The 17th of November 1877.

9. Do you know anything about that card?
A: No sir, I do not know anything about the card.

2. Did you ever see it?
A: I saw the card when it was put on the door.

2. Do you know what became of that card?
A: No sir, I do not. I do not recollect the exact conversation that passed between the deputy and Clark.

2. Have you any suspicion as to what became of that punishment card; if so state them?
A: I do not know that I have, sir.

2. Do that all you know about this case?
A: I think it is, yes sir.

Warden McCaughey—Do you know how long it was after the war was taken from the
This case of Thomas Carroll, in the case of Thomas Carroll, is, as near as I can recall now, that this man Thomas Carroll, No. 505, formerly worked in the brash shop, and he became worthless there—he wouldn't do his day's work and the contractor complained of him; he had been bothering with him so much that I took him out and transferred him to the yard. The yard guard tells me he could do nothing with him. He reports him several times and I think you will find him punished several times. I recall without going to the books. My impression is that he was brought up in the afternoon, and the case was reported to me, that he was brought up there. If it was I certainly should
order him in irons for refusing to work. That would be the natural consequence— I can’t deny that. I don’t know whether I did it or not, but I should do it in ordinary cases, and we should make out cards the next morning as I do now.

Warden McLaughlin—Would you order him in irons over night?

No sir.

Would you order him in irons to be released that evening?

Yes sir, of course. I do not except in special case order men in irons over night. The next morning we make out the cards of those committed the night before, for examination. When I went down to examine the man I found this man with
a swollen ear, and he complained of a pain in his head. I noticed that his head was swollen. After the cards were made out, when we went down to put them on, I said, "this man don't belong here, he is a sick man," and I took him out and made no care of it anymore than I showed of a man that was committed, for instance last night, and in the morning I examine his case and find that I am going to excuse him. I make no record of that. Perhaps I make a little record in the office in a book the same as the book you have seen, to show how many times the man comes up. In this case his card was made. I know it was made and put on the door, because
his number is altered on the book. I took one of
these cards made out, and had the number filled
up so as not to leave a gap, commencing where I
began—this card is destroyed. Probably I ordered the
clerk, I don't deny that, what I did, but I have
no recollection of it now. But I recollect of letting
him out in this case, finishing his sick, and that
is the reason I sent him over to the hospital. He had
not been in punishment. If
he had laid over a day
I should not have destroyed
the card, because I could
not have done it.
2 was the reason that you
did not make the card
out—
3 The card was made out.
4 I mean what was the reason
that you destroyed the card?

a It was because I did not punish him. I let him alone.

2 you didn't want the record to go up to the Clear's office so as to affect his time?

a Of course it would affect his time, and he was not punished. If I had presented the card there after I had sent him to the hospital I should have lied, because he was not punished.

Commissioner A.M. Jones — What you mean by the statement that he was not punished is that no sentence was passed on him?

Ayes sir. He was held simply for safekeeping overnight like all the cases that are brought up there. If a man is reported — suppose bought at half past five I go down there and I
few half a dozen reports from different shops that such convicts are troublesome, they have neglected their work or they have been talking through the day, or this, that and the other thing, and if it is an old offender, I order the man up. Have no time to examine the case; I hold them for safe keeping through the night. But not in cells? Ah no, without it is a fight or something of that sort that is plain on the face of it. Perhaps I might put two men at the door for that, but in ordinary cases like laziness in the yard, that's their own night. In the morning the first thing is generally to make out all these cards and send them to the office of the club—put one