RETURN

To an Order of the Legislative Assembly for copies of all correspondence relating to the dismissal of Philip Woollacott.

THEODORE DAVIE,
Minister supervising Attorney-General's Department.

Attorney-General's Office,
24th, February, 1888.

Superintendent Bowden to the Attorney-General.

VICTORIA, July 17th, 1878.

SIR,—I have to report for your information, that during my absence to Barclay Sound, on special order of Mr. Elliott, that Mr. Woollacott, the Gaoler, ordered articles from Mr. Green to the amount of eighty dollars, which I did not consider were required at the time, and I find they are not all according to sample. As my duty frequently requires my absence I have to do the best I can with my subordinate officers, and I expect them to support me *during my absence on duty.* I also respectfully beg to report that I requested Mr. Woollacott, the Gaoler, to hand me all moneys and valuables belonging to prisoners, which he indignantly refused to do.

I have, &c.,
(Signed) WM. BOWDEN,
Superintendent of Police.

The Attorney-General to Gaoler Woollacott.

ATTORNEY-GENERAL'S OFFICE,
18th July, 1878.

SIR,—I enclose copy of a letter received by me from the Superintendent of Police on the 17th instant, and am directed to request a written explanation of the same.

I have, &c.,
(Signed) HENRY S. MASON,
For the Attorney-General.

Gaoler Woollacott to the Attorney-General.

VICTORIA GAOL,
18th July, 1878.

SIR,—With reference to the letter of the Superintendent of Police of yesterday's date, a copy of which I have received through your hands, I have the honour to state that, during Mr. Bowden's absence in the early part of this month, I found it necessary to order some articles of clothing for the prisoners, viz.:—1 dozen serge shirts; 1 dozen cloth caps; 1 dozen pairs boots; 1 dozen pairs pants (small sizes); 2 dozen pairs socks; 1 pound darning worsted.

All these articles were more or less required, and only half the usual quantity were ordered.

The boots and socks and darning worsted were greatly needed. I waited a week for Mr. Bowden's return before ordering the things.

Had I known Mr. Bowden was going away I should have asked him to order the articles, but I had no such opportunity.

With regard to Mr. Bowden's statement that the articles are not according to sample, I can only say the articles received by me were according to sample, with the single exception of the socks. I had special instructions from Mr. Bowden on a previous occasion to receive the Shaker socks, instead of the heavy ones taken hitherto. The contractor was also instructed to the same effect.

The only articles of clothing in store which are not exactly similar to the samples are the undershirts and drawers, which were passed by Mr. Bowden on his own requisition.

With regard to the Superintendent's statement that I refused to hand over the prisoners' moneys (valuables were not mentioned), I may state that he sent for me between five and six in the evening from the street. He said the Government were after him or somebody else, and that he would look out for himself, and asked me to give him all the prisoners' money immediately, saying that such were Mr. Humphreys' orders. In reply I said business hours were over, but as soon as I could make out a list, any time next day, he could have the money (which is a trifling amount and no valuables). He expressed himself satisfied with this arrangement, but to my surprise next morning he told me he had written the Attorney-General that I refused to give up the money, which I emphatically deny. Trusting this explanation will be deemed satisfactory,

I have, &c.,
(Signed) P. WOOLLACOTT.

Send copy of this portion to Mr. Bowden and ask how he came to pass articles inferior to samples without a change in the price and without informing the Government of the fact. Commence on 1st page "With regard to," &c., and copy to end of letter.

(Initialed) GEO. A. W.

July, 20th, 1878.

The Attorney-General to Superintendent Bowden.

ATTORNEY-GENERAL'S OFFICE,
22nd July, 1878.

SIR,—I enclose extract from letter received for the Gaoler relative to the articles ordered by him not being according to sample; and also as to his refusal to hand over prisoners' moneys to you.

With regard to the first portion of the letter, I wish to know how you came to pass articles inferior to samples without a change in the price, and without informing the Government of the fact.

I have, &c.,
(Signed) HENRY S. MASON,
For the Attorney-General.

Superintendent Bowden to the Attorney-General.

SUPERINTENDENT OF POLICE OFFICE,
23rd July, 1878.

SIR,—I beg to acknowledge receipt of communication from the Hon. Attorney-General's Office, dated 22nd inst.

And in reply I beg to state: The goods in question were purchased during my absence at Barclay Sound by Mr. Woollacott, the Gaoler, and upon my return part of said goods had been issued to prisoners; consequently *I could not pass them.*

Upon investigation, on my return from Barclay Sound, I found the goods purchased were not all according to sample, and reported accordingly.

I requested Mr. Woollacott to hand over to me all moneys and valuables then in his possession belonging to prisoners, and he refused to do so.

I most emphatically deny Mr. Woollacott's statement, that I demanded the same by special order of Mr. Humphreys, nor expressed myself satisfied to wait till the morrow.

I stated to Mr. W. during our conversation that "the Government expected me to do my duty, and part of that duty was to see you do yours."

Hence my report dated July 17th, 1878.

I have, &c.,
(Signed) WM. BOWDEN,
Superintendent of Police.

Provincial Secretary to the Attorney-General.

PROVINCIAL SECRETARY'S OFFICE,
September 12th, 1878.

SIR,—I have the honour to report to you, as Attorney-General, the disorder, insubordination, and reckless manner of dealing with valuable supplies at present going on in the Victoria Gaol.

On the 16th July last I visited the Gaol in company with Mr. Alex. McLean, Esq., one of Her Majesty's Justices of the Peace, with a view of inspecting the goods supplied to prisoners and comparing them with the samples of the contractors. On inspection I found the serge and hickory shirts inferior in quality to the samples, and the sugar at least 2 cents per pound below the sample. The articles were examined in presence of Mr. Woollacott, the Gaoler, who threw obstacles in the way of our inspection.

The Gaoler said he knew the articles were not as good as the samples, and he had reported the fact to the Superintendent (Bowden) who said it was all right. The store-room in which the goods examined were contained was then locked, and the key afterwards taken possession of by me. Next day I visited the Gaol again, accompanied by Mr. Willson, formerly in the grocery business in this city, and by Mr. McLean and Mr. Wilson, the clothier, with a view of making a closer examination. On the store-room being opened, and the goods looked at, Mr. McLean and I found that most of the goods, excepting the sugar, had been changed and better articles substituted. On this point I enclose herewith a letter from Mr. McLean. Further examination was useless. I have since heard that Mr. Woollacott had a duplicate key of the store-room. I also ascertained that Mr. Woollacott had bought, without authority, $80 worth of clothing, &c., at the end of June. The Superintendent reported the fact, as I am informed, by letter of July 17th to your Department, and also complained of Mr. Woollacott's insubordination. The goods so purchased were inferior to sample, and were accepted by Mr. Woollacott, and were not ordered to be returned by Mr. Bowden.

The Superintendent also stated that the goods were not required. Yet, notwithstanding this, he has sent the enclosed voucher for the $80, which he says he has personally paid to Mr. Green, the contractor, and he asks that the amount should be refunded to him. The voucher has not been paid by the Treasury, and I can't certify to it. I visited the Gaol on a subsequent occasion, and upon asking Mr. Woollacott for an account of the supplies received and distributed, he said he had kept none since Superintendent Todd left over eighteen months ago, and that a convict named Hart, under five years' penal servitude, had control and distributed the supplies. On referring to this, convict he informed me, in the presence of Mr. Bowden and Mr. Woollacott, that he distributed the clothing, and did so often under threats of violence from the prisoners. He also said that he had an imperfect account of the goods given out, which, on looking at, I found wholly unintelligible.

Before leaving I instructed Mr. Woollacott to keep a proper account, as formerly, of all goods bought and distributed.

Yesterday, the 11th inst., I visited the gaol again, and found that the account had not been kept as ordered. I also examined some goods recently purchased and found them of inferior quality and below sample.

I feel satisfied that if some steps are not taken immediately the same system of disorder, and probable dishonesty in dealing with supplies, will be continued, and seriously reflect upon the Government.

I have, &c.,
(Signed) T. B. HUMPHREYS,
Provincial Secretary.

[ENCLOSURE.]

VICTORIA, 17th July 1878.

SIR,—At your request I visited the gaol yesterday, in company with yourself, to inspect certain clothing supplied to that department, with the view to ascertain if the said goods were according to sample. I found the boots in every respect the same as sample. Undershirts and drawers not up to the standard, especially the shirts. Blue serge shirts and socks I would say 15 per cent. less in value than the samples. I called your attention to the last-mentioned articles, in the presence of Mr. Woollacott, as being much inferior in quality. At your further request I visited the gaol this morning again. I have no doubt or hesitation in saying that from the time I left yesterday and returned this morning the blue serge shirts complained of were removed and replaced with a better class of goods.

I am, &c.,
(Signed) A. MCLEAN.

Hon. T. B. Humphreys,
Provincial Secretary.

Attorney-General to Gaoler Woollacott.

ATTORNEY-GENERAL'S DEPARTMENT,
VICTORIA, September 26th, 1878.

SIR,—My inspection of the jail yesterday compels me to suspend you from duty until a further investigation of your dealings with contractors for supplies and with respect to your accounts shall have been made and submitted for the consideration of His Honour the Lieutenant-Governor in Council.

Mr. Todd, who will also act as Superintendent temporarily, will meanwhile assume your duties and take control of the jail and its several officers. You will, at his request, be good enough to hand him the keys of the jail and the offices and safes, &c., together with all other matters now under your control.

I have, &c.,
(Signed) GEO. A. WALKEM.

Gaoler Woollacott to the Attorney-General.

VICTORIA, B. C., 28th September, 1878.

SIR,—I beg to acknowledge the receipt of your letter of the 26th instant, suspending me from the duties of my office, for the reasons therein mentioned, and would request that an examination into the alleged irregularities may be held as soon as possible, so that I may be able to show that I have had no improper dealings with contractors, or that I am to blame for any matter respecting the conduct of the City Gaol.

I have, &c.,
(Signed) P. WOOLLACOTT.

Attorney-General to Gaoler Woollacott.

November 5th, 1878.

SIR,—In addition to the examination conducted at the jail, I have to ask you to be good enough to answer the following questions, for the information of His Honour the Lieutenant-Governor in Council:—

1. On how many occasions, and when, did you report the delivery to the jail of supplies which were below sample?

2. Why did you not inform me, or the Provincial Secretary, that the sample of the blankets had been returned to the contractor and a much inferior article left in its place?

3. What has become of all the samples (except No. 2 sugar) of groceries, viz.: tea, coffee, barley, No. 1 sugar, bath-bricks, soda, soap, &c.?

4. Why have the two important account books referring to clothing, provisions, stores, &c., been neglected since May and June, 1877?

5. How is it that the stock on hand of clothing, &c., taken in your presence in September, fell short of the quantity invoiced and distributed?

6. What account of the receipt and distribution of supplies, provisions and clothing, blankets, &c., has been kept since June, 1877? Who has kept such an account, and how has it been kept?

7. When did you last pay to the Victoria City Council fines, fees, &c., to which the Council was entitled? What was the amount of such payment?

I am, &c.,
(Signed) GEO. A. WALKEM,
Attorney-General.

Gaoler Woollacott to the Attorney-General.

VICTORIA, B. C., November 6th, 1878.

SIR,—In reply to your letter of yesterday's date, asking for answers to certain questions, for the information of His Honour the Lieutenant-Governor in Council, I beg to state the following:—

1. On one occasion I reported to Mr. Bowden that the socks received were not according to sample. This was in May or June. He ordered me to take them. Twice I reported the sugar to be of a different quality to sample. Both times the sugar was not returned, it being passed by Mr. Bowden as equal to sample. I do not know the dates, but one of these occasions was after the first visit of the Provincial Secretary to the store-room.

2. I was not aware the sample blankets had been returned to the contractor and inferior ones substituted, till so informed by Mr. Todd. No blankets have been received on last contract.

3. All samples of groceries handed to me by Mr. Bowden were in store on the 26th September last, viz.: Nos. 1 and 2 sugar, 2 packages of tea, and a scrubbing brush. The other samples I never saw. No. 1 sugar and sample of tea had only been returned to store a day or two previous by the Provincial Secretary, who had taken them out for inspection.

4. I reported to Mr. Bowden that I was unable to keep the store books going, on account of the increased difficulty of watching the prisoners, particularly those for the penitentiary, stating, as well, that my time was almost entirely taken up answering the door-bell; reminding him, also, that for some time previous an officer had carried the keys of the gaol, which had enabled me to give more attention to the books, records, &c., and generally to the interests of the gaol. I also asked repeatedly that the guard who was on duty at the same time as myself should be allowed to take the keys and attend the door-bell for an hour or two daily, so that I could keep the books in better order; but this was denied me, and was told to get along the best way I could.

5. In answer to this question I may state, this matter could not have been gone into rightly, as it has since been ascertained that the boots which were said to be deficient have been accounted for.

6. No proper account has been kept since June, 1877, for the same reasons as stated in No. 4. The accounts, so far as they go, have been kept by me.

7. The last payment of fines, &c., to the City Council was made 30th September. Amount, $151.25.

The City Collector had on one occasion told me to pay all moneys to him, and not to the Superintendent of Police.

I may also state that I was not present when the contract for 1878 was awarded, and I had not seen any of the samples till they were handed to me, several weeks later, by Mr. Bowden. This is the first year that I have not been present when the various samples of contractors were under examination, &c.

I have, &c.,
(Signed) P. WOOLLACOTT.

Deputy Provincial Secretary to Mr. Woollacott.

VICTORIA, B. C., 13th November, 1878.

SIR,—I am instructed by the Honourable the Provincial Secretary to inform you that His Honour the Lieutenant-Governor in Council has thought proper to dispense with your services (dating from the day of your suspension from duty) as Gaoler attached to the City Gaol.

I have, &c.,
(Signed) T. ELWYN,
Deputy Provincial Secretary.

Mr. Woollacott to the Provincial Secretary.

VICTORIA, 14th November, 1878.

SIR,—I have to acknowledge the receipt of your letter of yesterday's date, informing me that His Honour the Lieutenant-Governor in Council has thought proper to dispense with my services as Gaoler, as you state, of the City Gaol, from the date of my suspension from duty.

For the information of His Honour the Lieutenant-Governor in Council, I beg to state the Government were three months in arrears with my salary (within four days) at the time I was suspended. I have to request, therefore, that the amount due for that period be paid; and I further respectfully request that payment shall be made to me up to yesterday, the date when my services were no longer required.

I have also respectfully to request that some written acknowledgment be given me of my services as a faithful and honourable public servant for the past thirteen years.

I have, &c.,
(Signed) P. WOOLLACOTT.

Referred to the Attorney-General.
(Signed) T. B. HUMPHREYS.

Mr. Woollacott to the Provincial Secretary.

VICTORIA, B. C., 25th March, 1879.

SIR,—I have to remind you that my letter to you, dated 14th November, 1878, still remains unanswered. As the subject of that communication is of great importance to me, I respectfully request you will be good enough to reply thereto at your earliest convenience.

I have, &c.,
(Signed) P. WOOLLACOTT.

Deputy Provincial Secretary to Mr. Woollacott.

VICTORIA, B. C., 28th March, 1879.

SIR,—I am instructed by the Honourable the Provincial Secretary to acknowledge the recept of your note of the 25th inst., and to inform you that your letter of the 14th November, 1878, has been forwarded to the Honourable the Attorney-General.

I am also to add that, although this department informs all officers of their appointment to, or dismissal from, office, it nevertheless cannot interfere with duties which belong to other departments.

I have, &c.,
(Signed) T. ELWYN,
Deputy Provincial Secretary.

Mr. Woollacott to the Attorney-General.

VICTORIA, B. C., 7th June, 1879.

SIR,—I have the honour to submit the following for the information of His Honour the Lieutenant-Governor in Council:—

On the 14th November, 1878, I wrote the Hon. Provincial Secretary, acknowledging receipt of letter informing me of my dismissal. I then requested payment of salary should be made to me up to the date of said dismissal. I also requested that some written acknowledgment should be given me for faithful and honourable services under the Government for a period of thirteen years. To that letter I received no answer.

On the 25th March I again wrote the Provincial Secretary, who informed me my letter had been forwarded to your department. I have been anxiously awaiting a reply thereto, but up to the present time have received none.

I ground my application for salary during suspension upon the fact of there being no delay on my part in replying to your communications, neither did I place any obstacle in the way of investigating any matter with which I was connected. On the contrary, all letters were answered the same day, or the day after, they were received.

With respect to my request for a written acknowledgment of my services as a public servant for over thirteen years (from the 8th March, 1865, to 26th September, 1878), I trust you will see that I am entitled to some consideration at the hands of the Government.

I have, &c.,

(Signed) P. WOOLLACOTT.

The Attorney-General to Mr. Woollacott.

VICTORIA, B. C., 22nd August, 1879.

SIR,—I am directed by the Honourable the Attorney-General to inform you that you were dismissed from the service by His Honour the Lieutenant-Governor in Council for the following, among other, reasons, viz.:—

The reckless manner in which the gaol accounts were neglected. The shortness of the stock of supplies in September, 1877, and the fact that such loss could not be accounted for; neglect in not keeping up, for months, the registers referring to the employment of prisoners, &c.

I have, &c.,

For the Attorney-General,

(Signed) ELI HARRISON, JR.,

Solicitor.

Mr. Woollacott to the Attorney-General.

VICTORIA, B. C., 24th April, 1880.

SIR,—The reasons given in your letter of the 22nd August, 1879, for my dismissal from the service, I must state, are almost entirely incorrect, and, with all deference, I call upon you to inform me what accounts were kept in a reckless manner, and how much stock was short? That any stock was short I deny most emphatically. Your allegation of neglect in keeping up the register showing the employment of prisoners is, to say the least of it, rather vague. The "return" is a monthly one, and should it have been delayed two months, or even three—as has frequently been the case, here and at New Westminster—the interests of the service could hardly have suffered thereby, particularly when the statement of labour was daily posted in another book, and had only to be abstracted. Of the other reasons which are still in abeyance, of course, I can say nothing. Sir, I ask you to reconsider this matter before it is too late, and to reflect what injury it has already caused me, and what injury it may still cause. For thirteen years I was in the public service in various grades, and am conscious of having performed my duty as well as could have been expected, considering the difficult position in which I was placed. With such desperate criminals to watch as were then incarcerated, and with but poor assistance, it would have been a marvel if some work had not been behind-hand. There is a large staff at New Westminster Penitentiary to take charge of only a portion of the prisoners who were, at the time I write of, in Victoria Gaol. And here I would mention the incontro-

vertible fact that, during the whole time of my connection with the gaol, not a single prisoner has ever escaped from me. I think that fact is strong evidence of the faithful performance of the most important part of a gaoler's duty.

I ask you, Sir, to remove the stigma which has been cast upon me by your late action in my case, by appointing me to some office similar to that which I have been deprived of, or in some way to remove the stigma aforesaid from my character. I hope, Sir, to have the honour of an early reply.

I have, &c.,
(Signed) P. WOOLLACOTT.

Mr. Woollacott to Attorney-General.

VICTORIA, 13th June, 1880.

SIR,—Not having received a reply to my letter to you of the 24th April last, I respectfully call your attention to that fact.

For nearly two years I have earned very little. It cannot be doubted that the manner of my dismissal has worked me almost irreparable injury.

I understand that Yale requires two constables.

I think, sir, you might, under all the circumstances, consider it only fair to give me a place. I am sure you will never have occasion to regret doing so.

There has been great misrepresentation, as some day you will no doubt see.

I beg to request you will be good enough to write me whether there is any chance for reconsideration in my case, or of the suggestion herein contained being adopted.

I am, &c.,
(Signed) P. WOOLLACOTT.

Attorney-General to Mr. Woollacott.

VICTORIA, B. C., 18th June, 1880.

SIR,—I have the honour, by direction of the Hon. the Attorney-General, to acknowledge the receipt of your letter, with reference to appointment as Constable at Yale, that the Lieutenant-Governor in Council decided that it was not advisable to give you the appointment. This decision was arrived at after due consideration of your application, and they do not see any reason to reconsider it.

I have, &c.,
For the Attorney-General,
(Signed) ELI HARRISON, JR.,
Solicitor, A. G. O.

Mr. Woollacott to Attorney-General.

VICTORIA, B. C., 26th March, 1883.

SIR,—I have the honour to apply to the Lieutenant-Governor in Council for the position of Gaoler at Victoria Prison, which office I was unfairly deprived of in the year 1878, having then been in the police and gaol departments of the Province for upwards of thirteen years, during which time I filled the various offices of Constable, Assistant Gaoler, Gaoler, and Superintendent of Police. The latter office I held for one year, being then superseded by the appointment of Mr. Todd in 1875.

I may state that I received a letter from the Provincial Secretary thanking me for my services during that period, and continuing me on in my old office as Gaoler. The person who succeeded me in that office having resigned, I respectfully submit no injury will be done to any one by my reappointment, Mr. Hutchison not yet being appointed. Also, that the present is a fair opportunity of doing justice in my case.

Trusting my application will be favourably received,

I have, &c.,
(Signed) P. WOOLLACOTT.

Mr. Woollacott to Attorney-General.

VICTORIA, 18th September, 1885.

SIR,—As a new gaol is in course of construction, I wish to renew my application for my former position as Gaoler, from which I was so rudely and unscrupulously removed by the late Government.

I felt very keenly, and still feel, the reproach which was cast on my character as a public servant by the manner of my dismissal.

I received no reply, verbal or otherwise, to my last application. The reason, I presume, was that about that time I was appointed to an office under the Dominion Government.

However, I wish now to say that I see no apparent prospect of either promotion or increase of salary in my present position.

I respectfully call your attention to the fact that I gave 14 of the best years of my life to the service (from my 23rd to my 37th year), and that at a time when all the insane and long-time prisoners were confined in the Gaol here. For several years, Mr. McBride and I did 12 hours duty each out of the twenty-four.

When I think of these things I cannot help feeling that I have been unfairly treated, and I cannot see that wrong can be done any one by my being again appointed to the office I held so long, and of which I was so unjustly deprived. An opportunity is now presented of giving me what I ask, as the new Gaol will soon be finished. I will wait for an answer before making a formal application.

I have, &c.,
(Signed) P. WOOLLACOTT.

Mr. Woollacott to Attorney-General.

VICTORIA, December 17th, 1885.

SIR,—As the occupation of the new Gaol by the officers and prisoners is now only a matter of a few days, I beg to remind you of my recent application. Having filled the positions of Superintendent of Police and Gaoler, I may state that, so far as my experience goes, it is very necessary that the Gaoler or Warden should have sole control of the prison if discipline is to be maintained, and not, as is now the case, be under that of the Superintendent of Police, whose frequent absences, on his particular line of duty, make his wardenship of the Gaol merely nominal. If that officer's connection with the Gaols is to be continued, it should be in the capacity of an Inspector of Prisons, a position which he may be said now to hold relatively to the New Westminster and other Gaols throughout the Province, and only visiting them as Inspector at stated periods, or under instructions from the Government in cases of emergency, such as mutiny or insubordination.

An opportunity is now afforded, which may not occur again, of doing an act of justice to an old public servant.

Troubling you on this subject is painful to me, but you, sir, will perhaps agree with me that justice is seldom done anyone unless a proper representation is made, and it is in this spirit I respectfully submit the above.

I have, &c.,
(Signed) P. WOOLLACOTT.

Attorney-General to Mr. Woollacott.

ATTORNEY-GENERAL'S OFFICE,
VICTORIA, B. C., 22nd December, 1885.

SIR,—I have the honour to acknowledge the receipt of your communication of the 17th instant.

I have, &c.,
(Signed) P. Æ. IRVING,
Deputy Attorney-General.

Mr. Woollacott to Attorney-General.

VICTORIA, B. C., 29th March, 1886.

SIR,—I intend to make one more appeal to your sense of right and justice. Although the strength of the gaol establishment is now reduced, I feel certain it is intended a change shall be made again soon.

What I fear is that, for political reasons, some member of the Legislature will be appointed to the wardenship of the gaol, as in the case of C. Todd, to whom I handed the keys twice, the only difference being, that this time, instead of being put out, I shall be prevented from going in. If this should be the case, under the circumstances, there would be very little difference between the one act and the other. There is no intention to be disrespectful, but I do wish to put the matter plainly before you. I am now struggling for mere existence on sixty-five dollars a month. I have a wife and even the regulation number of six children to push me on in this matter. When Robson left I applied to be reinstated, but Hutchison got promoted. I now apply again, for I feel certain there will yet be another change in the management. In that event, for "sweet charity's sake," let me know whether I have anything to expect or not, should I have to wait several months for the place. Again disclaiming any intention of being impertinent or disrespectful,

I have, &c.,
(Signed) P. WOOLLACOTT.

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