection. But with his genial sense of humour, there was at all times the keenest sense of the value of strict discipline tempered with justice. The necessity for rigid attention to duty and for implicit obedience was ever apparent and the reputation of the Force for the integrity which it has enjoyed under former administrations has been maintained.

Among the numerous interests in which Sir James MacBrien participated, possibly the most noteworthy was his keenness in aviation. His many flights included journeys across Canada (when he piloted solo his own machine) and also visits to the far-flung detachments of the Force in the Arctic and Yukon. It is a well-known fact that there were those in positions of responsibility in the country who endeavoured to discourage him from the hazards of solo flying, realizing as they did his value to Canada, but at the same time all who flew with him appreciated his ability as a pilot.

The historians of the future will find ample material for the portrayal of Canadian progress in the life of the late Commissioner and the tremendous influence which was his in the Military and Police professions, as well as in civilian life, covers an extensive field.

At every Divisional Headquarters, at every detachment, there is a feeling of sorrow that we have lost our Commissioner, who was at once the personal friend of each and every one. The sympathy of twenty-six hundred Mounted Police Officers and men is tendered to Lady MacBrien and her family in their loss. Nevertheless we mingle with our sense of loss, another of gratitude for the splendid example which has been shown us, for the benefits we have derived and for the standard of ambition set us in the kindly efficiency of the late Sir James Howden MacBrien, seventh Commissioner of the Royal Canadian Mounted Police.



Sir James MacBrien

THERE IS something especially tragic in the death of Sir James MacBrien. Seemingly in the prime of his vigor, he was cut down almost startlingly, and this at a time when his career was at its zenith, with promise of continued achievement. A great servant has been lost to Canada.

He was an unusual blending of professional soldier and great civilian. Choosing the permanent force as a career, and beginning at the bottom of the ladder, all that he was he made himself. Napoleon said of his soldiers that at any one of them carried a Field Marshal's baton in his knapsack. MacBrien was a soldier of that character; in time it brought him promotion in peace and war, the high rank of Major General, recognition by His Majesty.

But MacBrien was more than a professional soldier. He was as well a civilian soldier, a citizen; one whose horizons and interest ranged far beyond the study and practice of war. Those who had the privilege of his friendship, or who met him even casually, were aware of the catholicity of his mind, knew of the knowledge and thought he had in all matters that concerned his country. When he resigned his post as Chief of Staff it was to take an informed and active interest in flying; few men among us did more for the good of aviation.

When later MacBrien became Commissioner of the Royal Canadian Mounted Police, he gave to that famous force a fresh vigor and adaptation to modern needs that told again of his versatility. Under him and largely because of his efficiency and imagination as a director the scope of the work of the R.C.M.P. was considerably extended—greatly in the public interests, The Journal believes.

Personally, Sir James MacBrien was a kindly, companionable gentleman, a sportsman who loved the great outdoors and all clean games in life, one who was loyal to and loved by his friends and official subordinates. For all who knew him, in truth, as for Canada, his passing is a deep misfortune.

From "The Ottawa Journal" of March 7.

The Funeral of Sir James MacBrien

ALL THE moving, military honors traditionally accorded to one of his high rank united with the impressive ritual of the Anglican Church at the funeral here on Tuesday afternoon of Major General Sir James H. MacBrien, K.C.B., C.M.G., D.S.O., Commissioner of the Royal Canadian Mounted Police and former Chief of Staff of the Defence Forces of Canada, whose death occurred on Saturday in Toronto, in his 60th year.

A veteran of the South African and Great War, many of his former comrades-in-arms, long since returned to civil pursuits and occupations, joined the lengthy cortege in token of their respect for one whom they had long regarded as a brave soldier, a brilliant officer and a gentleman.

Stately Tribute

The funeral was one of the most stately ceremonials ever witnessed in the Capital. It was fully representative of its military, governmental, diplomatic and civil life, the special place he had occupied in it, and the high esteem in which he was held by all with whom his many duties had brought him into official or private relations.

The service was held in Christ Church Cathedral, a large and distinguished congregation participating. There were many official representatives present also from Toronto, Montreal, Kingston, Quebec City, Peterboro and other points. Many thousands of sympathizers lined the lengthy route of the procession from the Cathedral to Beechwood cemetery, and stood in respectful silence as the cortege passed. On Wellington street, Parliament Hill and Rideau street particularly, the crowds were very densely packed together.

Mile-Long Cortege

All arms of Ottawa Garrison of the Defence Forces were represented in the cortege, with similar representations from the R.C.M.P., the city police and fire departments, and veterans' organizations. The cortege was more than a mile in length.

His Excellency the Governor General was represented by Colonel H. Willis-O'Connor, A.D.C., who attended the service in the Cathedral and followed behind the gun carriage which carried the casket to the cemetery. Prime Minister Mackenzie King and Rt. Hon. Ernest Lapointe, Minister of Justice, represented the Government, Rt. Hon. R. B. Bennett, former Prime Minister, through whose representations General MacBrien received the honor of knighthood from King George V in recognition of his services to the Dominion and Empire, and Hon. Hugh Guthrie, former Minister of Justice in Mr. Bennett's Cabinet, were also among the notables in the Cathedral who followed in the cortege.

Survivor's of Canada's First 30,000, of the 12th Infantry Brigade, of the C.E.F. which General MacBrien commanded during the Great War, and veterans of South Africa, marched with younger and newer members of the defence forces.

A detachment of members of the R.C.M.P. acted as bearers and the following attended as honorary pallbearers: Major General H. A. Panet, Major General A. G. L. McNaughton, Major General C. F. Constantine,

Reprinted from the *Ottawa Journal* of March 9th, 1938.



THE FUNERAL CORTEGE AT THE COMMENCEMENT OF THE JOURNEY TO THE CEMETERY FROM CHRIST CHURCH CATHEDRAL

Brigadier General E. deB. Panet, Commodore P. W. Nelles, R.C.N., Air Commodore, G. M. Croil, R.C.A.F., Acting Commissioner S. T. Wood, R.C.M.P., and Superintendent V. A. M. Kemp, R.C.M.P.

Service at Cathedral

Service in the Cathedral was conducted by the curate, Rev. Howard H. Clark, assisted by Rev. W. Taylor, rector of Christ Church, Aylmer, of whose congregation Sir James was a member. Archbishop Roper pronounced the final blessing. The service was brief and impressive. A full choir was in attendance, with Dr. Godfrey Hewitt, church organist and choir director, presiding at the organ. Visiting clergy in the processional and occupying seats in the chancel, were Venerable Archdeacon W. Netten, Colonel the Rev. R. H. Steacy, of Westboro, formerly Chaplain General of the C.E.F., and Major the Rev. Channel G. Hepburn, rector of All Saints' Church.

The body, which had been brought from Toronto the night before, and had rested at the funeral parlors of George H. Rogers Limited, had been privately conveyed to the Cathedral during the morning. Standing sentinels on either side of the flag-draped casket until just before the service began were Sergeants W. C. Tyack and E. Shea, of the R.C.M.P. On the casket also rested the plumed hat and sword of the late General.

In front, on a purple cushion, rested the many military medals, orders and other insignia of the distinguished soldier.

The sun beautifully glinted through the Cathedral windows on the lovely floral tributes in front of the chancel.

Order of Service

"I am the Resurrection and the Life" began the minister as the processional moved along the centre aisle of the edifice towards the chancel and the congregation rose. The first hymn sung was: "Unto The Hills Around". Chanting by the choir of the 90th Psalm followed, after which Rev. W. Taylor read from 1 Corinthians, chapter 15.

"Abide With Me" was the next hymn. The recital by the congregation of The Apostles Creed followed, and the choir sang: "I Heard a Voice From Heaven". Prayers were then recited by the minister, and pronouncement of the blessing by the Archbishop concluded the service.

To the solemn strains of the "Dead March in Saul" played on the organ, and in slow recession, the casket was then escorted from the Cathedral, followed by the pallbearers and chief mourners.

A huge crowd had assembled outside the edifice.

Ushers at the Cathedral were Inspectors P. Hobbs, R. Armitage and Sub-Inspector R. C. Bowen with 10 sergeants of the R.C.M.P. The mourning party from the Force was under command of Superintendent T. B. Caulkin.

13-Minute Guns

"Abide With Me" was played by the band of The Governor General's Foot Guards as the casket was carried by the bearers to the gun carriage. As the music softly pervaded the densely crowded street the first of 13-minute guns from the 25th Battery commanded by Captain G. E. Beament, boomed out. Simultaneously the leader party from "N" Division of the R.C.M.P. under Sergt. H. Sykes came to the present, later reversing arms.

On the casket was the general's sword and plumed hat. Immediately behind was his charger "Jim". The saddle had a white and black mourning covering; boots were reversed in stirrups.

Honors and decorations won by Sir James were carried on a purple velvet cushion by the insignia bearer, Inspector R. Armitage.



THE CASKET AND GUN CARRIAGE AT THE CATHEDRAL

Headed by a mounted troop from "N" Division, R.C.M.P., the long cortege moved slowly off, the band playing the "Dead March in Saul". Crowds lined the route to the cemetery via Sparks, Lyon, Wellington, Rideau streets to King Edward avenue, St. Patrick street and Beechwood avenue.

Preceding the gun limber were three automobiles laden with flowers.

All along the route crowds stood bareheaded as the casket passed. At Connaught Place and along Rideau street people were lined five and six deep on the sidewalks. Many who witnessed the funeral procession had waited for more than two hours, standing patiently in the crisp cold to pay their silent tribute to the memory of one of Canada's greatest military figures.

Order of Procession

In the procession was a detachment of 50 from the Legion of Frontiersmen, Quebec, who wore uniforms similar to the R.C.M.P., and mourning bands. They also carried riding crops. The party was under Lieut. Col. J. D. Fitzgerald.

Order of the procession and those in command were: Royal Canadian Mounted Police Troop, Inspector S. Bullard; Governor General's Foot Guards, Lieut. Col. W. G. Wurtele; The Cameron Highlanders of Ottawa (M.G.), Major H. Sloman; dismounted leading detachment from the Royal Canadian Mounted Police, under Sergt. H. Sykes; Band of The Governor General's Foot Guards, Captain J. T. Brown, Director of Music; the gun carriage; Sir James' charger, "Jim"; Inspector R. Armitage, insignia bearer; chief mourners; followed by Col. H. Willis-O'Connor, representing The Governor General; Rt. Hon. W. L. Mackenzie King and Minister of Justice Lapointe; Royal Canadian Mounted Police, dismounted under Superintendent T. B. Caulkin; 3rd Divisional Royal Canadian Signals, Lieut. Col. J. D. Macbeth.

Perth Regiment, Lieut. Col. P. H. Gardner; Defence Force Officers; Royal Canadian Navy; Ottawa Half Company, R.C.N.V.R., Commander Edson Sherwood; Permanent Force Details, Lieut. J. K. Flexman; 1st Field Brigade, Royal Canadian Artillery (N.P.), Lieut. Col. H. R. Dale Harris; 3rd District Engineers, Lieut. Col. R. A. V. Nicholson.

Third Field Company, R.C.E., Major J. P. Richards; Field Survey Company, Captain W. H. Taggart; Colonel W. B. Megloughlin, officer commanding, Major Austin O'Connor, brigade major, and Major R. B. Pritchard, staff captain, 8th Infantry Brigade; Le Regiment de Hull, Lieut. Col. R. Larose; 1st Corps Troops, R.C.A.S.C., Col. W. H. Jones; No. 23 Field Ambulance, R.C.A.M.C., Lieut. Col. W. W. McKay; No. 5 Casualty Clearing Station, Lieut. Col. M. D. Graham; No. 1 Ordnance Store Company, Lieut. Col. E. E. Williams; Royal Canadian Air Force, Wing Commander A. B. Shearer; 4th Princess Louise Dragoon Guards, Lieut. Col. J. D. Fraser; Legion of Frontiersmen, Quebec; South African Veterans, Major G. H. A. Collins; 38th Battalion Association, Colonel C. M. Edwards.



THE CASKET AND GUN CARRIAGE PASSING DOWN WELLINGTON STREET

Red Chevrons Club; Colonel J. G. Rattray, Ottawa Branch of the Canadian Legion; C.P.R. Police, Montreal, Inspectors George Logan and J. MacFarlane; C.N.R. Police, Montreal, Captain G. Reilly; Quebec Provincial

Police under Lieut. Col. Leon Lambert; City Police detachment, Sergt. Major Douglas Lee; Ottawa Fire Department detachment, Inspector Fred Cooksey; Boy Scout detachment, Troop Leader Ronald Hayes.

The band and detachments broke off at York street and King Edward avenue where buses conveyed the leading detachment, pallbearers and bearers to the cemetery. Before the band broke off it played "God be With You 'Til We Meet Again."

Committal Service

The committal service in Beechwood cemetery was conducted by Archbishop Roper, and with every officer of the R.C.M.P. present, final military honors were accorded Sir James at the graveside. Thirteen minute-guns boomed out again and the armed party from the R.C.M.P. came to "the Present."

"Last Post" and "Reveille" were sounded by trumpeters of the Corps of Military Staff Clerks, and the mourners slowly dispersed.

Chief Mourners, Survivors

Chief mourners and surviving relatives were: Lady MacBrien, widow, formerly Miss Emelyn Hartridge, of New York; three sons, James Ross, William Ross and Michael Desmond MacBrien; three daughters, Mrs. G. Arnold Murphy, formerly Miss Julia MacBrien, and the Misses Louise and Lynette MacBrien, at home; one brother, Captain W. A. H. MacBrien, of Toronto; Mrs. James MacBrien, of Santa Monica, Cal., mother of Sir James, and his five sisters, Mrs. J. W. Bates and Miss Julia F. MacBrien, both of Santa Monica, Mrs. E. Y. Spurr, of Toronto, Mrs. R. B. Young, Toronto, and Mrs. H. D. Howden, of Philadelphia, also Mrs. W. A. H. MacBrien, sister-in-law, and G. Arnold Murphy, son-in-law.

Among those also noted at the service and in the cortege were: Sir Francis Floud, High Commissioner for Great Britain; Belgian Minister, Baron Robert Silvercruys; French Minister, Count Robert de Dampierre; Charge d'Affaires of the United States Legation, J. F. Simmons, David M. Key, second secretary, and Colonel H. M. Bankhead, Commercial Attache; Charge d'Affaires of the Japanese Legation, Takeo Kinoshita; J. A. Schuurman, Consul General of The Netherlands; Italian Consul General, Marquis Alberto Rossi-Longhi; Consul General of Poland, Jan Pawlica.

Major General E. C. Ashton, Chief of General Staff; Major General T. V. Anderson, Quartermaster General; Major General Sir Richard Turner, V.C.; Brigadier W. B. Anderson; Captain A. Stuart Boa, of Montreal; Major E. C. Woolsey and Major A. V. Brown, 43rd Regimental Association; Colonel R. J. Birtwhistle, Major H. M. Scott, 73rd Battalion, C.E.F.; Honorary Air Vice-Marshal W. A. Bishop, V.C.

Group Captain N. R. Anderson, Wing Commander K. G. Guthrie, Lieut. Col. L. R. La Fleche, Colonel R. J. Orde, Engineer Commander A. D. M. Curry, Colonel A. F. Duguid, Colonel J. P. U. Archambault, Major W. E. L. Coleman, Colonel E. J. C. Schmidlin, Colonel E. W. MacDonald, Colonel H. D. Courtenay, Group Captain L. S. Breadner, Lieut. Col. E. W. Sansom, representing Headquarters, M.D. 3, Kingston; Major R. R. Sparks, Col. Mark Gillin.

Lieut. Col. A. J. Cawdron, Col. J. P. Crerar, Lieut. Col. W. S. Wood, Lieut. Col. Guy S. Macfarlane, Lieut. Col. R. F. Parkinson, Lieut. Col. E. R. McNeill; Major H. H. Hester, 2nd Canadian Infantry Association; Lieut. Col. W. J. Franklin, Stormont, Dundas and Glengarry Highlanders; Lieut. Col. C. J. Burritt, representing the 17th Duke of York's Royal Canadian Hussars, Montreal; Lieut. Col. A. W. Beament, Lieut. Col. V. S. C. McClenaghan, Major A. L. Normandin, Brigadier General C. F. Winter; Capt. G. H. Rochester, representing the Dominion Command and Ottawa Command, Canadian Legion, B.E.S.L.; Lieut. Col. W. A. Blue, Lieut. Col. W. H. D. MacMahon, Major Elmore Davis; Group Captain E. W. Stedman, Lieut. Col. R. de la B. Girouard, Lieut. Col. L. B. Sherwood, Capt. F. C. Badgley, Major D. L. McKeand, Major J. Douglas Watt.



THE CASKET, HONORARY PALLBEARERS, AND BEARERS, PRECEDED BY THE BAND OF THE GOVERNOR GENERAL'S FOOT GUARDS

R.C.M.P. Officers

Among the R.C.M.P. officers were: Assistant Commissioners C. D. La Nauze, C. H. King, F. J. Mead; Superintendents J. M. Tupper, A. H. L. Mellor, E. W. Bavin, R. E. Mercer; Surgeon M. Powers, of Regina; Inspectors W. W. Watson, E. Carroll, R. G. Warnock, A. Goodman, J. Brunet; Sub-Inspectors J. Fraser, H. R. Butchers; former Deputy Commissioners J. W. Spalding and Col. G. L. Jennings; former Assistant Commissioner J. W. Phillips; representing Quebec division, Assistant Commissioner H. R. Gagnon.

Hon. Grote Stirling, former Minister of Defence; Hon. R. J. Manion, Denton Massey, M.P., Frank Ahearn, M.P., Col. Eric D. MacKenzie, Comptroller of the Household, and Capt. Campbell Preston, A.D.C. to His Excellency, Senator James Murdock, Major W. Gladstone Murray, Graham Towers, P. D. Ross, Hon. George H. Sedgewick, Harry S. Southam, Controller J. Edward McVeigh, acting-mayor; W. Stuart Edwards, Deputy Minister of Justice; J. B. Hunter, Deputy Minister of Public Works; Dr. T. H. Leggett, Charles H. Bland, chairman, Civil Service Commission; Norman F. Wilson, F. L. C. Pereira, David Sim, Excise Commissioner; R. G. Cameron, Fred

McCann and George Rich, representing Ottawa Boys' Clubs; Magistrate Glenn E. Strike.

Kenneth A. Greene, president, 38th Battalion C.E.F. Association; Joseph Martin, president, and T. G. B. Rankin, secretary, P.P.C.L.I. Old Comrades Association; R. G. T. Hitchman, president, and A. R. Dawson, director, Ottawa Winter Fair; D. P. Cruikshank, Col. H. C. Osborne, War Graves Commission; William Dickson, Deputy Minister of Labor; Major J. G. Parmelee, Deputy Minister, Trade and Commerce; W. F. Wilson, George Shea, director of investigation, C.N.R.; Chief of Police J. P. Downey, Fire Chief O'Kelly.



THE DEPARTURE FROM THE CATHEDRAL

Capt. W. W. Murray, representing J. F. B. Livesay, general manager of The Canadian Press; Dr. George Hooper, honorary president, Dr. H. B. Moffatt, vice-president, T. G. Mayburry, Capt. John Gamble and Bryan White, directors, Ottawa Valley Hunt Club; George M. Ross, Canadian Flying Clubs Association; W. H. McIntyre, Aviation League of Canada; County Magistrate Lester H. Clayton, H. H. McElroy, secretary-manager of the Central Canada Exhibition Association; Hugh Carson, president of the Ottawa Curling Club.

Among out-of-town representatives were Mr. Justice McKinnon, Montreal; Chief of Police R. Dulude, of Outremont; William Wren, of Westmount; Chief of Police Robert Robinson, of Kingston; representing the Montreal police, Captain Thomas Leggett and Deputy Chief Barnes; Brigadier General D. C. Draper, Chief of Police Toronto; Samuel Newhall, Peterboro police chief, and representing the Police Association of Ontario; Chief E. K. Goodman, of Hamilton; Chief William Shennan, of St. Catharines; P. N. Mainguy, M. H. Holden, Ford Motor Company of Montreal, and E. A. Roberts, of Montreal.

Floral Tributes

In addition to scores of floral tributes, telegrams and messages of sympathy received from other personal friends, floral pieces were received from Prime Minister King, Rt. Hon. R. B. Bennett, Hon. Ernest Lapointe, Hon. Ian Mackenzie, Takeo Kinoshita, Baron Robert Silvercruys, J. Edgar Hoover, chief of the Federal Bureau of Investigation, Washington; W. R. Campbell, president of the Ford Motor Company of Canada, Windsor; directors and members of the Police and Fire Chiefs Association, Province of Quebec; Dominion president and members of the Canadian Legion.

Deputy Commissioner and officers of the Royal Canadian Mounted Police; Senior Air Officers and Officers of the Royal Canadian Air Force, headquarters; Canadian Committee and Officers of the Hudson Bay Company; Colonel Haggarty and Officers of the Royal Canadian Artillery, Kingston; Officer Administering and Officers of the Royal Canadian Signals; 85th Battalion Memory Club; Members of "A" Division, R.C.M.P., Ottawa; Officers of "F" Division, R.C.M.P.; C. B. Wakefield and Company, Limited; 1st Corps Troops, R.C.A.S.C.; Treasury Staff, R.C.M.P.; all ranks of "C" Division, R.C.M.P., Montreal.

The Patricia Club; Canadian Flying Clubs Association, and the Aviation League of Canada; Ottawa South African Veterans' Association; Gatineau County Agricultural Society; Commanding Officer and Officers, R.C.M.P., Winnipeg; Director and Officers, Quebec Provincial Police; Class of "39", Royal Military College of Canada, Kingston; Commanding Officer, Officers, N.C.O.'s and men, Le Regiment de Hull; Surviving Officers of the 73rd Battalion, C.E.F.; Members of the 38th Battalion Veterans' Association; Directors and Members of Ottawa Valley Hunt Club; Corps of Cadets, United States Military Academy, West Point; "A" Squadron, Royal Canadian Dragoons; N.C.O.'s and Constables, "G" Division, R.C.M.P.; Red Chevrons Club; Officers of "A" Squadron, Royal Canadian Dragoons.

Chief of Naval Staff, Officers and Ratings, Royal Canadian Navy; Officer Commanding and Officers of the 17th Duke of York's Royal Canadian Hussars; Sir Arthur Currie branch, Canadian Legion, Montreal; Royal Northwest Mounted Police Veterans' Association; Officer Commanding and Officers, R.C.A.F., Trenton; "K" Division, R.C.M.P.; Officers, N.C.O.'s and troopers, 4th Princess Louise Dragoon Guards; Lieut. Col. Louis Scott; Officers and Members of the Legion of Frontiersmen of Canada; Officer Commanding and Officers of the Flying Training School, R.C.A.F., Trenton; Members of "J" Division, R.C.M.P.

Officer Commanding, Officers and other ranks, "H" Division, R.C.M.P.; Officers, N.C.O.'s and constables of "N" Division, R.C.M.P.; Members of "D" Division, R.C.M.P.; Seaforth Highlanders of Canada and Seaforth Association, Vancouver; all ranks and civil staff, headquarters, R.C.M.P.; executives of the Montreal office, Ford Motor Company, Limited; Ford Motor Company of Canada, Windsor; Commanding Officer, N.C.O.'s and men British Columbia Police, and all ranks, Cameron Highlanders of Ottawa (M.G.).

Officers of the 8th Brigade staff under Col. Megloughlin, and Inspector C. E. Rivett-Carnac, R.C.M.P. staff officer, with Major A. P. Sprange and Lieut. J. B. D. Smith were on special duty during the funeral and arranged details. Major W. S. Fenton, R.C.A., was staff officer, Defence Headquarters.



Essay Competition

ALL MEMBERS of the Force, including civilian staff, are invited to submit articles descriptive of either or both of the subjects given below; in the latter event, the subjects to be dealt with separately:—

- (1) Any suggestions which you believe would increase the efficiency of the Section in which you are employed.
- (2) Any suggestions which you believe would increase the efficiency of the Force generally.

This competition is open to all members. Manuscripts should be double spaced; in quadruplicate; and the subject matter must be included on only one side of the paper. No minimum length is set.

Address all manuscripts, with the name and address of the author, direct to the Editor of the R.C.M. Police Quarterly, Ottawa.

These manuscripts will be reviewed by a Board selected by the Commissioner, and prizes as under will be awarded for the articles containing the most useful and practical suggestions.

First Prize	\$50.00	Fourth Prize	\$15.00
Second Prize	\$25.00	Fifth Prize	\$10.00
Third Prize	\$20.00	Sixth Prize	\$ 5.00

Irrespective of the fact that the invitation takes the form of a competition, the Commissioner expresses the hope that every member of the Force, including the civil staff, will submit an article covering their suggestions or constructive criticisms.

It is desired that all such articles should reach the Editor on or before the 1st of July, 1938.

Notes on Recent Cases

IN A recent prosecution taken in the Province of Quebec under Section 169 of the Excise Act, an interesting ruling was given by the presiding Magistrate in his notes of adjudication. The facts relating to the prosecution were briefly as follows:—

Accused was found in possession of a quantity of illicitly manufactured liquor and since he had previously been convicted under Section 169 of the Excise Act, the Information and Complaint included the allegation that the said accused *had previously been guilty of a similar offence*. The prosecution was prepared to identify the accused and prove the previous conviction in evidence.

The accused, through his counsel, pleaded guilty to both offences outlined in the Information and Complaint. Defence counsel then requested an adjournment of eight days before sentence was rendered in order that he might submit a written argument showing why the heavier penalties, provided for second convictions under this section, should not be imposed in this instance.

The argument for the Defence, later submitted, claimed that the plea of "guilty" with respect to the first offence did not render accused liable to second offence penalties, since the Information and Complaint did not state that a conviction had previously been registered.

The Magistrate in upholding the Defence on this point made the following observations:

"On January 4th, 1938, the accused through his Counsel, pleaded guilty to a charge of possession of illegally imported spirits, as covered by Section 169 of the Excise Act.

The procedures were by way of Summary Conviction, and the two words 'second offence' appeared in the body of the information following the definition of the infraction.

The plea dictated to and recorded by the stenographer reads as follows:—

"The Counsel for the defence admits the facts alleged in the information as laid, but claims that the accused cannot be sentenced to a penalty exceeding that of one impossible for a first offence considering the wording of the information."

To support his claim, he infers that the words 'second offence' do not mean that the accused has previously been convicted, therefore, in order to convict him as for a second offence, the previous conviction must be duly proved.

Counsel for the Plaintiff, states that the expression 'second offence' as used, is the exact wording of the Statutes, same implying a previous conviction covered by the admission of guilt which has just been recorded.

The definition of the word "Offence" (See Standard Dictionary), is: "to offend a person," "any violation of the divine or human law," "any offence," and *legally speaking*, an Act punishable through regular Courts of Justice, a crime, a felony, or again, an assault or attack.

It is needless to say that a plea of guilty such as recorded, must be interpreted in a narrow and restrictive manner, and that one must not be convicted on such a plea by inference or deduction.

The accused may have committed a previous offence, but, if he has not been convicted by a Court of Justice, said offence is one in *Fact* only, and not a judicial offence covered by a conviction.

In order that the words "second offence" may be said to denote a judicial offence, the first conviction must be proved. The accused may have committed ten previous similar offences, but, if the proper authorities are not aware of the fact, if he has not been prosecuted, and if there is no conviction recorded against him, legally speaking, the first judicial offence does not exist.

If it does exist, it should have been duly proved, the record covering the first offence produced, the conviction proved, and the accused identified as being the person convicted.

Or again, it should have been stated in writing that the accused had been convicted for a similar offence on such and such a date and place.

If I give the present admission of guilt its broadest sense, it would be as good as saying, "I have committed this offence for the second time." But, and I repeat, this would only mean that at a certain date, unknown to us, he has had illegal spirits in his possession.

I further add that the English and French versions of the Federal Statutes, as well as that of the Criminal Code, are both official, one having no precedence over the other, both are equal, and when the phraseology of one somewhat differs from the other, it is in its general sense, in the object the legislators had in mind when said law was enacted that the correct definition or interpretation must be looked for.

Considering the above, I maintain the legal pretention as registered after the plea of guilty, and sentence the accused as for a first offence."

* * *

At 2.00 a.m. on October 31st, 1937, a highway patrol consisting of two constables of this Force arrived at Southey, Saskatchewan, and found that a local youth, Gordon Anderson, aged 18 years, had just died as the result of gun-shot wounds.

Immediate enquiries made by the Constables disclosed that Anderson, with a number of other youths, had spent the previous evening in practical joking usual to the Hallowe'en period, which had culminated in one Jacob Daum, a retired farmer of German origin, aged 66 years, firing a shotgun, loaded with B.B. shot, through the partly opened door of his house. Anderson received the charge in the upper portions of his body, his lungs being punctured. The door through which the shot was fired had been previously secured with cord by Anderson and his companions, and the fatal shot was fired through a crack of about two fingers in width.

Daum was arrested, and at the subsequent preliminary hearing was charged with Murder and committed for trial at the next sittings of the Court of King's Bench, to be held in Regina.

It is interesting to note that expert evidence of the ballistic features of the case was given at the preliminary hearing by Dr. Maurice Powers of this Force and, as Dr. Powers was in New York, U.S.A. at the time of the subsequent trial, his evidence was admitted by means of the depositions taken at the preliminary hearing, upon proper proof of his identity and an explanation of his absence, being furnished.

The case was disposed of before the Court of King's Bench, Regina, the charge being reduced to Manslaughter by the jury. Daum was found guilty of the lesser charge and sentenced on January 28th, 1938 to serve two years and six months in the Prince Albert Penitentiary; an appeal has, however, been entered against the sentence.



"Give me a big build-up, George—"
 "I'll say you're as popular as Sweet Caps!"

SWEET CAPORAL CIGARETTES

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



An unusual feature of this case was that prior to the date of the sittings of the Court of Kings Bench, counsel for the accused made application for bail, but, although it was granted, Daum was not actually admitted to bail as he could not find securities.

While there is no excuse for taking the law into one's own hands, it must be admitted that of recent years the extent to which practical joking on Hallowe'en has been carried to extremes has resulted in the victims being driven to a state bordering on desperation. On this particular Hallowe'en, the press reported a somewhat similar case from Mount Forest, Ontario, which resulted in serious consequences to the humourist involved.

* * *

A continuation of the investigation in the case of the skeleton which was found in the St. John Detachment area has provided an interesting sequel to the account which was included in "Notes on Recent Cases" in the January edition of the Quarterly magazine. Another search was made in the vicinity where the skeleton was found and resulted in the discovery of the following articles: A pair of horn-rimmed glasses and a leather case; a collapsible drinking cup; a small axe; a soap case containing a cake of soap; a combination compass and looking glass; a khaki haversack; a suit coat of black with a white pin stripe material; a dark blue, heather mixture, coat sweater; and an awl.

Wesley McDade's sister, Margaret (Mrs. Thatcher Irvine), upon being shown the spectacles positively identified them as belonging to her brother;

when shown the combination compass and looking glass, she immediately remarked "Yes, that was kept in the bureau drawer." Before being shown the sweater, but after it had been brought to her mind, she described it perfectly, and added that she was absolutely sure the clothing found on the skeleton was her brother's. The articles, with the exception of the horn-rimmed spectacles, collapsible drinking cup, axe, and soap case, were worn and rotted by exposure.

No trace of the steel fishing rod was found, but a willow stick with a string attached, some fishing hooks and flies were located.

On enquiry being made from the Rock City Tobacco Company, Quebec, through the Officer Commanding, Montreal, it was ascertained that Bagpipe tobacco was placed on the market in the month of June 1935, and at that time, the inner bag was of paper, and the outside bag of green rubber. In June 1936, the inner bag was made of foil, and the outside bag of green rubber. This brand of tobacco was put on the market on the date given, in every province in Canada. The portion of a Bagpipe tobacco case found near the skeleton consisted of a part of the outside bag of green rubber. There was no portion of the inside container.

A description of Wesley McDade gives his height as 5 ft. 2½ inches, and this confirms the finding of the pathologist, that from measurements taken by him, deceased would be about 5 ft. tall. While further efforts to identify deceased as Wesley McDade have proved unsuccessful, from the additional evidence which has materialised it would appear that the skeleton found was in reality Wesley McDade, notwithstanding the weight of medical testimony to the effect that the skeleton was at least four years old. Although the finding of part of the Bagpipe tobacco pouch does not offer direct proof of identity of the deceased, it is, at least, indicative that the remains were not four years old as contended. This is also supported by the finding of the other articles which were definitely established as being the property of Wesley McDade.

* * *

The establishment of files at Headquarters in which criminals are classified according to the manner in which they conduct offences are already proving of value. Such records are known as "modus operandi" files and when compiled in connection with an offence such as breaking, entering and theft, disclose the method by which entry was effected to the building. Should the criminal, to gain access to the premises, cut out a piece of glass to lift the night-latch, or force a rear window, or enter with a skeleton key, or force the lock with the use of a triangular piece of celluloid so frequently found in possession of persons guilty of this offence, details would be recorded in the file. Notations are also being made of the goods or merchandise stolen. One criminal may specialize in the theft of watches or other jewellery, others the theft of cash or valuable securities. Methods employed in gaining entry to safes will also be tabulated. Some criminals make a practice of knocking off the dial before attacking the tumblers of the safe; others gain entry by blowing the safe with nitro-glycerine, after the edges of the closing jamb have been carefully caulked with laundry soap.

Provincial and City Police have been invited to co-operate and records of crimes they investigate are being received at Headquarters; it is hoped in time to build up a very valuable collection of files dealing with methods adopted by criminals throughout the country.

* * *

The prosecutions for "conspiracy to defraud the revenue" and for violation of the Excise Act, arising from the seizure of a large distilling plant at Rosemont, P.Q., were concluded during February 1938. This illicit still seized on September 16th, 1937, was located in a building bearing the trade sign "Mother's Tasty Pies" a bakery having operated there under that name until about a year prior to seizure.

The plant consisted of two large copper stills and at the time, 12,000 gallons of mash, ready for distillation, and 300 gallons of alcohol, were found.

Six persons, three of whom were residents of the United States, were arrested whilst operating the still and all were charged with "conspiracy," under Sections 444 and 573 of the Criminal Code. In addition each was charged under Section 164 of the Excise Act.

The plant had an estimated capacity for producing 500 gallons of illicit alcohol daily and the accused were charged with defrauding the Federal Government of an amount estimated at \$20,000.00, through non-payment of Excise duties and taxes on the liquor produced.

All the accused elected speedy trial after having been committed for trial before the Court of King's Bench in Montreal, and despite a strenuous defence put up by their counsel, convictions were registered on all counts.

The presiding Judge in passing sentences stated that the Courts were determined to discourage aliens entering this country for the purpose of operating illicit plants.

Three of the principals were sentenced to two years' imprisonment each on the conspiracy counts, to be served concurrently, and a further six months term was imposed with respect to the Excise charge, this to be served upon expiration of the conspiracy terms.

The other three accused, who played minor roles in the operations, received prison terms ranging from six to nine months.

It has become increasingly apparent that the practice of invoking the conspiracy sections of the Criminal Code, is the most effective method of discouraging the activities of racketeers who carry on illicit distillation of liquor on a commercial scale in this country, and thereby defraud the revenues of substantial sums of money properly payable.

* * *

A person who by virtue of his having been remuneratively employed was not entitled to civic relief, was convicted by a magistrate and sentenced to three months' imprisonment on the charge that he "did with intent to defraud and by false pretences, to wit, a false statement that during the month of July, 1936, he and other members of his family received the total sum of \$12.00 as income from all sources other than civic relief, through the medium of an order obtained from the Relief Department of the City of Lethbridge, by such false pretences obtain from N. Triska of the

City of Lethbridge, aforesaid groceries and provisions to the value of \$9.00 contrary to the provisions of Section 405 of the Criminal Code of Canada."

Upon application by the accused to the Appellate Division for leave to appeal from his conviction and sentence, it was held that there was ample evidence of all the essential elements constituting the offence charged, viz., false pretence coupled with an intent to defraud by means of which the goods were obtained. The objection that the false pretence was made to the Relief Department rather than to Triska from whom the goods were obtained, and that there was no intention to defraud the latter, could not be entertained, as there is no suggestion in the wording of Sec. 405 that it is important to whom the false pretence is made or who is intended to be defrauded.

The Court also held that it could not be said that the goods were not obtained by false pretence merely because the officers of the Relief Department doubted the veracity of the statement of the accused at the time that the order for goods was granted.

* * *

A recent judgment of the Supreme Court of Canada defining the meaning of "post letter" and "post-office" is of particular interest to members of the Force:

"An accused was charged with having stolen a 'post letter' from a 'post office.' The 'office' was one established for the convenience of the members of the Quebec Legislature; it was staffed by Quebec Government employees, who sold stamps, sorted the mail in part, took the letters to the main post office in a sealed bag, and collected the mail from the city post office in the same manner. The letter and its contents were alleged to have been stolen by accused in the room known as the 'Parliamentary Post Office,' i.e., after it had been delivered to the clerk by the city post office and the bag had been opened.

"It was held by a majority of the Court, that the conviction should be quashed as the place where the alleged offence took place was not a 'post office' as defined in the Post Office Act, nor was the letter a 'post letter' after its delivery to the Quebec Government employee."

Mrs. Caroline A. Saunders

Members of the Force will learn with sincere regret of the death of Mrs. Saunders, wife of Ex-Superintendent G. E. Saunders, C.M.G., D.S.O., which occurred recently at Calgary, Alberta.

Mrs. Saunders had a long and close connection with the Mounted Police being a daughter of Doctor Jukes, a one time senior Surgeon of the Force, and having resided with her parents in barracks at Regina prior to her marriage to Colonel Saunders. Continuing her association with the N.W.M. Police as a natural course after her marriage, Mrs. Saunders possessed a host of friends among all ranks of the Force and the news of her death will occasion great sadness among them.

The funeral ceremony took place at Calgary on January 22nd, with members of the Force with which Mrs. Saunders had been connected for a large period of her life, in attendance as pallbearers.

Summary Convictions

by J. C. MARTIN, K.C.

(Continued)

IF IT is required that an information or complaint be heard by two justices, they must act together throughout the hearing. So, in a case where two justices heard the evidence, then adjourned and during the adjournment drew up and signed a formal conviction which one of them later, and in the absence of the other, read in court, it was held on appeal that this was not "acting together—as required by the statute—to the end," and the conviction was quashed.²² However, this rule applies only to the actual hearing. Even when two are required for that function, one may take the information and do all necessary acts prior to the hearing, and one—not necessarily the same one—may do all such acts subsequent to the hearing. It should be noted that, by virtue of an amendment made to the Code in 1930, this is true "even if in any statute in that behalf it is provided that the information or complaint shall be brought or laid before or heard and determined by two or more justices."²³

Still, it is equally true of a summary conviction matter as of a preliminary hearing that the justice who receives the information has the carriage of the matter and that no other justice or justices may intervene except at his request. This was made clear in an interesting case which arose in Ontario in 1897. A justice, before whom an information had been laid for an assault, issued his summons to the defendant. Upon the return of the summons the latter appeared and pleaded "not guilty," whereupon three other justices for the same county, present, it appeared, at the request of the defendant, went to the bench and insisted upon taking part in the hearing. When the evidence had been heard, the justice who had issued the summons formally convicted the accused, but the others dismissed the charge and gave the accused a certificate to that effect. The circumstances which led up to this peculiar procedure are not made clear, although a hint of the reason for it appears in the report. In any event, when it came to be reviewed by the High Court of Justice, the Chief Justice stated the rule of law in these terms:

"All the justices in each county are equal in authority, but, as it would be contrary to the public interest as well as indecent that there should be a contest between different justices, we must lay down the rule that when a party charged comes or is brought before a magistrate in obedience to a summons or warrant, no other magistrate shall interfere in the investigation of or adjudication upon the charge, except at his request."²⁴

The proceedings before the justice are commenced by information, where the end sought is conviction and punishment, or by complaint, where what is desired is the justice's "order for the payment of money or otherwise." The common practice is to take these in writing and under oath, although, under the Code, neither is necessary to a complaint, and an information need not be sworn unless the informant is asking the justice

²²Ex p. M'Corquindale, 15 C.C.C. 187.

²³1930, Cap. II, sec. 22, amending Code sec. 708.

²⁴Reg. v. McRae, 2 C.C.C., at p. 51.

to issue a warrant for the apprehension of the accused, in which case the information must be under oath.²⁵

If the name of the person to be charged is not known, he may be described as a person whose name is unknown to the justice, and may be identified by some fact.^{25a} Thus, in a case in England which appears to have been the occasion of much trouble for the authorities through the refusal of the accused to give his name, the Judges at length suggested that he be indicted as "a person whose name was unknown, but who was personally brought before the jurors by the keeper of the prison." This was done and the prisoner was convicted.^{25b}

In form, the information—and these observations apply also to the conviction or other process—must set out all of the ingredients necessary to constitute the offence. For example, where the accused was charged that he did "contrary to law" expose for sale and sell certain indecent and obscene books, the information was held to be defective because it did not include the word 'knowingly,' since knowledge on the part of the accused is a necessary element of this offence.²⁶

Yet, as one might expect, the Code contains a number of saving sections designed to do away with objections based on want of form. Thus, an information need not negative exceptions, e.g., a charge under the Excise Act for the distilling of illicit liquor need not allege that the accused had no license to do so. So too the information will not be invalid because it does not "name or describe with precision any person or thing," e.g., the name of the person injured, or the means by which the offence was committed. Moreover, it is not affected by variances between the allegations which it contains and the evidence adduced at the hearing, but the justice may adjourn the hearing if he thinks that this variance has misled the accused, and he may order particulars in any case if he thinks that they are necessary to ensure a fair trial.

Again, it is required that the information shall allege one offence and no more. Speaking generally, it is sufficient if it follows the wording of the section which describes the offence, and it shall not be held to charge two offences, nor to be uncertain because it states the offence to have been committed in different modes, e.g., "Buying, exchanging, taking in pawn, detaining or receiving from a soldier his war medal,"²⁷ or in respect of different articles.²⁸

A case decided in Alberta in 1913²⁹ contains some pungent remarks upon this point. On that occasion it was urged that a conviction was bad for duplicity because it described the accused, in the words of the statute, as 'a common prostitute or nightwalker.' The Court expressed itself as follows:

"The summary convictions sections of the Code are administered by a body of men, the great majority of whom are without legal training or experience of any kind. It is probably for this reason that sec. 723 (3) of the Code was enacted so that a justice of the peace might not worry over the phraseology to be used by him in

²⁵Code sec. 710.

^{25a}Paley on Summary Convictions, 9th Ed. 469.

^{25b}Rex v. ———, (1825), 168 E.R. 912.

²⁶Rex v. Britnell, 20 C.C.C. 85.

²⁷Rex v. Brine, 8 C.C.C. 54.

²⁸Code secs. 717 and 723-5.

²⁹Re Effie Brady, 21 C.C.C. 123.

describing an offence, but might use the ready-made description of it contained in the section creating it. That being so I think that he should be allowed to do so. Not being a Judge or a lawyer, he is not used to picking hidden meanings out of the plain language of statutes nor should he be asked to do so. It surely must be mystifying to a justice of the peace after being told by the Code that he will be all right if he describes an offence in the language of the section enacting it to be told by a Judge that he was all wrong in so describing it and that his conviction which follows implicitly the directions of the statute in its description of the offence is no good because he did not put into that description some words which do not appear in the statute. Of course, as Lord Alverstone says, in *Smith v. Moody*, "fair information and reasonable particularity as to the nature of the offence must be given in indictments and convictions." This, I take it, means that such particulars as to the time, place and subject-matter of the charge must be given as with the statutory description of the offence will show upon the face of the conviction exactly what it is for."

It need scarcely be remarked that many irregularities are avoided by amending the information; and the right of the justice to allow amendments is well recognized in practice. The rule appears in the following quotation:

"It seems to me that in no case is it necessary to re-swear an information after an amendment, if the amendment is of such a nature only as that it merely gives greater particularity or certainty to the charge and does not amount to the laying of a new charge, *i.e.*, a charge of a different kind of offence or of a similar offence at a time or place materially different from that first alleged.

"Even if the accused had a right to insist upon the information being re-sworn, they waived the irregularity—if such it was—by refraining from taking the objection: *R. v. Lewis*, 6 Can. Cr. Cas. 499."³⁰

Despite what has been said, it is not to be supposed that there is no limit to the informality which will be cured or permitted. The Chief Justice of British Columbia had no hesitation in setting aside, for uncertainty, proceedings in which a person was charged and convicted for being 'a loose, idle person or a vagrant,' without anything to show in what the vagrancy consisted. Section 238 of the Code, formerly section 207, specifies nine ways in which a man, and ten ways in which a woman may fall within the definition of that term. "You might as well charge a man generally with being a thief," said the Court. "The accused was entitled to know under what sub-section of Section 207 he was charged; that is, what the facts were on which the prosecutor relied."³¹

Somewhat similarly, a man was convicted for that "he did use abusive language and was drunk and disorderly in the street, contrary to Sec. 238 of the Criminal Code." On a motion by way of certiorari the justices—as they had a right to do before the motion was heard³²—returned an amended conviction in terms that the accused "did unlawfully cause a disturbance in Main Street and the store of one Lorimer in manner aforesaid, the said store being a public place and did obstruct passengers by using insulting language, thereby being a vagrant." However, the amended conviction did not help the situation, since, in the statement quoted, two clauses of the section are rather badly scrambled. It was quashed, the Court holding that, "Two offences are set out in the conviction, although only one is properly described, and the defendant is convicted 'of the said offence,' so that it

³⁰*Rex v. Tally*, 23 C.C.C. 449, at p. 451. But see also *Reg. v. Biggins*, 5 L.T. 605.

³¹*Rex v. McCormack*, 7 C.C.C. 135.

³²*Kerr v. Lloyd*, 65 C.C.C., at p. 363.

does not appear of what offence he is convicted, and only one penalty is imposed.”³³

The foregoing were cases in which uncertainty arose from ambiguity in the statement of the charge; in the following case, the inclusion of more than one offence appears more clearly.³⁴ After procedure which was defective in a number of respects, the accused was convicted for that he did, within two months prior to the 20th day of May, 1914, in the city of Hamilton, ‘at various times and in public places commit acts of indecency.’ The conviction was quashed upon a motion towards that end and the judgment, upon the point now under discussion, reads as follows:

“That the conviction is invalid because it includes several offences and is uncertain, seems to me to be too obvious to require, or excuse much argument; and, unfortunately, it is not reparable under any of the wide powers of amendment by the Criminal Code conferred upon this court on motions such as this, because the evidence relates to a number of offences entirely separate from one another, extending over two years, most of them within ‘two months prior to the 20th day of May, 1914;’ and it is impossible to pick out any one of them as one upon which the prisoner was found guilty. . . . It is, therefore, quite impossible to change the generality of the conviction into a particular one out of all that were deposed to with more or less weight; which is enough to invalidate the conviction, without considering whether it would be proper to amend, in the circumstances of this case, were it possible.

“The evidence should have been confined to one offence as also the charge should have been.”

The sentence last quoted serves to introduce two well-defined principles against the intermixing of trials, either when there are a number of charges against the same person, or when there are charges against two or more persons. Inasmuch as they apply not only to trials upon summary conviction but to trials on indictment as well, some of the illustrations which follow were cases tried under the latter procedure, but these rules are more likely to call for application in summary conviction matters because of the requirement in such cases that the information “shall be for one offence only.” It is necessary, however, to warn the reader that the rules are not without qualifications which will be stated later.

When there are two or more charges against the same person, the principle is this:

“Justices are not to mix up two or more criminal charges and convict or acquit in one of them with any reference to the facts appearing in the other.”³⁵

The leading authority in this connection is a case, heard in England,³⁶ in which the accused was tried on three informations, one for permitting drunkenness on his premises on February 7th, the second for selling liquor during prohibited hours on February 8th, and the third for keeping his premises open during prohibited hours on the latter date. After hearing the evidence relating to the first charge, the justices postponed their decision and proceeded to hear the other informations. One of these they dismissed, and the other was withdrawn.

³³Rex v. Code, 13 C.C.C. 372.

³⁴Rex v. Roach, 23 C.C.C. 28.

³⁵2 C.E.D. 587.

³⁶Reg. v. Fry, (1898), 67 L.J.Q.B. 712.

The justices then announced that they had decided to enter a conviction on the first charge. They stated that they were unanimous in their decision at the close of the first case, but that they had deferred their verdict and the consideration of the penalty until after the other charges were disposed of, and that in adjudicating in each case, they applied to it the evidence that was given in reference to it, and no other. On appeal, it was held that, under these circumstances, there was no mixing of the evidence in relation to the various charges, but one of the Judges made the following general remarks:

"Such a course (i.e., the intermixing of trials,) would be contrary to law; and undoubtedly, as a general rule it will be prudent and right for justices to avoid any course which reasonably bears the aspect of such a mistake. If a *prima facie* case is made out that such an error has been, or may have been committed, it will in general be upon the justices to show very clearly that it has not been committed. On the other hand, we should be equally sorry to throw any doubt upon the right of the justices in any case, for reasons of justice arising out of the case itself, and for its better determination, to adjourn or to postpone their decision; and if their discretion in this respect be honestly exercised and not, directly or indirectly, with a view of throwing in facts or evidence which have no legitimate bearing on their decision, it must not be interfered with."

In Canada there are several reported cases in which this rule has been discussed in courts of appeal, and while all agree that the practice of intermixing trials is a very undesirable one, sometimes the Judges of the same court have been divided in opinion regarding the application of the rule to the particular case before them.³⁷ In Nova Scotia and Alberta it has been applied directly to quash convictions.³⁸ However, in the former province, in a case³⁹ in which the magistrate heard the evidence upon a charge of assault, reserved his decision upon it, and then, after hearing a charge of pointing a fire-arm which had been laid against the same defendant, dismissed the second charge and convicted upon the first, the Supreme Court declined to alter the decision. The Judge expressed the opinion that "the magistrate could not have done otherwise under the circumstances than find the defendant guilty," and later went on to say:

"I think that, under the English decisions, I am justified in holding that, where the offence was clearly proved and no evidence was offered in exculpation, I am not bound to hold the conviction bad on account of the irregularity in trying both cases together simply because of the shadowy possibility that the judgment of the magistrate may have been influenced against the prisoner by his examination in his own defence on the second charge and his cross-examination by the counsel for the prosecution."

Similarly, the Court of Appeal in Ontario refused to interfere in a case⁴⁰ in which a County Court Judge adjourned the giving of his verdict upon one charge until after he had heard the evidence upon others. In that case, it may be said, that the Judge, in effect, adopted what was said by the justices in the case of *Regina v. Fry*,⁸⁶ as to their having made up their minds upon the first charge before proceeding to hear the others.

³⁷Rex v. Iman Din, 18 C.C.C. 82; Rex v. Steeves, 24 C.C.C. 183.

³⁸Rex v. McBerny, 3 C.C.C. 339; Rex v. Burke, 8 C.C.C. 14; Rex v. McManus, 30 C.C.C. 122.

³⁹Rex v. Reid, 12 C.C.C. 352.

⁴⁰Rex v. Bullock and Stevens, 8 C.C.C. 8.

On the other hand, in a case tried in 1905 under the Dental Profession Act of the North-West Territories,⁴¹ the hearing proceeded despite objection that the information contained three charges against the defendant. At the close of the case for the prosecution, counsel abandoned all but one charge and a conviction was entered upon it. That conviction was quashed on appeal, the Court holding that:

"In my opinion it was the duty of the justice, when the objection was taken, to have amended the information by striking out all but one of the charges and to have heard the evidence upon that charge only."

The application of the principle appears most clearly in an Ontario case⁴² in which the accused was indicted on two bills, one for indecent assault, the other for larceny; and in which, as the trial Judge said, "the accused consented that the evidence concerning both charges be received at the same time, to save time and not to break the story of evidence given by the different parties."

On appeal the Court held that, although this was not made a ground of appeal, the Court should of its own motion, express its disapprobation of the practice of trying two indictments at the same time. "There is no authority for such a practice," it said, "and almost always it must have disadvantages. It is peculiarly objectionable in the present case, because evidence which may be admissible on one charge is inadmissible on the other."

It is now time to notice the qualifications, already mentioned, to the rule against the intermixing of the trials of two or more charges against the same defendant. The first point to be observed is that the rule does not come into operation unless it appears that the course which was followed resulted, or may have resulted in prejudice to the accused. True, the earliest of the Canadian decisions³⁸ quashed the convictions then in question, notwithstanding that all of the evidence was held to have been properly received under the rule which permits evidence of similar acts to show a course of conduct, motive, or intent, and also in spite of the doubt expressed by the Court whether "the prisoner was at all prejudiced by this course." Yet it is equally certain that no other case has gone as far as this and, in view of the later decisions, it may be considered doubtful whether it would be adjudged in the same way were it to be tried now.

Again, it must be made clear that what is deprecated is the postponing of the *verdict* upon one charge until other charges have been heard. There can be no objection, if the judge or magistrate announces his decision upon each charge as it is heard, to his postponing the imposition of any *penalty* until all the charges have been heard.⁴³

Moreover, the rule does not apply if, *by statute*, it is provided that the information may contain more than one charge. There are two cases which support this proposition. The first⁴⁴ fell under a statute dealing with liquor licenses which provided, as some provincial liquor laws still do, that several charges might be included in one and the same information or complaint, and further, that convictions for several offences might be made although the offences were committed on the same day.

⁴¹Rex v. Austin, 10 C.C.C. 34.

⁴²Rex v. Cassidy, 49 C.C.C. 93.

⁴³Rex v. Bigelow, 8 C.C.C. 132.

⁴⁴Reg. v. Whiffin, 4 C.C.C. 141.

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The other case was a prosecution⁴⁵ under a provincial Election Act which provided that several charges of corrupt practices might be stated in the summons requiring the defendant to appear. The defendant appealed from a conviction recorded against him; and the following is quoted from one of the judgments upon his motion delivered in the High Court of Justice in Ontario:

"It was argued that it was contrary to established principles to try the applicant upon the subsequent charges without first disposing of that upon which the evidence had been taken; but we find a special provision in sec. 626 of the Criminal Code, 1892,⁴⁶ for the trial at the same time and upon the same indictment of three distinct charges of theft alleged to have been committed within six months of one another by a prisoner. Upon the trial of such an indictment, it is manifest that the jury must be placed in possession of the evidence upon all the charges before being required to find the verdict upon any of them. The danger that a jury might not separate and properly consider the evidence upon the different charges in dealing with them is surely much greater than that a Judge might not do so. There are other instances to be found in the Criminal Code of the same character, and there is plainly no violation of any principle in giving to the provisions of sec. 188 of R.S.O. ch. 9 the meaning which seems plain upon their face, viz., that any number of corrupt practices charged as having been committed by the defendant at the same election are intended to be tried together and included in the same judgment."

Finally—and this is indicated by the foregoing quotation—the rule, in its application to indictments, strikes at the trying together of *separate indictments*, not at the trying together of two or more counts in the same indictment. The Code provides⁴⁷ that any number of counts for any offences

⁴⁵Reg. v. A. E. Cross, 4 C.C.C. 173.

⁴⁶Now Code sec. 857. This section provides that, unless there be special reasons, no order shall be made to sever such counts.

⁴⁷Code sec. 856.

may be joined in one indictment except in a case of murder—that count must stand alone. And even this provision is qualified by another⁴⁶ that the Court may order one or more counts to be tried separately from others if the interests of justice seem to require it.⁴⁸

The intermixing of the trials of two or more persons charged with distinct—not necessarily different—offences is governed by considerations in many respects similar to those just now discussed. The leading case, again to be found in the English reports,⁴⁹ was decided on appeal from a trial on indictment, but the principle applies generally. Two men, Morton and Crane were indicted, the former for stealing and receiving, and the latter for receiving certain goods. They were indicted separately but, through some inadvertence, they were tried jointly before the same jury. They contested the verdicts which were returned against them, and the Judicial Committee of the House of Lords held that the trial was a nullity. The following quotation from the judgment of Lord Atkinson may be taken as the rule:

“When an accused person has pleaded ‘Not guilty’ to the offences charged against him in an indictment, and another accused person has pleaded ‘Not guilty’ to the offence or offences charged against him in another and separate and independent indictment, it is, I have always understood elementary in criminal law, that the issues raised by those two pleas cannot be tried together.”

This case was followed later upon the review of a case in which one person had been charged with using a house as a betting-house, and another, on a separate indictment, with keeping a betting-house. The two were tried together, as counsel, both for the prosecution and for the defence, were agreed that this would be the most convenient procedure. Both accused were convicted. The Court of Criminal Appeal said:

“The question in issue here is not a question of regularity or irregularity; it is one of jurisdiction, since no criminal Court has jurisdiction to try two separate indictments against two prisoners at the same time.”⁵⁰

The Canadian cases upon this point are all of comparatively recent date. In the second of them,⁵¹ the accused was charged with keeping liquor for sale. The Parkdale Hotel and also one Downey were similarly charged, and it was alleged that all the offences were committed at the same time and place. The three defendants were tried together upon the agreement of counsel that the evidence taken in one case should be used in all. The trial was held to be a nullity.

In a later case in which one defendant was charged with being the keeper of a bawdy house, and another with being an inmate of a bawdy house, a similar result followed, the Court remarking:

“It seems clear that the Magistrate had no jurisdiction to proceed as he did even without objection and the cases are no further advanced than they were when the pleas of not guilty were entered.”⁵²

The concluding clause indicates that, the trial being a nullity, the proceedings may be begun again, and this conclusion is borne out by the *Crane* case.⁴⁹

⁴⁸*Rex v. Norman*, (1914), 84 L.J.K.B. 449, was a case in which the Court of Criminal Appeal in England was of opinion that counts should have been severed because “evidence which is admissible on the charge of obtaining credit by false pretences, may not be admissible on the charge of obtaining chattels by false pretences.”

⁴⁹*Crane v. The King*, 90 L.J.K.B. 1160.

⁵⁰*Rex v. Dennis*; *Rex v. Parker*, 93 L.J.K.B. 388.

⁵¹*Rex v. McDonald*, 50 C.C.C. 65.

⁵²*Rex v. Theirlyock et al.*, 50 C.C.C. 296. See also *Rex v. Hart and Kozaruk*, 51 C.C.C. 145.

In this connection it will be noted again that what is considered to be objectionable is the trying together of *separate* indictments. The Code provides that persons may be charged jointly, but also that the Court may order them to be tried separately if the interests of justice require it, as, for example, if one accused person has made a statement implicating another.⁵³

In the first Canadian case in which the reported judgment dealt with the matter now under discussion,⁵⁰ two defendants had been tried together on charges of common assault. That fact was made the ground of a motion to quash the convictions, but the Judge held that:

"The depositions shew that had the cases been tried separately the evidence would have been identical in each case; that, in other words, the assaults, charged separately against each defendant, both took place as part of one and the same occurrence. Under these circumstances no possible injustice could be done to either defendant, and the reasoning in the cases of *R. v. Fry*, 19 Cox C.C. 135, 62 J.P. 457, and *The King v. Lapointe*, 20 Can. Cr. Cas. 98, 4 D.L.R. 210, leads to what I think is the proper conclusion that the convictions should stand as against this objection—at all events, as it does not appear that any exception was taken at the hearing to this course being taken."

However, in the later cases appeal courts have been unanimous in declaring that such a circumstance renders the trial of no effect, and further, that even though it is not made a ground of appeal, they will, of their own motion, take cognisance of it. These decisions, therefore, must be taken as over-ruling the earlier one, and as establishing that in such a case the Court, on appeal, will nullify the proceedings without inquiring whether or not the accused was prejudiced by the procedure followed in the court of first instance.

The foregoing pages will have made clear at least the fact that the occurrence of these pitfalls in procedure is by no means uncommon. It is hoped however, that this rather long discussion of them will serve to show also, not merely the consequences of falling into them, but what is more important, the ease with which they may be avoided.

⁵³Code sec. 857. For cases in which separate trials have been ordered, see *Rex v. Martin*, 9 C.C.C. 371, and *Rex v. Wiser and McCreight*, 54 C.C.C. 117.

(To be continued)

Kingsland Company—Dominion Service Report

MEMBERS OF the Force who wish to do so may now acquire the Dominion Report Service of the Kingsland Company, 708 Transportation Building, Montreal, at a special price of \$6.00 per annum. This service—which supplies a monthly digest of every reported Canadian decision, including criminal and related cases—ordinarily is sold at a rate 40% higher than the price offered and has a cumulative index and return mail service which supplies the full text of any case digested.

The Kingsland Company are also willing to supply at a special rate of \$3.00 to members of the Force, copies of all amendments to the Criminal Code and related Acts from 1935 to 1938 inclusive. These amendments are printed on one side only in size and style for insertion in the latest editions of the Criminal Code. If desired, the forty-nine amendments from 1935 to 1936 inclusive may be purchased separately for \$1.00.

Suitable binders, capable of holding eight copies of the R.C.M. Police Quarterly magazine, made of solid leather and titled, may also be procured from this firm at a price of \$3.50.

The Italian "Invasion" of Halifax County!

by ASSISTANT-COMMISSIONER C. D. LANAUZE

ALL WAS peace in Halifax Naval Dockyard on Sunday evening, September 12th, 1926. A British Naval Sloop had just sailed, and we were all looking forward to a doubtfully earned Sunday night's rest, when at 8.30 p.m. the telephone rang. "This is the Manager of the Maritime Telephone Company speaking." "I am just in receipt of a message from the Collector of Customs at Hubbards to say that hundreds of foreigners are being landed off a vessel near there, and are marching on Halifax. The Collector wanted me to get someone in authority at Halifax—you had better call him up." Hubbards is a small village on the sea coast about 27 miles S.W. of Halifax, and I called up Neil McLean, the Collector. "Yes," he said, "it is true—it is going on at Mill Cove, 12 miles from here, a big foreign ship is in there and they have unloaded hundreds of dark looking foreigners—hold your line and I will hear the latest from Mill Cove on the party line." I heard the "ring, ring, ring" of the party line and Neil talking. Then the 'ring off' and he was on the line again. "Yes," he said, "they are all landed now and are preparing to land the artillery, get all the army and everyone else you can and hurry up and come out and stop them!"

The messages were like a fantastic dream; but the telephone could not be gainsaid. It was now a question of the proper authority, immediate investigation, and action. The local Immigration official was the first informed and he and his Deputy arranged to pick me up by car and go to the scene. The Dockyard Manager and my wife got out their cars, and all the ten members of the command off duty were ordered to the Dockyard, to remain there in uniform until called. The Canadian Navy had no ship available, so the Chief Fishery Officer was asked if he could send his Fishery Protection Cruiser, the "Arleux", to Mill Cove and connect with us there. The District Officer Commanding the Halifax Military District was notified, and told he would be kept informed by telephone. Our present Inspector E. Carroll, who was then senior Naval Dockyard N.C.O., took his private car and two constables and by 9.30 the advance party of Immigration officials and Police was in uniform and on its way to Hubbards.

A few miles out we stopped some passing motorists, and after a few failures came upon a car that had just passed Hubbards. This car had seen strange bands of well dressed dark looking men, walking in single file in bands of twenty, or thereabouts, and without arms. Twenty miles out, at the head of St. Margaret's Bay, there is a store with a big barn, adjacent to the small railway station, and here it was decided to stop the advancing army. We drove on, and every few miles came upon small parties of from 10 to 20 well dressed foreigners walking quietly in single file and unarmed; we passed 105 men, turned around and passed them again, and returned to St. Margaret's Bay to telephone for the Dockyard Reserve, who arrived inside an hour by truck.

About an hour later, the first batch walked into our hands, and seeing the men in uniform they promptly stopped and were shepherded into the



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big barn. A few could speak a few words of English; they all had Italian money and wanted to buy food and go to Halifax.

Leaving St. Margaret's Bay to the Immigration Authorities and Reserve Police, Carroll and I drove on to Hubbards, where we picked up the Collector of Customs and went to Mill Cove 12 miles distant, the scene of the landing. All was quiet there; a big ship lay at anchor half a mile off-shore, but there was no sign of life. Carroll went back to St. Margaret's Bay for two men to guard the ship, and when he returned, just before dawn, he reported that he thought most of the Italians had been rounded up without any further trouble, and that the Immigration authorities had arranged to get them to Halifax by train at morning.

As day broke, the "Arleux" came into the Bay, anchored close to the ship and sent a boat ashore. We rowed out to this strange, silent craft, and as we passed under her stern we saw the name "Dori" and the Italian flag. Upon being hailed, a rope ladder was lowered and a tall, thin, weary looking man, who said he was the Captain, met us and took us to his cabin on the bridge. We informed him who we were and that his ship was under seizure to which he replied—"I could no longer hold them, they go crazy to leave the ship." "I will pay every man passage back to Italy." "I will get up steam and go to Halifax if you will give us some bread." "We have none left, they have all gone—121 men." "I have only eight left on board." That was all he would say and he said he would tell all at Halifax. The "Arleux" sent some bread aboard, and Captain Michael A. Romano entertained us to

hot coffee in his cabin. Romano seemed like a man who had gone through some great ordeal of the sea and seemed relieved that he was now under some definite authority. The "Dori" was an old, badly conditioned 5,000 ton tramp steamer, she was loaded with iron ore, and had originally sailed from Algiers for Philadelphia. There was no passenger accommodation and she was in an unpainted and filthy condition.

The Chief Officer of the "Arleux" and two constables remained aboard, and with the "Arleux" as her escort the "Dori" got under way to Halifax at 8 a.m., arriving there at 5 p.m. when she was taken over by the Customs and Immigration officials.

Returning to Hubbards for breakfast from Mill Cove, we learned that all the "army", with the addition of sixteen stragglers found by our men along the roads and those who had remained on the "Dori", had arrived safely at Halifax—a total "army" of 129 Italians.

Hubbards is a delightfully situated little summer resort, with its summer colony and those who live by the summer colonists. Its inhabitants were now awake and agog with excitement over the strange happenings of the night before. Usually Hubbards is coyly uncommunicative—especially if the enquiry concerns that demon, smuggled rum; but now all manner of information was forthcoming about "a master mind behind the whole 'Dori' business." This person was allegedly a stranger of foreign looks and name who had been receiving letters from New York; who had been the first to board the "Dori" upon her arrival; and who had been living for the past week near Mill Cove especially for the purpose of Sunday's landing! He was still there, but had a large car—"go and get him before he skips out." The Immigration Agent had even been apprised of this at St. Margaret's Bay and had telephoned to Hubbards that the matter might be thoroughly investigated. The stranger was found to be an amiable Dutch-American gentleman who had just married a charming American girl, and they were on their honeymoon. They had seen the steamer arrive and rowed out to call from sheer curiosity—he actually was in the steamship tour business in New York, and had an Italian name. This gentleman offered to drive us to Halifax in his car and report his actions personally to the Immigration Department. We arrived in time for a late lunch and he was put through a very strict examination by the Immigration Officials, finally being absolved of all suspicion. It was now 3 p.m. and we had been going since 8.30 p.m. the night before. The invasion was over, the army and the ship were in custody, and the "master mind" had been exonerated. All that was left to do was to find out just how it all happened; and now it can be told.

The whole scheme had been devised in Italy by some smart Italian who had been in the U.S.A. and had underworld connections there. At this time Mussolini was starting to rejuvenate Italy, and Immigration was prohibited. In the spring an Italian, posing as a steamship agent, came to the Island of Sicily and guaranteed work, big wages, and an assured landing in the U.S.A., upon payment of about four hundred dollars. This was the start of the "army" and its members had sold all their possessions and boarded the "Dori" at Marseilles. After reaching the American coast, connections were made under cover of night and the American agent came out by launch and demanded another hundred dollars from each man before they would

be taken off the ship—the swindle was then realized and all but two refused to pay. The Captain was afraid to land as he had no papers for his passengers, and, in desperation, sailed to Bermuda for coal and instructions. At Bermuda, the wretched passengers were made to hide on top of the ore cargo in the sweltering heat while the ship was replenished. The Captain was apparently left “holding the bag” and with a month-old, angry, hungry, crowd of duped passengers, he made for the nearest land and put them ashore at Mill Cove, Nova Scotia.

The Italians were held in the custody of the Immigration Department at Halifax pending instructions, and no doubt caused those officials plenty of anxiety. There were a couple of attempts to escape on the part of individuals and at one time rumours of Habeas Corpus proceedings were in the air. By a well executed plan the Italian-American liner “Colombo” docked quietly at Halifax at 6 a.m. on October 10th, and by 7.30 a.m. the Italians were on board and en route to sunny Italy. We again came to the assistance of the Immigration Department with an all night guard and a uniformed display at the gang plank.

A prosecution against the “Dori” and her owners was undertaken and Captain Romano was fined \$17,500 under the Immigration Act, or three years in prison. Upon the sale of the ship at a good figure, he was released. We heard later that the Italians were not severely dealt with upon their return to Italy, although they had greatly feared stern measures; no doubt some of them have since taken part in the Ethiopian campaign. So concluded a case which has no parallel in the history of the Dominion, it was intense while it lasted and the memory of the Italian Invasion at Halifax County will live long by its sea girt coast!

Deputy Commissioner G. L. Jennings, O.B.E.

AFTER A long and distinguished career, Colonel G. L. Jennings, O.B.E., has proceeded on furlough pending retirement from his post as Deputy-Commissioner of the Royal Canadian Mounted Police.

An old time member of the Force, Colonel Jennings was in command of the R.C.M. Police Cavalry Contingent which proceeded overseas to France during the Great War. He also saw service in the South African War as a trooper in the 2nd Canadian Mounted Rifles, and won the Queen's Medal and two clasps.

Joining the R.N.W.M. Police in 1906 with the rank of Inspector, Colonel Jennings was for a time stationed at Grouard in the Peace River District, and later was in command at Herschel Island on the Western Arctic Coast.

In 1920, he was promoted Superintendent at Edmonton where he remained until 1923, afterwards being transferred to duty in Saskatchewan. In 1928, Colonel Jennings assumed command at Toronto and, in 1932, came to Ottawa where he was appointed Director of Criminal Investigation. Four years later he was made A/Deputy-Commissioner of the Force and, in 1937, was confirmed in the rank of Deputy-Commissioner.

Colonel and Mrs. Jennings are continuing to reside in Ottawa where they have numerous friends and where it is hoped that they will spend many enjoyable years in the pleasant surroundings of the Capital City.

The Peace River District

by INSPECTOR E. RADCLIFFE

THE PEACE RIVER DISTRICT has grown to such an extent during the past fifteen years, population trebled, transportation methods changed from the horse and buggy to high powered cars, and new thriving hamlets springing up in different parts of the district, that police methods have necessarily been remodelled in keeping with the situation.

Many officers and men have taken a hand in the policing of this vast country in the past; all are held in the highest esteem by those who knew them during their stay in the Peace River District, as without exception they upheld the traditions of the Force at a time when the country was at the growing stage, larger areas had to be covered by each detachment, and transportation facilities were not of the best. It is possible that such members of the Force, past and present, will look back with pleasure to their stay in the Peace River country, as those who remember them look back with pleasure to their associations with them.

One member of the Force, in the person of Ex-Inspector K. F. Anderson, liked the country so well that he decided to remain at the expiration of his term of service. He still has the best interests of the Force at heart, and is never tired of recounting his experiences while an active member stationed in the Peace River country.

It is difficult in so short an article to do proper justice to the country and its possibilities, also to the amount of police work involved in a territory of so great an area. It has therefore been considered advisable to confine the subject matter of this article to certain facts concerning the growth of the country, and also points of interest which are encountered in traversing it.

While the Peace River country is still spoken of as a new territory, it has a long and interesting history in Western Canadian development. By the year 1778, fur traders had penetrated as far west as the Athabasca River.

In the fall of 1792, Sir Alexander Mackenzie, a partner of the North West Company, set out from Fort Chipewyan on his remarkable voyage of discovery to the Pacific Coast. Ascending Peace River as far as a point a few miles above the present town, he wintered in a newly constructed post, called by him Fort Fork, or the Fort of the Forks. The ruins of this settlement are still in evidence. In 1929 a cairn was erected on the opposite side of the river by the Historic Sites and Monument Board of Canada to commemorate the historic incident.

One of the first trading posts in the Peace River district was Fort Dunvegan, established by a Mr. McLeod in the year 1800, the Fort being named after the ancestral castle on the Isle of Skye, the birthplace of the founder.

The first Anglican mission was built at Dunvegan, in 1874, by the Rev. A. C. Garrioch who came from Winnipeg for that purpose. A mission was also established at Fort Vermilion, 300 miles north of Peace River, by the same gentleman, in 1876. At that time the population consisted mostly of

Indians and half-breeds who relied solely on the country for their means of existence.

The heart of the Peace River country lies three hundred miles northwest of Edmonton, the capital city of the Province of Alberta. It has no fixed boundaries. Logically speaking it comprises the drainage basin of Peace River proper, an area of approximately 93,000 square miles. The Peace River agricultural country has an area of about 60 million acres. This exceeds the combined area of England, Scotland and Wales. Estimates as to the actual arable land in this belt available for grain growing under present day conditions vary greatly. Views of best informed men suggest a difference of opinion of from 10 to 20 million acres.

To give an idea of the growth of population in the Peace River district, it is interesting to note that although in the year 1911, there was only a total population of less than two thousand individuals, including settlers, traders, missionaries and Indians, the census of 1921 showed a population of nearly twenty thousand; this remarkable increase in a single decade being due to a rush of land seekers who invaded the district during the period mentioned. The first eight years of the following decade saw this number trebled, reliable estimates placing the population of the Peace River country at the beginning of 1930, at sixty thousand.

In the year 1914, the end of the railroad to the Peace River district was at Smith, and settlers had perforce to make whatever arrangements they could for the balance of the journey. In 1916, however, the line was extended, and penetrated the heart of the area. Settlement spread in two main divisions, one to the prairie lands, north of the Peace River and immediately west of the crossing of the old trail, and the other to the Grande Prairie country, south of Peace River and west of the Smoky River. From the settlement of the two divisions referred to, have originated the two important towns of Peace River and Grande Prairie.

It is interesting to record here that about forty years ago, a minister, the Rev. Brick, grew wheat on land a few miles south of Peace River, which won the world's championship. Now in the present decade at Wembley, a distance of 150 miles from Peace River, Herman Trelle has gained the same distinction on four different occasions!

Occasionally settlers are encountered in the Peace River country who came over the trail thirty-five years ago with oxen. These were hardy pioneers, and all have done well. Most of them brought sufficient supplies to last them for the first year or so, and when their larder became depleted it was necessary to travel many weary miles with their oxen in order to lay in a further supply.

In order to obtain an excellent idea of the country generally, it is advisable to travel by automobile from Edmonton after due consultation with the "weather man." The highways are not gravelled beyond Clyde, and in wet weather the roads become impassable, resulting in unfortunate delays and much wear and tear on cars. At the present time on good roads the trip from Edmonton to Peace River has been accomplished in ten hours.

After leaving Edmonton the first point of interest insofar as the Peace River district is concerned, is the shore of Lesser Slave Lake, the lake being

famous for its yields of whitefish; shipments of this commodity are sent to the New York and Chicago markets. Lumbering is also carried on to some extent as well as cattle raising and trapping.

Kinuso, the next point of interest reached, is situated on an Indian Reserve, and here is the first R.C.M. Police detachment encountered from Edmonton to the Peace River country. After leaving Kinuso, the highway again meets Lesser Slave Lake at Faust where the main industries are lumbering and fishing. Driftpile, where there is a large Indian Reservation, and Jousard, are passed en route to High Prairie, a thriving hamlet exporting large quantities of grain and cattle.

After leaving High Prairie, and about 12 miles distant, it is possible to take a "cut-off" to Sturgeon Lake and Grand Prairie, or to keep on the Main Highway to Peace River.

On arrival at the top of Grouard Hill near Peace River town, it is well to stop and view the junction of the Peace and Smoky Rivers, a few miles south of the town. His Excellency, the Earl of Bessborough, and party, while touring the Peace River, stayed fifteen minutes at this spot; the scenic panorama is one which is well worth travelling many miles to see. The top of Grouard Hill is approximately 600 feet high from the town level. There is a wagon trail leading due north and by following this, one comes to a famous landmark, the grave of "Twelve Foot Davis", a trapper and trader of the early days who died at Grouard and by his express wish was buried on the hill overlooking the town. The epitaph on his tombstone reads as follows: "He was every man's friend, and never locked his cabin door", truly a great tribute to a real man of the early days. Many visitors to the town make a point of visiting this grave and at the same time obtaining a most wonderful view of the Peace River.

The R.C.M. Police Headquarters of the Peace River Sub-Division are situated almost on the banks of the river of the town of that name, and from a scenic standpoint has one of the best locations in town. The buildings were erected in 1916, all the material used in the construction having been shipped in from Edmonton.

During the river season, the Mackenzie River Transport Co. operates a small motor boat between Peace River and Fort Vermilion and Fort St. John. The trip to Fort Vermilion and return takes approximately seven days, two days going down with the current, and five days returning against the current.

The captain of the boat "Weenusk", Captain Cowley, operated a boat on the Yukon River during the gold rush of 1898, and is a most interesting personage; he is a great friend of the Force, and spares no pains to see that the comfort of passengers is assured.

The arrival of the boat at Fort Vermilion is quite an event among the settlers there, and while other small boats are operating on the river carrying freight and passengers, the arrival of the "Weenusk" is *the* event.

Fort Vermilion is conveniently situated on the low, broad valley of the Peace, where the waters are wide and placid and the high steep bluffs have given way to gently sloping banks, scarcely higher than the valley itself. Here are found the Hudson's Bay Company's establishments; the Roman Catholic Mission and the Anglican Mission; the hotel; and the various fur

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42

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trading and other concerns of the community. Two farms a few miles up river, the Lawrence farm at Lawrence Point, and the Jones farm at Stoney Point, have been producing all common varieties of grains and vegetables for thirty years. The Dominion Government has established an Experimental station at Fort Vermilion and many successful experiments have been made which thoroughly justify its existence.

From Peace River travelling west, the hamlets of Grimshaw, Berwyn, Brownvale, Bluesky, Fairview and then historic Dunvegan, are reached. The country travelled through on the main highway is dotted with farms, and during harvest time the fields are covered with stooks of grain as far as the eye can see in any direction. From Grimshaw, a distance of approximately sixty miles north, the Notikewin or Battle River is reached; this is a very successful grain growing district, and most of the grain is hauled by trucks to the elevators at Grimshaw.

At Dunvegan, a ferry is in operation during the summer months to transport cars and passengers across to the south side of the river. During the real estate boom in 1910, lots were sold in Winnipeg on the assumption that there would be a bridge across the Peace River at Dunvegan, and this would be an important town. Those individuals who purchased these lots, and later checked over their purchases found that the lots were in some cases located on the practically perpendicular slope of the hills and were useless even for a toboggan slide; it is reported that these unfortunate buyers saw the humorous side of the affair and decided to let the matter drop then and there!

It is unfortunate that most of the old historic landmarks at Dunvegan have been left to decay, but such is the case, and most of the old buildings have become quite dilapidated.

After crossing the river, the highway goes through more fine wheat growing country in the vicinity of Rycroft and thence through the Saddle Mountains to Sexsmith, a thriving hamlet and grain growing district. There are seven elevators at this point, and they are usually taxed to their fullest capacity.

Between Sexsmith and Grande Prairie it is possible, on a clear day, to get a wonderful view of a vast expanse of country rolling away to the Foothills and Rocky Mountains; a few lakes here and there add to the beauty of the scene.

Grande Prairie is a thriving town, and unlike Peace River is more of a prairie town, it is the administrative and commercial centre of the extensive southwestern part of the Peace River country. In it are found offices and representatives of nearly all Federal and Provincial services concerned with the public business of the district. Many fine brick buildings in the town give it a prosperous look. The surrounding country is ideal for farming. The country is so thickly settled that at present there are practically no homesteads left.

The highway west from Grande Prairie takes in the villages of Wembley, Beaver Lodge, and Hythe. At Beaver Lodge is a very fine Dominion Experimental station in charge of Mr. W. D. Albright, whose reports, issued annually by the Department of Agriculture, should be read by every person

interested in the Peace River country. Hythe detachment is the last one encountered before entering the Province of British Columbia and what is known as the "B.C. Block." The Constable from Hythe makes frequent trips through this portion of B.C., but, as the province has its own police force, his work consists mainly of Excise cases and attending to Naturalizations.

Due, no doubt, to there being only one accessible way of entering this country, criminals from outside points do not do so to any great extent, and safe blowings and holdups are practically unknown; the country has, however, had its share of murders, but up to two years ago, no person had actually been hanged for a murder committed in the Peace River district. Some had been convicted and sentenced to death, the sentence being later commuted; others were found guilty of manslaughter. However, recently, in the case of John Ferguson of High Prairie and James Whannell of Grimshaw district, both were found guilty of murder and paid the extreme penalty.

Petty thieving is very prevalent at times throughout the district, and many convictions have been obtained, but, in some cases, due to owners being unable to identify their property, it had been found difficult to make very much progress. Several cases of incest have been dealt with and the offenders punished, a few cases of breaking, entering and theft, have also been successfully cleaned up. Taking the general situation as a whole, the Peace River country, considering its large area, and numerous scattered population, is very law abiding.

At the commencement of the depression in 1929, a large influx of settlers poured into the country from various parts of the Dominion; in most cases their assets consisted of a large family, an old Ford car with a trailer, and sufficient funds to file on a homestead. These people, for the most part, were unable to make a proper start, due to lack of funds, the result being that most of them had to apply for relief. The administration of such cases being part of the duties of members of the Force in this Province, Constables on detachment found that in some cases they were issuing relief to over a hundred recipients each month.

The liquor situation has caused members of the Force their share of work, but the locating of numerous stills and the conviction of offenders appears to be having a salutary effect.

One Officer, and 29 N.C.O.'s and men, comprise the personnel who police the Peace River district, and twelve detachments cover the whole district. The public as a whole seem to wish to co-operate whenever possible on serious cases, and most of the residents appear to respect the Force, which is typical of the spirit of the pioneers who helped to make the Peace River country what it is today. Travelling through this country, one is impressed by the indomitable courage of the settlers who for many years past have felt the full force of the depression, very seldom complaining and looking forward bravely to better times in the future. It is hoped that their dogged persistence in the face of adversity will soon meet with its just reward and that their condition will be considerably improved.

"From Sea to Sea"

The "*Adversus*" Leaves the West Coast

by SKIPPER-LIEUTENANT J. W. BONNER

THE R.C.M.P. Cruiser "*Adversus*", after four and a half years on the Pacific coast, was to be transferred to her original base at Halifax and I proceeded to Esquimalt to return over the course I had taken when the vessel changed bases from Halifax to Esquimalt in May, 1933. When I arrived in Esquimalt, I found an air of "Great Expectations" pervading the "*Adversus*" and signs of the efficient preparations which Skipper-Lieutenant Ascah had made for the return trip from British Columbia to Nova Scotia. Within a very short time the ship would be ready to sail. It was pleasant to look forward once again to blue water, blue tropic skies, waving palms, flying fish, and lazy sea turtles sunning themselves near the surface of sparkling tropic seas.

At 11.45 hours on August 10th, we slipped away from the wharf in H.M.C. Dockyard at Esquimalt, where a little party of friends from the Dockyard and R.C.N. Barracks had come to say good-bye.

Turning slowly we steamed past the destroyers "*Fraser*" and "*Skeena*". Commander Read, commanding H.M.C. *Fraser*, was on his quarter-deck and gave us a friendly salute as we steamed by. As we left the harbour I could see a red coated figure standing on a projecting point of land taking a picture of our departure.

An hour and a half later we stopped at the entrance to Soake Bay, lowered the dory and power skiff, and all hands turned to work gathering smooth rounded stones for ballast. At 5.00 o'clock, sufficient stone had been gathered, and as thick fog had shut in, it was decided to anchor for the night. Immediately after supper, all hands, except the cook, who was cleaning up the galley, set to work to stow the stones in the bilges. After three hours of heavy labour the job was completed, and it was with relief that the men learned we had decided to anchor for the night. The fog had increased in density and we could hear the horns of vessels feeling their way up the Strait of Juan de Fuca.

At 4.50 a.m. I was awakened by the Executive Officer. I dressed hurriedly and went on deck to find the boatswain and two seamen had the anchor aweigh. The fog still was with us. We steamed slowly out into the Strait and set our course for Tatoosh Island. Several times the fog lifted but not for long. After clearing the Strait we set our course to pass near Umatilla Light Vessel. Once into the open waters of the Pacific the fog thinned out but we continued to pass through occasional banks of fairly dense fog during the remainder of the day.

At about 11.00 a.m., an American cruiser and four destroyers passed on our starboard side bound North. All day long we rolled in a heavy beam swell. In the afternoon, life lines were stretched between the awning stanchions on both sides of the ship. This was a wise precaution as many times during the voyage we found them just the correct height to catch hold of when thrown off balance by the quick movements of the ship.

During the next two days the weather was miserable, the sky was overcast, fog was frequent, and we had a moderate gale on our starboard quarter. We had a rough sea following us, with waves from fifteen to twenty feet high, but this was better than the beam swell at first encountered.

During the afternoon of August 13th, the weather cleared somewhat for a short time and we took several sights. I tried taking a backsight, using a formula given to me by Commander Beard before we left Esquimalt, and was pleased to find the results good. D/F bearings were obtained from wireless stations on the U.S. Coast and the positions confirmed the solar observations. Before nightfall we hauled in towards land and picked up the flash from Point Reyes. This lighthouse is built on a hill hundreds of feet above the sea level. We passed fairly close to the San Francisco Light Vessel, and could see the lights of the city quite clearly. There was quite a sea still running and the Light Vessel was doing quite a bit of jumping around, but shortly afterwards the wind began to decrease and the seas began to lessen, and the good ship "Adversus" became considerably more comfortable.

All next day we steamed southward along the California coast accompanied by a large British freighter named "Fresno City". The visibility was poor and we wished that Sunny California would live up to its name. At six p.m. we passed Conception Point and set our course up Santa Barbara Channel. Everybody was in good spirits, seasickness all gone, and we looked forward to arriving at San Pedro, the port of Los Angeles, at daybreak next morning. During the night we passed through heavy traffic, but the visibility was good enough to eliminate danger of collision. At daybreak we could see Point Fermin Light; we were nearing San Pedro. It had been slightly hazy all night, but as we slipped slowly through the gap in the breakwater into San Pedro Harbour, we ran into the glorious sunshine for which Southern California is so famous. We picked out a suitable spot in the outer harbour and dropped anchor. About an hour later we were visited by the Port Officials. They came alongside in their boat but did not board us. They were very pleasant and advised us that we would have no further formality to go through before entering this port. After breakfast a visit was paid to the Office of the Harbour Authorities and the Officials did everything possible to help make our stay in Los Angeles a pleasure. A berth was assigned us at one of the Commission piers. A pilot was supplied who took us to our berth and saw us safely moored alongside.

Our stay in Los Angeles was very pleasant. A visit was paid to U.S. Coast Guard Headquarters and this was returned next morning. Visits were next made to Los Angeles, and calls paid to the British Consul, and to the Mexican Consul. It was necessary to visit the Mexican Consul as our next stop was to be in Mexico.

On August 18th, we left our berth in the early morning, slipped out between the breakwater, and headed southward. Course was set to pass well outside San Diego. About 4.00 p.m. we passed south of the U.S. border and commenced our long journey down the coast of Mexico. At 9.00 a.m. the same morning we sighted our first flying fish. Those among the crew who had never been south before were interested and excited. In the afternoon the sun broke through the clouds and we were definitely clear of the fogs. The sky and water became blue, but not quite the deep, rich blue of

the tropics. Sextants were brought out and sights taken; we were now able to navigate in comparative comfort. The weather had become definitely mild and the days glorious—I wish Nova Scotia could have such a climate.

The next day we began to feel the tropic heat of the sun, and the quarters were becoming uncomfortable in the daytime. White uniforms were donned and the awning spread. The effect of the awnings was immediate. The deck, sheltered from the direct rays of the sun, became less hot and it was much cooler below decks.

Near Petrel Bank off Baja, California, we passed through a school of whales. They were blowing all around us for an hour or so. Flying fish were breaking water at long distances from the ship, evidently chased by fish below the surface; possibly frightened by the moving whales. An unusual incident occurred whilst passing through the school of whales. Very close to the ship a whale broke the surface and blew into the air. After dropping astern about one hundred yards a severe commotion was observed. The whale broke the surface again with a rush and loud splash. About ten seconds later a huge fish, about thirty feet long, broke water, rose to its full height in the air, turned on its side and came down with a tremendous noise and splash in the spot where the whale had just broken the surface. The fish was not shaped like a whale. It was more pointed about the head, was more stream-lined than a whale and had a silvery white belly. The belly was turned fully towards the ship as the fish turned on its side before hitting the water.

From day to day the heat increased as we steamed south-eastward and crossed the mouth of the Gulf of California. The seamen "turned to" in bathing suits to wash down decks, and played the hose on each other. The bosun remained in the sun too long in his bathing suit and paid the penalty with a very red hide. He turned almost black before the voyage was over.

On the night of August 21st, we were signalled by flashing lamp from the U.S.S. "Gannett". She asked us if we had sent up a green rocket, adding that she had seen a green rocket on our port side. We altered course and searched the area but sighted nothing, although it was a very bright night with a full moon. The "Gannet" was still searching when we resumed our course. It may have been a meteorite that was sighted from her bridge.

Next day we sighted the mountains behind Cobo Corrientes. It was hard to realize that they were forty or fifty miles away. At dusk we closed the coast and saw the lighthouse of Manzanillo flashing on our port bow. We steamed into the harbour and dropped the anchor in eight fathoms of water, and prepared for a good night's rest. Fifteen minutes later a launch came alongside and a pilot came on board. We moved closer to the town and again anchored. We were immediately visited by the Immigration and Customs Officials. They left after examining our papers and receiving a crew list. We turned in to bed but not to sleep. At midnight the port doctor arrived and insisted on sighting each member of the crew. After he left we finally were able to rest.

Next morning a visit was paid to the office of the Captain of the Port. Arrangements were made to fuel, and accompanied by the pilot we returned to the ship. Weighing anchor we proceeded towards the oil wharf, but when

we arrived alongside we found such a strong current running that we could not remain there. Steaming out into the stream again a heavy line was led from the after end of the ship and made fast to the anchor shackle. Approaching the wharf again, the anchor was dropped; then carefully the ship was allowed to drop into place near the wharf. Before she touched, a strain was taken on the anchor chain and on the hawser, thus preventing the ship from smashing her sides in against the piling. Hawsers were made fast to the wharf and so secured we took on board the oil hose and proceeded with taking on fuel.

The night we arrived at Manzanillo there were two murders in the streets. The next morning there was another murder. In order to avoid any accidents, shore leave was cancelled in the afternoon, and at five o'clock, all ship's business being completed, we steamed out of the harbour and continued our way southward. We had now put 2360 miles astern of us and had 1744 miles yet to go to reach Panama.

The weather now was decidedly hot. The crew were set to work to sew canvas into the shape of windsail ventilators. These when finished were made fast to ventilator combings in lieu of the little cowls; the heads were hoisted aloft and a breath of air was sent down below into the living quarters. A few days later we were crossing the Gulf of Tehuantepec; at times one of the worst places in the world for a small craft.

About 11.45 p.m. on August 26th, we were caught in a lehubasco. Lying on my bunk, I suddenly felt a different motion to the ship. I hurried on deck and found that Skipper-Lieutenant Ascah had swung the ship away before the squall. All hands were "turned to," to get the forecastle head awning furled before it carried away. Deck lights were switched on to give as much light as possible. The forward awning safely furled, the main awnings were taken in hand and furled and lashed. One of the new canvas ventilators said good-bye to us, and went sailing away into the black sky, like a giant kite. The sea did not have time to come up but the rain and wind were terrific. The ship was slowed down and brought back on her course. After about forty-five minutes, the wind died away and the night once more became calm and muggy.

On August 28th, we passed under the sun. At noon the altitude was nearly 90 degrees. The sun was almost directly overhead. The estimated altitude was 89 degrees, 56 minutes. It was found impossible to take the noon altitude. The sun suddenly climbed up from the east, then just flopped suddenly into the western sky and began sliding downhill. It was almost impossible to operate the sextant tangent screw fast enough to keep up with the sun's motion.

Next morning we entered Panama Bay. We sailed through sparkling sunlit waters towards several high islands. Soon, through the binoculars, we could see the black and red buoys marking the channel leading to the canal. Hoisting our signal letters we proceeded slowly through the buoyed channel and anchored off the Balboa wharves. The Port Officials came on board, and the harbour master, acting as pilot, placed us alongside one of the piers.

It was noticed that all the flags in the port were at half mast. Inquiries were made and it was learned that an ex-President of the Republic of Panama had just died. Our flag was dropped to half-mast and it was

learned that no business would be transacted during the day. Shortly after we made fast to the wharf, Captain Callaway and Sergeant Baldwin of the Canal Zone Police, paid us a visit. We were invited to call on them for anything we needed whilst in the Canal Zone.

Immediately after breakfast next morning, Sergeant Baldwin appeared on the wharf in a police car. We proceeded to Police Headquarters at Balboa. For cleanliness and neatness, one would go a long way to find the equal of the Canal Zone Police. Their new offices and quarters are models of efficiency and tidiness. The jails and cells are ultra-modern. In the jail cells, the walls, doors and grilles are painted aluminum. The main entrance to the cell is within sight of the officer on watch sitting at his desk and the door is opened by him electrically at the touch of a button. Each cell is furnished with a wash bowl and toilet. Certain cells, where prisoners are kept who are not allowed to mingle with their fellow prisoners in the common compound, are fitted with shower baths. Just off the compound are several shower baths for the use of the other prisoners. By use of a long steel bar arrangement the doors of all cells can be opened simultaneously, or if preferred, single cells may be opened without effecting the other cells.

In the Police Quarters, the first thing noticed by a person from the north is the height of the ceilings. The high ceilings are essential in the tropics to allow for the best possible circulation of air. The quarters for the single men consist of large airy rooms, with one single bed to each room. Plenty of closet space for clothes and gear is fitted in each room.

A visit was then paid to Police Headquarters in the Administration Building. In this building, the heads of all Canal Zone Departments are housed under one roof.

The next visit was across the Canal Zone border into the Republic of Panama. A call was made on the Canadian Trade Commissioner, and the British Consul. The British Consul informed me that the British Minister Plenipotentiary had expressed a desire for me to call on him. Arrangements were made and a visit was paid at 3.30 p.m. The minister was evidently pleased to see a member of the R.C.M.P. and chuckled at the uniform. I think he was rather surprised to see that the Marine Section dressed as seafarers and not in scarlet tunics. He expressed a desire to visit the ship and arranged to come on board at 9.00 a.m. next morning. I was rather worried about this as we had no proper gangway, just a flimsy looking rung ladder. I visioned headlines "British Minister falls between R.C.M.P. cutter and dock." I had no need to fear; at nine a.m. the car was seen driving down the wharf with the Union Jack at the jack staff forward. Stepping from the automobile he enquired if he should turn his back to the ladder, and, to my relief and delight, used the ladder gangway as readily as any of the crew could have done. Reaching the deck he removed his hat, and smiling like a schoolboy, said, "Sir, I salute your quarter-deck." My regret was that I could not have had one of the new fine R.C.M.P. cruisers, "MacDonald" or "Laurier" to have shown off our service, for "Adversus" by this time was beginning to show signs of her long voyage.

Whilst at Balboa, accompanied by Skipper-Lieutenant Ascah and Sergeant Baldwin of the Canal Zone Police, a visit was paid to the ruins of old Panama City. This city was sacked about three hundred years ago by Morgan the pirate. He later became Sir Henry Morgan, and was for a

time Governor of Jamaica. I was surprised to find the ruins so extensive. In my imagination I had pictured a village and I was surprised to find the ruins of a small city. The bell tower of the old cathedral still stands, rearing itself up for almost a hundred feet above the ground. Part of the roof still remains on the old Convent. In and out of the ruins ran lizards about ten or twelve inches long, looking for all the world like little green alligators. Skipper-Lieutenant Ascah took a particular dislike to the reptiles and tried to keep both feet off the ground at the same time!

Accompanied by Mr. Riddiford, the Canadian Trade Commissioner, and Mrs. Riddiford, a visit was paid at night to the Casino. The Casino is a miniature Monte Carlo. It is quite different from things Canadian and was an entirely new experience as far as I was concerned.

On September 1st, we proceeded to Cristobal on the Atlantic side of the Canal. As we pulled away from the pier in Balboa, Mr. and Mrs. Riddiford waved good-bye, and no doubt the sight of the ship conjured up in their minds the vision of the next leave period "up north." We dropped anchor off the pier at Cristobal just after dark.

Next morning, a visit was paid the Police Headquarters in Cristobal, Canal Zone. The system is identical with the system on the Pacific side. A half hour was spent with Detective-Lieutenant Meyer and Judge C. P. Fairman. The judge was in the front rank when humour was being passed out, and received his full share. He caused us to chuckle more than once, with tales of his experiences on the bench in Cristobal. Especially good were some of his yarns about the local coloured gentlemen who came before him at various times.

Skipper-Lieutenant Ascah and I took a walk along Front Street in Cristobal. We were more than interested to see human heads on display in several shop windows. The heads were evidently those of Indians. They had been reduced by some method to about the size of an orange. The lips were stitched together with black thread. The hair was still intact on the head, in the eye-lids, and in the men's scanty beards. Two of the heads were from women.

In the afternoon, as the weather forecast was favourable, we set our course for Kingston, Jamaica. On the evening of the second day we picked up the pilot off Plum Point, and proceeded up the harbour, dropping anchor off the Myrtle Bank Hotel, in almost the exact spot where we had anchored in 1933. Arrangements were made by the Acting Trade Commissioner, Mr. Cassaly, to use the Myrtle Bank Hotel landing stage during our stay in port.

Inspector W. A. Orrett of the Jamaica Constabulary paid us a visit on Sunday morning. The visit was returned next morning. The Jamaica Constabulary consists of approximately 1200 officers and men. A visit to the barracks of the water police, and to the barracks of the land force, convinced one of the efficiency and thorough training of this splendid body of men. At the Kingston Headquarters, I was very interested in the photographic department, the finger print department, and in the "Modus Operandi" system.

In the afternoon, Inspector Orrett very kindly placed a car and driver at the disposal of the members of the crew, and several of those off duty took advantage of this opportunity to visit rural Jamaica.

Leaving Kingston we proceeded along the coast, and rounding Morant Point on the east tip of Cuba Island, we set our course for the east tip of Cuba. The weather which had been so fine for the last few days, now suddenly changed. The next weather forecast received advised of falling barometers in all the Windward Islands and the presence of a tropical hurricane off the Island of St. Martins. Ships in the vicinity reported heavy seas. After rounding Cape Maysi, the course was altered to pass through the Old Bahama Channel between Cuba and the Bahama Group of islands, and so away from the hurricane which was moving almost due north.

Passing through the Old Bahama Channel, we continued through the Santaren Channel and made the coast of Florida in the vicinity of Miami. Keeping about 16 miles off shore, we steamed northward taking full advantage of the Gulf Stream. So strong was the Gulf Stream that on September 11th we made a minus slip of 0.61 per cent. In other words our distance over the ground was greater than our engine distance. The weather soon changed and we could feel the difference in temperature. White uniforms were doffed in favour of warmer clothing. The nights became quite chilly.

Off Cape Hatteras we struck some moderately bad weather for several hours, but in general we were blessed with good weather. At Cape Hatteras we left the Gulf Stream and set our course for Fire Island Light Vessel off New York; arriving there we steamed towards Block Island and entered sheltered waters. All this time we had watched the path of the hurricane from day to day. It finally passed ahead of us and struck the Bay of Fundy.

Passing through Vineyard Sound, we again entered the open sea near Cape Cod and set our course for the South East tip of Nova Scotia. Early next morning we sighted the flash of the lighthouse on Seal Island, but the visibility becoming poor, we continued along the coast of Nova Scotia without sighting land again until we were near Halifax.

Arriving off Sambro, various courses were steered until Chebucto Head was abeam, then our course was set to pass up Halifax Harbour. An hour later we steamed slowly into H.M.C. Dockyard and made fast at Pier 3, in exactly the same berth from which we sailed four and one half years before. We had taken a route that had covered 7019 miles, and had taken 38 days from wharf to wharf. Our actual steaming time was 26 days, 2 hours and 59 minutes.

Prize Winning Articles—January Edition

PRIZES OF \$15.00 and \$10.00 respectively, have been awarded to the following members of the Force for the two best articles published in the January edition of the Quarterly Magazine,—

Detective-Sergeant J. A. Churchman, M.M., "C" Division, Montreal, 1st Prize.

Chief-Skipper H. A. Cassivi, Marine Section, "C" Division, Montreal, 2nd Prize.

The Editorial Committee offer their congratulations to the winners of the two prizes in these instances and hope that further prize winning material will be forthcoming from other members of the Force with literary capabilities. As explained in the January edition of the Magazine, this competition is open each Quarterly period and prizes will be awarded for the two best articles submitted by N.C.O.'s and Constables, or members of the Marine Section, which are published in the Magazine.

Confessions

by DETECTIVE-CONSTABLE D. O. FORREST

"IN CRIMINAL cases, a confession made by the accused voluntarily is evidence against him of the facts stated. But a confession made after suspicion has attached to, or a charge has been preferred against, him, and which has been induced by any promise or threat relating to the charge and made by, or with the sanction of, a person in authority, is deemed not to be voluntary, and is inadmissible."¹

To more simply and briefly state the law with respect to confessions than the above paragraph taken from the pages of the authority Phipson On Evidence, would be difficult. Still it makes no mention of the warning which is commonly believed to be the chief ingredient of a confession before it may be presented as evidence. While the warning is mandatory in certain instances, there are other factors which are equally essential but not as generally known, and these this modest article will attempt to bring to your attention.

In history we find that Judicial Confessions, i.e., pleas of guilty, are recorded in medieval times, but it was even then held that if they were obtained by fear, duress or menace they were not generally considered to be valid.² There was, however, no limitation to the admission of self-incriminating statements, and confessions extracted by torture were freely received as evidence until as late as 1640.³ From that time the character of decisions has varied materially, but the doctrine that a suggestion of duress is sufficient to vitiate a formal plea has become extended gradually to include any statement induced by promise or threats.⁴

The investigating policeman is bound, therefore, to find difficulty when offering as evidence admissions made by an accused to him, unless he fully understands what is required of him by law covering this point. It is not that a Judge will presume that the statement is not true,⁵ or that it has been obtained by unfair means, but the burden rests with the prosecution in no uncertain way to establish that it was wholly voluntary,⁶ and then it may be presumed that no person will wilfully make a statement against his interest unless it is true.⁷ Except in certain instances, of which murder is one, a confession properly made and subsequently admitted is sufficient to ensure the conviction of the accused without further evidence of corroboration.*⁸ For this reason the confession is a most effective instrument in the hands of the Police, and great care must be taken that no grounds exist for criticism for the manner in which it was secured.

¹Phipson On Evidence, (7th Ed.), Ch. 21.

²1547, 1 Ed. 6, C. 12, S. 22.

³1607, Staundford's Pl. Cr. B. 2, C. 51.

⁴Jardine on Torture.

⁵Steph. 1 Hist. Crim. Law, 446-7.

R. v. Baldry (1852), 2 Den. C.C. 430.

⁶R. v. Baldry (1852), 2 Den. C.C. 430.

⁷R. v. Rose, 18 Cox 717.

⁸R. v. Turner (1910), 1 K.B. 346.

*Recently pleas of "Guilty" have been accepted in murder cases in England and Canada and Sentence of Death has been passed without the production of evidence. Such cases however must be regarded as unusual, the ordinary procedure—as is well known—being to prove the Guilt of the Accused by means of testimony irrespective of such confession or admission of Guilt.—EDITOR.

⁸Roscoe's Cr. Ev. (15th Ed.), 38.

With some few exceptions, a peace officer has no statutory right to ask questions and require answers. He may lawfully ask questions, but no person is legally obliged to answer him.⁹ It has been held that a policeman may interrogate anyone, whether suspect or not, while engaged in the solution of a crime, and it follows that any statement given as a result of such questioning may be freely taken in writing. As a matter of fact, it is preferable to have such statement in writing, for 'words may be easily misunderstood by an honest man, they can be misconstrued by a knave. What was said metaphorically could be apprehended literally and what was spoken ludicrously could be taken seriously. A particle, a tense, a mood, an emphasis, might make the whole difference between guilt and innocence.'¹⁰ An oral statement could be coloured innocently, or even deliberately, by the person to whom it was given, and the interpretation would not then convey the meaning which was intended. If to eliminate this suggestion alone it is desirable to have the statement reduced to writing.

In law, the situation changes materially when the investigator is of the opinion that sufficient evidence exists against the suspect, and decides to charge him with the offence. It is at this time that great care must be taken, for unless the statement is finally admitted as evidence, it is a disappointing and wasted effort to take it. It is an opportune time to remember the Judges' Rules with respect to the taking of statements.¹¹ These Rules have the approval of the Bench wherever British law is administered, and were issued to law enforcement agencies in Great Britain at the request of the Home Secretary. Rules 1 and 2 are as follows:

"Whenever a police officer is endeavouring to discover the author of a crime, there is no objection to his putting questions in respect thereof to any persons, whether suspect or not, from whom he thinks that useful information can be obtained."¹²

"Whenever a police officer has made up his mind to charge a person with a crime, he should first caution such person before asking any question, or any further question, as the case may be."¹³

It is evident, therefore, that the element of time is of equal importance to the warning itself. The warning must be administered to the suspect as soon as there is enough evidence to charge him with the crime, even if it be in the middle of a statement. In this respect however a further rule states:

"A statement made by a prisoner before there is time to caution him is not rendered inadmissible by reason of no caution having been given, but in such case he should be cautioned as soon as possible."

It is clear, therefore, that should a suspect make a remark incriminating himself, he must be warned before the statement may be properly continued.

The form of the warning itself differs largely according to local custom, but most are an abbreviated form of the Justice's Address to the Accused contained in Section 684 of the Criminal Code. In the Judge's Rules the following form is suggested:

"Do you wish to say anything. You are not obliged to say anything unless you wish to do so, but anything you do say may be taken down in writing and may be given in evidence."

⁹R. v. Miller, 18 Cox C.C. 54.

¹⁰Taylor On Ev. (11 Ed.), vol. 1, p. 582, quoting from Macauley's Hist. of Eng.

¹¹145 L. T. Jo. 389.

¹²R. v. Best (1909), 1 K. B. 692.

¹³R. v. Male & Cooper, 17 Cox C.C. 690.

Care should be taken to avoid any suggestion that the answers will only be given in evidence against the person now charged, and for that reason it is desirable that the last words in the usual warning 'against you' be omitted. It is quite conceivable that such a suggestion might prevent an innocent person giving information that would clear him of the charge.¹⁴

A further rule warns against cross-examining a prisoner or suspect while making a voluntary statement, but it provides that such person may be questioned in order to clarify an ambiguous point. It is also recommended that statements taken in accordance with these Rules be in writing whenever possible, and then signed by the person making it after it has been read over to him and he has been invited to make any correction.¹⁵ It has been held that the failure of this person to sign his statement does not alone effect the admissibility of the document, but any such deviation from the normal practise may reduce the value of it.

It is a fact that the Judges' Rules have not the force of law, but are directions which may be observed by the Police for the fair administration of justice. Unquestionably the interests of the public would be best served by having some definite ruling or authority upon which peace officers could base their operations during an investigation without fear of adverse criticism or of having their findings refused in evidence. As the situation now stands an investigator may easily be hesitant to take obvious and fair steps to test the guilt or innocence of a suspect because he is afraid of unfounded accusations in court of 'third degree' methods, and may thereby overlook what might be the only means of solving the crime. For this reason it is essential that peace officers be as familiar as possible with the complex and numerous rules of law which now exist in connection with confessions and admissions of guilt, so that they may conduct themselves without incurring personal discredit and may proceed fearlessly as they consider their duty directs.

¹⁴R. v. Baldwin, 23 Cr. App. Rep. 62.

¹⁵Arch. Cr. Pl. Ev. & Pr. (28th Ed.) 406.

Legion of Frontiersmen—Ottawa

PLANS FOR the formation of an Ottawa Unit of the Legion of Frontiersmen are now in progress, a meeting having been held locally, on April 4th, with the object of proceeding with recruitment.

The Quebec City Squadron, comprising members of the Legion of Frontiersmen at that point, was represented at the funeral of Sir James MacBrien recently and made a most favourable impression by their bearing and general appearance on parade. The Contingent, which numbered 50 members, was under the command of Lieutenant-Colonel M. L. Fitzgerald.

The Legion of Frontiersmen, which is affiliated with the Royal Canadian Mounted Police, was founded in London, England, in 1904 by Captain Roger Pocock, an ex-member of the Royal North West Mounted Police. Organised on semi-military lines, the Legion is self-supporting and each Frontiersman supplies his own uniform. Any British subject of European descent is eligible.

The Legion has adopted as their own the motto "God Guard Thee" which was engraved inside the ring of General Gordon of Khartoum.

Development of a New Tradition

by SKIPPER R. A. S. MACNEIL

THE LATE T. E. Lawrence, as all the world knows, retired to the obscurity of the R.A.F. after the Arab campaign; the subsequent negotiations in the Near East, and the final strain engendered by the writing of his great prose master-piece, had seriously undermined the general condition of his health. Why he enlisted in the ranks is now well known to everyone. What is less well known, however, is why he chose the Royal Air Force. Of the countless reasons which have been brought forward, perhaps the most acceptable is that advanced by another airman, who writes: "*He loved also the freer sense which he found among the members of this junior service less bound by tradition than its older brothers, the Army and Navy.*"¹

In the phrase "less bound by tradition" lies the crux of his decision. It is this writer's belief, for what it is worth, that it was the sense of newness; the sense of helping in the making of a great future tradition, which led him to the most junior of the services.

In a short decade, then, the R.A.F. had evolved a tradition which, as opposed to those of the Army and Navy, attracted one of the greatest personalities of the century. This tradition had its genesis in the great traditions of the British Army in battle, but for all, it is as much a living spirit in the Air Force of today as is the influence of Copenhagen and Trafalgar in the modern Navy.

As every man gradually must evolve his own philosophy of life, so must any organization gradually evolve its own traditions. It must strive to attain its own sense of perfection, and its own sense of what is fitting and right. But was any new service so richly endowed at its inception as was the Marine Section of the R.C.M. Police? Has any service begun life with such a wealth of tradition behind it as those of the R.C.M. Police and of four centuries of British seamanship? A record of seventy-five years' unremitting service to Canada on the one hand, and on the other the record of the Armada, Trafalgar and Jutland.

But these examples, magnificent as we know them to be, are merely the foundations on which the traditions of the Marine Section are being built.

It has been said that the Marine Section needs no tradition of its own; that it need only emulate the example set by the Force in the past. Like many another half-truth, there is a certain superficial appeal in such a statement; but, being merely half true, it is false. The Marine Section would do well to live up to such an example, but it must do more. It must find its own strength through its *own* trials and triumphs. This development of character must come from within. Just as the building of a great fortune often builds a great character—in comparison with a man who began life with great wealth—so must the Marine Section, in developing its own traditions, attain its own strength and balance.

It may well be asked how this tradition is to develop. The answer lies in the spirit of service on the seas with which the Service already is imbued, and in the men who compose the personnel. It lies in the quality of comrade-

¹"T. E. Lawrence, By His Friends." Edited by A. W. Lawrence.

ship and singleness of purpose existing between officers and men in the discharge of duties under every condition of hardship. Duties performed during the hard hours of a grey wintry gale on the Banks, and during pleasant sunny days in the Gulf; in the dreary monotony of long patrols, and in the breathless excitement of sharp engagements when valuable ships and men's lives hang in the invisible balance of a smoke-screen. From years of such service, on a background as elemental as the sea, a tradition eventually must emerge which cannot but inspire every newly-joined recruit.

The significance of the sea's place in our national life is not really appreciated by the average Canadian. We usually refer to ourselves as an inland people. This in a country where seven of the nine provinces touch salt water; in a country the national motto of which is "From Sea even unto Sea." Anyone who has watched the steady procession of shipping to and from Canadian ports can entertain few illusions about the purely inland nature of our people. The great traditions of our race have sprung from the sea, and on the sea the traditions of the Marine Section are being built.

Tradition, after all, is to some extent a matter of reputation, and the reputation of any service ultimately depends upon the character of its individuals. Now as a training ground for individual character, the sea scarcely can be surpassed. There is a curious affinity between the early background of the Land Force and that of the Marine Section—the white wastes of the North, and the grey wastes of the Atlantic. Both offer opportunities for a life unique above all others.

For life on a patrol cruiser is a unique life. It is a life purely monastic, and of almost ascetic detachment. Calling as it does for a degree of selflessness and of corporate spirit rarely encountered in other walks of life, it holds for even the shallowest character a deep—though possibly unconscious—spiritual significance. Unfortunately, however, the more profound implications of this life are seldom appreciated by the average landsman. "Jack ashore," the drunken, amorous scallawag of popular imagination and fiction, too readily is accepted by most shore-going people as the real seaman.

But this mistake is almost forgivable, for such a picture has prevailed in English literature since Chaucer wrote "The Shipman's Tale." "The sailor has been expressed for us with perfect art and perfect truth," wrote the present Poet Laureate, "though he himself may complain of the treatment he has received."² And he may well complain, for, though accurately drawn in his more expansive moments ashore, little attempt has been made to depict the unseen—but by far the greater—aspects of his existence.

Human nature being what it is, it is but natural for a seaman to "go large a bit" during his infrequent interludes on shore. He must crowd into twelve hours what for a landsman fills twelve leisurely days. But at that, he is the richer for his varied experiences than is his shore-going contemporary. When the land dips astern, wind and sun and great expanse of water provide life's background with a vigour and wholesomeness denied most people who have their being in this modern age of asphalt and concrete. And against this background he is absorbed with his shipmates into the unending conflict with nature; and in quieter moments he can turn to the contemplation of the eternal mystery of the sea.

²"A Sailor's Garland," John Masefield.

Now if the sea plays an important part in the development of the Marine Section's traditions, the personnel must play a part equally as important. The future of the Service lies in the hands of the men themselves. If they are strong, the Service will be strong. But the sea will return to them only as much as they are willing and able to sacrifice to the sea.

A criticism often levelled at the personnel is that the men are too diverse in early training and outlook. This criticism gives little indication of sound reasoning, for in that very diversity lies the collective strength of the personnel.

A rough analysis divides this personnel into two groups—those who were professional seamen before engagement, and those from civil life. Of the first group, the men have been drawn from the Navy, Merchant Service, and the Fishing Fleet. In the second group, there are men from almost every walk of life. Now in what way is this a weakness? A service where each man previously had been a torpedo-gunner is no more to be desired than a service where each man previously had been a bank-clerk. Each man brings something of his past life to the Service, and the Service thereby is the gainer.

As presently constituted, the personnel resembles a veritable cross-section of the country's population, which is as it should be. These men, drawn from almost every part of the country, and representing almost every type which makes up the richly-diversified Canadian population, are working towards a common goal, and providing the fibre and strength without which—in its early and formative years—no service can exist.

For a strong and healthy Marine Section is a necessary factor in the development of the Force as a whole. A healthy tree has no weak branches. What is good for part of the Force is good for all of the Force. And a strong and healthy Marine Section cannot but strengthen the entire Service, and increase its usefulness to Canada.

R. C. M. Police Dog "Black Lux"

TOWARDS THE latter part of February, two prisoners escaped from the gaol at Dorchester, N.B., and the services of "Black Lux" were utilized.

R.C.M. Police Dog "Black Lux" soon found the trail and, although snow was falling, followed it quite easily. Due to the fact that the escaped prisoners had a four hour start and that a freight train was expected to pass through near the trail shortly, it was anticipated that the escaped prisoners would attempt to "jump" the freight, therefore it was decided to abandon the trail and drive in a car to a point eight or ten miles further along the railway line. The trail was checked at intermediate points and found to be going in the same direction. After travelling for approximately four or five miles, the trail was again picked up by "Black Lux" and eventually the prisoners were sighted and kept in view for at least half a mile before being overtaken.

An interesting point in this case was that two strangers bearing a resemblance to the escaped prisoners were seen making their way on foot towards Moncton, and as this information was voluntarily supplied by several apparently uninterested witnesses, there is no doubt but that the lead would have been followed had not "Black Lux" been available to indicate the opposite and correct direction.

On being taken into custody, the prisoners stated that they had abandoned the idea of making a run for it when they saw the efficient manner in which "Black Lux" was tracking them down.

Fort Macleod—Past and Present

by LANCE-CORPORAL F. J. BRAILSFORD

THE NAME of Macleod will be familiar to all readers of the R.C.M.P. Quarterly, as that of the oldest town in Southern Alberta, named after its founder, the late Colonel Macleod, who established the first Police Headquarters at that point in the early eighties. It is hoped that a few remarks by one who was stationed there for a short period recently may be of interest to members of the Force, particularly to those who occupied the old Barracks many years ago.

Early Fort Macleod consisted of a few log buildings situated on an island in the Old Man River; owing to floods, however, the townsite was moved to higher ground to the west, and nothing of the original site now remains. In those days, it was the central trading point where the ranchers and Indians from the Blood and Peigan Reserves, used to congregate, and to which supplies were brought by bull team from Fort Benton, Montana, many years before the coming of the Canadian Pacific Railway.

At the present time, it has a population of around thirteen hundred individuals, and is now a railway junction where lines of the C.P.R. from Calgary and the Crow's Nest Pass converge. Two main Provincial Highways, Nos. 1 and 3, also meet at Macleod, bringing a heavy tourist traffic during the summer months. Of recent years, however, the importance of Macleod has diminished, due to the steady growth of the City of Lethbridge, some 32 miles to the east. Macleod is still the centre of a Judicial District, and the Court House holds sittings of the Supreme Court of Alberta twice each year.

The old Police Barracks, in the early days was one of the show places of Western Canada, and was a Divisional Headquarters until around 1920-21, at which time the personnel, with the exception of a small detachment of one N.C.O. and two men, were moved to Lethbridge, then the Headquarters of "K" Division.

The Barracks was built around a square, a short distance west of the townsite; to the West were the residences of the Officers, on the North side were the Orderly Room, Officers' and Sergeants' Messes, the men's prison, and N.C.O.'s Quarters; to the South were the Guard Room, Q.M. Stores, Wet Canteen, and Bowling Alley, and at the rear of these buildings were the two large stables. On the East side was the Men's Mess Hall, also the Recreation Hall, and further south and east were the Transport sheds, Hospital and women's prison, blacksmith's shop, coal shed, scout's quarters, etc. The buildings were all of frame construction, well-built, and stood the test of wind and weather for nearly 50 years.

Among the Officers who served in these Barracks at various times were Major General Sir Sam Steele, Colonel P. C. H. Primrose (late Lieutenant Governor of Alberta), and Commissioner Cortlandt Starnes. From these Barracks also have gone men who served their country in South Africa, France and Flanders, Siberia, as well as the Yukon, N.W.T., and other parts of the Dominion.

In those days, the barracks formed the centre of social life in the community, and the daily life of the town of Macleod was closely linked with

the Mounted Police. Many members of the Force became married to local belles, and on their retirement, settled down either in the town of Macleod, or in the district nearby. Most of these veterans are hale and hearty, in spite of advancing years, and always have a welcome for any of the present Force with whom they may come in contact; they are usually glad to exchange views, and relate their experiences when the West was young, in contrast to conditions of the present day.

In 1932, the Alberta Provincial Police were absorbed by the R.C.M.P., and in the following year the old barracks was finally relinquished by the Force, and the present Detachment is now located in the old Customs House. The sole occupant of the former barracks was then a caretaker of the Dept. of National Defence, whose duty was to look after military stores, etc., belonging to the 93rd Battery C.F.A., a Militia unit which had been given the use of a number of the old buildings. From that time on, the old barracks fell on evil days; the buildings were tenanted by hoboes drifting in from the C.P.R. freight trains; doors and windows became broken and disappeared, and the whole barracks became weed-grown and dilapidated. Finally, during the Fall of 1936, these buildings, with the exception of four or five, which are still occupied by the local Militia, were turned over to the Province of Alberta. Tenders were then requested for the sale and removal of the old buildings, which were mostly purchased by farmers of the surrounding district.

Time brings its changes, and it is a somewhat melancholy thought that the old Orderly Room, where wrong-doers used to tremble, has now been removed and transformed into a cow barn! The old Wet Canteen, where the stalwarts of those days were wont to gather when off duty, has had a better fate—it has been moved into the town of Macleod, and is used as a social hall by the young people of the Presbyterian Church.

With the advent of the motor car, and with its better highways, most of the old Detachments around Macleod have been closed down—old Stand-off Detachment, on the Belly River at the West side of the Blood I.R., is still almost intact, the land and buildings having been acquired by ex-Staff Sergeant John Allan, who retired to pension some few years ago, and is still living in Macleod.

Most of the older residents of Macleod like to talk over the "good old days" when the sound of the trumpet and the jingle of spurs and accoutrements were heard daily, and there is no doubt that the loss of the Police Headquarters was a severe blow to the town.

Owing to modern developments, however, there is no longer the necessity for a large number of men to be stationed there—where in the old days a day's journey would be made by saddle horse or by team and buckboard, the same trip can now be accomplished in less than a couple of hours. No one will dispute the fact that the old-timers served efficiently and well, but changing conditions make it necessary to keep abreast with the times—some day, perhaps, the flying Constable will look back wonderingly to the "good old days" when patrols were made by automobile, and the present day member will be enjoying his well-earned pension, while dwelling on the hardships of police duty in the 1930's!

Cryptogram Contest

FIVE CORRECT solutions were received for the Cryptogram published in the last edition of the Quarterly Magazine, the winner being Reg. No. 11880, Constable R. S. McLaren of Headquarters Sub-Division, Ottawa.

The cipher used in the Cryptogram referred to is known as the "Vigneres" type, the key word being "pot"—or "top" reversed.

To decode the Cryptogram, arrange four alphabets in the order as shown hereunder: —

Clear — A B C D E F G H I J K L M N O P Q R S T U V W X Y Z
 Code — P Q R S T U V W X Y Z A B C D E F G H I J K L M N O
 Code — O P Q R S T U V W X Y Z A B C D E F G H I J K L M N
 Code — T U V W X Y Z A B C D E F G H I J K L M N O P Q R S

As will be remembered the Code Message in the January edition of the Quarterly Magazine commenced as follows:—

H H N S M B C U V

Taking "H" in the first code alphabet and working vertically the equivalent letter in the "clear" is "S". Taking "H" again in the second code alphabet the equivalent in the "clear" is "T". "N" in the third code alphabet equals "U" in the "clear". When this method is followed the completed Code Message reads as follows:—

"Studying cryptograms requires concentration, infinite patience, also knack for selecting correct words Z."

In order to encourage more readers to enter the present contest, a simple substitution type of cryptogram is offered. The usual book prize will be awarded for the first correct solution received. When sending solutions please state the date of receipt of the Quarterly Magazine at your detachment.

1. ABCDE FGDCH BK LCMAB, BNOMA, PMAWB, LRMED SMTBH
UCVS EBG N EBG AO TBHMR HSBNZD.
2. BACDEBFG FBGHJDKLMF NP RMAGBPA DKM RKPCBFMF
SBNJ NKDAGRPKNDNBPA TDHBEBNBMG.
3. ZYXVBU CABUXT SYBZVP RYAUCP ZAXVBU BVUCP ST
EYPXFG. YRPVFB FH SXVUCP RFXEFXYG YSXAEPGT SXVBUJ
RGVKYL, OVPCFAP VBDAXT.
4. ABCDECF GHBJK LMN GNORDK PSTJ HJEKBNJ AMBNK
SPBKECF SHKM RNMLEDSVHJ.



Division Notes

"A" Division

On February 2nd a buffet supper dance was held at the Standish Hall, Hull, P.Q. This was the second dance held by the Division this season, and the first of its kind held in the Standish Hall since the premises were altered and enlarged.

The attendance was even larger than at the first dance of the season and members of the Division and their friends had a most enjoyable time.

* * *

The schedules of the Rifle and Revolver Club and of the Bowling Club have been running along smoothly. These provide weekly entertainment for quite a number of the members as both sports have a group of enthusiastic adherents and the attendance at both has been well maintained.

On February 4th, presentations were made to Corporal O. Sundkvist; Constable G. W. Hassen; Constable W. Sutherland, and S/Constable J. Carver, on the occasion of their retiring from the Force to pension. On the occasion, the N.C.O.'s, and men not on duty, met at the Grads Hotel for a social evening. The presentations were made by Sergeant-Major Reddy. Constable Sutherland and Constable Carver each received a silver tea set; Corporal Sundkvist, a pocket watch; and Constable Hassen, a wrist watch. These ex-members have been associated with the Division for many years and their former comrades wish them, one and all, the very best of luck.

* * *

On December 18th Constable W. Henderson and Miss Annette Grandmaitre were married at Ottawa, and on December 25th Lance-Corporal J. C. McPhee and Miss Vivienne Michaud were married at Belleville, Ontario. All members of the Division extend their best wishes to the brides and bridegrooms.

"B" Division

During the Fall of last year, an indoor rifle range was constructed in the basement of the Barracks at Dawson; a rifle club was formed and there was keen competition in the various shoots which were held.

Gold nugget souvenir spoons were put up as prizes and were won by Corporal W. E. Bayne, and Constable J. S. Ferguson.

It is hoped to organize another rifle competition, and also a revolver competition, before the end of the winter.

* * *

Members of the Division have been most fortunate in the Dawson Curling Club this year, Constable H. W. Metcalfe being successful in skipping two rinks which won competitions.

During the month of February, two rinks of curlers from Fairbanks, Alaska, arrived in Dawson for matches with the local club, and, while here, issued a challenge to the Mounted Police rink. The challenge was accepted and a rink comprised of Constable Metcalfe as skip, Constable H. R. Huxley as third, Corporal J. H. Pearson as second, and Constable R. J. Stokes as lead, was picked to represent the Police. A very keen and interesting game resulted in a win for the Police by a score of nine to six.

* * *

Two billiards tournaments were held during the winter; Constable D. M. Wilcott was the winner in one of them and has also reached the final of the other.

* * *

December seemed to be a fateful month for the members of this Division; no less than three of them deciding to enter "double harness" during that month.

Constable A. E. Moore, Constable J. E. Kessler, and Constable D. A. Betts, all qualified for the privilege of drawing double rations. In addition to the congratulations of the Division, each member was presented with a number of gold nugget spoons, as a wedding gift from the Headquarters Staff at Dawson.

* * *

Several members of the Division have taken up Skiing this winter, and while at present there are no world champions among them, with patience and perseverance we may yet be able to produce, at least, a champion for the Division.

* * *

Skating has been a popular pastime, and has been a source of much enjoyment and exercise.

“Depot” Division

This season a “Depot” Division team was entered in the local Commercial Hockey League in which four clubs were represented. Eleven games were played of which nine were won and two lost. As a result the team secured top place in the league, and with it, the right to enter the Provincial Intermediate Playdowns.

Our first match in the playdowns was at Swift Current on February 11th and after a hard fought game resulted in a score of 5-0 against us. On the following night, on the same ice, we attempted to equal our opponents’ score and the result was 3-1 in our favour. As total goals counted, our opponents won the round 6-3. In this last game we had much the best of the play, but found the opposing goal keeper hard to beat.

Constable J. J. Molyneux, our captain, who spent last winter in Germany with the touring Canadian team, proved to be an inspiration to all our players in every game.

As this was our first attempt at Provincial Intermediate honours the result was very gratifying.

During the remainder of the season we expect to play several exhibition games in nearby towns, and next year we hope to repeat, if not to surpass, our performance of this season.

* * *

After a two year interval of comparative inactivity, basketball has been resumed as a major sport at “Depot”. With the supervision of Inspector J. T. Jones, a club was formed last December under the management of Constable H. M. Silver and H. S. C. Archbold, and a team was entered in the Regina Basketball Association. The team played the first half of its schedule in the “B” Section, finishing in first place. The club, thus qualified, was then promoted to “A” Section, and is at present doing very well in the second half of the League schedule. Entered in the Intermediate Division of the Saskatchewan Basketball Playdowns, the club hopes to go through to the Provincial championship.

* * *

With the completion of the new gymnasium, four courts were available for members and their families to play badminton. This has provided the chief indoor sport since November last. Arrangements have been made for games with all the other clubs in the city and for return games at the Barracks. Considerable interest has been taken by all ranks and there are about fifty members playing regularly.

The Regina City Tournament—for which we have fifteen entries—commenced on February 14th. Although there is not much likelihood of our members getting in the finals it will be an experience for those who have not participated in competitive play.

Once again curling has come into prominence at the Barracks at Regina, and up to the present time a very pleasant and enjoyable season has been experienced by the sixty members of the R.C.M. Police Curling Club.

In the fall of 1937, one of the old stables was converted into a fine curling rink, housing one sheet of ice. This has been in daily use ever since, with the granites gliding down the ice, aided by the stalwart sweepers and the vocal encouragement of such renowned skips as Assistant Commissioner Ryan, Staff-Sergeant Cameron, Sergeant Leatham, Sergeant Robertson, Jimmy Lyons et al.

A successful "Bonspiel" was held in the latter part of January, thirteen rinks taking part. In the final of the main event the consistent placements of the lead, Constable Shannon, and the deadly accuracy of the skip, Assistant Commissioner Ryan, won the "Eiler's Trophy", a handsome cup kindly presented for annual competition by Eiler's Limited of Regina, who also donated four miniatures for the winners.

* * *

A fine new rifle range has been built in the basement of the new gymnasium. It is well lighted, with firing points from ten to twenty-five yards and has target accommodation for eight firers at one time. With this great improvement in the facilities, keen interest has been aroused in shooting and every member of this Division in training now has the opportunity to practice from two to three hours a week.

D.C.R.A. Winter Season, 1938: Three teams have been entered in the .22 S.M.L.E. Rifle Competition and our first team has returned scores of 483 and 476 for the first two matches.

Two teams have been entered in the Revolver "A" and Revolver "B" Competitions. No. 1 Team, in the "A" Competition, scoring 396 and 400 for the two matches fired and 403 in the "B" Competition, in the January match.

Regina Naval and Military Indoor League: Two teams have been entered in this local League, firing as R.C.M.P. "A" and "B". To date the "A" Team has won all its matches, with the "B" Team losing one match to our own "A" Team. It is hoped to reverse this when the teams meet in the return match.

The Mounted Section and Recruit Squads have made much use of the range during the past three months, and it is to be hoped that the practice will show results when classification practices are fired on the open range next summer.

* * *

One of the entertaining highlights of the season was a dance held from 9.30 to 2.30 on the night of Friday, February 4th, sponsored by the Officers, N.C.O.'s and Constables. Over six hundred people attended, the largest number ever recorded, and consequently the occasion rates with the most successful and enjoyable of its kind ever held at this Division.

We were honoured by the attendance of fifty-four Honorary Members of the Officers' Mess including His Honor Lieutenant Governor A. P. McNab, Mrs. McNab, and Miss McNab; Honorable W. J. Patterson and Mrs. Patterson; Honorable Justice H. Y. MacDonald and Mrs. MacDonald; Honorable T. C. Davis, K.C., and Mrs. Davis; Brigadier C. B. Russell, D.S.O., and Mrs. Russell; and Staff Officers of Military District No. 12. Our pleasure was further enhanced by the presence of Superintendent C. H. Hill, M.C., from Winnipeg who took advantage of the occasion to renew his many acquaintances with members and friends attending the party.

The elaborate new gymnasium proved to be an ideal place for the festivities and, provided with good music by Russ Isadore and his orchestra, everyone spent a very enjoyable evening. This was not only the first "Depot" Division dance for

1938 but also the first ever to be held in the new building. In the basement is the new rifle range which proved to be a most suitable place for the buffet lunch which was served at midnight.

"D" Division

Curling commenced towards the end of last November, with four rinks forming the Divisional League. At the present time the rink skipped by the veteran curler, Sergeant A. R. Walker, is on top, with the likelihood of running away with the League Championship.

The R.C.M.P. Bonspiel commences Friday, March 4th, with the final scheduled for the week following.

* * *

Volley Ball has always been a popular winter pastime in this Division and this year nine teams took part in a competition. Games commenced on January 4th, and to date some teams are still struggling to get into the play-off.

* * *

A Doubles competition in Boston Pool commenced during the latter part of February; ten teams are entered in this tournament, which will be completed during the month of March.

* * *

The Bowling League, composed of teams representing the Sub-Division, Detachments, Records Branch, and Detectives, has been in active operation and some good scores have been turned in to date, with the Sub-Division team holding first place.

* * *

The Military District No. 10 Indoor Shooting League concluded with the Divisional Team in 5th place out of eight. Of fourteen spoons, the team won seven, and, for the Aggregate Prizes, the team members gained 8th and 10th places. Sergeant-Major Stangroom, with 774, was eighth, and Constable C. E. Hannah, with 771, was tenth.

* * *

At the end of January, the Division lost one of its oldest members in the person of Corporal J. Darwin, who retired to pension with nearly thirty years service. Corporal Darwin takes with him the best wishes of the members of this Division, and will also long be remembered in Southern Saskatchewan where he previously saw extensive service.

* * *

Since early January, Refresher Courses have been under instruction at Division Headquarters, and, at the conclusion of each, a "Smoker" was held. The opportunity provided for reunion with old comrades was thoroughly enjoyed by all members of the classes.

"J" Division

In the D.C.R.A. Indoor Rifle and Revolver Series, two teams were entered in the S.M.L.E. .22 rifle and .45 revolver competitions. Seven out of ten men have won spoons for marksmanship with the rifle, and all ten were similarly successful with the revolver. In the latter, it is interesting to note, three specials, six firsts, and one second class spoon, were awarded. Four members have qualified for the Dominion Marksmanship Medals, and Sergeant O'Connell has just completed his tenth "possible" with the .22 rifle, thus qualifying for the Gold Medal. It is anticipated that Senior and Tyro Teams will be entered in the Chief Constables' Competition to be held in April.

On February 9th, the Badminton Club played St. Anne's at the Barracks, the match resulting in a score of 14-7 in favour of the Police. A return match was played on the 23rd, also at the Barracks, the final score being 15-6 in favour of the Police. On February 28th, the Club played St. Mary's at the Devon Anglican Hall and was successful in defeating the opposing team by 12-6. The return match with St. Mary's is to be played later.

* * *

A dance, held in the Drill Hall on February 17th, was well attended by members of the Division with their families and friends. The hall had been pleasingly decorated, and dancing, to the music of a good band, and an excellent buffet supper contributed to the enjoyment of those present.

* * *

Our congratulations are extended to Constable and Mrs. Evans, to whom a son was born on January 6th.

"K" Division

With the advent of an extremely mild spell of weather in Edmonton, the thoughts of members of "K" Division once more turn to the approaching Cricket Season, and a feeling of optimism prevails in regard thereto.

The Cricket Club had its most successful season to date in 1937 and, with keenness on the upgrade, there is every reason to look toward the Season of 1938 without misgivings.

Most of the old members of the Club will be available to play, with the addition of several new faces from whom much is expected. In addition, it is most gratifying to all that the Officer Commanding "K" Division, A/Asst. Commissioner Hancock, has now fully recovered from an injury sustained whilst playing last season, and it is hoped and expected that his assistance will add greatly to the chances of the team during the coming season.

It is also hoped that it may be possible to renew games with the Alberta Law Society and the Edmonton Academy of Medicine in the same manner as last year; these games, although bereft of any "league" significance, were unqualified successes from the social point of view and were thoroughly enjoyed by all who took part therein, to say nothing of the subsequent entertainment.

By the time these notes appear in print, practice will already have been indulged in on an indoor pitch, which should do much to loosen up the limbs of the players and put them in good shape for the opening game of the season.

As before, the team will compete in the Edmonton and District Cricket League and a really great effort will be made to win one of the two trophies which go to the teams occupying first and second place.

In addition, Messrs. John Wisden of London, England, have donated a Cup to the League this year for the batsman returning the best average, which will stimulate the keen competitive spirit which exists even more than at present.

* * *

A very successful informal dance was held in the gymnasium at the Barracks, Edmonton, on Saturday, February 19th, 1938. Approximately two hundred Officers and men, and their friends, were in attendance. Owing to the dance being held on a Saturday night, dancing ceased at midnight, after which refreshments were served. Members of the Force in the city for the Divisional Refresher Course also enjoyed the occasion.

Plans are under way to have monthly dances of this nature, to be held on Friday nights when possible, thus allowing an extra hour for dancing. It is also planned

to form an orchestra, composed of members of the Force and their relatives, to play at these dances.

* * *

Two Divisional Refresher Classes have been held at "K" Division Headquarters, one during January and the second during February, each having been attended by approximately thirty members drawn from the various Sub-Divisions and Divisional Headquarters. Members of the "K" Division Headquarters' staff have conducted the lectures, set the examinations, etc., the examinations in First Aid being conducted by Dr. E. A. Braithwaite, Honorary Surgeon of the Force.

All members of the Classes seemed to be appreciative of the opportunity to attend the Refresher Courses and undoubtedly derived considerable benefit therefrom.

* * *

On January 28th, a brief and colourful ceremony took place at Calgary, when six members of the Calgary Sub-Division were presented with Long Service and Good Conduct medals by Brigadier G. R. Pearkes, V.C., D.S.O., M.C., Officer Commanding Military District No. 13 and a former member of the Force.

Those presented with medals were: Inspector J. O. Scott, 21 years' service; Sergeant J. N. Cawsey, 21 years' service; Sergeant W. E. Buchanan, 22 years' service; Sergeant T. W. Symons, 21 years' service; Corporal W. B. Dobbin, 22 years' service; Constable S. H. Mosely, 22 years' service.

* * *

The marriage of Constable F. A. Amy of the Calgary Sub/Division to Miss Bernice Edyth McClung took place at Calgary during February, and we extend our best wishes to the happy couple.

"N" Division

With the promise of Spring in the air, the Division has been very busy bringing the various "Winter Sports" tournaments to a successful conclusion.

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There are quite a number of badminton enthusiasts in the Division, and two very successful tournaments, a singles and a doubles, have been played off.

* * *

The four bowling teams in the "N" Division League, after a twenty weeks enjoyable schedule, brought the tournament games to a close, but as members of the League have enjoyed themselves so much at these weekly affairs, it has been decided to carry on for a few more weeks. Some idea of the interest taken in the bowling this year can be gathered from the fact that one of the "Tyros," at the commencement of the season, bowled a low single of 47 with 7 successive blows in the one frame, and ended the season by putting up some very useful scores in the 250 pin class.

* * *

The Hockey League was rather unfortunate, being unable to round out the season because of the sudden change in the weather, and the fact that the teams had to be changed, due to transfers. Although the League started from scratch again in the middle of the season, some very interesting games were played and great keenness was shown on the part of the players.

* * *

The Division has done quite a little shooting during the past month and we have two teams, a Senior and a Tyro, entered in the R.C.M.P. Dominion Championship. Good luck to both teams.

The Volley Ball League was broken up in the middle of the season, due to transfers, but at present an Inter-Room League is under way. This game has been extremely popular during the past season.

* * *

A full size billiard table has just been purchased by the Sports Club and is in use, out of working hours, every spare minute of the day. All members of the Division are deriving a great deal of pleasure from it.

"O" Division

The bowling league in the Division continues to enjoy the enthusiastic support of all ranks. During the Christmas season a social evening was held for the members of the league, and a drawing was conducted for which appropriate prizes were awarded. The evening was most successful and it is hoped a similar function will be held prior to the close of the season.

Many members of the Division have expressed the wish that a dance might be held following the Lenten season and in conjunction with the closing of the bowling season. The suggestion is finding favour with all ranks and present indications are that it will take place.

* * *

Congratulations are in order to Staff-Sergeant G. H. McLewin who was recently presented with the Long Service and Good Conduct Medal.

Our best wishes are also extended to Constable A. H. Langille whose marriage to Miss Mildred Doherty was solemnized on January 3rd, at Owen Sound, Ontario.



Pensioned

THE FOLLOWING members of the Force have recently retired to pension. Their present addresses are given in each case:—

Assistant-Commissioner H. M. Newson, April 1st, 1938, Vancouver, B.C.

Superintendent A. E. G. O. Reames, January 1st, 1938, 4644-7th Avenue West, Vancouver, B.C.

Reg. No. 5207, Cst. J. B. Rogan, January 1st, 1938, 653 East 3rd Street, North Vancouver, B.C.

Reg. No. 9089, Cst. W. Sutherland, January 1st, 1938, 189 Concord Street, Ottawa, Ont.

Reg. No. 6161, Sgt. A. Ball, February 1st, 1938, 208-9th Avenue, West, Calgary, Alta.

Reg. No. 4990, Cpl. J. Darwin, February 1st, 1938, 7 Inglis Apts., Winnipeg, Man.

Reg. No. 9065, Cpl. O. Sundkvist, February 1st, 1938, Queen Mary Street, Overbrook, Ont.

Reg. No. 9129, Sgt. B. V. Moore, February 9th, 1938, Picton, Ont.

Reg. No. 5524, L/Cpl. R. W. Warrior, February 13th, 1938, Hope Bay, Pender Island, B.C.

Reg. No. 8004, Cst. M. J. Walsh, March 1st, 1938, P.O. Box 133, Ottawa, Ont.

Obituary

Engineer-Lieutenant Commander Charles Stephen

Engineer-Lieutenant Commander Charles Stephen, R.N. (Retired), Technical Adviser of the Royal Canadian Mounted Police, Marine Section, passed away on March 14th at the Ottawa Civic Hospital. He was 59 years of age.

Commander Stephen was born at Liverpool, England, and received his education at the Liverpool Grammar School and Liverpool University. He was engaged in the office of the Belgian Consul there for a short time prior to joining the White Star Line. It was while he was serving with that Company that he passed his Chief Engineer's certificate for the British Board of Trade. He served in such vessels as the "Celtic," "Oceanic," and the "Olympic."

A few years prior to the outbreak of the Great War he resigned from the White Star Line and came to Canada to take a position at Macdonald College, Ste. Anne de Bellevue, Que. When war broke out he received an appointment as Engineer Lieutenant in the Royal Navy and sailed as an Engineer Officer with the Grand Fleet. Later he was appointed to the building staff of H.M.S. "Glorious." Before the conclusion of hostilities he served on decoy and destroyer ships.

Following the war he returned to Canada and was appointed Chief Engineer in charge of all maintenance, electric light and power, waterworks and all machinery and buildings at Macdonald College.

On October 20th, 1930, he was appointed Chief Engineer of the Preventive Service Branch of the Department of National Revenue and when the Royal Canadian Mounted Police took over the duties of the Branch on April 1st, 1932, he was appointed Technical Adviser of the Royal Canadian Mounted Police, Marine Section.

He was in possession of the Victory and General Service medals and also the King George V Jubilee and King George VI Coronation medals.

Technical organizations found in him an Engineer of wide and varied experience. He was a member of the Engineering Institute of Canada; a member of the Society of Naval Architects, and also of the Marine Engineers of America. He also was a member of the American Waterworks Association and the Corps of Professional Engineers of Quebec.

Commander Stephen played a prominent part in the building up of the present Marine Section of the Royal Canadian Mounted Police and his knowledge and ability were outstanding. The late Commissioner, Sir James MacBrien, on numerous occasions paid tribute to his work. A fitting tribute to Commander Stephen's ability was paid to him by the present Commissioner on the occasion of his death:

"He had been of immense assistance to us in connection with the Marine Section and his knowledge saved the Department many thousands of dollars. Although he was not actually a member of the Force, being a Civil Servant and only attached to us, we looked upon him as a brother officer and his passing comes as a blow to us all."

The funeral, which took place on March 17th, was attended by all Officers of the Royal Canadian Mounted Police in Ottawa; Officers of the Royal Canadian Navy, and numerous other personal friends and associates. Following a moving tribute to Commander Stephen by the officiating clergyman—Major the Rev. C. G. Hepburn, M.C., Rector of All Saints'—in which he referred to Commander Stephen's distinguished career as an Officer of the Royal Navy, both in peace and war, and to his more recent work with the Royal Canadian Mounted Police, the cortege left the church for Pinecrest Cemetery where interment was made.

Commander Stephen is survived by his widow, who resides in Ottawa, and to whom our deepest sympathy is extended.

Ex-Veterinary Surgeon Robert Riddell

Dr. Robert Riddell died at Seattle, U.S.A., on February 11th, 1937, aged 78 years. Dr. Riddell, a graduate of the Toronto Veterinary College, joined the N.W.M.P.

in 1881 and quickly rose to the rank of Veterinary Staff Sergeant. In 1886 he was promoted to the rank of Veterinary Surgeon and continued to serve in that capacity, at Regina, until 1887, when he resigned. Dr. Riddell later held a commission in the Canadian Army and served during the South African War and the Great War. He is survived by his widow and a brother, Mr. Justice W. R. Riddell, of the Appeal Court of Ontario, to whom our sympathy is extended.

Reg. No. 3493, ex-Staff-Sergeant M. A. Joyce

News has recently been received with deep regret of the death of Mr. M. A. Joyce at Chapultepec, Mexico, on February 8th, 1938, while on a motor trip to the South with his family.

Joining the N.W.M.P. at Ottawa in 1900, Mr. Joyce served continuously with the Force until he retired in 1933; a total period of over thirty-three years. During his long service Mr. Joyce was stationed at widely separated points in the Dominion. For many years, subsequent to his engagement, he served in Alberta, and, during that time, was Provost of the R.N.W.M. Police Guard Room at Fort Saskatchewan.

In 1908, Mr. Joyce went to the Hudson Bay and was stationed at Fort Churchill and Fullerton. Upon his return from the north he saw further service in Alberta, at Macleod and other posts in the southern part of that province. In 1915 he was transferred to Saskatchewan, and later was placed in charge of the Moose Jaw Detachment. Leaving the West in 1922, Mr. Joyce was transferred to Ontario, being placed in charge of the Niagara Falls Detachment, and remained in the Niagara Peninsula until 1926, when he proceeded again to the Hudson Bay to take charge of the Chesterfield Inlet Detachment. In 1930 he returned to Ottawa but returned to the Hudson Bay country during the following year and was stationed at Churchill Detachment. In 1932 he was transferred to Divisional Headquarters at Winnipeg, where he remained until he retired to pension. Mr. Joyce was well known in Ontario, Winnipeg and the Prairie Provinces and will be particularly remembered on the west coast of Hudson Bay for his services in that region. He is survived by his widow, one son, one daughter and four sisters; we extend our deepest sympathy to them and join with a large circle of friends in mourning his death.

Reg. No. 4973, ex-Staff-Sergeant S. L. Warrior

It is with deep regret that we have to record the sudden death of ex-Staff Sergeant S. L. "Bob" Warrior, who succumbed to pneumonia at Lacombe, Alberta, on January 28th, 1938. Ex-Staff Sergeant Warrior was born in England and joined the R.N.W.M.P. in 1909, a few months after coming to this country. Following his training at Regina he was transferred to Edmonton where he remained until 1918. During those years he was prominent in many major criminal cases, and rose to the rank of Detective-Staff-Sergeant. In 1918, he went to England and France with the R.N.W.M.P. Cavalry draft, and after his demobilization in 1919, was transferred to "E" Division. Returning to Edmonton in 1925, he continued to do noteworthy detective work in Alberta until 1932, when he was transferred to Halifax. On December 6th, 1934, after having completed twenty-five years service, ex-Staff Sergeant Warrior retired to pension and returned to the West to make his home in Alberta. Two years ago he again took up police work, being appointed Chief of Police at Lacombe, an office which he continued to hold until his untimely death. He is survived by his widow, one daughter, and two sons, to whom we extend our sincere sympathy.

Reg. No. 11147, Constable C. W. H. Gray

Constable C. W. H. Gray of "A" Division, died in the Civic Hospital, Ottawa, on January 26th, 1938. Born at Lachute, P.Q., he was thirty-two years of age at the time of his death, and had served for over six years with this Force. Constable Gray first joined the R.C.M. Police in 1930 as a Special Constable, and on November 9th, 1931, was appointed a Constable in "A" Division, where he remained throughout his service.

Constable Gray is survived by his widow and three young children, to whom our sincere sympathy is extended in their sad bereavement.

Reg. No. 12743, Constable R. M. Abbott

Constable Abbott of "Depot" Division passed away on January 11th, 1938, at the General Hospital, Regina, following an operation. Constable Abbott, whose home was in Vancouver, B.C., joined the R.C.M. Police in June 1935, being posted to Regina, where he was stationed during the period of his service. He is survived by his parents, to whom we extend our deepest sympathy.

Reg. No. 9425, Constable R. R. Clinkscale

The death of Constable R. R. Clinkscale occurred at the Civic Hospital, Ottawa, on March 12th, 1938, after a short illness. Born at Peterborough, Ontario, in 1885, Constable Clinkscale served for three years in the 8th U.S. Cavalry Regiment, and also saw service in South Africa with the 3rd Canadian Mounted Rifles. Joining the R.C.M. Police during September 1920, he was posted to "A" Division and remained in Ottawa during his service with the Force. Constable Clinkscale is survived by his widow to whom we extend our sincere sympathy.

Reg. No. 349, ex-Constable A. H. Scouten

Mr. A. H. Scouten, a veteran of the March of 1874, died at Winnipeg on January 2nd, 1938, in his 88th year. Born at Kingston, Ontario, he was a graduate of Kingston Military School and saw active service in the Fenian Raid. In 1874 he joined the N.W.M.P. at Toronto, and was a member of the original three hundred constituents of the Force who made the memorable march to the foothills of the Rockies. He was stationed at Dufferin, Swan River, and Shoal Lake, and took his discharge at the expiration of his service in May, 1877. During his civilian life Mr. Scouten held several Government offices, including the postmasterships of Shoal Lake and Riding Mountain. He was an honorary life member of the R.N.W.M.P. Veterans Association, and was also a life member of the Canadian Legion, British Empire Service League.

Reg. No. 431, ex-Constable A. R. Moody

Another link with the stirring early days of the Force has been removed by the death of Mr. A. R. Moody on March 15th, 1938, at Ashmont, Alberta. Joining the N.W.M.P. at Sarnia in 1880, soon after having come to this country from England, Mr. Moody proceeded to Fort Walsh, and, during the ensuing five years of his service, was stationed at Edmonton, Fort Saskatchewan, and Calgary. Throughout the Riel Rebellion he saw active service, and was under fire at Cutknife and in other engagements. Terminating his service with the Force in 1885, he settled in the Vilna district in Alberta, where, as a farmer, he spent the rest of his life.

Mr. Moody is survived by his widow, six sons and three daughters, to whom our sincere sympathy is extended.

Regimental No. 1490, ex-Constable George Goodall

Mr. George Goodall died at Edmonton on December 29th, 1937, aged 75 years. Mr. Goodall was born in London, England, and arrived in Canada in 1881. He joined the N.W.M.P. in 1885, and served in the Macleod and Battleford districts until he took his discharge in 1890. In 1892, Mr. Goodall had the distinction of becoming the first civic employe of Edmonton and he remained in the service of that city until the time of his death. He was active in social and public affairs, and in 1935 was elected President of the R.N.W.M.P. Veteran's Branch of the Canadian Legion, British Empire Service League.

We extend our sympathy to the relatives of the late Mr. Goodall in Canada and England.

Regimental No. 1454, ex-Constable E. M. R. Anderson

Mr. E. M. R. Anderson died at his home in Saint John, N.B., on January 12th, 1938. He joined the N.W.M.P. on June 12th, 1885, and took part in the Riel Rebel-

lion during his service, most of which was spent in that part of the West now known as Southern Alberta. After taking his discharge from the Force on June 11th, 1890, Mr. Anderson went to Sault Ste. Marie, where he was engaged in the steel works until he retired some six or seven years ago, and returned to his native city of Saint John, N.B. Mr. Anderson is survived by two sons, one brother and five sisters, to whom we extend our sincere sympathy.

Regimental No. 1626, ex-Corporal B. E. Lasswitz

Mr. B. E. Lasswitz died at Port Alberni, B.C., on January 14th, 1938. Born in Germany, he served for two years in the German Cavalry, and joined the N.W.M.P. at Calgary in 1885. He was transferred to Headquarters, Regina, in 1889 and was employed in the Paymaster's office there until 1898, when he volunteered for duty in the Yukon. Mr. Lasswitz remained in the Yukon for two years and took his discharge on January 31st, 1900 at the expiration of his term of service.

Reg. No. 3280, ex-Constable H. R. Willis

Mr. H. R. Willis died at Eastend, Sask., on January 29th, 1938. He was a native of Halifax, N.S., and joined the N.W.M.P. at Regina in 1898. During his eleven years service Mr. Willis was stationed at Maple Creek, Ten Mile, and Eastend, and on taking his discharge in 1909, remained in Southern Saskatchewan where he was engaged in ranching until his death.

Reg. No. 4823, ex-Corporal Richard Bailey

Mr. Richard Bailey died recently in England at the age of 59 years. Born in England he came to this country in 1906, and joined the R.N.W.M.P. three years later. After having served at Regina and Lethbridge, Mr. Bailey purchased his discharge in 1912, later re-engaging in 1914. During a further period of service, covering the following six years, he was stationed at detachments in the Weyburn Sub-Division, and finally took his discharge during 1920.

Reg. No. 5291, ex-Constable D. C. Sherville

While patrolling summer cottages at Orchard Beach on February 9th, 1938, Constable D. C. Sherville of the Ontario Provincial Police was shot by an unknown man, with the result that he died five days later. Arriving in Canada from England in 1910, he was employed as a prison guard at Prince Albert Penitentiary prior to his engagement in the R.N.W.M.P. in 1912. During his service with the Force he was stationed at Lethbridge and Macleod, Alta., and when it terminated, in 1917, obtained his discharge. He then joined the Saskatchewan Provincial Police, subsequently proceeding to eastern Canada to become a member of the Ontario Provincial Police.

Reg. No. 8551, ex-Constable W. L. Yandon

Mr. W. L. Yandon passed away on January 3rd, 1938, at Woodstock, Ontario, after a long illness resulting from an accident which occurred over a year ago. He was born in Ottawa but lived for some years at Copper Cliff near Sudbury. In 1916, at the early age of 14 years, he joined the Army and served with the 227th Battalion and the 102nd Battalion in Canada, England, and France. Following his discharge from the Army, and a year of civilian life, Mr. Yandon joined the R.N.W.M.P. in 1919, and was stationed at Lethbridge until the expiration of his term of service in 1922. Our deepest sympathy is extended to the surviving members of the family of this ex-member of the Force.

Reg. No. 10169, ex-Constable R. D. W. Edington

Mr. R. D. W. Edington died on January 21st, 1938, as a result of a highway accident near Sturgeon Falls, Ontario. Mr. Edington, who was a member of the Ontario Provincial Police Force at the time of his death, joined the R.C.M.P. at Ottawa in March, 1926. After receiving training at Regina he was transferred to Vancouver and remained in "E" Division until 1929, when his term of service expired. Our sincere sympathy is extended to his surviving relatives.