

## **Grandfather Served Time.**

Yes, it's true. My Grandfather had a prison record, and I found it at the **Saskatchewan Provincial Archives** in Regina!

Growing up, I had heard the story that my Grandfather had spent time in jail for making home-brew. It was no big deal. It was not something the family boasted about, but neither was it a disgrace whispered in hushed tones. Stories of the pioneer homesteaders making home-brew were, and are, commonplace. I remember my oldest uncle telling me that he was about 15 years old at the time. And that is all I knew. Over the years, I had made a couple of half-hearted attempts to pursue this, but got nowhere.

In March I attended the Saskatchewan Genealogy Society Convention in Saskatoon. Bonnie Dahl from the Saskatchewan Provincial Archives gave a presentation about the resources available at SPA. And that is how I learned about the Regina Provincial Prison Registry. I next contacted the Main Reference Desk at the Archives in Regina. I was asked to fill out a form "Request For Access To Restricted Information For Research Purposes". After that was approved, I had to reserve a date for a personal visit to the Archives. Because I did not have a precise timeframe of the court decision, the Archives personnel understandably were not able to go on a "fishing trip" for me.

I showed up at the Provincial Archives building in Regina on the appointed date. Because I thought that Grandfather's offence occurred about 1930-1931, the Regina Provincial Prison Registry books for 1929, 1930 and 1931 were waiting for me on a trolley. These are huge books, and in deteriorating condition, which explains why the Archives would not ship them to Saskatoon, for me to view them there. Because the books are so large, I really had to stand on my feet as I turned the pages one by one. Hours went by. Nothing. Three books and nothing. A sympathetic Archivist told me not to give up, and went to get the books for 1932 and 1933. A couple of hours more go by, and I am telling myself, okay, I am going to quit at the end of 1933.

And suddenly, there it was! After 5.5 hours on my feet, skipping lunch, turning page after page through 5 years of Registry books, there it finally was – Registry Entry # 24357 – Conrad Weiss of Fox Valley. And this is what I learned:

Grandfather was sentenced 20 December 1933 in Fox Valley before Justices of the Peace Frank Mears and Francis Schiferl (not sure of spelling). The crime was Breach of the Excise Act, section 176. The sentence was a \$400 fine plus \$8.50 for Court Costs, or a nine-month sentence of H.L. (Hard Labor). Unable to pay the fine, he chose the latter. He was released from prison 13 August 1934.

"Breach of the Excise Act" meant that he was arrested for failing to remit the appropriate taxes to the government on the amount of alcohol produced. And because only licensed distillers were registered to remit such a tax, Conrad was in contravention of the Act. In short, makers of homebrew were not distillers licensed by the Government, and were not providing tax revenue to

that government. There are many entries in the Prison Registry citing the Breach of Excise Act, with sentences of 3 months and 6 months. In a few instances, Section 181 of the Excise Act is referenced. I don't know what was different about Grandfather's case, because he received a sentence of 9 months, the only one I found to be more than six months for a Breach of Excise Act. This is so typical of genealogical research. One answer always leads to more questions!

Grandfather's physical characteristics are noted, re weight, height, hair and eye color, scars, etc. His weight upon release was 5 pounds heavier than when he was admitted, bringing into question just what hard labor in Regina in 1934 involved! His nationality is listed as Russian with Year of Immigration as 1913. Grandfather's occupation was listed as Carpenter, rather than Farmer. In fact, he was both, but if he was not released until mid-August, he would have missed most of the 1934 farming season. I can only imagine the burdens on Grandmother and the children at home on the Fox Valley homestead, the same yard where I grew up.

Of equal interest, poring over the pages, were entries of other Fox Valley names familiar to me! Of course, I cannot divulge names, but the range of crimes covered assault, theft, stray animals, vagrancy, causing a disturbance, and of course, Breach of the Excise Act, which would be the majority of cases. Another common "crime" was Breach of the Railway Act, which I take as referring to men picked up for "riding the rails". The Year 1933 was the height of the Depression Years on the Saskatchewan prairies. One entry sited a "Filtration Order", which after some Google Research, refers to a paternity suit. Another entry sited the crime of "Carnal Knowledge", an old legal term for Statutory Rape.

The reactions of current family members to my discovery ranged from: "Why do you want to dig up this stuff?" to "Does anyone have Grandfather's original recipe?"

It would still be interesting for me to uncover the transcript of that hearing with the Justices of the Peace in Fox Valley on 20<sup>th</sup> December 1933. What was it about Conrad's case that it warranted a longer prison sentence, and **who the heck turned him in!!**

Mervin Weiss. Saskatoon. 21 September 2018.