

1931

Fall Assizes.

Vancouver.

REX

Thomas Cook.

Offence Robberg with violence.

CROWN BRIEF.

To be returned to ATTORNEY-GENERAL'S OFFICE, Victoria, B.C.

200-530-833

IN THE SUPREME COURT OF BRITISH COLUMNIA.
OYERAND 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 at the City of Vancouver, in the County and Province aforesaid, on the twenty-sixth day of June, in the year of our Lord one thousand nine hundred and thirty-one, THOMAS COOK, then being armed with an offensive weapon, to wit, a pistol, did in and upon SABURO TABAKA make an assault, with intent the moneys, goods and chattels of the said SABURO TABAKA then end there violently to steal from the person and against the will of the said SABURO TABAKA, against the form of the Statute in such case made and provided, and against the peace of our Lord the King his Grown and Dignity.

I hereby direct that Counsel acting for the Crown at the Vancouver Fall Assizes, 1931, prefer the above Bill of Indictment to the Grand Jury.

ATTORNEY-GENERAL.

### REX VS. THOS. COOK.

# INDEX.

Information and Complaint.
Statement of the Accused.
Saburo Tanaka  Examined
Albert Randall Examined
Examined
Christian Ederegger  Examined
Examined
Detective H. Duggan  Examined
Detective Spence Examined
Sworn before me the day and year first above mentioned, at
Affiderit of Stenographer.

Affidavit of Stenographer.

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"J.A. Findley"

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# INFORMATION AND COMPLAINT FOR AN INDICTABLE OFFENCE.

CANADA,

Province of British Columbia,

City of Vancouver.

The information and complaint of R.W. Hughes of City of Vancouver, taken the 14th day of September, in the year of our Lord one thousand nine hundred and thirty-one, before the undersigned, Earl E. Robinson, Esq., one of His Majesty's Justices of the Peace in and for the said Province of British Columbia, who says that at the said City of Vancouver, on the 26th day of June, A.D. 1931, Thos. Cook then being armed with a certain offensive weapon, to wit, a pistol did, in and upon S. Tanaka make an assault, with intent the moneys goods and chattels of the said S. Tanaka then and there violently to steal from the person and against the will of the said S. Tanaka.

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

"R.W. Hughes"

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

"Earl E. Robinson"

Justice of the Peace for the Province of British Columbia.

Accu sed committed to take his trial at the court of competent criminal jurisdiction.

"J.A. Findlay"
Deputy Police Magistrate.

Vancouver
Sep 22 1931
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STATEMENT OF THE ACCUSED.

CANADA,

Province of British Columbia, County of

Thomas Cook stands charged before the undersigned, H.A. Findlay, Esq., Police Magistrate, and one of His Majesty's Justices of the Peace in and for the County aforesaid, this 17th day September, in the year of our Lord one thousand nine hundred and thirty-one, for that the said Thomas Cook on the 26th day of June, A.D. 1931, at the City of Vancouver, then being armed with a certain offensive weapon to wit; a pistol, did in and upon S. Tanaka make an assault, with intent the moneys goods and chattels of the said S. Tanaka then and there violently to steal from the person and against the will of the said S. Tanaka. Contrary to the form of the Statute in such case made and provided. And the said charge being read to the said Thomas Cook and the witnesses for the prosecution, being severally examined in his presence, the said Thomas Cook is now addressed by me as follows:-

Usual form.

Whereupon the said Thomas Cook says as follows: -Tthrough his counsel) Reserve defence.

Vancouver Sep 22 1931 Registry.

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

"J.A. Findlay"

Deputy Police Magistrate.

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POLICE COURT. (Before J. A. Findlay, Esq., D.P.M.)

Vancouver, B.C. Sept.17th, 1931.

C A N A D A

Province of British Columbia

County of Vancouver,

City of Vancouver.

REX vs. THOMAS COOK.

of the City of Vancouver on the 14th day of September, A.D.

1931, for that at the said City of Vancouver on the 26th day
of June, A.D. 1931, then being armed with a certain offensive
weapon to wit, a pistol, did in and upon S. Tanaka make an
assault, with intent the moneys goods and chattels of the said
S. Tanaka then and there violently to steal from the person
and against the will of the said S. Tanaka. Contrary to the
form of the Statute in such case made and provided.

W. M. McKAY, Esq., Counsel for Prosecution.
L.H. Heaney sworn stenographer.

(Charge read).

COURT: You have the option to be tried forthwith before me without the intervention of a jury or to remain in custody or under bail as the court decides to be tried in the ordinary way by the court having competent criminal jurisdiction. Do you want to be tried here or by a higher court? What does he say?

OFFICER: He wants a remand.

MR. MCKAY: We are all ready. How many remands has he had?
THE CLERK: It came up first on the 24th.

MR . MCKAY: The last time this came up the lawyer insisted on going ahead at once.

COURT: Has he got counsel?

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Thomas Cook on the

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Labracelal sud preside ble be the free free and I MR.MCKAY: He had Mr. Hodgson.

OFFICER: He has no counsel, sir.

COURT: Well what doyou say?

OFFICER: He wants to be tried in the higher court.

(T. Ide sworn as Japanese Interpreter).

SABURO TANAKA, called as a witness, heing first sworn through Interpreter, testified as follows: --

serby the showeres and front door.

#### QUESTIONS BY MR. MCKAY:

- Q. What is your full name please? A. Saburo Tanaka.
- 2. Q. And where do you live? A. 868 Howe Street.
- 3. Q. And do you carry on business there? A. Yes I did.
- 4. Q. What kind of business? A. Grocery store.
- 5. Q. Now, were you held up by some person this summer?
- A. I did. 6. Q. Do you remember what date it was, how long ago?
  - A. It was on or about the 25th or 26th of the month of June.
- 7. Q. The charge here is the 26th of June?
  - and is not the direct time you have been held up, he? A. It was a Friday.
- 8. Q. Yes the 26th of June Friday, that is right. And it was in your store, was it? A. Yes.
- 9. Q. On Howe Street in the City of Vancouver? A. Yes it was.
- 10. Q. Tell me what happened, will you please?
  - A. Just the man, the same height I am.
- 11. Q. The same heighth that he is? A. Yes.
- 12. Q. Yes. A. A rather thin fellow.
- 13. Q. Well what did he do? Tell us what he did?
  - A. It was half past 11 in the night time; and at about 11.30 in the evening the person came into my store.
- 14. Q. One person, one man?
  - A. Yes; and I thought he was a customer and I attended to him, and almost immediately he said "you had better go back" and pointed the gun at me.
- Pointed the gun at him? A. Yes, and then I grabbed the arm in which he was holding the gun and I fight. struggled.

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- 16. Q. And you struggled?
  - A. And I struggled and pushing him to the front, and I overpowered him against a show case, and the show case fell off, the show case was broke, and while I was struggling that man discharged the gun.

### COURT: Which?

- A. Discharged the gun, and the bullet went through the apron.
- 17. Q. The apron that was on him?
  - A. Yes it was and nearby the showcase and front door.

    He dishharged the second fire.
- 18. Q. He fired again? A. Yes, the second fire.
- 19. Q. He didn't hit you either? A. The bullet hit the floor.
- 20. Q. What did he do then? Identification parade here in the
  - A. And shortly after the showcase fell down to the floor,

    In the meantime I grabbed the gun from him, took the gun

    from him; and right after I took the gun from him he

    started he ran away.
- 21. Q. He ran away? A. Yes.
- 22. Q. This is not the first time you have been held up, he?

  A. The first time in my life.
- 23. Q. Was there anybody with him that you saw?
  - A. A woman apparently waiting outside.
- 24. Q. There was a woman waiting outside. Did you have a look at the woman that was outside? A. Yes I did.
- 25. Q. What sort of a woman was she? Was she a white woman, or what?
  - A. I don't think she was a pure white woman, something dark in her. A dark faced woman. Colored, he says.
- 26. Q. Could you recognize her again? A. I think I could.
- 27. Q. You think you could? A. Yes.
- 28. Q. Is she here? A. Yes.
- 29. Q. Look around the court and see if you can see her? Get down and look around? A. Yes I could identify her.
- 30. Q. You see her do you; where is she?
- COURT: Go down and point at her (Witness points).

15. Q. Pointed to the arm !

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OFFICER: IS 125

COURT: Well whet

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QUESTIONS BY MR.

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36. Q. This man here, the accused man? A. Yes.

Q. Did you see him again after this? A. I did not.

Did you attend any identification parade here in the police station? A. No I did not.

39. Q. What sort of gun was this this man had, what kind of a gun? A. Nickel plate.

(Counsel hands gun to witness).

A. Yes, this is the one.

Exhibit "A". MR. MCKAY:

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COURT: Walch?

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40. Q. This man you say fired two shots with this gun?

Yes he did. mashed and the Jap rushed out with the gun holler-

Only two that you remember?

Only twice in my place.

Do you want to ask this witness any questions? ACCUSED: Are you sure that girl was supposed to be outside?

A. I am quite positive. L. called as a witness, being first sworn, testi-

Any other questions? COURT:

ACCUSED: no.

MR. MCKAY: I want to put the apron in as an Exhibit. He has 55. Q. You are the son of the last withest A. Fos elfe gone for it.

Complete with him? A. Yes sire AIBERT RANDAIL called as a witness, being first sworn, testiby. W. .. . you were with your Isther? A. -os sir. fied as follows: --

58. Q. You heard what he said; do you remember that, is QUESTIONS BY MR. MCKAY:

What is your full name please? Al Albert Randall.

And where do you live? A. 1169 Pendrill Street.

In the City of Vancouver here? A. Yes sir.

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A. Yes,

MR. MCKAY: Exh

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MR. MCKAY: I

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42. Q. What

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- 45. Q. And what is your occupation? A. Bartender.
- 46. Q. Now did you see this attempted hold-up or hear it?
  - A. I was passing the place at the time when this
    the two shots were fired and the glass broke, and
    just as I passed out ran somebody. That is all I
    know. I couldn't possibly recognize the man.
- 47. Q. But it was a man? A.Yes.
- 48. Q. He ran out?
  - A. Yes, and pretty nearly knocked me over when he ran out; but I never see no woman with him.
- 49. Q. You didn't see any woman there too?
  - A. No I don't think any woman would catch him the way he ran.

COURT: Did you see a woman standing on the street?

- A. That is all I seen. I was just walking past with my son. I didn't know what happened.
- 50. Q. Did you go into the store afterwards?
  - A. Yes afterwards.
- 51. Q. And did you see the Japanese there?
  - A. Yes, I heard everything, the gun fired and the glass smashed and the Jap rushed out with the gun hollering "shoot him".
- 52. Q. You saw the gun in the Jap's hand? A. les.
- 53. Q. A gun like that? A. I could not recognize the gun.
- 54. Q. He swears that is the gun? A. He hung on to it.
- FRED RANDALL, called as a witness, being first sworn, testified as follows:-

### QUESTIONS BY MR.MCKAY:

- 55. Q. You are the son of the last witness? A. Yes sire
- 56. Q. Do you live with him? A. Yes sir.
- 57. Q. Now you were with your father? A. Yes sir.
- 58. Q. You heard what he said; do you remember that, is that true? A. That is all.
- 58. Q. Have you got anything, could you identify the man, or see the man? A. I don't think so, no sir.

I now bim on the street there was a girl.

Quelly with

60. Q. You don't think so?

A. I have got an idea what he was dressed like. If this is the man it doesn't look like him to me. He isn't dressed the same.

61. Q. Did you see anything of a woman there? A. No sir.

COURT: Do you want to ask him any questions? A. No.

CHRISTIAN EDEREGGER, called as a witness, being first sworn,

QUESTIONS BY MR. MCKAY:

- 62. Q. What is your full name please? A. Christian Ederegger.
- 63. Q. Where do you live? A. 88 Howe Street.

testified as follows: --

- 64. Q. In the City of Vancouver? A. In the City of Vancouver, yes.
- 65. Q. And what do you do?
  - A. I work Borland's Ice cream company.
- 66. Q. Now were you at the scene of this attempted hold-up?

  A. Yes.
- 67. Q. On this night in June A. Yes.
- 68. Q. The 26th of June, Friday? A. Yes.
- 69. Q. And what didyou see?
  - A. I was going home from the show, I was downin the Orpheum; and I go home at 11 o'clock and I go in the room and make a cup of coffee. I sat down in the window and after awhile I heard some noise in the next house. I was in the room and I looked ....
- 70. Q. Go on? A. I go out on the street.
- 71. Q. You go out on the street? A. Yes and looked.
- 72. Q. What was going on?
  - A. When I come down to the Jap's store there ran out a
- 73. Q. A man ran out?
  - A. Yes he ran across the street from the Jap's door and the Jap was very close behind him; and this fellow ran across the street and ran between the first house and the second house on Howe to Symthe Street. When I saw him on the street there was a girl.

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- 74. Q. You saw a girl? A. Yes there was ahalf-breed.
  - 75. Q. Do you see that girl over there?
- A. Yes that is the one.
- 76. Q. Is that the girl? A. Yes.
- 77. Q. You saw her?
- A. Yes, she was not in the store, she was a little further down.
  - 78. Q. She was outside the store?
- A. She was by a store where they buy old stuff.
- 79. Q. Well A second-hand store, is it?
- A. Something like that.
- 80. Q. Well did you get a good look at the man?
- A. I could not tell for sure the man; he ran too fast,

  It was for me a little too late. I saw the man from

  behind. He had a blue suit, not too big, a small one.

COURT: A small man in a blue suit? A. Yes.

- 81. Q. Do you see anybody here that looks like him at all?
- The A. No. c possession and you see in in? A. The Jap's.
- 82. Q. Well look all around. Look at all these tables and every thing? A. No.

MR. MCKAY: Alright.

COURT: Do you want to ask him any questions?

ACCUSED: No.

OTHEA JOHNSON. called as a witness, being first sworn, testi-

QUESTIONS BY MR. MCKAY:

- 83. Q. What is your name please? A. Johnson.
- 84. Q. That is that? A. Othea Johnson.
- 85. Q. And where do you live?
  - A. At present I am residing in the City Jail.
  - 86. Q. And where do you live when you are at home?
    - A. 551 Richard Street.
  - 87. Q. 551 Richard Street? Now were you at the scene of this attempted hold-up on this night in June? A. Yes.

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61. Q. Did COURT: Do you

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- 88. Q. Who was the man that attempted to hold this store up?

  A. I don't know.
- 89. Q. Never saw him before? A. No.
- 90. Q. Did you see him when he ran out? A. Yes.
- 91. Q. Well, do you see the man here then? A. No.
- 92. Q. You are not looking around, you know. You are looking at me. Look around the room and see if you
  see the man here.

COURT: Take a good look at everybody.

- 93. Q. Look at everybody in the room? A. No.
- 94 Q. Eh? A. No. a definite answer from her. If I am
- 95. Q. Who were you with that night? A. No one.
- 96. Q. No one? A. No one.
- 97. Q. You were with now one? A. No.
- 98. Q. Did you ever see this gun before? Remember you are on your oath now sworn to tell the truth. Did you ever see that gun before? A. Yes.
- 99. Q. Whose possession did you see it in? A. The Jap's.
- 100. Q. The Jap's when, after the hold-up? A. Yes.
- 101. Q. Well did you ever see it before the hold-up? Did you ever see the gun before the hold-Up?
- COURT: Well you know whether you saw it.
- 102. Q. Now come, you swore to tell the truth?
  - A. Well I think I saw it before. Isn't that sufficient?
- 103. Q. No it is not. I want to know if you saw this gun
  before the hold-up, in whose possession you saw it.

  Tell the truth please.
  - A. Yes I saw it before.
- 104. Q. Whose possession did you see it in?
  - A. The prisoner's.
- 105. Q. The prisoner's, the accused man. Now as a matter of fact since you have told us the truth, you went with that man to the store, didn't you? A. Yes.
- 106. Q. And stayed outside the store? A. Yes.
- 107. Q. Did you have any conversation with him before he went into this store? A. Yes.

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MR. MCKAY:

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108. Q. Tell us what it was? A. I forget.

109. Q. You would not forget a thing like that, really. What conversation did you have with him?

MR. MCKAY: This is certainly an antagonistic witness, Your Worship. I think I ought to have the privilege of cross-examining the witness.

COURT: There is not very much to cross-examine on. She has not answered.

MR. MCKAY: Of courseII am not allowed. It is my witness, and I am not allowed to put the questions in such a way that I can get a definite answer from her. If I am permitted to cross-examine her ....

COURT: What is this witness' name?

MR. MCKAY: Othea Johnson.

COURT: Well you say you had a conversation with this man outside of the store before he went in. Now you must remember some of it; what was it about? I don't know whether you realize your position or not; but your position is this, if you refuse to answer you maybe sent to jail yourself for refusing toanswer.

What was the conversation about? A. A hold-up.

COURT: About a hold-up.

110. Q. Yes, and did you try to dissuade him from going into the store? Did you pray him not to go into the store? A. Yes.

111. Q. And notwithstanding that he went in. And then did you see him run out? A. Yes.

bont tied up. I followed the pair

112. Q. Eh? A. Yes.

113. Q. And then you say you saw the gun in the possession of the Jap, is that right? A. Yes.

114. Q. Did you hear the shots fired? A. Why of course.

MR. MCKAY: Well I am not going to ask any more questions.

COURT: Do you want to ask her any questions?

MR.FLEISHMAN: Your Worship I have just been asked by the brother of the accused to look after his interests

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10. in the case. I am net a little late; but hetter late than never. I don't think there will be any questions

of this witness.

COURT: No questions? MR.FLEISHMAN: No questions. I am appearing for the accused. DETECTIVE H. DUGGAN, called as a witness, being first sworn, testified as follows:--

QUESTIONS BY MR. MCKAY: 115. Q. You are a detective on the Vancouver police force? A. I am.

116. Q. Just tell what you know about this charge please?

A. Your Worship at 8.15 p.m. on Saturday the 12th of September I was on duty in the 500 block Richard Street in company with Detective Spence when I saw that colored woman on the street. I trailed her through the low part of the city to the C.P.R. pier where a ship was coming in, the Princess Royal. She waited there some time.

id you say to him again? He careful about MR. FLEISHMAN: Your Worship I do not wish any evidence taken as to what occurred between the woman and the detective being evidence against the accused.

MR. MCKAY: The actions of the woman, if connected with the accused, are perfectly good evidence.

MR. FLEISHMAN: So far there has been no evidence except her uncontradicted statement.

A. After the boat had tied up the accused got off and met this woman.

COURT: What time of the night was this?

A. That was 8.20 the boat tied up. I followed the pair of them to the 500 block Richard Street. They entered a small store on the north east corner of Richard and Dunsmuir. While waiting for detective Spence to come along I walked into the store and arrested the accused. He said to me "what is it?" I told him I was a police officer. He said "what is the trouble"? I said to him "I have certain information that you may

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MIR. MCKAY:

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MIR. MCKAY:

be charged with robbery with violence".

COURT: When was this, after the robbery? A. Yes months after.

MCKAY: This was the 12th of September.

RR. MCKAY: This was the 12th of September.

A. I said "I have certain information on which you may be charged with robbery with violence" and then I said to him "you are not obliged to say anything unless you wish to do so". He said "alright" I told him I would go over to room 31, 551 Richard Street and make a search. He came with us.

117. Q. Had Spence joined youin the meantime?

- A. Yes Spence had joined me in the meantime. We all went to the room, that is myself, Spence, the accused and the colored woman, that is her room, room 31. While in there Detective Spence took the colored woman outside so as to keep them separate, I then warned the accused ag ain, and he made an admission to me.
- 118. Q. Now what did you say to him again? Be careful about this.
  - A. I told him he was liable to be charged with a very serious offence, attempted robbery with violence, and he was not obliged to say anything unless he wished to do so". He said "alright, I will tell you the truth". He said "the colored girl has nothing to do with it. Don't bring her into it. This is my first attempt and it failed. The girl persuaded me not to take part in it".
- "The girl persuaded me not totake part in it?" A. Yes sir. By that time Detective Spence came back into the room with the girl; and I said to him "he has told me certain things"; and he then said in front of Spence and myself that this was his first offence, the girl had nothing to do with it.
- 120. Q. In warning him did you mention the place? A. I did.
- 121. Q. That is Tankka the Japanese?

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- A. Yes I told him it was a Japanese store on Howe Street near Smythe.
- 122.Q. The Japanese gave you this gun, did He?
  - A. No sir that revolver was taken on the night of the hold-up by Police Constable Nicholson and handed into the baggage room of the store-keeper and has since been in the custody of the police.
- 123.Q. Ever since that? A. Ever since.
- 124.Q. Is that all? but anything he said might be used as A. That is all sir. Oh, I took the accused to the station where I charged him with the offence, and he had nothing to say. I properly warned him.
- 125. Q. He did not say anything there at all?
  - A. No sir nothing at all.

MR. FLEISHMAN: No questions.

DETECTIVE SPENCE, called as a witness, being first sworn, testified as follows:-

QUESTIONS BY MR. MCKAY:

- 126. Q. You are a detective on the Vancouver police force?
- 128. Q. Now, you had better just tell what you know about this. because you were separated from Duggan.
  - A. Yes, your Worship on Saturday September the 12th, 1931. at about 8.15 p.m. I was in company with Detective Duggan in the 500 block Richard Street when we met this witness, the colored girl, Miss Johnson. Detective Duggan then left me and followed the witness.
- 128. Q. You stayed in company with the colored girl, did you?
  - No, he followed the colored girl, left me; and I went into 551 Richard Street where this colored girl rooms.
- 129. Q. Well who did you go in with?
  - A. I was alone, and I waited there till about 8.45 p.m. when Detective Duggan came back south on Richard Street fellewed following the accused man and the colored girl, Othea Johnson.

130. Q. Pardon me, were you down at the boat? A. I was not. They went into a small store on the corner of Dunsmuir and Richard Street. Detective Duggan followed them in there and I followed up as fast as I could into the store, and I heard Detective Duggan cautinn the accused man he was liable to be charged with attempted robbery with violence. He need not say anything unless he Wished, but anything he said might be used as evidence. He said nothing practically at that time. We then went over to 551 Richard Street and up into room 31. before we brought her hare she made certain

131. Q. That is the girl's room?

A. The girl's room. I then left the room -- this room I might say is up about three stories and we went down to the ground floor and I'phoned the police station for the car. I waited there till the driver Johnson put in an appearance and then I went upstairs to room 31. Detective Duggan informed me that the accused man had admitted everything.

MR. FLEISHMAN: Now that is not evidence.

132. Q. Well it was in front of the accused man, wasn't it?

A. In front of the accused man. I then asked him if he was referring to the hold-up of the Japanese on Howe Street? He said, the accused man said "yes": but it was the only job he had ever done. I asked him where he had purchased the gun, or got the gun; he said he got it from a man from over the line. At that time he was carrying a pair of blue pants rolled up in a paper.

A pair of blue pants? A. Yes. 133.

What became of those? 134.

A. I believe they are still in the room. I think they are still up in the room. We then brought the accused man to the station, and at nine p.m. in the

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City jail he was charged by Detective Duggan with attempted robbery with violence on June the 26th at about 11.30 p.m. of Saburo Tanaka at 868 Howe Street. He was told he need not say anything unless he wished, in answer to the charge, but anything that he did say might be used as evidence.

135. Q. Did he say anything?

A. He said "nothing to say". At 10.15 p.m. Your Worship, in company with Detective Duggan we went at 551. Richard Street and arrested the witness Othea Johnson and brought her to the station. I might say before we brought her here she made certain admissions.

136. Q. Of course that is not evidence.

A. We held her as a material witness.

137. Q. She is held by warrant as a material witness?

A. Yes, I applied for an order to hold her, Your

Worship.

138. Q. Is that all? A. That is all.

MR. FLEISHMAN: No questions.

MR. MCKAY: Is that Japanese back?

MR. FIEISHMAN: You can put that in later on as an Exhibit (Apron).

MR. MCKAY: Well that is the case.

MR. FLEISHMAN: We reserve our defence, Your Worship.

Having heard the evidence do you wish to say anything in answer to the charge? You are not bound to say anything, but whatever you say will be taken down in writing, and may be given in evidence against you at your trial. You must clearly understand that you have nothing to hope from any promise or favour and nothing to fear from any threat which may have been held out to

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you to induce you to make any admission or confession of guilt, but whatever you now say may be given in evidence against you upon your trial, notwithstanding such promise or threat.

MR. FLEISHMAN: We reserve defence.

COURT: Then I commit you to stand your trial at thenext court of competent criminal jurisdiction.

"J.A. Findlay"

Deputy 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 transcript of the within proceedings.

J.A. Finding, Esquiye, levely Police Halletings to be a

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Province of Arithm Collinsia, commission of the second

"L. H. Heaney"

Court Stenographer.

Sworm before me this like day of September, A.D. 1921.

Deputy Police Magistrate.

COURT: Wel

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## AFFIDAVIT OF STENOGRAPHER.

CANADA,

Province of British Columbia.

County of Vancouver

City of Vancouver.

IN THE MATTER OF THE KING on the information of R.W. Hughes against Thomas Cook.

I, L.H. Heaney of the City of Vancouver, in the Province of British Columbia, stenographer, do make oath and say:

FIRST: That I am the stenographer appointed by J.A. Findlay, Esquire, Deputy Police Magistrate in and for the City of Vancouver, to report evidence in this case.

SECOND: That the evidence hereto attached is a true and correct copy of the proceedings taken at the hearing of the said case.

"L. H. Heaney"

Stenographer.

Sworn before me this 21st day of September, A.D. 1931.

"J. A. Findlay"
Deputy Police Magistrate.

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I hereby control

Thomas Cook Oct 14 Grandfuing rutum True Bell Tun Oct 27. Trial spanid Varant - disagreement Prisoner remarked for new and for new and J.G. Junes Com Tue Nov 3 2 True Opened 11. 30 Am .. Clared 4.45 pry Jany returned. mr July