

RECOGNISANCE OF BAIL.

COLONY OF VANCOUVER ISLAND }
And its Dependencies,
To Wit :

BE IT REMEMBERED, that on the *seventh* day of *August*

in the *thirtieth* year of the reign of Queen Victoria, *Patrick Ferrall,*
Allen Frances, John Chapman Davie, Arthur Browning,
Henry Hennings, James Worcester, Thomas O'Rourke,
Jeremiah M. Carthy,

cometh before me, *Augustus Humberton Esq*, one of Her Majesty's
Justices of the Peace for the said Colony, and severally acknowledged themselves to owe to our said

Lady the Queen, that is to say the said *Patrick Ferrall, Allen Frances,*
John Chapman Davie, Arthur Browning, Henry Hennings,
James Worcester, Thomas O'Rourke, Jeremiah M. Carthy,
in the sum of *Five hundred dollars each.*
each,

to be respectively levied of their lands and tenements, goods and chattels, if the said *before mentioned*
persons,

shall make default in the performance of the condition underwritten hereon.

Arthur Browning
John Davie
Thomas O'Rourke

McCarthy
Patrick Ferrall

Witness my
signature
James Worcester

Augustus Humberton
Justice of the Peace

The condition of this Recognisance is such that if the above bounden

shall personally appear before the Justices of our Sovereign Lady the Queen, (assigned to keep the
peace within the said ~~District~~ *Colony*, and likewise to hear and determine divers felonies, trespasses, and other
misdemeanors in the said ~~District~~ *Colony* committed,) at the next *Assizes* ~~Sessions~~ of the
Peace to be holden in and for the said ~~District~~ *Colony*, then and there to answer to our Sovereign Lady the

Queen, for and concerning the *Charge of Wilful murder*
with suspicion whereof the said *in a New Westminster Indian*

stands charged before *Augustus Humberton Esq* the said

Justice, and to do and receive what shall by the Court be then and there enjoined him, and shall not
depart the Court without license; then the above written Recognisance shall be void.

Lower Island
dependencies }
et c.

The examination of Patrick Ferrall,
taken on oath the thirtieth day of
July of Patrick Ferrall, Allen Francis,
John Chapman Davis, Tom a
New Westminster Indian, Arthur
Browning, Henry Stemmings,
taken on oath the sixth day of
August, and of Thomas O'Connor,
Stem-loh a New Westminster Indian,
Tom a New Westminster Indian,
Jeremiah M. Carthy, Peter a New
Westminster Indian, Sapple
Sack a New Westminster Indian,
and Jim a Songish Indian,
taken on oath the seventh day of
August in the year of our Lord
One thousand eight hundred and
sixty six at Victoria in the Colony
aforesaid before the undersigned,
one of Her Majesty's Justices of the
Peace in and for the said Colony
of Vancouver Island and its dependencies,
in the presence and hearing of
Jim a New Westminster Indian,
who is charged this day the seventh
day of August in the year aforesaid
before me the said Justice for that
he the said Jim on the night of
the twenty second day of July in
the year aforesaid or on the morning
of the twenty third day of July in the
year aforesaid, at Victoria in the

Colony aforesaid feloniously, wilfully,
and of his malice aforesaid, did
kill and murder one Edmund
Dunn, against the peace of
Our Lady the Queen her crown
and dignity, and contrary to the
form of the statute in such case
made and provided.

The examination of Patrick Ferrall,
taken on oath the seventh day of
August in the year aforesaid at
Victoria in the colony aforesaid before
the undersigned one of Her Majesty's
Justices aforesaid in and for
the colony aforesaid in the presence
and hearing of Nequalia a
New Westminster Indian woman,
who is charged this seventh day of
August in the year aforesaid for that
she the said Nequalia on the day
and at the place last aforesaid,
well knowing the said Dunn
to have so done and committed
the said felony did receive,
harbor, and maintain in the
said Dunn, against the peace of
Our Lady the Queen her crown
and dignity, and contrary to the
form of the statute in such case
made and provided.

A. Pemberton
S. M.

INFORMATION.

COLONY OF VANCOUVER ISLAND }
And its Dependencies, }
To Wit: }

The Information and Complaint of

Patrick Ferrall

of

Victoria

in the Colony aforesaid, taken this

thirtieth day of

July

in the year of our

Lord one thousand eight hundred and sixty

Six

before me

Augustus

Spencer

one of Her Majesty's Justices of

the Peace for the said Colony of Vancouver Island and its Dependencies, who being sworn upon his Oath,

saith

on Tuesday last the twenty fourth day of July instant from information received I arrested the prisoner Jim a New Westminster Indian in Yates street Victoria in the colony aforesaid, cautioned the prisoner in the usual manner, and I then asked him where he got the coat and shoes from he was then wearing, he said he purchased the coat from Mr Gillard at New Westminster a long time ago and the shoes he picked up outside the door of Mr Gillard's house I told him the coat and shoes belonged to a man who was murdered, and I asked him if he the prisoner knew him he said he did not. I charge the prisoner Jim a New Westminster Indian with the wilful murder of Edmund Merin on the night of the twenty second instant or on the morning of the twenty third instant at Victoria in the colony aforesaid.

*Sworn before me the }
day and date first }
before written }
*Spencer**

Patrick Ferrall

Police Court
5th August 1886.

Patrick Ferrall being duly sworn on oath
deposes and saith:

After the prisoner Jim
was arrested and duly
cautioned he made
another statement to the
effect that, on the
Sunday night on which
the murder was committed
a little before sun-down
he bought the coat
and shoes skin cap
of Loujish Jim.

I have heard my information
of the birth of July last
and it is true.

When I cautioned the
prisoner I told him
that whatever he said
would be used in evidence
against him.

I charge the Squawish
Indian woman named
Negualia the wife of
the said Jim with being
an accessory to the
wilful murder of Edmund
Wain.

Patrick Ferrall

Attest my hand
1

Police Court
4th August 1866.

Allen Francis being duly sworn
on oath deposes and saith:

I have heard the evidence
I gave in the Police Court
on the 23rd of July last
at an Inquest held
on the body of Edmund
Merrill read, it is true

Allen Francis

A. P. [unclear]
Sh

Police Court
6th August 1866.

John Chapman Davie being
duly sworn on oath deposes
and saith:

I have heard my
evidence given in the
Police Court on the
23rd of July last at
an Inquest held on
the body of Edmund
Wright, read, it is true
I saw a Mr Davie

Atkinson said he had no
evidence and I suggested
that Mr Brown
had a friendly feeling
towards him the night
of the murder the ring
I saw at the inquest told me
he had found the ring
in the pocket of the coat
and that he kept the
coat of all the men
after leaving the Brown
he said he told me this
I mentioned the name
of Joseph in the first
instance when I was
told Brown says he saw
you party I saw him the day
he told me that

Police Court.
5th August 18th.

From a New Westminster Indian
being duly sworn on oath deposes
and saith:

I saw the ring produced
for the first time on Tuesday
in Jim's possession,
about twelve o'clock.
in my evidence given
some time ago I told
an untruth when I said
I saw the ring on Monday.
Jim said he obtained
the ring at Westminster.
Jim said he had no
money and Jim suggested
that as Mr. Browning
had a friendly feeling
towards ~~him~~ ^{me} the night
exchange the ring for money.
Jim afterwards told me
he had found the ring
in the pocket of the coat
and that he bought the
coat of an Indian ^{who told me} ~~man~~ ^{one}
after leaving Mr. Browning's
house he told me this.
Jim mentioned the name
of Goupery in the first
instance when ^{we} ~~we~~ ^{went} ~~to~~ ^{to} ~~the~~ ^{Mr.} ~~Mr.~~ ^{Mr.} Browning's he said
Goupery gave him the ring.
He told me two stories

the same as he told
in court.

On Sunday evening
when the sun was low
I went from Kanaka
road, to see my friends
Sapple Jack, Peter,
and Peter's Klatchman,
in their house in Kanaka
road. I asked them
to say their prayers with
me as I was accustomed
to do so, we said our
prayers in the house;
later in the evening
I came to my house
in Johnson Street
accompanied by Stemloh.
we had some food,
after finishing our food
we went to bed. Jim
lived with me in the
same house in Johnson
street; when first we
got to the house it was
just dark no other
person was at the house
besides Stemloh and
myself. Stemloh and
myself had slept
long time before Jim
and his Klatchman
came in, they only came;
Stemloh slept in the bed
with me, there was no
fire or light in the house

At some

when Jim and his
Kloatchman came they
lighted a candle, I think
it was about midnight
when they came
Jim asked me if I was
asleep, I said "I have
been to sleep". Jim
said "Kiss me" I did
so, he told me to be
careful not to say
he had come in not
far from midnight,
Jim said "if you say so I will
beat you". I did not
see if he carried anything
when he came as he went
into another room. Jim
had on a dark coat
with light pattern on it
it was across his ^{pattern} a
black waistcoat, and
a white shirt, it was
too dark to see if any-
thing was on his clothes.
The shirt produced belongs
to Jim, he had it on
when he came in. I saw
the shirt hung up to dry
on Monday about twelve
o'clock, it was not
hung up on Sunday;
it had been recently washed
and was hung up to dry.

Jim said

By the way
Jim

I did not go to see the
murdered man.

On Tuesday I saw
Jim wearing the coat
and shoes produced
this was the first time
I saw them. At first
he told me he bought
the coat from an
Indian also the shoes,
he told me he bought
the fur produced from
a Longish Indian.

Timothy Peter, Stemloh and myself
went to Kanaka road
but Stemloh, only, returned
with me, I did not see
Timothy again until
Monday about noon
Timothy was present
when we said our prayers.

By the prisoners
Jim.

Did I not wear the shirt
produced some time ago
when I went with you
to see some Fort Rupert
Indians? did I not
wear the same shirt
I have on now on Sunday?

Witness. I wish to tell the truth
and I have done so.

Jim came in at twelve
o'clock at night and kissed
me and told me not to
say anything about his
coming home at midnight.

This Court
Tom ~~Mark~~ Mark

Witness

I have ~~heard~~ heard duly
deposed on oath before me
Abraham

At

I have heard my
evidence given at the
Police Court on the
9th July last at
an Inquest held on
the body of Edmund
Cruik, which is true
Wm Murray

Abraham

At

Police Court.
4th August 1846

Arthur Browning being duly sworn on oath deponeth and saith:

I have heard my evidence given at the Police Court on the 27th July last at an Inquest held on the body of Edmund Wain, dead, it is true.

A. Browning

Attest

John

Magistrate

Police Court
8th August 1866

Henry Stumming being duly
sworn on oath deponeth and
saith:

I have heard evidence
given in the Police Court
on the 26th July last
at an Inquest held
on the body of a man
named Edmund Orr,
dead, it is true:

Henry Stumming
Witness Mark
at the above

Attestation

He deponeth that
two coats were produced
he left at home the
other, the one produced
to the best of my belief
he wore on Sunday

James W. St. John

Police Court.
7th August 1866.

James Wooster
James Wooster being duly sworn
on oath deposes and saith:

I have heard my evidence
given at the Police Court
on the 23rd July last at
the Inquest held on the
body of Edmund Wain
read, it is true; I identify
the coat and ring
produced as having
been the property of the
deceased Edmund Wain
I last saw them on the
deceased on Sunday.
the deceased had but
two coats one of which
he left at home the
other, the one produced
to the best of my belief
he wore on Sunday.

Attestation
James Wooster

Police Court.
7th August 1866.

Thomas O'Gorman being duly sworn
on oath deposes and saith:

I have heard my evidence
given in the Police Court
on the 23rd July last
at the request on the
body of Edmund Wren,
read, it is true to the
best of my believe the
deceased had on the
coat produced when
he came to the Red Lion

when he came to the Red Lion
"Tom O'Gorman's
Mark

Witness at
Athlerton

Attestation

I washed my face
when I came in
he lighted a candle
he had on a
slightly dark colored
coat with a pattern
on it, a white shirt,
and a black waistcoat.
I did not notice any
blood on his
clothes.

Police Court
7th August 1886.

a few Westminister Indian Act
Steu lah being duly sworn on
oath deposes and saith:

I slept with Tom
on Sunday. I came
to the house in the
evening, we were sleeping
in bed when Jim came
to the house. I heard
Jim and his Klatchan
came in; no one else
came with them. Jim
when he came in said
"Tom are you asleep
kiss me". I do not
recollect that Jim said
anything else. I got
up at the first whistle
at the mill; Tom and
I washed our faces.
When Jim came in
he lighted a candle;
he Jim had on a
slightly dark colored
coat with a pattern
on it, a white shirt,
and a black waistcoat.
I did not notice any
blood or dirt on his
clothes.

I went into town
without any breakfast
on Monday morning
I came back about
twelve o'clock. Jim was
with me, when I got
back to the house
I saw the shirt produced
hanging on a nail
to dry it appeared
to have been recently
washed; it was
not hanging up on
Sunday evening.

It was not far from
midnight when Jim
and his Kootenian
came to the house. I do
not recollect Jim saying
anything else, but
"Kis me"

I did not see if Jim
carried anything when
he came to the house.

I never saw the ring
before. I saw the
coat and shoes, ^{produced by} on
Tuesday. Jim had
the shoes on his feet
and the coat on his back.
Jim told me he got
the coat and shoes from
New Westminster a long
time ago. I do not
know the skin produced.

the prisoner Did you not take
your food with me on
Monday morning?

Witness. I did not eat food
in the house on Monday
morning

The reason I went
away from Victoria
suddenly was because
I did not think I
should be required
and I wanted to go
back to my country
New Westminster

Stenob
Witness Mark
Atchard

Atchard

We did not have
any conversation about
the white man having
been killed
because I was
not there

Witness
Mark
Atchard

Palmer Court
7th August 1866.

Tom recalled being duty
bound on each day with
sail. I went over to the
Songish camp on
Monday with Peter
and his Kootenian Sapple Jack and his
Kootenian, Si-na-quot,
and his Kootenian, and
Nick-nah-hiton. Jim
was there also, Jim's
Kootenian was not
there; Timothy was not
there; Steen-hole was
not there; no white man
was there.

Witness
Attestation
his
Tom
mark

recalled

We did not have
any conversation about
a white man having
been killed.

Songish Jim was
not there.

Witness
Attestation
his
Tom
mark

Attestation

Police Court
7th August 1886

James McCarthy being duly sworn on oath deposes and saith:

I have heard my evidence given in the Police Court on the 23rd July last at the request read it is true

Attestation of J. McCarthy

I know nothing of the coat, being
any other produced.
I know I did not see him on Monday or Tuesday
I was left in the evening when the sun was low.
I did not know a man was murdered when I went away to the station.

Place Court
7th August 1886

Peter a New Westminister Indian
being duly sworn on oath
deposes and saith:

On Sunday evening
Tom, Timothy and
Steu lobu came to
my tent a house in Kauaka
road where I and
my Kioatolewa
were stopping. Tom
asked us to say our
prayers. afterwards
Tom and Steu lobu
went away and
Timothy slept with
us.

I know nothing of
the coat, shoes, jewelry
and skin produced.

I know Jim I did
not see him on
Monday or Tuesday.

Tom left us early
in the evening when the
sun was low.

Jim and I went to
sleep when the gun fired.
I did not know a man
was murdered when I
went away to New Westminister.

I went away to New
Westminster about
twelve o'clock on Tuesday.

By the prisoner did not I yourself
and a lot of friends
take our food at the
Soupish ranch on
Monday?

Witness You are talking nonsense.

By the Ranch I took my food with
my friends at the
Soupish camp on
Monday Tom and
and our Klatchungu Jack were with me.
Jim was not there.

A Soupish man invited
me to go, I do not know
who he was, neither
should I know his face
if I saw him, it was
when the whistle blew
in the evening.

Jim was not with
us at the Soupish camp.

Witness
Peter +

Witness Mark

Albion

Albion
Sh

Police Court
7th August 1866.

Sapple Jack a new Westmount Indian, sworn
on oath deposeseth and saith:

On Monday I went over to the Squish
camp: Tom, Peter
and his Klootchman,
Ki-na-quot and his
Klootchman, another
man whose name I do
not know, and my
Klootchman were with
me. Jim was ~~with~~
there.

A friend of our Klootchman
invited us to go over
I do not know who
he was.

his
Sapple Jack +
Mark
At the station

A. Hamilton

Police Court
7th August 1866.

I in alias Quay-much-than,
a longish Indian being duly
sworn on oath deposes and
saith:

I went to the Squamish
tent on Sunday evening
near Junction Green & Road
in Stone Street. I was
partially drunk when
I went there: a Squamish
man brought in two
bottles of whiskey:
he ~~was~~ asked me to
drink the whiskey,
and promised to take
care of me if I got very
drunk; I then drank
some and became very
drunk and lost my
senses; I recovered
my senses a little before
the whistle blew the
next morning: I had
the skin cap on when
I went to the Squamish
tent; the skin cap was
gone when I came
to my senses in the
morning.

I was in the ^{same} Squamish
tent when I discovered
my scures. I went
alone to a friends
house.

I remember nothing that
occurred at night as
I was perfectly drunk.

I did not sell the
skin cap to Jim, he
stole it from me.

I know nothing of
the coat, shoes or ring
produced.

By the prisoner Did I not sell you
the coat and ring for
a dollar?

Witness. You did not, you
speak falsely.

By the Bench I did not see Jim
or his Kootenian
on Sunday.

I know nothing of the
man who was murdered.

Jim

Witness Mark
Attest

Attest

Vancouver Island
and its dependencies }
to it.

I in a new Westminster Indian,
stands charged before the
undersigned, one of Her Majesty's
Justices of the Peace in and for
the said Colony of Vancouver Island
and its dependencies, this
seventh day of August in the Year
of our Lord One thousand eight
hundred and sixty six, for that
he the said I in on the night
of the twenty second day of July or
on the morning of the twenty third
day of July in the Year aforesaid,
at Victoria in the Colony aforesaid
feloniously, wilfully, and of his malice
aforethought, did kill and murder
one Edmund Edmund Wren against
the Peace &c. and the said charge being
read to the said I in and the witnesses
for the prosecution being severally examined
in his presence, the said I in 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": whereupon
the said I in saith as
follows:

Police Court
7th August 1866.

I was very anxious
to find the Soupish
Indian Jim on Monday
that I might return him
the ring; on Tuesday
I was also anxious
to find him; I could
not find him: about
noon on Tuesday I said
to Tom "I want to exchange
this ring" I said to
Tom "what shall we
say about the ring as
to where I got it" he
said say "Mr Gompertz
gave it to you"

Tom knocked at Mr
Browning's door; Mr
Browning came, Tom
said to Mr Browning
he wished to exchange
the ring. I gave the
ring to Mr Browning.

Mr Browning asked
where I got it from
Tom said from Mr Gompertz
Mr Browning said he
would exchange for me
in the evening and gave
me a quarter. I went
to town with the coat
and shoes on, I was
not afraid as I did

not think they belonged
to dead man (was ^{possibly})
On Sunday evening, I met
Soyeah Jim carrying
the coat with the shoes
inside, he said do you
want to buy a coat.

Kato mada ^{Chick}
ASP

(mika tekhe makook okook)
I said I have no money.
I observed the coat
was torn under the
arm and I gave him
half a dollar for it.
Jim then offered me
his cap for sale, he
said take the cap I
want some whiskey
this evening and I may
die. I then gave him
half a dollar for it.
He then offered me the
shoes but they were
too small for me.

I went to my house and
examined the packets and
found the ring and became
afraid, and I thought
I would see him the
next day and return it
to him, as he might
tell a policeman I had
it and I should go to
jail.
I put the coat and
ring in a bag and went
to bed, in the morning

I tried to find Jim.
As I was coming away
through the town from
Mr Brownings, one
habitual whiskey seller
recognized the shoes.
AP He asked where I got them from.
I said the shoes were
mine being unable to find
Soyush Jim, I was afraid
if I said they belonged
to another Indian that
the Police having searched
in vain for the Indian
who gave them to me
would think I had
murdered the man.
The man who recognized
the shoes told the Police
whilst Tom and I con-
tinued walking. ^{Presently}
Tom said here is a policeman
coming, when I turned
round saying ~~then~~ I am
not afraid those things
are not mine. The
policeman came up and
asked where I got
those things from, I
said they were mine.
The policeman told me
to come and brought me
to Gaol where he made
me take off the shoes and
coat.
Two Policemen brought
me back again to my home

I turned all my things
out of two boxes and
asked the Police to
inspect them. The policeman
told me to put on my coat
and shoes and come back
to Gaol.

In the morning the policeman
asked me where I got
the things from, when
fearing lest Souyich
Jin should have gone
away somewhere I said
I obtained them at Westminster.

In the evening I told
the Gaoler to tell the
policeman to come to
me as I wished to speak
to him. The policeman
came and cautioned me
to be careful what I
said lest I should
be charged with having
killed the man. I told
a policeman to go to
my house and find
the skin. The policeman
went and fetched the
skin which I recognized
as Jin's. In the morning
the policeman took me
out of the cell and
asked me if Souyich
Jin was the man from
whom I got the skin.
I said he was.

I said to Jim if I had
not bought those things
from you I should
not now be in Gaol.
I then told the policeman
I had bought the coat
and shoes of Jim
for a dollar his

Jim X
Witness Mark
Attestation

Taken before me at Victoria
the day and year first
before mentioned
Attestation
Sh.

INFORMATION.

COLONY OF VANCOUVER ISLAND }
And its Dependencies, }
To Wit: }

The Information and Complaint of

Patrick Ferrall

of

Victoria

in the Colony aforesaid, taken this

seventh day of August in the year of our

Lord one thousand eight hundred and sixty

six

before me

Augustus

Flemberton Esq^r

one of Her Majesty's Justices of

the Peace for the said Colony of Vancouver Island and its Dependencies, who being sworn upon his Oath,

saith

on wednes day the twenty fifth of July last past, searched a house in Johnson street occupied by a New Westminister Indian woman named Nequalia, found hanging on the wall a white shirt which appeared to have been then lately washed,

I arrested the prisoner Nequalia and gave her the usual caution that whatever she might say would be used in evidence against her I asked her to whom the shirt belonged, as I noticed what I believed to be stains of blood on the breast and collar, she said it belonged to her man I saw a New Westminister Indian, I asked her when it had been washed she said nearly a month ago and in New Westminister

I also asked her if
Knew how Jim got
possession of the ring
Coat, and shoes of the
man Edmund Wain, she
said the ring was given
to him by Mr Gouper
for wages, the coat
Jim bought at Mr Gillard's
at New Westminster, the shoes
he found outside the door

of Mr Gillard's house.
I charge the said Regalia with being
accessories to the wilful murder of Edmund Wain
sworn before me the
day and date first
before written.

Patrick Hurall

A. Pemberton
Sh

Police Court.
7th August 1866

Patrick Ferrall being duly
sworn on oath deposed
and saith:

I have heard very
information dated of the
7th August last: read
it is true.

The prisoner Regalia
spoke from her own
knowledge when I
questioned her, she
used the words "Vika
Country"

A. P. Underwood

Patrick Ferrall

before me on the seventh
day of August, in the year of our Lord
the thousand eight hundred
and sixty six at Victoria in
the Colony of Victoria

of Vancouver Island
and its dependencies }
to wit:

The above depositions^{of} of Patrick
Ferrall was taken and sworn
before me on the thirtieth day
of July, the depositions of Patrick
Ferrall, Allen Francis, John
Chapman and David, Tom a New
Westminster Indian, Arthur Browning,
and Henry Remmings were taken
and sworn before me on the sixth
day of August, and of Thomas
O'Connor, Steen Lok a New Westminster
Indian, Tom a New Westminster Indian,
Jeremiah McCarthy, Peter a New
Westminster Indian, Sapple Jack
a New Westminster Indian, and Jim
a Longish Indian were taken
and sworn before me on the seventh
day of August, and of Patrick
Ferrall were taken and sworn
before me the seventh day of
August in the Year of our Lord
One thousand eight hundred
and sixty six at Victoria in
the Colony aforesaid.

Attestation
Sh

Depositions

Requia

In a New Westminster Indian

Wilful Murderer

and

Requia a New Westminster

Indian woman

Accessory

the
February 1866