

PASC

OR 49

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P O L I C E   C O U R T  
(Before H.C. Shaw, Esq., P.M.)

Vancouver, B.C., October 16th, 1914.

R   E   X

VS

ZENICHI   IRIZAWA.

193  
/ 14



## INFORMATION AND COMPLAINT FOR AN INDICTABLE OFFENCE.

C A N A D A  
PROVINCE OF BRITISH COLUMBIA  
CITY OF VANCOUVER.

THE INFORMATION AND COMPLAINT of E.E.Robinson of the City of Vancouver taken the 10th day of October in the year of our Lord One thousand nine hundred and fourteen, before the undersigned H.C.Shaw, Esq., Police Magistrate and one of His Majesty's Justices of the Peace in and for the said City of Vancouver who says that at the said City of Vancouver on the 10th day of October A.D.1914 ZENICHI IRIZAWA did corruptly offer to a peace officer a bribe, to wit, \$2.00, with intent to protect the said Zenichi Irizawa from punishment for committing a crime.

Contrary to the form of the Statute in such case made and provided.

E.E.Robinson

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

H.C.Shaw

Police Magistrate.

Accused committed to take his trial at the  
next Court of Competent Jurisdiction.

H.C.Shaw,

P.M.



STATEMENT OF THE ACCUSED.

C A N A D A  
PROVINCE OF BRITISH COLUMBIA  
COUNTY OF VANCOUVER  
CITY OF VANCOUVER.

ZENICHI IRIZAWA stands charged before the undersigned H.C.Shaw Esq.,Police Magistrate, and one of His Majesty's Justices of the peace in and for the county aforesaid, this 21st day of October in the year of our Lord one thousand nine hundred and fourteen,for that the said Zenichi Irizawa on the 10th day of October A.D.1914 at the City of Vancouver did corruptly offer to a peace officer a bribe,to wit, \$2.00 with intent to protect the said Zenichi Irizawa from punishment for committing a crime.

Contrary to the form of the Statute in such case made and provided.

Usual warning given

Whereupon the said Zenichi Irizawa says as follows:

"I reserve defence."

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

H.C.Shaw

Police Magistrate.



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P O L I C E      C O U R T  
(Before H.C.Shaw, Esq., P.M.)

Vancouver, B.C. October 16, 1914.

C A N A D A  
PROVINCE OF BRITISH COLUMBIA  
COUNTY OF VANCOUVER  
CITY OF VANCOUVER      REX VS ZENICHI IRIZAWA.

ZENICHI IRIZAWA charged on the information of E.E. Robinson of the City of Vancouver on the 10th day of October, 1914, for that at the said City of Vancouver on the 10th day of October, A.D. 1914, he did corruptly offer to a peace officer a bribe, to wit: \$2.00 with intent to protect the said Zenichi Irizawa from punishment for committing a crime.

Contrary to the form of the Statute in such case made and provided.

J.K.KENNEDY, ESQ., Counsel for prosecution.

J.A.RUSSELL, ESQ., Counsel for defence.

L.H.Heaney, sworn as stenographer.

MR.RUSSELL: I appear for the accused and plead not guilty.

COURT: It is a preliminary hearing.

P.C.McDONALD (180)

Called as a witness, being first sworn, testified as follows:

QUESTIONS BY MR.KENNEDY:

1 Q.You are a Police Officer in the City of Vancouver?

A Yes sir,

2 Q.And were such on the 10th day of October, I understand?

A Yes sir.

3 Q. Do you recognize the accused? A I do.

4 Q. Now just tell us what happened in this case, will you?

A. Your Worship about 6 a.m.on Saturday the 10th of October I visited room 20 in the Cascade Roominghouse, the 100 block Powell Street.

5 Q.That is in the City here? A In the City of Vancouver, which I suspected as a gaming-house, and in room 20 there



were eight Japs gambling. Immediately the accused came out and said "I want to speak to you" I didnt go. He then got hold of my sleeve and started to pull me a little way. "Come over here" he said "I want to have a talk with you" "What is it?" I said. "Oh nothing" he said, "I want to talk to you over here" So then he pulled out the sum of two dollars out of his pocket; he said "take that" he said "and put that in your pocket, and dont say anything about this. We run a game here" he said, "sometimes, a small game here" he said "it is not much, and he said "You be good to us. Are you steady on the beat, or how long will you be on?" I said "I will be on till the end of the month" Then he said "dont say anything about this. All I lost "he said "was two dollars, and it is a small game" But I refused the money and he insisted on me taking the money; at the time I refused it, he then walked along with me outside, and on the street he handed me the money again. Then I accepted the money and arrested him.

6 Q. Have you the money there? A I have the money here, two dollars.

7 Q. Officer there was a little matter of a poker chip, what was that? A They were playing with it. He said "Everyone of them is worth five cents, you can make them from five cents up to fifty, he said, and it is a small game" he said "five cents each, and I only lost two dollars; and you take the money and put it in your pocket, and dont say anything about it, and be good to us."

QUESTIONS BY MR. RUSSELL:

- 8 Q. The premises in question are a roominghouse? A Yes.
- 9 Q. And the accused is the night clerk and book-keeper? I dont know.
- 10 Q. Have you ever visited these premises before? A I never visited that room.
- 1 Q. Have you ever been in these premises before? A Yes.
2. Q. Have you been in the same room? A Not inside.



13. Q. Do you know that it is used as the sitting room of the rooming-house? A I believe it is.
14. Q. And this room was open to anyone who cared to enter; you did not find any locked doors or anything of that kind? A Nothing of that kind.
15. Q. And at six o'clock you found some seven Japanese playing a game of cards round the table? A Yes.
16. Q. And you stood in the doorway and watched them for quite a little bit, some twenty minutes? A A very short time.
17. Q. Did you watch them playing for twenty minutes? A A very short time. I didnt have time.....
18. Q. Isnt it a fact that you watched it for about twenty minutes? A No I didnt.
19. Q. Did you watch it long enough to get any idea what the game was? A I didnt have time.
20. Q. Did you see how many cards were dealt to each player? A I didnt count.
21. Q. Do you know? A No.
22. Q. Do you know what game was being played? A Poker
23. Q. How do you know? A He told me.
24. Q. Did he tell you it was poker or pokai? A He said the game of poker.
25. Q. Did he use the word Pokai? A Poker.
26. Q. Have you ever seen these little ivory bits, or whatever they are before? A I couldnt say.
27. Q. They are white bits and black bits? A Yes.
28. Q. Do you know that these are used in connection with the Japanese national game somewhat similar to our game of chess, they are the markers they use? A I know they are used by the Japanese.
29. Q. But they are used in connection with their national game played on the square. A Yes and upon gambling.
30. Q. Now how do you know they are used for gambling, did you see any money on this table? A No.
31. Q. Did you see any money in the possession of any one of these players? A I didnt search them.



32 Q. Isnt it quite possible apart from what you say this man told you, they were playing a friendly game of cards?  
A He told me they were playing a small game, that he lost two dollars.

33 Q. Now this man is a Japanese, isnt he? A Yes.

34 Q. And he talks very broken English? A No he talks good English, pretty good English.

35 Q. Do you mean to say that it is not broken English?  
A It is broken English.

36 Q. Did you understand everything he said? A Well I think anyone could understand him.

37 Q. Do you think he understood everything you said to him? A I believe he did.

38 Q. You believe he understood everything that took place between you? A Yes.

39 Q. And you think you understood everything he said to you? A Yes.

40 Q. Didnt you watch the game at all? A I watched it for a very short time; I didnt want to watch it, I wanted to notify the Station.

41 Q. How long had you been on that beat? A Since the first of the month.

42 Q. Did you ever accept cigars from Japanese? A Never, I accepted nothing.

43 Q. You have never accepted a cigar from a Japanese?  
A Nothing.

44 Q. Or from any person else? A I have accepted cigars, but not from a Japanese.

45 Q. Do you know anything abouts cards? A Yes.

46 Q. Have you ever played in different card games yourself?  
A Very little.

47 Q. I didnt mean as a gambler, I mean do you know cards of any kind? A Yes I have played a little.

48 Q. Have you played "Old Maid" or "Casino." Have you ever played any of those games? A Yes.

49 Q. Have you played Hearts for drinks? A Never.

50 Q. Have you ever played Hearts at all? A The game of Hearts



51 Q.Yes. A Nver.

52 Q.Have you ever heard of it? A I dont believe I did.

53 Q.Have you ever played Rum? A No.

54 Q.Do you know that any game that is played for treats, as you say you have played cards for treats or drinks-- what cards have you played? A Just ordinary cards.

55 Q.Well what is the name of the ordinary cards? There are a hundred different games of cards, you know. What game have you played for the drinks? A For drinks?

56 Q.Yes? A I have never played for drinks.

57 Q.What game have you played for fun,then? A I cannot tell you.

58 Q.You have played games for fun, for sport, and you dont know the names of the games; is there not a certain amount of skill in any game that you have ever played?  
A Skill?

59 Q.Yes. A. What is skill?

60 Q.Dont you know what skill is? Dont you know what judgment is? A Yes.

61 Q.Well isnt there a certain amount of judgment required in every game you played?

COURT: I think I can take judicial notice of that, Mr. Russell

MR.RUSSELL: This witness doest seem to know it.

62 Q.Now isnt it a fact that the Japanese on the occasion in question got up from the game and went into the lavatory? A He was playing while I was there.

63 Q.I know he was playing while you were looking on,but didnt he get up from the table and go into the lavatory?  
A Yes he came out.

64 Q.But after he came from the lavatory he offered you a cigar? A No.

65 Q.Didnt he say "went you have a cigar officer?" A No.

66 Q.Didnt say anything of that kind? Never mentioned a cigar? A No.

67 Q.Did he mention cigars? A No.



- 68 Q. Did he put his hand to his pocket to look for a cigar? A He looked for the money.
- 69 Q. Did he put his hand to the upper breast pocket as if looking for a cigar? A No.
- 70 Q. Did he put his hand in that direction? A He put his hand in his pants pocket.
- 71 Q. Did he put his hand in the direction I am indicating, the upper breast pocket? A No.
- 72 Q. Did he say when he handed you this money, "get yourself a cigar?" A Yes.
- 73 Q. How could you give his Worship any idea of the game that was being played, how many cards were dealt, how the game was played? A I didn't count the cards. I cannot tell you. He said it was a small game.
- 74 Q. How would you be able to prove it was a gambling game if you didn't take the trouble to count the cards or see how the game was being played? A Because the accused told me he lost two dollars.
- 75 Q. But you said you were going to the telephone to have the place raided. Now what use... A I didn't.
- 76 MR. KENNEDY: Did you say that? A I wanted to inform the Station.
- 77 Q. Well how could you inform the Station wouldn't you ring them up? A I didn't have to I was on my way
- 78 Q. You were going to inform the Station about what? A About this place.
- 79 Q. And would you be able to give the sergeant any information as to the nature of the game? A Yes I suspected the place for a whole week.
- 80 Q. What had you observed a whole week? A I observed the light was up all night.
- 81 Q. That is natural in a roominghouse? And what? A. And I could hear them arguing there
- 82 Q. And on that you would ask His Worship to make a conviction that the place was a common gaminghouse, would you? Now if I showed you the game they were playing would you recognize it? If I gave you an



illustration of the game that was being played there would you recognize it? A I dont believe I could. I didnt watch it so long.

83 Q.Of course you didnt understand anything that the Japanese were saying amongst themselves in their own language? A No.

84 Q.No one spoke to you in English except the accused?

A The accused.

85 Q.The two dollars was handed to you folded up,wasnt it? Taken out of the man's pocket and handed to you in this way? A Yes.

86 Q.Did you ask him to step outside when he first offered you the money? A Step outside where?

87 Q.Outside the room? A He was outside the room.

88 Q.Did you ask him to step outside the building then?

A Yes I told him to follow me.

89 Q.And it was outside that he pressed the money on you?

A He pressed the money on me on the street.

COURT: You are a Police Officer in the City here, a peace officer? I dont know whether you asked that Mr.Kennedy.

MR.KENNEDY: Yes, Your Worship, and was such on the 10th.

I am putting the money in as Exhibit "A" and these little poker chips might go in as Exhibit "B"

Case adjourned to 21st.

COURT: Are you calling any evidence Mr.Russell?

MR.RUSSELL: Well in your Worship's view of the matter, I have witnesses here, but in your Worship's view I hardly see that anything could be gained at all, but it does seem to me that they have not proved the necessary requirements even for committal for trial.

COURT: I think in view of all the circumstances and the grave danger to the administration of justice if it should be overlooked, I should commit for trial, and let the Judge presiding express his views of it, and give a warning if necessary, in the higher Court.



I think that would perhaps be more effective.

COURT: You waive the reading of this?

MR. RUSSELL: Oh yes and his answer is "that in view of  
Your Worship's expression recorded I reserve defence"

COURT: I commit the accused for trial at the next Court  
of competent criminal jurisdiction.

H.C. Shaw

Police Magistrate in and for  
the City of Vancouver in the  
Province of British Columbia.

I HEREBY CERTIFY THE FOREGOING  
TO BE A TRUE AND ACCURATE COPY  
OF THE SAID PROCEEDINGS

L.H. HEANEY

STENOGRAPHER.

*100-11-20*  
*100-11-20*  
*100-11-20*

IMPERIAL STENO



IN THE SUPREME COURT OF BRITISH COLUMBIA  
OVER AND TERMINER AND GENERAL GAOL DELIVERY.

|                              |   |                         |
|------------------------------|---|-------------------------|
| C A N A D A                  | } |                         |
| PROVINCE OF BRITISH COLUMBIA | } | VANCOUVER FALL ASSIZES. |
| COUNTY OF VANCOUVER          | } |                         |
| CITY OF VANCOUVER            | } | 1 9 1 4.                |

1. The Jurors for our Lord the King present that Zenichi Irizawa at the City of Vancouver in the County of Vancouver on the Tenth day of October in the year of Our Lord One thousand nine hundred and fourteen, unlawfully with intent to facilitate the commission of a crime corruptly gave a bribe to a Peace Officer there and then employed in the prosecution and detection and punishment of offenders, contrary to the form of the Statute in such case made and provided and against the peace of our Lord the King his Crown and Dignity.

2. And the Jurors aforesaid do further present that the said Zenichi Irizawa at the time and place aforesaid, unlawfully with intent to facilitate the commission of a crime corruptly offered a bribe to a Peace Officer there and then employed in the prosecution and detection and punishment of offenders, contrary to the form of the Statute in such case made and provided and against the peace of our Lord the King his Crown and Dignity.

I hereby prefer the above  
Bill of Indictment to the  
Grand Jury.

CROWN COUNSEL.



S.C.B.C.  
OYER & TERMINER & GENERAL GAOL  
DELIVERY.

VANCOUVER FALL ASSIZES, 1914.

R E X

VS

SEINICHI IRIZAWA.

I N D I C T M E N T.

BRIEBRY.

WITNESSES:

1. P.C.Macdonald (180)



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I think that would perhaps be more effective.  
COURT: You waive the reading of this?  
MR. KUNSHUR: On yes and his answer is "that in view of  
your worship's expression recorded I reserve defence"  
COURT: I commit the accused for trial at the next Court  
of competent criminal jurisdiction.

H. O. Shaw  
Police Magistrate in and for  
the City of Vancouver in the  
Province of British Columbia.

I HEREBY CERTIFY THE FOREGOING  
TO BE A TRUE AND ACCURATE COPY  
OF THE SAID PROCEEDINGS  
L. E. HANNEY  
STENOGRAPHER.

*Mr. Shaw*

*Mr. Shaw 4 November 1916*

*Atty Gen*