

AN INQUISITION

Province of Canada
District of Quebec

Indented, taken for our Sovereign Queen, at the Parish of Saint Gabriel, in the County of Montmorency, in the district of Quebec, on the fourth day of May in the twenty-seventh year of the Reign of our Sovereign Lady Victoria by the grace of God, Queen of the United Kingdom of Great Britain and Ireland, Defender of the Faith, before Charles Eugene Panet Esquire, Coroner of our said Queen, of and for the said District, on view of the body of John Davis late of said parish farmer aged about thirty-five years then and there lying dead, upon the oath of William Clark, James Burns, Adam Lathied, William McPherson, Walter Summers, John Roark, James Clark, Joseph Abraham, James Farker, William Hamilton, John Donayhue, John Clark, Robert Clark, Arthur Wolff - good and lawful men of the said District, duly chosen; and who being then and there duly sworn, and charged to inquire for our said Sovereign the Queen, when, where, how and after what manner the said John Davis came to his death, do upon their oath say: That a certain person or certain persons to the Jurors aforesaid unknown on or about the thirtieth day of November in the year aforesaid in the Parish of St. Catherine's of Deschambault in the County of Portneuf in the district aforesaid in and upon the said John Davis in the place of God and of said our Sovereign Lady the Queen then and there being feloniously, willfully, and of his or their malice aforethought did make an assault; and that the said certain person or certain persons to the Jurors aforesaid unknown, as aforesaid, with a certain instrument to the Jurors unknown which the said certain person or certain persons to the Jurors aforesaid unknown as aforesaid in his or their hands there and then had and hit him the said John Davis, in and upon the head of him the said John Davis, then and there feloniously, willfully, and of his or their malice aforethought did strike and beat, and by the striking and beating of him, the said John Davis, with this instrument unknown to the Jurors as aforesaid in and upon the head of him the said John Davis inflicted a wound, of which said wound and its consequence he the said John Davis then and there or subsequently died. And so the Jurors aforesaid, upon their oaths aforesaid do say that the said certain person or certain persons to the Jurors unknown as aforesaid him the said John Davis, the manner and form aforesaid and by the means aforesaid feloniously, willfully and of his or their malice aforethought did kill and murder, against the peace of our said Sovereign Lady Queen Her Crown and Dignity.

In Witness thereof, as well the said Coroner, as the said John Roark the Foreman of the said Jurors, on behalf of himself and the rest of his fellows, and, in their presence, have to this Inquisition set their hands and seals, on the day and year, and at the place first above mentioned.

Mark

John + Sunners	William Clark	James Clark	
John + Donayhue	James Burns	Joseph Abraham	Charles E. Panet
Robert + Clark	Adam [Laehied]	James Farker	Coroner
Arthur + Wolff	William McPherson	William Hamilton	John Roark
	John Clark		Foreman

District of Quebec 4th May 1864 John Davis Depositions

Depositions of Witnesses severally taken and acknowledged at the Parish of St. Gabriel in the County of Montmorency in the District aforesaid, on the third day of May in the twenty-seventh year of the Reign of our Sovereign Lady Victoria and of our Lord Christ, One Thousand Eight Hundred and sixty-four on the behalf of our said Lady the Queen, touching the death of John Davis - late of said parish farmer before me Charles Eugene Ponet Esquire, Her _____Majesty's Coroner for the said District, on an Inquisition then and there taken on view of the body of the said John Davis - then and there lying dead as follows, to wit--

Henry Crawford, Esquire, Magistrate of Valcartier, being duly sworn doth depose and say:

The deceased John Davis was well known to me, he was age about thirty-five years, he was about five feet six inches in height, strong and well developed, he had dark brown hair. When last I saw Davis, on the morning of the thirtieth of November last, he had a pair Moleskin trousers, drawers inside (I think) a cotton shirt (white), he had what is usually called a smock of Satinet, there was a great many patches attached to his clothes, where they had been mended, he wore a short pair of boots, which he complained of being tight to his feet, the boots had been worn for some time before, he wore heavy brown whiskers, he had on his head a fur cap, he had a pair of mitts, white woolen mitts with a black seam around the edge.

He worked with me from the seventh of November chopping down land on the property of Colonel Fitzgerald in the Township of Gosford convenient to the River St. Anns, between two and three miles from where the body was found. He had been down home a short time before the thirtieth, I do not remember the date, he was away for two days. On the morning of the thirtieth he asked me permission to go down to visit his family, and to chop some firewood, I gave him permission to go home. He left between nine and ten in the morning, he took with him the ax he worked with (with my permission) a new cast steel ax manufactured by Simmons. I think he had some provisions with him, I did not see him again until he was found that is on the first of this month (Sunday last). The road between the camp and his home was between four and five miles through the woods, whet is generally called an Indian path and which was well beaten by the men as there is no other road between there and the settlement. On the Saturday after the deceased left, one of the men came down from the settlement and it was not until his return on the Monday following that I ascertained that the deceased had not reached his home.

On the Tuesday following myself and the men left the camp in search of the deceased following the path down to the place called "the pond," there I found that the deceased had cut several holes in the ice, for the purpose of fishing I suppose, he always carried a line with him, and had the reputation of being a good fisherman. We found the ice to be about six inches thick, and of sufficient strength to take a horse and load across.

We cut several holes in the ice, for ascertaining what could be seen at the bottom of the water. We found his traces leaving the "pond" into the path again, following the path. We came down to the East end of Lac O'L'isle, the path here passes about two acres from the edge of the Lake. Leaving the path, we traced him on the lake, and found that he had cut several holes on the Lake O'L'isle for the purpose of fishing. We followed to the discharge of the Lake, and found his traces all the way down. We found several places where he had probably been trying the ice with edge of his ax until we came to about three acres from a considerable fall [Doris says waterfall], he then took the path again, here the path runs quite close to the discharge, to where parties had been plundering timber.

Diligent searches were made in this place to ascertain whether any traces could be made towards to River (Note says "from the path"). None could be found. We searched along the road and found no traces leaving the path towards the settlements. There had been a light fall of snow which enabled us to follow distinctly the foot prints of deceased. The next day a great many men from the neighborhood turned out in search of the deceased and searches were made in vain. When first we searched for the body, there was no trace leading to where he has been found. I am aware that subsequently, the place where the body was since found was searched. On the first of May I was informed that the body had been found, I immediately proceeded to the place, I found three men there, the body had been removed to the edge of the stream on the snow. I observed on the top of his head a cut as it were from the ax. I measured the cut and found it to be the breadth of my hand. On the back of the head I observed what seemed to me to be a bruise, there was a quantity of blood on his shirt, the colour of his face was red, and considerably swollen, the mouth was opened, his smock was off his body holding by the wrist and hung from the waist. I opened the breast of the shirt and found inside a checkered shirt twisted up tightly and as if it had been searched. One of his feet was bare, and boot and stockings were gone, the skin was away from the foot as if it had been frozen, I was led to believe this from the skin having peeled off, I found convenient to the body a pole as if it had been used by some person, the pole was about twelve feet long and was on the snow. As soon as I received the information about the body I immediately sent to the Coroner in Town, I am perfectly satisfied that the body was that of John Davis. I recognized the body by the clothes and by the appearance of the body. We then removed the body on the stretcher through the woods, a distance of about two miles to the settlement, to the house of James Berry, where it lay until the Coroner arrived. I was present with the Coroner and James when they examined in the woods the locality where the body had been found on Sunday last. The body was found on the Lac O'L'Isle River, about seventy yards from foot of the first fall of the Lac O'L'Isle, discharge of the Lac O'L'Isle. Deceased had a strap and a sheath Knife when he last left my camp. (Note:# When we searched for the body I saw at Lac O'L'Isle at the Discharge of the Lake. One Tamarac tree felled with an ax, and another partly cut. Both had been cut in the falls.)

Cross examines by Edmond Conway. The pole that was found near the body was about twelve feet long, it was an old pole, and had been formerly used (I think) upon a raft. Floating timber generally came down this stream.

The foregoing deposition being duly read to the Witness in the presence of Edmond Conway, the prisoner, the Witness declares it contains the truth and both signed. The prisoner Edmond Conway having previously declared he had no more questions to ask. Eleven words erased are null. Six Marginal notes approved as good.

Sworn before me Henry Crawford
this 4th day of May
C. E. Panet

William Billings of Valcartier, Carpenter, being duly sworn doth depose and say:

Last Sunday morning six of us left together to go in search of the body of John Davis. We went straight to Lac O' L'Isle to a Tamarac tree that was partly cut down and which I pointed to the Coroner and Jurors yesterday afternoon. I then went alone. I left the party at this Tamarac tree (and W.B.) followed foot prints which led in the direction of some spruce limbs at about fifteen yards from the head of the falls the Outlet of Lac O' L'Isle. I then proceeded to the falls on the rocks, the five other men were standing on the rocks. I saw something floating at about seventy or eighty yards. I pointed it out to the other men. Joseph Abraham then proceeded toward this; I followed after him, I stopped on the way to examine the rocks to the River between two large rocks. Joseph Abraham said, "I found him." Henry Crawford, Junior, was with Joseph Abraham, I proceeded to the deceased; he was lying on his belly, his face down, both arms opened and hanging in the water; his smock coat was fastened to his right wrist by the sleeve and hung loosely on the side of his body. I perceived two suspenders on him, also a white cotton shirt, and most part of flannel drawers, and the waistband of Moleskin pants, to the best of my knowledge the waistband was buttoned on him. All but the appearance of the body was natural with the exception of a large mark on the side of his head, and (Marginal note: much swollen and appeared like) callous blood under the skin. I thought that something some weapon had struck him on the head, the wound was about three inches in length and two in breadth. I then assisted by the others pulled the body out of the water and laid him on some branches. After taking the body out I perceived a cut on the top of his head. It appeared to me about one inch and a half in length and half an inch in depth. Joseph Abraham and James Burns saw the mark, I showed it to them. I then returned home and came to Quebec to inform the Coroner. About two months ago, I cannot recollect the date, I was in McLaughlin's forge near the English church in Valcartier, McLaughlin was present, William Dooley came into the forge on his way from Quebec, Dooley was in for about twenty minutes, After some time I asked him joking, "Why did you kill John Davis for?" his countenance changed considerably, he said "Don't you know damn well Billings I killed Jack Davis." He added nothing more, and went away shortly after this. When the body was removed out of the water, we trampled a place in the snow to make it hard. We cut some green branches and placed the body upon it. The body was placed on the left side, facing the stream. I did not trace the footsteps that I mentioned above any farther than the spruce branches. This was about fifteen yards from the side of the River. There was a bare Rock in this place leading to the water, and no marks upon it. There was but the one-foot trace going towards the place with no marks of any person having returned. When the body was removed from the water, no froth came from the mouth, his white shirt was marked with blood. I saw no bleeding dropping from any part of the body. When first I saw the pole near where the body was found, three feet of the pole (about) were stuck in the snow, and it appeared to me as if this pole had been partly covered with snow and not disturbed until I found it, this pole was hewed on both sides with an ax (but of old) the footsteps that I mentioned were recent and made perhaps four or five days before I went there, to the best of my knowledge, it was the track of a moccasin.

Cross Examined by Edmond Conway.

These steps I think proceeded from a South East direction from the Tamarac tree. I perceived the foot steps of Mocassin in several places on the path as I went to Lac O' L'Isle in search of the body.

The foregoing deposition being duly read to the Witness in presence of Edmond Conway who declares he has no more questions to ask. The Witness declares it contains the truth with nothing but the truth, and both signed. Eighteen words erased are null. Five marginal notes approved are good.

Sworn before me this 4th day of May 1864 W. Billings

C. Eug. Panet

Michael McLaughlin, of St.Gabriel, Blacksmith, being duly sworn doth depose and say

About a month or six weeks ago I was in my blacksmith shop and had a conversation with Dooley, I could not say if Billings was there at the time. I asked Dooley, "What did you kill Davis for?" He answered "Poor devil I did not kill him and had no spite against him." I asked him then why he did not go out along with the rest to search for the body I do remember the answer he made. I did not hear Dooley mention to Billings that he had killed Davis and the Deposed further saith not and both signed. The words erased are null. Two Marginal notes approved are good. Michael McLaughlin

Sworn before me
this 4th day of May
1864 Charles E. Panet

W. Billings

James Fitzgerald Wolff, Physician and Surgeon, being duly sworn doth depose and say.

I, in company with Dr. Larue, found the body of the deceased John Davis lying in a house on a quilt, which was attached to two poles, forming like a stretcher – owing to the darkness of the Evening we had the body taken outside of the house.

Length of body occiput (top of head) to heels was five feet seven inches – only a few particles of hair on crown of head – color brown – front teeth perfect – two of them on left side Incisors and Canine above and below were worn showing probably that he held his pipe as a smoker on that side – white cotton shirt with four white buttons – two of them in the shirt collar – two in the breast, another button of same kind on the right shirt wrist band – found six brown hairs adherent to the palm of his left hand – fingernails were short as though he was in the habit of biting them – left arm covered only by his white cotton shirt sleeve – left hand bare – right hand from the wrist was enveloped in a piece of white flannel, which we recognized to be the inner lining of the cotton smock turned inside out, the rest of the sleeve pendant [hanging] from the wrist, the band of which was buttoned – the rest of the smock was torn here and there and lying on the belly – the right hand wrist band of the smock was buttoned by above button – face greatly swollen – mouth wide open – eyes closed – tongue protruding through the teeth – no marks of violence in the face or forehead – in the superior and a little posterior part of the one ear to the other. We found an incised wound, one inch and three quarters in length and about half an inch in breadth extending through to the bone – this wound was a clear cut (marginal note intending from above directly downwards towards the back part of the neck) no blood either in or around the wound nor on any other part of the head or face – the right and posterior part of the head there was a large and reddish brown patch five inches long extending down towards the neck – four inches in breadth, distance from the incised wound about three inches – neck very much swollen as also a great portion of the scalp.

(Examination of body postponed till following day, in consequence of the late hour and darkness – coffin was closed and sealed by Dr. Larue with his seal in presence of Coroner and myself.)

Third of May 8:00 A. M.

Seal intact: Examination of body continued – found the whole of front part of shirt and both sleeves coloured red as though with blood – some of the spots blackish – the smock made of a kind of Jean was retained to the body, but by the right wristband and that wristband retained by a button – found the second button on the breast of the smock still buttoned – left sleeve torn in several places, but none of those tears were of such nature as to permit the sleeve to come off the arm accidentally after death by the movements of the body in the water – The smock could not have been taken off the body after death, unless by another person – found a blue striped cotton shirt lying on the body spotted here and there with red patches having [all] the appearance of blood – this striped blue shirt we were told was found rolled up inside the breast of his white cotton shirt – pantaloons of Moleskin were torn almost to pieces, the remains of which were held to the body by the waistband,

which was buttoned with white buttons, the flap of the pantaloons was unbuttoned - In the left pocket of pantaloons were found some Matches, two buttons one white, one blue, a piece of black leather, two pieces of newspaper, at the head of one which we read Church, St. John, New Brunswick, Wednesday - In the right pocket was a small blue cotton bag containing cut tobacco - The lower part of his body thighs and legs were covered with a pair of white surge drawers, the internal part of the right thigh part of the drawers and all the left leg of same drawers as far as the ankle was coloured pale red (Marg. note: as if with blood) had a pair of elastic braces with blue stripes attached to his trousers band behind - on the anterior part of the body we found nothing that could account for all the red patches which appeared to be of blood and which we saw in the anterior part of his white shirt and drawers.

Not a single wound or trace of violence in any part of the anterior portion of the body - Surface of body bluish with red spots here and there, Effects of putrification - belly moderately distended - Epidermis peeled off here and there - short leather boot - in left boot - a white worsted sock on the left foot. - right foot bare-Collar of white shirt stained with blood - The smock bears in the back and right shoulder red marks as though of blood - The back of the shirt with the exception of the Collar was free from those red spots or marks or patches before spoken of - over the right shoulder there was a large patch parcheminee [parchment in English] without ecchymosis [means the escape of blood into the tissue from ruptured blood vessels] - The large patch on the right side of the back of the head was cut into today and showed traces of ecchymosis-no traces or marks of violence on the posterior of body or head except the wound already mentioned

Cranium opened - brain collapsed - membranes Ecchymosis -vessels of membranes Injected, especially of posterior part, may be the product probably of putrification - substance of brain completely softened, of a uniform gray colour - at the base of brain there was about a teaspoonful of bloody fluid, having transcended through the membranes.

No fracture either within or without the skull corresponding with the wound on the scalp - No fracture of base of skull - skull a little thicker than usual - No extravasation of blood between the membranes nor in the brain.

Thorax opened - old adhesions of right pleura - lungs emphysematous - of a greenish tinge - No appearance of congestion, being in the state of putrification - left lung adherent - no fluid in either pleura - rest of lung healthy - Heart collapsed and empty, healthy-pericardium contained about a table spoonful of blood - Liver very much softened and putrefied - Stomach and Intestines of a reddish tinge in their exterior - a few ounces of reddish serum effused in the pericardium - stomach contained seven ounces of alimentary matter partly digested - Membranes of stomach Emphysematous - mucous membranes of stomach and Intestines natural - absence of froth in the trachea and bronchia - membranes bluish - all the thoracic and abdominal viscera were remarkably dry and evaporated.

Conclusion

- 1st. The only trace of violence met in the body was the wound of scalp -
2. From its nature this wound alone cannot account for his death.
3. But the blow which produced the wound might have brought on as it frequently happens - Concussion of the brain - Insensibility - which might have caused death aided by the hemorrhage.
4. This wound was the only one found on the body which can account for the traces of blood found on the clothes.
5. Judging from the general external appearance of the body, Judging from the state of the internal organs, one might be inclined to believe without being able to affirm it positively that the body ought not to have been immersed in the water for five months.
6. The extreme state of order in which the clothes were found, the torn state of the pantaloons, the position of the smock, does not appear to me to be the effect of pure accident.
7. Judging from the whole of our observations - I think I am right in establishing the following presumptions:

That the death of John Davis is probably due to the wound found on the top of the head and the consequences above mentioned.

That owing to its situation and other circumstances it is perhaps more natural to suppose that this wound was inflicted to him.

That it quite possible that the body has been only recently been thrown into the water.

The foregoing exposition having been duly read in the presence of the prisoner Edmond Conway who declare she has no questions to ask The Witness declares it contains the truth and hath Signed. Four words erased are null. Four marginal notes are good

James F. Wolff

Signed before me this
4th day of May 1864
C. Eug. Panet

Francois, Alexandre, Hubert, Larue, Physician and Surgeon being duly sworn doth depose and say

I have hear the deposition read by Doctor Wolff and concur entirely as to the contents and conclusions,

The foregoing deposition having been duly read, in presence of the prisoner Edmond Conway, who declares he has no questions to ask, the Witness declares it contains the truth and signed

F.A. Larue, MD

Sworn to before me
this 4th day of May 1864

Elizabeth Mahems, Wife of Francis Armstrong, being duly sworn doth depose and say

I think it was the month of February that William Dooley came into my house, My husband was there at the time. Dooley seemed to me to have been drinking a little. I remember that my husband and Dooley were talking about Davis. Dooley said people reported that Conway struck Davis with his own ax, but I did not do it said Dooley. They talked together for some time, but I was not paying attention and I do not remember anything else that was said on that occasion about Davis. Dooley was about an hour in the house and had one or two glasses in the house.

The foregoing deposition being duly read in presence of Edmond Conway, who declares he has no questions to ask, the Witness declares it contains the truth and that she is unable to write her name.

Signed/Elizabeth Mahems

Sworn before me this
4th day of May 1864
C. Eug. Panet

William Dooley of the Parish of St. Catherine, farmer, being duly sworn doth declare and say:

Last fall, I cannot remember the date, there was about a foot and a half of snow then on the ground, Joseph Abraham, (whom I met on the road) told me that Davis had left the shanty about eight days ago, and was missing. Sometime before, Edmond , Edmond Conway and I had been working at Lake O'L'Isle culling timber. We only worked for a part of a day, I think it was a Thursday. We --- were about to go up together, Conway had started first and I caught up to him in the bush. We went up there to cut timber and we threw down one tree at Lake O'L'Isle, We tried another for a hook, but it was rotten. We threw a third, but it was also rotten. It was then about four o'clock in the afternoon, and We then returned home together. The Tamarac tree mentioned in the Abraham's deposition along side the path, was the second tree we cut. I had a conversation with Francis Armstrong about John Davis, sometime through the winter, I don't remember the date, The only thing I can recollect he asked was "Where I thought the body was". I said that if he was lost on land he would be found when the snow went away from the Woods and if on the Lake when the ice would break away, this conversation took place at the Bridge on Riviere aux Pins. I have heard the conversation mentioned in the deposition of Francis Armstrong. I was in Armstrong's house sometime during the Winter to pay him a quarter of a dollar that I owed him. I had been drinking When I went in the house, I had a few glasses before I went there and got one there but that I remember all that passed there was not a single word said about John Davis. George Theberge came into the house after I had been here for some time. I then went home with Theberge.

The foregoing deposition being duly read in presence of Edmond Conway, who declares he has no questions to ask. The Witness declares it contains the truth and that he cannot sign his name. Two words erased are null. Three marginal notes approved ----- good.

Signed William Dooley

Signed before me
This 4th day of
May 1864.
C.E. Panet

George McCormick, of St. Gabriel, farmer, being duly sworn doth depose and say

I was working with deceased (John Davis) and about five others with Mr. Crawford in the camp, about two and three miles back of Lake O' l'Isle. When deceased left the camp to come home the last time about nine and ten in the morning, he had a pair of Moleskin trousers on, a pair of short boots, he had a smock coat lined inside with flannel. The smock coat here produced is the one he had on when he left; he had a new ax which Mr. Crawford allowed him to bring home to cut some wood, he had some pork tied up in a handkerchief; he had a fur cap of reddish colour, he had a good head of hair; he wore his hair long, they were dark hair, he must have had a sheath knife and a leather belt, but I did not see it. I recognized the body as soon as I saw it. When he left camp, he was in as good health as he ever was, he was a healthy man, and was never sick to my knowledge. The Moleskin pantaloons he had on were not torn, they were mended. The hair shown to me was wrapped in a white paper marked Number one (No. 1) hairs discovered in the hand, to the best of my belief are not his hair. Deceased was my brother-in-law. The smock was considerably mended but was not torn, there were no red marks of any kind on his clothes. When we left his smock was half buttoned up, he was in the habit of unbuttoning his smock, to take it off, I never saw him pass it over his head to take it off.

Cross examined by Edmond Conway

We missed the fishing line after deceased had left the camp. The line here produced to the best of my opinion is the line which was missed from the shanty, but I cannot swear to it.

The foregoing deposition being duly read in presence of Edmond Conway, he declares he has no more questions to ask. The Witness declares it contains the truth and that he cannot sign his name. The words erased are null. One marginal when approved is good.

Signed

George McCormick X

Sworn before me on this
4th day of May 1864

C.Eug. Panet_

George Thebarge from St. Gabriel, farmer, being duly sworn doth depose and say

About six weeks ago, as I passed the road by Francis Armstrong's house, he called me in, Dooley was in and treated me to a glass of liquor. Armstrong's wife was there, I saw no signs of liquor about Armstrong, but Dooley was pretty groggy. I heard something about John Davis spoken. I heard Dooley say to Armstrong, if they would give me some money, I might have a search for the body, this is the only thing I heard about John Davis in the house. I did not mind much what Dooley said, for he appeared to me to be drunk. After saying something about Davis which I did not remember, Dooley said "to hell with him, no more about it." I heard nothing outside the house, I went home with Dooley shortly after this.

The foregoing deposition being duly read in presence of Edmond Conway he declared he had no questions to ask. The Witness declares it contains the truth nothing but the truth and that he cannot sign his name. One word erased is null.

Sworn before me this
4th day of May 1864
C.Eug.Daney

George X Thebarge
Mark

Francis Armstrong, of Valcartier, farmer, being duly sworn doth depose and say:

I was acquainted with the deceased John Davis. I saw the body which I recognized by the appearance of the body. I helped to carry him out of the woods on a stretcher to the house of James Berry. I was on the third search which was made for the discovery of the body. On the eighth of February last William Dooley came into my house. Dooley had taken some liquor, but could take care of himself, and knew what he was doing. I asked him if he had been in town, he said "Yes" with a "foot hook" that he had bought from Neddy Conway, that Conway had sold him this "foot hook," because he was afraid to go this road to Quebec, since the report of John Davis having been killed. I asked him if he had heard of the reward offered for the body of John Davis; he said not. (Marginal note: he asked me if there was any certainty of getting it; I answered, "It would not be in the papers if it could not be got." he added Will you come with me and We will find him. I did not say whether I would or not, he said "We may not find him, but we can look for him.) He said if they Watch the Neck of Lac O' L'Isle River they might or could find him in the spring. He mentioned that people said that Conway took John Davis' own ax and had struck deceased with it, but that he Dooley had not touched deceased. He mentioned also that at the time, he had asked Conway to carry John Davis home, but that Conway had answered that he was "damned" if he would (Side: William Dooley told me) that John Davis was a man who meddled with other people's business, that he knew the man and would not mind him, but that other people would not do so. My Wife Elizabeth was present during that conversation and heard it. Dooley also mentioned to me that he was up at Lac O' L'Isle looking for some timber.

The foregoing deposition having been duly read in presence of Edward Conway who declares he has no questions to ask. The Witness declares it contains the truth, nothing but the truth and that he cannot sign his name. Four words erased are null. Four Marginal Notes approved are good.

Signed / Francis Armstrong
Sworn before me this 4th day of May 1864

C.Eug. Panet

Joseph Abraham of Valcartier, farmer, being duly sworn doth depose and say:

On Sunday last about twelve o'clock I was being near the foot of the Rapids, I was alone at the time, I did not see Billings at the time. At about thirty or forty yards from where I was standing I perceived something white near the edge of the River, I waited until the other people who were behind me had nearly come up, I then went to the place; I got there first, and called to the others, Crawford and Billings then came up. Deceased was lying on his belly with his head up the current. The skin that I could see on the face was reddish and swelled, Mr. Billings then assisted by me and the rest took the body out of the water and laid it on the green branches, there was a mark of a wound at the back of the head, this wound was about five or six inches in length. The deceased's smock coat appeared to me to have been pulled over the head and held on the body by both wrists. On one of the arms the lining of the coat stuck to the shirt sleeve. On the left foot there was a boot the right foot was naked. I saw a fishing line rolled on a little piece of stick, part of this line was loose, I saw no hooks, just the line. I assisted in bringing the body down to the settlement. I knew John Davis well and perfectly recognized the body from the clothes on it. When the body was taken out of the water in my presence, the face was a little swollen and of reddish color, the mouth was opened and the tongue protruding from between the teeth, I saw no foam coming out of the mouth, I thought I saw Marks of blood on the breast of the shirt (the White cotton shirt). In coming down through the Woods, no blood dropped from the body. When the body was taken from the water, I saw a cut on the Middle of his head, of about two inches or two and a half long. On the second Wednesday after the thirtieth of November last, I went to Dooley to buy a pig, Dooley asked me if Davis's body had been found, he said he did not think it would be easy to find him now on account of the snow, he told me that on Monday or Tuesday (I think he said Tuesday but I'm not sure) that he and Conway had been to Lac O' L'Isle to cut some timber, he said they could only get three or four trees and it was not worth making a road so far to get the timber out. I saw a Tamarac tree at Lac O' L'Isle partly cut with an ax, at the discharge of the Lake, along side of the path. The foregoing deposition being duly read to the Witness he declares it contains the truth and both signed. One underlined is null.

Sworn before me this
4th day of May 1864.

Joseph Abraham

C. Eug. Panet

Doris Link notation: His body was brought to the house next to Dave Neil's (the James Berry house). It had first been owned by John McCune and Mary Davis.

***Notes from Family Correspondences (Neil, Davis, Crawford) on The Inconsistency of “Facts”**
On the Murder of John Davis

The year of the Murder was 1863, Nov 30th, not 1865, in Lac o’L’ilsle, Parish of St Catherine’s of Deschambault. The year of the Inquest was 1864, May 3rd & 4th, at Thomas Davis homestead, County of Portneuf.

Edmond Conway, not Bill Conway, was held prisoner during the Inquest with William Dooley.

At the Inquest William Dooley was accused of killing John Davis by William Billings. Dooley supposedly confessed, but his confession was discounted by Michael McLaughlin. Dooley admitted that he & Conway were illegally cutting wood on government property, which was under Henry Crawford’s authority & John Davis’s watch.

Dr. Wolff’s examination found brown hairs in the left palm of John Davis. They “are not his hairs”, according to George McCormick. Correspondence says they were in John’s right hand & were red. “Conway was the only red haired man in the area.” “Conway was a thief and a liar.”

Correspondence states that, “Some threats were made (no names or details) on anyone’s life that was seen coming there...to the inquest at the Davis homestead.” George Thebarge notes at the Inquest that Dooley is a drunkard. Dooley is clearly belligerent & wanted money to search for John’s body. Conway also refused to recover the body & was equally belligerent toward John.

Correspondence states that Conway, Dooley & Mike Ferrell were constantly in trouble with the Davis’s “over land” & the law. Evidence at the Inquest indicated that there may have been more than two persons of interest for the murder. Correspondence states that perhaps it was Davidson, but neither Davidson’s nor Ferrell’s names occur in the Inquest record. Who made the threats?

The Davis’s pressed for further legal action according to correspondence resulting in Conway committing the 1st suicide in the settlement rather than face hanging for John’s murder (Is there any evidence of this?). Mike Ferrell shot & killed “Monday” (David Maher?) for which Ferrell was acquitted. He was later hung for the murder of his relative, Francis Conway, the settlement’s 2nd murder. Ferrell’s conviction may have been the 1st hanging for that murder. Henry Crawford, J.P. gave a deposition but did not adjudicate the Inquest according to the correspondences. He was related to the Davis’ by marriage. He might have had personal as well as professional interest in prosecuting, however, the case was never brought to trial. The David Neil family disowned any of the intermarriages with the Conway’s. The Davis’, never again on good terms with the Conway’s, started moving west & south, soon followed by the Neil’s.

At first glance this may appear as one story, but upon analysis it is really two. The first is the inquiry as to how & where a murder was committed. Without further provable facts, it could not be ascertained who committed the murder. The second is all about by whom, introducing “facts,” by interpreting the inquiry or introducing them from outside the inquiry itself. The Correspondence’s animosity is palpable, but becomes unreliable, losing accuracy in generations of its retelling.

Newspaper coverage can be found in archives of The Quebec Daily News, The Quebec Mercury, & The Morning Chronicle, May 3-6, 1864. Transcription by Joan Paulson, Final edit by Marlan Shanks, (2nd & 3rd g grandchildren of David Neil & Thomas Davis, Sr.)