

B. STATEMENT OF THE PHYSICIAN WHO ATTENDED
THE DECEASED PUPIL

I attended

Marie Pascal

from

about 2 P.M.

on 21st Jan. '50

The immediate cause of death was

fractured skull with severe brain injury

The contributory cause of death was

blow on head

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

Did they follow out your professional instructions?

the child was dead at the

time of my arrival

If in either respect, you consider them to have been at fault, it is required that you express

your carefully considered views as follows:

*could consider death to have been
entirely accidental.*

M. K. Morgan M.D.

Indian Affairs (RG 10 Volume 6455, file 884-23, part 1)

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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 *Mary*

Andoinette Pascal

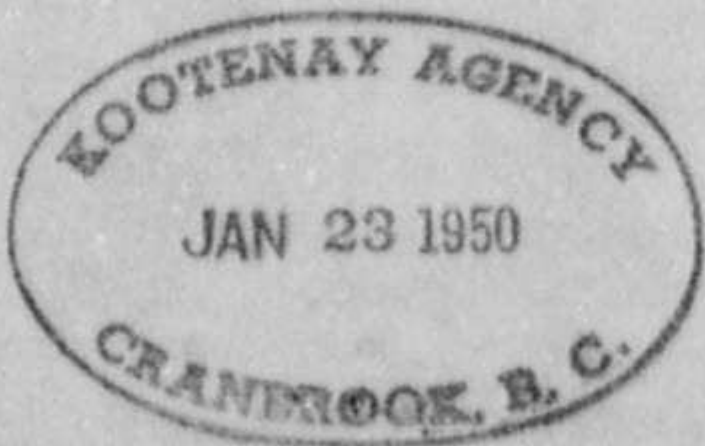
have been recorded? *yes* If not, you are required to add here any further particulars which strike you as essential.

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.

The Rev. Principal is of the opinion that additional protection could be provided.
Mr. Mogan considers this fatality entirely accidental.

It is my opinion that this death was entirely accidental with no blame attached to anyone. It is considered that only extraordinary and elaborate precautions could have prevented this fatality.

A. L. Mogan
Chairman—Indian Agent.



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Kootenay Indian School,
Cranbrook, B.C.
January 22, 1950. 6

Statement of circumstances regarding the death of Mary Antoinette
Pascal, aged 8, pupil of the Kootenay Indian Residential School.

At approximately 1.45 P.M. on Saturday, January 21st, 1950, I was called by the Sister in charge of the girls, Sister Mary Joan, to come at once as one of the children had been struck by ice falling from the school roof. I rushed to the girls yard to find the above-mentioned child lying on the snow near the building with large pieces of ice surrounding her. I picked her up immediately and assisted by the nurse, Sister Paul of the Cross, brought her in the school building and laid her on a bench. A doctor was immediately summoned by telephone. While awaiting his arrival every effort was made to revive her by loosening her clothing and applying wet compresses to her head. The doctor covered the six miles from Cranbrook to the school in record time in spite of the snow and arrived I would say within fifteen minutes after the accident. On his examination he pronounced her dead.

An unusual mild spell following after several heavy snow storms had caused considerable ice to form on the edges of the school roof. The children had been warned of the danger of falling ice and had been told to keep away from the building while playing. This warning had been repeated less than ten minutes before the accident when the junior girls had been sent to the yard to play. The Sister in charge states that she personally directed them to play along the snow banks around the rink where they were making snow-men, which is about a hundred and twenty feet from the side of the school building. During the course of play the victim of the accident forgetting the warning that had been given, began running around the yard and in so doing came close to the school. Her sister and a couple of other girls shouted at her to come away from the building as Sister had said it was dangerous. Their words were hardly spoken when a quantity of ice was dislodged from the roof and fell about thirty feet striking the child and knocking her to the ground. It was in this condition that I found her when summoned.

G. F. Kelly
G.F. Kelly O.M.I. Principal.

Indian Affairs (RG 10 Volume 6455, file 884-23, part 1)

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FILE...O-19-9(155)

-2-

Mr. W. S. Arneil.

February 3, 1950.

temperature from -4 to 42 degrees above zero over a period of five hours and when I arrived at the school on the day of the accident around 2:30 P.M., the south, east and west sides of the school roof were completely clear of ice. The fatality occurred on the east side of the school.

Pupils questioned stated that they had been warned by the school staff not to play near the building and that at the time of the fatality they had been amusing themselves by watching the ice falling from the school roof. The dangerous condition prevailing at that time was apparent to all and in my opinion this fatality was entirely accidental with no blame attached to anyone.

In the matter of added precautions against future accidents of this kind, a flat roof protecting both east and west walls as now proposed by the Rev. Principal would, in my opinion, have been considered extraordinary prior to this accident. Any attempt to keep the roof itself clear of ice is considered impractical and would be highly dangerous to workmen. It is proposed to discuss this matter with Mr. Davies, School Inspector, during his projected visit in the near future.

J. S. Dunn,
Superintendent.

JSD:FSB

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DEPARTMENT
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MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE

FILE 0-19-9(155)

P. O. Box 907,
Cranbrook, B. C.,
February 3, 1950.

Mr. W. S. Arneil,
Indian Commissioner for B.C.,
P. O. Box 70,
Vancouver, B. C.

I am enclosing herewith, Memorandum of an inquiry into the cause and circumstances of death; copy of findings of Dr. T.J. Sullivan, Coroner; a statement by the Rev. G.F. Kelly, Principal; and a statement by Caroline Williams who witnessed the accident, in connection with the death of Mary Antoinette Pascal, born February 26, 1942, the daughter of Gustaf and Josephine Pascal, Shuswap I.R. No. 5, who while in residence at our Residential School was killed by ice falling from the school roof.

This regrettable fatality occurred at about fifteen feet north of the girls' east entrance and about twelve to fifteen feet from the east wall of the main school building. Ice dislodged from the main roof fell approximately thirty feet striking the sloping metal roof protecting the girls' sub basement entrance and bounced about six feet before striking Mary who had apparently momentarily forgotten the danger, that was apparent to all, in her excitement of a game of tag with her companion.

The ice formation on the school eaves was common to all homes and buildings in this district. Snow falling on the roof is melted by heat of the building and again freezes at the eaves and had built up to about six or eight inches over a period of extreme cold weather. A warm chinook wind raised the

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INDIAN COMMISSIONER
BRITISH COLUMBIA



884-23

INDIAN AFFAIRS BRANCH

IN YOUR REPLY REFER TO

NO. 5-11-1 (155)
ALSO TO DATE OF THIS LETTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

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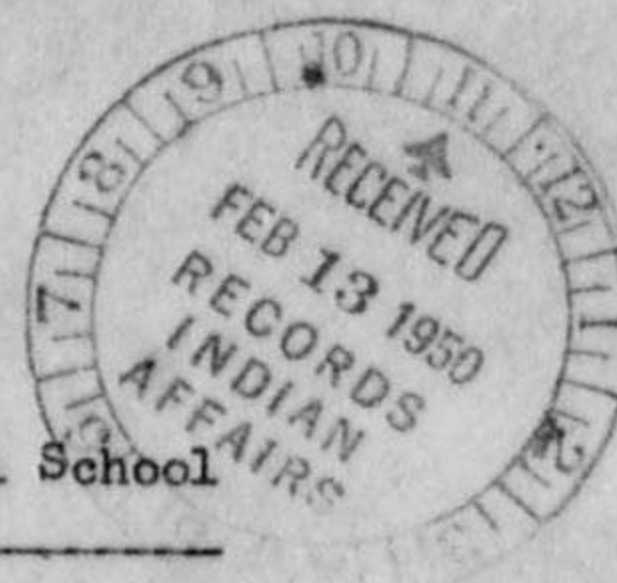
P. O. BOX 70,
VANCOUVER, B.C.

AIRMAIL

[Handwritten signature]

February 10, 1950.

Indian Affairs Branch,
Dept. of Mines and Resources,
Ottawa, Ont.

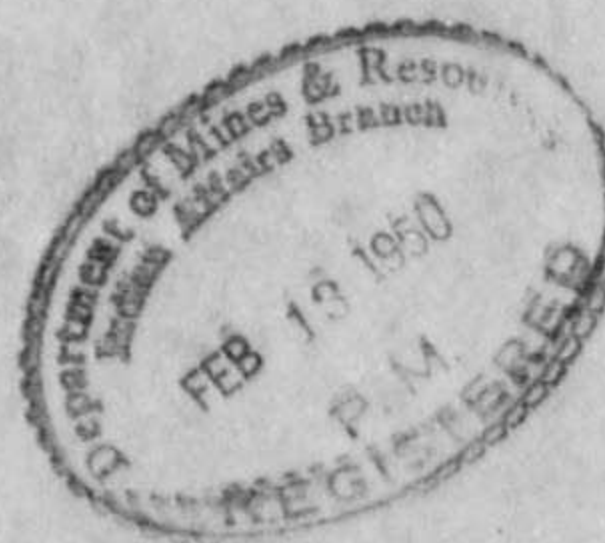


Re: Kootenay Indian Residential School
Your File 884-23 (E1)

With reference to Mr. Phelan's letter of February 1st, I am enclosing a detailed report from Superintendent Dunn and enclosures referred to therein, in connection with the death of Antoinette Pascal.

-WW
Encl.

[Handwritten signature]
W.S. Arneil,
Indian Commissioner for B.C.



Indian Affairs (RG 10 Volume 6455, file 884-23, part 1)

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884-23 (E1)

February 14th, 1950.

Mr. W.S. Arnell,
Indian Commissioner,
P.O. Box 70,
Vancouver, B.C.

Re: Kootenay Indian Residential
School. Your File 5-11-1 (155)

We have your letter of February 10th
enclosing a detailed account regarding the death of
Mary Antoinette Pascal, No. 0390.

It is noted that the decision of the
Board of Inquiry was that her death was accidental.

PP/ST

Bernard F. Neary,
Supt. of Indian Education

Indian Affairs (RG 10 Volume 6455, file 884-23, part 1)

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