

authorized to receive these monies irregularly  
are sure to arise.

No prisoner should be discharged before his  
sentence has expired without the written autho-  
rity of the Police Magistrate, and the reasons  
for such discharge given, in the cases under  
inquiry money may have been paid to the  
Gaoler or the Chief for their discharge but  
there is no evidence of such being the fact  
but the system hitherto in vogue renders  
such a suspicion not unreasonable.

In cases where a prisoner is sent  
to a provincial Gaol a receipt should  
be given in order to discharge the Gaoler  
from responsibility.

It was also proved that the Police Officers  
on night duty were accustomed to meet  
at a restaurant and take their meals  
during the time they were supposed to be  
on their beats and this was done without  
any orders from the Chief; it is obvious  
that such a proceeding must be sub-  
versive of all discipline and some  
arrangement ought to be made to avoid  
the necessity of the officers taking meals  
while on duty.

I have touched upon the chief points  
brought out in this inquiry and trust  
they may be of service to the Corporation  
Yours faithfully,  
M. W. Tyrohill, Deane.

Oct 14, 1889.

### Report on H. Tyffe.

In the case of Officer Harlow Tyffe charged  
with accepting bribes from Chinese prosti-  
tutes since January 1888 and from Mary  
Sam since September 1888.

There were two charges made against this  
officer, in the first case a Chinese woman  
in named Wheeler proved that she

had paid a monthly sum on or about the first of each month commencing 12 months ago, at first \$5 a month afterwards \$8 a month, so that the Police would not interfere with her. Her testimony was corroborated by another witness, named Chock who was present on two occasions when money was paid by Lee Kee to Siff.

It was admitted that this woman's residence was in the beat of Officer Siff and that he had, for the last two years, been in charge of this central beat and no complaint had ever been lodged against this woman or the house she occupied. Chinese testimony is not the most satisfactory but in charges of this description it would be impossible to get any other and as I can see no ulterior motive actuating these witnesses I consider the charge proved.

The other case of Mary Sam is of the same character but there is no corroborative evidence and if it stood alone I should be inclined to give the officer the benefit of "not proved" but taken in connection with the other charge I am of opinion that the officer did receive money in order to protect the houses occupied by these women from Police interference.

I submit the evidence and documents put in as exhibits.

17<sup>th</sup> Oct 1889. (of<sup>d</sup>) Wm. Tyrochell Drake, J.

Moved by Alderman Belard.

Seconded by "McConnell.

In Charges 38, 39, 42 & 43 Mr. Blake is blamed that Stewart was acting under his advice, that Blake acted outside his authority in advising Stewart and consider that Stewart acted wrong in taking his advice, he should

have consulted the Police Magistrate, but as he took the advice of the City Solicitor and having taken his advice and acted on it in good faith, consider that on those particular charges he be exonerated from any wilful breach of duty. Carried

Moved by Alderman McConnell.  
Seconded by " Totham

That the Chief of Police displayed gross neglect of duty in not paying the money in promptly according to the By. Laws of the City on charges No 4. 5. 7. 8. 9. 18. 30. 31. 37. & 44 and that he be requested to pay same forthwith to the City Treasurer. Carried

Moved by Alderman Clard.  
Seconded by " Costello

That charges 2. 16. & 23 under the Indian Act but consider that Stewart committed a grave breach of trust and violation of existing contract with the City and that all the monies required in those particular cases be immediately refunded to the City Treasurer. Carried

Moved by Alderman Brewer.  
Seconded by " Prughouse

In charges 13. 15. 34 & 41 we find that there was wilful neglect of duty in allowing prisoners to be released before the expiry of their sentences. Carried

Moved by Alderman Clark.  
Seconded by " Brewer

In charges 25. 27 & 28 the Chief should be exonerated as he had no book to compare his with, as the Magistrate made no entries for several

days in those charges.

Moved by Alderman Mcbournell. Carried.  
Seconded by " Brewer

Charge 3 The Chief of Police exceeded his authority in selling the liquor and paying expenses out of the proceeds contrary to the decision of the Magistrate

Moved by Alderman Oppenheimer. Carried  
Seconded by " Brewer

That Chief Stewart's services be dispensed with, and a general re. construction of the department inaugurated.

Moved by Alderman Brighthouse. Carried  
Seconded by " Brewer

That Havelock Byrle's services as Police Constable be dispensed with

Moved by Alderman Oppenheimer. Carried  
Seconded by " Blair

That the recommendations of Mr Justice Drake be carried into effect

Moved by Alderman Mcbournell. Carried  
Seconded by " Brighthouse

That the press be allowed all papers in connection with the Police investigation for publication

The Council then adjourned. Carried.

D. Oppenheimer Mayor

Thos. S. McGowan  
City Clerk

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