

PABC

11/12

INFORMATION AND COMPLAINT.

CANADA:
Province of British Columbia,
City of Vancouver.

The information and complaint of Y. Aoki of Vancouver taken the fourth day of November, A.D., 1903, before the undersigned, saith that Charles Donohue, on the 3rd day of November, A.D., 1903, at the said City of Vancouver, the dwelling house of the said Y. Aoki, situate at 236 Westminster Avenue, in the said City, unlawfully did break and enter by night, the goods and chattels of the said Y. Aoki in the said dwelling house then being found to steal,

and that he the said Charles Donohue, one iron box, one revolver and ten dollars in cash, in the said dwelling house then being found, of the goods and chattels of the said Y. Aoki, unlawfully did steal.

(Sgd.) Y. Aoki.

Sworn before me the day and year first above mentioned, at said City of Vancouver.

(Sgd.) J.W. McIntosh, J.P.

S. Aoki:-

DEPOSITIONS.

I am the witness. I live at 236 Westminister Avenue. On November 3rd last the bank produced

Y. Aoki:-

was stolen from my house. It belongs to me. I don't know. I live at 236 Westminister Avenue, Vancouver. I keep a boarding house there. On the night of November 3rd, I was at the City Hall. About 12 p.m., I came home and found the window open and everything turned upside down. "B." There was a small bank there belonging to my wife, and a revolver stolen. Wire netting which was across the window was taken off. (Bank produced and identified. Put in evidence as Exhibit "A."). It contained some money. I can't say exactly how much. I had left \$3. on top of the bureau. It was also taken. I don't know who stole it.

Cross-examined:-

I left the house that night at about 6:30 p.m. The bank was at the house when I left. I saw it there in my room at 6 o'clock. There were about twenty people left in the house when I went away. They were there all the time. I returned about 12 o'clock, opened my room and saw the window open. The door had been locked and I had the key with me. None of the guests could get in. The room is on the ground floor. I reported the matter to the Police the same night about 12:15 a.m. I did not give the bank to anyone or give anyone permission to carry it away.

(Sgd.) Y. Aoki.

the money fall there as the other man was not in a situation to do so. I heard the money rattle in the box.

Cross-examined:-

When I followed the men I saw one of the men throw the bank away. I heard the rattle of money. After taking this man to the station I went back and found the inside part of the bank containing the money. There was nothing in the outer casing. This accused Donohue started to

S. Aoki:- I am the wife of the last witness. I live at 236 Westminister Avenue. On November 3rd last the bank produced (Ex. "A.") was stolen from my house. It belongs to me. I don't know how much money was in it. It contained some half sovereigns and other coins, mostly in five and ten cent pieces, and Japanese coins (Parcel of coins produced: one Japanese coin identified. Put in evidence as Exhibit "B.") I gave no one permission to take the bank away.

(Sgd.) S. Aoki (in Japanese)

James Craig:-

I am a Police Constable. At 10: 30 November 3rd, I was going through (the) lane between Cordova and Powell streets and was standing in the shadow when two men came into the lane, one in advance of the other. They went around the corner of a fence some distance from where I stood. I followed quietly and looked around the corner. I saw one of them throw the bank(Ex. "A.") in the bushes. I heard the rattle of coins in the box. I started towards them and they started to run in different directions. One of them the accused Donohue fell. I caught him and brought him to the station, and went back and found the inside part of the box containing the money in Ex. "B." lying where the accused had fallen. The accused was the person who let the money fall there as the other man was not in a situation to do so. I heard the money rattle in the box.

Cross-examined.-

When I followed the men I saw one of the men throw the bank away. I heard the rattle of money. After taking this man to the station I went back and found the inside part of the bank containing the money. There was nothing in the outer casing. This accused Donohue started to

(3)

run through a vacant lot towards Westminster Avenue. The other man ran also towards the avenue, but in a different road. I found the case containing the money on the spot where Donohue fell.

(Sgd.) Jas. Craig.

"I have nothing to say."

(Sgd.) C. Donohue.

Seen before me, at Vancouver, the day and year first above mentioned.

(Sgd.) F.R. MacJ. Russell,

Police Magistrate.

STATEMENT OF THE ACCUSED.

"I have nothing to say."

(Sgd.) C. Donohue.

Taken before me, at Vancouver, the day and year first above mentioned.

(Sgd.) F.R.McD. Russell,
Police Magistrate.

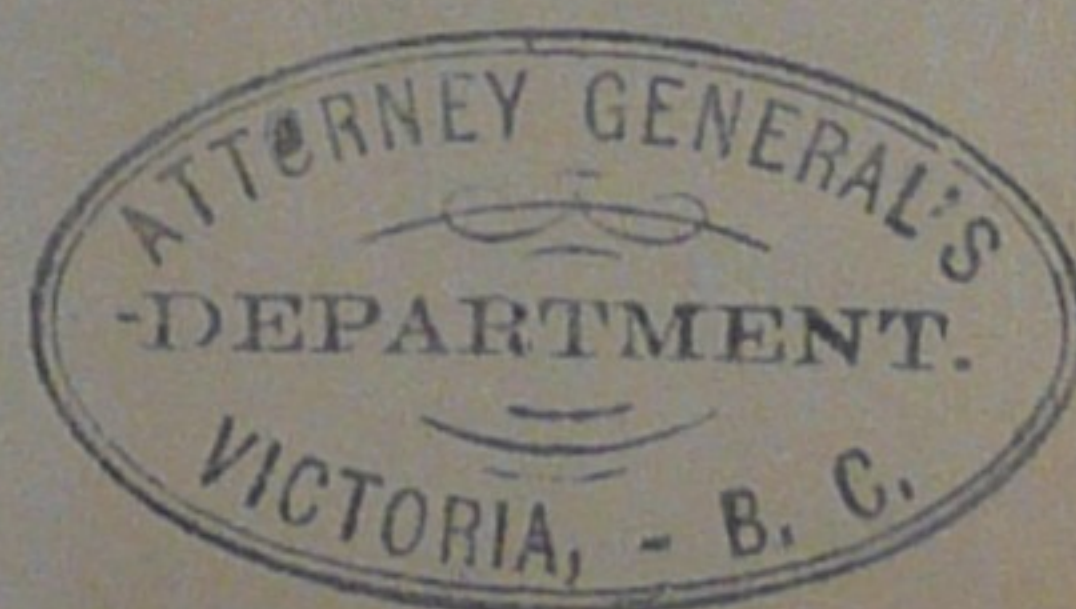
1904.

Vancouver Spring Assize.

Rex v. Donohue
(Theft)

Copy of Depositions.

26
/ 04



1904.

Vancouver Spring Session

26

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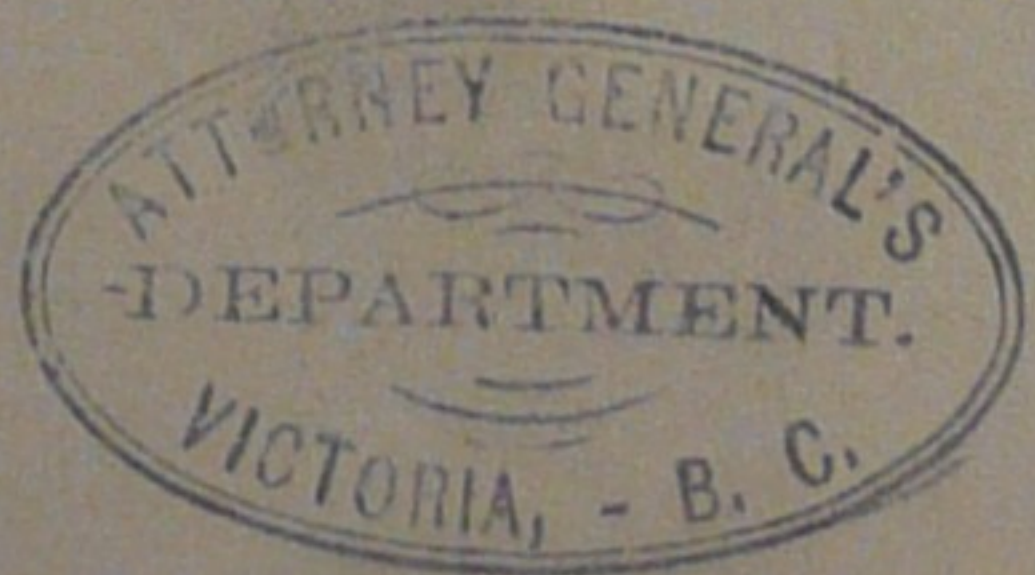
Rex v. Sonohue
(Burglary & Theft)

Brief for Crown.

Tuesday Mar 22nd 04. Adjourned. Partially
heard & adjourned to Mar 23rd at 10.30
March 23rd 10.30 a.m. - jury out 4.50 p.m.
Returned 6. p.m.

Not guilty

O. Blunkett



Grown witnesses.

y. Aoki

D. Aoki

J. Craig

C. Mulhens.

Interpreter. *W. J.*

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IN THE COURT OF OYER AND TERMINER AND GENERAL GAOL DELIVERY.

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

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) The Jurors for our Lord
) the King present that Charles
Donohue, at the City of Vancouver,

in the County of Vancouver, in the Province of British Columbia,
on the third day of November, in the year of our Lord one thousand
nine hundred and three, between the hours of ten and eleven in
the night of the said third day of November, the dwelling house
of Y. Aoki, situate in Westminster avenue, in said city, unlaw-
fully and burglariously did break and enter with intent the goods
and chattels of the said Y. Aoki in the said dwelling house then
being unlawfully to steal, and one iron box, one revolver and ten
dollars in cash of the goods and chattels of the said Y. Aoki
then in said dwelling house unlawfully did steal, against the
form of the statute in such case made and provided, and against
the peace of our said Lord the King, his crown and dignity:

I hereby direct that the counsel acting for the
Crown at the Vancouver spring assizes, 1904, prefer
this Bill of Indictment to the Grand Jury.

Attorney-General.

J. V. Macdonald, J.P.

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and that he the said Charles Donohue, one iron box one revolver and ten dollars in cash, in the said dwelling house then being found, of the goods and chattels of the said Y. Aoki, unlawfully did steal.

(Sgd.) Y. Aoki.

Sworn before me the day and year first above mentioned,
at said City of Vancouver.

(Sgd.) J.W. McIntosh, J.P.

DEPOSITIONS.

Y. Aoki:-

I live at 236 Westminister Avenue, Vancouver. I keep a boarding house there. On the night of November 3rd, I was at the City Hall. About 12 p.m., I came home and found the window open and everything turned upside down. There was a small bank there belonging to my wife, and a revolver stolen. Wire netting which was across the window was taken off. (Bank produced and identified. Put in evidence as Exhibit "A."). It contained some money. I can't say exactly how much. I had left \$3. on top of the bureau. It was also taken. I don't know who stole it.

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(2)

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Cross-examined:-

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