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Dead Man's Gun
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Article abstract

Just after the war, the city of Ottawa expanded its borders as the federal government created what would become the National Capital Region. The Canadian War Museum was one of the newly created federal institutions. Using recently released documents from the Department of Justice, this article explores how a gun stolen from the museum in October 1945 was later used in the fatal shooting of an Ottawa policeman. The theft, murder, and trial that followed reveal how the Second World War shaped Ottawa and its residents. The crime and its punishment linked in to postwar social and political debates about housing, criminality, and the regulation of souvenir firearms held by Canadian veterans.

Dead Man's Gun

True Crime in Post War Ottawa, 1945-1946[1]

by Andrew Burtch

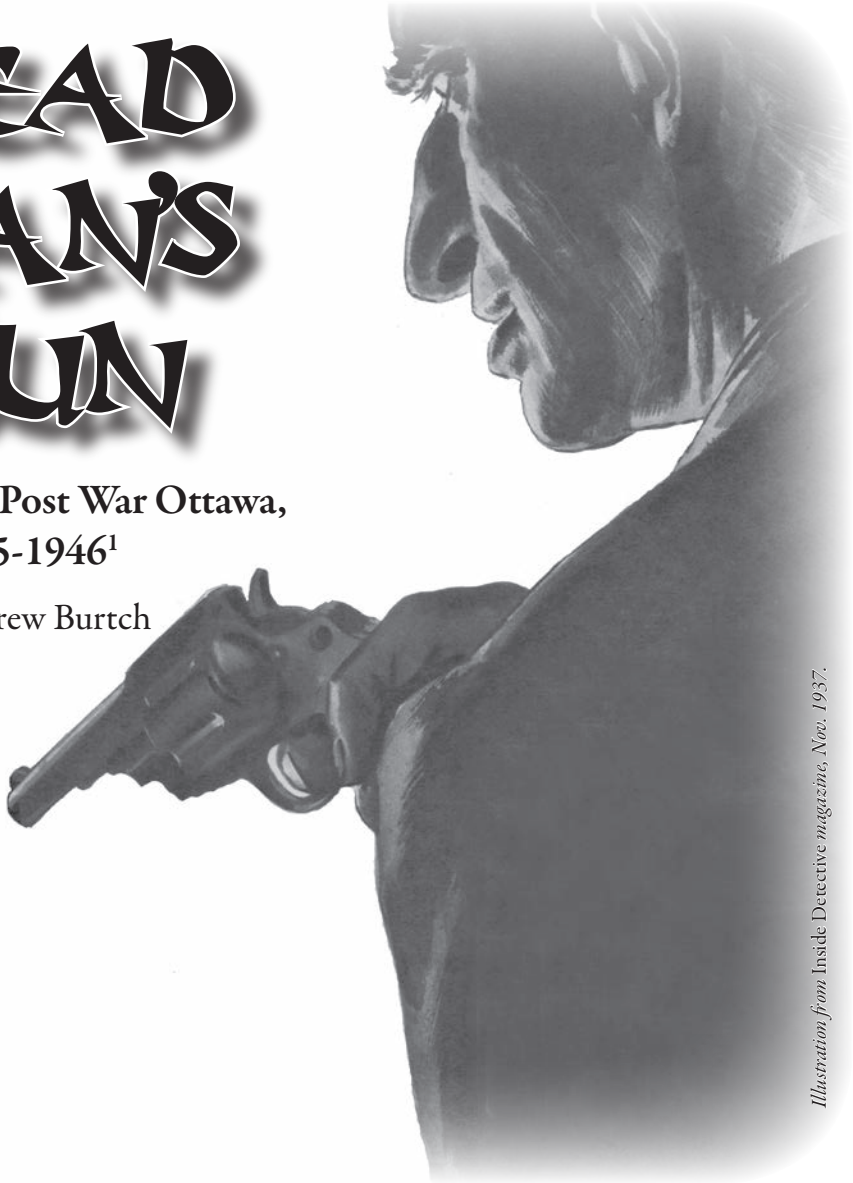

Illustration from Inside Detective *magazine, Nov. 1937.*

At 10:20 pm on the evening of 22 October 1945, the Royal Canadian Mounted Police phoned Henry Austin Reiffenstein with word that they had deplorable news. Reiffenstein, a veteran of Ottawa's 38th Battalion in the First World War, was the serving Secretary of the Board, or Chief Curator, at the Canadian War Museum (CWM). He left his home on 430 Daly

[1] Thanks are due to Cameron Pulsifer for his input about the history of the Canadian War Museum and the personalities, Elizabeth Hale for her assistance in retrieving material from the CWM archives, my colleagues Tim Cook, Peter Macleod, and Jeff Noakes for their critical commentary and suggestions, the staff at the Canadian Penitentiary Museum for their advice, and Tory Tronrud and the reviewers for their recommended changes. **This article reflects the research and opinions of the author alone and does not** necessarily reflect the views of the Canadian War Museum.

Abstract

Just after the war, the city of Ottawa expanded its borders as the federal government created what would become the National Capital Region. The Canadian War Museum was one of the newly created federal institutions. Using recently released documents from the Department of Justice, this article explores how a gun stolen from the museum in October 1945 was later used in the fatal shooting of an Ottawa policeman. The theft, murder, and trial that followed reveal how the Second World War shaped Ottawa and its residents. The crime and its punishment linked in to postwar social and political debates about housing, criminality, and the regulation of souvenir firearms held by Canadian veterans.

***Résumé:** À la fin de la guerre, tout en créant la Région de la Capitale, ce qui permit à la ville d'Ottawa d'étendre ses limites, le gouvernement fédéral établit également le Musée canadien de la Guerre. À partir de documents qui viennent d'être rendus public par le Département de la Justice, cet article traite d'un vol au musée, en octobre 1945, le vol d'un pistolet qui fut par la suite utilisé dans le meurtre d'un policier d'Ottawa. Le meurtrier fut la dernière personne exécutée par pendaison dans la ville, en mars 1946. Le vol, le meurtre, le procès qui s'ensuivit, permettent de mettre en lumière les conditions économiques et sociales, ainsi que les relations interpersonnelles, dans le milieu criminel de Lebreton Flats. Ce quartier était un quartier ouvrier dont la population fut d'ailleurs dispersée peu de temps après le crime, en raison de la mise en chantier, à la fin de la guerre, d'une politique de renouvellement urbain. Le sort du pistolet, après qu'il fut rendu au musée, montre l'importance que l'on doit attacher à la recherche de l'origine des artéfacts conservés dans les collections nationale.*

Avenue and made his way to the museum building on 350 Sussex Drive next to the Public Archives of Canada. Here he was greeted by plainclothes RCMP investigators from "A" Division, who were responsible for policing government property in Ottawa. The plate glass in the museum's entrance had been smashed. Worse news was to come. Two display cases containing the museum's most recent weapons from the Second World War had been shattered and ransacked. The thieves made off with a small arsenal: three Thompson submachine guns handed to the museum in 1944, two automatic pistols, and four revolvers of First World War vintage. The RCMP had only one lead—from an 18-year-old who witnessed two men run from the museum, driven away by a third in a 1940 Plymouth sedan, later proven stolen, shortly after the robbery. The investigation was under way. In his first report about the theft filed the next morning, Reiffenstein noted that the stolen weapons were mostly in working condition, but remarked "I would not care to fire any of [the revolvers] myself."[2] Tragically, Eugéne Larment, the last man to be executed in Ottawa, did not share Reiffenstein's discretion.

This article explores the weapons theft and subsequent murder case as a revealing episode in Ottawa's immediate post-war history. Larment and his colleagues' ill-informed decision to steal

[2] "Reiffenstein to Lanctot, 23 October 1945," Library and Archives Canada (hereafter cited as LAC) RG 24 Vol 10082, 13/WAR TROPHIES/1; See also Canadian War Museum Archives (hereafter cited as CWM), Box 39 File 57A MMB11 Vol 1.

The Canadian War Museum on Sussex Street in Ottawa, October 1945. Courtesy of Canadian War Museum (CWM).

the weapons was mediated by their social and personal circumstances in the growing city. As a crime, the incident perhaps merits a footnote in the histories of the city and the Canadian War Museum. Examined in depth, however, this single episode brings together elements of military, local, political and material history. The crime took place shortly after the museum opened with weapons representing Canada's participation in two World Wars, and many of the police investigators and bystanders were themselves fresh from the battlefield. The after-effects of the war were evident in Ottawa itself, from the housing conditions of the defendants to the arguments at trial. Politically, the Larment case was considered as just one in a series of gun crimes that was perceived to be sweeping the nation after the return of so many souvenir weapons with their veteran owners. This sparked a controversial, ultimately abortive move to confiscate the weapons and impose stricter firearms legislation across the country.

Crime Spree

Later in the evening of the 22nd, Eugéne Larment, who had stolen the weapons along with his co-conspirators, Albert Henderson and Wilfred D'Amour, piled into the bedroom of his home at 350 Wellington Street, an old 19th-century stone house owned by his mother. They were burdened with the museum loot. The three men, all 24 years of age and born in Ottawa, unceremoniously emptied a burlap sack and their bulging pockets to take stock of their prize. D'Amour picked a heavy black Browning pistol from the pile and shoved it into his pocket. Larment chose a nickel-plated Belgian imitation of a .32 Smith & Wesson five-shot revolver. The revolver, like much of the CWM's original collection, was a war trophy. It had not been captured from the enemy but was part of a gift of war *materiel* from governments allied to Canada at the end of the First World War. Larment slipped it into the pocket of his heavy coat. Henderson did not take any of the guns for his own personal use, since he already had one of

An unidentified CWM official inspects damage done during the break-in. Courtesy of CWM.

his own.[3] After the museum break-in, the three men took their stolen car on a 90-kilometre joyride northwest along the Pembroke Highway, stopping in Glasgow Station to break into an unattended service station. While Larment and D'Amour stole several hundred dollars' worth of gasoline, batteries and assorted groceries, Henderson had pocketed the owner's registered revolver, found in the store.[4] Those guns not shoved into pockets were concealed beneath boards and rocks in the yard of a vacant house next door to Larment's address.

Apart from having their age in common, all three men also had extensive criminal records dating from early adolescence. Larment was first picked up by the police when he was eight years old for stealing metal from a nearby fence. He was raised by his mother, known to her clients and to the Ottawa Police's Morality Squad as "Pearl." The Larments were one family out of the 12,000 or so working-class French Canadians who lived in the Chaudière Falls and Lebreton Flats region, the last vestiges of the 19th Century lumber-town slowly falling prey to the expanding government-capital during the 1930s and 1940s.[5] Since the mid-1920s, the police had made regular appearances at the Larment households in Ottawa and Hull, Québec. Wherever they moved, their home doubled as a brothel and "blind pig," or bootleg liquor parlour, under Pearl's supervision. Larment grew up as both a victim of and accomplice to Pearl's criminal enterprises, looting the pockets of customers who went upstairs with the girls to give to his mother later.[6] When Larment was quite young, his father left Ottawa to take up a job mining in Rouyn, Québec, send-

[3] Capital Case 595, Rex vs. Eugéne Larment, Trial Proceedings, p. 618. LAC RG 13 Vol 1655 File Larment, Eugene Vol. 1. Pt. 1.

[4] "Startling Developments in Police Shooting Case," *The Evening Citizen*, 24 October 1945.

[5] Phil Jenkins, *An Acre of Time*. (Toronto: Macfarlane, Walter & Ross, 1996) 187.

[6] Statement by Emile Eugéne Larment, p. 1, February 1946. LAC RG 13 Vol 1655 File Larment, Eugene Vol. 1. Pt. 1.

ing cheques home until he learned that the money was squandered, according to Larment, on liquor and his mother's male companions.[7] Under the circumstances, it is perhaps not surprising that Larment turned to crime. Like his colleagues D'Amour and Henderson, he spent much of his adolescence in detention at various Industrial schools and reformatories, punctuated by escapes, minor crimes, and short sentences in provincial jails. After release from Guelph reformartory in September 1940, Larment returned to Ottawa intent on joining the Canadian army and fighting the Second World War. His mother, however, refused to let him go. Larment later blamed his mother's abuse for a serious bout of recidivism: in September 1940, he and Henderson, who lived with his father three blocks from Larment's home, were arrested, charged and sentenced for two counts of armed robbery in Prescott, Ontario.[8]

His most sustained period of education was in the Kingston Penitentiary, where he spent the remainder of the war learning a trade as a fender and body mechanic.[9] He later told police that the only reason he returned home in September 1945 was because he learned his father, whom he had not seen for fourteen years, had also returned to Ottawa. Larment intended to keep away from his mother's influence, and he and his father, reunited, sought to find space to live together in Ottawa boarding houses. Like so many other Ottawans, however, the Larments were disappointed. The Second World War had led to a rapid expansion of the city's population, a boom in temporary employment in the civil service, making housing incredibly hard to find. Over 500 people, half of them children were forced to live in emergency shelters, including in the RCAF Station Rockliffe barracks, where the Canada Aviation Museum now stands.[10] Larment and his father eventually gave up, returning to 350 Wellington, where his mother, two sisters, their husbands and four children lived. Larment and his father sought refuge in one room in the crowded house, both drinking heavily in the evenings. The day before the museum heist, he and Henderson worked at refinishing automobiles at Beach Foundry Limited,

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[7] Larment initially mentioned that his father had left the home, but his written account offers a different perspective: "This final quarrel [sic] resulted that Mother would no longer admit Father home, She then threw out by the window all of my Dads belongings on the street, Father than proceeded for the North Country..." *Ibid*.

[8] For Larment's own account of his descent into crime, see Statement pages 4-12; Inspector H.R. Butchers, Note to File, 5 February 1946. *Ibid*.

[9] A copy of his trade qualification certificate from the provincial Department of Labour was later circulated to the Ministry of Justice by his defence attorney, by which time his qualification had expired. *Ibid*.

[10] Before the war ended, Ottawa had been officially classified as a "congested space," with controls placed on property rental or purchase for those moving into Ottawa. Matters had not greatly improved by the time that Larment was released from prison, though the city's population was moving in larger numbers to new housing built in Nepean. See Jeff Keshen, "World War Two and the Making of Modern Ottawa," *Construire une capitale – Ottawa – Making a Capital*. (Ottawa: University Press, 2001) 398-99.

where Larment's brother-in-law worked. Neither Henderson nor Larment had much enthusiasm for the work, however, and their attempt at an honest living was short-lived.

Larment and his friends deliberately targeted the CWM. The museum opened in the darkest days of the war in 1942, featuring displays from past victories at a time when victory in the ongoing Second World War seemed far from certain. The museum building was basically a large, refurbished shed adjacent to the Dominion Archives Building on Sussex Drive, its displays simple wood and glass affairs, but still housing an impressive collection of mostly First, but some Second World War trophies. In the triumphal post-war atmosphere, hundreds frequented the Museum daily. The idea to steal the guns came from Albert Henderson, who had seen the guns during an earlier visit and assessed its security precautions. The theft did not appear to be well-planned, either; it was a crime of opportunity.[11] After 5:00 pm, save for an hourly patrol by RCMP stationed nearby at the Royal Canadian Mint, the museum was untended. After sundown, it would have been a tempting target. With no sidewalk streetlights and no interior illumination after closing, the thieves could carry out the job in darkness. All the men would later say at trial was that they intended to steal and sell what they could; when asked why they did not steal anything else, Larment replied: "We couldn't; there was nothing there to steal except [the guns]."[12] Nor did they appear to have planned ahead to rapidly dispose of their loot. The next day, Larment, Henderson, and D'Amour decided to celebrate, hitting several downtown bars, drinking copious amounts of draft beer. By 10:00 pm, Larment had drunk over fifty small glasses of beer in addition to a 26-ounce bottle of gin shared with Henderson. By the time he, Henderson and D'Amour decided to try their luck breaking into another car, his blood alcohol level (.46) was nearly six times today's legal limit.

At 1:00 am that morning, custodian James Shorey watched three men walk up O'Connor Street, attempting to break into cars as they went. He and a friend went to a nearby garage and telephoned police headquarters.[13] Sergeant Major Lee, at the Ottawa Police Service headquarters on Albert Street, hung up the phone just as Detective Thomas Stoneman and Constable Russell Berndt walked through the door. Both Stoneman and Berndt were on "prowler" duty that night, dressed in plainsclothes, driving around the streets looking for lawbreakers. The police force was on a heightened alert since the museum theft, which, after all, threatened to introduce a small arsenal onto Ottawa streets, including submachine guns. By a twist of circumstance, Stoneman, a four-

[11] Rex v. Larment, 641-642.

[12] *Ibid.*, 576.

[13] "Ottawa Detective 'Critical' After Gun Battle with 3 Men Prowling Through Autos" *The Ottawa Citizen*, 24 October 1945.

teen-year veteran of the police force, was investigating the theft of the Plymouth sedan used in the CWM heist. Berndt had six years' experience on the police force, but, like Larment, had just returned to Ottawa in September of 1945. Berndt had left the police in April 1942 to serve in the Royal Canadian Navy, and spent the war installing and maintaining anti-submarine warfare equipment on Canadian and Allied ships in Halifax harbour. Berndt was still technically on leave, not yet discharged from the Navy; he had joined Stoneman that night to "brush up" on his policing skills before formally rejoining the force as a civilian.[14]

Stoneman and Berndt drove to the scene of the report and spoke with Shorey briefly before spotting Larment, D'Amour, and Henderson staggering up the street near the corner of Slater and O'Connor, close to what was then the historic Bytown Inn. As the police pulled up, the three men dispersed. Berndt, the passenger, leapt from the car and grabbed hold of D'Amour's arm. He saw Stoneman go for Larment, saying, "I want to talk to you." Larment slurred, "What do you want?" before, to Berndt's shock, pulling the Belgian .32 from his pocket and firing once, from the hip. Stoneman, hit from six feet away, dropped to the ground with a yell.[15] The bullet had entered his left arm, passed through his armpit and the upper half of his left lung. It ricocheted off his spinal column and lodged in his aorta. Up the street, Elizabeth Kant, James Shorey's daughter, heard the gunshot and put in a second call to the police. Within minutes, additional cars raced to the scene.[16] At the time, the City of Ottawa did not have its own ambulance service. The desk sergeant major instead phoned Landreville Ambulance, a private company on Albert Street, whose vehicle also arrived at the scene shortly thereafter.

After the first shot, a shocked Berndt let go of D'Amour, who took off running. Larment, seeing the second policeman, raised the gun, fired another shot and missed before running north on O'Connor. Berndt grabbed his gun from his pocket and began to chase after him as a second vehicle arrived. Constables Thomas Walsh and John Hardon got out of the second "prowler" car and began to chase after Larment as well. Arriving with them was a third man, Flight Lieutenant William Arthur Appleby, a distinguished veteran awarded a British Empire Medal for a rescue off Canada's East Coast early in the war. He also won a Distinguished Flying Cross for twenty-eight operational reconnaissance flights over Burma and Malaya in 1944.[17] Appleby chased D'Amour, and after a short fistfight, dragged him back to the police car. Seated in the car,

[14] Rex v. Larment, 41.

[15] *Ibid.*, 46-49.

[16] "Ottawa Detective 'Critical' After Gun Battle with 3 Men Prowling Through Autos" *The Ottawa Citizen*, 24 October 1945.

[17] Hugh A. Halliday, "Above Enemy Lines: Air Force, Part 27," *Legion Magazine,* <http://www.legionmagazine.com/en/index.php/2008/06/above-enemy-lines-air-force-part-27> (accessed on 10 July 2008).

Top to bottom, mug shots of Eugéne Larment, Wilfred D'Amour, and Albert Henderson, the three men involved in the Canadian War Museum theft. Courtesy of Library and Archives Canada.

D'Amour quietly tried to ditch the unloaded Browning he had taken from the museum, but with little luck. The police had in fact put Appleby in the back of the car to cool off earlier in the evening after a heated argument with a taxi driver outside of a hotel bar. The offence was forgiven for his assistance in rounding up D'Amour.[18]

Larment, meanwhile, led the police on a spirited chase. As he saw Constable Hardon closing in on him, Larment turned and fired the last round in his cylinder. Hardon threw himself to the ground. Berndt, following closely behind, fired a shot at Larment's legs, cursing at what he thought was a second police casualty. Fortunately, Hardon got up, unhurt, and continued the chase. Larment tossed the empty relic to the curb, where its cheap plastic handle shattered. Jumping a fence on Albert Street, he found his way into a warren of backstreets between Albert and Slater. He emerged on Slater Street, directly in front of Constable Henri Gravelle, on foot patrol. Larment then dashed into an empty yard, where he hid behind a tree. Having followed close behind, Hardon and Gravelle

[18] Rex v. Larment, 163.

approached him cautiously from each side and demanded his surrender. Out of options and out of breath, Larment gave in.[19] The constables brought him back to the site of the shooting. After his daughter had phoned the police, Shorey had gone to the detective's aid to offer whatever comfort he could before the ambulance arrived. By the time Larment was caught, a sizable crowd had gathered to watch medics load Stoneman, silent and bleeding internally, into the ambulance for transport to the Civic Hospital.

In the confusion after the shooting, Henderson simply walked away.[20] Like many petty criminals in Ottawa, Henderson was "known to police." He managed to find his way to Larment's house, where he attempted to tell his mother and sister about the shooting, but was apparently too drunk to get the words out. They sent him to his father's house on 711 Albert Street, where the police found him asleep at 6:30 am.[21] When awoken by police detectives John Gavan, Robert Bayne, and Edgar Kadey, Henderson immediately blurted out an alibi: "I was drinking last night." The police pulled him from his bed without a struggle. A few blocks away, detectives Fred Syms and Lester Routliffe scoured Larment's house, finding all the remaining CWM weapons. The last Thompson gun and a revolver were found in a sack in the cellar of the vacant house.[22] Only two guns were not recovered. D'Amour later admitted to throwing one in the Ottawa River, considering it useless for resale. The RCMP thought the last weapon, a Colt .455 revolver, was given to one of the trio's confederates. It was never recovered.[23]

All three men were marched into the Carleton County Courthouse on 25 October, where a clerk read the charges against them to the magistrate: breaking and entering at the War Museum, at Glasgow Station, and a related break-in in Carp.[24] The most serious charge, attempted murder, was tragically amended less than a week later. At 7:45 am on 29 October 1945, after several days in critical care, Thomas Stoneman died in the Ottawa General Hospital. Doctors had managed to stem the bleeding; what killed Stoneman was double pneumonia in his already wounded lungs. He left behind his wife, Lois Cleary, his twins, Richard and Jill Lois Stoneman, and a bereaved police department.[25] Thomas Stoneman was the first police officer killed in the line of duty in the City of Ottawa. When Larment, Henderson and D'Amour were

[19] *Ibid.*, 172-173. Gravelle fired two shots during his pursuit.

[20] Henderson later testified that Larment and D'Amour were bickering as they walked; Henderson had insisted they stop at the Bytown because of his pressing need to urinate. In doing so against the side of the building, he missed the ensuing firefight and was able to walk away unimpeded.

[21] Rex v. Larment, 638-639.

[22] "Startling Developments in Police Shooting Case," *The Evening Citizen*, 24 October 1945.

[23] D/Cpl R.I. Kay, 6 March 1946 CWM Box 39 File 57A MMBII Vol 1

[24] Of interest, Magistrate Glenn Strike, who initially tried Larment before the murder charge was applied had also tried and convicted his mother on a theft charge several years earlier.

[25] "Ottawa Detective Dead From Bullet Wound," *The Ottawa Journal*, 29 October 1945.

arraigned for murder charges, the courtroom was packed with reporters, peace officers, and other civic employees who had known Stoneman.

The three men apparently took the news of Stoneman's death impassively, but all three knew the implications. A guilty sentence meant death by hanging. Passing time before the trial in the Carleton County Jailhouse on Nicholas Street, the men hatched a desperate plan to assault a guard, lock him into their cell, and escape. On 4 January 1946, Larment grabbed prison guard Percy Hyndman when he opened the door, Henderson choked him and D'Amour struck him repeatedly with a piece of wood. Despite a profusely bleeding head wound, Hyndman managed to overpower the men and call for help. Their escape attempt, however, merely added more sensationalism to an already intriguing case. It only aided the prosecution later in portraying the men as vicious and criminally disposed.[26]

The Trial

The trial of Larment, Henderson, and D'Amour took place over the week of 17-24 January 1946. While W.E. Haughton, Larment's chief defence counsel, successfully argued to try charges for the museum theft separately from the murder trial, the stolen guns still figured heavily into the prosecution's case. At several points throughout the trial, Cecil Snyder, the provincial Deputy Attorney General and chief prosecutor, produced a sack with the revolvers and Thompsons, gradually entering each weapon into evidence. Reiffenstein was one of the prosecution's witnesses, identifying each of the weapons by their serial numbers registered in the Museum's war trophy records and artefact registers. At the trial, Reiffenstein expressed his disdain for the revolver as "very cheap."[27] The bullet which killed Stoneman eventually found its way through his aorta into other parts of his circulatory system, and was recovered after death from an artery in his right leg. Both the section of artery and bullet were entered into evidence. Inspector J.A. Churchman, an RCMP ballistics expert, confirmed that the museum artifact, thrown away and broken by Larment during the chase, was the weapon that fired the fatal shot.[28]

The accused trio's counsel mounted a vigorous defence, aimed first at dismissing the charges against Henderson and D'Amour who, after all, had run away before the shot was fired. Larment's defence was the core of the trial. Shortly after his arrest, he had signed a statement confessing to shooting at Stoneman, but after he sobered up early the next morning, requested to make another statement. In his second statement, he qualified his confession by stating that he had fired in self-defence rather than to escape arrest.[29] Haughton and his assisting counsel, George Addy, argued that because

[26] "Scarred Jailer Faces Larment in Courtroom," *The Evening Citizen*, 21 January 1946.

[27] Rex v. Larment, 115.

[28] "'That's My Gun' Larment Told Detectives," *The Evening Citizen*, 17 January 1946.

[29] LAC RG 13 Vol 1655 File Larment, Eugéne, Vol 1. Pt 1.

Stoneman was in plainclothes and did not identify himself from the first as a police officer, Larment was justifiably frightened for his life. Furthermore, they argued that Larment was too drunk to actually form the intent to wilfully murder the police detective. In his testimony, Larment claimed that he only shoved the gun in his pocket because he was afraid that the children in his house would get a hold of it, and that it was already loaded when he stole it from the museum. The fact that Larment had only three bullets in the weapon is puzzling; between the theft and the shooting, he did not have much time to purchase bullets. It is possible that he had taken .32 bullets from his home, or from the gun stolen from Glasgow Station; the records are silent on this matter. A third, extremely unlikely possibility presents itself; despite Reiffenstein's testimony to the contrary, the murder weapon may have been loaded while on display.[30]

As a matter of policy, the CWM then as now did not store live ammunition in its collection (explosives become more volatile over time). No weapon today would ever make it into the collection if it were still loaded, let alone be placed on public display. However, in 1945 the museum was still a small organization with a handful of staff, thousands of artifacts, and a very small budget to oversee their care. In addition, most of the thousands of trophies from the First World War which comprised the majority of the museum's collections remained in the same condition as when they were taken off the battlefield; some were rusted, others broken, some were even still loaded. At the 1919 Parry Sound Annual Fair, a spectator at a war trophy display supplied by the federal Directorate of War Trophies was killed by a mortar bomb propelled into the crowd by an unwitting visitor; the explosive had been extracted from the bomb, but not the propellant charge.[31]

In 1935, a Cabinet decision to melt down excess war trophies into ingots for use in the production of war memorials was accompanied with a warning about their deteriorating condition:

> accidents have occurred through some weapons being loaded, ... as is—the presence of explosive in considerable quantity has been definitely established and that, in consequence, continued storage under present conditions is liable to be attended with grave danger to all concerned.[32]

At the end of the 1935 fiscal year, museum staff, assisted with personnel from the Royal Canadian Ordnance Corps and the Royal Canadian Army Service Corps, had examined over 500 foreign machine guns, 40 of which still contained live rounds of ammunition. One per cent of the rifles examined that year were also

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[30] "Stoneman May Have Tried to "Shoot it out" with Assailant, Says Constable at Hearing." *The Ottawa Citizen*, 17 January 1946.

[31] Donald E. Graves, "Booty! The Story of Canada's World War One Trophy Collection," *Arms Collecting 23*, (February, 1985) 5.

[32] Order-in-Council PC 1001, 15 April 1935. CWM 2007-011Cameron Pulsifer Fonds, Box 4, "War Museum Pre-1940s."

found with live rounds rusted into the breeches, and their extraction was "carried out with great care to prevent accidents."[33] Accidents occurred nevertheless; one rifle handed over to be melted down for ingots by Department of Mines personnel contained a live round which exploded during melting on 6 December 1935, severely scalding two employees.[34] Given the concern that museum officials had shown toward safety and the extraction of live rounds, it is unlikely, but not impossible, that the gun with which Larment armed himself nearly a decade later had been mistakenly left loaded, somehow overlooked during the inspection of the museum's nearly 400 pistols from the First World War. This, of course, presupposes that the gun was loaded when the weapon was stolen. Unfortunately, the evidence here is inconclusive. That the gun was presented to the Canadian government rather than captured from the battlefield, coupled with the fact that, at trial, the defence gave no more credence to Larment's claim that the gun was already loaded than the prosecution, would seem to militate against this last possibility.

In any event, the prosecution did not address Larment's testimony about the origin of the bullets, nor did Snyder take issue with Larment's favourable account of events. In his testimony, Larment asserted that the two shots he fired at Berndt and Hardon were actually intended to hit "a fence and in ... the air" to scare off unknown pursuers.[35]

Larment's defence called on his mother and sister to testify to the extent of Larment's drunkenness before departing on his last criminal excursion. Louise Larment sobbed on the stand as she related how her son Eugéne nearly fell on his face as he re-entered the home, and claimed "I never saw my poor boy like that before." While jurors may have been able to accept that Larment was heavily intoxicated, they likely had little sympathy for his justification for firing at a police detective: "I was drunk. I did not know who I was shooting at. I know now, but it is too late."[36] To refute both the self-defence argument and the drunkenness defence, Snyder called the prison guard Hyndman to the stand, pointing out a livid scar on his forehead and the lack of alcohol in prison to illustrate that the defendants' criminality was not dependent on liquor alone. Further, Stoneman was unable to fully draw his weapon before he was shot; it was half-drawn from his pocket as he fell on the sidewalk.

The Museum's stolen weapons figured prominently in the summations of

[33] "Report for year ended March 31, 1936." Lt. Col. W.A. Kruger, 4 April 1936. *Ibid.*

[34] *Ibid*. By 1940, the melting process had accumulated 15,720 pounds of brass and 42,780 of steel, just in time for the establishment of wartime salvage measures. All of the ingots, originally intended for use in war memorials, were put to use in war industry once again, sold to Lynn MacLeod Engineering in Toronto for $1446.37 by the Salvage Division of the Treasury Board. Order-in-Council P.C. 4999, 24 September 1940, *Ibid*.

[35] Exhibit 18, Statement of Accused, 25 October 1945, LAC RG 13 Vol 1655 File Larment, Eugene. Vol 1. Pt 2

[36] "Larment to Be Hanged on 27 March, His Two Companions Are Acquitted," The Evening Citizen, 24 January 1946.

both the prosecution and the defence. Haughton stood before the jury and reminded them that though all the defendants had admitted to stealing the weapons from the museum, it was Larment's intent in using the weapon that was at question. He reminded the jurors,

> Much may be made of the fact that the gun which fired the fatal shot may have been a stolen gun. ... For the purpose of this murder inquiry, I submit that it makes no difference why this gun was in Larment's possession, or where he got it, but I submit that we must keep ever before us the question of whether or not there was criminal intent when the shot was fired.

He also sought to acquit Henderson and D'Amour on the basis that their guns were unloaded.

The theft of the guns meant more to the prosecution. The act pointed to the trio's criminal predispositions, and willingness to carry and use lethal weapons during the perpetration of prior bad acts and in other thefts in and around Ottawa. During his final comments before the jury, Snyder walked over to his desk and picked up the heavy black Browning automatic pistol found on D'Amour. He walked up to the jury box, asking, "Suppose you should find yourselves walking home in the evening and someone should suddenly confront you with a gun... would you, as normal citizens, stop to ask the gunman whether or not his weapon was loaded?" He punctuated his question by thrusting the Browning's barrel into jury member Thomas Bradley's face, provoking an involuntary start from Bradley and a concert of gasps from the audience.[37]

Arguments concluded, Ontario High Court of Justice Judge F.H. Barlow issued instructions to the jury about how to evaluate what they had heard. Before dismissing them to their deliberations, Barlow informed them of his opinion: "the evidence ... shows conclusively that a cruel and brutal murder was committed in the shooting of Detective Stoneman who was shot down in the performance of his duty." The justice's strongly worded statement reflected the general atmosphere of public opinion in Ottawa during the case. As the jury entered deliberation, the courtroom was packed to full capacity; 100 Ottawans anxious to witness the trial drama unfold had to be removed from the court's hallways by clerks. Newspaper switchboard operators were overwhelmed by calls requesting details about the possible verdict, and the most pressing question: "Have the jury reached a decision yet?"[38]

The jury deliberated for only four and a half hours. The case was relatively straightforward, and no love was lost for the defendants. The jury did not, however, embrace the prosecution's case that all three men were equally culpably for the crime. Henderson and D'Amour were acquitted. The jurors handed Larment a guilty verdict on 23 January 1946, but not without some crises of conscience.

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[37] "Three Jointly Responsible for Slaying of Detective Stoneman, Crown Claims" *The Evening Citizen*, 22 January 1946.

[38] "Jury Deliberating on Fate of Trio Charged with Murder of Detective," *The Evening Citizen,* 23 January 1946.

At the request of the defence, each juror was polled as to their verdict. After he uttered a single word, "guilty," Thomas Bradley broke down in tears. At the outset of the trial, Bradley had asked to be excused because of his moral opposition to capital punishment. His public display of remorse was roundly criticized the following day as misplaced and naive by the Ottawa press.[39] Larment, sentenced to death by hanging, only stated his "complete innocence" of the crime before he was escorted back to the Nicholas Street jail.

The weapons were not immediately returned to the War Museum after the trial. Henderson and D'Amour were visibly relieved at their acquittal in the murder charge, but serious charges against them remained on file. The very next day, both men were arraigned before the City's Police Court, charged with assault, the museum theft, the theft of the car used in the escape, and the break and enter at Glasgow Station. Henderson received a further two charges—a break and enter in Carp, and another car theft. Given that the museum theft was now a matter of public record, both men plead guilty for a summary conviction, sentences to be carried out consecutively. D'Amour was sentenced to 27 years in Kingston penitentiary, Henderson 29 years.[40]

Larment spent the last days of his life penning an explanation for his crime, as his lawyer garnered petitions from the community pleading for mercy. In his statement, Larment placed much of the blame for his actions on his mother's neglect. His life story, signed shortly before his execution, conveys a tale of mental and physical abuse at the hands of his mother.[41] RCMP Detective Sergeant Leonard Green, summarizing his case for the Department of Justice, commented: "Family conditions in the home in which Eugene [sic] Larment was reared have been consistently such that it would be the natural conclusion to expect him to turn to criminal activity."[42] Several Ottawa pastors offered fire-breathing sermons against the decision to execute Larment in the days before his hanging, citing liquor and society's shortcomings as the root causes of Larment's crime.[43] Overtones of Christian pacifism weighed heavily in the request of several petitioners, as they condemned the war alongside

[39] "Dramatic Scene when Sentenced," *The Ottawa Journal,* 23 January 1946. The account of the sentencing was discussed as a "distressing spectacle" in a scathing editorial, "Is it the Jurors Who Should Weep?" 23 January 1946.

[40] D/Cpl R.I. Kay, to Supt. F.W. Zaneth, 'A' Division RCMP, File 46 A-652-E-14, 13 February 1946, CWM Box 39 File 57A MMBII Vol. 1. At the time of writing, there is no evidence at present to indicate how much of their sentences D'Amour and Larment served; their records have not been located through access to information requests.

[41] It is also a fascinating study of the life of a family financed in part by criminal enterprise, in part by the city relief rolls, a life interrupted by police raids, frequent moves, a home not to one family but with multiple boarders, many with "customers," family life interrupted by multiple arrests and short stays in provincial prisons. It offers a glimpse into a side of life rarely discussed in Ottawa's history.

[42] Detective Sergeant Leonard Green, "Murder Report Eugene Larment," nd. LAC RG 13 Vol 1655 File Larment, Eugene Vol 1. Pt 1.

[43] "M.J. to Houghton, 20 February 1946." *Ibid.*

the practice of capital punishment. Selby MacIntyre of Hyndford, Ontario, wrote that "Godly people" did not wage war, and that "there has been a great many lives lost and a great deal of time and expense spent in the war and I think every ounce of it has been for nothing."[44] Haughton, in his application for a commutation of Larment's death sentence, employed a wartime metaphor, "I do not know how much salvage there is in Larment. But I do know that in the terrible war just concluded, a great contribution was made by salvage, something that would otherwise have been discarded."[45]

These petitions were ultimately unsuccessful. Louis St. Laurent, then Minister of Justice, decided that the federal government would not argue for clemency in Larment's case.[46] On the 27th, Larment was hanged in the Ottawa jailhouse on Nicholas Street. His was the last official execution carried out in the city of Ottawa. The execution attracted minimal attention from the press, which had then moved on to cover a story of international importance: the trial of Canadians implicated in evidence emerging from former Soviet Embassy cipher clerk Igor Gouzenko's testimony about a vast Soviet espionage ring operating in Canada, the United States, and the United Kingdom during the Second World War.

The Gun Debate

The case, and others like it, triggered Canada's first post-war debate over gun control. The affair garnered attention from the Royal Canadian Mounted Police and opposition parties in the House of Commons. Both the MPs and the RCMP were deeply concerned with a crime wave they alleged swept the nation following Victory in Europe (VE) Day on 8 May 1945. Of particular issue was the "flood" of handguns and weapons brought home as souvenirs by returning servicemen. Newspapers linked the museum theft to this larger problem.[47] Just a week before the break-in, an Ottawa boy had accidentally killed a friend while showing off a souvenir revolver brought home by his father.[48] The problem of souvenir weaponry prompted a re-examination of the control and registration of firearms in Canada. In the months leading to the Larment trial, the federal government was forced to clarify its position on souvenir weaponry. Louis St. Laurent explained to the House of Commons that the Department of National Defence had officially prohibited the retention of firearms by servicemen overseas.[49] From the sheer number of war trophies present in Canada after the war, it is clear that many soldiers managed to duck the safeguards which may have not been strictly enforced by exit control of-

[44] "Selby MacIntyre to the Governor General of Canada, 16 February 1946" *Ibid*.

[45] "W.E. Haughton to M.F. Gallagher, 7 March 1946." *Ibid*.

[46] Louis St. Laurent to GOC-in-C, 20 March 1946," LAC RG 13 Vol 1655 File Larment, Eugene, Vol. 1. Pt 2.

[47] "Parliament and Souvenir Guns," *The Evening Journal*; "War Weapon Theft," *The Ottawa Citizen*, 25 October 1945.

[48] House of Commons, *Debates*, 22 October 1945, 1351.

[49] *Debates*, 26 October 1945, 1518.

ficers overseeing their repatriations, and anxious to return home themselves. It is unknown how many of the returning soldiers chose to legally register their souvenir weapons.

The issue moved Stuart Taylor Wood, Commissioner of the Royal Canadian Mounted Police, to press the federal cabinet to enact stricter control over souvenir firearms that had made their way back to Canada, legitimately or otherwise. The cabinet decided, on 31 October 1945, to form a special cabinet committee to give the problem further consideration. Wood and F.P. Varcoe, the Deputy Minister of Justice, were given responsibility to draft regulations that would "prohibit the import, ownership, or possession of certain types of firearms [and] make a new registration and consequent amendment to the Criminal Code."[50] The Cabinet committee, armed with information from Varcoe and Wood, met a week later to determine a course of action. They determined that, while it would be possible under existing legislation to confiscate the weapons, the government would likely not be able to do so without providing compensation to returned veterans. A rough estimate put the cost of confiscating several hundred thousand firearms at several million dollars. Though the RCMP remained in favour of confiscating weapons; Cabinet balked at the price and expressed "serious objections to such a drastic principle." On 14 November 1945, the Cabinet decided to abandon confiscation as a solution to the souvenir gun problem.[51]

The government took its decision to the House of Commons in December 1945, where an ironic precursor to the debate over a prospective handgun ban that figured prominently in the 2006 federal election played out during debates over supply for the Department of Justice. Future Tory Prime Minister John Diefenbaker labelled the 220,000 registered handguns in private hands as a "great bank available for thugs and desperadoes to be able to put themselves... in possession of the instruments of their profession."[52] In fact, this figure dated from the pre-war period. The RCMP estimated that the actual number of registered and unregistered handguns was closer to 400,000-600,000. Diefenbaker renewed his party's demand for a ban and expropriation of legally-held firearms from the Canadian public. St. Laurent explained that such a policy would be costly, undemocratic, and ineffective. The minister also attempted to defuse the perceived crime crisis with statistics. Despite the public's rising concern about crime and especially juvenile delinquency, he pointed to the overall Canadian crime rate, which had dropped from a high in the 1930s to a low in May 1945.[53]

St. Laurent concluded his case against confiscation and further legisla-

[50] A.D.P. Heeney to F.P. Varcoe, 1 November 1945. LAC RG 2 Volume 63 File C-20-2 pt. 2.

[51] Report of Cabinet Committee, restriction of firearms, 14 November 1945, LAC RG 2, Series A-5-a, Vol 2637, Reel T-2364, pp. 3-4.

[52] *Debates,* 12 December 1945, 3346.

[53] *Debates*, 12 December 1945, 3350-52. In fact, the figures cited by St. Laurent were only partially

tion against firearms by pointing to such a measure's intense unpopularity. After the first parliamentary debates about firearm control in October, the Department of Justice had received a "flood of protestations ... coming from a large number of perfectly respectable Canadian citizens." Quite apart from the legal and financial implications of stricter firearm control legislation, the minister claimed that the government did not wish to pass legislation, which would penalize veterans of the just-ended Second World War for their service. The RCMP and his department, St. Laurent finished, would continue to debate mechanics and enforcement of firearms registration "that would not be so drastic as to confiscate, from a large number of men who have risked their lives for this country and have been fortunate enough to return, things to which they attach considerable sentimental value."[54] The Cabinet did not revisit the issue in 1946, and private members' bills for firearms control and confiscation tabled in the following years failed to pass second reading. The souvenir guns, many of them held legally and illegally by Canadian veterans and their families, remained in private hands.

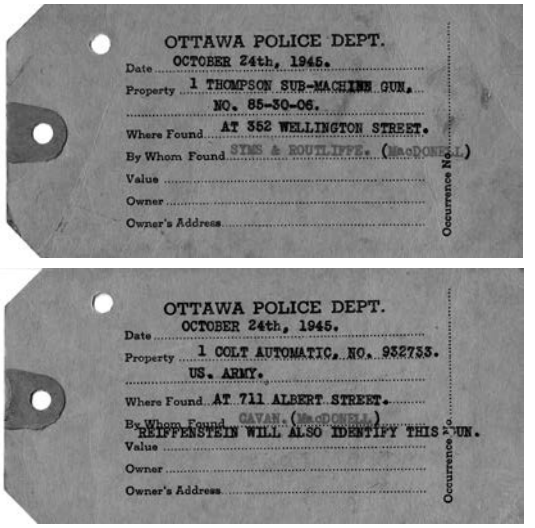
The Larment case, along with other serious crimes across the country, touched off a controversy over the possession and use of firearms in Canada. Confiscation, a costly proposition, was acceptable to the Royal Canadian Mounted Police, but not to a federal government eager to move on with its plans for civil re-establishment and post-war reconstruction. Taking back weapons acquired in wartime through service was also a political risk the government was unwilling to take. The episode did not result in any changes to Canadian legislation, or even significantly alter the discussion of what, if any, role personal firearms played in Canadian society. It did, however, underline clearly a political distinction between the requirements of public safety and the importance attributed to wartime service. When was a handgun not a handgun but a symbol of personal sacrifice in service to King and Country?

The Evidence

As for the crime that gripped Ottawa in the fall and winter of 1945-1946, very little physical evidence remains. The crime, the investigation, trial, and execution all took place within a few city blocks at the core of Ottawa, most of which has since been torn down and rebuilt. The house at 350 Wellington, one of the crucibles of misery in which Larment spent his last days at liberty, only a few minutes' walk from the seat of federal power, was torn down in the early 1950s. Joseph Larment left Ottawa for good after his son's execution; his highly dysfunctional marriage endured crime and repeated cuck-

accurate. The total number of convictions for adult offences had indeed been in decline across Canada from a high of 620,673 in 1942 to 497,883 in 1945. Figures released in 1947, however, reveal that 20,000 more convictions had been made in 1945 than in the year previous. Dominion Bureau of Statistics, *Canada Year Book 1947* (Ottawa: King's Printer, 1947) 234-36.

[54] *Ibid*.



Ottawa Police Department evidence tags for the Colt automatic and Thompson Submachine gun stolen from the War Museum in 1945. Courtesy of CWM.

olding, but not Louise Larment's trial testimony. According to the Ottawa city directory, by 1949 she had remarried and moved elsewhere in Ottawa. The days of the working-class neighbourhood on the west end of Wellington Street and Lebreton Flats were numbered in any case. Prime Minister William Lyon Mackenzie King sought to transform Ottawa's landscape into something befitting the national capital, a task interrupted by the war but renewed with vigour shortly thereafter. Famed French designer Jacques Gréber acted as a consultant in a planning body that eventually became a National Capital Commission. The plan ate up increasingly large portions of Ottawa real estate, creating today's promenade of government buildings along Wellington Street.[55] The West Memorial Building now inhabits the space where Ottawa police recovered the guns stashed in and around the Larment residence. Henderson's home suffered a similar fate. Of the three, only D'Amour's house now stands. The prison where Larment was hanged closed in 1972, and now serves as a museum and youth hostel; Larment's fate is discussed in its displays, and outside by guides leading the "Haunted Walk of Ottawa." Stoneman has a more permanent memorial, a plaque dedicated to police officers killed in the line of duty, posted in the headquarters of the Ottawa Police Services on Elgin Street. His name, engraved in brass, tops the list.

The Canadian War Museum itself moved several times between 1945 and the present; from the decaying old War Trophies room to the former Dominion Archives Building next door in 1967, and on the sixtieth anniversary of V-E Day, 8 May 2005, to a critically acclaimed exhibit space in Lebreton Flats, an area that lay empty for nearly forty years after unrealized urban rejuvenation plans developed under Gréber led to mass expropriations and bulldozing in the mid 1960s.[56] The most direct links to the theft that remain, of course, are the weapons themselves. Shortly after Henderson's and D'Amour's convictions in February 1946, the Ottawa Police Service returned most of the weapons stolen from the museum. The three Thompson submachine guns, two pistols, and one of the revolvers now reside in a

[55] John Taylor, *Ottawa: An Illustrated History*. (Toronto: Lorimer, 1986), p. 187; See also Keshen, 399-402.

[56] Jenkins, 185-88.

secure vault in the collections area of the CWM. Today, the trio's smash-and-grab caper simply could not succeed.

Of the guns returned to the museum in 1946, only one has not survived to the present day. Today, a murder weapon involved in a capital case would never be returned to the originating institution. The Belgian imitation Smith & Wesson .32 calibre, five-shot revolver was, however, returned to the museum along with the other evidence retained for the trial. The gun, severely damaged during the police chase, was never put back on display. After its return, museum officials noted that it had been stolen and recovered but did not record its history as a murder weapon.[57]

In 2002, as museum officials took stock of the entirety of the collection in anticipation of the move to the new building, the murder weapon was removed from the collection. Larment's weapon was chosen for de-accession, stripped for parts and put into storage pending removal for destruction by the Ottawa Police Service. The police ultimately claimed the weapon, brought it to the property room on Elgin Street, and ultimately destroyed it by crushing it at a site outside of Ottawa.

The story of the museum theft and the surviving artifacts from the caper serve to illustrate another lesson. Many of the over 2,000 artifacts on display in the CWM's present galleries are attached, in some way, to personal stories of Canadians caught up in conflict that have shaped the national history; from wars of contact, apprehended insurrection, imperial wars, the world wars, Canada's part in the nuclear standoff of the Cold War, its many peacekeeping operations, and more recent conflicts such as the war in Afghanistan. Artifacts are not merely used to serve as examples of conflicts fresh and forgotten, but as pieces of three-dimensional evidence of enduring personal histories. This is also true for some of the 500,000 items preserved in storage in the CWM's national collection. The loss of the murder weapon is understandable in light of the inconsistent period records, the weakness of its provenance as a piece of Canadian military history, and the routine requirements of collections maintenance and rationalization. Still the guns taken in the museum heist, apart from their First and Second World War provenance, tell a story about an Ottawa that has for the most part disappeared, a story that deeply affected at least two families, and held the city's attention for months. Preserved within the vaults of the Canadian War Museum, these artifacts provide a unique glimpse into the troubled, sordid underworld of petty theft and habitual crime in the changing and crowded post-war city of Ottawa, now mostly forgotten.

[57] Handwritten note on War Trophies Stock Ledger Card 4B-465, nd, CWM 57B WT2-2.