As far as the application of the gag is concerned, in my own opinion it is necessary, and I know of no other means more effectual or any safer means of of bringing a man to terms who is disturbing the quiet of the prison by hallucinating or anything of that sort than to use the gag properly, and I never in any experience have known any trouble to arise from using the gag. There are the only two cases I have ever known in any prison life. I should say it was seldom used, it is not a common thing to a gag a man. It is only occasionally that me have those stubborn and mean men to contend
Duncan Mc Dougal
being duly sworn identifies as follows:

Examination by
Commissioners C. H. Jones.

What position, if any, do you occupy in the prison?
A Captain of the night watch.
How long have you occupied that position?
Nearly three months.
Have you heard the testimony of the witnesses in this case?
Yes.
Have you any statement which you desire to make to the Board of Commissioners, in regard to it, if so make them.
I have a couple of state-
James W. Howard

sputter word plus period

overall of as

as

of

nefination

of

ab. purs li wadding bed by

warrant de in fugue or age

inferior city de to mildness

or unwined and water

in writing tall union

in

referred and

in

presentation all fo presented

same with in

is now. li to de

unmet to press may equally

demand wrote wae Weetman

or li di at improper in one

intake claim

state fo alive as such
ments to clear my own case. As far as Mr. Reed's statement has gone—two of them—in the first place, he claims that by letting him that we had quite a time with convict Harris that I gave him to understand that we caused him. There was nothing further from my mind. I never caused a convict in my life. No made any assertion that I can say—where a man could infer that I had caused a murder. The time me had with him was in trying to keep him quiet. That is what I had reference to. I knew that because was in the cell for two or three hours at a time, during the night, but there was no calming, or no whichever to
our pump needs to always
check us as not all en
ow-coap and twendly
not ed in with to
not animals et, act.
told em told mind putte!
twee's hom with a stop
with eng & told aimed
em told extreme to
now which mid seems
must below much
soon revieve & shyn more
plus far we or know a
tot washboard para clow
now a men - just word
and I told nephew allos
must edit reasons, course
now wind him had eng
mid place at prison
& tell in told being
went b. at cemetery had
it in now charmed told
now really so said not lad
other product needed a lot
as now well told, tingly
at pinked down so ro, princt
my knowledge. In the second place he came over to my place last Saturday night, and called me out and wanted to know whether it was from the warden or the deputy warden that I received any instructions to flog Harris. I told him I had never had any such instructions. "Why yes," says he, "you lot to the you did." "No," says I, "I never told you any such thing." "Why," says he, "was you know you did." "Well," said I, "that is talk enough of that kind for me. I don't want any such talk," said he, "you know the night after you came Harris you lot to me you had orders from headquarters to flog him?" Says I
"Did Leasure come Harris?" said he. "Yes," says he; "I'm news to me. He never reports it to me, nor I don't believe he did do it." Now as far as both those statements go I pronounce them false. I never saw a man, nor I never seen a man to cause a man nor made any assertion from which he could infer that I had orders from the warden or the deputy warden to flog anybody. Have you ever had orders from the warden or the deputy warden or any officer your superior, while you have been connected with this prison to flog any convict or whip any convict or alstrap any convict or lash any convict? No sir.
...
Do you believe from your experience in this prison that it would be allowed in any instance?

Mr. Reed: Did you order me out of the yard as Captain Sawyer states?

A No sir.

I didn't say to you that I didn't want any hard feelings between you and me?

A Yes sir.

Commissioner A. M. Jones: Did you ever see this instrument (the whip) before the death of Convict Reid?

A The first I saw of that was at the scene of the inquest.

Had you any idea that there was an instrument of that kind in this prison or that in any case it would be allowed to be used in this prison?
Mr. sir, I has no idea of it.

The Board of Commissioners now desire you to relate to them if you know or have an impression that there has been any punishment or infliction on any convict during the administration of Major McClaughrin as warden of this prison, which you considered brutal or uncalled for. If so, state what it is.

I know of none—I don't know of any brutal treatment or any punishment uncalled for.

Would you have considered it your duty if you knew anything of that kind to have reported it to the warden?

Yes sir.