



The living room of the Dawes residence, 1930. These photos were used as evidence during Taupier's trial. The sheets of paper on the wall indicate where the bullets pierced the wood paneling of the summer home.

BAnQ Rimouski. TP9,S19,SS1,SSS19,02

## **METIS – A PARADISE IN TURMOIL THE MURDER OF 1930**

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During the evening of June 26, 1930, the quietude of Metis Beach was interrupted by gunfire. From the doorway of the majestic summer home of Mrs. Richard Dawes, shots pierced the quiet of the otherwise tranquil summer community.

Kenneth Macnider Burke was peppered with sixteen bullets from the gun of Albéric Taupier, a gardener in his employ. Mrs. Dawes was hit with four. Burke succumbed to his wounds within minutes. Mrs. Dawes survived. Neighbours ran to the scene of the crime when the shots rang out. The “grand-connetable”, Jos. LeBel, rushed to Metis

from Rimouski just before midnight. Albéric Taupier was taken into custody without resistance.

Murders were big news. The murder of an employer by a disgruntled gardener made headlines across the continent. “Crazed Laborer Shoots Down Two in Cottage Hotel” said the *Toronto Globe*. “Insane Man Runs Amuck and Kills 5” thundered the *Daily Light* from far away Waxahachie, Texas.

### **Mrs. Richard Dawes**

The central figure in the murder was Mrs. Richard Dawes. Born Edythe Osla Cains in Montreal in 1901, she was known to her friends as Osla. She married Richard Dawes in 1921. Their young daughter was in the house at the time of the murder. Richard Dawes was a stockbroker for the brokerage firm of MacDougall and Cowans. He was the son of James Dawes, brewer of Black Horse Ale in Lachine, Montreal’s second most-important brewer. The Dawes residence was one of the marquee summer homes in Metis. It had a prominent position on Beach Road, the village’s main thoroughfare.

### **Kenneth Macnider Burke**

Kenneth Macnider Burke, a descendant of John Macnider, the seigneur who had settled Metis in the early 1800s, had moved to Metis to take on the management of the Cascade Hotel, the most prominent of the many hotels in Metis. He was just 26 years old. The Cascade had belonged to Burke’s uncle, Sam Macnider, killed tragically several years earlier by a kick from one of the hotel’s horses. The Cascade was owned by his estate and Kenneth had been hired to put the hotel on a profitable footing.



The Cascade Hotel was the most prominent of Metis hotels, located on a picturesque site on Beach Road.

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A recent graduate of Macdonald College of McGill University, Burke had lived in the community for a short time only. He had been raised in Vermont, but visited Metis frequently. He was already touted as the community’s future mayor. Unmarried, Burke had only recently been engaged to Harriet Van Wart who he had met at Macdonald College. She was *en route* to Metis to meet her fiancée. She arrived to find her future husband dead and at the centre of a tragedy that shook the community.

### **Albéric Taupier**

The murderer was Albéric Taupier. He was born in 1896 in Maisonneuve, on the eastern outskirts of Montreal. Described in the newspapers as an “ancien soldat de retour du

front”, his military record shows that he was conscripted in July, 1918, but like most conscripts never went overseas and was demobilized shortly after the Armistice. Taupier worked as a motorman for La compagnie des tramways de Montréal for nine years, the same company that employed his father and his three brothers. He was of modest height (5’6”) and unremarkable appearance. By 1930, he was 34 years of age, single, and living in rented quarters in Les Boules, the village adjacent to Metis. How Taupier ended up in Metis is not clear. In a period newspaper article, “Family Unable to Account for Metis Murder”, his relatives suggested he had left his tramway job because of trouble with varicose veins.

### **The Preliminary Inquest**

The wheels of justice turned quickly in Quebec in 1930. The day after the murder, the coroner for the Comté de Matane, Dr. Eustache Langis, took over the presbytery of the United Church. Rimouski lawyer Perreault Casgrain conducted the inquest. Chief Constable Lebel testified that Taupier told him that he “felt exploited by the rich and wanted to be rid of Burke”.<sup>1</sup> Acknowledging that he possessed a “very violent temper”, he said he shot Burke because he had been persecuted by him. He explained the anger that brought him to seek vengeance. Taupier gave testimony without legal counsel. In spite of warnings by Casgrain and Dr. Langis not to incriminate himself, Taupier confessed his guilt with “remarkable sang-froid”, saying he had no regrets and that he would face his death “like a brave man”.<sup>2</sup> *La Presse* reported “the prisoner did not seem the least disturbed. He even congratulated himself for what he had done. He said he had struck to seek justice for the poor against the rich. He said he was a communist”.<sup>3</sup> Taupier later changed his tune. Throughout the legal proceedings that followed, he showed little remorse or much concern for his victims, but did not again evoke the conflict between rich and poor or English and French that had coloured his declarations made soon after his arrest.

Burke was buried in the Metis Beach Cemetery on June 29. Few period diaries exist to measure the reaction of the community to the events. Maysie McIntosh Astle, who worked at the nearby Seaside House Hotel (owned by her husband), wrote succinctly, “Kenneth Burke was shot to death by a French labourer from Les Boules”.

### **The Trial**

After a preliminary inquest, the case was sent to trial before judge Albert Sévigny, who had previously served as speaker of the House of Commons and then a cabinet minister in the Unionist government of Robert Borden. One of just three Francophone members of parliament to vote in favour of conscription, Sévigny was reviled for his stance, but widely admired for his legal experience and political acumen.

The murder trial began in Rimouski on September 23. The courthouse was packed. Local papers covered the story, as did the *Montreal Gazette*, the *Montreal Star* and *La Presse*, each of which had “special correspondents” to report on the proceedings.

Taupier was defended by Me Lucien Gendron, a well-known criminal lawyer from Montreal. Detective Roussin of the Quebec Provincial Police Force said that Taupier had been set off in his murderous rampage because Mrs. Dawes had given him a garden hose too short to be useful, given to him to “rire de lui”.<sup>4</sup> He added that Taupier had immediately confessed to the killing and to firing on Mrs. Dawes. Dr. Rosario Fontaine, from the Laboratoire de médecine légale et de la police technique de Montréal, testified that Burke had succumbed to the wounds caused by six of the sixteen shots from the murderer’s revolver.

Both Mr. and Mrs. Dawes were then called upon to testify. Richard Dawes testified first, indicating that he had hired Burke to oversee work being done on his summer residence and that it was Burke who had suggested hiring Taupier as his assistant. Mrs. Dawes recounted having been asked by Taupier for the loan of a hose to water her garden. When she suggested he speak first to Burke, Taupier turned on Burke and discharged his firearm. He then shot her three times. *Le Progrès du Golfe* reported that Mrs. Dawes’ stated there was no quarrel between the manager and his staff. Taupier was “peaceful, hardworking and polite with everyone.” The Dawes’ neighbour, Mr. Hodgson, stated that Taupier had confessed to him on the evening of the murder that he had killed Burke because he was exasperated by him.



The Dawes Residence, 1930. The murder was committed in this sumptuous summer residence. This photo was used at the trial.

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The defence presented witnesses to support their defence of insanity. Insanity defences were a relatively new legal tactic deployed by defence attorneys in aid of their clients. Able defence lawyers (of which Me Gendron was acknowledged to be among the best in the province), used the insanity defence to obtain more lenient sentences.

Taupier’s lawyers tried to show that their client was not in full possession of his faculties. His landlord in Les Boules, Madame Thibault, described Taupier as a regular tenant, who did not smoke or drink and who often went to the beach to sunbath, was polite to the point of it being “exagéré” and greeted people in a way that was “plutôt étrange”.<sup>5</sup> She ended her testimony by opining that Taupier was not normal.

Co-workers from La compagnie des tramways de Montréal testified that Taupier was generally viewed as being eccentric and prone to bouts of talking to himself. He would

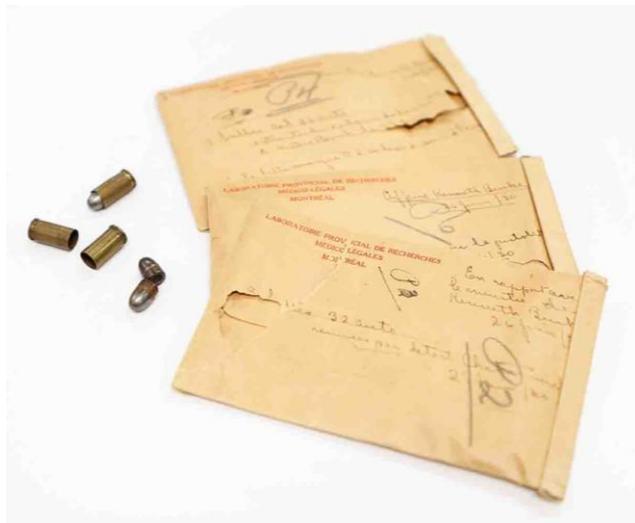
don winter clothes in summer. They described him as “étrange” and showing “des signes évidents de folie”. Taupier’s father shared his family’s history of mental illness: his wife’s sister was in the asylum in Beauport and her brother was locked away in the St-Jean-de-Dieu hospital.

The Crown called various witnesses to contradict the contention of insanity, all of whom attested to the accused being “ordinaire”. Perreault Casgrain in his summation tipped his hat to defence counsel for their able presentation of Taupier’s case, but told the jury that the accused’s testimony and the witnesses showed that Taupier knew what he has doing and should be found guilty.

Judge Sévigny summarized the defence case for the jury. Taupier was “at the very least a little strange, eccentric and somewhat original”.<sup>6</sup> He pointedly asked the jury to examine whether the accused was one of those crazy men who should be allowed to kill without being punished for his actions. If they believed that he was not aware of his own actions, he should be acquitted.

### The Verdict

After only twenty minutes of deliberations, a guilty verdict was delivered by the jury. Wearing a “tricorne hat and black gloves”, Judge Sévigny presented the jury’s verdict to a courtroom “overflowing with onlookers”. At the sentencing the following Monday, he intoned with “emotion impossible to conceal”: “Albéric Taupier, you have been found guilty by the jury of the murder of Kenneth Burke of Metis Beach. I will not be long, not wishing to augment your misfortune and that of your family. I thus condemn you to be take to prison in this district where you will be held until December 5, on which date you will be hung from the neck until your death. May God have mercy upon your soul.”<sup>7</sup>



Cartridges of the bullets used to kill Burke were introduced as evidence, 1930. They are remarkably well preserved.

Photo: Marjelaine Sylvestre  
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Taupier smiled strangely throughout the reading of the sentence and then shook hands with some of his friends as he made his way through the large crowd to his cell.

### **Efforts to Commute the Sentence**

In the wake of the death penalty, the defence appealed the conviction, citing the accused's mental state. The appeal was refused, but the date of December 5 for the hanging was postponed to January 7, 1931. Taupier's defence counsel then initiated efforts to have the sentence commuted. Commuting a sentence of death was unusual, but not unheard of. In the federal system, this involved presenting arguments to the Minister of Justice in Ottawa and required a decision by the Cabinet. The Dawes family opposed commuting the sentence. The case was submitted four times to Cabinet with documents supporting the defence's claim for insanity. Local newspapers reported each attempt with anticipation.

In January, the scaffold from the Bordeaux prison outside Montreal was set up in the courtyard of the Palais de Justice in Rimouski. Hangman Arthur Ellis (Arthur Bartholomew English), "Canada's Hangman", prepared his "macabre business", but at 6 am of the day of his execution, the prisoner was told that his sentence had been commuted. Taupier received the news coldly. "Hang me or imprison me, it is all the same to me", he told Willie Morin of *Le Progrès du Golfe*. Taupier returned to Montreal on the same train as Hangman Ellis and imprisoned in the St-Vincent-de-Paul Penitentiary in Laval.

Taupier likely spent the rest of his life in jail. Mrs. Dawes survived her brush with death but rarely spoke of it. She carried one of the bullets in her leg for the rest of her life, causing her to limp and preventing her from dancing ever again. The murder was the end of her relationship with the house and Metis. Today, her summer home is largely unchanged, its elegant proportions well-hidden by the trees and beautiful gardens. The bullet holes were painted over. The story of the Metis murder became local lore, but the truth twisted into a story of jealousy between Macnider and Taupier and shared love of the beautiful Mrs. Dawes. Kenneth Macnider Burke's gravestone stands quietly in the United Church Cemetery. He is remembered by a bursary given out every year to a needy student at McGill University established by his brother, Dr. Hugh Burke.

### **Notes**

- 1-2-3. *La Presse*, 30 juin, 1930.
4. *Le Devoir*, 25 septembre, 1930.
5. *La Presse*, 26 septembre 1930.
- 6-7. *La Presse*, 27 septembre 1930.