

WHISKEY & ORPHANAGES

Researched & written by Detective Sergeant John Burchill

During its first 60 years, the Winnipeg Police Department had its share of troublesome Chiefs. John Ingram was fired after being caught frequenting a house of ill fame, allegations of bribery and corruption swirled around David Murray, Donald MacPherson was dismissed during the Winnipeg General Strike, and Chris Newton resigned after being convicted of assault.

All of these incidents have been well documented in Jack Templeman's historical account regarding the first 125 years of the Winnipeg Police Service and as such I will not explore them further. However, what is not as well known is the troubles that plagued the upper echelons of the St. Boniface Police Department during this same time period.

In 1921 almost the entire St. Boniface Police Department was dismissed in a "re-organization" of the department. One of the few officers to survive the re-organization was Thomas Gagnon, a seven-year veteran of the force. As a result of the re-organization, Gagnon was promoted to Chief Constable on September 21, 1921.

Throughout Gagnon's career as Chief Constable, there were rumblings of corrupt practices, however, they were either never acted upon or were "whitewashed" over by the Police Commission. One of the first allegations of corruption arose in 1921 shortly after Gagnon was promoted to Chief. At that time one of his own detectives, Maurice Emmons, charged Gagnon with giving false evidence before Magistrate Dubuc in the St. Boniface police court regarding a liquor raid at the home of one Fred Smele. The matter went to trial before Justice C.P. Fullerton in December 1921 and it concluded in March 1922 with the acquittal of Chief Gagnon.



*Thomas Gagnon
Chief Constable
St. Boniface Police
1921 - 1929*

On January 18, 1929, allegations of corruption were again made against the Chief by another officer of his force - Constable Jules Drapeau - the Chief's own brother-in-law no less. On that date, Drapeau appeared before the St. Boniface Police Commission and accused the Chief of diverting liquor destined for the St. Norbert Orphanage to one of his associates - Jules Mourant, a known bootlegger. Drapeau alleged that on December 6, 1928, he had been told by Chief Gagnon to deliver 50 gallons of seized liquor to the convent in St. Norbert. En route to the convent, Drapeau was stopped by Mourant who advised him that the Chief had told him to pick up 25 gallons of the seized liquor from him to take to another location.

Although Drapeau was suspicious of Mourant, believing that he was acting on the instructions of the Chief of Police, he turned over the 25 gallons of liquor to Mourant. Drapeau subsequently indicated that shortly after he had returned to the police station he observed Mourant enter the Chief's office and speak with him for about 10 minutes before leaving. After leaving, the Chief called Drapeau into the office and told him to "keep your mouth shut".

Chief Gagnon reported that he was being framed by Drapeau and produced a receipt signed by Sister Eugenie of the St. Norbert convent indicating that she had received all 50 gallons of the liquor delivered to her. Although Sr. Eugenie confirmed that she had signed the receipt, she indicated that it had been pre-signed at the request of the Chief with the understanding that the alcohol would be delivered a few days hence. A few days later Sr. Eugenie accepted the delivery of 24 gallons of alcohol from Constable Drapeau.

Chief Gagnon admitted that the receipt had been pre-signed by Sister Eugenie, however, he indicated that the body of the receipt had been filled out by Constable Drapeau himself and that if 50 gallons were not delivered to the St. Norbert convent, Drapeau was to blame. Gagnon then went on to state that "I do not know what my men do. I cannot be responsible for their actions. I sent the alcohol to the convent. If the man did not deliver it, it is not my fault. In his own handwriting, he brought me back a receipt for 50 gallons and I thought it had been delivered, I know of no other arrangement".



*St. Boniface City Hall
1929*

During his submission to the Police Commission, Drapeau was asked why he had come forward at such a late date to report the diversion of alcohol to Mr. Mourant. Drapeau stated that during his trip to the Convent the engine in the patrol car seized due to a lack of oil. While discussing the incident with his wife and sister-in-law (the Chief's wife), he had been told that he was a fool for driving the car with no oil in the engine and that if it had not been for the Chief's influence he would have been dismissed from the force. To protect himself from the Chief, Drapeau reported the incident to keep from losing his job at a future whim of the Chief.

As a result of Drapeau's allegations the Chief was suspended from duty on January 21, 1929, and was ordered to turn over his keys to the station to Detective Victor Audette, who would be Acting Chief Constable until the proceedings against Gagnon were concluded. The Police commission subsequently set a hearing date of Feb 5, 1929, to determine the fate of the Chief.

In addition to the charges of illegally disposing of 25 gallons of seized liquor, the Police Commission re-instituted an investigation into charges that the Chief had been defrauding the Commission of relief benefits. The Chief, who lived above the station, received 30 cents for each meal supplied to destitute men who applied to the police station for overnight lodging. Allegedly the Chief billed the City for serving two or three meals to the same destitute men, when in fact he only served them once. Since 1924 it was alleged that the Chief had submitted over \$600.00 in false relief claims to the City. Considering that the Chief's salary (not including room & board) was only \$185.00 a month in 1929, \$600.00 was a substantial amount of money.



Victor Audette

The hearings began with much debate about the authority for the Police Commission to even hear the allegations against the Chief. A lawyer for Jules Mourant stated that the Commission had no power to subpoena witnesses, including his client because they only had the authority to investigate the Chief in connection with his duties. Mourant's lawyer suggested that the

illegal disposition of alcohol was a provincial matter and not within the mandate of the Police Commission to investigate. As such he advised the Commission that his client would not testify against the Chief unless or until he was charged under the Manitoba Liquor Act. The Commission subsequently adjourned the hearing until they could get a legal opinion regarding their authority to investigate the Chief for a supposed Liquor Act violation.

The Commission re-convened a week later and proceeded with their investigation into the conduct of the Chief. If the Commission determined that the Chief had breached the Manitoba Liquor Act or the Criminal Code then they would forward their findings to the Attorney General, otherwise, they were only concerned with the issue of whether-or-not the Chief's conduct, was unbecoming of a police officer, (which was within their scope to do).

The first witness to take the stand was Constable Drapeau, who reiterated his allegations against the Chief. In cross-examination Drapeau was asked to identify the handwriting in his notebook and the handwriting on the receipt for the liquor from the Convent. Drapeau identified the handwriting in his notebook as his own, but denied knowing who had written out the receipt, especially the number "50". A rebuttal witness subsequently called by Gagnon's lawyer, a handwriting expert named Robert Walter, testified that all the writing on the receipt (except for Sister Eugenie's signature) was done by Constable Drapeau. After the expert had concluded his testimony, Gagnon's lawyer requested that the Commission hold Drapeau in custody until the investigation was complete. The Commission denied the request & excused Constable Drapeau.

Other than the handwriting expert, Gagnon's lawyer did not call any other defense witnesses, including the Chief himself, to refute any of Constable Drapeau's charges. Instead, Gagnon's lawyer called former City Councillors to the stand who had previously sat on the Police Commission Board as character witnesses to testify to the fact that they had found Chief Gagnon to be a trustworthy man.

Once the defense rested, the Police Commission moved on to hearing the allegations against the Chief respecting the relief accounts. The records showed that between 1924 and 1927 the Chief had billed the City for three meals for each man lodged overnight at the station and in 1928 he billed the City for two meals for each man lodged at the station. Three officers were subsequently called to testify before the Commission including Sergeant Verne, Constable McDougall and Constable Baudry, each of whom indicated that they had been responsible for serving the meals in question to the men housed in the station. Each officer testified that they had served no more than one meal to each man and that that had been the practice since 1924. Since the Chief was personally reimbursed for each meal served, it was estimated that he had overcharged the City by nearly \$600.00 since 1924.

Again no evidence was called by the defense to contradict the statements given by Officers Verne, McDougall and Baudry regarding the meals they served and the number of meals billed by the Chief. The defense rested stating that there was insufficient evidence to convict the Chief of any wrongdoing, and indicated that the entire investigation was a plot against the Chief "by a disgruntled police force, led by Constable Drapeau".

On March 8, 1929, after hearing all the evidence against the Chief, the Police Commission unanimously found that:

"Thomas Gagnon did, on or about December 6, 1928, while in charge of the Police Officers of the City of St. Boniface, conduct himself in a manner unbecoming a police officer, in that, if he did not participate in the diversion of alcohol to one Jules Mourant, as alleged in the statement of charges, he should have reported the matter immediately to the Police Commission, and proceeded to suspect Jules Drapeau immediately, if the said Drapeau was guilty. [in addition], the Commission unanimously finds that the said Chief of Police Thomas Gagnon has overcharged the accounts made and submitted by him to the City of St. Boniface from and including the year 1924 to the date of his suspension, relating to the serving of food to destitute men applying for night lodging in the Police Station."

Mayor Walsh subsequently moved that the Chief of Police be discharged without pay from the time of his suspension and he was given until March 31, 1929, to vacate his living quarters above the police station. A copy of the evidence given at the inquiry was subsequently transmitted to the Attorney General's Department for whatever action they may deem necessary, and applications for the position of Chief Constable were requested from the public.

On March 20, 1929, after reviewing the various applications submitted for the position of Chief Constable, the Police Commission appointed Acting Chief Victor Audette as permanent Chief of Police. Although he had only six years with the force, Audette had considerable prior experience as a police officer in Eastern Canada. His salary was set at \$185.00 per month, plus free use of the upstairs suite in City Hall, and free light, heat, water and telephone.

Two weeks later, on April 3rd, 1929, Constable McDougall, who had testified against the Chief, was promoted to Detective Sergeant, while Constable Baudry was appointed Acting Sergeant. Two weeks after that, on April 15th, 1929, the Police Commission accepted the resignation of Jules Drapeau. Sergeant Baudry eventually succeeded Audette as Chief of Police.

As a side note to this story, one of the Police Commission members who presided over these hearings was Paul-Emile Berube. As it turns out, this is Constable Michelle Benoit's (badge #1530) great-grandfather.

Sources:

Gray, James. (1982). Bacchanalia Revisited. Saskatoon: Western Producer Prairie Books. Manitoba Temperance Act (1916), 6 Geo. V., S.M. c. 112. Winnipeg Centennial Library, Micromedia/Periodicals/Circulation, Newspaper Archives. St. Boniface Police Commission Record books, Winnipeg Police Museum and Historical Society.