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BRITISH COLUMBIA. ATTORNEY GENERAL.
Attorney General documents.



IN THE COURT OF OYER AND TERMINER AND GENERAL GAOL DELIVERY.

CANADA.
Province of British Columbia,
County of Cariboo,
Town of Clinton.

)
) The jurors for our Lord
) the King present that Sack

Chun, Ah Gum and Gum Tie, at
Crow's Bar, in the County of Cariboo, in the Province of British
Columbia, on the fifteenth day of June, in the year of our Lord
one thousand nine hundred and three, one Ah Chee unlawfully did
kill and murder, against the peace of our Lord the King, his
Crown and dignity:

I hereby direct that the counsel acting
for the Crown at the Clinton Fall assizes,
1903, prefer this Bill of Indictment to the
Grand Jury.

Attorney-General.

INFORMATION AND COMPLAINT.

Canada:)
Province of British Columbia,)
County of Cariboo.)

The information and complaint of John McMillan of Clinton taken this 17th. day of July, in theyear of our Lord one thousand nine hundred and three before the undersigned Justice of the reace, who saith that Sack Chun, Ah Gum and Gum Tie murdered Ah Chee at Crows Bar on the Fraser River, in the said County of Cariboo, on the 15th. day of June, 1903.

John McMillan.

Sworn before me the day and year first above mentioned, at the Town of Ashcroft in the said County of Cariboo.

J. Lehman, J.P.



DEPOSITIONS.

John McMillan, provincial Constable at Clinton:-

Have been provincial Constable three years this July. I know the prisoners. Have met them before. Have known them since May this year. I knew them at Crows Bar where I was collecting Revenue. I knew Ah Chee the murdered man. He lived at Crows Bar. He was mining there. The prisoner Sack Chun lived at French Bar six miles from Crows Bar. The other two lived at Crows Bar, also the murdered man. They (the prisoners) and Ah Chee were mining together at Crows Bar. They lived in a cabin together, the three men, Gum Tie, Ah Gum and Ah Chee. On June 17th., last, I met Ah Gum at Clinton. I was informed a murder was committed at Crows Bar and I met Ah Gum and asked him to go out to Crows bar with me. Ah Gum had come to Clinton to inform about the murder. He brought a letter to Mr. Soues. I went to Crows Bar, took Ah Gum with me. When I got to Derby's (about four miles from the scene of the murder) I met Jay Gum. Jay Gum, Ah Gum and I, after dinner on Thursday the 18th. June at Derby's, went to Crows Bar. When I got to Ah Chee's cabin I proceeded to the door and found it was not locked, but that there was a hasp on it. I inquired of Ah Gum if that was the way the door was left. He made signs to the effect that the door had been that way when he left. When we got inside, I went first, Jay Gum and Ah Gum followed me, and we stopped at the stove about four feet from the door. The cabin was about fifteen by eighteen feet. This does not include the cook house which is to the right as you go in the door. Exhibit "A" is almost a correct plan of the cabin and was taken by Mr. Derby and myself on a later visit to it. I asked Ah Gum through interpreter Jay Gum, which Ah Chee's bed was. Ah Gum pointed it out as on the right hand side of the cabin as you go in the door. I then asked where Sack Chun's bed was. He pointed it out at the head of

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Ah Chee's bed. I asked who slept in the bed on the left hand upper corner of the cabin. He said it was Gum Tie's, and the bed to the left of the door on entering was his own (Ah Gum's). I then went forward to Ah Chee's bed and noticed blood on the bed. I was examining it when Jay Gum walked towards the head of the bed. Ah Gum walked to the head of the bed and picked a hammer out of a box and handed it to me (Ex. "B".) I recognize it as the one shown. He pointed out blood on it to me. I asked him where he got it. He showed me the box, pointing to it at the head of Ah Chee's bed where I have marked an X in pencil. I then searched the bed (Ah Chee's) and saw a spread on it, also saw some cigarette paper all sprinkled with blood. I cut off a portion of the spread showing the blood (Ex. "C"), which I recognize, and also the papers Exhibits "D" and "E." I wrapped up the hammer carefully. Then I asked Ah Gum through Jay Gum, where he first saw the body of Ah Chee. Ah Gum pointed out a spot near post marked on the plan A., and between it and a box near foot of Ah Chee's bed. He made a motion as if lighting a match, then pointed to the spot as above indicated. On the spot where he pointed to, we noticed blood on the earth floor. I took portion of the earth there and put it in box marked Ex. "F", which I recognize. Then we walked outside and locked the door. We noticed some blood outside the door to the left of it, coming out on the bottom of the cabin and about six or eight inches from the ground. The blood was spattered like on the bed. We then went along the trail to the river where Ah Gum showed that the body had been pushed in the river. It is about 23 paces from the cabin to that point. The ground there is sandy right down to the water's edge along the trail to the river. I noticed chips, dirt and sticks in the trail but could see no sign of anything being dragged down to the river. The water there at that time was very riley. There is no drop off into the river, but it is a regular slope to the river. The current was pretty swift at that time. I made an examination of the beach and around a little



hen coop that was near by but found nothing. I did not notice any stains along the trail except ~~an~~ the board outside the door. After investigating around I went to look for Sack Chun who was said to have committed the murder. Jay Sum~~m~~ and Ah Gum came with me. We were going down towards French Bar to the cabin of Sack Chun when we met him on the trail about half way between Ah Chee's cabin~~x~~ and his own, or about three miles from Ah Chee's, and I arrested him. I brought him back to Ah Chee's cabin with me and we went in. I sat him on the bed he was said to have slept in on the night of the supposed murder, and told Jay Sum~~m~~ to ask him if he knew that a murder had been committed there. He would'nt answer that I could hear. Then I took him up to Derby's. He was dressed with an ~~old~~^{older} jumper on him than he now has and had different overalls. When we got to Derby's we met Gum Tie whom I recognize as one of the prisoners. I took prisoner Sack Chun to Clinton on Friday and told Ah Gum and Gum Tie to come down there. I have been to the cabin since. I went there on the following Wednesday. I went to Derby's on the following Thursday and got him to go with me to Crows Bar where we took the plan of cabin and measurements Exhibit "A", and also found more blood stains in the cabin. The Time Table (Ex. "G.") was on the wall about ~~five~~^{two} feet above the bed on the wall over Ah Chee's bed. The~~x~~ bottom of the paper was about ~~five~~^{two} feet from the bed which was against the wall, and the paper was nailed to the wall. The brown paper (Ex. "H.") was alongside the other paper and partly under it. They were both near the head of the bed. The piece of cloth (Ex. "I.") I found on Ah Chee's bed. It was apparently thrown back and was partly rolled up. The candle and stick (Ex. "J.") I took from above Ah Chee's bed about four feet from where the two small papers lay on the bed. The hatchet (Ex. "K.") I found in the box at the head of Ah Chee's bed where the hammer had been. I was out there again last week at Ah Chee's cabin, found some clothing there. On the second trip there



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I found blood on a bench or stool alongside Ah Chee's bed. I cut the piece showing the blood stain out with my knife (Ex. "L.") The position of stool is as shown on plan. The chip with blood stains on I cut off the post (marked No. 1 on plan) on side nearest the bed of Ah Chee. This was about eight inches above the ground (Exhibit "M."). The distance between No. 1 post and the box at foot of bed was 21 inches. The box stands at the foot of Ah Chee's bed, and it projects a little past the foot of the bed. It is a box that they keep rice in. It was standing on a block about four inches square and was away from the bed about six inches (Ah Chee's Bed). I was at Sack Chun's cabin on the second Sunday after the murder was committed (the 28th. June). I found nothing there. There was some clothing in the cabin and some under the head of his bed, all of which seemed to be clean. The stain I saw on the floor of Ah Chee's cabin was quite a stain, but could not give the size of it. There was quite a patch of blood there. The man Ah Chee was a very stout man, weighed about 180 pounds or maybe more. We always called him "Fatty." Ah Gum has on the same clothing that he had when I saw him first, but Gum Tie changed his at Clinton.

I found a pair of overalls and a jumper in Ah Chee's cabin, which I brought in. That was all I found in the way of clothing. On my last trip to Ah Chee's cabin I found a pair of wooden sandals at Gum Tie's bed with blood on the bottom of them.

John McMillan.

Hop Wah:-

I live at Clinton. I know the prisoners. One is Ah Gum, one Gum Tie and the other Sack Chun. I knew Ah Chee. He lived at Crows Bar ~~xxxxxxx~~ with Ah Gum and Gum Tie. The **three** lived together. I was at Crows Bar last month. It was **on Saturday and Sunday**. I don't know the date. I stopped both



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Saturday and Sunday night at Ah Chee's cabin. It was nearly a month ago. There were there on Saturday night at Ah Chee's cabin Ah Gum, Gum Tie and Ah Chee. On Sunday night Sack Chun was there in addition to the other three mentioned. On Monday morning I got up about three o'clock, went to get my horses and had breakfast about five or six o'clock and then left. Ah Chee, Ah Gum, Gum Tie and Sack Chun were there when I left. They were at the front of the cabin walking about when I left but not doing anything. On Sunday night I slept in the bed at the head of the bed Ah Chee occupied. I hardly slept any on account of so many fleas there and kept talking to Ah Chee all night. Ah Chee did not talk about going to China in the presence of the prisoners to me.

Q. Did Ah Chee say anything in conversation with you about going to China ?

A. I spoke to Ah Chee telling him he had better go to China now, but Ah Chee said "No; I will go later on, in two or three years."

I don't know if Ah Chee had any money or not. When I left Ah Chee's, the prisoner Ah Gum, I think, was not dressed in the clothes he has on now. He was dressed in working clothes. Gum Tie was also dressed in working clothes. They are not the clothes he has on now. They have been changed since. They are not the same he has on now. The clothes Sack Chun had on are not the same he has on now. They were dirtier clothes. Ah Chee I guess was one hundred and fifty or sixty pounds, may be more, not less. I never saw him weighed. I think he was about fifty years old.

I was there at Crows Bar Saturday and Sunday and left Monday morning. I can't say whether they were good friends or not. They were working together. Ah Gum and Gum Tie are related, and Ah Chee and Sack Chun are related also. Ah Gum and Gum Tie are family relations. Also Ah Chee and Sack Chun are the same. They all live in the village of Haa Leung in China, in the



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Province of Canton. All came from the same Province. I left the cabin between five and six on Monday morning. I slept alone there both nights. Sack Chun and Ah Gum slept in the same bed. Sack Chun has been mining along the river about twenty years. Ah Chee the same time. Ah Gum about two or three years and Gum Tie about two or three years. Ah Gum, Gum Tie and Ah Chee have never quarrelled as far as I know. Ah Gum and Ah Chee have worked together for two or three years. Gum Tie has only worked with them this year. I didn't see the hammer or hatchet exhibits at Ah Chee's. I have not been there since the arrest of Sack Chun. I stayed at High Bar Monday night after leaving Ah Chee's. I sold goods to their partnership at Ah Chee's. Don't remember selling any goods to Sack Chun. Sold about \$10. to Ah Chee and partners, got most of the pay in gold dust from Ah Gum. Ah Chee put it up in the package and Gum Tie marked the amount on the package, \$10.

We have dealt together as individuals before but only this year as partners. Have dealt with Sack Chun for twenty years; with Gum Tie, three or four years; with Ah Chee, twenty years and Ah Gum, three or four years.

Ah Gum produced the gold dust to pay for goods bought. He did not have much left after weighing it out. I come from the same Province in China as the accused and Ah Chee.

Q. Why did you advise Ah Chee to go to China at once ?

A. I did not mean anything by it, I only wanted to say something
 Hop (^{his} x) Wah.
 mark

Interpreter, Ah Wing.

Jay Sum -

I live at Dog Creek. I keep store there. I know the prisoners Ah Gum, Gum Tie and Sack Chun. I know Sack Chun twenty years, the other two men three or four years. Knew Ah Chee twenty years. I came to Canada the same time as him,

twenty years ago. It is about 25 miles, some men call it, from Crows Bar to Dog Creek. I remember Gum Tie coming to my store to tell me, about five weeks ago next Tuesday, that Sack Chun killed Ah Chee. When he said that Sack Chun killed Ah Chee I asked him why he killed him. He said "I don't know." I said "How did he kill him?" He said "I don't know." I said "Did you see them quarrel before?" He said "No; they were good friends." I said "What did he kill him for if they had no quarrel." He said "I don't know, they had no quarrel, and when Sack Chun came there Ah Chee gave him some medicine whiskey. All of them drank a little of the whiskey." I asked him if he saw that Ah Chee was dead. He said "No; I didn't hear Ah Chee speak." I said "How was it that you two strong men did not stop Sack Chun and catch him." He said "We were scared and ran away." I said "Why did you not light a light and look." He said "There was no lamp or candle there." He said he was asleep; didn't know how he was killed and when he woke up Ah Gum lit a match and he saw a little, not much. He saw Sack Chun haul Ah Chee outside. I asked him if he (Ah Chee) was dead. He said yes. I asked him if he went to see if he was dead? He said "No; but Ah Chee did not speak." Ah Chee is my cousin and Sack Chun is my cousin. On Tuesday night Gum Tie told me, and I then went up and told my cousins at Harry Bowe's place. When I got back to my place I asked Gum Tie "Why didn't you go and see if Ah Chee was dead. He may not be dead." And Gum Tie said "I heard him going in the river." Next day I came to Derby's house and saw his cook. After I had been there about half an hour McMillan came there with Ah Gum. I told McMillan I wanted to go and see about my cousin who was killed at Crows Bar, and after dinner McMillan and Ah Gum and myself went down there. We went into Ah Chee's house and saw a lot of blood on his bed and on the floor. McMillan sat on Ah Chee's bed. I stood at the side of it and Ah Gum was on the side of me looking at the blood, when Ah Gum went to the



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box and took out the hammer and showed the blood on it. McMillan examined it. Ah Gum said to me "There is blood on it." I saw Ah Gum take it out of the box. There were two hatchets on the top of the hammer in the box and he took the hammer out from under the hatchets by the handle. McMillan asked who slept in the different bunks in the room and Ah Gum told him. There was blood on the floor near the bed; it was a dirt floor, and I asked Ah Gum why there was so much blood on the floor, that that was the place he must have been killed. There was more than one foot wide of a blood stain there between the stove and Ah Chee's bed. Ah Gum said that he lit a match and saw Ah Chee dead there. McMillan asked me what Ah Gum said and I told McMillan that Ah Gum said he lit a match and saw Ah Chee dead there. McMillan then measured the distances of objects in the room. I saw a lamp hanging up in the cabin, but no candle. I saw a piece of candle outside in a stick. The candle was covered with dirt. Ah Gum told McMillan that Sack Chun pulled Ah Chee down to the river and got a shovel and pushed Ah Chee out in the river. He spoke in Chinese and I translated it to McMillan. I saw a shovel outside the door of the cabin. McMillan asked Ah Gum if he had a lock for the cabin and Ah Gum got one for him and he locked the door. The door was not locked when we got there. McMillan asked Ah Gum if the door was that way when he left. He said yes it was the same way. McMillan, Ah Gum and I went down to get Sack Chun and met him half way coming up. I asked him where he was going. He said he wanted to go up to a camp to see some fellow. I said "Why did you kill Ah Chee and put him in the river?" He said "Who said so?" I said "Gum Tie and Ah Gum said you killed him and threw him in the river." He said "I don't know nothing about it." I said "You don't know, I'll cut your face off!" I got mad at him. He said nothing more. McMillan and I searched along the river to see if we could find anything. I looked along the trail from cabin to river but could find no mark. I saw some blood outside the door of cabin. Ah Chee was about fifty years old. He was a big fat man,



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a big belly. He was taller than me. When Gum Tie came to my store he had a jumper on outside, a blue one; also overalls. The jumper shown looks like the one. Sack Chun had on old and very dirty clothes. Jumper (Ex. "O.") looks like Sack Chun's. Overalls (ex. "P.") look like the pair he had on. The drawers (EX. "Q.") and undershirt (Ex. "R.") I can't say any thing about. Ah Chee has lived at Crows Bar a long time. I have not been to Crows Bar before this time for three years. Ah Chee first worked at French Bar. Ah Chee had a claim at Crows Bar.

Jay Sum.

Yip Wing :-

I live at Victoria and act as Interpreter in Court in Chinese cases. I know the prisoner Sack Chun. I had an interview with him in company with Mr. Hussey last Monday about a week ago, and also last Monday. On last Monday I interpreted for Mr. Hussey in a conversation with Sack Chun. Mr. Hussey told me to tell Sack Chun that if there was any thing that he would like to say of his own free will he could say it, but it would be used against him at his trial. He was not to be promised any thing, but if he wished to say any thing it would be taken down in writing and he was not bound to say any thing he did not want to say. I explained to him in Chinese what Mr. Hussey said, and Hopx Wah told him also what I said, in Chinese. He then made a statement and I translated it every word to Mr. Hussey and he took it down, and I read it or translated it all to Sack Chun after? The statement (Ex. "S.") is the statement given by Sack Chun to Mr. Hussey at that time. I remember having an interview with Sack Chun a week ago last Monday in company with Mr. Hussey for whom I interpreted, when the statement (Ex. "T.") was given after being warned as usual by Mr. Hussey through me in the same way that Sack Chun was warned. On the same day I had an interview with



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Ah Gum in company with Mr. Hussey for whom I interpreted, when the statement (Ex. "U.") produced, was made, after Ah Gum being properly warned by Mr. Hussey through me in the same way that Sack Chun was warned as above. On same date I also interpreted an interview between Mr. Hussey and Gum Tie at which the statement (Ex. "V.") now produced, was given by Gum Tie, after being properly warned by Mr. Hussey through me.

Between~~x~~ the first statement made by Sack Chun and the last statement made by him I did not see him.

I sometimes sign Yip Wing and sometimes Ah Wing, but they are both used by me. Yip is my surname.

The first time I interviewed Sack Chun I had difficulty in getting Sack Chun to talk. I had to get his cousin Jay Sun to talk to him. The next time I got Hop Wah to speak to him, when he spoke freely. I was present when Hop Wah spoke to him.

Yip Wing.

Frederick S. Hussey, Sup't., Provincial Police:-

I arrived here on this case on the night of the fifth of July in company with interpreter Ah Wing. I called at the Government Office the following morning and learned that two of the prisoners wished to give evidence against Sack Chun. I, before taking their statements, warned them that they need not tell anything if they did not wish to, but if they did state any thing I would take it down in writing and it might be used against them. I cautioned Ah Wing perfectly to warn them that their statement must be made free and voluntary. This caution applied equally to all statements made, the two statements of Sack Chun, and one statement each made by Gum Tie and Ah Gum. The jumper (Ex. "N.") is the one worn by Gum Tie in which he marked his name in Chinese characters. The suit of clothing (Exs. ~~x~~~~x~~ O, P, Q, R.) is, I believe, a suit of clothing taken from



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Sack Chun for the purpose of ~~of~~ examining to see if blood stains on it. I have had these examined but could find no blood stains on them. I went to Ah Chee's cabin at Crows Bar in company of Constable McMillan and Ah Wing, interpreter. Examined interior of cabin; also trail to river. Cabin very small inside, bunks very close together; I should say not more than width of the table between the bunks. I did not measure, but don't think it was more than four or five feet between them. I have heard the evidence given, and the statements of prisoners, but from my examination of the place I could see no evidence of anything being dragged over the trail to river, although I must say I had not been there until several days after the murder. The door of the cabin was about two feet in width and I had to stoop to get in. I did not notice a lamp in the cabin.

F.S.Hussey.

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STATEMENT OF THE ACCUSED.

Sack Chun:-

"I reserve my defence."

STATEMENT OF THE ACCUSED.

Ah Gum:-

"I reserve my defence,"

STATEMENT OF THE ACCUSED.

Gum Tie:-

"I reserve my defence."

STATEMENT MADE BY GUM TIE.

I am 29 years of age.

Have lived at Crows Bar for nearly two months past. prior to that I lived at French Bar for over one year. My partners at Crows Bar were Ah Chee and Ah Gum. We lived in same house together at Crows Bar immediately before the arrest of Sack Chun recently. Sack Chun came to our house about noon on Sunday and remained for dinner. Myself, Ah Chee, Ah Gum and Sack Chun were in the house together. After dinner Sack Chun went out prospecting and returned to our house in the evening before we returned from our work. Sack Chun was sitting at the door waiting for us (Ah Chee, Ah Gum and myself) We opened the door and prepared supper. After supper Hop Wah arrived and cooked supper for himself whilst we were in bed. Sack Chun and Ah Gum occupied one bed, and myself, Ah Chee and Hop Wah occupied separate beds. Next morning (Monday) Hop Wah left after eating breakfast. Sack Chun went out prospecting, and myself, Ah Chee and Ah Gum went out to work and returned to the cabin for dinner and found Sack Chun sitting outside the door. After dinner we three went to work and left Sack Chun in the house, and on returning from work for supper we found Sack Chun in the house. After supper we went to bed. Sack Chun slept in the bed which Hop Wah had occupied the previous night. I slept in my own bed alone. Ah Chee slept in his bed and Ah Gum also slept in his own bed. About 12 o'clock I was awakened by a noise of something falling on the floor, but it was too dark to see what it was. I called Ah Gum and said "What is doing?" Then everything was quiet and Ah Gum lighted a match. I then sat up in my bed and looked out towards the door and saw Sack Chun pulling the body of Ah Chee by both feet. They were outside the door and about one foot clear of the door. Ah Chee was dead. I know that because he made no noise. Ah Gum said to Sack Chun "What are you doing?" Sack Chun replied saying "I have made up my mind to die to-day." Ah Gum was out of bed



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by this time. He got out of bed before he lighted the match. I got out of my bed as soon as I heard Sack Chun say "I have made up my mind to die to-day." Then Ah Gum and myself stepped out of the door and saw Sack Chun drag the body of Ah Chee towards the step leading towards the trail or path that leads towards the river. We did not say any thing to Sack Chun. We then got frightened and returned to the cabin for our boots which we found and carried in our hands and then ran to our mining claim which is about 200 feet from our cabin and away from Sack Chun and Ah Chee. We then put on our shoes. Whilst we were putting on our shoes I heard the noise of Sack Chun walking in the water and dragging the body of Ah Chee out to the deeper water. I could hear the splashing of the water, but could not see Sack Chun as it was not quite bright enough to see and I was in a hurry. We both ran away to Tom Derby's house at once and have never returned to our cabin since we got our boots and first ran out of the cabin. Ah Gum afterwards went back to our cabin with the constable about three days afterwards. When we got to Derby's, we saw Joe Quie, Derby's cook, and informed him of what had occurred. After this I went to see Jay Sum at Dog Creek and told Jay Sum that Sack Chun had killed Ah Chee, and Ah Gum went to Clinton to inform the Police. I stopped at Jay Sum's at Dog Creek two nights, and then went back to Tom Derby's and remained there one night. The constable arrested Sack Chun after this, and myself and Ah Gum came to Clinton on horseback with the constable and Sack Chun. We stopped one night at Clinton and then Ah Gum and myself came to Ashcroft with the constable and the prisoner Sack Chun. Hop Wah first came to our cabin on Saturday afternoon before supper. After supper Hop Wah slept in a bed alone, and the following Sunday night Sack Chun and Ah Gum slept together. Sack Chun came to our house on Sunday, and that is the reason why Sack Chun and Ah Gum slept together on Sunday night. I recognize the hammer produced. It is my hammer or it belongs to our claim and we kept it at the head of the bed which used



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to be occupied by Ah Chee. It was kept in a little box at the head of Ah Chee's bed. On the Sunday that Sack Chun was at our house he used the hammer for sharpening a pick and after using it Sack Chun put the hammer back in the box at the head of Ah Chee's bed. I ~~xx~~ have never marked the handle of the hammer with pen and ink by placing my name "Tie" on it. Sack Chun sharpened his pick about 40 feet from our cabin. There was no person present with Sack Chun when he sharpened his pick. When Sack Chun first came to our house he brought with him a pick, shovel and hatchet. The day of the murder of Ah Chee I wore the same pants and jacket as I now wear, but not the same shirt. I bought the shirt at Clinton. Ah Chee had one blanket and one comforter or bed spread on his bed. The head of the comforter or bed spread was lined with the blue checked material produced, which I have marked in ink with my name "Tie." I recognize the white time table produced, which I mark with my name "Tie." Sack Chun is wearing the same clothes now that he wore on the day of the murder of Ah Chee. The blue denim jumper produced is my jumper and I mark it with black ink with my name "Tie."

I wish to correct my statement and say that when I heard Sack Chun splashing in the river with the body of Ah Chee we were travelling from the door of our cabin to the mining claim, and not at the mining claim as previously stated.

Gong Gum Tie (X) His mark.



Statement of Ah Gum.

I am 29 years of age. I have lived at Crows Bar for the past four years. I am mining there. My partners are Gum Tie and Ah Chee. We lived together in the same house at Crows Bar. Three weeks ago last Saturday Hop Wah came to our cabin in the evening before supper. Hop Wah took supper with us, that is Gum Tie, Ah Chee and myself. After supper we went to bed. The next morning, Sunday, after breakfast we went to work at our claim and Hop Wah went to look for his horse near Tom Derby's house. Hop Wah did not come back to dinner, but Sack Chun arrived as we were cooking dinner and he dined with us. Sack Chun had a pick, shovel and hatchet with him and said he was prospecting. After dinner we went to work and left Sack Chun in the cabin with Ah Chee. Shortly afterwards Ah Chee came down to the claim to work. I don't know what Sack Chun did that afternoon. In the evening after we quit work we returned to the cabin and saw Sack Chun walking about in front of the cabin. We cooked supper and immediately after supper Hop Wah returned to the cabin. Some of us were lying on the beds and some were walking about the cabin. Hop Wah cooked his own supper. Hop Wah took the extra bed and Sack Chun slept with me. The other two men, Ah Chee and Gum Tie slept in separate beds. The next morning (Monday) after breakfast, Hop Wah left for Clinton and Gum Tie, Ah Chee and myself went to work, and Sack Chun went prospecting. When we returned for dinner Sack Chun was standing at the door. We all had dinner and Gum Tie, Ah Chee and myself returned to work and left Sack Chun in the cabin. When we returned for supper in the evening we found Sack Chun in the cabin. He had done no prospecting that afternoon and was in his slippers. After supper we sat round for a while and then went to bed. Each man, Sack Chun, Ah Chee, Gum Tie and myself slept in



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separate beds. Sack Chun slept in the bed that Hop Wah had used the previous night. I slept for some time, and I think about midnight when Gum Tie called me. Twice he said "Ah Gum, Ah Gum," twice; and also said "Get up and see." And I said "What is it?" Gum Tie then said "Get up and look, I hear something dropping: get a light and see." I replied by saying "Get a light and look." Gum Tie said "There are no matches." I found some matches, and then I got out of bed and made two steps towards the door and then lighted a match and saw that Sack Chun was pulling Ah Chee's body by both feet just outside the door. I shouted to Sack Chun saying "What are you doing?" Sack Chun replied by saying "Don't say any thing, I have made up my mind to die." We stepped outside the door and we were so excited that we returned for our shoes. We picked up our shoes and walked outside the cabin, and Sack Chun by this time had Ah Chee in the river and was pushing his body out in the stream with a shovel. We only saw this by moonlight and it was not very clear. Gum Tie and myself were so scared that we ran away to Tom Derby's house. After we passed our claim and got about 100 yards past the claim we put on our shoes and then ran to Derby's house. When we got to Derby's we both told the Chinese cook that Sack Chun killed Ah Chee. We explained what we had seen to the cook (Joe Quie) and he informed Derby. We waited for breakfast and the cook said one of us should go to Dog Creek and the other should go to Clinton. Gum Tie started for Dog Creek and I afterwards got a horse from Derby and a letter and started for Clinton. On arrival at Clinton I delivered the letter at the Court House and the constable afterwards came to me and we went back and stayed at the Half Way House over night, and the next day we arrived at Derby's house. After having dinner we went down to our cabin and I noticed that Ah Chee's blankets were missing. We also noticed blood on the stool, also on the head of the bed. We looked further and I found a box under



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the head of Ah Chee's bed and looked in it and found a hammer which I picked up and examined and saw that there was blood on it, and I handed it to the constable. The Constable made a plan of the house. The constable locked the door and requested me to go with him to arrest Sack Chun. We met Sack Chun half way between his own house and our cabin. He was walking up the river in the direction of our cabin. The cabins are about six miles apart. The hammer produced is the one I found in our house and handed to the constable after the murder. I have marked it "Gum." It is our hammer. It was generally kept at the head of Ah Chee's bed. I never saw Sack Chun use the hammer. I now remember that Sack Chun used this hammer for sharpening a pick on Monday or Sunday. I cannot remember which day. The blue check material produced I recognize as the property of Ah Chee. It used to be a part of the comforter of bed spread on the bed of Ah Chee. The constable may have removed it by tearing it off the spread. I have marked it "Gum" with black ink. We had a time table just like the one produced. It was on the wall at the middle of the bed occupied by Ah Chee. Sack Chun is wearing now the same clothing that he wore on the day of the murder of Ah Chee. After we ran away from our cabin on the night of the murder I did not return again until I went with the constable. I think the piece of light brown cloth produced was cut from the comforter belonging to Ah Chee. I have marked it "Gum." Sometimes Ah Chee said he was going to China this year and sometimes he said he was not going to China this yearx. Gum Tie, Ah Chee and myself all belong to Ha Leung, State of Pavn Yee in China. Ah Chee and myself have always been good friends. I know Ah Chee was dead because when Sack Chun was dragging his body over the ground ~~in~~ he (Ah Chee) did not speak. It is about 48 feet from our cabin at Crows Bar to the river where Sack Chun threw the body of Ah Chee. I have known Sack Chun for the last four years.



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I generally call at his house. I don't think Sack Chun is crazy, but he is very quiet. I never saw him do a rash or violent act before, but he does not talk much.

Ah Gum (X) His mark.



Statement of Sack Chun.

I don't know my age. I have lived in this country many years; I don't know how long. I have been living and mining at French Bar for many years; don't know how many. There is another Chinaman living near me but we do not work together. His name is Gong Mook Lun. French Bar is four or five miles from Crows Bar. I knew Ah Chee, Gum Tie and Ah Gum. The two latter are now in Ashcroft lock-up. I saw them this morning. I have not known Gum Tie and Ah Gum very long, but I have known Ah Chee ~~xx~~ a long time. He came with me from China and is a sort of relative and we have always been friendly. A little time before I was arrested I went to Ah Chee's house at Crows Bar and saw Ah Chee, Gum Tie and Ah Gum. I stayed there one night only. Hop Wah was there also, but I left the next morning without seeing Hop Wah, but I saw his things there. I went off prospecting along the river from Ah Chee's house to my own house. I had a pick and shovel which I brought with me from my own house. I prospected along the river going up to Ah Chee's house. Stopped at Ah Chee's over night and then prospected on the way back to my house the following day. I saw Ah Chee in the morning before I left his house. Also saw Gum Tie and Ah Gum but no one else. I have not seen Ah Chee since that morning. Sometime after that I was arrested by a white man and brought here, but do not know what for. Gum Tie and Ah Gum have not spoken to me since I have been here. Either Ah Gum or Gum Tie asked me to stay at their cabin at French Creek as the weather was so hot. I cannot remember that Ah Chee asked me to stay. I remember that it was one of the three men, but cannot remember which one it was. I have not heard from anyone that Ah Chee is dead. I did not kill Ah Chee and don't know any thing about it.

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The last time I saw Ah Chee he was alive at his cabin at Crows Bar where I left him. I saw no quarrel between any of the Chinese at Ah Chee's house. I am dressed in the same clothing as I wore at Ah Chee's house when I was last there. I have no other clothing that I know of. I do not remember how Gum Tie or Ah Gum were dressed when I saw them at Ah Chee's house.

Second statement of Sack Chun.

Ashcroft, B.C.,

July 13th., 1903.

My name is Jay Sack Chun. I live at French Bar and am a miner. On Sunday, the 14th. day of June, 1903, I left my cabin at French Bar shortly after breakfast, and I prospected along the Fraser river all the way up to Ah Chee's house. I waited outside Ah Chee's house because the door was locked and I could not get in the house. Shortly after my arrival, Ah Chee, Gum Tie and Ah Gum came up from their work at their mining claim and opened the door of the house, entered it and cooked dinner. I entered the house at the same time as Ah Chee, Ah Gum and Gum Tie. We all had dinner together. Afterwards Ah Chee, Ah Gum and Gum Tie returned to their claim to work, and I went up the Fraser river prospecting alone. About four o'clock in the same afternoon I returned to the house of Ah Chee and found Ah Chee, Ah Gum and Gum Tie in the house. They were cooking supper and I took supper with them. After supper I remained with them until bedtime, and we all went to bed in the same house together. I slept with Ah Gum. Ah Chee and Gum Tie occupied separate bunks. Before we went to



(2)

sleep Hop Wah arrived at Ah Chee's house and slept there that night. In the following morning (Monday) I noticed the saddle and packing outfit belonging to Hop Wah, but did not notice Hop Wah himself. After breakfast Ah Chee, Gum Tie, and Ah Gum went to their claim to work and I went up the Fraser river prospecting and returned to Ah Chee's house for dinner. Ah Chee, Ah Gum and Gum Tie were present at dinner. After dinner I did not go prospecting, but remained in the house of Ah Chee, who, with his partners Gum Tie and Ah Gum, left the house I think to go to work. I went to sleep. When Ah Chee, Ah Gum and Gum Tie returned to the house I was awake and moving about the house. We all had supper together without Hop Wah, who left shortly after breakfast. We all went to bed soon after supper. I slept alone in the bed which Hop Wah had occupied the previous night. Ah Chee, Ah Gum and Gum Tie occupied separate beds also. I went to sleep, and after sleeping for a while I awoke and was in a half sleepy condition and seemed to be dreaming. I do not remember getting out of bed. I struck Ah Chee with something but I do not remember what it was I struck him with. I cannot remember how many times I struck Ah Chee. If I had known what I was doing I would not have done it. I took the body of Ah Chee out of the house and I think I threw it in the river. I cannot remember whether I dragged the body of Ah Chee on the ground to the river or carried it there. Ah Chee did not make any noise when I was dragging or carrying his body to the river, and he did not speak, but I cannot say whether he was dead or alive. I then returned to the house of Ah Chee and struck a match and saw that there was no person in the house, so I closed the door of the cabin, put up the hasp but did not lock it. I then went to my own house at French Bar. I was half crazy at the time and wandered about between French Bar and Ah Chee's house until the constable arrested me. After I made away with the body of Ah Chee and returned to the cabin of Ah Chee, I took a



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blanket from the bed of Ah Chee and threw it in the Fraser river. I may have thrown some other bedding away besides the blanket, but cannot remember.

I make this statement voluntarily of my own free will in the presence of Mr. J.W.Burr, Ah Wing and Hop Wah after I have been fully cautioned by Superintendent Hussey through Ah Wing and Hop Wah that I am not obliged to make any statement, but whatever statement I do make will be taken down in writing and may be used against me at my trial in Court as evidence. I feel very sorry for what I have done.

Jay Sack Chun (X) His mark.



Crows Bay
July 9th

^{Moke Lung}
Gougn French Bar
says -

Sack Chun lives about 30 feet from me. We lived there about 2 yrs. Always good friends - He is stupid but sane - For 2 weeks preceding the arrest of Sack Chun he was missing - I don't know where he was.

Hop Wah came to my house about noon with some goods about 3 weeks ago or more - He delivered the goods to me - Sack Chun was in his house and slept there that night - The same day Hop Wah went to Ah Chee's house - Hop Wah only remained ^{or so} 1/2 hour in my house took cup tea and left for Ah Chee's house.

He said he was going there - Sack Chun left next morning after breakfast -

He did not say where he was going - I did not ask him -

I saw him leave his



(2)

gaung-

house but don't know which way he travelled

I have never seen Sack Chun since then that day - I saw Sack Chun for Hop Wah 3 or 4 days afterwards

He brought some more goods which I had ordered on his previous visit - Hop Wah told me about the murder of Ah Chee - He said Sack Chun, Ah Gum and Gum Zie were arrested for the murder of Ah Chee.

Hop Wah did not explain how it was done and I did not ask him - Hop Wah only had one horse with him on the second visit that is the one he was riding

He had 3 horses on the previous visit -

Hop Wah brought about \$1⁰⁰ worth of groceries - cannot remember what it was

Some tobacco and other things I think -

I saw no other goods with Hop Wah -



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Gonglung-

It is about 3 months ago
since I saw Ah Gum and
Gum Die - They came
from the same village
as myself in China also
Ah Chee and Jay Sun -

There are 3 Chinese
at Big Bar - I have
not seen Ah Chee for 2
years

Rex
v
Sack Chun et al



Cross Bar B.C.
July 9th 1903-

Ah Tuiie
Cook Derbys ranch
says

gun die and Ah
gun came to this house
Tuesday 3.30. A.M.
and one of them said
I would feel obliged if
you would tell Tom
Derby Sack Chun killed
Ah Chee and dragged
his body to the river -

They remained for
breakfast - Mr Derby
sent one of them to Mr
Sones with a letter for
Mrs Sones - They both
were clean clothes & did
not appear to be frightened

gun die went
Dog Creek & Ah gun went
to Clinton - They started
within 10 minutes of
each other - They started
within 10 minutes of
each other - Ah gun left
last & was on horse -
back - Horse supplied by Mr Derby.

gun die walked to Dog Creek 24
miles

to Clinton from Derby 50 miles -



Big Bar
July 10/03.

Interviewed

Lee Sing Yuen
minis, Big Bar.

Took Sing, minis, Big Bar

Lac Suey Han -
minis, Big Bar.

The above are the only
near neighbours (besides
Ah Tui + Gong Lung)

Their evidence is
unimportant - See note
book for original notes.

14th Aug 1903

Analysts Report on examination of blood stains in Rex v. Sack Chung et al.

Exhibit.

- F. Hammer- There were a few blood stains on the head of hammer and well marked stains on the shaft near the head.
- G. grey cloth-one blood stain found 1/2 in. in diameter.
- D. cigarette paper-a splash of blood stains were identified.
- E. Chinese paper-found 20 stains, examined four of these and found them to be blood, the others were similar.
- F. Can of soil-gives indication of blood but not sufficient to positively swear to it.
- G. Chinese steamer time table-found about 21 small stains, tested five and found them to be blood; the others were similar.
- H. piece of paper-found a large number of small stains, tried seven of these stains and found that six of them were blood.
- I. piece of checked cloth-found a number of large and small stains, five of these tested and all found to be blood.
- J. candlestick and candle-three spots on candle and one on string around candle.
Gave strong indications of blood but not enough substance to positively identify it.
- K. hatchet-found several small spots on handle and head of hatchet, gave strong indication of blood but not enough substance for positive identification.
- L. Chinese printed paper-no blood found on this exhibit.
- M. Three small pieces of wood-all three showed large and well marked blood stains.
- N. blue jumper-one small stain on back of jumper, but not enough to positively identify.
- O. Sack Chung's jumper-no blood stains found on this garment.
- P. Sack Chung's blue overalls-several stains were examined but found not to be blood.
- Q. Sack Chung's drawers-small spots of blood on upper left side of drawers, inside. The stains appear to have come from the inside of drawers, not from the outside. Stain at rear not blood.
- R. Sack Chung's undershirt-very small spot of blood on inside of left wrist.
- T. Dark jersey-stains on sleeve at elbow and at wrist gave blood reaction, but not enough for positive identification.
- newest pair of blue overalls-no blood stain identified.
- Worn pair of overalls-a number of stains were examined which looked like blood, but which on examination proved not to be blood.
- All the blood stains gave indications of being comparatively recent.

Hubert Larrinchar
Government Analyst and Assayer.



1903.

~~Clinton~~
~~Book~~
~~Clinton~~ Fall seizures.

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05

Rex v. Sack Chum. }
" " " Gum. } Murder.
" " Gum Tie }



Brief for Crown

Verdict

" Guilty " as to
all three prisoners
Sentence "Death"
Friday 4th Dec

22/01/03

A.S.M.

