

In the Supreme Court of Civil Justice

In the Matter of Quawash
an Indian charged with Felony

I William Stiles Franklin
of Nanaimo in the Colony of
Vancouver Island and its Depen-
-dencies Justice of the Peace and
Stipendiary Magistrate for Nanaimo
Limos and Louitchau all within
the Colony aforesaid make oath
and say

The Depositions of the
following persons witnesses
against the said Prisoner that
is to say. The Depositions of
one Tom an Indian and one
Spoharkis an Indian have been
taken before me as a Justice
of the Peace and Stipendiary
Magistrate aforesaid but owing to
the difficulty of communication
between Victoria and the places
where the Witnesses aforesaid
reside the witnesses are not
now forthcoming and the shortness
of notice for the present Appizes
such notice being only received
by me on the seventeenth day
of November One thousand Eight
Hundred and Sixty five

Police Sergeant Blake was

been despatched to Comox a distance
of Fifty Six Miles from Nanaimo
but on his arrival there he found
that the Witness Tom an
Indian was away on duty a
distance of Seventy or Eighty miles
beyond Comox aforesaid and that
Spoharkis the other Indian
Witness is supposed to be at
Cape Mudge a distance of Eighty
five Miles from Nanaimo and
the said Witnesses cannot
be here at Victoria to the best
of my judgment and belief
before the expiration of one
month from the present time

The Original Depositions
in this case are at Nanaimo
aforesaid

The evidence of the said
Witnesses is material to the
trial of the charge against the
said Prisoner being the evidence
on which the said Prisoner
was committed by me for
trial

Given at the Supreme Court
House James Bay Victoria
in the Colony of the fourth
day of December in the year of
our Lord one thousand eight
hundred & sixty five

Reference

Richard Woods

At

W. J. Sparke