

John Hall's Story

A Transcription of Judge Crease's Bench Book from Hall's Trial in 1882

- By Michael Cotton, March 5th, 1998.

John Hall was born in 1819 in Kent, Ireland, and trained as a horticulturist. He immigrated to Canada in 1870, and located at Burrard Inlet in what is now a part of the *City of Vancouver*.

The *Land Ordinance Act* passed into law in 1870 — ironically the same year Hall arrived at the Pacific Coast. This law provided for any British male subject, eighteen years or over, to pre-empt 161 acres of Crown Land. However, a few provisos applied to the new process. The applicant must dwell on his claim for four years and improve it at the rate of \$2.50 an acre. After the four years, he was then eligible to apply for legal title to the parcel for \$1.00 per acre.

Shortly after arriving in the new country, Mr. Hall found a plot of wilderness beauty on the east side of Indian Arm, just north of where it meets Burrard Inlet, and in 1882 the title for **Lot 229** was registered in his name. (See Below — **Letters Patent #2479**)

Hall took to wife (common-law), a young Indian maiden from a nearby reservation, and they had two children... (Whiting 1978) He built a house, planted a garden and started an orchard. (Crease 1882)

On October 18th, 1882, a group of friends — neighbours and acquaintances — met at his home, and it appears that a considerable amount of alcohol was consumed. John loved his liquor and occasionally became drunk. John's mother-in-law, Mary Dish (or *Mn-Maat*) and her sister *Chealtah* canoed over from the north shore to visit with Mary's grandchildren.

But by the end of that fateful day, Mary Dish had been shot and she died instantly. John Hall was arrested the next day with no apparent trouble by **Constable Jonathan Miller** from the Granville townsite, constable for the Burrard Inlet district. An inquest was held by the coroner for the Burrard Inlet district, **Dr. Charles Newland Trew**, in Moodyville on October 20th, and John Hall was formally charged with Mary's murder. He pleaded "not guilty" to the murder.

Hall commissioned **William Norman Bole** whose ability as a defence lawyer was legendary.

The trial took place in New Westminster on November 27th, 1882, before **Judge H.P.P. Crease** and a jury of six people. About 115 years after the trial, Judge Crease's "bench book" was discovered in the *BC Provincial Archives*, and that manuscript provides the only reliable record of the evidence as presented at the trial.

Editor's Note: *The discovery of Judge H.P.P. Crease's "bench book" (Judge Crease's personal notes recorded during John Hall's murder trial) in the **British Columbia Archives** in 1997 provides the only reliable record of the circumstances surrounding the event and the evidence made available at the trial. Until then, only sensationalized stories passed by word of mouth, letter and other second hand sources were the sole basis for information about the murder. According to the evidence brought forth at the trial, much of the previous gossip turned-out to be incorrect.*

*What follows is a **transcript of Judge Crease's hand-written bench book notes** taken at John Hall's trial on November 27th, 1882. The efforts of half a dozen people to try to fathom the large, flowing scroll of the Judge's handwriting, and his own style of shorthand, has resulted in as close a "transcription" as we have been able to produce. The writing was spread across the page, and we have changed this format to two columns, but have tried to accurately copy his tendency to have huge, and inconsistent indents — and to also show words which were underlined, and in some instances words or even sentences that were written and then crossed-out. For ease of reading, we have used the full words rather than Judge Crease's abbreviations.*

Jonathan Miller (1834-1914)

Jonathan Miller was born in Melbourne, Ontario, in 1834 and married Margaret Springer in 1855. He left for BC in 1862, with his brother-in-law, Benjamin Springer, as part of the Cariboo Gold Rush. His wife, Margaret, and children joined him in 1864. During that same year, he became a member of the New Westminster City Council. Between 1866 and 1869 he was involved in the lumber trade.

In 1871 Miller was appointed Granville townsite's second police constable, government agent, and collector for the Burrard Inlet district, succeeding Granville's first constable: Tompkins Brew. Miller served 15 years as constable from 1871 to 1886. (In 1873 New Westminster hired its first police constable: Jonathan Morey.) Miller began a "chain gang" in 1873 with chained prisoners being taken out daily to work at clearing and building roads and lanes, under the

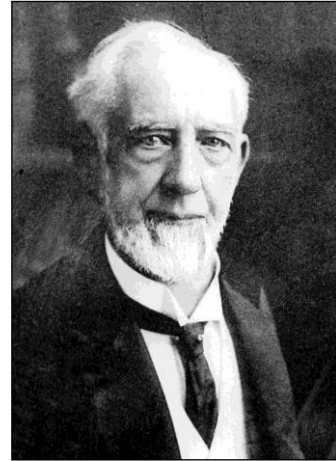
watchful eyes of a guard armed with a shotgun. (The *British Columbia Penitentiary* in New Westminster didn't open until 1878.)

Miller was on the committee which drafted the charter of Vancouver.

In 1886, Miller's cottage served as the polling booth for Vancouver's first civic election, and Miller was the returning officer at the first mayoralty election. Vancouver was incorporated on April 6th, 1886, and by May 10th, 1886, Jonathan Miller's cottage served as City Hall, the courthouse, and the jail. Miller also served as the fledgling city's collector, jailer, constable, court clerk and government-agent. He declined the offered job of Chief of Police. On May 1st, 1886, the Vancouver post office came into existence, and Jonathan Miller became Vancouver's first postmaster, a position he held until 1909, when he retired at the age of 75. Jonathan Miller died in 1914.

Source: *City of Vancouver Archives* (Record Numbers: Add. MSS 819, 511, & 291.)

J. Miller



Jonathan Miller 1886
(CVA Port. P471)

Murder of a Mother-in-law

Daily British Colonist, Saturday, October 21st, 1882, page 3.

Granville, October 20th, 1882 — Yesterday an old man named John Hall, who has a ranch opposite Port Moody, shot and killed his mother-in-law, and Indian woman, who, he alleges, had stolen some money from him and was leaving with it. He has been arrested and the inquest and trial are being held in Moodyville today. Particulars not received.

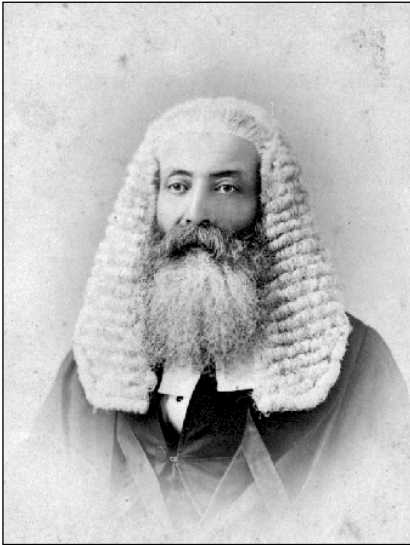
Inquest — John Hall Committed For Trial

Mainland Guardian, Wednesday, October 25th, 1882, page 3.

Inquest — Coroner Trew held an inquest on the body of the Indian woman shot at the North Arm of Burrard Inlet; the verdict was equivalent to one of wilful murder. The bullet, from a Henry rifle, entered at the back of the left side, and travelled the body to the right side, producing instant death. The prisoner, John Hall, was brought over on Saturday night and lodged in our city prison; he was fully committed for trial on the charge.



Dr. C.N. Trew
(CVA Mil P298)



Judge Crease circa 1876

(BCA B-01397)

Sir Henry Pering Pellew Crease, 1823-1905 New Westminster, Victoria; Lawyer, Attorney General, Judge.

Judge Crease was born 20 August 1823 at Ince Castle, Cornwall, England, the son of Captain Henry Crease, R.N., and Mary Smith Crease. He graduated from *Clare College*, Cambridge on 29 April 1846 and on 21 May 1846 was admitted to the *Honourable Society of the Middle Temple* to study law. From June to September 1847 Crease resided in Smyrna (Izmir), Turkey under medical treatment for a pulmonary infection, then returned to complete his legal studies at the *Inns of Court* and was called to the degree of the Upper Bar on 8 June 1849. He proceeded to Toronto, Canada in the same year and while there joined an exploring expedition on Lake Superior with the purpose of surveying a proposed ship canal between Lake Huron and Lake Superior. He returned to England in 1851, where he continued to practice law as a conveyancing barrister and

managed *The Great United Wheal Vor Mines* near Helston in Cornwall. On 27 April 1853, he married Sarah Lindley (daughter of Dr. John Lindley, a renowned British botanist and sister of Lord Nathaniel Lindley, a British judge of some merit who was eventually to become senior judge in Chancery, President of the Court of Appeal, and finally Lord of Appeal in Ordinary with a life peerage). As a result of the commercial depression of 1857, Crease gave up his management of the Cornish mines and returned to Toronto in 1858, but continued on to Victoria. Here he became the first barrister qualified to practice in both Vancouver Island and British Columbia, when he was admitted and enrolled as a Barrister of *Her Majesty's Supreme Court of Civil Justice of Vancouver's Island* at Victoria by Chief Justice David Cameron and British Columbia by Judge Matthew Baillie Begbie on 18 December 1858. Crease sent for his wife and three daughters (Mary, Susan and Barbara) and they arrived from England in February 1860. On March 2nd, 1860, Crease took his seat in the *House of Assembly* (Second Parliament) as a member for Victoria District. He accepted the additional responsibility of Attorney General of the *Colony of British Columbia* on 14 October 1861, and subsequently resigned his seat in January 1862 when he moved to New Westminster. He was a member of the first legislative council of British Columbia, which sat on 21 January 1864, and he served on the Executive Council to Governor Frederick Seymour. From the unification of the two colonies in 1866 until his elevation to the Bench in 1870, Crease continued to serve as Attorney-General and member of the legislative council. The Crease family had resided in New Westminster from 1862 but at the end of November 1868 they returned to Victoria. During his years on the mainland, Crease also represented the *Colonial Securities Company Limited* (later the *Canada Agency Association*) of London and was also elected in 1868 as a Fellow of the *Royal Colonial Institute*. Crease was appointed a *Puisne Judge* on 13 May 1870. In addition to that responsibility, he served as Chairman of the *Royal Commission for the Revision of Laws of BC* preparatory to Confederation with Canada (1870), served with fellow justices Begbie and John Hamilton Cray on the Royal Commission inquiry into the acquisition of Texada Island (1874), and chaired the *Royal Commission for Consolidation of the BC Statutes* (1877). Judge Crease retired from the bench on 21 January 1896. He died 27 November 1905, and was buried in the *Ross Bay Cemetery* in Victoria, BC.

Source: *British Columbia Archives Cat. MS-0054 (Photograph BCARS B-01397).*



B.

Province of
BRITISH COLUMBIA.

No. 2479

Robert Beaven
Chief Comr Lands Works

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland,
Queen, Defender of the Faith, and so forth.

To all to whom these presents shall come, Greeting:

Know ye, that WE do by these presents, for US, Our heirs and Successors, in
consideration of the sum of One hundred and fifty one Dollars,
to US paid, give and grant unto John Hall

his heirs and assigns, All that Parcel or Lot of Land situate in New Westminster
District, said to contain One hundred and fifty one acres,
more or less, and more particularly described on the map or plan hereto annexed and coloured red,
and numbered Lot Two hundred and twenty nine (229) Group (A)

on the Official Plan or Survey of the said New Westminster District
in the Province of British Columbia, to have and to hold the said Parcel or Lot of Land, and all and
singular the premises hereby granted, with their appurtenances, unto the said John Hall

his heirs and assigns for ever.

PROVIDED, NEVERTHELESS, that it shall at all times be lawful for US, Our heirs and
Successors, or for any person or persons acting in that behalf by Our or their authority, to resume any
part of the said lands which it may be deemed necessary to resume for making roads, canals, bridges,
towing-paths, or other works of public utility or convenience; so nevertheless that the land so to be
resumed, shall not exceed one-twentieth part of the whole of the lands aforesaid, and that no such
resumption shall be made of any lands on which any buildings may have been erected, or which may be
in use as gardens or otherwise for the more convenient occupation of any such buildings.

PROVIDED, also, that it shall at all times be lawful for US, Our Heirs and Successors, or for
any person or persons acting under Our or their authority, to enter into and upon any part of the said
lands, and to raise and get thereout any gold or silver ore which may be thereupon or thereunder
situate, and to use and enjoy any and every part of the said land, and of the easements and privileges
thereto belonging, for the purpose of such raising and getting, and every other purpose connected
therewith, paying in respect of such raising, getting, and use, reasonable compensation.

PROVIDED, also, that it shall be lawful for any person duly authorized in that behalf
by US, Our Heirs and Successors, to take and occupy such water privileges, and to have and
enjoy such rights of carrying water over, through, or under any parts of the hereditaments hereby
granted, as may be reasonably required for mining or agricultural purposes in the vicinity of the said
hereditaments, paying therefor a reasonable compensation to the aforesaid John Hall

his heirs or assigns.

PROVIDED, also, that it shall be at all times lawful for any person duly authorized in that
behalf by US, Our Heirs and Successors, to take from or upon any part of the hereditaments hereby
granted, without compensation, any gravel, sand, stone, lime, timber, or other material which may be
required in the construction, maintenance, or repair of any roads, ferries, bridges, or other public works.

In testimony whereof, We have caused these Our Letters to be made Patent,
and the Great Seal of Our Province of British Columbia to be hereunto affixed.
Witness His Honour Blument Francis Donnell Lieutenant-
Governor of Our Province of British Columbia and its Dependencies, at Our Government
House, in Our City of Victoria, this fourth day of
September in the year of Our Lord One thousand eight hundred
and eighty two, and in the Fifty sixth year of Our Reign.

By Command

John Hall's Deed to Lot 229 — September 4th, 1882



City of Vancouver Archives (CVA P.974)

Captain, His Honour W. Norman Bole — New Westminster *circa* 1893

New West Assize

29 Nov. 1882

27

Regina

vs

Murder of Mary

John Hall

W. J. McElmen for the Crown

Wm. Bole for the defense

Prisoner arraigned

Plea - not guilty

Petit Jury sworn

John McInenes Foreman

Prisoner placed in charge of
Jury.

McElmen. addressed the
Jury.

4 Oct. 82 at North
Arm

Killed Mary

Shot down while

going

To canoe.

Peter Calder sworn.

I was living at John
Hall's place North Arm
Burrard Inlet - since
26 June up to last Sunday
in Hall's employ.

In month of Oct.
In [1801] in evening
between 5
& 6 o'clock.

I was out milking

cows for Mr. Hall.

His little daughter
came out
& told me her father
wanted me to come in.
Mary Mn-Maat Dish had
taken some
Money from him.

I got near the walk
& shouted to him.

I heard him holler for
me. Went over to the
house. Right at the door
He had his hand on her.
(Dish or Mary)

Just as I came up he let
go of her.

Told me at the same time.

Started off.

She went away from the
Door. He followed through
the
Garden. -

At (the) garden gate
she
commenced to run.

He started to run after
her.

She (was) getting out of his
way.

Hollered for me
that she had his money - &
to try and catch her & get it
from her.

I started to run
past him and catch her
right at the front gate of the
garden -.

There are 2 gates
To the garden - it is about
One acre and a half.

The front gate was kind

of quartering across the garden.

Feeling around in her clothing where she'd have the money and found a 20 \$ piece in her bosom. Took it out of her bosom and gave it to Mr. Hall.

~~He wished she has me out of the nag & off I sent off?)~~

I let go of her and she started to run again.

She ran to the canoe I stopped her from shoving the canoe off.

What distance from the house across a lot - of about an acre - kind of quartering across the garden?

With all 700 yards. I stopped her from shoving it off. He did not come down then. He went back some where - . In a minute or two he came back with a rifle. - He went back towards his house. Then got down a few minutes with the rifle.

A Winchester rifle. Where does he keep it?

Most generally kept it hanging up in the house. I know that because I have lived in the

house with him.

Just as he came out from the gate - I looked up and says, "Don't bring the rifle down."

He kept coming on - Came down on to his beach. Kloochman was at the middle of the canoe.

She went towards him. She turned and went right towards him!

The rifle went off. The shot went off. He was holding the rifle at the time.

He fired some way. I was excited. I could not really say how he was holding (it.)

~~Except that he never had it to his shoulder that I saw.~~

Immediately before I saw him walking down with that rifle in one hand.

He had both his hands on the rifle. I won't say if his finger was on the trigger. The last I saw he had both hands on the gun.

"How near were you to Hall at the time?"

Right at end of canoe at the time -

I should judge some 20 ft.
as the remember of that
night.

Dish (Mary) fell right on her
face and her hands.

She died there

I think and ...

I did not see her
move afterwards. -

He was about 3 yds. from
the canoe.

She did not turn her
Head around. She turned
Around and went towards
him.

"Was your eye more to
Hall or Dish?"

I think directed more
to
him. They were both fronting
me - I could see them both at
the same time.

"Your eyes being
more.."

I think my eye was turned
to Hall because he had the
gun. I was more interested
in him because of the gun.

I saw the gun in his
hand and heard it go off.

- I was at the bow of the
canoe

- she was at the centre.

I stepped off near 2
steps from the canoe after a
time.

"Why?"

I don't know why I done
It. She turned and

ran towards him -

I think

After the shooting I walked
up to Hall and put my
hands on him and said,

"What did you do that for?"

Says he, "I didn't mean to
do it."

He turned around & went
up towards the house.

He left the women there.

Yes - I'm quite sure,

No sir, I did not go near
the body.

I went away then in 2
minutes.

I just spoke to him and
Started off in that direction.

He turned round and
went back. (to house?)

We just went away
together.

I did not see the body till
I went to Moodyville.

Went right over to
Mr. Stephen Decker's - a
neighbour - the way the
trail goes nearly ½ a mile.

It was night. He's with
a J.P. - I told Decker he
came over.

Can not say exactly
how long

we stayed.

After ½ an hour or so.

Decker since came over
to Mr. Hall's.

Could not say at what
time.

Did not look at the time.
Long evening - ½ past 7 or 8.

He came over there and
stopped there that night.

Found Hall at home.

It was Dish's body .

I attended
the Inquest at Moodyville
before Dr. Trew the Coroner.

-

It was held on Dish's body.
Dish came to Hall
as near as I can judge after
12 p.m. near as I
can judge.

And Another
Kloochman [Indian
woman] came with her.

Don't know her name.
Never seen her before as I
know of.

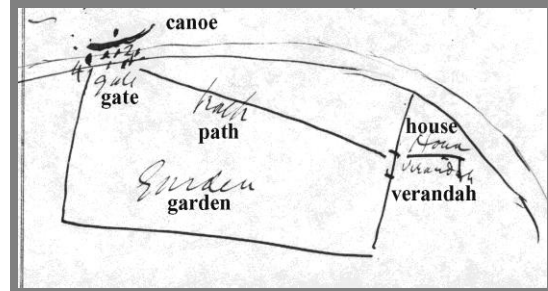
She called her her sister
- I hadn't seen that Indian
woman before.

"Identify him."

I don't know as I
seen her before.

No sir, I never spoke
to her after the shooting.
To the Judge.

The map explaining
the position of the parties.



Starting on page 25 about
half way down the page.

"She sounded as if she was
loaded."

"A few days before I saw him,
put in three or four shots. He
shot a crow some day before
not many days before."

That was on Wed. It was that
week anyway. Fired the shot
at me once. I never had the
rifle in my hand but once."

Received by McElmen.

"She did not come to
Decker's after I arrived. No
Sir." "She was in the house." "Hall had the gun in his
hand - I think with one
hand going back to the
house." I think dangling as
I call it in one hand. I don't
know whose money it was I
took from her. It was a
\$20.00 gold piece.

Kloochman not very apt to
carry 20 pieces."

Canoe

The rope was about eight
foot long. She was all high
and dry on the shore. There

was underbrush up on the bank. The trail came down through bush. A bush floated in lying on the ground all around there.

John Calder's deposition before the Coroner given(?) Johnathon Miller sworn.

"I reside at Burrard Inlet. I am a Constable. On the 19th. October we started to John Hall's place - North Arm right side going up.

"It's about $\frac{1}{4}$ of a mile from John Hall's house. Met Hall with Calder in a canoe with two children. I arrested him. Took him to Moodyville gave up to the Magistrate. Loaded him up at Granville and sent for the Coroner, Dr. Trew. On Thursday or Friday the 20th. There was an Inquest. The result of the Inquest was I arrested Hall on the charge of murder. Hall was committed on the charge of murder. Saturday 2 p.m. went to Hall's place. The body was at the Inquest and identified by Calder as Dish or Mary. - On 21st. to Hall's place North Arm with one Indian woman - Chealta who had given evidence at the Coroner's Inquest. She pointed out to me the position of the (murder?) (Rec?) 3\4 hour.

Distance to Hall's house to Decker's house by stepping I made it 730 yards.

Hall's house to the shore 150 yards from the house down on the beach a short distance. Trail is small path through the garden. 36 ft. from the second gate on to the beach. There is bush at the side - but straight down from the gate to the water there is no brush. Brush at the left side as you go to the water to the gate. There is some close to the fence. 60 ft. to the left I noted a small bunch of bushes. There is a line of thorn of about 3 ft. thick 6 ft. high. Some places no brush. There is brush along the fence. The rifle I got on Saturday 21 October at John Hall's house.

Bole's Examination

"Is this canoe landing the only one near J. Hall's house?"

No. There is another one very close to John Hall's house. The house just on the bank above the landing. The beach is smooth. There is nothing to prevent a landing along the beach. I landed at another place myself. All along the bank close to the fence. I don't

remember. Stump of maple tree close to there.

"How long exactly?"

About an hour in making a sketch of the landing and the shore near the house. An Indian from Moodyville brought me the information on Monday morning the 19th. The day following the homicide. - Met John Hall a short distance from there.

Short 1\4 mile from his house. He in canoe. I in ferry boat. We meet. Did not run away. Constable 11 years at Burrard Inlet. Hall not charged that I know of any offences during my time. I know Stephen Decker. He was at Hall's house when I went there on Saturday 21 October. Was talking to him speaking of the case. I forgot what it was. I was seeking information generally.

When I arrived at Hall's I called to him to come to me. We came up top stopped the ferry boat arrived for him. He came along side. I told him to come aboard.

Policeman. Ian ????

Born from Squamish.

Scalate nat. That's my name.

I live in a teepee mmmm above Seymore Creek on North Inlet - on a ranch known as Slay-quilt Ranch. I

know Mn-maat or Dish or Mary who was killed at John Hall's house.

"Where did she live?"

Her house was at Slay-quilt Ranch. Our house was a short distance about Slay-quilt house. I know John Hall and where his house is. I recollect the day when Mary was killed. Five weeks and two days ago it was. When the sun was a little high I and my sister went away together in a canoe to John Hall's house. Landed canoe near John Hall's house - a short distance below. Both went together to John Hall's house.

"At what time?"

In an hour got to John Hall's house. There after 12 o'clock.

"Who was there? I mean with John Hall".

One man with John Hall.

Only those two.

"What occurred?"

We did nothing, all sitting at John Hall's house. Mary went to see John Hall's children who were children of her own daughter. Her grandchildren.

"Stop long?"

Mary wanted John Hall to pay her some money that

John Hall had formerly
owed to her husband.

"Why did not pay?"

I don't know why he didn't
pay.

*"How long stop in John
Hall's house?"* Can't say how
many hours. He stayed in
the house. Walked up and
down while Mary was
wanting the money. They got
angry in the house. John
Hall struck Mary with his fist
- they were fighting. I took
my sister by the arm and
said, "Better for us we go to
the canoe." Not far from the
canoe saw John Hall, when
close to the canoe saw John
Hall coming with a gun.
Let's hurry up here's John
Hall coming with a gun.
Mary went to the canoe. I
went to hide.

I did hide- stump a short
distance went to the shrubs
and crouched down behind
could then see Mary.

While there John Hall shot
my sister, Mary. I saw John
Hall carry the musket. I see
John Hall there. John Hall
was not as far as the window
- about as far as from bench
to prison box not far off.

The Cloochman had nearly
got to the canoe when she
was killed.

When I heard the shot I
cried and on the ground
cried.

Mary was going down
turned around to look at
John Hall

Could not see him well when
he shot.

Did not turn completely
around.

She saw the musket fire
She stooped a little and John
Hall shot.

"What did you do then?"

I still hid behind the stump
looking at my sister.

"At what time?"

Don't know the clock. The
sun had nearly gone down -
along in the evening.

"What did you do then?"

When it came just the early
part of night took the trail
went to Steve Decker's house.
I was at Steve Decker's home.
I found Steve Decker and a
man always with John Hall -
talking to Steve Decker. I
came right back to where my
sister was.

*"How long at Steve Decker's
house?"*

I didn't sit down at all. Saw
the white man talking lots
came back at Steve Decker's
before that day.

There only that one time.

*"When came back to your
sister, what did you do?"*

Never sat down a little afraid of John Hall. Went to put into canoe. If John Hall saw me he might do something bad to me. Put dead sister into canoe. Went into the house.

"Why did you go first to hide?"

I was afraid of being shot like my sister - might be killed to the canoe.

"Who was with John Hall at the time of the shooting?"

He was with a white man there with John Hall name I think Peter.

When Mary was shot Peter was walking at the outside of the house looking at what John Hall was about to do.

Did not come down as far as John Hall. Was back of John Hall towards the (land).

It had become dark night before I took the body away.

Cross Examination by Judge Bole.

"Ever at John Hall's house before that day?"

No - never been before. Only Mary was in the habit of going. Never there before. I have often seen John Hall walk around many places. She knew him even at Decker's before that day.

No.

"How long after breakfast did you get to John Hall's house?"

Had breakfast got up early went to John Hall's house. Did not know Steve Decker before that day. Seen Steve going up and down and around but did not go to his house.

"What time did Steve come to John Hall's house?"

I did not see Steve come to John Hall's house. Did not see Steve Decker at John Hall's house that day.

"Know John Hancock?"

No.

"Did you meet man John Hancock at John Hall's house that day?"

No.

"Did you see Peter at John Hall's?"

Yes I saw Peter at John Hall's house.

"Was any whiskey there?"

No.

"Did you drink any?"

No.

"Did Dish drink any?"

Dish had never in the habit of drinking whiskey at John Hall's.

"There was none then?"

I did not drink any because I am sick.

"Were Dish and John Hall quarrelling?"

I had nothing of business to John Hall.

She was trying to get the money back (a loan) from John Hall. They quarreled and fought. I did not see John Hall have musket in the house. Always outside. Saw John Hall with a musket. Don't know where he kept his musket. Where I was I did not see it. Perhaps in his small bedroom. Did not see the gun in the house. John Hall put the married woman out of the house. First he pushed Mary out. I went into some time afterward.

"When he pushed your sister out of the house had he the gun in his hand?"

No. I took my sister by the arm and took her out. John Hall was in the hall when they went out.

"When you went out had John Hall the gun in his hand?"

He left the house last. I got down nearly to the canoe and saw John Hall with a musket in his hand and I went and hid.

"When John Hall was coming how far Mary from the canoe?"

She wasn't far from the canoe when Hall shot.

(Points out about 10 to 12 feet.)

"How close was John Hall to you?"

Started to go far when we first saw John Hall. I went off and hid. Mary went to the canoe.

"Then how far was John Hall from both when you saw him first with a gun?"

When I turned and saw John Hall he was all as far by tho I was off.

"It was not very far then from the canoe when you saw him with the musket?"

The canoe was all as far off as from here to the road.

"Do you know the second gate?"

"Nearly inside the second gate about the time you left your sister?"

I had not gone through the second gate but very near it after I started to run away didn't go through the second gate. I went out of the gate I went to hide. I was frightened and went out first. Went through the gate almost together. When we went through the gate.

"How far was John Hall from them?"

About the time John Hall had just come through one

gate we saw him for the other.

"About as far as throw stones was John Hall running?"

He was not running but carried his musket at the charge.

As soon as we saw John Hall with the musket we ran, I to hide, Mary to the canoe.

Not running very fast but wanted to get away.

Although sick I am able to run when frightened.

Immediately outside the gate Only find a maple stump.

Don't know much about maples.

I am not acquainted with the place - I saw the stump but took no notice.

Stump 50 yds. From the gate.

As far as the sidewalk (name) states. He does not know the place - and not acquainted with it - He never there would have known it better.

I know Peter - with John Hall.

While coming down to the canoe (?????????)

"Did Peter come before the women was killed?"

Peter came down I saw her but did not go to her.

"Did he come there after the shot was fired?"

It was after Mary's death.

Peter came down to came down but not to her.

"When shot fired - did You see Peter?" John Hall Just seemed afraid (mostly?) My sister I saw Peter. Peter was not far from the canoe when the shot was fired.

DRAWING

Peter was on the high ground.

"How did John Hall hold the gun - by the shoulder?"

The gun was at his shoulder - muzzle (was) depressed - John Hall was on high ground.

Mary lower.

It had now become night - I went to Steve Decker's - to told him as I was afraid of what Hall should do. If I put the body in the canoe. Don't know how many hours at Decker's. Don't know clock.

What The white man Was talking about the dead

women - then Steve
gave me the money.

it was inside the house
When he gave it to me
Peter was (higher
wawa?)

I suppose it was about
my sister. They spoke in
their own tongue about
her. What they were talking.
"If afraid of John Hall
shooting you stop not run at
Steve Decker's"

My sister's body was on the
Beach and where the tide
came
up perhaps the tide would
float her away.

I came back to look
after her.

It was dark, very dark.
I stayed there bef till it
became very dark before
He put the body in the
canoe.

Dr She wished to
(Dos?)

Steve did not come
to where the dead body
was.

Can't tell if that was
the Dr. - who held the
inquest.

I was crying for my
sister -
Deposition before the
Coroner. Before Dr. Trew.

"Did you say when
Hall and Mary were

fighting - Hall took
up his gun?"

This says I did not do that
while fighting in the house.
Hall took up his musket.
"Did you say that to Dr.
Trew?"

I went out of the house first
and hauled my sister after
me.

Mary did not leave
for some minutes after
I did.

"Stopped in Decker's
2 hours?"

Stayed ½ an hour in
Decker's house.

I did not say so.
I stopped a little there.
Johnny M. may have (cuter -
huled?) so but I did
not say so.

John Handcock

Sworn
Reside in North Arm
Burrard Inlet.

I know John Hall
where he resides.

"Remember the
occurrence
Mary (Dishe's) death?"

Hall's that day
Left at 12 his house
About 15 or 20 min.
going over

Neighbour of Hall
I saw 3 women in a
canoe going over to

Hall's.

They came in
after I did.

One - the deceased
one the last one
(unloaded.?)

The other a neighbour
of theirs.

Left Hall's to go way
as near as I can recall(?)
Half past one.
Helped to put up a windlass
To kill a cow.

Leralte nat -

And Dish were there as
Close to you as I am.
There were three besides
myself.

Steve Decker was in
the house. Peter Calder
headed over 3 or 4 minutes
after I arrived. - Dish
and (seealtenat?) came
after
¼ or ½ to ½ to 1.

I saw them altogether
at
one time in the house for 10
min.

I took 2 drinks.
Did not see the ladies
Take a drink at all.

They were all there
When I went away.
There was too much
Drinking for me when I
Have work to do.

Dr. Trew

Charles Newland Trew

Sworn

Am a Dr. of Medicine
Coroner for the district.
I held inquest on body
Indian woman at
Moodyville
20 Oct.

Identified to me as
Body of "Dish"
- I had the body with the
(Issy?) pointed out the
wound and number on
the body.

A gunshot wound
entered on left side
towards the back between
the 5 & 66 ribs.

Point of exit
Between the right nipple
And the breast bone.
There were no
marks on the body
half way between right
nipple and breastbone.
Passed through the body
trans-
Versely.

A (ball I thought
used?)
That was the only wound
About her.

That would cause
almost
instantaneous death,
and was the cause of
death.

She was spoken of by the

Witnesses both as Mary and
as
Dish.

These are the papers.
That is a record of the
Inquest and the evidence
taken

At the Inquest.

(Inquest Verdict?)

Came to her death
By a gunshot wound
From a gun fired by
John Hall -
Evidence taken under oath
The woman must have
Been partly turned
towards the person
who shot her.

And stooping to
produce the track
of the wound.

"How near to the back
bone?"

The woman was
firmly built.

Case for the Crown

Mr. Bole.

Josiah Charles Hughes

Sworn

Known prisoner since 1862
or 1863.

During that time of life
of forming his fine
Character.

Not last few years.
Before that I knew him

(informally.?)

I can (??????) never seen
anything in Hall's character
at all apt or like to do
the deed charged against
him -

Never known him to be of
a fierce temper
but a singularly inoffensive
man - Rifle shown
formerly called a
Henry but a true Winchester
rim fired
Made

Not so safe a weapon
as the Central fire a
Winchester
has taken the place of
this. ----

I knew one case
in area of discharging
owing to defect in the
cartridge

Exploded
Exploding this same effect
- here the ful (urinate?) in
the rim - In central fire not
so.

Easy to mistake if loaded
or not.

-Peculiar to all repeating
arms - but more so (than
any arms. ?)

If loaded (with nothing?)
if it was loaded.

Don't know all that
The (hins?) ought to be
seen.

The movement puts

it - in full cock
The (fuses?) was the most dangerous.
This gun has the 2 cocks makes it safer.

Cross Examination of McElmen

"Only one case of exploding done in recharging.

The (second?) position at ½ cock safe as any other gun -"

You can only tell by looking.

If however left down in cap - dangerous way.

The proper way of carrying it is ½ cock
Then as safe as any other gun.

Hall must have had that rifle as early as 1871 or 1872.

I traded mine (back?) 10 years ago.

This was a present to Hall from the Moodyville.

Hall quite a (stealth?) hunter. Deer stalked

Well accustomed to the use of weapons

and of that (weapon a Good shot - .

At the time he was A lumber cruiser - he Carried it with him habitually.

In use continuously For food.

Rifle his constant Companion.

Capt. George Hendigh - sworn

Ret. Capt. Late of the 3rd. Battalion.

Had experience in repeating Rifles.

I consider them very Unsafe.

This easy to be (clear?) of Cartridges in magazine Of rifle in good order.

- A very small thing Affects the working of the rifle.

2 months ago cleaning one of the cartridges after oiling

did not work well next night.

(I applied piece for water barrel

and applied it on.?)

To my surprise it exploded.

(or changes taken out?)

Something wrong with the spring

Night before have

Careful -

Went through (the happy

Numb laterally?)

You were always unsure this rifle if loaded or not.

Is that in good order?

Can't tell.

A spring might be out of order.

Bullet might be in the magazine not found when by the spring. (Mats nowel?) was on his rifle.

A person who understands the use of the weapon not so likely to get (next to authority as new man.?)

Donald McGregor

sworn

Known Hall (orng jis?) intimately acquainted with him 5 or 6 years.

-

From what I know I considered him when one of those people who is the least likely to commit such a crime as that attributed to him -

I have known him (drisffis surse?) - (wish?) very much

Stephen Decker sworn.

Reside at North Arm of Burarrd Inlet.

From $\frac{1}{4}$ of a mile to $\frac{1}{2}$ a mile.

(jduid?) of trail - a good trail.

(Reidll?), the day Dish

died. 18 Oct. I was at J. Hall's house.

Calder recently told him I went there Part of my job.

There I saw J. Hall his 2 children -

(Miss Hundwork?)

Peter Calder

(Nsc 2 women

Dish - the deceased

David (Harus the ss?)

Name.

(I had known the woman.

I think I would know her if I saw her again.

That's the woman.

I (sturst on is Mrs. Hall?)

2 women.

Drinking Scotch whiskey

Rye whiskey it must

2 men Hall

Calder

Handcock

Indian women

While drinking did not see my Indian woman -

After that and drinking they came in

I heard them

When left went home

When I went home

this women accompanies me to my house

She stands at my house

until Peter Calder came.

Near dark

When Peter Calder
came with me after
death of the Indian
woman.

She was in my
bed.

The (stayed?) in my
house - till Peter Calder
came there.

I told him Dish was
dead.

She left the house
immediately
when Calder came to the
house

He must have stayed
an hour & a half as near
as I (guessed?)

I asked him to stay to
supper.

When he left I accompanied
him to John Halls (house?)

Did not see the dead
body then.

No canoe there.
She did not come back to
his house that night.

She has been to my
house
since then.

About the time when I left
the house to go home
I'd say it was 4 or
might be ½ hr. before 5
when I left the house.

Hall was drunk
Calder not sober
Did not see Dish
When I left the house.

John Hall was
carrying a gun
shooting at crows &
blue jays.

I never saw him
carrying a gun.

The crows & jays were
annoying him.

I look at them
after he killed them.

I saw him carrying a
gun.

He had a shotgun
close to him.

Took (it from the?) house
off the hooks (where I
lived before and 2 or ?)
perhaps 3.

I say (froz?) the rifle.

He (only?) uses it.

Saw him come back after
and pick up his gun.

After that I was there an
hour & a half or two
hours.

When I went away
Dish was outside of
Hall's house

I think I can swear to
that positively.

I've not made a mistake
in (the?) women.

- "Where is she?"

if this is the women
she's the identical women

I know

Who went (Fabio?) to John
Hall's

I know the date.

"Date?"

I got it down.

Day & date of this occurrence.

I don't know her name.

She's a stranger.

I might be mistaken in the person.

The (woman?) I know nothing about.

The (person?) I was in bed with her.

perhaps ½ an hour

(wife and my wife.

married - that's a family affair. I never was married.

Have seen women

(being?) nearly usually

her. They all look

alike to me (arm hand & nel anger

mud?)

Therefore this being a stranger (amt?) & be able to be mistaken.

No I am not was not at Hall's at the time of the shooting.

Calder came after she went to the house.

Two hours after she was in my house Calder came to my house.

I will swear (proudly?) - that she did not come after Calder.

I was not drunk that

day.

Could not tell how many

drinks that

she asked how

I was far it was to my house.

She was there on the 18th.

I think Constable Miller.

"When?"

After the shooting.

It must have been 2 or 3 days after.

"How soon did you see Hall after the shooting?"

Next morning.

Stopped there over night

That night I told of it before

Calder &

(Hall?) -

The first time

I told any one except

Calder & Hall

(viz?) - Miller the

Constable was all

2 days after.

- Calder must have seen her.

(Mues?) and me

& others in the house.

Calder came in while we were in bed.

Light in the house

Just dark one window

a little one in the house.

(You call Calder?) a
whiteman
(forget in jr Johnsen?)
I'd take such defense closed.
miserable -----
Witch at that who got in bed
And cohabit with her
I didn't cohabit.
There is a few men for
Privy Council

Mr. Bole

Johnson

(sworn/)

Put her on

the stand and

all her

Whiskey Mickey not reliable
witness.

Declared

Evidence before the Coroner
better than later
evidence.

----- Calder was (aware?)
able to see

everything

Don't bring the rifle

(syr?) [and after that]
not in

Coroners deposition

Mr. McElmen

Living Can.

(Saw?) crime

woman being shot down
left to die like

a wild beast
a murder without
excuse

Intoxicated -

McGregor

moderate

drinker

Drunkenness no excuse
sympathies for John
The evidence of Chealta
The proving may or may
not

change the crime

accident would not excuse

Hall skilled with this
weapon

Evidence of Trew's good
Character

no mitigating
intent

not necessary to
prove malice

Homicide - murder unless
extenuated. -----

His conduct - leaving her
There. -----

Variations in evidence
often a test of truth

Cockburn - did not give
much

weight to

depositions

Calder living with Hall.

Leaning to

exempt -

hesitating

witness

substantial
agreement
Chealtah - not a variance
at

all. -
- supports cross
examination

Johnny M.J.
As interpreter Value of
depositions

Cockburn c.g.

Dr. Trew - the wound. -----
Chealtah - today as
before.

Why Chealta go to
Decker's

afraid to go to
Hall's?

Accident no defense

Turned loose a horse
personally.

Judge (Thjed?)

Retired

30 November 1882

Judge Thjed

30 Nov 1882

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