

PASC



4/1952

1932

41/32

Vancouver Spring Assizes.

REX

VS.

P. E. Kuwabara

Offence *Conspiracy to
Commit an Indictable
offence.*

CROWN BRIEF.

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

250-1031-7219

Jernear 115-76, -7

False document § 335, § 338

Personnel § 408

Conspiracy to defraud § 444

REX VS. P.E. KUWABARA.

I N D E X.

Information and Complaint.

Statement of the Accused.

Tanejiro Hirose

Examined .1..... 3 - 7.
Cross-examined 7 - 12.

Lorne James Sampson

Examined 12 - 13.
Cross-examined -

Charles Edgar Hay

Examined 13 - 13.
Cross-examined -

Toku Hirose

Examined 13 - 14.
Cross-examined -

Tabei Hirose

Examined 14 - 14.
Cross-examined -

Alfred E. Gealpin

Examined 14 - 15.
Cross-examined -

Affidavit of Stenographer.

INFORMATION AND COMPLAINT FOR AN INDICTABLE OFFENCE.

Vancouver
Nov. 16 1931
Registry.

CANADA, whereas)
Province of British Columbia)
County of Vancouver)
Municipality of Township of Richmond.)

The information and complaint of Lorne J. Sampson, of the City of Vancouver, in the Province of British Columbia taken the 30th day of October, in the year of our Lord one thousand nine hundred and thirty-one, before the undersigned, O.E. Darling, Esq., Police Magistrate in and for the said Municipality of the Township of Richmond who says that at Steveston, in the County of Vancouver, in the Province of British Columbia, between the 1st day of March 1927, and the 30th day of April, 1927, P.E. Kuwabara unlawfully did conspire, confederate, combine and agree with TOKU HIROSE and TANEJIRO HIROSE to commit an Indictable offence, namely, to obtain by divers false pretences and misrepresentations the issue by the Deputy Registrar of Births, Deaths and Marriages at the City of Victoria, in the Province of British Columbia, under the "Vital Statistics Act" of the Province of British Columbia, of a Certificate of the Birth of Tahei Hirose which would falsely shew that the said Tahei Hirose was born in the Province of British Columbia, and which said Certificate of Birth would enable the said Tahei Hirose to represent himself as being a natural born British Subject, and to exercise the rights and privileges of a natural born British subject which said certificate of Birth is by the provisions of the said "Vital Statistics Act" declared to be prima facie evidence in any Court of the Facts therein stated.

AND in pursuance of and according to the said conspiracy, confederation, combination and agreement did procure the said Tanejiro Hirose to make on the 29th day of March, 1927, a false

Certificate of Registration of Birth in writing under the said "Vital Statistics Act" stating that the said Tahei Hirose was born in the City of Vancouver, in the Province of British Columbia, whereas in truth and in fact, the said Tahei Hirose was not born at the City of Vancouver aforesaid, or at any place else in the Province of British Columbia, or elsewhere in the British Empire, but was at all times a person of the Japanese Race and a subject of the Emperor of Japan.

AND further in pursuance of and according to the said conspiracy, combination, confederation and agreement did procure to be forwarded to and placed before the Deputy Registrar of Births, Deaths and Marriages aforesaid, the said Certificate of Registration of Birth and thereby did procure to be issued by the said Deputy Registrar of Births, Deaths and Marriages a Certificate of the Birth of the said Tahei Hirose shewing the said Tahei Hirose to have been born at the City of Vancouver, in the said Province of British Columbia, which said Certificate of Birth was used by the said Tahei Hirose for the purpose of representing himself as being a natural born British subject and whereby the said Tahei Hirose did exercise the rights, and privileges of a natural born British Subject and did by the use of the said Certificate of Birth in the month of November, 1927, enter Canada from Japan at the City of Victoria aforesaid as a natural born British subject.

TO THE EVIL EXAMPLE of all others in like case offending, in contempt of our Sovereign Lord the King and his laws, to the injury, prejudice and disturbance of the liege subjects of our said Lord the King and to the public mischief of the said liege subjects, against the peace of our sovereign Lord

the King his Crown and Dignity contrary to the form of the statute in such case made and provided.

"L.J. Sampson"

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

"O.E. Darling"

Police Magistrate in & for The Municipality of the Township of Richmond.

in the year of our Lord one thousand nine hundred and thirty-one, for that the said P.E. Kumbara

(as in information)

And that the said P.E. Kumbara was being held over to the said P.E. Kumbara as witness for the Prosecution, Sanjiviro Siroca and others and being severally examined in his presence, the said P.E. Kumbara is now deposed as follows:--

Under oath.

Whereupon the said P.E. Kumbara hath deposed as follows:--

I say nothing.

TAKEN before me at Brighouse, B.C. the day and year first above-mentioned.

"P.E. Darling"

Police Magistrate in and for the Municipality of the Township of Richmond.

STATEMENT OF THE ACCUSED.

CANADA,
PROVINCE OF BRITISH COLUMBIA
COUNTY OF VANCOUVER
MUNICIPALITY OF THE TOWNSHIP OF RICHMOND.

P. E. Kuwabara stands charged before the undersigned
O.E. Darling, Esquire, Police Magistrate, and one of His
Majesty's Justices of the Peace within and for the said Muni-
cipality of the Township of Richmond, this 7th day of November,
in the year of our Lord one thousand nine hundred and thirty-

(as in information)

The accused appeared in person.

Charge read to the accused as follows:-

And the said charge being read over to the said P.E.
Kuwabara and the witnesses for the Prosecution, Tanejiro Hirose
and others and being severally examined in his presence, the
said P.E. Kuwabara is now addressed by me as follows:--

Usual form.

Whereupon the said P.E. Kuwabara saith as follows:-

I say nothing.

TAKEN before me at Brighthouse, B.C. the day and year first above-
mentioned.

"P.E. Darling" representative the
Police Magistrate in and for the Municipality
of the Township of Richmond.

under the "Vital Statistics Act" of the Province of British
Columbia, of a certificate of the birth of Taneji Hirose which
would falsely show that the said Taneji Hirose was born in the

DOMINION OF CANADA
PROVINCE OF BRITISH COLUMBIA
COUNTY OF VANCOUVER
MUNICIPALITY OF RICHMOND.

REX
VERSUS
KUWABARA.

PROCEEDINGS AT PRELIMINARY HEARING.

BEFORE: O.E. DARLING ESQUIRE, Police Magistrate in and for
the Municipality of Richmond.

Brighouse, B.C.

7th November, 1931.

PROSECUTOR, R.L. MATILAND ESQUIRE K.C.

COUNSEL FOR DEFENCE. Gordon Wismer Esq. Barrister & Solicitor.

Stenographer. Robert C. Palmer, Sworn.

Interpreter - Nagawa Sworn.

The accused appeared in person.

Charge read to the accused as follows:-

The information and complaint of Lorne J. Sampson of the City of Vancouver, in the Province of British Columbia, taken the 30th day of October in the year of our Lord one thousand nine hundred and thirtyone, before the undersigned O.E. Darling Esquire, Police Magistrate in and for the said Municipality of Richmond, who says that at Steveston, in the County of Vancouver, in the Province of British Columbia, between the 1st day of March 1927 and the 30th day of April, 1927 P.E. Kuwabara unlawfully did conspire, confederate, combine and agree with Toku Hirose and Tanajiro Hirose to commit an indictable offence, namely, to obtain by divers false pretences and misrepresentations the issue by the Deputy Registrar of Births, Deaths and Marriages at the City of Victoria, in the Province of British Columbia, under the "Vital Statistics Act" of the Province of British Columbia, of a certificate of the birth of Tahei Hirose which would falsely show that the said Tahei Hirose was born in the

Province of British Columbia, and which said Certificate of Birth would enable the said Tahei Hirose to represent himself as being a natural born British subject, and to exercise the rights and privileges of a natural born British subject, which said Certificate of Birth is by the provisions of the said "Vital Statistics Act" declared to be prima facie evidence in any Court of the facts therein stated.

AND in pursuance of and according to the said conspiracy, confederation, combination and agreement did procure the said Tanejiro Hirose to make on the 29th day of March 1927 a false Certificate of Registration of Birth in writing under the said Vital Statistics Act stating that the said Tahei Hirose was born in the City of Vancouver, in the Province of British Columbia, whereas in truth and in fact, the said Tahei Hirose was not born at the City of Vancouver aforesaid, or at any place else in the Province of British Columbia, or elsewhere in the British Empire, but was at all times a person of the Japanese Race and a subject of the Emperor of Japan.

And further in pursuance of and according to the said conspiracy, combination, confederation and agreement did procure to be forwarded to and placed before the Deputy Registrar of Births, Deaths and Marriages aforesaid, the said Certificate of Registration of Birth and thereby did procure to be issued by the said Deputy Registrar of Births, Deaths and Marriages a Certificate of the Birth of the said Tahei Hirose showing that the said Tahei Hirose to have been born at the City of Vancouver, in the Province of British Columbia, which said Certificate of Birth was used by the said Tahei Hirose for the purpose of representing himself as being a natural born British Subject and whereby the said Tahei Hirose did exercise the rights, and privileges of a natural born British subject and did by the use of the said Certificate of Birth in the month of November 1927 enter Canada from Japan at the City of Victoria aforesaid as a natural born British subject.

TO THE EVIL EXAMPLE of all others in like offending, in contempt of our Sovereign Lord the King and his laws, to the injury, prejudice and disturbance of the liege subjects of our said Lord the King and to the public mischief of the said liege subjects, against the peace of our Sovereign Lord the King, his Crown and Dignity contrary to the form of the Statute in such case made and provided.

18. TANEJIRO HIROSE, a witness called on behalf of the prosecution, being first sworn, testified as follows:--

1. Q. What is your name? A. Tanejiro Hirose.
2. Q. Where do you live? A. Steveston.
3. Q. That is in Richmond Municipality? A. Yes.
4. Q. In the County of Vancouver, Province of British Columbia? A. Yes.
5. Q. You know the accused man Kuwabara? A. Yes I do.
6. Q. How long have you known him? A. About 10 years.
7. Q. When did you come to Canada? A. 14 years ago.
8. Q. Where were you born? A. In Japan.
9. Q. How many children have you? A. 7 children.
10. Q. Where were they born?
A. Four of them were born in Japan and 3 in Canada.
11. Q. Did you have one Tabei Hirose was he a son of yours?
A. Yes, he is my son.
12. Q. Where was he born? A. In Japan.
13. Q. Where is he now? A. He is at my home.
14. Q. In Canada? A. Yes.
15. Q. Did you see the accused man Kuwabara in relation with that son coming to Canada? A. Yes.
16. Q. When was that? A. In the month of March 1927.
17. Q. What happened in the month of March 1927?

Tahei Hirose arrived in Canada in November 1927

- 17. Q. In the month of March 1927/in those days the accused came to my place very often and Mr. Kuwabara tried to sell me life insurance and during the conversation I told Mr. Kuwabara that the grandmother of Tahei was very old and wished he was here in Canada and I wanted to get some way to get Tahei my son to come to Canada to join us and Mr. Kuwabara said he would do something to get that boy into Canada.
- 18. Q. What did he do next?
- A. Mr. Kuwabara asked me whether I had family tree, so I gave him family tree of mine and Mr. Kuwabara took that family tree with him.
- 19. Q. Did he tell you what he was going to do with it? Or what you would have to do to bring son to Canada?
- A. He said leave it to me altogether I fix it for you.
- 20. Q. Did he tell you how he was going to fix it?
- A. He would get birth certificate Canada for my son to be done in two or three weeks.
- 21. Q. You were telling us about your family tree, where is that family tree?
- A. That family tree was lost.
- 22. Q. Who lost it?
- A. It was lost in the office of the Japanese Fishermen's Benevolent Society.
- 23. Q. Did it have the birth of this son on it, Tahei Hirose?
- A. Yes it was given on that birth certificate.
- 24. Q. Who gave you that?
- A. Mr. Kuwabara.
- 25. Q. Before you told us you gave Mr. Kuwabara your family tree?
- A. Yes I gave Mr. Kuwabara.
- 26. Q. Did that family tree show where your son was really born?
- A. Yes.
- 27. Q. Where was he really born?
- A. In Japan, Inukami-Gun, Shiga Ken.

28. Q. You said Mr. Kuwabara gave you the birth certificate?
A. Yes he did.

29. Q. Is that the document? A. Yes.

Exhibit 1. Certificate of Registration of Birth of Tahei
Hirose, Steveston, B.C.

30. Q. Before he brought you that certificate, did you make
any application for a certificate at all?

A. I do not remember. I am producing a certified true
photostat of the Birth Record on file in the office
of the Registrar of Births Deaths & Marriages and
signed by the Deputy Registrar and sealed as Exhibit 2.

31. Q. Did you sign that document?

A. I cannot write like that.

32. Q. Is that your signature or not?

A. No sir it is not mine it is a forgery.

33. Q. Did this family tree have information about your family
in it?

A. Yes all particulars of it.

34. Q. Was it in the Municipality of Richmond that you gave
him this family tree? A. Yes.

35. Q. Was it in the Municipality of Richmond that you had
all this discussion with him about the birth certifi-
cate?

A. Yes, all done in this Municipality.

36. Q. Was it in the Municipality of Richmond that he
delivered this birth certificate to you? A. Yes.

37. Q. How did you get this birth certificate?

A. He gave it to me, Mr. Kuwabara gave it to me and said
that was my boys picture.

38. Q. Who said that? A. Mr. Kuwabara.

39. Q. Was it the first time you ever saw this certificate?

A. Yes the first time.

40. Q. I notice on this Certificate of Birth father Tanejiro
Hirose, that is you? A. Yes.

41. Q. Birthplace Shiga-Ken, Japan? You were born there?
A. Yes.
42. Q. Occupation cobbler or shoemaker? A. Yes.
43. Q. Where was your wife born? A. Japan.
44. Q. Where were you born? A. Japan.
45. Q. Were you born in Shiga Ken? A. Yes.
46. Q. Was your wife born there? A. Yes.
47. Q. Did you make application yourself to the Government person for a birth certificate? A. I did not.
48. Q. Did you have anything to do with any other person in relation to obtaining this birth certificate except the accused man Kuwabara?
A. No other, all Mr. Kuwabara.
49. Q. Was anything said at all about pay for getting this for you?
A. The condition was that if I would buy insurance from Mr. Kuwabara he would not charge much. At that particular time I was tied up but I promised to buy insurance in future.
50. Q. Did you pay any money to him? A. Yes \$5100.
51. Q. Did you take out any insurance?
A. Yes I bought \$3,000.00 insurance in March 1929.
52. Q. Is that the Insurance policy you got? A. Yes.
53. Q. In this policy there is a photostat copy of application which I am now pointing to, do you know who did the writing on this application? Toku Hirose, who did all that writing?
A. Here is my signature, all other filled up by Mr. Kuwabara.
- POLICY EXHIBIT 3.
I am putting in as Exhibit 4 copy of the application filed in connection with this application for birth certificate Form 4A which accompanies all applications to Victoria.
54. Q. What is the date you applied for the policy?
A. 12th March 1929.

55. Q. Your signature is on the application for the policy?
A. Yes, on the policy.

56. Q. How much did you pay for that insurance?
A. About \$180.00.

57. Q. Do you recognize this note April 5th, 1930?
A. Yes I remember this.

58. Q. Is that your signature on the note?
A. Yes it is my signature.

59. Q. Who did you give that to? A. Mr. Kuwabara.

60. Q. What for? A. Promissory note.

61. Q. What for? A. Insurance.

EXHIBIT 5

62. Q. What did you do with this birth certificate after you got it from Kuwabara?

A. I sent it to Japan.

63. Q. Did your son come to Canada later? A. Yes he did.

64. Q. When did he arrive in Canada?

A. In the middle of November 1927.

conspiracy in March '27

65. Q. Had he ever been in Canada before?

A. That is the first time he had ever been in Canada.

CROSS-EXAMINED BY MR. COUNSEL FOR DEFENCE.

66. Q. You have a shoe repair shop? A. Yes.

67. Q. Mr. Kuwabara has been in the habit of getting his shoes repaired there in 1927? A. Yes.

68. Q. You saw Mr. Kuwabara in your shop fairly often?

A. Yes very often.

69. Q. In connection with repairing his shoes and members of his family? A. No.

70. Q. Did he get his shoes repaired in your shop?

A. Yes he comes to my shop but repairs his own shoes.

71. Q. You do not repair his shoes? A. I have repaired his shoes.

72. Q. How many times have you repaired Mr. Kuwabara's shoes in the past few years?

- A. Just once or twice in the last 10 years.
73. Q. You have only repaired Mr. Kuwabara's shoes once or twice in all those years? A. Yes.
74. Q. You understand English some? A. Yes I understand.
75. Q. I noticed you answered some of the questions before the interpreter spoke to you? A. Yes I understand a little.
76. Q. When did the Mounted Police come to you about this case? A. September 18th.
77. Q. This year? A. yes.
78. Q. Where did they come to see you? A. In my shop.
79. Q. How many policemen came? A. Three.
80. Q. Were you alone in the shop at the time? A. My son too.
81. Q. You have two sons who were born in Canada? A. Yes two sons born in this country.
82. Q. How old are they? A. One is 8 and the other 7.
83. Q. Have you got birth certificates for them? A. Yes.
84. Q. Who got those birth certificates? A. The clerk of the Japanese Firemen's Benevolent Society.
85. Q. What is his name? A. Sakuso Miyauchi.
86. Q. When did you get those birth certificates? A. Within one week of the birth.
87. Q. And who signed the application for the birth certificates in those cases? A. I do not remember.
88. Q. When did you get those birth certificates, how long ago? A. Pretty soon after application was made.
89. Q. How old are the children? A. 8 years.
90. Q. Both 8, are they twins? A. They are not, one is 8 and the other 7.
91. Q. You got the certificate within a few days of their birth? A. Yes the certificates were given within a few days.
92. Q. You got those certificates because you knew if the children went to Japan they would have to have birth certificates to get back into Canada?

- A. The Clerk of the Japanese Association told me when I got birth certificate I could get boy.
93. Q. The reason you got birth certificate for those two sons was that they could travel between here and Japan freely? A. yes.
94. Q. You knew that a birth certificate was a benefit to a Japanese? A. Yes.
95. Q. You knew if your boy Tahei Hirose had a birth certificate he could travel freely between here and Japan?
A. Yes, Mr. Kuwabara said it could be done easily.
96. Q. You knew if you had birth certificates for these other boys they could travel between here and Japan? A. Yes.
97. Q. You went to Mr. Kuwabara and asked him to get a birth certificate for this son in Japan?
A. No I did not go to Mr. Kuwabara. Mr. Kuwabara came to me.
98. Q. You asked him to get a birth certificate for Tahei Hirose?
A. No Mr. Kuwabara suggested to me that he could get it for me.
99. Q. Mr. Kuwabara suggested he could get a birth certificate for him? A. Yes.
100. Q. This Exhibit 2, I noticed you examined this for some time before you said whether it was your signature or not?
A. It is not my signature.
101. Q. Why did you take so long to decide whether it was your signature or not, you looked at it for two minutes on each occasion? A. I wanted to be sure.
102. Q. You have been this paper before, this document Exhibit 2?
A. I never saw such a paper at all, white ground not black one.
103. Q. You saw a white paper not a black one, Mr. Kuwabara gave you a white paper application form?
A. Mr. Kuwabara brought me birth certificate.
104. Q. He showed you a white paper form before you got the birth certificate, some days before?

A. No he did not.

105. Q. Did he show you any paper before you got the birth certificate? A. He did not.

106. Q. Did he produce a white paper? A. No.

107. Q. You got those other birth certificates through the Japanese Fishermen's Benevolent Association? A. Yes.

108. Q. When did you first see those applications or certificates?

A. I do not remember.

109. Q. Did you sign the applications?

A. I cannot say unless I am sure, I do not remember.

110. Q. Who made the applications for the two children?

A. Mr. Sakuso Miyauchi.

111. Q. Did you give him family tree? A. I did.

112. Q. Who made out family tree in Japan?

A. Census Registrar.

113. Q. You say you gave that to this secretary of the Fishermen's Association? Did you ever get it back?

A. It is disputed, he says he gave it back to me, I say not I did not get it.

114. Q. You say you never got it back since the time the children's birth was registered?

A. There is another daughter of mine, she is five years of age.

115. Q. Who made application for birth certificate for this daughter?

A. Sakuso Miyauchi.

116. Q. You say you never got the family tree back from the secretary since that time?

A. No, it was delayed registration. This registration was made four years ago.

117. Q. In what month? A. June.

118. Q. Did you sign that application? A. I cannot remember.

119. Q. You remember you did not sign this one but you do not remember the one in June? A. That is so.
120. Q. As a matter of fact Mr. Hirose, the application for the registration of Tahei's birth was made out in your own shop?
A. No, Mr. Kuwabara took my family tree with him.
121. Q. Where did he make out the application form?
A. Not in my shop anyway.
122. Q. How long after he made it out did he show it to you?
A. About three weeks after.
123. Q. How many times did Mr. Kuwabara see you about this birth certificate before he got it for you, how many times did you talk about it?
A. I remember he came once and told me it was sent.
124. Q. You only had one talk before he sent away with that paper? A. Just once.
125. Q. Who was there, who was present? A. I was alone that time.
126. Q. When did you give this family tree to the secretary of the Fishermen's association? A. Four years ago.
127. Q. What month? A. June.
128. Q. In the month of June you gave it to him? A. Yes.
129. Q. How much did you say you paid for the insurance premium?
A. About \$180.00.
130. Q. How much did you pay when you got the insurance policy?
A. I think \$10.00 or \$15.00.
131. Q. Mr. Kuwabara knew your wife, he knew her name when he called to see you in 1927?
A. I do not think so she is always in the field.
132. Q. He knew her name? A. Yes.
133. Q. He knew where she was born? A. Yes.
134. Q. Knew where you were born and where your wife was

born for years? A. Yes.

135. Q. How many children did you have on the 1st April, 1927? A. I think I had five then.

136. Q. You have 7 now? A. Yes.

137. Q. And have you registered the birth of the other two who were born since? A. Yes.

138. Q. When were they registered, in what year?

A. The last one was registered in the month of June four years ago.

139. Q. In June 1927? A. I cannot understand.

140. Q. He said he had five children on the 29th of March, 1927, is that true?

A. In April 1927 I had seven children.

LORNE JAMES SAMPSON, a witness called on behalf of the

prosecution, being first sworn, testified as

follows:--

141. Q. Sgt. Sampson, you are with the R.C.M. Police?

A. I am.

142. Q. What division? A. E. Division.

143. Q. And have charge of this case? A. I have.

144. Q. Did you arrest the accused? A. I did.

145. Q. Where?

A. 8859 Selkirk Street, City of Vancouver.

146. Q. Did you find any documents?

A. I executed a search warrant and found certain documents.

147. Q. This note, Exhibit 5, did you find that?

A. This note was found at the residence of the accused on the 30th October, 1931. It bears my initials L.J.S. 30/10/31.

148. Q. Did you find this memorandum there? This memo T. Hirose noted on the upper left hand corner bearing date June 12th, 1930, interest 30¢ paid?

A. It bears my initials L.J.S. 30/10/31.

149. Q. You found this document? A. Yes.

EXHIBIT 6.

No questions.

CHARLES EDGAR HAY, a witness called on behalf of the prosecution, being first sworn, testified as follows:--

150. Q. Your name? A. Charles Edgar Hay.

151. Q. Your occupation?

A. Secretary, Sun Life Insurance of Canada.

152. Q. In Vancouver? A. Yes.

153. Q. How long have you held that position? A. 19 years.

154. Q. Do you recognize the accused, Kuwabara? A. I did.

155. Q. How long have you known him? A. Since 1918.

156. Q. He has been an agent of your Company for some time?

A. 13 years.

157. Q. How long have you held your present position in Vancouver? A. Since 1913.

158. Q. You have had an opportunity of becoming familiar with Kuwabara's handwriting? A. Yes.

159. Q. Look at this Exhibit 2, would you care to say if it is his handwriting or not?

A. I would say it is his, I am quite familiar with this writing.

160. Q. Exhibit 4 would you say it is in his handwriting?

A. I should say it was.

161. Q. Exhibit 3, Insurance Policy application, look at that part from the signature of the other man, would you say it was his handwriting?

A. Yes it is his handwriting.

No questions.

TOKU HIROSE, ^{wife} being first sworn, testified on behalf of the prosecution as follows:--

162. Q. What is your name? A. Toku Hirose.

163. Q. Are you the wife of Tanejiro Hirose? A. I am.

- 164. Q. The witness sitting over there? A. Yes.
- 165. Q. Are you the mother of Tahei Hirose? A. I am.
- 166. Q. When was he born? A. 17 years ago.
- 167. Q. Where? A. In Japan.

No questions.

TAHEI HIROSE, being first sworn, testified as follows:--

- 168. Q. What is your name? A. Tahei Hirose.
- 169. Q. Where were you born? A. In Japan.
- 170. Q. When did you come to Canada?
A. In the month of November 1927.
- 171. Q. What boat? A. Yokohama Maru. *this is subject of bill*
- 172. Q. Did you ever see this document before, Exhibit 1?
A. Yes I did.
- 173. Q. Where? A. In Japan.
- 174. Q. Who sent it to you? A. My father.
- 175. Q. Did you use it for anything? A. Yes I used it.
- 176. Q. What for? A. To come to Canada.

No questions.

ALFRED E. GEALPIN, a witness called on behalf of the prosecution, being first sworn, testified as follows:--

- 177. Q. Your name?
A. Alfred E. Gealpin.
- 178. Q. Occupation? A. Immigration Officer, Vancouver.
- 179. Q. In the Immigration Service? A. Since 1918.
- 180. Q. Have you a copy of Form 30A.
A. I have a copy of the Canadian Government Return Form. *see Endorse Act § 26, Section 163*
- 181. Q. Any reference to Tahei Hirose? A. Yes.
- 182. Q. What does it say?
A. He arrived at the Port of Victoria on 4th November 1927.
- 183. Q. As what?

A. As a returning Canadian, born in Vancouver, B.C.

184. Q. You will leave that with us?

A. Yes it is a certified copy.

Exhibit 7.

That is the case for the prosecution.

THE COURT ADJOURNED until Tuesday November 10th, 1931.

BEFORE: O. E. DARLING ESQUIRE, Police Magistrate,
Municipality of Richmond, November 10th, 1931.

THE COURT:

Having heard the evidence do you wish to say anything in answer to the charge? You are not obliged to say anything unless you desire to do so; 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 of favour, and nothing to fear from any threat which may have been held out 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.

THE ACCUSED: I say nothing. Robert C. Palmer

THE COURT: I commit you to Oakalla Prison Farm there to await trial at the next court of competent jurisdiction.

I hereby certify that the foregoing is a true copy of the depositions of Tanejiro Hirose, Lorne J. Sampson, Toku Hirose, Charles Edgar Hay, Tahei Hirose, and Alfred E. Gealpin.

O. E. Darling
Police Magistrate.

"O. E. Darling"
Police Magistrate.

DOMINION OF CANADA
PROVINCE OF BRITISH COLUMBIA
COUNTY OF VANCOUVER
MUNICIPALITY OF RICHMOND.

REX
VERSUS
P.E. KUWABARA.

BEFORE: O. E. DARLING ESQUIRE, Police Magistrate in and
for the Municipality of Richmond.

I, ROBERT C. PALMER, of Brighouse, make oath and say:

1. That I am the stenographer appointed by the said O.E. Darling, Esq., to take the evidence in the above case.
2. That the transcript of evidence hereto annexed, signed by the said O.E. Darling, Esq., as such Police Magistrate, and taken down by me as such Stenographer, is true and correct.

"Robert C. Palmer"

Sworn before me at
Brighouse, B.C. this
14th November, 1931.

"O. E. Darling"
Police Magistrate.