



BE IT REMEMBERED, that on the 11<sup>th</sup> day of July in  
 the Year of Our Lord One thousand eight hundred and ~~sixty~~ seventy one  
Alexander McJames - Surgeon  
 and

personally came before me, one of Her Majesty's Justices of the Peace, for the  
 District of Yale and severally acknowledged ~~themselves~~ himself to owe  
 to our Sovereign Lady the Queen, the ~~several~~ sum following, that is to say: ~~the~~  
~~said~~ the sum of £ \_\_\_\_\_ and the said

\_\_\_\_\_ and \_\_\_\_\_ the sum of £ 250.  
~~each~~ of good and lawful money of Great Britain, to be made and levied of their  
~~several~~ Goods and Chattels, Lands and Tenements respectively, to the use of Our  
 said Lady the Queen, Her heirs and successors, if he the said Alexander McJames  
 fail in the condition following: viz:-

It appears as the next  
Assizes to be held at Yale and  
then and there fine evidence  
in the case of Regina vs Billy

TAKEN AND ACKNOWLEDGED the Day and Year first above mentioned at  
Yale before me A. V. Dushky

J. P.

Alexander McJames

~~THE CONDITION~~ of the above written obligation is such that  
 the above bounden shall keep the Peace towards all Her Majesty's Subjects, for the  
 space of \_\_\_\_\_ from date, but especially so towards  
 of \_\_\_\_\_ then this  
 recognisance to be void, otherwise to stand and remain in full force, vigour, and  
 effect.

British Columbia  
Hempden } To wit

The examination of an ~~Indian~~  
Doctor an Indian of Yale. Mary an  
Indian of Yale George an Indian of Yale  
Alexander the Son of Susan of Yale  
Edward Coffee Constable of Yale  
taken on oath this eleventh day of  
July, in the year of our Lord one  
thousand eight hundred and seventy  
one at Yale in the Colony of British  
Columbia aforesaid before the unders-  
igned one of Her Majesty's Justices  
of the Peace for the said Colony  
in the presence and hearing of  
Billy an Indian who is charged  
this day before me for that he the  
said Billy on the 3<sup>rd</sup> July 1871  
at Yale in the Colony aforesaid  
feloniously did kill and slay one  
Mary an Indian woman

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This Deposition upon his oath sworn  
on the 3<sup>rd</sup> July about dusk I saw the  
deceased woman Mary and the Prisoner  
go into her house together - the Prisoner  
did not stay there long. I saw him come  
out. I was close to him. He seemed  
angry. ~~I heard no noise in the~~  
~~house~~ - ~~though I was not very far from~~  
~~it~~ - I the house. I heard a noise in  
the house as though they were fighting  
When the prisoner left I went into the  
house. I saw the deceased sitting down  
on a chair. She looked sick and said  
that the Prisoner Kelly had kicked her  
on the head & side and that she thought  
she might die from it. Mary was a  
sickly woman but she was able to go  
about and work.

Next morning I heard of Mary's death  
and went and informed Constable Coffey  
Intrep. Agent  
C. G. Pope

Doctor + Admin  
Mark

Mary Murphy

This Deposition upon her oath Oath is:  
On Monday 3<sup>rd</sup> July. Mary the deceased  
was at my house. and toward dusk  
she returned to her own house, after  
she had been there a short time she heard  
her crying. I then went to her and then  
her. She ~~said~~ told me that her  
man - meaning the prisoner - had  
kicked her in the head with his boots  
and in her side. She said before  
morning she thought she might die  
from the effects of the blows. She  
had been more or less unwell.  
Her man (Bith) has struck her  
in the chest before not made her  
Cough. She has got over that

Witness. Interpreter  
C. A. Pope

Inman

her  
& Mary Murphy  
Mark

George

This deponer, upon his oath saith  
as follows:-

On Monday 3<sup>rd</sup> July Charles came and  
told me that the Prisoner had been  
beating his woman (a relation of  
mine) I then went to Mary's house  
and Mary told me Billy had beaten  
and had kicked <sup>her</sup> in the head - She  
said she thought she should soon  
die. I ~~stayed~~ was with her when she  
died <sup>very</sup> early next morning - She left a  
note of ~~it~~ <sup>her</sup> name before death

Witnesses: ~~Stephens~~ John + George  
C. E. Pope  
Mark

A. McJames

This deposes upon his oath with

20: I am a duly qualified Surgeon having  
received my diploma in Glasgow

On the 4<sup>th</sup> July 1871 I was requested  
by Mr Dope to hold a Post Mortem  
examination on the body of an Indian  
woman named Mary. I examined  
the body - but was unable from  
the want of instruments to open  
the body.

I found a contusion on the Crown  
of the head all 3 inches in circumference  
I opened the contusion and found  
congealed blood underneath - the  
skin was severely broken - I do not  
think the ~~the~~ bruise was caused  
by a blunt instrument - there was no  
fracture of the bones anywhere - I  
knew Mary - she was not a strong  
woman nor was she healthy. she  
was diseased all over

A. McJames

Edw. Coffey

This Deposition upon his oath  
Iath:

On the morning of the 24<sup>th</sup> July  
a little after 5 am. An Indian named  
Doc. came to me and told me  
that there was an Indian  
woman named Mary. dead in  
her house. I immediately  
Went to the house and found  
her lying on the floor dead.  
From information I received  
I arrested the prisoner on  
charge of murdering her. The  
Prisoner made no resistance - he  
mentioned out of prison  
that he had had a quarrel  
with Mary and had beaten  
her.

Edw. Coffey

The above Depositions of Doctor. Mary-  
George. Alexander Mc. James. and Edward  
Coffey. were taken and sworn before  
me at Yale on the day and year first  
above mentioned.

A. W. Dushky  
Su.

11 July 1871.

The Prisoner Ridy is Committed  
to stand his Trial upon the  
above Charge at 10 next a seizes  
to be held at Yale District Court

A. J. Washby  
Scri

July 11 July 1871.



W. Morrison Co

P. M. Smith

11 July 1891

Yale  
~~British Columbia~~  
British Columbia

To Wit. } -

Pelly an Indian stands charged before  
the undersigned, one of Her Majesty's Justices of the Peace in and for the Colony  
of British Columbia, this eleventh day of July  
in the Year of Our Lord One thousand eight hundred and Twenty one  
for that he the said Pelly  
on Third day of July 1871 at Sale  
Pelly did kill  
and slay one Mary an  
Indian woman

and the said charge being read to the said

Pelly, and the witnesses for the prosecution,

Mary - George - Alexander McInnes  
Edmund Coffey

being severally examined in his presence, the said

Pelly is now addressed by me as follows:—

“Having heard the evidence, do you wish to say anything in answer to the charge? You are not obliged to say anything unless you desire to do so; but whatever you say will be taken down in writing, and may be given in evidence against you upon your trial. You have nothing to hope from any promise of favour, and nothing to fear from any threat, which may have been holden out to you to induce you to make any admission or confession of your guilt, but whatever you shall now say may be given in evidence against you upon your trial, notwithstanding such promise or threat.” Whereupon the said

Pelly saith as follows:—

I Came down from above and  
the women told me that two  
men had been with my woman  
- Mary - since I had been away  
I went to the house and inquired  
if she was ~~well~~ better she said  
no and visited me to stay with  
her. ~~she~~ offered her physic from Dr  
Dr. James she said no it always  
made her sick. I went out

sat down near the blacksmith's  
shop. when I saw a Inuwaps  
Indian enter deceased's house  
and stay there all a hour  
I then went to the house and  
asked her what the Indian  
wanted there - she would not  
answer - I then accused her  
of sleeping with the Indian she  
made no answer I then

became angry and kicked her  
she was sitting on a box. I  
did not ~~not~~ strike her  
hard enough to cut her  
his

Taken before me Indian + Betty  
at Gall. the day and year  
first above mentioned A. Washby Esq.