

SAID HE SHOT DARGA SING IN DEFENCE OF HONOR

E. P. Bowen Was Committed to
Stand Trial on Charge of Murder.

NO MOTIVE IS ALLEGED.

Circumstantial Evidence and Statements of Prisoner
Chief Testimony.

“YES; I shot the Hindu. I shot him in defence of my honor.” These were the statements sworn to by city detectives, as having been made to them by E. P. Bowen, committed for trial yesterday, on a charge of murdering Darga Sing, a Hindu, on October 22.

Dr. John W. McIntosh, who was the first witness called for the prosecution testified in technical terms as to the wound inflicted by the pistol shot, the course of the bullet, and the recovery of the 22-calibre pellet at the post mortem examination which he had made. The bullet had penetrated the breast bone in a downward direction.

Dr. McTavish corroborated the evidence of Dr. McIntosh, differing only in his opinion that the bullet was deflected after piercing the skin.

Found Dead Hindu.

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Mr. C. E. Gilbert, proprietor of the Spokane rooming-house, where the tragedy occurred, gave evidence as to hearing a shot fired, and observing a man rush past him in the hall, with the immediate discovery of the prostrate Hindu lying in the hallway, near the door of his own room.

His daughter, Miss Alice Gilbert, aged thirteen, gave corroborative evidence. Both said the deceased was a gentlemanly Hindu, neatly dressed, and somewhat superior to the average East Indian. Another Hindu had been with Darga Sing, but it was the latter who engaged and paid for the room. Neither Hindu had been seen again till the shooting occurred and then there was only one, the deceased.

Police Officers McCuish and Gillis testified of their treatment of the Hindu after the alarm had been received, and their delivery of the injured man to the care of St. Paul's Hospital.

Detective Jackson had gone with the ambulance to the Spokane rooming-house at 7.45 on the evening of October 22. He minutely described the position of the furniture in room 3, which had been occupied by the Hindu. After the ambulance had borne away the injured man he went to the station and got Detective McLeod, and returned to the room to search for cartridges. He found one exploded shell about two feet under the bed, and another full cartridge near the washstand. Both shell were calibre 22. and the bullet found in the body of the dead man fitted the exploded shell, which was the same size as the full cartridge found. The clothing of the Hindu had been brought to the station and searched, but no money had been found.

Admission by Accused.

Detective McLeod corroborated the evidence of the previous witness, and told the story of the arrest, which had taken place "on this side of Columbia street, on Cordova." Five men had met him there and one had said, "This boy has shot a Hindu, you had better arrest him." The accused said, "Yes; I shot him with that gun." The gun had been given up by Mr. Dyson at the time of the arrest. Those with Dyson were Messrs. Baynton, Davis and Morrison. The bullets found in room 3 were the same as those found in the magazine of

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the pistol. He had shown the accused a hat picked up at the foot of the rooming-house stairs and prisoner had said it was his.

Cross-examined, Detective McLeod said the accused was very much excited when he was arrested. He had first made the statement about the shooting when arrested, but had repeated it at the station later. Search of his clothing had revealed two boxes of cartridges, the same as those found in the room of the dead man.

Mr. W. A. Dyson of Winnipeg, testified that he had been standing in front of the Rainier Cafe on that evening, and the prisoner had rushed across the street from the Spokane rooming-house and had said that he had shot a Hindu through the heart. They walked two blocks and met Detective McLeod, and the prisoner had asked to be taken back to the room to see where he had shot the victim. Cross-examined, he said:

"The first thing Bowen said was that he had shot a Hindu. He further stated that the Hindu had attempted violence."

W. H. Baynton and John Morrison corroborated this evidence, as they had been with the previous witness.

Dead Man Had Money.

Nata Sing, who spoke through an interpreter, Hazara Sing, said he had worked with the deceased at Port Moody a year ago. Together they had planned to go to the United States, and the deceased had gone to Port Moody to get money for the trip. On the morning of the fatal day they had been together at the immigration office, and the deceased had \$200 in bills with which to purchase transportation and for expenses. They had not bought tickets as they had first to be examined by a medical officer. The witness was not the man who had gone with the deceased to engage a room at the Spokane.

Cross-examined, he knew the deceased had \$200 as he had seen the money. The money was kept in a book in the hip pocket of the dead man.

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Inspector Mulhern told of two conversations with the accused in which the prisoner had admitted the shooting, but had nothing more to say, promising to tell the whole story at the proper time. His specific allegation was "I shot him in defence of my honor." The next day the prisoner knew that Sing was dead, and said he supposed he must have shot him in the breast. He also said that when he shot, the Hindu was sitting on his bed about five feet away from the accused. He repeated his statement as to the improper conduct of the Hindu. The deceased, he said, had laid violent hold on him, and he had broken away and shot.

This closed the case for the prosecution, and Mr. S. Lucas Hunt for the defence argued that while there was sufficient evidence to warrant a charge of manslaughter, he wished to procure bail for his client. This would be impossible if the prisoner were committed on a charge of murder.

Case for Defence.

Magistrate Williams intimated his inability to try the case or to alter the charge, and Mr. Hunt called three witnesses for the defence. These were Mr. Andrew Macdonald, bartender of the Alexandria Hotel, who had seen the prisoner at the bar in company with two Hindus on the evening of October 22. Prisoner had ordered drinks twice, and remarked to the witness: "These men are fine fellows. They have done service for the King." The Hindu took money from his pocket and paid for the treats.

Captain J. B. Roose had accepted a couple of treats from the prisoner at the New Fountain saloon on the night of the shooting. It was early in the evening. The prisoner had shown him the gun produced in court.

Mr. Hunt then called the accused, but Magistrate Williams advised that he be not heard again, intimating that he could not alter the charge. The accused was committed for trial.

At the opening of the case Mr. Hunt created some diversion by calling the attention of the court to a report in the News-Advertiser on Sunday,

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dealing with the case, and “indulging in speculations and theories which might greatly prejudice the case of the prisoner.”

The Court--In what paper did you say this appeared?

Mr. Hunt--In the News-Advertiser of Sunday last.

The Court--I haven't the slightest idea what was in the News-Advertiser, and if you don't read it to me I cannot be prejudiced by it.

Mr. Hunt--Well I don't think such things should be allowed.