

## **Manuscript and Transcript of Chief Justice Begbie's Full Report of the Case**

Chief Justice Begbie wrote a Full Report on the case after his investigation.<sup>1</sup> The manuscript and our transcript of his longhand are shown below.

There is no shorthand in this document but it will be helpful for deciphering because it is based on the Case Notes in shorthand.

You should pay particular attention to the sections of the text concerning Featherstone's and Flynn's evidence. These sections are highlighted in yellow. You may find it useful to copy and paste these sections for future reference.

When you have read the Full Report below, you should download the Case Notes file.

Please be advised that the Full Report contains graphic details about the murder of Morris Price. This historic source also refers to the Indigenous men arrested for Price's murder as 'Indians'.

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<sup>1</sup> Ref: GR-1372. Courtesy of British Columbia Archives.

R<sup>d</sup>. 23 Apl Cayoosh 12 April 1861  
Replied to 26<sup>th</sup> -  
Sir

I have the honor to submit for the excellency's information my notes on the trial of two Indians for the murder of Morris Price at this place on the 1<sup>st</sup> Feb.<sup>y</sup> last which 2 Indians are now lying under sentence of death here.

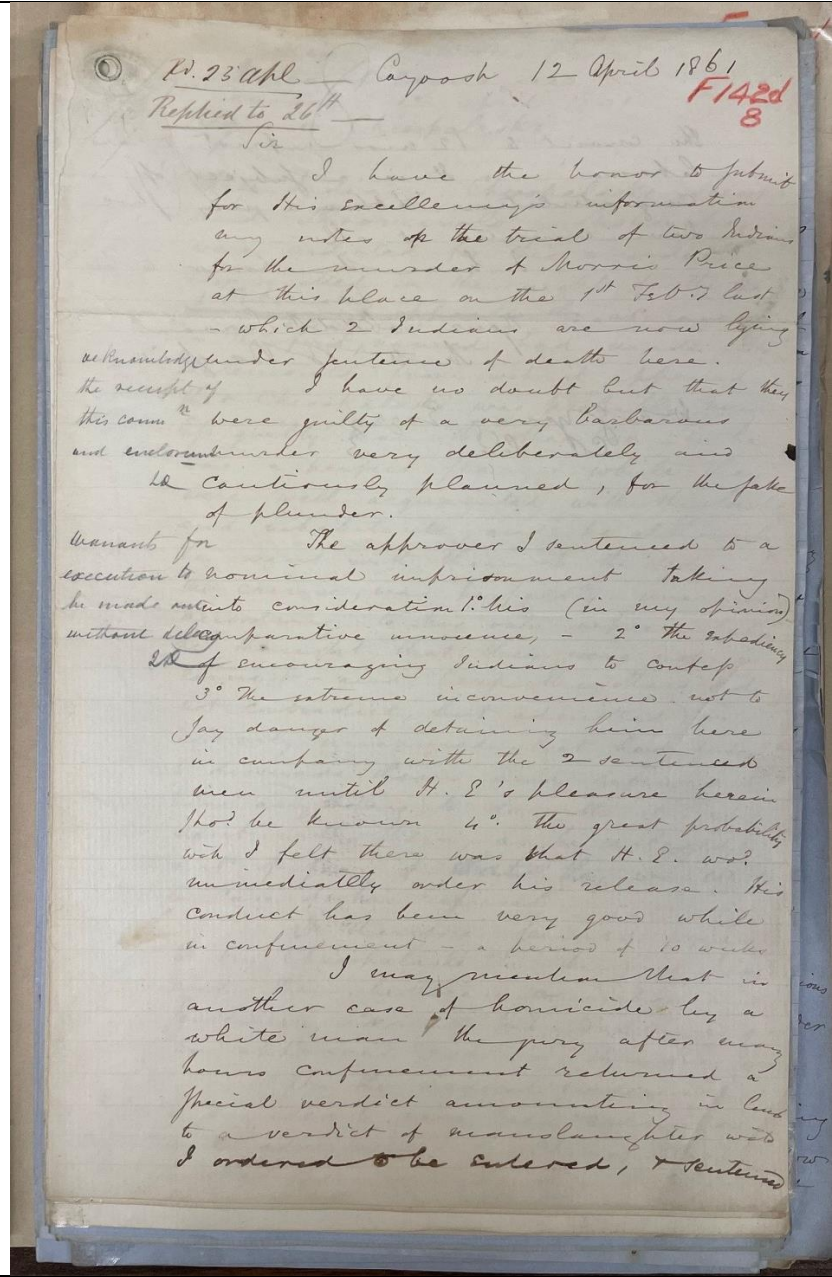
I have no doubt but that they were guilty of a very barbarous murder very deliberately and cautiously planned, for the sake of plunder.

The approver I sentenced to a nominal imprisonment taking into consideration 1° his (in my opinion) comparative innocence - 2° the expediency of encouraging Indians to confess 3° The extreme inconvenience not to say danger of detaining him here in company with the 2 sentenced men until H. E 's pleasure herein sho<sup>d</sup> be known 4° The great probability wch I felt there was that H.E. wo<sup>d</sup>. immediately order his release. His conduct has been very good while in confinement - a period of 10 weeks

I may mention that in another case of homicide by a white man the jury after many hours confinement returned a special verdict amounting in court[?] to a verdict of manslaughter wch I ordered to be entered, + sentenced

acknowledge the receipt of this comm<sup>n</sup> and enclosed

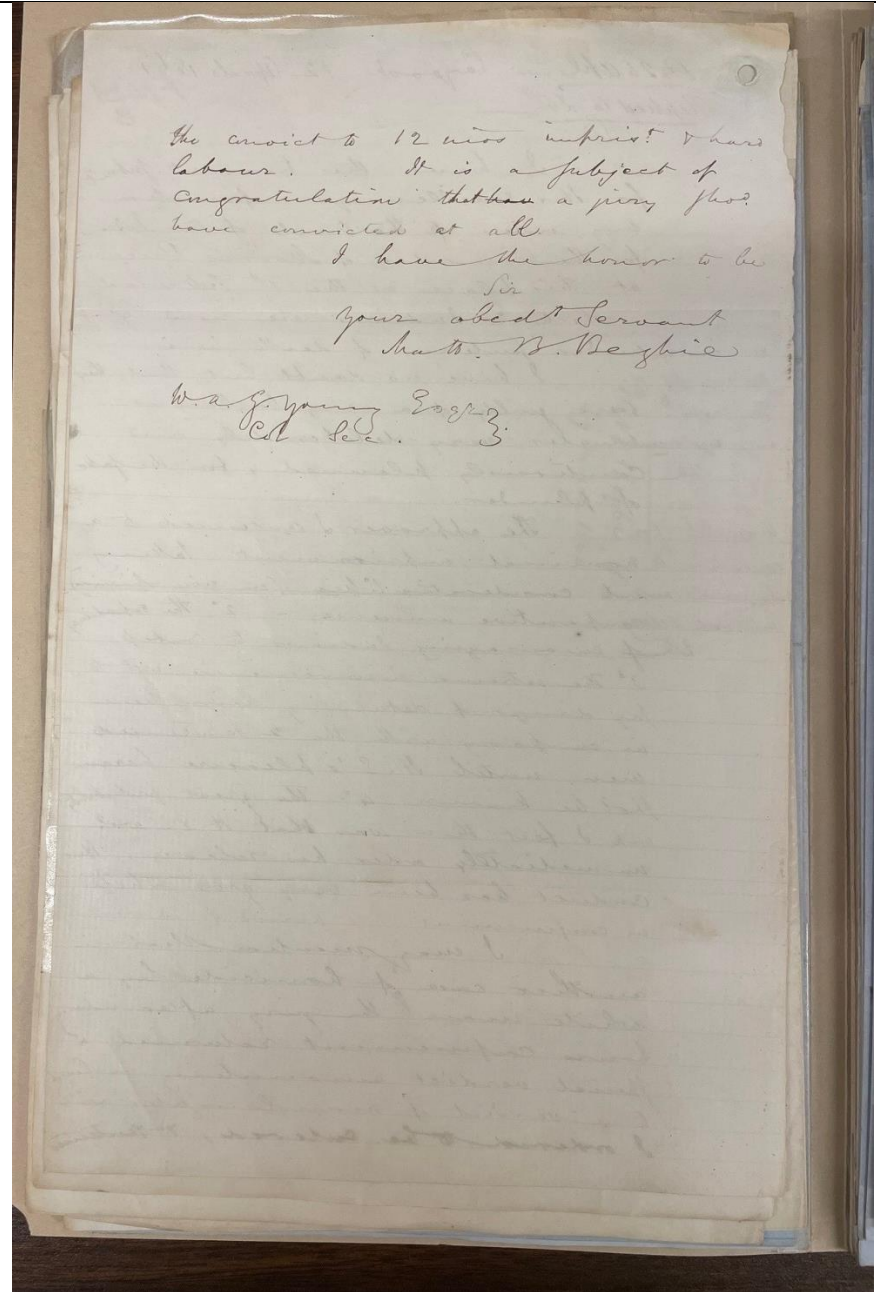
warrants for execution to be made and without delay



the convict to 12 [?] impris<sup>t</sup> + hard  
labour. It is a subject of  
congratulation that ~~hav~~ a jury sho<sup>d</sup>.  
have convicted at all.

I have the honor to be  
Sir  
your obed<sup>t</sup> Servant  
Matt. B. Begbie

W. a. G. Young Esquire  
Col. Sec.



Murder of Morris Price  
Notes of Evidence  
Cayoosh. 12 April 1861.  
Reg<sup>a</sup>. v Chioopalaski

Three Indians Chioopalaski Sheopa and Skoominolo, Sushwaps [sic], were indicted for this murder committed on the night of the 31<sup>st</sup> January opposite the <sup>^</sup>February<sup>^</sup> at Cayoosh. - The first <sup>^</sup>and the last<sup>^</sup> named had made certain statements from wch it appeared that Chioopalaski was probably much less guilty than the other two - as he was a perfect stranger while they were well acquainted with the locality and inhabitants, and he although he went with them to the scene of the crime, was perfectly unarmed - according to his own representations he thought that they were not in earnest - and (wch the others did not contradict, but admitted) was not only unarmed, but had endeavoured to dissuade them, and refused to have anything to do with it, and went with them, as he alleged, out of fear of what they would do in case of his refusal.

It therefore seemed proper to try Chioopalaski in the first place and then, between conviction and sentence, admit his evidence as an approver against the other two.

On the medical evidence proving a murder to have been committed and admission by Chioopalaski to other persons to the same effect as

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the evidence wch he gave in the case of Reg<sup>a</sup>. v Sheoopa and Skoominolo as went detailed, Chioopa-laski was convicted of murder in the 2<sup>d</sup>. degree as an accessory.

Sentence deferred

Same day

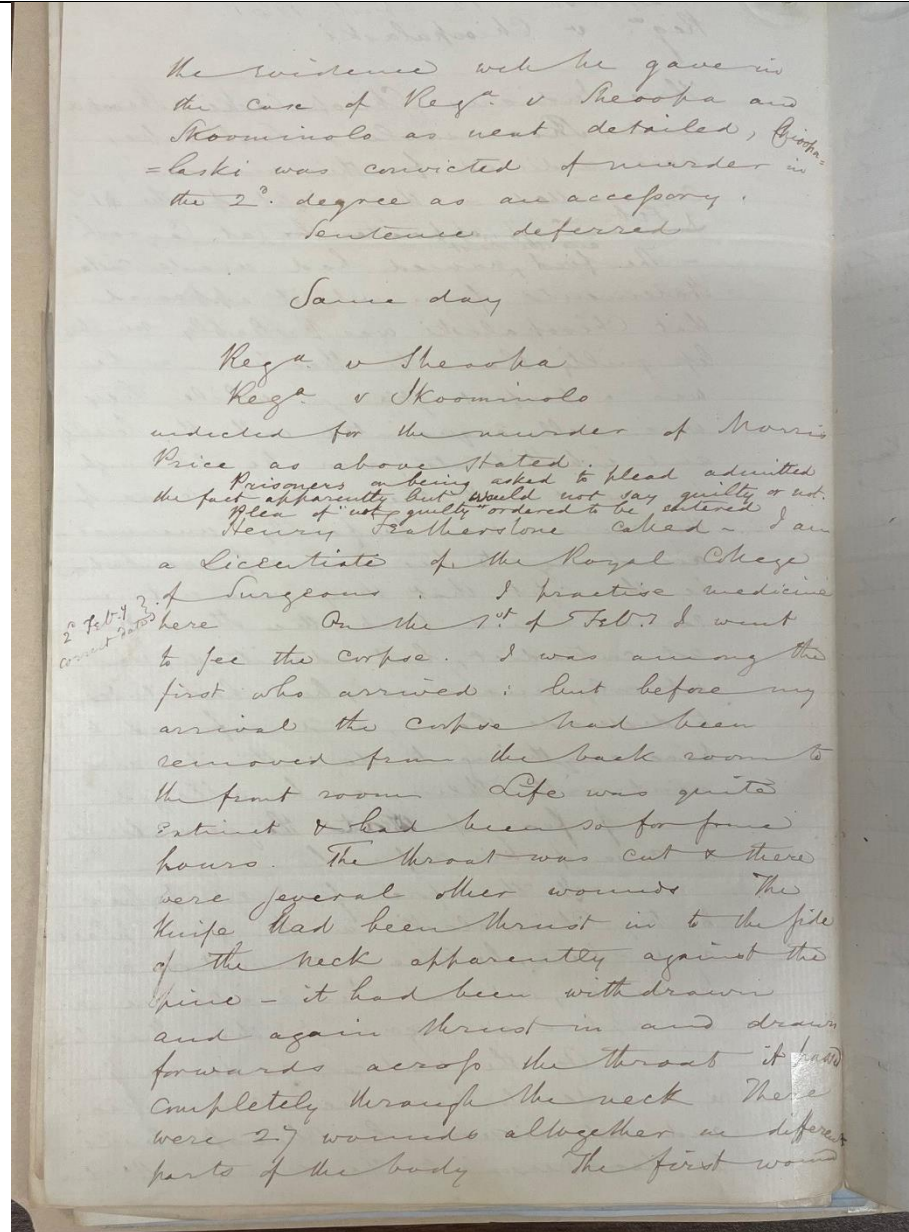
Reg<sup>a</sup>. v Sheoopa  
Reg<sup>a</sup>. v Skoominolo

indicted for the murder of Morris Price as above stated.

Prisoners on being asked to plead admitted the fact apparently but would not say guilty or not. Plea of "not guilty" ordered to be entered

Henry Featherstone called - I am a licentiate of the Royal College of Surgeons. I practice medicine here. On the 1<sup>st</sup> Feb.<sup>y</sup> I went to see the corpse. I was among the first who arrived: but before my arrival the corpse had been removed from the back room to the front room. Life was quite extinct + had been so for some hours. The throat was cut + there were several other wounds. The knife had been thrust in to the side of the neck apparently against the spine - it had been withdrawn and again thrust in and drawn forwards across the throat it passed completely through the neck There were 27 wounds altogether in different parts of the body The first wound

2<sup>nd</sup> Feb.<sup>y</sup>  
correct dates



given was in my opinion that first above described it must have been instantly fatal The deceased must have been lying on the ground when he received it Somebody's knee must apparently have pressed upon his chest There was echymosis [sic] and bruise there He seemed to have struggled little The right arm was bent up at right angles One pocket had been turned inside out The back of his head was a mass of coagulated gore I saw no traces of footsteps that could be traced: many people had been crowding in and about the premises all the morning None of the other wounds but that first ~~John Robert Flynn sworn~~ I am constable here at Cayoosh described wo<sup>d</sup>. have caused instant death, although death wo<sup>d</sup>. in time have ensued from them from loss of blood The wounds wo<sup>d</sup>. probably have been made by a knife 7 or 8 inches long, pointed, with a straight back and a rounded face. The knife must have been sharp. - the wounds were sharply cut without ragged edges.

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Robert John Flynn. I am constable here at Cayoosh. On the morning of the 2<sup>nd</sup> Feb. I received

information that Price had been murdered the previous night I went down immediately the body had been removed to the front room & laid on boxes. It was much mangled There was a cut through the neck + part of the chin The body was quite cold + dead some hours The right hand trousers pocket was pulled out I caused the house to be cleared as well as I could in order to search for traces. I found some in the back room. There was a large pool of blood no great appearance of a struggle but the ground had been much trampled about by other persons in looking among the ashes I removed some loose at the top and beneath were two tracks[?] of a naked foot I at once conjectured they were Indians who had done it. The foot prints were Indian foot prints. I was so convinced that immediately afterwards meeting 4 or 5 Indians whom I knew I offered them \$20 reward if they wo<sup>d</sup>. find out the bring me such information as wo<sup>d</sup>. that I intended to pay out of my own pocket In a few days \$1300 were subscribed After 3 or 4 days the Indians whom I had employed came to me at 11 Park

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to give me information. On that I went and arrested Skoominolo I found nothing on him that I could identify. Afterwards in consequence of what fell from him I arrested the other two.

Chioopalaski called - I was coming down the Pavilion <sup>^</sup>fountain<sup>^</sup> [?] when I met Sheopa. He said his heart was bad. that his father was dead, + his mother was dead and there was no one to care for him and he must kill a white man. He said there were two of them going to do it but three wo<sup>d</sup>. be better and he was glad to see me. About dark we crossed the river to Cayoosh. We <sup>^</sup>met Skoominolo<sup>^</sup> - went with the two prisoners up the hill to the Indian house to talk I said I did not want to kill a white man that if we worked they wo<sup>d</sup>. give us money my heart was good - besides if we were found out the whites wo<sup>d</sup>. kill us Sheopa said they wo<sup>d</sup>. not find us out - that we wo<sup>d</sup>. get money from the murdered man that he was alone in the house and we wo<sup>d</sup>. kill him easily We went down to the house (Price's) It was dark there was nobody there. Sheopa said let us take off our clothes so we stripped and left our clothes

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outside - afterwards we saw the deced coming to the house Sheoopa accosted him asking for a shirt deced went into the back room - the prisoners followed him I staid[?] at the front door I heard a struggle + went in When I got in I saw Sheoopa cutting his throat and Skoominolo stabbing the deced they called on me to help I refused I saw them take some money out of his right hand trousers pocket they asked for ^offered me^ some they ^but I^ refused.

I don't know why I took my clothes off except that I was afraid of the prisoners I had no knife nor any other weapon I made no outcry I shut the front door when I went in I did not tell the constable nor any other person for I knew nobody I had never been here before - I did not believe that the prisoners were going to kill deced until I saw him on the ground. Sheoopa was kneeling on him with his hand on his mouth + chin He cut his throat. Skoominolo stabbed him behind.

Skoominolo when called on for his defence said Sheoopa was the first but Chioopalaski was as bad as the first. but admitted that he had no knife.

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Sheopa (who had never said a word on the subject during confinement) said now "we were three together."

But he also admitted that Chioopalaski had no knife: and neither of the prisoners contradicted any point of his narrative.

Verdict wilful [sic] murder agst both prisoners Skoominolo and Sheopa.

Sentence - Death.

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