

Indian Affairs  
School Files

(RG 10, Volume 6202)

File 466-10, part 6


Six Nations Agency - Mohawk Residential  
School - Admissions & Discharges. 1949 -  
1950/

File 466-13, part 1

Six Nations Agency - Mohawk Residential  
School - (Medical Records - Supplies,  
Accounts.) 1922 - 1933.

File 466-13, part 2

Six Nations Agency - Mohawk Residential  
School (Medical Records, Supplies, Accounts).  
1933 - 1946.

File 466-23, part 1

Six Nations Agency - Mohawk Residential  
School - Deaths. 1936 - 1936.

Indian Affairs. (RG 10, Volume 6202, file 466-23, part 1)

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## DEPARTMENT OF INDIAN AFFAIRS

Memorandum of an inquiry into the cause and circumstances of the death of  
..... Effie Smith ....., Pupil No. 0991.....  
of the Mohawk Institute..... Indian Residential School at Brantford, Ontario  
who died at Brantford, Ont...... (place) on May 11..... 19 36

### INSTRUCTIONS

When a pupil of an Indian Residential School dies, the Principal is required to inform the Indian Agent at once.

On receipt of the Principal's notice the Indian Agent shall convene a Board of Inquiry, consisting of himself as Chairman, the Principal of the Residential School, and the Medical Officer who attended the deceased pupil. These members of the Board shall, in each other's presence, complete this memorandum, which shall then be forwarded to the Department of Indian Affairs, Ottawa, in one copy.

The Board of Inquiry shall, if at all practicable assemble within 48 hours of the pupil's death.

The parents or guardians of the deceased pupil shall be given notice of this inquiry and be permitted to attend it or to send a representative. They or their representative shall be asked if they wish to make a statement. In the event of their so wishing, their statement shall be attached to the report. The inquiry, however, shall not be delayed more than 72 hours after the time at which it would otherwise be held, to enable them to attend it.

If the Indian Agent is located at such a distance from the school as to make it impracticable for him to attend the Board, he shall request a responsible local resident to act for him. A suitable person for this duty would be a Justice of the Peace or a member of the Royal Canadian Mounted or Provincial Police. A more or less permanent arrangement of this kind might be necessary in some cases. The Department is prepared to pay a reasonable fee for this duty, on the Agent's recommendation. The report of the Board, in any case, must reach the Department through the Indian Agent's office.

This inquiry is not designed to take the place of, or prevent, any other inquiry, including an inquest, which may be required by law.

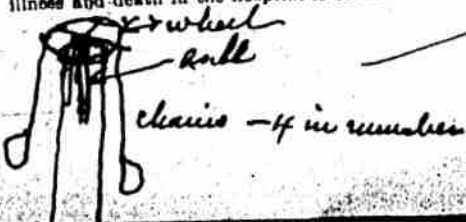
If the pupil died as the result of an accident, the Indian Agent is required to take the statements of the witnesses of the accident, and attach them to this memorandum.

A. STATEMENT OF THE PRINCIPAL OF THE RESIDENTIAL SCHOOL

1. On what date did this pupil fall sick or suffer injury? *May 11 - 1936*
2. At what time of day? *6:15 P.M.*
3. When and to whom did he or she report this illness or accident? *6:15 P.M. May 11-36 to Miss S. Hardie*
4. What means were taken to afford relief? *Doctor called immediately*
5. What medicines were used for this purpose and in what dose or quantity? *None*
6. When was the doctor called? *6:20 P.M. May 11-1936*
7. If the pupil was removed to hospital, at what time was this done and by what means of transport? *7:15 P.M. May 11. by ambulance*
8. If the pupil was not removed to hospital, what measures were taken for his or her care at the school?
9. Add any other useful information here.

*Five girls including Effie Smith were playing on the "Giant Stride" or "Maypole". They had put a board through loops in the suspended chains and were being pushed around the pole thus throwing all the weight toward one side of the pole. This caused the axle of the <sup>wheel</sup> ~~pole~~ to split a piece out of the side of the pole at the top <sup>Principal</sup> allowing the wheel to fall to the ground where it struck Effie Smith in abdomen causing the injuries from which she died.*

Note: If the deceased pupil dies in hospital at a distance from the school, under the care of the physician or surgeon who attends him at the hospital, a clinical report of the patient's illness and death in the hospital is to be secured and attached to this memorandum.



*Horace W. Smith*  
Principal.

Indian Affairs. (RC 10, Volume 6202, file 466-23, part 1)

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B. STATEMENT OF THE PHYSICIAN WHO ATTENDED  
THE DECEASED PUPIL

I attended Effie Smith from May 11th 6:20 PM  
to 9:46 PM. The immediate cause of death was.....  
Salivial injury with hemorrhage. Rupture of a vessel

The contributory cause of death was accident  
as described

Do you consider that the Principal of the School, and the members of the School staff exer-  
cised reasonable care and judgment in regard to the illness and death of this pupil? yes

Did they follow out your professional instructions? yes

If in either respect, you consider them to have been at fault, it is required that you express  
your carefully considered views as follows:

.....  
.....  
.....  
.....  
.....

R. H. Palmer M.D.

Indian Affairs. (RG 10, Volume 6202, file 466-23, part 1)

PUBLIC ARCHIVES  
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C. STATEMENT OF INDIAN AGENT

1. Having heard and read over the statements of the Principal and the Physician, do you consider that all essential circumstances relating to the death of Effie

Smith  
have been recorded? Yes If not, you are required to add here any further particulars which strike you as essential.

2. In this space record any recommendations which the Board consider should be made to the Department in relation to the health or safety of the pupils of this School.

E. P. Randall  
Chairman—Indian Agent.

Indian Affairs. (RC 10, Volume 6202, file 466-23, part 1)

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*Brantford Expositor*  
*Saturday - May 16/1936*

**RECOMMENDED  
 INSPECTION OF  
 ALL EQUIPMENT**

**Abdominal Hemorrhage Cause of Death of Effie Smith**

**MAYPOLE VICTIM**

A recommendation that the playground equipment at the Mohawk Institute be inspected every three months by a competent inspector was made last night in the verdict of the jury at the inquest at the coroner's inquest into the death of Ada Effie Smith, 12, pupil of the Institute, who was fatally injured Monday evening, May 11, when a wheel from a maypole around which she was swinging with four other girls fell off and struck her in the abdomen.

Dr. Harold Palmer, who conducted the examination of the victim of the accident, stated death had been caused by an intra-abdominal hemorrhage.

It was stated in evidence that the wheel weighed about 100 pounds and the top of the pole was between 18 and 19 feet from the ground. Molly Robinson, Velma Powless and Laura Davis, who were riding around the maypole on a beam with the Smith girl, and one other youngster, appeared to give evidence, the Powless girl stating that as the wheel came off they all fell to the ground and she felt something strike her on the shoulder and when she recovered her balance she saw the girl, who had been sitting next to her on the beam, lying on the ground.

Dr. H. K. Palmer, Rev. H. W. Snell, Principal at the Institute, and C. H. Lager, an Institute official, also gave evidence. Coroner Dr. D. A. Morrison presided and the examination was conducted by Crown Attorney F. E. D. Wallace.

**MAYPOLES IMPROVISED.**

Mr. Snell described the playground at the Institute where the accident occurred, stating it was equipped with swings, teeter-totters and other amusements, or maypoles. He stated that the accident was an improvised one, and that the maypole was not a regular one, but was an automobile wheel placed around the maypole. He stated that the top of the pole was 18 feet from the ground and that the wheel was 100 pounds.

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"How long had the pole been there?" Crown Attorney Wallace asked.

"It was there when I came seven years ago, and had been there some two years before," Rev. Mr. Snell replied.

"Was it in operation before you came?" the Crown questioned.

"Yes," the witness answered. Pointing to what had been a deep crack several feet along the pole at the spot where it broke, Crown Attorney Wallace asked Rev. Mr. Snell:

"Did you know anything about the crack originally?"

"I never knew it was there," Rev. Mr. Snell said.

"I show you that one side of the pole where the piece is broken off is fresh and the other side appears to be old, does it not?" the Crown questioned.

"Yes. From the appearance of it."

"You do not employ a regular carpenter on your staff, do you?"

"No."

"This maypole was makeshift?"

"Yes, it was makeshift."

"Was this wheel, or any part of it, considered dangerous by you or your staff?"

"I don't think any of us ever thought of danger in connection with it."

Rev. Mr. Snell stated there were no regulations regarding the method of using the maypole and there was no special grant made by the Government for recreational equipment. The Institute was copyrighted by the Dominion Government and

came under the jurisdiction of the Department of Indian Affairs. **JUST ERECTED.**

O. H. Lager, Boys' Master at the Institute, said the wheel had been erected by him the Friday before the accident. He estimated its weight at about 100 pounds. He saw the crack in the pole, he said.

"Did the crack cause you any worry at all?" he was asked.

"No, I thought the two iron bands (two bands around the pole below the place where the piece broke off) were put there to strengthen the pole. I never thought of any danger."

The top of the pole, and the wheel, with steel chokes attached to the wheel and threaded through pieces of hose at the place where the children hung on to swing were exhibited.

Crown Attorney Wallace asked Mr. Lager if he had seen the children swinging around the maypole with the beam placed through the loops made by the rubber hose and witness replied he had not.

**WERE RIDING BEAM.**

Mr. Johnson, an Institute pupil, testified that a beam, a two-by-six, had been put through three of the loops and she, with the Smith girl, Laura Davis, Velma Powless and Hazel Vanover, were riding on it. They had hardly started when the wheel fell. She did not notice the crack in the pole before the accident. Elma Powless also stated she did not notice the crack.

Witnesses admitted the fact that the five girls riding the beam all on one side of the pole would cause the pressure on the top of the pole to become heavier on that side.

The verdict in full was as follows: "We the undersigned jury impeached to inquire into the death of Effie Smith, a pupil of the Mohawk Institute, find she came to her death at the Brantford General Hospital, May 11, 1936, from an intra-abdominal hemorrhage caused by being struck by a wheel from a maypole which we consider was not safe at the Mohawk Institute in the Township of Brantford May 11, 1936."

"We also recommend that the playground equipment be inspected every three months by a competent inspector."

The jurors were: R. W. Henry, Foreman; Elijah Smith, T. J. Black, W. J. Springle, Charles Craddock, E. Cooper and A. Young. Provincial Officer Carl W. Farrow had charge of witnesses and the jury.

Indian Affairs. (RC 10, Volume 6202, file 466-23, part 1)

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Recommendation that the playground equipment at the Mohawk Institute be inspected every three months by a competent inspector was made last night in the verdict of the jury at the inquest at the City Hall into the death of Effie Smith, 18, pupil of the Institute, who was fatally injured Monday evening, May 11, when a wheel from a maypole around which she was swinging with four other girls fell off and struck her in the abdomen.

Dr. Harold Palmer, who conducted the examination of the victim of the accident, stated death had been caused by an intra-abdominal hemorrhage.

It was stated in evidence that the wheel weighed about 100 pounds and that the pole was between 18 and 19 feet from the ground. Molly Johnson, Velma Powless and Laura Davis, who were riding around the maypole on a beam with the Smith girl, and one other youngster, approached to give evidence, the Powless girl stating that as the wheel came off they all fell to the ground and she felt something strike her on the shoulder and when she recovered her balance she saw the girl, who had been sitting next to her on the beam, lying on the ground.

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**MAYPOLE IMPROVISED.**

Mr. Snell described the playground at the Institute where the accident occurred, stating it was a "game" with a rubber band, or maypole, and that it was an improvised arrangement, he stated, having been constructed at the Mohawk Institute. It was an automobile tire which was attached to the top of the pole. It was made away of the wood and the pole was the same

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The jurors were: R. W. Henry, Foreman; Elijah Smith, T. J. Black, W. J. Springale, Charles Craddock, E. Cooper and A. Young. Provincial Officer Carl W. Farrow had charge of witnesses and the jury.

Indian Affairs. (RC 1C, Volume 62C2, file 466-23, part 1)

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