

PABC

GR 419

Box 232 File 1920/30

(1)

1912

39
20

Vancouver Assizes.

Spring

REX

VS.

William Paton & Clifford J. Robson.

Offence Assault with Intent to Steal.
(Joint Theft.)

CROWN BRIEF

Plea "Guilty"
2nd

"Suspended sentence"
J.A.R.

To be returned to

Attorney-General's Office,

Victoria, B.C.

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

CANADA
PROVINCE OF BRITISH COLUMBIA
COUNTY OF VANCOUVER
CITY OF VANCOUVER

Code
Section
446 (b)

1. The Jurors of our Lord the King present that at the Municipality of South Vancouver in the County and Province aforesaid on the eleventh day of February in the year of our Lord One Thousand Nine Hundred and Twenty, William Paton and Clifford J. Schenck then and there being together with another person to the Jurors aforesaid unknown did with and by means of violence then and there used by them to and against the person of H. Kanamoru to prevent resistance unlawfully and violently assault the said H. Kanamoru with intent then and there to steal from the person of the said H. Kanamoru and against the said H. Kanamoru's will, the monies, goods and chattels of him the said H. Kanamoru, against the form of the Statute in such case made and provided and against the peace of our Lord the King, His Crown and Dignity.

Code
Section
446 (c)

2. And the Jurors aforesaid do further present that afterwards, to wit, at the place last aforesaid and on the day and in the year last aforesaid, the said William Paton and Clifford J. Schenck then and there being armed with a certain offensive weapon, to wit, a revolver, unlawfully did in and upon the said H. Kanamoru make an assault with intent the monies, goods and chattels of the said H. Kanamoru then and there violently to steal from the person and against the will of the said H. Kanamoru, against the form of the Statute in such case made and provided and against the peace of our Lord the King, His Crown and Dignity.

Code
Section
448

3. And the Jurors aforesaid do further present that afterwards, to wit, at the place last aforesaid and on the day and in the year last aforesaid, the said William Paton and Clifford J.

Schenck

Schenck unlawfully assaulted the said H. Kanamoru with intent the monies, goods and chattels of the said H. Kanamoru then and there violently to steal from the person and against the will of the said H. Kanamoru, against 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 direct that Counsel acting for the Crown at the Vancouver Spring Assizes, 1920, prefer the above Bill of Indictment to the Grand Jury.

Attorney-General.

INVESTIGATION OF SOUTH VANCOUVER

REPORT OF THE INVESTIGATION OF SOUTH VANCOUVER, B.C., BY THE VANCOUVER POLICE DEPARTMENT, FEBRUARY 1950.

I N D E X

" " " " "

C A N A D A

R E X

PROSECUTION OF CRIMINAL CASES

(SIDNEY BLISS)

Informant,

PROSECUTION OF CRIMINAL CASES

IN.

NAME

DIRECT

CROSS

PROSECUTION OF CRIMINAL CASES

WILLIAM PATON AND CLIFFORD J. SCHENCK.

SIDNEY BLISS

2 - 4

Def 4 - 6.

THOMAS WINTERS

6 - 8

8 - 11

FRED VIGOR

PRELIMINARY INQUIRY

11 - 12

ROBERT.

12 - 13

JAMES WARD

13 - 14

15

HARUKICHI KANAMARU

15 - 16

16 - 18

PROCEEDINGS OF FEBRUARY 18TH, A.D. 1950.

APPEARANCES: Chief Constable Bliss for the prosecution.

The Defendants appeared in person.

The following charge was read to the accused.

That at the Municipality of South Vancouver, on the 11th day of August, A.D. 1949, William Paton and Clifford J. Schenck, then being together with another person unknown, did with and by means of violence then and there used by them to and against the person of H. Kanamaru, to prevent resistance did assault the said H. Kanamaru with intent to steal moneys of the said H. Kanamaru, contrary to the will of the said H. Kanamaru, contrary to the provisions of the Statute in such case made and provided.

The accused was remanded and accused remanded until Friday, February 18th, A.D. 1950 at 2 P.M.

IN THE POLICE COURT OF SOUTH VANCOUVER

Before His Worship Thomas Francis Johnson,
Police Magistrate, in and for the Municipality of South Vancouver.

C A N A D A) R E X
PROVINCE OF BRITISH COLUMBIA) (SIDNEY BLISS)
COUNTY OF VANCOUVER) vs. Informant,
MUNICIPALITY OF SOUTH VANCOUVER) WILLIAM PATON AND
CLIFFORD J. SCHENCK. Defendants.

PRELIMINARY ENQUIRY - JOINT ROBBERY.

PROCEEDINGS OF FEBRUARY 12TH, A.D. 1920.

APPEARANCES: Chief Constable Bliss for the prosecution.
The Defendants appeared in person.

The following charge was read to the accused.

That at the Municipality of South Vancouver, on the 11th day of February, A.D. 1920, William Paton and Clifford J. Schenck, then being together with another person unknown, did with and by means of threats of violence then and there used by them to and against the person of H. Kanamoru, to prevent resistance did assault the said H. Kanamoru with intent to steal moneys of the said H. Kanamoru and against the will of the said H. Kanamoru, contrary to the form of the Statute in such case made and provided.

The matter was adjourned and accused remanded until Friday, February 13th, A.D. 1920 at 2 P.M.

PROCEEDINGS OF FEBRUARY 13th, A.D. 1920.

APPEARANCES: Mr. Jas. McGEER, Municipal Solicitor, for the Prosecution.

Mr. I. I. RUBINOWITZ, COUNCIL for the Accused.

SIDNEY BLISS, being duly sworn, deposed as follows:

DIRECT EXAMINATION BY MR. McGEER

Q. You are Chief Constable for South Vancouver?

A. I am.

Q. You know these two accused?

A. Yes.

Q. You saw them on the night of the 11th of February tell what happened the first time you saw them?

A. About 8.30 on the 11th of February this year (that is 8.30 P.M.) I noticed these two accused (pointing to the two accused) and another man get off the street car, proceeding East, this would be about 8.30 in the evening. Not knowing the men I kept them under observation some 5 or 10 minutes. I had three Constables with me at the time. They crossed the road to the south side of Kingsway practically opposite to the candy store. I noticed as they passed they looked into the store. First they went west one block, after awhile they came back and they went 50 yards east of the store they again went west and then passed along side of this store 2 or 3 yards east of it. A little while after they came back again and they re-passed the store until 9.15 in the evening. Then coming down East they went into the store. They came down the street -

Q. What Street?

A. Kingsway, South Vancouver, the street on which the store is.

They entered the store and the door closed. We ran over to that side of the street and entered the store. I saw the third man -

Q. What man?

A. Not one of these men (pointing to accused). This man Schenck was in lower end of store. The three wore masks. This man Paton was standing close to drawer and had a mask on. Schenck was at the lower end of store standing near the counter where the Jap was and he had a gun pointing it to the Jap.

Q. Which one?

A. Clifford Schenck.

The Jap had the till, or the drawer of the till open, what he was doing I do not know. I saw the Jap in front of this man. This man Schenck was after money. He said he was going to hold him up and take the money from the till. Constable Vigor had the other man.

Q. Which other man?

A. The man which escaped - Vigor had taken the gun off him.

Constable Winters was there right behind me covering Paton, he didn't put his hand up quick enough and Winters struck him. I took the mask off Paton's face. Schenck then as soon as he heard the trouble turned around and he had this gun in his hand which is called a British Bulldog, 42 calibre. We didn't know whether it was loaded but found it was not. After awhile I took this out of his hand and at the same time I tore this mask off his face, which is a handkerchief.

COURT. Do you wish to give gun in as exhibit.

A. Yes. EXHIBIT 1. Gun.

EXHIBIT 2. Handkerchief (white)

Q. Have you the gun which Paton had?

A. Paton was not armed.

Q. Not armed?

A. No. He had his hat pulled down and a handkerchief tied around half of his face.

Both men were put under arrest then we handcuffed

them and they were taken away by Constables.

After taking the mask off I took off hat and showed him to the Jap who was in the store to identify this man as the man who held him up.

Q. Did you have any conversation with these men?

A. Yes. I warned these two men in the usual way. Schenck said he went there to hold up the Jap.

Q. What about the other?

A. The other man told me he went there to get part of the plunder. They are practically his own words.

Q. This store where is it?

A. In the 1600 Block on Kingsway.

Q. Where is Kingsway?

A. In the Municipality of South Vancouver.

CROSS-EXAMINATION BY MR. RUBINOWITZ.

Q. I understand you to say that you have never seen these men before?

A. No.

Q. These men have never been under the jurisdiction of the Police?

A. Never to my recollection, but there have been a good many holdups in South Vancouver.

Q. Then so far as you know the accused have no criminal record nor have they been in any trouble before?

A. No nothing from my part.

Q. This other man did you ever see him, the third man?

A. No not that I recollect.

Q. You know nothing about him?

A. No.

Q. You don't know his name?

A. Never saw him before. I heard this man (indicating) that he was called Pete.

Q. Is that the only name?

A. Yes.

Q. The other man was disarmed?

A. Yes.

Q. Is the revolver here?

A. Yes. There were seven shots in it.

Q. The revolver found upon Schenck was not loaded, and Paton had no arms upon him at all?

A. No Paton had no gun.

Q. How many officers were there at the time?

A. Four.

Q. It was a mere coincidence that the officers were there at the scene of the hold up?

A. No, not any more than if we were passing.

Q. Did you receive any information before?

A. No. There has been quite a number of holdups lately.

Q. You tell positively, I accept your statement, that this third man, you don't know anything about?

A. We may know in a few days.

Q. I will ask you this, perhaps you may give me a reply? Was anything said in your Department by your Officers about this proposed holdup?

A. No I never heard it mentioned. Nothing at all.

Q. The men have no criminal record then outside of this instance?

A. No.

Q. I take it then, as far as you know the Department has not received any information about these men?

A. No.

Q. You have not received any information in regard to proposed hold up from any person besides these men?

A. No.

Q. It was a mere coincidence that four officers were there at that time?

A. Yes. It was not the first time we were on Kingsway.

COURT Q. What is the Jap's name in the store?

A. I don't remember his name, H. Kanamoru I think.

I am not quite sure about that.

Q. You don't know number of store?

WINOWITZ Q. Tell me Chief what was the warning you gave the accused?

A. I told them that it was a very serious charge, but that it wasn't necessary for them to say anything, if they did, it would be taken down in writing and be given at their trial.

and the Chief ran into store. (Witness then withdrew)

THOMAS WINTERS, being duly sworn, deposed as follows:

DIRECT EXAMINATION BY MR. McGEER.

Q. You are a Police Constable in South Vancouver?

A. Yes.

Q. You know the accused?

A. Yes.

Q. What happened on the night of February 11th?

A. I was in company with Chief Bliss about 8.30 P.M. on Kingsway near Beatrice Street, public Highway in South Vancouver, when a Victoria Road car proceeding East stopped Corner Beatrice. This was about 8.30 P.M. Three men got off. They stopped for a few minutes then crossed on the south side of street. They looked round and went west down as far as Commercial Street, one block, stopped there, and then turned back in an Easterly direction on south side. Each time they passed this store of H. Kanamoru's 1630 Kingsway, they looked in.

COURT 1630 What - Kingsway?

A. Yes, Your Worship.

They looked in every time they passed. The Chief brought it to our notice, he said "This looks suspicious". They went west to Commercial then came east. We kept them under observation for about three-quarters of an hour. About 9.15 the three men made a rush into the store.

COURT Three men?

A. Yes, three men rushed into store. Constable Vigor and the Chief run into store just a second or so after. Constable Vigor was the first man to get in the door and he grabbed the man nearest the door, with a gun in his hand. Paton was in the centre of floor. Schenck was up at the counter, and had a gun up against the Jap's breast. I cannot say what the Jap was doing, he must have been pulling out his cash box.

A. When we went in we said "Hands up". This man hesitated.

Q. Which man?

A. Paton. He would not put his hands right up. I made him put them up. I gave him a tap on the head. He had no fire arms with him. We searched him and searched the store but found no arms. Schenck had a revolver in his hands an English Bulldog; a mask over his face and his hat down over his eyes. Paton had a mask on and his hat over his eyes. Schenck was disarmed and hand-cuffed and also I hand-cuffed Paton behind his back.

Q. Where is this cash register?

A. Back of Counter, S.E. of the store.

Q. Where was Schenck in respect to the counter?

A. Against the Jap with gun in his hand.

Q. Back of counter or in front?

A. In the centre of the store, at the back, putting his hand against the Jap.

Q. How far from Jap to cash register?

A. He was standing at it.

Q. Was there anything in it?

A. I didn't go over to see if there was any money in it.

Q. Did you notice anything about the light?

A. The light went out in the front of the store.

Q. How did it go out. the third man, he escaped?

A. One of the hold-up men put it out.

Q. Which one?

A. The one that got away I think, likely it would be. I wouldn't swear which one put it out.

CROSS-EXAMINATION BY MR. RUBINOWITZ.

Q. Did Schenck show any resistance?

A. He did, he wouldn't put his hands up.

Q. Outside of that there was none. None made to avoid arrest or to escape?

A. It would be very hard to get away.

Q. Schenck didn't use the revolver against any officers?

A. No.

Q. Did you have any other trouble with any of the men?

A. Well when Schenck was told to put up his gun he backed up until he was caught.

Q. The gun was empty?

A. We were not supposed to know that.

Q. And the other man Paton, he didn't make any resistance?

A. He wouldn't put his hands up.

Q. Is that all?

A. That's all.

Q. I think you will agree with me that the average criminal would very probably under the circumstances attack the officer and try to escape?

A. Yes.
all

Q. And/that these men didn't do was that they didnt put up their hands immediately you told them to do so? That was the extent of it.

A. They didn't do it quick enough to satisfy me.

Q. This other man, the third man, he escaped?

A. Yes.

Q. He escaped after he had been arrested?

A. My man didn't escape, i hung on to him.

Q. Do you know who the other man was?

A. No idea at all, I had a look at him - I saw two after him.

Q. I suppose you can tell me what the chief told me. You were not told before the time about this proposed holdup and that it was a mere coincidence that you were there at the time.

A. I am on Kingsway day and night.

Q. There has been two or three holdups?

A. Not in this particular block.

Q. Were you present when the Chief spoke to these men in giving the warning?

A. Yes.

Q. And you agree to what the Chief says that they readily answered his questions?

A. Yes.

Q. I suppose that you will probably agree with me that it is not usual for the average criminal to speak with such candour? One of them is just a young fellow and the other is young?

A. Both are young men.

BER Q. You recognize this Handkerchief. (Exhibit 2)?

A. The other one is a blue colored one.

Q. Which man had this one (Exhibit 2)?

A. Schenck.

MITZ. Q. Let me see this. Tell me officer it isn't very often a regular holdup man uses a white handkerchief?

A. I have seen them using red and black.

Q. I think this is a very crude affair on the part of these two men. It didn't have the finesse and the artifice that would be used by regular holdup men. Other than using a gun and a mask, the way in which these men went about it, well you agree with me that it is a very crude holdup?

A. No, it wasn't.

Q. Do you recognize this ("Exhibit 1")

A. Schenck had in his hand.

(Witness then withdrew)

FREDERICK VIGOR, being duly sworn, deposed as follows:

DIRECT EXAMINATION BY MR. MCGEER

Q. You are Police Constable in South Vancouver?

A. I am.

Q. You know these two accused?

A. I do.

Q. Tell the Court what you know in regard to this charge?

A. Your Worship, about 8.30 P.M. on the night of February

11th, I was in company with the other three witnesses

and I saw these two men (indicating) with another man

get off the car corner of Beatrice and Kingsway, South

Vancouver. We watched their actions for a considerable

time and we saw them pass up and down in front of the

Jap's store near Beatrice Street on Kingsway, South

Vancouver. About 9.15 the three men rushed the store.

Q. They what?

A. They rushed into the store. I was across the street in

the bush and I couldn't see which one got into store

first, but I rushed over and I saw two men with guns.

The man which was just inside had this small gun in

his hand (Exhibit 3) & 4 bullets (Exhibit 4).

I pushed open the door and grabbed the man which -

Q. Which man was this?

A. The third man that got away. I put gun to his face.

Q. And this happened at the store?

A. Yes. It was torn and the other two that were with

him. It was torn and the other two that were with

Q. Did you see Schenck in the store?

A. Yes.

Q. In the back of the store or in the centre? At the back with the Jap?

A. Yes.

Q. Could you see what he was doing?

A. No.

CROSS-EXAMINATION BY MR. RUBINOWITZ.

Q. Was it dark at the time these men were rushing the store?

A. The front light was out but the back light was burning.

Q. It was dark when you saw these men?

A. Yes quite dark.

Q. Where was Paton?

A. I saw him making for the door.

Q. To rush it?

A. Yes. My gun jammed at the time I told him to throw up his hands.

Q. It was lucky it was jammed?

A. Yes.

Q. He had no weapon?

A. No but I couldn't see at the time. I was so excited I had -

Q. It was fortunate?

A. I got the worst of it.

Q. Do you recognize this gun (Exhibit 1)?

A. Yes. It was taken off Schenck.

Q. And this handkerchief? (Exhibit 2)

A. Yes. It was torn and the handkerchief that Paton had was torn. It was taken off at the office.

Q. Do you recognize this handkerchief here (Exhibit 5).
A. I do. This is the handkerchief on the accused Paton.

Q. Where was it on him?
A. Around his face on the lower part.

Q. Just as it is tied now?
A. No it has been tied since.

(Witness withdrew)

JAMES WARD, being duly sworn, deposed as follows:

DIRECT EXAMINATION BY MR. MCGEER

Q. You are Police Constable in South Vancouver?
A. I am.

Q. You know these two accused?
A. Yes.

Q. What did you see on the night of the 11th of February,
tell the Court what happened.

A. Your Worship on the night of February 11th, in company
with the Chief, Detective Winters and Constable Viger,
on the public highway of Kingsway. We were going up
towards Beatrice Street when a street car came East on
Kingsway. The two accused in company with a third man
(who escaped) got off and crossed to the south side of
Kingsway. They stopped for a few seconds and then
walked East of Kingsway keeping on the same side and then
back to Commercial. The Chief then instructed me to
cross over and keep in bush and keep my eye on them until
we were satisfied everything was all right. I laid on the
ground about two yards off the sidewalk and the accused
walked up and down 9 or 10 times.

Q. Who's this?

A. The two accused, Paton and Schenck. Three times I saw them
put on their masks.

Each time some-one came in sight and they snatched them off. One of them said "Jesus Christ are they never going to clear off". This was the third time they had had to take off their masks.

URT. Q. What was that last part?

A. One of them said "Jesus Christ are they never going to clear off". I don't know whether it was one of the two accused or whether it was the third man. The fourth time they put on their masks, I was still in the same position, Schenck stopped inside the fence to put on his mask and I could have touched him on the ankle had I put my foot out. Just then they went into the store before I could get in. That's all.

Q. Did you go inside the store?

A. Yes.

Q. What did you see?

A. Well I saw Schenck close to the counter. The chief was attending to him, to the best of my recollection Winters was attending to Paton. Vigor was to the outside along with the third part.

Q. Do you recognize these two handkerchiefs. (Exhibit 2 & 5)

A. Yes, I recognize the blue one as being worn by Paton and the white one was on Schenck's neck. I took it off his neck.

Q. You know where these two guns came from (Exhibit 1 & 3)

A. I didn't see. They were disarmed by the time I got in.

Q. Do you recognize the Jap, who owned this store. Do you know his name?

A. Kanamaru I think I am not sure.

CROSS-EXAMINATION BY MR. RUBINOWITZ.

Q. They took off and put on their masks two or three times?
A. Three times.

Q. And they were walking up and down for some minutes without their masks on?

A. Yes, because there was always someone coming or going into the store.

Q. Where was it that they put on their masks?

A. Two or three yards before the store, on the sidewalk south side of Kingsway.

Q. And there were people passing by at the time?

A. Not when they were putting on their masks, but it was fairly busy at that hour.

KANAMARU duly sworn, deposed as follows:

YAMAGA sworn in as interpreter.

DIRECT EXAMINATION BY MR. MCGEER

RT Q. What is your full name?

A. Harukichi Kanamaru, 1630 Kingsway - South Vancouver.

Q. What do you do?

A. Candy store and Groceries.

Q. Where?

A. Kingsway at 1630, South Vancouver.

EER Q. You remember the night of the 11th of February?

A. Yes.

Q. Do you know these two accused men?

A. Yes.

Q. What happened on the night of February 11th with respect to these men and yourself?

A. About half past eight at night on the 11th of February three men came into my store.

Q. Store on Kingsway? *Everyone had a pistol.*

A. Kingsway, yes. They had masks on.

Q. Everyone had a mask?

A. Yes and each had a pistol. The first one asked for money.

Q. Which one?

A. Schenck. He said give me all your money. *When*

Q. And what did he do when he said this? *and I was looking*

A. He put gun to my chest, and then I opened my money box.

Q. Do you know that gun? (Exhibit 1)

A. Yes it was very similar to that. When I showed him the money in my drawer, and he saw it was small money, 10¢, 15¢ and 20¢ small money amounting to \$2.00 or \$3.00 he then started to search my pockets. *police men*

Q. He started to search your pockets?

A. Yes. Then at the same time I heard a noise outside of my store and then the officer came in from the outside and the three men had to lift their hands.

Q. Where was this second man (indicating Paton) when this happened? *but at night I close the grocery part off*

A. This man put his gun to my wife.

Q. What? *strong were they?*

A. This man put his gun to my wife.

Q. Your wife was there? *the back to the front of store?*

A. Yes. *front light is out the back light doesn't show very*

Q. You recognize these two handkerchiefs? (Exhibits 2 & 5)

A. I don't know. Schenck had white handkerchief (Ex. 1)

Q. You don't know about this one? (Ex. 5) *they look very*

A. No. *dangerous and they had a funny style.*

CROSS-EXAMINATION BY MR. RUBINOWITZ.

Q. You don't know how many pistols the three men had altogether? *into store and runs down the stairs and tries to take*

- A. I saw three pistols. Everyone had a pistol.
- Q. Each man had a pistol.
- A. Yes.
- Q. The officers said that there were only two? Are you mistaken?
- A. I believe they had three but I may be mistaken. When they came in my store my baby cried, and I was looking where my baby was and I didn't see them very well.
- Q. None of these men struck you?
- A. No no one struck me.
- Q. Was that all that was said "give me all the money you have got?"
- A. They had not time to say another word. The police men came right in.
- Q. This third man did he say anything?
- A. He didn't say anything. But third man he is not here. I think he put light out in front.
- Q. How many lights have you in store?
- A. Three lights but at night I close the grocery part off so I had two lights on.
- Q. How strong were they?
- A. I think 25 Kilometres.
- Q. The light comes from the back to the front of store?
- A. If front light is out the back light doesn't show very much.
- Q. What caused the baby to cry?
- A. I think the baby scared of the men, they look very dangerous and they had a funny style.
- Q. Just describe this funny style if you can?
- A. My baby very often speaks to the people that come into store and runs down the store and tries to take

the hands of the customers. But when these men came in they had masks on and had pistols, that made baby cry.

COURT Q. They had masks on and had pistols, that made the baby cry?

A. Yes.

(Witness then withdrew)

The Charge was then read and the warning given to the accused (as shown on the "Statement of the Accused") hereunto annexed.

COURT Q. Have the accused anything to say?

A. 2 William Paton and Clifford J. Schenck (the accused) made no reply but their Council said "Defence reserved".

Q. Do you wish to call any witnesses?

A. No, your Worship.

(to accused) I commit you to stand your trial before the next Court of Competent Criminal Jurisdiction upon the following Charge.

"That at the Municipality of South Vancouver on the 11th day of February, A.D. 1920 WILLIAM PATON AND CLIFFORD J. SCHENCK, then being together with another person unknown, did with and by means of threats of violence then and there used by them to and against the person of H. Kanamoru, to prevent resistance did assault the said H. Kanamoru and against the will of the said H. Kanamoru. Contrary to the form of the Statute in such case made and provided."

"T. J. Johnson"

POLICE MAGISTRATE IN AND FOR
THE MUNICIPALITY OF SOUTH
VANCOUVER.

STATEMENT OF THE ACCUSED.

CANADA

PROVINCE OF BRITISH COLUMBIA

COUNTY OF VANCOUVER

WILLIAM PATON AND CLIFFORD J. SCHENCK stands charged before the undersigned T. F. Johnson, Police Magistrate and one of his Majesty's Justices of the Peace in and for the County aforesaid, this Thirteenth day of February, in the year of Our Lord one thousand nine hundred and twenty, for that in the Municipality of South Vancouver on the 11th day of February, A.D. 1920, WILLIAM PATON and CLIFFORD J. SCHENCK, then being together with another person unknown, did with and by means of threats of violence then and there used by them to and against the person of H. Kanamoru, to prevent resistance did assault the said H. Kanamoru with intent to steal moneys of the said H. Kanamoru and against the will of the said H. Kanamoru. Contrary to the form of the Statute in such case made and provided. And the said charge being read to the said WILLIAM PATON and CLIFFORD J. SCHENCK and the witnesses, for the prosecution, SIDNEY BLISS: F. VIGOR: T. WINTERS: J. WARD: H. KANAMARU, being severally examined in their presence, the said WILLIAM PATON and CLIFFORD J. SCHENCK are now addressed by me as follows:

Usual Warning.

Whereupon the said WILLIAM PATON AND CLIFFORD J. SCHENCK made no reply but the Council for the accused said:

"Defence reserved"

TAKEN before me, at South Vancouver, the day and

T. F. Johnson,
Police Magistrate,
South Vancouver,
County of Vancouver.

DEPOSITIONS OF WITNESSES

C A N A D A

PROVINCE OF BRITISH COLUMBIA

COUNTY OF VANCOUVER

MUNICIPALITY OF SOUTH VANCOUVER

)
) REX
) (SIDNEY BLISS)
) VS.

Informant.

) WILLIAM PATON AND
) CLIFFORD J. SCHENCK

Defendants.

The depositions of Sidney Bliss, Thomas Winters, Frederick Vigor, James Ward and Harukichi Kanamaru, taken before the undersigned Police Magistrate in and for the Municipality of South Vancouver, in the presence and hearing of the said William Paton and Clifford J. Schenck who stand charged "that at the Municipality of South Vancouver, on the 11th day of February, A.D. 1920, William Paton and Clifford J. Schenck then being together with another person unknown, did with and by means of threats of violence then and there used by them to and against the person of H. Kanamaru, to prevent resistance did assault the said H. Kanamaru with intent to steal moneys of the said H. Kanamaru and against the will of the said H. Kanamaru. Contrary to the form of the Statute in such case made and provided" are true and correct.

T. F. Johnson, at said

Police Magistrate in and for
the Municipality of South
Vancouver.

Police Magistrate

in and for the Municipality of
South Vancouver.

INFORMATION AND COMPLAINT FOR AN INDICTABLE OFFENCE

CANADA)

PROVINCE OF BRITISH COLUMBIA)

COUNTY OF VANCOUVER)

MUNICIPALITY OF SOUTH VANCOUVER)

The information and complaint of Sidney Bliss (Chief Constable) of South Vancouver, taken the 12th day of February, in the year of our Lord one thousand nine hundred and twenty, before the undersigned, T. F. Johnson, Esq., Police Magistrate in and for the Municipality of South Vancouver, and one of His Majesty's Justices of the Peace in and for the Province of British Columbia, who says that at the said Municipality of South Vancouver, on the 11th day of February, A.D. 1920, WILLIAM PATON AND CLIFFORD J. SCHENCK, then being together with another person unknown, did with and by means of threats of violence then and there used by them to and against the person of H. Kanamoru, to prevent resistance did assault the said H. Kanamoru with intent to steal moneys of the said H. Kanamoru and against the will of the said H. Kanamoru.

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

"Sydney Bliss"

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

"T. F. Johnson"

Police Magistrate

in and for the Municipality of
South Vancouver.