

PABC

GR 419

Box 194 File 174/012

1911
Vancouver Fall Assizes

Rex
vs

McBlockey.

Attempted Murder.

Robert Bief.

1911
Oct 8. Free Kid

Oct. 11. Trial
Lyns for a second
Adulter
Family with
Recommendation to mercy
ATTORNEY GENERAL
W. H. H. H.

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T. Fingirobo

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O. Hamozaki

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Sworn

INFORMATION AND COMPLAINT FOR AN INDICTABLE OFFENCE.

CANADA.

Province of British Columbia,

County of Vancouver.

The Information and complaint of Fugimoto, a Jap of Kimsquit taken this sixth day of Aug in the year of our Lord one thousand nine hundred and fourteen before the undersigned one of His Majesty's Justices of the Peace in and for the said County of Vancouver who saith that Chas. McCloskey at Kimsquit on the 1st day of Aug, 1914 did shoot at me with a Rifle.

(sd) T. Fugimoto.

Sworn before the day and year first above mentioned, at

I did not see the man Fug (sd) W. Havison Gibson, J.P. day

August 1st. at all. (sd) W. Havison Gibson, J.P.

(sd) C. McCloskey.

(sd) W. Havison Gibson, J.P.

STATEMENT OF THE ACCUSED:

Usual form used.

with shooting of T. Fugimoto

August 1st, Saturday.

Interpreted as above, Vancouver, B.C.

I am a fisherman in the employ of the Cannery.

worked there for about seven seasons. I live at Vancouver

at the winter time. Half past six in the morning on Saturday I

was in my method on my way to the cannery. On Friday night

somebody shoot and on Saturday morning I asked Mr McCloskey

if he fired a shot. McCloskey said he did not shoot. I said yes

he did shoot. McCloskey said the Japs were always putting their

guns out in front of his. I asked Mr McCloskey how far apart the

guns ought to be. He said don't put yours in front of me. I said

both have licences and each of us have the right to put out

our guns. McCloskey said I think you are always throwing out your

gun close to me. I'll hit you. He then pulled his gun close

to me and went to strike me with an ear. I also took up an ear

I did not see the man Fugimoto on the morning of Saturday

August 1st. at all. I kill you" then he (McCloskey) shot at

me. I was scared and ducked my head (sd) C. McCloskey. Kamasaki,

another Jap, who was about 50 or 55 feet away. I just called out

(sd) W. Hewison Gibson, J.P.

Kamasaki's name and he did not reply. McCloskey went to the cannery

and I went to the cannery. He (Fugimoto and Kamasaki) parted and

both went to the cannery where he was employed. I was wearing a

new winter hat and oil-coat. I had the saw-wester on at the time

McCloskey shot (Saw-wester. Exhibit 1. produced in court and

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Court held August 6th, 1914.

Case of Charles McCloskey charged with shooting at T. Fugimoto (a Japanese) with a rifle on August 1st, Saturday.

1. Tashiyawa, sworn as Interpreter. I have spoken to him sometimes before that but have never had any trouble.

2. FUGIMOTO, duly sworn, deposed as follows:- I am a fisherman in the employ of the ~~Manitowish~~ ^{Manitowish} Cannery.

I have worked there for about seven seasons. I live at Vancouver in the winter time. Half past six in the morning on Saturday I hauled in my netband was on my way to the cannery. On Friday night I hear somebody shoot and on Saturday morning I asked Mr McCloskey why he fired a shot. McCloskey said he did not shoot. I said yes you did shoot. McCloskey said the Japs were always putting their nets out in front of his. I asked Mr McCloskey how far apart the nets ought to be. He said don't put yours in front of me. I said we both have licences and each of us have the right to put out our nets. McCloskey said I think you are always throwing out your net too close to me, I'll hit you. He then pulled his boat close to me and went to strike me with an oar. I also took up an oar in self-defence. McCloskey then put down the oar and took his rifle saying "I'll shoot you and kill you" then he (McCloskey) shot at me. I was scared and ducked my head. I then called to Hamazaki, another Jap, who was about 50 or 60 feet away. I just called out Hamazaki's name and he did not reply. McCloskey went to the cannery and I went to the cannery. WE (Fugimoto and Hamazaki) parted and each went to the cannery where he was employed. I was wearing a sow-wester hat and oil-coat. I had the sow-wester on at the time McCloskey shot (Sow-wester, Exhibit 1, produced in court and recognised by Fugimoto) McCloskey just shot the once. I ducked my head I felt a little sore behind my ear (showed black specks, which he said was powder sticking to skin behind right ear) and putting up my hand found blood. The ball went right through my sow-wester. Our boats were together and McCloskey was at my right when he shot. Hamazaki was about 50 feet away (Sketch map drawn

drawn by Fugimoto and marked Exhibit 2) I saw many people when I got to the Maniton Cannery on Saturday. Mr Dawson, the Storekeeper (Mr Gurd) and the Cannery foremen saw the blood and marks on my neck and the holes through my hat which I showed to them. I first saw McGloskey last summer. I have spoken to him sometimes before that but have never had any trouble. There are about eight white men fishing at Kimsquit but I do not know them all.

(sd) W.H.Gibson, J.P. (sd) T. Fugimoto.

O. HAMOZAKI (Japanese) duly sworn, deposed as follows:-

I was a little below the Salmon River on Saturday, August first, taking in my salmon gill-net. There were three boats close together and other boats faraway. The three boats close together were my boat (Hamizaki's) McCloskey's and Fugimoto's. We were all busy with their nets. It was about six o'clock A.M. I heard somebody shoot. I saw a man in a round bottom boat fire a shot. I was not near enough to recognise the face of the man who fired the shot. The boat from which the shot was fired was painted white. I do not know this Mr McCloskey at all. Fugimoto's boat was close almost alongside of the white round-bottom boat when I heard the shot. I saw the two men (Fugimoto and the occupant of the white boat) quarrelling with oars in their hands. I watched them. They did not hit each other. The man in the round white bottom-boat then put down his oar and took up a gun fired a shot. I saw him fire the shot. The man who fired the shot was rather tall. I do not remember how he was dressed. I could not go to Fugimoto's assistance because I had not finished getting in my net. We (myself and Fugimoto) then went to our respective canneries. The man in the round bottom boat went to Maniton Cannery. When Fugimoto came to my boat there was blood on his neck. I told him not to wipe it off. Fugimoto had that hat on at the time.

(sd) Signature in Japanese.

Witness Y. Yoshigawa (Interpreter)

(sd) W. H. Gibson, J.B.