



In the Supreme Court of British Columbia.
Oyer and Termine and General Gaol Delivery.

Canada
Province of British Columbia.
County of Vancouver,
City of Vancouver.

The Jurors for Our Lord the King present that
Lee Chung in the County of Vancouver in the Province of
British Columbia on the twenty seventh day of July in the year
of Our Lord One thousand nine hundred and eight one Young
Ah Hing unlawfully did kill and murder against the peace of
Our Lord the King, His Crown and dignity.

I hereby direct that Counsel
acting for the Crown at the
Vancouver Fall Assizes, 1908.
pre er the above Bill of
Indictment to the Grand Jury.

Attorney-General.



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Vancouver Fall Assizes. 1908.
— " — .

Rex vs. Lee Chung.
(Murder).
— " —



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See & Chinese*



Index

			page.
Donald H. Mackey	direct exam.	✓	1.
Robert Johnson.	direct		3.
	cross		4.
Henry A. McCord	direct		4.
	cross		5.
Isaac Greaves	direct	✓	5.
	cross		11.
Dr. Bertram Wm. D. Gillies.	direct.	✓	16.
	cross		20.
George Greenlade.	direct	✓	26.
	cross		28.
Percy Greaves	direct	✓	29.
	cross		35.
William Jackson	direct.		41.
Ching King	direct		42.
	cross		43.
Ching Ling	direct	✓	44.
	cross		50.
Colin S. Campbell	direct		54.
Thomas Smith	direct	✓	60.
	cross		62.

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D. H. Mackey

-1-

Proceedings of the Preliminary Investigation of Lee Chung, accused of the murder of Young Ah King, held in the Court House in the City of Vancouver, B. C., August 7th, 1908 at 10:20 A.M. before H. O. Alexander, S.M.

David C. Lew sworn as Chinese Interpreter.

E. R. Lindsey, sworn as Reporter.

W. E. Burns, Esq., of Burns & Walkem, appeared for the prosecution.

DeB. Farris, Esq., of Macdonell, Jones, Killam & Farris, appeared for the defendant.

The accused, Lee Chung, being present.

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DONALD H. MACKAY, a witness, after being duly sworn, testified as follows:-

DIRECT EXAMINATION

BY MR. BURNS:

1-Q. You are a legal qualified medical practitioner, practicing in the City of Vancouver, are you? A. Yes sir.

2-Q. You attended in a professional capacity this accused, did you? A. Yes sir.

3-Q. When was that? A. The 27th July, -the evening of the 27th

4-Q. The evening of Monday, the 27th of July? A. Yes sir,

5-Q. Where was he? In the City Gaol.

6-Q. What was the matter with him? A. An injured hand.

7-Q. Describe the condition of the hand? A. There was a cut on the right hand extending from the first joint right around.

8-Q. First joint of what? The joint of the metatarsal phalangeal the first joint of the thumb.

9-Q. The first joint of the thumb? Yes, sir, or rather the second joint of the thumb from the back, the second joint of the thumb around the top and extending to midway between the second joint and the third over here, right here (showing)



10-Q. From the outside to the inside you are describing?

A. Yes, sir, right around the middle of the bone and then there was another cut right across the palm of the index finger down to the tendon.

11-Q. Down to what? You could see the tendon.

12-Q. How deep was this other cut? A. I just suppose,--Insaw it as well as I could and it evidently extended right through the palm, that is to say it would extent something over an inch in depth, about an inch in depth.

13-Q. And around the base of the thun over the right side?

A. Yes sir.

14-Q. What was the condition of the hand as you saw it first?

A. He had it bound up first with a string from the thumb tied to the index finger to stop the bleeding and then an old rag around it.

15-Q. How old was the cut? A. It was evidently a fesh cut, it would be,--it had been a matter of some hours, a few hours.

16-Q. What would you say as to the amount of blood that would come from it? A. Oh, it had bled, but whether ot not---- there were not any very large vessels but blood would come, there was evidently considerable oozing from it.

17-Q. As to whether the bleeding would be free or not? A. A rather free hemmorage.

18-Q. Was it bleeding or not at the time you saw it? A. Well, there was some bleeding.

19-Q. And what time of the day was that? A. Somewhere around eight o'clock in the evening.

20-Q. Eight o'clock in the evening? A. I should say somewhere around eight o'clock.

21-Q. What, in your opinion, was the instrument that it was caused with? A. Some sharp instrument.

22-Q. What kind of a sharp instrument would you say from the cut? A. It would be very hard to say.

23-Q. How sharp? A. It would have to be almost a keen edge.



R. Johnson

24-Q. To cut a gash of this kind? A. Yes.

25-Q. (Handing witness a hatchet) Could an axe of this kind do it? A. Not at all likely, but it might do it, I would not expect it to.

26-Q. Do you think it might? A. We cannot tell what an instrument would do, but I would not expect it to.

27-Q. But it could do it? A. It might possibly do it.

28-Q. You think it might? A. Yes, but I would not expect it to make a wound like that.

29-Q. Did you find any wounds other than that of any kind?

A. There was nothing but what I have already mentioned.

30-Q. Nothing but the flesh wound? A. That is all.

MR. BURNS. I would like to have this axe marked for identification as Exhibit "A". Axe marked Exhibit "A" for identification.

31-Q. How near would the inner part of the cut be to the bone?

A. It would probably, -it was quite alongside the bone.

32-Q. The right hand side of it? A. Yes sir.

33-Q. Which bone? A. The first, the thumb bone.

34-Q. That is when you speak of the first bone? A. Yes sir.

No cross examination.

Witness excused.

ROBERT JOHNSON, a witness, after being duly sworn, testified as follows:-

DIRECT EXAMINATION.

BY MR. BURNS.

1-Q. You are a member of the Police Force in this City, are you?

A. Yes, sir.

2-Q. Of the City of Vancouver? A. Yes, sir.

3-Q. And I understand you are the one who arrested the accused in this case? A. I did.

4-Q. When was that and where? A. It was Monday, the 27th July, at about five minutes past six.

5-Q. Where? A. The corner of Carrall Street and Hastings Street

6-Q. What was he doing? A. He was driving a swill wagon at



H.A. McCord

the time.

7-Q. Was he on the wagon? A. Yes, on the wagon.

8-Q. How was he dressed? A. Well, he had a blue suit of overalls on and his right hand was tied up in a bandage, a pretty rough piece of rag it was wrapped up.

9-Q. Yes? And blood was coming from it, looked like fresh blood.

10-Q. Fresh blood was coming from it? A. Yes sir.

11-Q. Who was the Officer with you? A. Officer McCord.

CROSS EXAMINATION.

BY MR. FARRIS.

12-Q. Did he make any attempt to get away from you or anything?

A. No.

13-Q. Were you in uniform? A. Yes sir.

14-Q. He was on his wagon when you arrested him, was he?

A. Yes sir.

15-Q. What did you do? A. I halted him, I spoke to him.

16-Q. In what way? A. I told him to stop.

17-Q. And he stopped at once did he? A. Yes sir.

18-Q. He made no attempt to get away or conceal himself in any way? A. No.

19-Q. He was right out in the open street when you saw him?

A. Yes sir.

20-Q. Driving along was he? A. Yes, sir.

Witness excused.

HENRY ALEXANDER MCCORD, a witness, after being duly sworn, testified as follows:-

DIRECT EXAMINATION.

BY MR. BURNS.

1-Q. You were with Constable Johnson? A. Yes, sir.

2-Q. When he arrested the accused? A. Yes, sir.

3-Q. How was he dressed? A. He was dressed with blue overalls.

4-Q. What was the condition of the overalls? A. I presume from what I saw of them that they were clean, no blood on them from



Isaac Greaves

what I could see .

5-Q. You mean clean from blood? A. Yes, sir.

6-Q. Were they soiled in any other way? A. Now didn't seem to be.

7-Q. You corroborate his statement as to the bleeding from the hand? A. Yes, sir.

CROSS EXAMINATION.

BY MR. FARRIS.

8-Q. There was nothing noticeable one way or the other about this swill wagon, I presume? A. No, not that I could see.

9-Q. And there was nothing noticeable about these overalls? A. No, not that I know of.

10-Q. Have you seen the overalls since? A. No.

11-Q. Where are they? A. I don't know.

12-Q. Did you take possession of them? A. No, I did not.

13-Q. Just a working man's overalls were they? A. I presume so.

14-Q. That is what you would gather from their appearance? A. Yes, sir.

15-Q. You didn't make any examination of them one way or the other? A. No.

16-Q. You recognise them? A. I believe I would, although I would not say definitely.

17-Q. Were you the one that took them from him in the station? A. No, I didn't take them from him in the station, I just seen them that time, that is all.

Witness excused.

ISAAC GREAVES, a witness, after being duly sworn, testified as follows:-

DIRECT EXAMINATION

BY MR. BURNS.

1-Q. Where do you reside, Mr. ~~Burns~~ Greaves? A. South Vancouver.

2-Q. And on the 27th July last, on Monday, I understand you discovered the body of Young Ah Hing, will you just describe



-6-

how you discovered that? A. Well, I was walking leisurely round the block and I saw the wagon just down there by the road.

3-Q. What wagon? A. The dead Chinaman's wagon.

4-Q. Yes, did you see the wagon? A. Yes, sir.

5-Q. You know his wagon? A. Yes, sir.

6-Q. Did you know whose wagon it was? A. Yes, sir.

7-Q. Whose was it? A. I don't know the man's name but it was the Chinaman's name that was killed and I went a little over there and I saw the old gentleman lying on his face on the side of the road and I thought he must have fallen out of the wagon and broke his leg, and I went up and when I got up to him I saw there was quite a lot of blood and I kind of looked around and discovered that his clothes were bloody and when I got near enough to him I looked at him and discovered that his throat was cut and then I went up and reported the matter to the Police and went back and stayed with him while they came.

8-Q. Was there any other person with you? A. Yes, I saw my son and I sent my son down to stay with the man until I got back.

9-Q. There was no person with you when you found the body?
A. No.

10-Q. And then you made this thing known and then went back to him?
A. Yes, sir.

11-Q. What was the conditions, what was the surrounding conditions, the surroundings where the body was found? A. Well, I cannot say as to all those.

12-Q. I don't mean that, but as to the road, what kind of a road was it? A. A skid road.

13-Q. Leading from where to where? A. From the North Arm road to Westminster Ave.

14-Q. Right across from one road to the other? A. Yes sir.

15-Q. And how wide would that road be? A. Nine or ten feet wide.

16-Q. Only room for one vehicle? A. That is all.

17-Q. What was the condition of the surface of the road where you found the body? A. There had been quite a little scuffling.



-7-

- 18-Q. Scuffling? A. Yes in the road.
- 19-Q. You could see that? A. Oh yes.
- 20-Q. How could you tell that? A. By the dust on the road and the situation of the road.
- 21-Q. Explain that will you? A. Well, in the middle of the road there was a large pool of blood and in going over to where the man was lying I discovered that there had been a lot of scuffling. The road was quite ruffled up.
- 22-Q. And anything about the sides of the road? A. Oh, no nothing in particular.
- 23-Q. Then you reported the matter to the Police and you came back? A. Yes, sir.
- 24-Q. Then what did you do? A. I stayed there until after the Police came.
- 25-Q. And then what did you do? A. I wanted to go and then he told me to stay until the Coroner came and I stopped and he didn't come, and then I wanted to go and they said stop until the undertaker came and I did stop and help him into the basket with the body putting it into the ambulance.
- 26-Q. Then what did you do? A. I went home.
- 27-Q. What time was it that you found the body? A. About half past one in the afternoon.
- 28-Q. Had you been across there ^{before} that day? A. No.
- 29-Q. And all the time you say you were on the road or telephoning to the Police and didn't do anything else but just wait there by the body until these people came? A. Well, I traced a track through the bush back to the piggery.
- 30-Q. What piggery is that? A. The dead man's piggery and the prisoner's piggery.
- 31-Q (Showing chart) Here is a rough sketch of the ground there for the purpose of explanation? A. Mine was a much plainer chart than that.
- 32-Q. We have'nt got yours, it has gone in with the Inquest, this is simply an illustration of the way things were there? A. Yes, sir.



- 33-Q. This piggery is up here (showing) ? A. Yes, sir.
- 34-Q. Where it is marked? A. It is marked "piggery"
- 35-Q. That is the piggery? A. Yes, sir.
- 36-Q. That is shown here? A. Yes, -and this leads down to the
Westminster Avenue and to the North Arm road.
- 37-Q. There is the two shown there? A. Yes sir.
- 38-Q. That is the mark called "road"? A. Yes sir.
- 39-Q. Now then, there is a road leading from this skid road to
the piggery? A. Yes sir.
- 40-Q. That is the road, is'nt it? A. Yes sir.
- 41-Q. And I understand tha it was a little further on from
the junction of the road towards Westminster Avenue that you
found the body? A. Yes, sir, about there (Showing)
- 42-Mark it, mark the point where the body was found as point "A".
A. (Witness so marks)
- 43-Q. Now you say it was about here (indicating) A. Where it is
marked.
- 44-Q. Where it is marked, that is about right, is'nt it?
A. Yes sir.
- 45-Q. Who lived at this piggery? A. The two Chinamen.
- 46-Q. What two Chinamen? A. The old man and the prisone r.
- 47-Q. What is that? X. The old man and the prisoner? A. Yes, sir.
- 48-Q. Then you live whereabouts? A. Just over here (showing)
at place marked "Witness I Greaves' house".
- 49-Q. Now this piggery, there is an open shed and the piggery
itself? A. Yes, sir.
- 50-Q. Then there are those buildings here? A. Two small
buildings where they lived, where they sleep.
- 51-Q. Do you know which lived in either? A. Yes, the old
man lived in this (indicating)
- 52-Q. Which one? A. It is the one here, nearest to the
piggery where the hay is.
- 53-Q. There was two houses? A. Yes sir.
- 54-Q. The dead man lived in the house marked "B". A. Yes sir.



55-Q. And the prisoner lived in the house marked "C", I understand? A. Yes, sir.

56-Q. The prisoner lived in "C"? A. Yes, sir.

57-Q. Now then, you say you followed this track from the place where you found the corpse to the piggery? A. Yes, sir.

58-Q. When did you do that? A. A little while after.

59-Q. About when? A. Well, about---

60-Q. About when was it, Mr. Greaves, that you went on that track? A. It would be about half past three that I went over there.

61-Q. A couple hours after you arrived at the spot? A. Yes.

62-Q. Who was with you? A. The Policeman, the gentleman over yonder, I don't know his name.

63-Q. What Policeman was it? A. The Provincial Police Mr. Campbell and Mr. Smith.

64-Q. What kind of a track was it? A. Well, it was not a very good track.

65-Q. It was not a very good track? A. It was through the bushes kind of a second growth.

66-Q. Well, how did you follow it? A. I followed it the best way I could,--it was rough to go through.

67-Q. How were you able to follow it? A. There was spots of blood on the bracken and leaves of the trees just side of the small track.

68-Q. And which way did they lead? A. To the piggery, down this way, down here (indicating)

69-Q. Did they come out to the road leading to the piggery any place? A. Yes, sir.

70-Q. Followed out right where it is shown? A. Yes that is about right.

71-Q. That is approximately the track you followed as drawn by Constable Campbell, who was with you? A. Yes, sir.

72-Q. Well, on the road what did you follow? A. Well there was a drop of blood here and then right up to the piggery.



- 73-Q. Right to the piggery? A. Yes, sir.
- 74-Q. And when you came to the piggery what did you find? A. I didn't find anything particular.
- 75-Q. What was the condition of affairs, I don't say you found anything, but I want to get your evidence as to what was the position of affairs,-was there any person there? A.No.
- 76-Q. No person there? A. No.
- 77-Q. Any horses there? A. No.
- 78-Q. Nothing at all? A. No, only myself and the pigs.
- 79-Q. What did you do then? A. I went back again and stopped again with the corpse.
- 80-Q. And that it was you helped it into the wagon? A.Yes, sir.
- 81-Q. Could you state any peculiarities of those drops of blood on the track? A. No, well not particularly.
- 82-Q. Where were they found? A. Right on the road.
- 83-Q. Well, there was a road through there? A. No.
- 84-Q. As a matter of fact was there any track there at all, apart from the drops of blood? A.No.
- 85-Q. Right through the second growth there? A.Yes, you see you keep talking about this place and then you talk about that and then I have to turn back to follow you.
- 86-Q. Now, when you went into the bushes first,--what is this little mark (indicating) do you recognise that? A.Yes.
- 87-Q. That was what? A. Well, that was a little open place there leading to this road here,-whereabouts is that----
- 88-Q. There was a skid road in part of the tracks was'nt there? A.Yes, sir.
- 89-Q. There is a road here? A. There is a road here, over ~~xxx~~ here (indicating)
- 90-Q. It is marked there? A. Yes, right there (Showing)
- 91-Q. And then you came to the skid road, and where did the track go, on what was it on? A. Just through the bushes and second growth here and then came into the open space where there had been a shanty sometime and torn down and then it led into the



road to the piggery, if I had my sketch here, it is as simple as A. B. C.

92-Q. What is that? A. It is thirty times as simple as that.

CROSS EXAMINATION

BY MR. FARRIS.

93-Q. This road leading up to the piggery is that a skid road?

A. No, it is a wagon road.

94-Q. Was there dust on it. A. Yes, sir.

95-Q. You have been speaking of the skid road, this was the road of the Chinamen? A. Yes, used to go to the piggery.

96-Q. What drops of blood there were were in the dust were they?

A. Yes, sir.

97-Q. All the drops of blood were in the dust? A. Yes, and on cedar bark and there was a piece of wood across here and there and there was some on some of these.

98-Q. This cedar bark, the inside of it would be exposed and the blood would be on that, I suppose? A. Yes, sir.

99-Q. It showed very plainly? A. Yes, it would show very plain.

100-Q. And it led right up to these shacks, did it the blood?

A. Well, the drops were very small going to the shack.

101-Q. What was that? A. The drops were very small going to the chack.

102-Q. They were not as plain as they were before? A. Not as plain as they were before.

103-Q. Was there any blood in the shack? A. No, I didn't see a drop of blood in the shack.

104-Q. There had been no attempt to cover up this blood on the road?

105-Q. There had been no attempt to conceal the track across the second growth? A. No.

106-Q. The body was in no wise covered up was it? A. A. No.

106-Q. Any body passing there could not ~~but~~ help/see it? A. Oh no.

107-Q. Now, this main road where the body was was a skid road was it? A. Yes sir.

108-Q. Was there dust on the skid road? A. Yes sir.



-12-

- 109-Q. There was no attempt to cover up the pool of blood in the road with dust or anything? A. No.
- 110-Q. Was the horse tied? A. No, just grazing, brouding on the leaves of the trees.
- 111-Q. Have his head-stall or bridle on? A. Yes, sir.
- 112-Q. Where were the reins? A. Just thrown down loosely by the horse's side?
- 113-Q. On the ground? A. Yes, sir.
- 114-Q. What was there in the wagon, anything? A. Yes, there was his swill barrels and there was a whiskey bottle.
- 115-Q. The swill barrels empty or full? A. Neither.
- 116-Q. Partly full? A. A little in the bottom.
- 117-Q. Was there anything to indicate where he had been going or coming from,-what would it indicate to you, where he had been going or where he was coming? A. No, only the swill barrels, he was going to collect his swill.
- 118-Q. So he was going in to Vancouver to collect his swill?
A. Yes.
- 119-Q. Had he collected any? A. No.
- 120-Q. Then this whiskey bottle, what was it? A. Just a small bottle.
- 121-Q. A small flask? A. No, simply a bottle.
- 122-Q. Any whiskey in it? A. Just a little.
- 123-Q. Was it corked? A. Yes.
- 124-Q. Any sign of a struggle in the wagon? A. Not the slightest.
- 125-Q. You gather then that the man must have been out of the wagon before the trouble took place? A. Surely.
- 126-Q. And you gathered that he got out himself voluntarily? A. I could not say.
- 127-Q. You didn't see anything to suggest that he had been pulled out? A. No, I didn't, only his whip was lying over yonder.
- 128-Q. Any blood on the whip? A. No.



-13-

129-Q. Broken or anything? A. No.

130-Q. Any trampling around where the whip was? A. No.

131-Q. Apparently had been no struggle when he dropped the whip? A. No.

132-Q. Could you see any footprints along the road where those drops of blood were? A. No, not particularly.

133-Q. You could not follow any footsteps or footprints?
A. No, none.

134-Q. How far was the body from the pool of blood in the road?
A. About six feet.

135-Q. How far would you say was the total distance from the body to the piggery? A. About 300 yards.

136-Q. Now, you say there was no beaten track through the bushes at all? A. No, there was not.

137-Q. You followed that track through the bushes entirely by the blood? A. Yes, sir, -it is a small track there that I could discover that something had gone through there without the blood you see.

138-Q. Was it the blood or the tracks that you tracked it through by? A. By both.

139-Q. What led you to go through there in the first place was the blood? A. Because there was a little track as though someone had gone there.

140-Q. Would you have gone through there except for the blood?
A. No, not particularly, no.

141-Q. There must have been quite a bit of blood then? A. Yes, there was, not much in anyone place, just a few drops here and there.

142-Q. What condition was this blood in, was it congealed or soft? A. It was a little in some places where there was a few drops?

143-Q. It was what? A. Kind of congealed a little.

144-Q. Indicating it had been there some little time? A. Not long.

145-Q. How big were the largest drops? A. Some of them were about



-14-

an inch and a quarter wide some places and some half an inch and varied from half an inch to an inch and three-eighths and an inch and a quarter as near as I remember.

146-Q. How far apart were the drops there? A. Some were nearer than others.

147-Q. What was the nearest one? A. I could not say how far.

148-Q. Right along? A. Oh, not so much at the last, just a drop over here and perhaps over yonder another and it would be a larger drop than the last as though it had been held up.

149-Q. Would there be several drops together in some places? A. Well not so many.

150-Q. But some places there were more than one drop? A. Yes.

151-Q. How many, two or three? A. Yes, about that.

152-Q. Perhaps half a dozen in some places? A. No, I don't think so.

153-Q. You don't think so? A. No, I don't think so.

154-Q. There must have been considerable blood then spilled along that trail? A. Yes, if it was all collected up it would be quite a little blood.

155-Q. Whoever put that there must have been going very leisurely would'nt you gather? A. I should imagine they were going pretty quick.

156-Q. Why? Because they were so far apart.

157-Q. You say there were several drops in places? A. Not just in one place but here and there and then over there two or three perhaps.

158-Q. If a man was running the drops would'nt be like that? A. Oh, it all depends on how he was bleeding.

159-Q. If he was running then you think he must have been bleeding very profusely? A. Yes.

160-Q. Very profusely? A. Not extra.

161-Q. I think I will have to pin you down a little more if I can to the average width of those drops apart? A. What is that.

162-Q. The average distance between the drops could you give that? A. No, I could not.



-15-

163-Q. Well, what was the farthest space that you found between the drops? A. Well, it might be ten yards or something like that in some places, or perhaps a little more.

164-Q. There may have been tracks then that you would not see, if they missed the bracken or bark or went on the ground, you would not see them? A. Yes.

165-Q. It would be only the drops that caught the exposed places that you would see? A. Yes, sir.

166-Q. And naturally there would be more drops than you saw? A. Yes, sir.

167-Q. Quite a number more? A. Yes, there would.

168-Q. And that would apply more perhaps on the main road than through the ~~brush~~ brush? A. On the main road.

169-Q. On the main road, if the drops didn't happen to strike any piece of bark or exposed place you would not be likely to see them? A. I could see them plainer on the road than through the brush.

170-Q. Plainer on the road? A. Yes.

171-Q. In the dust you would see them? A. There was quite a lot of cedar bark here and there on the road.

172-Q. But what I mean is, if they didn't happen to strike the cedar bark on the road, you would not see them? A. No, not very well, no. *that is all*

COURT:

173-Q. Following the track, was there an even track anywhere that you could see? A. Yes, sir.

174-Q. On which side of the track did the blood drop? A. The right hand side, there was a place here, I noticed as soon as I saw the Chinaman and just got myself cooled down, I saw there was a place alongside the road, I thought by the appearance and it looked to me as though there had been somebody standing there, it appeared to me so.



153-Q. Well, what was the furthest space that you found between the drops? A. Well, it might be ten yards or something like that in some places, or perhaps a little more.

154-Q. There may have been tracks then that you would not see if they missed the broken or bark or went on the ground, you would not see them? A. Yes.

155-Q. It would be only the drops that caught the exposed places that you would see? A. Yes, sir.

156-Q. And naturally there would be more drops than you saw? A. Yes, sir.

157-Q. Quite a number more? A. Yes, there would. 158-Q. And that would apply more perhaps on the main road than through the brush?

159-Q. On the main road, it would be more likely to strike any piece of bark or exposed place you would not be likely to see them? A. I could see them plain on the road than through the brush.

160-Q. Plain on the road? A. Yes.

161-Q. In the brush you would see them? A. There was quite a lot of cedar bark here and there on the road.

162-Q. But what I mean is, if they didn't happen to strike the cedar bark on the road, you would not see them? A. Not very well, no.

COURT: 163-Q. Following the track, was there an even track anywhere that you could see? A. Yes, sir.

164-Q. On which side of the track did the blood drop? A. The right hand side, there was a place here, I noticed as soon as I saw the Chinaman and just got myself cooled down, I saw there was a place alongside the road, I thought by the appearance and it looked to me as though there had been somebody standing there, it appeared to me so.



BY MR. BURNS.

175-Q. Now, just off here, off the road, you could see the bracken and stuff had been tramped down a little there?

A. I wanted to kind of look around and consider the situation and so I perceived there was a space here and I thought as though it looked as though there had been somebody standing there.

176-Q. Just off the road? A. Yes, just off the road a little bit, just in here (indicating)

177-Q. Was there a bend on the road there anywhere? A. Yes.

178-Q. Mark the place "D" where you say the man was standing?

A. It was a lonely place there, the loneliest place on the road.

179-Q. The loneliest place there is in the road? A. Yes, a bend in the road.

Witness excused.

DR BERTRAM WILLIAM DIGBY GILLIES, a witness, was duly sworn and testified as follows:-

DIRECT EXAMINATION

BY MR. BURNS.

1-Q. You are a duly qualified medical practitioner practicing in the City of Vancouver? A. Yes, sir.

2-Q. You made a post-mortem examination of this dead Chinaman? A. Yes, sir.

3-Q. What did you find? A. I found a large gaping wound in the neck extending from about an inch below the left ear across in front to about half way between the middle line of the neck and the right ear. There were two wounds separating the main wound by bridges of skin, perforated wounds which connected with the large incision. In depth it extended completely to the backbone, going through all the muscles, cutting through the left Carotid artery, and



-17-

the left internal jugular vein and the left vagis nerve, separating the wind pipe, and passing deeply in between the 3rd and 4th cervical vertibrae and going through towards the right. It cut the internal and external carotid arteries on the right side and the right internal jugular vein and the right vagis nerve. There was also a puncture wound of the mouth, and this wound was about an inch and a half in length, and connected with it, there was at an angle, was a smaller wound which also cut into the lip. There were two superficial wounds of the left side of the face, one about an inch and a half in length, over the left cheek bone, the other one over the right side of the jaw. The left thumb showed an incised wound which extended on its palmar surface which exposed the tendons of the thumb. There were two superficial wounds on the left thigh at its upper part; one was over the anterior superior spine of the hip bone here, on the left hip bone, and the other over the anterior surface of the thigh, about, between an inch and two inches below the groin; that is the result of the examination.

4-Q. You say the wound on the neck or the incision in the neck extended into the backbone? A. Yes.

5-Q. Did it go through the backbone? A. It extended between the 3rd and 4th cervical vertibrae, not completely into the spinal cord, from what I saw I should say it extended in over a distance of half an inch.

6-Q. Into the vertibrae? A. Yes.

7-Q. Then as to the cause of death? A. I believe the wounds in the neck were the cause of death.

8-Q. Would the death be instantaneous or not? A. Very very sudden.

9-Q. What, in your ~~appra~~ opinion, would be the instrument that caused the death? A. Well I believe it must have been a moderately heavy cutting instrument, which must have an angular border to it at one part or the other, otherwise this incision here could not be made.

10-Q. The one in the mouth? A. Yes.

11-Q. It was about an inch and a half long? A. Yes.

12-Q. And extended into the mouth? A. Yes, extended into the mouth.

13-Q. You think the same instrument was used for the other one?

A. It might possibly have been done with the same instrument as the other wound.

14-Q. What kind of a corner must it have had? A. To make the wound on the mouth-- a sharp corner.

15-Q. How far in was the wound in the mouth? A. The depth, extending back in was about an inch and a half.

16-Q. Then as to the cutting of the neck, was that done by one or several cuts, or how? A. Must have been more than one cut,-- it was,--there was one incision downwards and forwards at least, and one incision in almost a straight line, a puncture. It may have come from---well, in different ways, because the skin of the lower border of the wound was not in exactly a straight line.

17-Q. Then as to how the blows could have been inflicted? A. Do you mean as to the position of the assailant.

18-Q. Yes, and state whether it must have been an assault or self-inflicted? A. Oh no, it never could have been self-inflicted.

19-Q. It could not have been self-inflicted? A. No.

20-Q. Could you argue from the position of the cuts as to the position of the assailant, or anything like that? A. No, I could not.

21-Q. Now, then, you made some examination with reference to certain articles? A. Yes.

22-Q. Have you got those here? A. Yes.

23-Q. Will you explain more concisely, and so we will be able to understand it, these puncture wounds you speak of? A. On the right side of the neck there were two wounds between the main incision which came about an inch and a half beyond the middle line of the right side, then there was a bridge of skin, and a puncture wound in which you could pass directly into this gap herewith a probe; that was about an inch in length, and at a



point just below the right ear there was another puncture wound , with a bridge of skin, or a piece of skin lying between the first puncture wound and the second puncture wound; this wound was about three-fourths of an inch in length and connected partly with the great gap on the left side.

24-Q. The bridge of skin had some flesh also inside? A.The muscle was almost completely severed.

25-Q. This wound would just leave a bridge of skin and some muscle? A. Yes, those punctures were brought into the big wound.

26-Q. Could you say whether the punctures were made through the skin into the big wound or through the big wound out?

What would be your idea about that? A.That is almost impossible to say. The edges of the openings were very dry and no material showing which way the wound went in.

27-Q. No mark showing which way it went? A. No.

28-Q. Now as to the examination you made for blood on certain articles? A.Yes. This piece of bracken which has one leaf gone-one leaf that I know to be gone-showed blood, I took it to be mammalian blood.

29-Q. You have the leaf that the blood came from? A.Yes, because it was not destroyed.

MR. BURNS. There are certain of these exhibits that we propose to put in and identify them.

THE COURT:That might be marked Exhibit No. 2 Exhibit is so marked.

30-Q. As to this, you say you found mammalian blood on one leaf that is lost and which you will supply? A.Yes, on exhibit 2.

31-Q. Now here is a piece of wood that came from a log. A.That is log No. it also was positive. This stick marked Exhibit 3.

32-Q. (Showing another piece of wood) What is that? A. That I have as log No.2 it also was positive. This stick marked Exhibit No.4.

- 33-Q. (Showing a blackberry leaf) What is that? A. Black-berry leaf positive. (This leaf marked Exhibit No. 5)
- 34-Q. (Showing another piece of bark) What is that? A. That was positive. (Marked Exhibit No.6)
- 35-Q. (Showing piece of cloth) This piece of cloth here? A.That was the same positive. (Marked Exhibit No. 7) It is a piece of flour sack.
- 36-Q. (Showing towel) And this towel? A.Towel, positive. (Towel marked Exhibit No.8.)
- 37-Q. (Showing pair of drawers) And this pair of drawers? A.That was positive. (Pair of drawers marked Exhibit No.9)
- 38-Q. And this pair of overalls (Showing overalls) A.Overalls positive. (Overalls marked Exhibit No.10)
- 39-Q.(Showing spot on overalls) That is the spot you inspected? A. Yes.
- 40-Q. Wherever there is a puncture is where you have taken a sample? A.Yes.
- 41-Q. That is, you found on these things mammalian blood? A.Yes.
- 42-Q. As far as your examination could go? A.Yes, sir.
- 43-Q. Could you say as to the age of the blood on any of the bark or logs or leaves? A. That is almost impossible to tell.
- 44-Q. It would congeal from the atmospheric conditions, would it? A.Exactly.
- BY Mr. Farris. Cross-examination
- 45-Q. What is mammalian blood, what do you mean by Mammalian blood? A. Blood coming from a class of animals that suckle their young.
- 46-Q. How do you distinguish that from other blood? A. By the shape and by the structure of the composite parts of the corpuscles.
- 47-Q. It is a microscopic examination? A. It is a microscopical examination.
- 48-Q. You cannot go further than that? A. To classify is



impossible, that is, to say that it is human blood, with my methods of testing or with the microscopic ~~methods~~ methods of testing it is impossible to tell. The only method of telling what series of animals it belongs to, say a rabbit or human being,--say it is a human being,-- the only way to tell would be to take a serum from a human being and inject that for a certain period of time, say about ten injections extending over 10 weeks, into a guinea pig or a rabbit, and then leave the rabbit alone for a month or two, and then take a serum from that rabbit, and with a solution from one of those stains, adding the two together you would get a precipitate. It would not matter what other class of mammalian blood it would not give a precipitate, or if it were human blood it would give a precipitate.

49-Q. Then of course there is no way to tell, to compare certain blood stains with other human beings blood and tell whether it is one persons or anothers, science has never gone that far?

A. Never. That is if the animal had some pathological condition in his blood and another had not you add the two together and you could tell.

50-Q. Now these garments produced here, the drawers and overalls, compare the drawers, and compare the overalls; take the drawers, what blood do you find on them, what traces of blood? A. There is a spot of blood there at the right thigh, and a scraping from the right knee both show blood.

51-Q. A scraping from the right knee? A. Scraping the fibre.

52-Q. That is the only trace? A. Those are the two traces that I examined. I did 'nt go over the whole garment.

53-Q. Were those visible? A. They were stained.

54-Q. They were the only stains of the kind you noticed, were they? A. They were the most prominent stains. The one at the upper part was quite a splash.

55-Q. Where the little hole is? A. Yes.

56-Q. That indicates what size of a drop? A. I have left a trace on there.

57-Q. It was not much larger than that? A. No.



58-Q. Where is the other spot? A. Where the hole is at the knee.

59-Q. Was there a pronounced stain there? A. There was quite a stain there. You can see a stain round about it as yet.

60-Q. You have taken pretty near half of it away? A. About half of it, yes.

61-Q. When was it you examined these doctor? A. They were brought to me the day after the Inquest and I examined them the day after that.

62-Q. Two days after the Inquest? A. Yes.

63-Q. Now take the outside garments or overalls, what trace, to what extent were there traces on these? A. On these the extent of the traces were not very great. There was one small spot here which I had to take practically the whole of it to get it.

64-Q. That is on the front right on this side? A. Yes, right near the fly.

65-Q. Any other place? A. I tried on front where I got it on the drawers but it would not produce anything on the examination.

66-Q. Did you put a microscope on the clothes? A. No, no, we take the scrapings and get the dry stuff, and get the fibre itself of the cloth and then put a saturated solution of boric acid on and examine that directly very fine and you can see the corpuscles themselves. Now, a corpuscle of mammalian blood is different from that of other animals, reptiles, birds or fishes, in these characteristics, that it is a circular disc, biconcave, dipped in on both sides. When you look at that through a microscope you get the outline of a ring with a dark center or a light center, just with regard to the focus that you have, whether you are higher or lower down you have a dark center or a light center. If it were from a fish or a bird or a reptile or some ~~xxxxx~~ animal not belonging to mammalian blood it would have instead of a central disc inside, or at least a hollow or dent inside, it would have a bulge from the presence of a nucleus. Certain other animals have oval nuclei, at least one, instead of having circular. The camel is the only ~~xxxxxx~~ mammal that has oval shaped corpuscles.



67-Q. Is this science of examination an exact one? ?

A. It is only exact in the sense that it is mammalian blood that you are looking at.

68-Q. There is no possible mistake about that? A. There is no possibility about that.

69-Q. What was there on the towel, any large stain? A. It is quite a stain you can see that.

70-Q. I see that it is a pronounced stain there? A. Yes, on the towel.

71-Q. Could you tell approximately how old those stains were there? A. I would not attempt that.

72-Q. They might have been of some considerable age? A. At this time of the year the blood disintegrates, just the same as a human body, very rapidly and the change in color and everything is very rapid.

73-Q. What would have been the longest period possible for that blood to have existed on those garments at the time you examined them; how long would it be possible for those stains to have been there, to have been there at the time you examined them? A. I could not possibly tell you.

74-Q. What. I could not possibly tell you how long it could have been there.

75-Q. You could not approximate? A. No, sir, it would only be a guess.

76-Q: Would you mind guessing as near as you can, some rough idea, how long that might have been there; on the garments only; don't take those other things into consideration? A. On the garments of course it might have been there a year, I might just as well say a year and six months and I might say two years, that is all of no value.

77-Q. It might have been there for some considerable time; as I take it? A. Yes.

78-Q. You could be more definite in regard to ~~the~~ this piece of bark and bracken? A. Yes, that bracken, the spot on the piece of bracken.

is recent.

79-Q. Recent? A. Yes sir.

80-Q. Also the bark? A. Yes, and on the blackberry leaf is all recent, knowing the history of where they came from, -open to the air and exposed to the elements.

81-Q. Now, then, going back to the cuts, are they what you would call clean cuts; or not? A. Yes, incised wounds.

82-Q. How sharp would you consider the instrument must have been to have caused those wounds? A. It must have been moderately sharp.

83-Q. It must have been moderately sharp? A. Yes, at least a moderately sharp instrument.

84-Q. I presume a keen sharp instrument would make a slash like that? A. Yes, it could.

85-Q. Could you give any idea just what kind of an instrument was used? A. With reference to these punctured wounds on the side of the neck, I thought of two things. At the time I was not quite satisfied how they were inflicted. I thought that if it was a broad cutting surface and the man was struck on the side lying down that way and perhaps that that cut had been not on a firm resistign part and that the parts that had escaped were on a less resisting edge and it had gone around in front, that is quite a braod surface, that it had cut only in two places, because it extended around so- and the other was that it was by a sharper instrument that had come through from the inside, from one side to the other, more like one from the inside, and had a narrow blade with a sharp point.

86-Q. Have you any kind of an insturment in your mind that might have caused these cuts? A. No, I have not got, it could be done with a moderately heavy knife or a cutting instrument of that kind, and I suppose it could be done with a sickle.

87-Q. How about the cuts? A. Well, with regard to those cuts, up in the face it seemed to me that it would have to be a little bit narrower than the cuts to give this sort of a cut. It



was only an inch and a half in length and extended fairly deep without involving the lower lip.

88-Q. You don't think the rear edge of an axe would do that?

A. I don't think it could be done with the back edge of an axe.

89-Q. How about the edge of an axe; would an ordinary axe be sharp enough to make that sort of incised wounds? A. Yes sir.

90-Q. It would be sufficient to cut that sort of wounds? A. Yes, sir.

91-Q. So it really would not want a keen edge? A. Not for the wounds that were inflicted it would not necessarily have to be very keen.

92-Q. Would either of these incisions in the throat produce death?

A. Either of them.

93-Q. Yes, either of them? A. Yes.

94-Q. Either of the main incisions? A. Yes.

95-Q. And that death you say would be practically instantaneous?

A. Very rapid death.

96-Q. Would the subject be capable of any resistance after those wounds were made? A. Practically none, only the death spasms.

97-Q. No resistance from him? A. Not any continued resistance what I mean say for half a minute or something like that.

98-Q. Almost immediate death? A. The nerve going to the heart itself was completely severed along with one of the main arteries and one of the main veins.

99-Q. Could you form any theory as to the sequence of time of the wounds which was the first? A. No, I should think they were all made ^{within} in very close time from one another from the appearance of them.

100-Q. You would not have expected very much of a struggle to have resulted after that? A. Certainly not after the incision in the neck there was not much of a struggle.

BY MR. BURNS.

101-Q. That fern, exhibit "2" I understand you took from a number of ferns here? A. Yes, I recognise it, it was one of a bunch there.



102-Q. Now, these overalls, Exhibit "10", if they had been immersed in water for say a couple of hours after having received the blood stains, as to the blood stains on them, what effect would that have? A. If they were immersed in cold water for a couple of hours the blood stains might disappear completely, the coloring matter is soluble ^{cold} in water.

103-Q. And when you say that the age of the blood stains might have been a year or a year and six months, how recent might they have been? A. They might have been there two days or one day.

104-Q. It is impossible for you to say? A. It is impossible to say, impossible to give an estimate. Of course, when you take them on a thing of that kind not exposed to the open air, -but when it is exposed to the open air and rain, then when you can see the corpuscles and coloring matter clearly it must be absolutely recent.

105-Q. You have to know the history of the blood to know how long it has been there? A. Yes.

106-Q. Was this bracken fairly green when it was taken? A. Yes.

107-Q. When you saw this bracken first? A. Then it was not quite so dry as that, and the blood on it is lying distinctly up in heaps and glistening, and it has a characteristic in it, it is not like a stain into the leaf at all. It is glistening, and you cannot have it out in the open air and exposed to the rain and wind and everything and have it retain those characteristics very long.

108-Q. Now this suggestion about the blood being soluble in cold water, in which form would it be more so, in a fresh condition or in a dry condition? A. It is more soluble in a fresh condition, the coloring matter itself, the coloring matter is the soluble part of it, the hemoglobin is what causes the stain.

109-Q. So the more completely it is dried into the cloth the less soluble it is? A. The water has to get into that dry fabric itself to dissolve it.

Witness excused.

GEORGE GREENLADE, a witness, after being duly sworn, testified as follows:-

DIRECT EXAMINATION.

BY MR. BURNS.

- 1-Q. You are a Grocer on the North Arm road? A.Yes, sir.
- 2-Q. (Showing sketch of the place where the body was found)
This shows the North Arm Road? A.Yes, sir.
- 3-Q. Could you show on the North Arm Road whereabouts your store is?
A.Yes, sir.
- 4-Q. The place marked point "E" is your grocery store? A.Yes sir.
- 5-Q. That is just a little north of the skid road that comes out?
A.Yes, sir.
- 6-Q. In Vancouver? A.Yes, sir.
- 7-Q. Now, then, on Monday, the 27th July, the day that the body was found of Young Ah Hing, did you see either of the Chinamen that lived out at the piggery? A.I saw one.
- 8-Q. Which one was it? A. The accused.
- 9-Q. The accused? A. Yes, sir.
- 10-Q. When did you see him and where? A. At about three o'clock driving towards the City of Vancouver.
- 11-Q. Driving slowly past where? A. My place.
- 12-Q. On the North Arm Road? A.Yes, sir.
- 13-Q. Going towards Vancouver? A.Yes, sir.
- 14-Q. What was he driving? A. Chestnut horse.
- 15-Q. What rig? A. A rig without a cover and with swill barrels ~~in~~ in it?
- 16-Q. His regular rig was it, I understand? A.Yes, sir.
- 17-Q. What do you know of the fact? A. What called my attention to him was on account of his wearing clean overalls.
- 18-Q. What else did you see? A.Yes, and then I noticed his left hand was tied with some white material, looked to be bleeding and I ran out side to get a better view and I saw that it appeared to be bleeding very much as the blood appeared to be dropping from it down there.
- 19-Q. The hand was bandaged and the blood appeared to be dropping from the bandage? A.Yes, sir.
- 20-Q. What do you know as to his attire? A. I know he had clean overalls on.
- 21-Q. Was that anything peculiar? A.It was unusual.



-28-

22-Q. How was it unusual? A. I had never noticed him before with clean overalls on until I noticed him passing that day and I noticed him pass nearly every day.

23-Q. He drove to town nearly every day that way, did he?

A. Well, he generally came back that way, we didn't notice him going so much that way but always noticed him coming back between seven and eight in the evening.

24-Q. You saw him nearly every day pass your place? A. Yes.

25-Q. And never noticed him in clean overalls before? A. No.

26-Q. That was about three o'clock? A. About three o'clock in the afternoon yes.

27-Q. Had word been around then about the murder? A. I heard about two that there had been a Chinaman murdered.

CROSS EXAMINATION.

BY MR BURNS.

28-Q. You knew where those two Chinamen lived? A. Yes, sir, I knew they lived way back in the bushes.

29-Q. And before you had seen him go by you had heard that the other one had been murdered? A. Yes.

30-Q. And that of course was in your mind and in your wife's mind at the time you saw this Chinaman go by? A. Yes, it was in my mind.

31-Q. Pronouncedly in your mind? A. Yes, it was of course,

32-Q. You naturally took more notice of this Chinaman at that time than you did at any other time? A. I did, yes, when I saw the bandage.

33-Q. You would have enquired to know whether he was associated with the other Chinaman? A. Well, probably I should.

34-Q. In other words, on other occasions, he could have gone by a good many times to collect swill and you would never have noticed his dress at all? A. It is possible.

35-Q. I suppose even Chinaman change their overalls sometimes?

A. I guess they do, yes sir.

Witness excused.



PERCY GREAVES a witness, after being duly sworn, testified as follows:-

DIRECT EXAMINATION.

BY MR. BURNS.

1-Q. You are a son of Isaac Greaves? A.Yes, sir.

2-Q. And you live at the same place with your father? A.No, I live nearer the Wilson road.

3-Q. Which is the Wilson road? A.That skid road where the Municipal Hall is at.

4-Q. Now this piggery (showing plan), here are two houses here what are those? A. That is where the Chinamen live, this is the piggery here.

5-Q. Here is the skid road running down here? A.Yes, sir.

6-Q. And there is the road leading to the piggery and there is your father's? A. Approximately.

7-Q. Approximately correct? A.Yes, sir.

8-Q. And here is your place here? A. That is the place I live there.

9-Q. That is the place marked "F"? A.Yes, sir.

10-Q. Then what is this building in between where you live and the piggery place? A. That is my chicken house.

11-Q. Marked with a "G"? A.Yes, sir.

12-Q. Now, then, what do you do, Mr. Greaves? A. Oh I raise a few potatoes and a few chickens.

13-Q. You have no occupation that takes you away from your house? A. No, sir.

14-Q. You live there? A.Yes, sir.

15-Q. And work there? A.Yes, sir.

16-Q. Now, these Chinamen Young Ah Hing and Lee Chung? A.Yes.

17-Q. They lived there at the piggery? A.Yes, sir.

18-Q. Did you see either of them on Monday, the 27th July? A.Yes.

19-Q. When and how? A. I seen them on that day I should judge about 12 o'clock or a quarter past.

20-Q. A quarter past twelve? A. Tweleve or a quarter past-I was through with my dinner.



-30-

- 21-Q. And where were they? A.They were around the piggery.
- 22-Q. And what were they doing? A.The deceased he was driving the pigs and the little fellow he was running around the building. I could not say exactly what he was doing.
- 23-Q. That is the accused? A.Yes, sir.
- 24-Q. How far away were they from you? A. Oh, about 125 or 130 yds.
- 25-Q. Nothing to obstruct your view was there? A.No sir.
- 26-Q. And you say the accused was running around the building, you don't know what he was doing? A. I don't know what he was doing he was around the piggery.
- 27-Q. And the old one was Young Ah Hing? A. Young Ah Hing I knew him by that name.
- 28-Q. That is the old man? A.Yes, sir.
- 29-Q. The old man is the one that is dead? A. Yes, sir.
- 30-Q. And this accused is the little one. A-Yes, sir.
- 31-Q. Well, was there much difference in their height as a matter of fact? A. No, I don't think there is.
- 32-Q. But young Ah Hing, the one that is dead, was the oldish man? A. Yes, sir, older and stouter.
- 33-Q. Had you seen him before that morning? A. Yes, I seen ~~him~~ them every day.
- 34-Q. Do you remember seeing them before that morning? seeing the accused before that morning or know in any way what he had been doing that morning? A. Yes, I seen him driving a pig out of a gentleman's clover that was there.
- 35-Q. Driving a pig out of the clover? A.Yes, sir.
- 36-Q. Now, is that a clover field, is it? A.Yes, a clover patch.
- 37-Q. Which direction is that from your place? A.Just right at the back of my hen house, it joins right on it.
- 38-Q. Joins right on at the back of your hen house? A.Yes, sir.
- 39-Q. Which direction from the piggery? A.East.
- 40-Q. Show me which that is (indicating) here is your hen house and the clover patch? A.Here is my hen house (indicating) and the piggery and the clover patch is in here (indicating)
- 41-Q. Just in between there? A.Yes, sir.



-31-

42-Q. Between your hen house and the piggery? A. Yes, sir.

43-Q. And where were they when you saw them driving the pig out of the clover? A. Right here (indicating)

44-Q. Right by your hen house? A. Yes, sir.

45-Q. And what time was that? A. Between half past ten and eleven.

46-Q. Now was there anything ^{wrong} with the accused at that time? A. Not that I seen, nothing that I seen.

47-Q. He had a bandaged hand later in the day, did you see anything of that kind at that time? A. Yes, in the evening.

48-Q. But when you saw him driving the pig out of the clover?

A. n^o.

49-Q. Then you say you saw them at twelve or a quarter past twelve, was there anything wrong with the accused then on his hand?

A. Not that I could tell.

50-Q. You say you were about 125 yards away from them at that time?

A. Between 125 and 130.

51-Q. When you saw them driving the pig out of the clover, was the old man doing anything, did you see him? A. No, I could not say that he did.

52-Q. What did they do then at twelve o'clock or a quarter past twelve?

What did you see either of them do besides driving the pig? A. The old man was driving the pig.

54-Q. The old man was driving the pig? A. The old man was driving the pig into the place and Mr. Russell came up and I told him about it.

55-Q. Mr. Russell is the landlord of the place? A. Yes, sir.

56-Q. He owns the piggery and also owns the clover patch? A. Yes, sir.

57-Q. The land on which the piggery is and also the clover patch?

A. Yes, sir.

58-Q. And what occurred then after you had the conversation with Mr. Russell, what did you do? A. Well, the Chinaman he came and followed the pig out and then came back and carried water from the well over towards the piggery?

59-Q. Which Chinaman was that? A. This accused here.



60-Q. Now, where is the well, could you show me here? A. There where that is marked "well" that is about right.

61-Q. You see there is the road there (showing plan) and the hen house and the piggery and the well there approximately? A. Yes, that is right where it is marked "well";

62-Q. And you saw him after he drove the pig out of the clover; go and draw water did you? A. Yes.

63-Q. That was then about eleven o'clock? A. A quarter past eleven.

64-Q. And was he helped in drawing the water or did he draw it himself? A. He drew it himself.

65-Q. How does he draw it? A. He draws it with the top end of a five gallon oil can is put out and he has a string about that long (illustrating) is tied on to one end of it and he draws one up and slips the string off and puts the other on in place of it.

66-Q. Did he have to use both hands? A. Yes, sir.

67-Q. Did you see anything wrong with one of his hands then? A. No, I cannot say I did.

68-Q. After he drew the water from the well, you say you saw him again at about twelve o'clock? A. A quarter past twelve, if I remember I had finished ^{with} my dinner.

69-Q. Where were they then? A. Standing in the door yard of the place where they lived.

70-Q. Then where did you go, was you still at your place? A. Yes.

71-Q. Did you see them after that? A. No.

72-Q. Did you see any of them ~~xxxxxx~~ leave the piggery ^{at all} /with the rigs? No

73-Q. What were you doing? A. I was knocking a couple of small hen coops down that I had little chickens running in and when I got through with that I went over to the grocery store.

74-Q. About what time would that be? A. Just a quarter to one when I left the house.

75-Q. A quarter to one? A. Yes, sir.

76-Q. And could you say whether there was any wagons still at the piggery or not at that time? A. I could not say as I didn't take any notice.



- 77-Q. Then I understand your Father met you and Mr. Russell down there and told you and you went down to see the corpse? A. I was just coming out of the store and he told me the old Chinaman was laying alongside ^{of} the road there and to go there and I went down and stayed there until he came back.
- 78-Q. Did you see the two Chinaman on Sunday? A. Yes, sir.
- 79-Q. What were they doing then? A. They were feeding the pigs and running around the yard.
- 80-Q. Doing what? A. They were making an awful noise like as if they were quarreling.
- 81-Q. What were they saying or doing? A. I could not tell what they were saying as I do not understand the language.
- 82-Q. What made you think that they were quarreling? A. Because they were shouting out loud and following one another round.
- 83-Q. Because they were shouting out loud and following one another round? A. Yes, sir.
- 84-Q. And were they doing anything to each other or anything of that kind? A. No, only just following around the yard making a noise, and making signs.
- 85-Q. What kind of signs were they making? A. Well, I could not say what signs they were making.
- 86-Q. Well, you saw what they were doing? A. Yes, sir.
- 87-Q. The sign language is what we all know? A. They might have been asking one another how to fight or might have been passing a sign or something or other.
- 88-Q. But you took it that they were quarreling on Sunday? A. Yes, sir.
- 89-Q. What time was that? A. Between twelve and one o'clock.
- 90-Q. You had dinner I suppose? A. Yes, sir.
- 91-Q. Did you see them again that day? A. I seen them often.
- 92-Q. And what were they doing then? A. They were feeding the pigs when I seen them.
- 93-Q. And talking aloud? A. They most always talked aloud in that way when they were driving the pigs.
- 94-Q. Did you see any more quarreling? A. No.



-34-

95-Q. Did you see any quarreling before that Sunday? A. No.

96-Q. At night have you heard them at all? A. Oh, I have heard them making noises over there.

97-Q. What kind of noises? A. Talking loud; I could not say what they were doing. They might have been driving the pigs or anything of that kind. They talked that loud that they kept me awake nights.

98-Q. Had you made any complaints about that quarrel? A. Yes, I made a complaint to Mr. Russell.

99-Q. Based on what? A. Well, I told him about his pasture and he says "I must go over and get them to take that pig out, and I says "Yes, and I wish you would get them out too".

100-Q. What was the complaint based on, what did you say to him?

A. I told him of that pasture and he said he would go and get the pig out and I told him I wished he would get the Chinaman out and for a reason I said that they were kicking up such a noise that I could not get to sleep at night.

101-Q. Did you say what they were kicking up a noise about to him?

A. No.

102-Q. Could you see whether both rigs were at the piggery at any time Monday? A. Both rigs were there when I went to dinner?

103-Q. What time would that be? A. A quarter past eleven when I went and put the fire on.

104-Q. Now, I understand that you went with your father and Mr. Campbell and Mr. North through there to the building? A. Yes.

105-Q. Who was ahead in that? A. Following the trail?

106-Q. Yes. A. Sometimes Mr. Campbell and sometimes I was ahead.

107-Q. Did you have any difficulty in following it? A. No, didn't have much difficulty where there was any log on which the trail could go or any definite trail, it is on the skid road for instance.

108-Q. Whereabouts were the drops of blood found? A. Right side of the trail on the right hand side.

109-Q. Was that always so? A. Always so.

110-Q. Now, as to any drops of blood found around the shack, did you find any of those? A. Yes, there was drops of blood around the shack.



11-Q. And what condition was it in? A. Well, it was, I looked around the place and it was pretty well dried, soaked into it.

CROSS-EXAMINATION.

BY MR. FARRIS.

112-Q. How old was the man you called the old man? the dead man?

A. I don't know.

113-Q. Well, he was not old enough to be feeble, he was just in the prime of life was'nt he? A. I don't know.

114-Q. You don't know? A. No.

115-Q. You never noticed him that close? A. Yes, I have seen him that close, and from that the other Chinaman tells me there.

116-Q. I want to know from your observation whether you would say that that Chinaman was feeble from old age or any other cause or whether he was not? A. Well, he could tote two buckets of swill to the pigs and I don't think he was very feeble if he could do that.

117-Q. How much would they weigh? A. I don't know how much they would weigh.

118-Q. They are pretty heavy? A. Yes, because I have carried them myself.

119-Q. It is about all you could do to do it? A. A pretty good load for me.

120-Q. You consider yourself an able bodied man sl right? A. Yes.

121-Q. He was somewhat bigger than this Chinaman, than the prisoner? A. Not much, taller and stouter.

122-Q. Enough difference in order to make you call this fellow "the little fellow"? A. Yes.

123-Q. It was contrasted with the dead man that you referred to him as "the little fellow"? A. Yes.

124-Q. It was contrasted with the old man or the dead man that you referred to him as "the little fellow" ? A. That is what we always calléd him, "the old man" and the little fellow, "the little Chinaman"

125-Q. Now then, these men were around there everyday and you were



accustomed to seeing them there every day? A. Well, very near every-day.

126-Q. It was nothing unusual for you to see them there each day? A.No.

127-Q. And when you saw them there on the morning of the 27th, you had of course no idea that you were going to be here giving evidence? A.No.

128-Q. There was nothing at that time of any nature unusual? A.No.

129-Q. Nothing in any way whatever to especially attract your attention?

A. No, only this quarrel on Sunday that they had amongst themselves.

130-Q. Did you observe them on Monday with the quarrel on Sunday in mind? A. Well, no, only that I expected to hear them quarreling again because the Chinamen were running around in the yard in the way they were and quarreling amongst themselves.

131-Q. They were not quarreling on Monday? A. No.

132-Q. So when you were looking at them on Monday it didn't occur that these men were quarreling on Sunday, while you were watching them on Monday their quarrel on Sunday didn't occur to you? A. No sir.

133-Q. You don't know that on Sunday they were quarreling or not?

A. Only what I said before. A. These two Chinamen were talking so loud.

134-Q. But whether they were quarreling at that time or not you don't know? A. No.

135-Q. It is just a surmise that you drew the conclusion that they were quarreling on Monday morning.

136-Q. You mean by the word "row" the noise didn't you? A. No, I meant that they were quarreling?

137-Q. You meant that they were quarreling? A. I mean that they were quarreling.

138-Q. Was it the quarrel you were complaining about or the noise?

A. Well, it was the noise and in my estimation that they were quarreling.

139-Q. You didn't care how much they quarreled except for the noise did you? A. Well, if I could understand the language I could tell whether they were quarreling or not.



- Q-140-It was the disturbance to you that you were kicking about, was that right, was it you, your own welfare or the Chinaman's that you were looking after when you complained to Mr. Russell? A. It was both because I don't like to see anybody quarrel.
- 141-Q. Did they strike or touch one another in any way? A. Not that I could tell.
- 142-Q. So that even if there had not been any noise or disturbance you would have complained to Mr. Russell from the fact that you saw these men quarreling, would you? A. I don't know how I should know they were quarreling if they had'nt made a noise.
- 143-Q. If you had know that they were quarreling and there had'nt been any noise, would you have complained to Mr. Russell? A. I have always been complaing to Mr. Russel ever since they came there.
- 144-Q. About what? A. To get them away.
- 145-Q. You did'nt want them around there? A. I did'nt like to be up half the night and then/work ~~xxx~~ next day.
- 146-Q. What is it that kept you up half the night? A.The noise that they make.
- 147-Q. That is what troubled you, the noise, is it, losing your sleep is that right? A. That was what I was talking to Mr. Russell about and complaining about to get them away that they would not make any noise.
- 148-Q. So as to be quiet? A.Yes, sir.
- 149-Q. You had complained other times had you? A.Yes, I had complained other times.
- 150-Q. Of the noise? A. of the noise, yes.
- 151-Q. of the noise? A.Yes.
- 152-Q. That was all you had ever complained of other times, was it, is that right, are'nt you going to answer that question? A.Yes.
- 153-Q. That is a yes and no question? A.Yes.
- 154-Q. How close together were they when these things were going on Sunday? A. Well, I could not tell you just exactly how close together they were. I saw them in between their cabins and the



piggery and that is a distance of,--oh, I should judge six or seven yards.

155-Q. That is as close as they got together? A. That is the distance between the cabin and the piggery.

156-Q. How close together were the two Chinamen? A. They were passing one another right by just out between the cabins and the piggery when they were fighting and talking.

157-Q. How long have they lived there? A. Oh, I should judge about six months ago.

158-Q. Six months? A. Yes.

159-Q. Had they lived there before that either of them? A. Yes, the accused lived there first.

160-Q. The accused lived there first? A. Yes, sir.

161-Q. How long had he lived there? A. Oh, I should judge about six months and a half.

162-Q. Before that? A. Before that.

163-Q. Where did the old man come from? A. They had a piggery up on Mount Pleasant.

164-Q. The two of them? A. Yes, the accused moved over there and put up the place and the other one was running the place up here.

165-Q. And then they came over together about six months ago.

166-Q. Now, then what was the last time when you last saw them on Monday, both of them? A. On Monday?

167-Q. Was. A. Somewhere about twelve o'clock, a quarter to twelve or twelve.

168-Q. Why didn't you see them after that, because you were away or because they were away? A. Because I was away.

169-Q. You were away? A. Yes, I was around the place but working down on the ground.

170-Q. Have they any regular hour for leaving that place in the daytime? A. No, but as a general rule they leave between half past twelve and one,-that is the general rule.

171-Q. Both of them leave at once? A. No, sometimes the old man wer



first and sometimes the young one went first.

172-Q. Each with a separate rig? A.Yes.

173- Q. And how much time would there usually be between their leaving?

A. Sometimes they followed one another out and sometimes there might be five or ten minutes in time that I have noticed them.

174-Q. You noticed that they went close together? A.Yes, sir.

175-Q. What time would they get back? A. Sometimes six o'clock and sometimes seven. Earlier in the spring it used to be sometimes ten O'clock.

176-Q. Do you know if they would go in the same direction after they got down on the main skid road or did they usually go in different directions? A. Sometimes they both would go down the avenue

and sometimes the North Arm road.

177-Q. They would not keep together always? A.No.

178-Q. They were going to gather swill? A.Yes, sir.

179-Q. Each of them? A.Yes, sir.

180-Q. And for that reason they would go to different places?

A. I don't know.

181-Q. That would be the ordinary supposition, of course? A. I don't know.

182-Q. What did they do with the swill that they would get, did they bring it for their hogs? A.Yes, they brought it up to the piggery.

183-Q. They would not necessarily get back at the same time? A. No.

184-Q. Might be some considerable time between them? A. Yes.

185-Q. First one and then the other? A.Yes, sir.

186-Q. Have you ever seen any other Chinaman around out there? A.Yes, there was a young fellow staying there last spring but he went to work in the cannery.

187-Q. How long did he stay there? A. He had been staying there, I think four months, as near as I can tell, - four months and he spent the time in little contracts clearing lots and sawing wood.

188-Q. When did he leave there, or was he still there at the time the man was murdered? A.He was still there.

189-Q. He was still there? A.Yes, sir.

190-Q. Any other Chinamen every/ around there? A.Yes, there are



three or four or five men down on the road not far away running a charcoal pit, burning charcoal.

191-Q. But have they ever been around their place? A. Not that I know of.

192-Q. You never saw them there? A. No.

193-Q. Have you ever seen any other Chinamen around this place there working with the Chinamen? A. Yes, taking the pigs away.

194-Q. Taking the pigs away? A. To town.

195-Q. More than one occasion? A. Yes, several times, to take the pigs away.

196-Q. Did you ever know of any Chinaman to be around there at night? A. Only those two.

197-Q. Are there many Chinamen living in that vicinity? A. I cannot say besides those two fellows.

198-Q. Of course the most you can say about the prisoner's hand is, that as far as you know, you didn't observe any bandages on his hand.

199-Q. You hadn't that in your mind one way or the other at the time? A. No.

200-Q. It is quite possible that the man might have had a bandage on his hand and you not having that in mind would not have noticed it, you would not like to deny that statement would you? A. No, a person seeing him at that distance away, but I noticed him there drawing up the water, because they had just dug the well and I didn't know it was there until that morning when I saw him working there and that is why I took more notice of him than I would take at any other time.

201-Q. Even at that, you would not like to go so far as to say that if there had been a bandage on his hand there you would have noticed it? A. No, I would not.

202-Q. Where did they keep their wagons, in the yard right at the piggery? A. Yes, sir.

203-Q. Both close together? A. Yes, the wagons there were very close together because the yard is not very big.



-41-

204-Q. From where the old man was found where would he be going, in what direction? A. He was going towards Westminster Avenue.

205-Q. About what time was it when you first saw the old man?

A. It would be about twenty minutes to three.

206-Q. In the ordinary course of events the prisoner by that time would,--assuming that he had nothing to do with this crime, would have been off on his natural business, gathering swill some distance from there? A. Yes, he could have went quite a distance in that time.

207-Q. He would have gone some distance away I mean in the ordinary course of his work? A. Yes, he would have gone a little while.

Witness excused.

WILLIAM JACKSON, a witness, was duly sworn, and testified as follows:-

DIRECT EXAMINATION

BY MR. BURNS.

1-Q. You are a Constable of South Vancouver? A. I am.

2-Q. And on the 27th July were you near the piggery? A. I came through that piggery at twelve o'clock.

3-Q. Where were you going? A. I was on my way home to dinner.

4-Q. Which way did you go through? A. I had come from Westminster Avenue out on the road there by the charcoal burners.

5-Q. The charcoal burners is in what direction from the piggery? A. Over in here (showing)

6-Q. Here is the piggery? A. Yes.

7-Q. And here is the skid road? A. Yes.

8-Q. And this is north? A. I came up here between the buildings.

9-Q. And where are the charcoal burners about? A. About 200 yards away from there.

10-Q. Further to the southwest? A. Yes.

11-Q. This is the road coming right through here? A. Yes.

12-Q. Is there a trail leading to the piggery? A. Simply a trail, I scaled the fence running along there.

13-Q. And you went through there at that time? A. Yes.

14-Q. And what did you see there? A. I saw the deceased Chinaman.

15-Q. Anybody else? A. Nobody else.

16-Q. Did you see any horses or rigs? A. The gray horse and rig was there.

17-Q. Whose horse is the gray? A. The deceased's horse that he used to drive.

18-Q. That is what time? A. About 12 o'clock.

19-Q. You know this other Chinaman do you? A. Oh, yes.

20-Q. Do you know where they kept their horses and rigs? A. Yes.

21-Q. There is a horse stable marked on this plan? A. Yes, that is it, the gray horse stood on the near side, near me.

22-Q. In the stable? A. Yes.

23-Q. Was the other horse there? A. I would not swear that because it stood on the other side.

24-Q. Were there any rigs or did you see the two rigs? A. I saw the one rig the old man's rig.

25-Q. Where was that? A. Standing a little over in here (indicating) between here and here. About here I should judge.

26-Q. Towards the piggery from the horse stable? A. Yes, sir.

27-Q. Did you see any other rig there? A. I could not say that I noticed any other; I could not swear to that as I never stopped.

28-Q. You just saw the old man? A. Yes, and spoke to him.

29-Q. The young fellow might have been in the cabin? A. Might have been in the shack.

Witness excused.

CHING KING,, a witness, sworn according to the Chinese custom, and examined through an Interpreter, testified as follows:-

DIRECT EXAMINATION.

BY MR. BURNS.

1-Q. Where do you live? A. In the chercola place, along with Sam Kee.

2-Q. Is it in South Vancouver? A. Yes, in South Vancouver.

3-Q. Do you know Lee Chong? A. Yes, I know him.

4-Q. And do you know Young Ah Hing? A. I do.

5-Q. The two live together in the piggery? A. Yes, in two separate cabins.



6-Q. How far do you live from the piggery? A. About a block distance.

7-Q. How far is that? A. About 130 or 140 steps, I think I never counted them.

8-Q. Do you often go to the piggery? A. Not very often, sometimes I go to visit them.

9-Q. Were you there the day the old man died? A. That morning I was in his place to ask him to buy some berries I think.

10-Q. What time in the morning? A. About 11 o'clock in the morning.

11-Q. What day in the week? A. Monday I think.

12-Q. Did you see Lee Chong there? A. Both of them were there.

13-Q. Where were they at the piggery? A. I saw the accused standing alongside the boiler where they boil the feed for the pigs.

14-Q. Did you hear him say anything? A. No.

15-Q. Did you see anything wrong with his hand? A. I didn't notice.

16-Q. Do you see the prisoner's hand now? A. Yes.

17-Q. Was his hand like that at 11 o'clock on Monday morning?

A. I only know his person, but I didn't take any notice of his hand; he was standing alongside the barn and I didn't see it.

18-Q. Was his hand cut at that time?

MR. FARRIS . I object to his cross-examining his own witness.

Objection sustained.

BY MR. FARRIS.

19-Q. There appeared to be no trouble between Lee Chong and Young Ah Hing at 11 o'clock when he saw them? A. I didn't hear any quarrel.

He asked me to help him to drive a pig for him along but there was no word mentioned to me about a quarrel.

20-Q. The old man asked you that? A. Yes.

21-Q. Were you ever there at other times around the house or pig ranch?

A. Yes. I have been there at other times, but I don't remember the date, and the accused was not there then.

22-Q. Do you know what time they usually left with their swill rigs in the day? A. I do not.

23-Q. Didn't you ever see the leave? A. I don't know.

24-Q. Can't you see their place from your place? A. No, there are bushes in between. (Witness excused)



CHING LING, a witness, called and sworn according to the Chinese custom, testified in English as follows:-

DIRECT EXAMINATION.

BY MR. BURNS.

- 1-Q. Where do you live? A. I live with Young Ah Hing, the Chinaman.
- 2-Q. At the piggery? A. Yes.
- 3-Q. And Lee Chong, he lived there too. A. He got another shack to live in and Young Ah Hing he got another shack to live in.
- 4-Q. They lived in separate shacks, and you lived with Young Ah Hing? A. Yes, sir.
- 5-Q. (Showing plan) You sabe this? A. Yes.
- 6-Q. This shows the piggery? A. Yes.
- 7-Q. The piggery there (showing) A. Yes.
- 8-Q. And the well there? A. Yes.
- 9-Q. Lee Chong shack there? A. Yes.
- 10-Q. Young Ah Hing's shack there? A. Yes.
- 11-Q. And the horse stable? A. Yes.
- 12-Q. And the feed stable? A. Yes.
- 13-Q. And here is the road leading down to the skid road? A. Yes.
- 14-Q. And the North Arm road? A. Yes.
- 15-Q. And Westminster Avenue? A. Yes.
- 16-Q. And here is the well? A. Yes.
- 17-Q. You sabe that, eh? A. Yes.
- 18-Q. How long have you lived there? A. I think about
- 19-Q. You lived there about four months? A. Yes.
- 20-Q. What did you do? A. I contracted all the time with somebody to clear land and clear lots.
- 21-Q. What were you working at two weeks ago? A. Two weeks ago.
- 22-Q. Yes? A. I was all the time in one place.
- 23-Q. Whereabouts? A. Downint he river.
- 24-Q. Whose place? A. Mr. Taylor's.
- 25-Q. Mr Taylor's place? A. Yes.
- 25-Q. Workin' for him down there? A. Yes.
- 26-Q. And what did you do for him? A. I got a contract to clear his



his land.

28-Q. For him? A. Yes.

29-Q. Now, you sabe what day is to-day? A. Yes.

30-Q. What day is it? A. The 7th.

31-Q. What day of the week? A. Last Sunday was the first.

32-Q. What day of the week is to-day? A. To-day is Friday.

33-Q. A week ago last Monday, you sabe? A. A week ago last Monday,
the 2nd August.

34-Q. That is last Monday, I mean a week before that, a week ago last
Monday, what day do you think that was? A. In July, I don't
remember the day.

35-Q. But you know it was in July? A. Yes.

36-Q. What did you do that day? A. I worked all the same.

37-Q. Worked for who? A. Mr. Taylor.

38-Q. Worked for Mr. Taylor? A. Yes.

39-Q. What did you do on Sunday, the day before that? A. Picked black-
berries.

40-Q. You didn't work for Mr. Taylor on Sunday? A. No, I didn't
work for him.

41-Q. What time did you get up to work? A. Every morning at half
past five I get up and cook the breakfast and I start to work
at half past six and come home in the evening at about 8 o'clock;
sometimes at 8 o'clock I come home, lots of times at 8 o'clock.

42-Q. What time did you get up on Sunday? A. Sunday, sometimes I get
up at half past six and sometimes at seven.

43-Q. A little later? A. Yes.

44-Q. What time did the deceased man get up? A. I got up and cook
breakfast and call him and he get up and we wash and then we
have breakfast together.

45-Q. He got up after you? A. I got up half an hour earlier.

46-Q. Earlier than the deceased? A. Yes.

47-Q. He got up at six o'clock? A. Yes.

48-Q. And you had breakfast together? A. Yes.

49-Q. Does Lee Chong eat the same breakfast? A. No, he got another
sack and cooked ~~the~~ himself.



- 65-Q. What morning was that, Friday or Saturday? A. I think Friday or Saturday Young Ah Hing tell him kill his own pig, it is too small.
- 66-Q. Lee Chong say his pig too small to kill and want Young Ah Hing to kill his own pig? A. Yes.
- 67-Q. That is it? A. Yes.
- 68-Q. What else did you hear about killing the pig? A. No, he says pig too small, no kill him, Lee Chong go home into the house; Young Ah Hing not go home into the house but do something in the piggery; I don't hear much about it as I lay down in bed and not get up. I heard Lee Chong say as he go into the house, he tell him, he says: "God Dam you beggar, look out".
- 69-Q. Lee Chong say to Young Ah Hing? A. Yes, and then he go to sleep and don't say anything again.
- 70-Q. Lee Chong he say that and go to sleep? A. Yes, he say that and go to bed.
- 71-Q. What morning was that? A. He kill him pig that morning, no kill him pig.
- 72-Q. How long ago was that? A. Oh, probably one or two days before Sunday.
- 73-Q. Did they kill a pig? A. No.
- 74-Q. That was the morning they were going to kill the pig? A. Yes.
- 75-Q. What did Young Ah Hing do or say? A. Young Ah Hing, I didn't hear what he says, but he do something in the piggery.
- 76-Q. He work in the piggery? A. Yes.
- 77-Q. Did you see any quarrel between them afterwards, any quarrel or fight? A. Oh, he was cross and didn't kill him pig.
- 78-Q. How long? A. He came home and is not cross any more.
- 79-Q. What is that? A. I came home that morning and he is very cross, very much, because he didn't kill him pig; at night I came home to the house and he no say much now but goes to bed again; he goes to bed again in the morning.



- 80-Q. He went back to bed that morning? A. Yes.
- 81-Q. What else? A. On Sunday I go blackberrying and come home about six o'clock, and the old man tell him, he says,-
- 82-Q. Was Lee Chong there? A. Lee Chong was in the house.
- 83-Q. Did Lee Chong hear him? A. Yes, he stopped inside the house.
- 84-Q. When the old man told you this did Lee Chong hear the old man say it, could Lee Chong hear the old man tell you?
A. Yes, he hear anything.
- 85-Q. How could he hear it? A. He stopped in the house; the two shacks close to one another, not far away, and he talk to me outside the door.
- 86-Q. Was Lee Chong's door open? A. A little bit not much.
- 87-Q. What was Lee Chong doing? A. I don't see him what he do, he sleep maybe or do something in the house, he sleep every Sunday.
- 88-Q. So that you didn't see him at all? A. No, I didn't look for him.
- 89-Q. Well, then, did you hear any talk between Lee Chong and Young Ah Hing about the pig afterwards? A. I heard them say alright but not hear it, I go to work every day.
- 90-Q. And when you come home? A. I came home Saturday night I saw them, they were talking, they talk a little bit but not much.
- 91-Q. Then on Sunday you went to pick blackberries? A. Yes.
- 92-Q. You no come home all day? A. Yes, I stay out all day till night.
- 93-Q. Did you see Lee Chong that night at all? A. Yes.
- 94-Q. What was he doing? A. I saw him feeding the pigs.
- 95-Q. That was Sunday night? A. Yes.
- 96-Q. He feed the pigs too? A. Yes
- 97-Q. How did you hear any talk between Young Ah Hing and Lee Chong after that, any quarreling or being cross? A. I didn't hear much of the talk I go early.
- 98-Q. What is that? A. I no hear much.

- 99-Q. When you came home at night? A. Sunday night.
- 100-Q. Sunday or Saturday night? A. Sunday night he took the pig out again and Young Ah Hing he tell Lee Chong, he says, Lee Chong,-----
- 101-Q. You see you cannot tell his Honour what Young Ah Hing told you,--was Lee Chong there? A. Yes, Lee Chong was inside.
- 102-Q. You saw Lee Chong Monday morning? A. Monday morning.
- 103-Q. Yes? A. I no see him, I start to work.
- 104-Q. No see him at all? A. No.
- 105-Q. Last time you see him was when? A. I didn't see him that evening at all.
- 106-Q. You saw him Saturday night? A. Yes.
- 107-Q. Sunday night? A. Yes, Sunday night.
- 108-Q. Was his hand cut Sunday night? A. No, no cut then.
- 109-Q. Now, who owned the pigs, how were the pigs owned between them? A. the pigs.
- 110-Q. Yes, how many pigs? A. 5 pigs.
- 111-Q. How many pigs were there? Altogether?
- 112-Q. Yes? A. I didn't count them, how many pigs altogether it is not my business.
- 113-Q. You think how many? A. I hear old man he tell me he got 30 some.
- 114-Q. Who own them? Who belong to? A. Belong to old man, Lee Chong he got some 30.
- 115-Q. He got 30 too? A. He got altogether 30. It may be 30 or more or how many ; I don't know how many.
- 116-Q. You think Lee Chong have 30 and Young Ah Hing have 30 pigs? A. I think so.
- 117-Q. About 60 pigs altogether? A. More maybe.
- 118-Q. More than that? A. Maybe.
- 119-Q. You saw these pigs, some on this side and some on that? A. Yes.
- 120-Q. Pigs on one side and pigs on another side? A. Yes, two sides.
- 121-Q. Whose pigs on this side? A. One door go in; on that side is Young Ah Hing's and on this side is Lee Chong's.



- 122-Q. That is, the east side is Young Ah Hing's pigs and on the other side is Lee Chong's? A.Yes.
- 123-Q. Now, any of Lee Chong's pigs in Young Ah Hing's side?
A. Lee Chong keep one side and Young Ah Hing the other.
- 124-Q. All the time? A. All the time. One time they buy about 20 more, and Young Ah Hing got five pigs belong to Lee Chong on his side.
- 125-Q. On his side? A.Yes. On Lee Chong's side the board break down and the manure come in.
- 126-Q. On Young Ah Hing's side the plank had broken down and the manure come in? A.Yes.
- 127-Q. So he put these five pigs that he bought of the twenty in with Lee Chong's? A.Yes. He wanted to fix up the boards to fix up the stable before the drove them back but it was bad weather a long time and he no finish them and he was going to kill him and says there is five pigs belong to me.
- 128-Q. When he wanted to kill a pig that morning, Friday or Saturday morning he wanted to catch one of those five pigs and this pig Young Ah Hing say belong to him? A.Yes.
- 129-Q. What did they say about it? A. All the time cross about the five pigs; I did'nt hearr much.
- 130-Q. All the time cross about those five pigs? A.Yes.
- CROSS EXAMINATION.
- BY MR. FARRIS.
- 131-Q. Those five pigs were little pigs? A. Big pigs.
- 132-Q. At the time that they were bought? A.Yes.
- 133-Q. What time of day were they changed? A. Were they changed from one pen to the other? A. Changed?
- 134-Q. You say he took hem out of his pen and put them into Lee Chong's pen? A. Probable he kill a pig that morning and drove them back.
- 135-Q. But you say the five pigs belonged to Young Ah Hing? A.YYes.
- 136-Q. And they were in Lee Chong's pen, is that the idea? A.Yes.
- 137-Q. When did he put them in there? A. A long time ago?



-51-

138-Q. Put them in there a long time ago? A. Yes.

139-Q. Did you see him do it? A. I didn't see him do it, but he told me himself that he did it.

140-Q. Who told you? A. Young Ah Hing.

MR FARRIS. I ask that all this evidence be stricken out.

THE COURT. We will let it stand.

141-Q. You didn't see him change the pigs, you were away at work when the pigs were changed? A. Which pigs.

142-Q. When he put them in the other pen did you see him? A. No.

143-Q. Did you see him take one pig from one pen and put it in the other pen? A. All the time the ten pigs, 5 belong to Lee Chong and 5 belong to Young Ah Hing, he leave them in there, they were all in there together.

144-Q. You say floor break down and he take 5 pigs and put them in the other pen? A. Is that right, I understand that is what you said? A. Yes.

145-Q. Were the pigs never taken out, all the time in the same place? A. Yes.

146-Q. All the time in the same place? A. All ten pigs together.

147-Q. From when he first bought them? The first time he bought them; from that time he put them together.

148-Q. Since he bought them altogether? A. Yes, altogether.

149-Q. Did you see them when they were first brought there? A. No, all the time hear them talk.

150-Q. Who did you hear talk? A. Young Ah Hing.

151-Q. He was the only person you heard talk? A. I heard talk about the five pigs.

152-Q. You heard him say he had the five pigs? A. Yes.

153-Q. Who did he say that to? A. He told me.

154-Q. Tell you that? A. Yes.

(Questioned through the Interpreter)

155-Q. Ask the witness if the only reason that he knows that Young Ah Hing claimed these pigs is because Young Ah Hing told him, the witness, that? A. Young Ah Hing told me that he owned five of these pigs and that is the only reason I



-52-

know that he owned them.

156-Q. There was ten pigs in one pen? A. Perhaps ten, perhaps more, I don't know how many. I saw a whole lot.

157-Q. He says that Young Ah Hing told the witness that five of the pigs in Lee Chong's pen belonged to him? A. Yes.

158-Q. And that the ^{only} ~~six~~ reason that he knows that is because Young Ah Hing told him so.

159-Q. And that is the ~~only~~ reason that he knows? A. I only heard it.

160-Q. Lee Chong never told you that? A. No.

161-Q. Did Lee Chong say that they didn't belong to Young Ah Hing? A. He didn't say anything at all to me either way.

162-Q. Where did you see Lee Chong Sunday night? A. When he fed the pigs I saw him.

163-Q. Were you talking to him? A. No.

164-Q. You were not very good friends with Lee Chong, were you? A. Just the same to the old man as to Lee Chong.

165-Q. You never had very much to do with Lee Chong did you?

A. I am working all the time and have very little to do with them.

166-Q. On Sunday did he have nothing to do with them? A. No, I didn't talk to them very often.

167-Q. He didn't talk to them Sunday night? A. No.

168-Q. For how long a period Sunday did you see Lee Chong? A. About as soon as I seen him feed the pigs he returned to his shack.

169-Q. Where were you when Lee Chong was feeding the pigs? A. I was sitting in front of the shack outside.

170-Q. Talking to the old man? A. He was feeding the pigs.

171-Q. Were you talking to the old man? A. No.

172-Q. How far away was Lee Chong when he was feeding the pigs?

A. About from here to the corner of the room, (indicating about 40 or 50 feet)

173-Q. The corner at the other end of the room? A. Yes.

174-Q. You were not watching Lee Chong feed the pigs were you, you ^{simply} saw him incidentally? A. I was sitting in front of



of the sheak in the evening taking the fresh air and I did'nt take any particular notice of the accused but seen him around.

175-Q. He had seen him in the morning, of course, Sunday morning?

A. Yes.

176-Q. What did he see him do Sunday morning? A. Feeding the pigs in the morning and feeding the horses.

177-Q. What were you doing, eating your breakfast at the time?

A. I washed my ~~hair~~ clothes and was combing my hair part of the time.

178-Q. Did'nt pay any particular attention to the prisoner at that time? A. There was no special attention paid to him.

179-Q. At any time? A. No.

180-Q. Apart from this little dispute about the pigs on Friday morning were the old man and the prisoner good friends? The dispute about killing this pig? A. No, at the time of the killing of the pig they were in a bad temper and very angry.

181-Q. But apart from that? A. Well, then there was quarrelling about the five pigs all the time.

182-Q. They were partners were'nt they? A. Yes.

183-Q. They were partners? A. Yes, they both had the same pig pen and the same swill but the pigs were separate and they did'nt own the same pigs.

184-Q. Was the old man a good natured old man or was a grouchy old fellow? A. He was a good natured fellow.

185-Q. Was'nt he rather a surly/^{old}chap ? A. I don't think so; he was a pretty level-headed old man.

186-Q. You never knew the two of them come to blows or anything of that kind, never knew them to come to blows in any way, the prisoner and the deceased? A. No.

187-Q. You never expected or imagined that the two of them would have any fight? A. Well, I could not always have expected it because they were in a bad temper there when they were quarrelling.

188-Q. How many times have you known them to quarrel? A. Well, some of them were long ago and some of them more recent, and

of course if you ask me the question how many times I cannot say, some of them I was present and others I only hear about.

189-Q. Did you ever know the old man to have any trouble or quarrel with anybody else? A. Well, I have not heard him quarrel with any other person or at other times as only his friends visit him.

190-Q. He had friends visit him out there? A. Yes, I have seen sometimes a cousin of his come there.

191-Q. More than one at a time? A. Only one at a time.

192-Q. How do you come to be living with the old man? A. I know him and am acquainted with him.

193-Q. Were you paying any board there? A. Yes.

194-Q. How much? A. I offered to pay him one time and he says it is not necessary and then one time he hired some Hindus to work for him and when he had'nt got money to pay he accepted my money to pay the Hindu.

195-Q. He was not paying regular board there though? A. At one time I paid him \$2.00, then of course, sometimes I bought my own grub.

196-Q. He was more friendly to the old man than he was to Lee Chong was'nt he? A. Both about the same.

197-Q. Why did'nt he live with Lee Chong sometimes instead of with the old man? A. He had a cousin living with him sometime.

198-Q. Before he came? A. Yes, yes, this man he lived with him when he was away from Canada.

Witness excused.

COLIN S. CAMPBELL, a witness, after being duly sworn, testified as follows:-

DIRECT EXAMINATION.

BY MR. BURNS.

1-Q. You are the Chief Provincial Constable? A. Yes, sir.

2-Q. And you went out to the scene of this murder? A. Yes, sir.

3-Q. On that day? A. Yes, sir.

4-Q. What time did you arrive there? A. Somewhere between half past three and a quarter of four on the 27th-only judging that we was left here about three o'clock.

- 5-Q. And found what? A. Constable Smith and I arrived there and we found Isaac Greaves and Percy Greaves and some others in charge of the body of the deceased, Young Ah Hing, lying on the skid road at the north side of the road at the point marked "A" on the sketch.
- 6-Q. Now that body you afterwards saw, I understand at the Inquest?
A. Yes, viewed by the Coroner and the Jury.
- 7-Q. And on which the examination of Dr. Gillies was made? A. Yes, sir Sir.
- 8-Q. What was the condition of the road and the surroundings of the place? A. Well, in the center of the road, a few feet from where the body was lying, there was a large pool of blood and in that part there was a lot of cedar bark that had fallen there and there was a lot of blood there and a lot of blood beside where the body was laying.
- 9-Q. How far was the body away from the pool of blood? A. I should say six or seven feet probably.
- 10-Q. And then about the surroundings, the surrounding conditions? Around the pool of blood and around where the body was found the ground looked as though there had been a scuffle, it was disturbed.
- 11-Q. How were the bracken and things around the side of the road? Well, it was covered with blood near where the body was.
- 12-Q. As to evidences of the struggle? A. I saw there was some bracken down along the side but the main part where the struggle was had was right in the road where the main signs were.
- 13-Q. You state that there was blood upon the bracken, whereabouts was that? A. Right where the body was found and then east from the body just a few feet.
- 14-Q. On which side of the road? A. Just on the south side of the road. I believe I said the body was lying on the north side of the road, but it was on the south side of the road.
- 15-Q. On the south side of the road near the body was it that this bracken was bloody? A. Just at the foot of the body.



- 16-Q. Then what did you do? A? We turned the body over and then it was what I considered to be a murder and then I left Constable Smith in charge there while I went to the telephone to inform the Coroner and the undertakers and they came out after the body.
- 17-Q. What did you do with reference to the clearing up of the matter? A. Before leaving, with Mr. Isaac, we went a short distance ⁱⁿ on the trail here near the point marked "A" to the large log, I know it as log "A" as shown here, just leaving the trail.
- 18-Q. What made you go to that log? A. From finding some blood on the leaves.
- 19-Q. Then go on? A. Before getting on to the log I noticed these bloody marks and it looked to me to be fresh blood on a stick, you call it a puncheon on the road going in on the trail.
- 20-Q. Where was this found? A. On the skid road nearly opposite to where the trail led into the woods where the woods trail turns off right on this log, near the trail there was a mulberry leaf and some other leaves found first and then this stick was on the trail. The mulberry leaf was put in with some Exhibits.
- 21-Q. You found this mulberry leaf where? A. Mr. Greaves found that.
- 22-Q. Whereabouts was it found? A. Just as you enter into the woods on point "A". That mulberry leaf is "Exhibit 4".
- 23-Q. This was before you came to that log? A. Yes, sir, and then all along we found ferns that have been put in as Exhibits. Coming on to the big log next we found Exhibit "3" That was cut out of the large log marked "A".
- 24-Q. You followed this blood spots to this log, describe that log? A. That log is 62 feet long and 2 feet eight inches in diameter
- 25-Q. How was its surface? A. It is an old log that is very dry, dry with the bark off.
- 26-Q. What did you find on that log? A. I found drops of blood every few feet.
- 27-Q. And you took some of them? A. The first day we took some



and we took some off the next day.

28-Q. Yes, I would like to get this in because it shows the way in which the blood fell? A. This shows on Exhibit "12".

29-Q. How did you get this? That was found and cut from this large log "A" on the right hand side going from the point marked "A" to the piggery.

30-Q. That is going up the log? A. Yes, sir.

31-Q. And how were those spots, whereabouts were they found? A. On the right hand side.

32-Q. And were there any other spots found in any other place? A. No.

33-Q. And these spots were all found on the right hand side?

A. Yes, there was another section there as well from the same log.

34-Q. You took several sections of it? A. Yes, sir.

35-Q. What else,--then where did you go? A. I followed over the log then, over log "A" to log "B", or the second log, which drops down about two feet and a half at the end of log "A" it drops down to log "B" and log "B" lays at right angles nearly to log "A", and along log "B" and on the right hand side of it we found drops of blood, apparently fresh, alongside and on the right hand side of it and on the cedar leaves and on the general foliage along there and on some willow leaves that are here, I think they are willows!

36-Q. Was that found on that log? A. At the end.

Willow leaves marked "Exhibit 13".

37-Q. Then what did you do, where did you go? A. From Log "B" there is a log laying on top of log "B" which leads to where the skid road is.

38-Q. What did you find on the skid road? A. On the skid road we found traces of blood on sticks, that is a sliver off a puncheon or stick and these are pieces of ferns with drpps of blood on them.

39-Q. And which way does that lead to? A. The skid road leads angling towards the piggery.

40-Q. And was there any trail on the skid road? A. The skid road



was fairly grown over, but cattle had gone through, apparently cattle trails.

41-Q. How were those drops of blood found in relation to the trail?

A. All on the righthand side although we looked for them on both sides.

42-Q. Then from the skid road which way did it lead to? A. The trail then was about died out, there was several little trails.

43-Q. The trail on the skid road? A. The skid road and then there was several little ~~marks~~ trails leading towards the road leading to the piggery.

44-Q. Yes? A. And leading on almost in the same direction as the skid road to a point about 20, 25 or 30 feet from the road leading to the piggery the trail turns to the right and shortly after turning to the right this #2 stick was cut out of the log, that is Exhibit "4". That was cut out of an old dry log.

45-Q. How did it lead then in relation to the road leading to the piggery? A. Along nearly parallel with the road leading to the piggery.

46-Q. For how long about? A. I suppose about 100 feet.

47-Q. It kept parallel with the road? A. Yes.

48-Q. How far from the road? A. 20 or 25 feet something like that.

49-Q. And then what did it do? A. It came out on to the road.

50-Q. Now from the skid road where it came out on the road to the piggery, to where it came out on that road, was there any means you could follow, except the blood? A. No.

51-Q. And you followed the blood, did you yourself? A. Yes.

52-Q. Did you find anything on the road there? A. Yes.

53-Q. Showing you in which way the blood went? A. That was taken out of the puncheon stick.

54-Q. Whereabouts was that? A. A short distance from where you turn on to the road. That is Exhibit 14. Exhibit 14 so marked

55-Q. ~~It~~ Were you able then to trace the blood any further? A. Yes, sir



- 56-Q. In which way? A. Towards the piggery on cedar bark.
- 57-Q. Along the road? A. Yes, some of these pieces are here.
- 58-Q. The bark and bracken? A. Yes, those were there.
- 59-Q. Where was this blackberry bush found, this Exhibit "5"?
A. That was found near the end of the skid road.
- 60-Q. Found near the upper end of the skid road that you speak of?
A. Yes, sir.
- 61-Q. Whereabouts was this found that Dr. Gillies speaks of?
This piece of bark? A. This was found leading into the piggery.
- 62-Q. At the turns? A. Yes.
- 63-Q. Then you followed these blood marks along the road and this Exhibit "6" was found right at the turn going right into the piggery? A. Yes, going into the piggery.
- 64-Q. (Showing some other pieces) Where were these found? A. Those were got on the skid road, cut from the top of a log.
- 65-Q. Found on the skid road? A. Yes.
- 66-Q. What are they? A. Small leaves, I think they are fire weeds.
(These leaves marked Exhibit "15".)
- 67-Q. Then in the piggery did you find any? A. Yes.
- 68-Q. In the piggery itself did you find any blood? A. Yes.
- 69-Q. Whereabouts? A. This piece marked Exhibit 16 was found between the deceased's and the accused's shack, about 24 ft., from the accused's door. Marked Exhibit 16.
- 70-Q. Now, was there anything else found there, found in the piggery, any drops of blood that you took? A. There was another piece of bark, I think it is in ^{an} Exhibit, a little short piece, it was found just at the turn going in. There were two pieces of bark. There were other drops of blood near the stable, not showing as distinctly as those near the shacks.
- 71-Q. Where was this big piece found? A. Just at the end of the big log.
- 72-Q. What did you do then, when you got that far, what did you do next? A. Then we returned, I returned to town after that.
- 73-Q. I understand that some of these things that you have spoken



of as having been found along this trail that you followed were found on that day of the murder and some on the following day? A. Yes.

74-Q. You made a more careful examination on the following day, Tuesday? A. Yes, I took Constable Jackson and other out with me, and those leaves of bracken are all samples that we found there.

75-Q. How high was the highest drops of blood that you found on any of this bracken? A. Oh, I suppose about eighteen inches or two feet.

76-Q. You didn't find any blood on high trees or anything of that kind, as high as a man's head? A. Not over where he was walking.

77-Q. You didn't find the overalls did you? A. No.

No cross examination.

Witness excused.

THOMAS SMITH, a witness, was duly sworn, and testified as follows:-

DIRECT EXAMINATION.

BY MR. BURNS.

1-Q. You are a member of the constabulary of Vancouver Province, are you? A. Yes.

2-Q. And went with Chief Constable to this piggery? A. I did.

3-Q. You found some different things there? A. Yes.

4-Q. What were they? A. I found in the cabin of the accused, on the table, just inside of the door, one white towel with stains of blood.

5-Q. This is the towel, exhibit 8? A. Yes, and also a piece of flour sack stained with blood, exhibit No. 7. That is what I found in the shack, and also one jumper with a stain of blood hanging on the wall. That was all I found in the shack the first day.

6-Q. Did you find any thing else around the piggery? A. Yes, outside on the well I found one spot of blood, on the plank of the well itself a few feet from the cabin of the accused.

7-Q. Was that taken up or not? A. No, I don't think it was taken up; it was not taken up, and then there was a tub of water



- which appeared to have been there for a long time, the water was quite green and in the tub was two empty sacks, that is, in the water, and I removed the sacks and underneath the sacks was a pair of blue overalls which were not wet through and didn't seem to have been in there very long, and on the overalls was some spots which appeared to be blood to me.
- 8-Q. (Showing package) Are these the overalls? A.Yes, they are the overalls.
- 9-Q. And these were found in a tub? Whereabouts was the tub?
A. On top of the well.
- 10-Q. That is the well that was spoken of by the other witness?
A.Yes, the well that is close to the shack of the accused.
- 11-Q. That is the place that is marked "well"? A.Yes.
- 12-Q. And at that well was this tub and in the tub you found these things? A.There were two sacks and I removed the sacks from the tub and underneath the sacks were found these overalls.
- 13-Q. The water was over everything? A.Yes, but these overalls were not wet through.
- 14-Q. Were not wet through? A. No, there were dry spots on them.
- 15-Q. What time was that? A.That would be about five or ten minutes past four. Probably a little later.
- 16-Q. How were the sacks? A.The sacks were down under the water.
- 17-Q. Were the sacks wet through or not? A. Oh, yes, it was wet through.
- 18-Q. And were the rest of the overalls wet? A.They were not wet through.
- 19-Q. What do you mean? A.There was dry spots on them.
- 20-Q. Dry spots on them? A.There was, yes. They were in like this and the sacks were on top and the overalls might not have been in the water long enough for the water to go through them.
- 21-Q. To go through the grease, etc., A.Yes.
- 22-Q. At any rate some parts of the overalls were dry? A.Yes.
- 23-Q. Although they were absolutely immersed in water and covered with sacks? A.Yes.



24-Q. Could you notice that the overalls were in the tub with outn removing the sacks? A. Yes.

25-Q. Did you find anything else there? In the accused's cabin, underneath the bed under a stove pipe I found a sickle there.

26-Q. But anything else that has any bearing on this case? A. There was the lumber.

27-Q. Showing pair of pants) Do you know anything about these?

A. The accused had those on when he was arrested, that is Exhibit "A".

28-Q. And those overalls are Exhibit No. 10? A. Yes.

Cross Examination.

By Mr. Burns

29-Q. What is there to identify these overalls by now? A. I can identify them by the mark on the left leg. I know the overalls alright.

30-Q. What kind of a mark? A. A kind of blood stain, that I took for blood stain on the left leg there.

31-Q. Where is the blood stain? A. Right by the knee.

32-Q. That is what you took for a blood stain? A. Yes, I took it for a blood stain.

33-Q. Was that wet? A. No?

34-Q. That was dry? A. Kind of greasy and I suppose the water would not go through it, the overalls were very greasy.

35-Q. Were they rolled up tight? A. Just like as if they were taken off and thrown in the tub and the sacks over the top. They were not rolled up.

36-Q. Simply been discarded apparently, that is about all? A. Yes, I suppose.

37-Q. You wouldn't hardly say that there had been an attempt to conceal them? A. It looked like it, just put the sacks over the top.

38-Q. What kind of sacks were they? A. Couple of old potatoe sacks.

39-Q. Were they any good, good sacks? A. I don't know whether they were any good or not.



40-Q. They were chucked loosely over the top of this tub?

A. Seemed as though they had been pressed down, the water was over the tops of the sacks.

41-Q. Pressed down so the water was over the top of the sacks? A-Yes.

42-Q. It would not be necessary for them to be pressed down.

if they were thrown loose in the water would soak up through them? A-Yes, but it would take a long time.

43-Q. It would take a considerable time for the water to go through them? A-Yes.

44-Q. A considerable time for the water to soak up through these sacks? A-Yes, they were thrown in the tub loose? A-Yes.

They
45-Q /were old coarse sacks? A-Yes.

46-Q. What were they made of? A. Hemp.

Witness excused.

MR. BURNS. That is the case your Honour.

THE COURT:- Have the prisoner stand up and interpret this to him.

"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 at your trial".

"You must clearly understand that you have nothing to hope from any promise of favour, and nothing to fear from any threat, which may have been held out to you to make any admission or confession of guilt, but whatever you now say may be given in evidence against you upon your trial, notwithstanding such promise or threat".

MR. FARRIS. The prisoner has nothing to say.

THE COURT: Mr. Farris, have you any objection to his signing this statement.

MR. FARRIS. Yes.

THE COURT. You may put this sketch in as Exhibit "17". Mr. Farris do you wish to sign this statement? A.No.

THE COURT. The accused stands committed for trial at the next Court of competent jurisdiction in and for the County of Vancouver.

"By. O. Alexander. S.M.



-64

C A N A D A.
Province of British Columbia,
County of Vancouver.

I, E. R. Lindsey, being first duly sworn on oath, state:-

That I was the Stenographic reporter who reported the foregoing proceedings.

That the foregoing proceedings are a true and correct transcript of all that took place at the preliminary hearing of Lee Chong accused of the murder of Young Ah Hing.

"E. R. Lindsey".

before

Subscribed and sworn to/me this 10th day of August, A.D. 1908.

"J.C. Dockerill".

ACommr &c.



Jackson
Fall Cases 1908

Rey

v
Lee Chung

Wardens

Crown Brief

Final
Oct 30

31

3.10 d m Vudret

Smith
Sentences