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INFORMATION AND COMPLAINT.

The information and complaint of Mrs. K. Uchida of
Mrs Vancouver, taken the 22nd day of December, A.D., 1903,
at Vancouver, before the undersigned, who says that an
man S. Tanaka, on the 21st day of December, 1903, at Vancouver
you did assault one Mrs. Uchida with intent to kill her the
will said Mrs. Uchida. He came to us several times then. He also came
to see us at our house last year after the fishing season.
My husband heard he (Sgd.) K. Uchida. him to come to our house
He went to Banet to earn money to support himself and my
husband gave him board. Ever since then he has stopped
at our house. He did not pay his board. While he was with
us he made improper proposals to me. The 14th December was
the first time he did so. I told him I was married and could
not consent. He wrote to me twice. The first time I opened
the letter (letter produced and put in evidence as Ex. "A.")
It is written by the prisoner. I have often seen his writing.
My daughter handed me the letter on the 16th December. Being
translated it reads "I know you are a woman, and I believe
* your husband changes his mind morning, noon and night. Your
* ability is useless if you are coupled with your husband. This
* night I have explained to Kaboragi the innocent relation between
* myself and you. Kaboragi has consented to be intercessor.
* Kaboragi speaks of very bad husband of yours. From this day
* I am sworn before me the day and year first above mentioned,
* will at said City of Vancouver. He you he is fortunate. It
* will hurt my reputation if you (Sgd.) Hy. O. Alexander, S.P.
* before I ask you earnestly not to return to Uchida even if it
* will cost you your life. I believe you firmly so I will con-
* sult with you in all things. Be merciful to me because you
* know my heart so well. You have no chance to be a fortunate
* person if you are to be the wife of Uchida. I am enamored in
* your heart rather than your appearance. Will you not be my

(1)
DEPOSITIONS.-----

Mrs. Kineo Uchida:-

I live at Powell street at 441. I am married to Chio Uchida. I have known the prisoner for 15 years. Fifteen years ago my husband was working in a saw mill. The accused came to us several times then. He also came to see us at our house last year after the fishing season. My husband heard he was ill and asked him to come to our house. He went to Bamet to earn money to support himself and my husband gave him board. Ever since then he has stopped at our house. He did not pay his board. While he was with us he made improper proposals to me. The 14th December was the first time he did so. I told him I was married and could not consent. He wrote to me twice. The first time I opened the letter (Letter produced and put in evidence as Ex. "A.") It is written by the prisoner. I have often seen his writing. My daughter handed me the letter on the 14th December. Being translated it reads "I know you are a woman, and I believe your husband changes his mind morning, noon and night. Your ability is useless if you are coupled with your husband. This night I have explained to Kaboragi the innocent relation between myself and you. Kaboragi has consented to be intercessor. Kaboragi speaks of very bad husband of yours. From this day I love you dearly, but I did not have that mind until yesterday. If anyone possesses a woman like you he is fortunate. It will hurt my reputation if you return to your husband. Therefore I ask you earnestly not to return to Uchida even if it will cost you your life. I believe you firmly so I will consult with you in all things. Be merciful to me because you know my heart so well. You have no chance to be a fortunate person if you are to be the wife of Uchida. I am enamored in your heart rather than your appearance. Will you not be my

"wife for life ? If you do dislike me of course I cannot
 "help it. I will love you for ever. If that be a fact I
 "will take over to me your children. I think it will not be
 "wrong to disobey the advice of your sister if we love each
 "other. I do not speak these things unless I know that I
 "can support you and the children. I will not make you unhappy
 "even if it cost me my life. Truly from human nature I love
 "you truly and I pity you and I long for you. Our reputation
 "will not be injured if we get married in January or February.
 "But an unworthy person like me, I am afraid you will not
 "like me. But if you have kindness please let me know of your
 "heart. It will hurt my reputation if you do marry any other
 "person. I will not do any human things towards you even if
 "it cost me my life. Human beings are bad when he gets a grudge
 "against another. I will send you money secretly to you at
 "your sister's Oya, if you stay there. For righteousness
 "sake I did not open my mind to you before. I pray you do
 "not return to Uchida any more. If you will be my wife I
 "believe we can live happily, surely, no matter what your
 "elder sister Oya says; please do not return(to Uchida);
 "If you go back there I will do the thing to the full extent
 "of my mind; so please do not forget these things. I think
 "it is convenient about in February. I am not mindful of
 "even my own life if it is for your sake. At this time I ask
 "you to think of my heart even a little."

I did not answer the letter. I was at my sister's
 place, Oya. The fourth door from my ~~place~~ house. I got
 another letter from him on the 16th I think. I was in my
 own parlor at the time alone. When he handed the letter to
 me I said I had no reason to accept his letter. He said
 "Please take it; don't say that thing." I said "I have no
 "reason to take it." So I did not touch it. He put the
 letter back in his pocket then. He talked to me three times
 and made improper proposals. I never answered him. On the 21
 December I was in my Kitchen about ten minutes to six o'clock

p.m. The accused drew a knife on me. I was alone at the soner time wiping dishes. Some person opened the back door gently ~~xx~~ and I noticed him with a knife in his hand come into the ~~here~~ kitchen. There was a handkerchief around it. He said nothing, but I said "I have no reason to be killed." I asked if he was going to murder me. He said he would do ~~xxxxx~~ what he ~~when~~ liked as he did not care for life. My stepson rushed into the room at that time. He pushed me outside and said I had better go away. The accused tried to hurt me. He came towards me with the knife held in his hand in a threatening manner. My stepson pushed me aside and then pushed the accused outside and locked the door. Nothing more was said at that time. I went to the store and saw him no more till now. I really thought he was going to murder me.

(Sgd.) Uchida.

John Brown:-

I am a Police Officer. I was called to the Chitose Uchida:- house in question last Monday night. I went upstairs and found the prisoner sitting on the stairs. I was in uniform. I got before. I got a letter from the accused when my mother was at Oya's, but I don't remember if there was an envelope. The accused asked me to give the letter to my mother. He was in my father's store at the time. I took the letter to my mother at once. She was at Oya's. I am seven years old. (Sgd.) Tose Uchida.

Sentaro Uchida:-

I am son of Cheo Uchida and stepson of the complainant. I remember Monday night last. My father told me to get some tools for my work. I got them and put them in the store, when I heard some noise in the kitchen. Tanaka ^{when I went in.} was there. He said "Your mother is bad, and therefore I will do the full extent of my mind." He held a knife in his hand in a threatening manner. My mother was washing dishes. I held Tanaka, but he would not listen to me. I went into the store then. Two or three came in from the store. The accused was very boisterious. My father then came in and put

him out in the hallway. Father told someone that the prisoner was dangerous and might murder my mother. I felt uneasy and went back into the kitchen again. Tanaka was again there and held a knife in his hand. I thought he might murder my mother. I pushed him outside and locked the door. I saw him again upstairs in the parlor. I heard something break and when I went up I saw him there with a knife cutting the wall. He went downstairs and I followed him down and the Police came and arrested him. He broke some teacups upstairs. The knife produced is the knife he used that night. (Knife put in evidence as exhibit "B.").

(Sgd.) Sentaro Uchida.

John Brown:-

I am a Police Officer. I was called to the house in question last Monday night. I went upstairs and found the prisoner sitting on the stairs. I was in uniform. I got him near the head of the stairs. He had a handkerchief and knife in his hand which he dropped in the hall-way. I picked up the knife and handkerchief. He was in his shirt sleeves. I identify the knife (Ex. "B.") as the knife he had. I identify the handkerchief as the one he had in his hand. (Put in evidence as Exhibit "C."). The knife had the big blade open.

(Sgd.) John Brown.

STATEMENT OF THE ACCUSED.

"I wish to give evidence on oath."

S. Tanaka, being sworn saith:-

I am the accused in this case.

I came to Uchida's place in March last because I was ill and wished to take care of myself. While I was there I helped in the house and Uchida said I need not pay for board. I ~~work~~ worked faithfully for him. On the 14th of this month Uchida told me I was committing adultery with his wife. That made trouble between us and we called Tagachi who told him the story, and he found out it was untrue. I was cleared as an innocent person. I was always careful of locking the door upstairs going to the rear. I often found it unlocked again. On the night of the 13th instant I found it unlocked. While I stood there I saw a man coming out from a room and go downstairs. Soon after I saw Mrs. Uchida come, and I hid. Mrs. Uchida knew that I suspected her, and I gave her reproofs. The letter Ex. "A." is written by me. I wrote it in order to find out her mind as she spoke often of getting a divorce from Uchida. On the 10th in Mrs. Uchida's parlor I said to her "I suppose you are angry at that letter, but I wish you to forget it. You may not believe what I say but I will give you some writing." I then handed her a letter, but she would not take it. I never had any intention in my mind to hurt Mrs. Uchida. I am a man and stronger than her, and I could hurt her if I wished without being under the influence of liquor. I am not very good when drinking. I had taken liquor previous to the day of the assault and in consequence was not myself. There is no reason why I should kill her. Only for the drink I would not have done what I am blamed for doing. I don't remember what occurred that night as I was

drunk.

Cross-examined by prosecution:-

Ex. "B." is my knife. Ex. "C." is my handkerchief. I don't know why I had the knife wrapped in the handkerchief. I don't remember it. I was in trouble in Cumberland over an assault case wherein I cleaned out the Japanese Mission and broke things there. I don't know what weapons I used. I never had any other trouble. I objected to having T. Nishiyama interpreter in this case as I asked Kaburagi first. I never threatened to fix T. Nishiyama. He does not understand the Japanese language perfectly and therefore I did not wish him to interpret.

(Sgd.) S. Tanaka.

Taken and signed in my presence and in that of the accused this 23rd day of December, A.D., 1903.

(Sgd.) Hy. O. Alexander.

1904

Vancouver Spring 1904.

Rex v. Tanaka.

(assault with intent to kill)

Copy of Depositions.

35
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1904.

Vancouver Spring Session.

Rex v. Tanaka. 04
(assault with intent to ^{murder} kill)

Brief for Crown

March 25th - 10.30 am - 1. pm
2.15 pm - 5 pm.

26th - 10.30 am Adjourned
to 10.30 am. Mar 28th

28th Prisoner withdrew
plea of "not guilty" & pleads
"guilty" of common assault.

Prisoner discharged on suspended
sentence - Bond to keep
peace 2 years - \$400⁰⁰

04.



Crown antennae

H. Achida

C. Achida

D. Achida

J. Achida

Intricate

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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.

) The Jurors for our Lord
) the King present that S. Tanaka

) in the City of Vancouver, in the
County of Vancouver, in the Province of British Columbia, on the
twenty-first day of December, ~~1903~~ in the year of our Lord one
thousand nine hundred and three, in and upon one Kineo Uchida
unlawfully did make an assault, and her the said Kineo Uchida did
beat, wound and ill-treat with intent her the said Kineo Uchida
unlawfully to kill and murder, 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:

2: And the jurors aforesaid do further present that the
said S. Tanaka, afterwards, to wit, on the day and year and at
the place last aforesaid, in and upon the said Kineo Uchida unlaw-
fully did make an assault, and her the said Kineo Uchida did beat,
wound and ill-treat, with intent to her the said Kineo Uchida
unlawfully to do some grievous bodily harm, 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.

Sp. C. Alexander, S.E.

INFORMATION AND COMPLAINT.

The information and complaint of Mrs. K. Uchida of Vancouver, taken the 22nd day of December, A.D., 1903, at Vancouver, before the undersigned, who says that S. Tanaka, on the 21st day of December, 1903, at Vancouver did assault one Mrs. Uchida with intent to kill her the said Mrs. Uchida.

(Sgd.) K. Uchida.

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

(Sgd.) Hy. O. Alexander, S.M.

(2)
DEPOSITIONS.-----

Mrs. Kineo Uchida:-

I live at Powell street at 441. I am married to Chio Uchida. I have known the prisoner for 15 years. Fifteen years ago my husband was working in a saw mill. The accused came to us several times then. He also came to see us at our house last year after the fishing season. My husband heard he was ill and asked him to come to our house. He went to Bamet to earn money to support himself and my husband gave him board. Ever since then he has stopped at our house. He did not pay his board. While he was with us he made improper proposals to me. The 14th December was the first time he did so. I told him I was married and could not consent. He wrote to me twice. The first time I opened the letter (Letter produced and put in evidence as Ex. "A.") It is written by the prisoner. I have often seen his writing. My daughter handed me the letter on the 14th December. Being translated it reads "I know you are a woman, and I believe
"your husband changes his mind morning, noon and night. Your
"ability is useless if you are coupled with your husband. This
"night I have explained to Kaboragi the innocent relation between
"myself and you. Kaboragi has consented to be intercessor.
"Kaboragi speaks of very bad husband of yours. From this day
"I love you dearly, but I did not have that mind until yesterday
"If anyone possesses a woman like you he is fortunate. It
"will hurt my reputation if you return to your husband. There-
"fore I ask you earnestly not to return to Uchida even if it
"will cost you your life. I believe you firmly so I will con-
"sult with you in all things. Be merciful to me because you
"know my heart so well. You have no chance to be a fortunate
"person if you are to be the wife of Uchida. I am enamored in
"your heart rather than your appearance. Will you not be my

"wife for life? If you do dislike me of course I cannot
 "help it. I will love you for ever. If that be a fact I
 "will take over to me your children. I think it will not be
 "wrong to disobey the advice of your sister if we love each
 "other. I do not speak these things unless I know that I
 "can support you and the children. I will not make you unhappy
 "even if it cost me my life. Truly from human nature I love
 "you truly and I pity you and I long for you. Our reputation
 "will not be injured if we get married in January or February.
 "But an unworthy person like me, I am afraid you will not
 "like me. But if you have kindness please let me know of your
 "heart. It will hurt my reputation if you do marry any other
 "person. I will not do any human things towards you even if
 "it cost me my life. Human beings are bad when he gets a grudge
 "against another. I will send you money secretly to you at
 "your sister's Oya, if you stay there. For righteousness
 "sake I did not open my mind to you before. I pray you do
 "not return to Uchida any more. If you will be my wife I
 "believe we can live happily, surely, no matter what your
 "elder sister Oya says; please do not return (to Uchida);
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 "of my mind; so please do not forget these things. I think
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I did not answer the letter. I was at my sister's
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 another letter from him on the 16th I think. I was in my
 own parlor at the time alone. When he handed the letter to
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 "reason to take it." So I did not touch it. He put the
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 and made improper proposals. I never answered him. On the 21
 December I was in my kitchen about ten minutes to six o'clock

(3)

p.m. The accused drew a knife on me. I was alone at the time wiping dishes. Some person opened the back door gently and I noticed him with a knife in his hand come into the kitchen. There was a handkerchief around it. He said nothing, but I said "I have no reason to be killed." I asked if he was going to murder me. He said he would do ~~xxxxx~~ what he liked as he did not care for life. My stepson rushed into the room at that time. He pushed me outside and said I had better go away. The accused tried to hurt me. He came towards me with the knife held in his hand in a threatening manner. My stepson pushed me aside and then pushed the accused outside and locked the door. Nothing more was said at that time. I went to the store and saw him no more till now. I really thought he was going to murder me.

(Sgd.) Uchida.

Chitose Uchida:-

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him out in the hallway. Father told someone that the prisoner was dangerous and might murder my mother. I felt uneasy and went back into the kitchen again. Tanaka was again there and held a knife in his hand. I thought he might murder my mother. I pushed him outside and locked the door. I saw him again upstairs in the parlor. I heard something break and when I went up I saw him there with a knife cutting the wall. He went downstairs and I followed him down and the Police came and arrested him. He broke some teacups upstairs. The knife produced is the knife he used that night. (Knife put in evidence as exhibit "B.").

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drunk.

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(Sgd.) S. Tanaka.

Taken and signed in my presence and in that of the accused this 23rd day of December, A.D., 1903.

(Sgd.) Hy. O. Alexander.