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Vancouver Spring
Assizes.

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Rex

vs

Ikeda.

Offence,
1. Uttering.
2. Forging.

Crown Brief.

ATTORNEY GENERAL'S
DEPARTMENT
VICTORIA, B. C.

J. R. Cunningham
2320 - 2nd W
PB 666

INFORMATION AND COMPLAINT FOR AN INDICTABLE OFFENCE.

CANADA.

Province of British Columbia.

County of Vancouver.

The information and complaint of James Ellsworth Green, Prov. Constable of the City of Vancouver taken the thirteenth day of March in the year of our Lord one thousand nine hundred and thirteen before the undersigned, one of His Majesty's Stipendiary Magistrates in and for the said County of Vancouver, who saith that at the City of Vancou er, in the Province of British Columbia, on or about the ninth day of July, A. D., 1912 S. Y. Ikeda, knowing a certain document, to wit, an Order on the Registrar of Titles of the said City of Vancouver, purporting to be signed by Y. Kajiki to be forged, did utter or use or deal with or act upon or attempt to use the said forged document as if it were genuine; contrary to the form of the Statute in such case made and provided and against the peace of our Lord the King His Crown and Dignity.

(sgd) J. E. Green.

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

(sgd) Hy. O. Alexander, J. P.,
Stipendiary Magistrate in and for the
County of Vancouver.

STATEMENT OF THE ACCUSED.

CANADA.

Province of British Columbia.

County of Vancouver.

City of Vancouver.

S. Y. Ikeda stands charged before the undersigned, H. C. Shaw, Esq., Police Magistrate, and one of His Majesty's Justices of the Peace in and for the County aforesaid, this 30th day of January,, (&c., &c., &c.,) same as in information, with usual warning. Whereupon the said S. Y. Ikeda says as follows:-

I reserve my defence.

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

(sgd) H. C. Shaw.

Police Magistrate in and for the City of Vancouver.

INFORMATION AND COMPLAINT FOR AN INDICTABLE OFFENCE.

CANADA.

Province of British Columbia.

The information and complaint of James Ellsworth Green, Provincial Constable of the City of Vancouver taken this thirteenth day of March in the year of our Lord one thousand nine hundred and thirteen before the undersigned, one of His Majesty's Stipendiary Magistrates in and for the said County of Vancouver, who saith that at the said City of Vancouver, in the Province of British Columbia, on or about the ninth day of July, A. D., 1912, S. Y. Ikeda of the said City of Vancouver, knowingly did forge a certain document, to wit, an Order to the Registrar of Titles of the said City of Vancouver purporting to be signed by Y. Kajiki in the words and figures following to wit:-

"July 9th, 1912.

"Registrar of Titles,
City.

Dear Sir:-

Please deliver to C. S. Arnold Certificate of Title No. 70872E for Lot 19, in Block 1, in the subdivision of the North half of Block 5, District Lots 391 & 392, Municipality of South Vancouver, and oblige.

Yours truly,
Y. Kajiki."

contrary to the form of the Statute in such case made and provided and against the peace of our Lord the King, His Crown and Dignity.

SWORN before me the day and year first above mentioned, at Vancouver.

(sgd) Hy. O. Alexander.

Stipendiary Magistrate in and for the County of Vancouver.

STATEMENT OF THE ACCUSED.

CANADA.

Province of British Columbia.

County of Vancouver.

City of Vancouver.

(Usual form with usual warning).

Whereupon the said S. Y. Ikeda, says as follows:-

"I reserve my defence.

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

(sgd) H. C. Shaw.

Police Magistrate in and for the City of Vancouver.

POLICE COURT.
(Before H.C.Shaw,Esq., P.M.)

Vancouver, B. C., January 20, 1914.

C A N A D A .

Province of British Columbia.

County of Vancouver. REX vs S. Y. IKEDA.

City of Vancouver.

S. Y. IKEDA charged on the information of J. E. Green of the City of Vancouver on the 13th day of March, 1913, for that at the said City of Vancouver on or about the 9th day of July, A. D., 1912, S. Y. Ikeda knowing a certain document, to wit, an Order on the Registrar of Titles of the said City of Vancouver, purporting to be signed by Y. Kajiki to be forged, did utter or use or deal with or act upon or attempt to use the said forged document as if it were genuine, Contrary to the form of the Statute in such case made and provided.

W. McKAY, ESQ., Counsel for Prosecution.

I. RUBINOWITZ, ESQ., Counsel for Defence.

A. T. OKAMOTO, sworn as interpreter.

L. H. HEANEY, sworn as stenographer.

COURT. Mou have the option, &c., &c.,

MR. RUBINOWITZ, I appear for the accused and will take a preliminary hearing.

MR. McKAY. I would lik to have the charge of forgery read too, and there is a third charge of forgery of a Deed as well. Unfortunately we have not yet got Oye. And so I will have to ask for an adjournment on that case, but I would like to have the charge of forgery and uttering of this document read.

(CHARGE of forgery o f Order to Registrar of Titles, read)

COURT. How do you elect, Mr. Rubinowitz?

MR. RUBINOWITZ. Preliminary hearing.

C. S. ARNOLD? called as a witness, being first sworn, testified as follows:

QUESTIONS BY MR. McKAYE,

1 Q Mr. Arnold you are a practising Barrister and Solicitor, duly qualified to practise in the City of Vancouver?

A I am.

2 Q Do you know the accusedIkeda?

A Yes.

3 Q When did you ee him?

A The first time I met him I think was in March 1912.

4 Q In connection with what, Mr. Arnold?

A In connection - March 11th and 12th, 1912, he came into my office with a Japanese named Fred Yoshi in connection with a loan which I was putting through, in which one Kawabata and Yano and Mishikawa were the mortgagers and Epstein and Izan were the mortgagees.

5 Q Do you know what property the loan was to be secured by? That was the first time, that had nothing to do wit this particular case?

A No.

6 Q Had you many interviews with him at that time?

A I think he was at the office twomor three times.

7 Q Do you know Lot 19, in Block 1, in the subdivision of the North half of Block 5, Districts Lots 391 and 392, Municipality of South Vancouver?

A I remember searching the title to that. I had occasion to search the Title on or about the 9th of July, 1912. I think it was the 8th, it might have been the 9th of July, but I think it was the 8th of July, when Ikeda and a Japanese whom he told me was Sadakichi Oye and another Jap of the name of Shimizu came into my office.

8 Q What was the reason for your searching title in that case what were youabout to do?

A I was putting through a loan on this property.

9 Q Had you any conversation with Ikeda at that time.

A Yes, neither Oye nor Shimizu could talk much English, and Ikeda I had met him before and he talked English very fluently. They brought in a copy of the Deed from George Hay to a man named Oye of lot 19, Blok one in the sub-division of the North half of Block five in Districts Lots 391 and 392, group one New Westminster District, Map 2451, This was one of the properties on which the loan was being advanced.

MR. McKAYE. I would like to put that in as Exhibit "A".

(DEED of LAND from George Hay to Sadakichi Oye produced as Exhibit "A")

10 Q That was the document they brought into you?

A Yes. Ikeda told me that that was Oye's property and that he had known oye for several years. The Conveyance was drawn up n the 9th of July, 1912. That is a duplicate of the original conveyance which was executed inmy office on that date.

11 Q COURT. That is from whom to whom?

A Supposed to be from Sadakichi Oye to Jacob Samon and Jacob Izen.

12 Q I see it is a deed of land, Mr. Arnold?

A Yes.

13 Q It really though was in the nature of a mortgage?

A Yes.

(DEED OF LAND dated July 9th, produced as Exhibit "B")

MR. RUBINOWITZ. I understand that is only a copy.

MR. McKAYE. It is a duplicate original.

(Argument)

14 Q You say it was really a loan, that is in the nature of a mortgage?

A Yes.

15 Q Was any amount of money advanced on this?

A Yes, the amount being advanced was five hundred dollars, either five hundred or five hundred and twenty five.

16 Q And that was advanced by Epstein and Izan?

A Yes.

17 Q Who was the money given to?

A After taking out the registration fees and my fees, the cheque was given payable to Sadakichi Oye for $476:80.

18 Q And this was given to whom?

A It was given to the man who represented himself as Sabadkichi Oye.

19 Q And he was brought in by whom?

A By Ikeda the accysed. The cheque was given by me to Oye and Oye and Ikeda....

(CHEQUE for $476:80 produced as Exhibit "C")

~~20~~ Oye and Ikeda went out together and came back in a few minutes and advised me that the Bank wanted identification for his signature on the cheque, so Oye signed his own name on the back and identified him, the Bank in the meantime had put their rubber stamp on.

20 Q This man Oye when did you first see him?

A On either the 8th or 9th of July.

21 Q And he was with I eda when Ikeda first came there?

A Yes, he came with Ikeda.

22 Q Now did you register your Deed?

A I did, and in searching the Title I found that the Certificate of Title was there to the order of another man, and I told Ikeda that and asked him to bring this other man into the office; and he asked him to bring this other man into the office, and he asked me if he could not get the other man to sign the document so I drew up a letter to the Registrar of TITLES authorizing him to hand the certificate of Title over to me, and gave it to Oye who took it away on the 8th of July. On the morning of the 10th he brought it back signed and gave ~~it me~~ it to me and then it was thatbthe cheque Exhibit "C" was handed over.

23 Q I hand you a letter produced by Mr. Hunt from the Registr office here?

A Yes.

24 Q Is that the letter?

A This is the order that was given to Ikeda. It was given by me to Ikeda.

25 Q And he took it away and brought what back?

A In the same condition it is in at the present time.

MR. McKAYE. Signed by T. Kajiki. I put that in as Exhibit "D"

(LETTER dated July 9th, produced as Exhibit "D")

MR. McKAY. I am afraid I will have to put copies in.

COURT. You consent I suppose Mr. Rubinowitz to a copy going in?

MR. RUBINOWITZ. Yes, Your Worship.

26 Q Now what happened after that Mr. Arnold?

A I used that order ~~the~~ for the purpose of completing the registration of the Deed from Oye to Epstein and Ixan and filling it with the Registrar of Titles in the ordinary courss for the purpose of allowing me to get the certificate and have it transferred from Epstein and Izan's name.

27 Q Is that the last time you ever saw Ikeda?

A No, I saw him several times after that. Subsequently some months afterwards about the 24th of January, 1913, a writ was served it was brought to me, I am not sure whether it was served on me or not, in an action between Oye against Epstein and Izen to set aside the conveyance on the ground of forgery. I communicated with my clients and Ikeda and his brother, another Ikeda - he said he was his brother and another Jap some Doctor of the name of Iwashita, I think is the way he spells his name, he came to the office and I told Ikeda and Iwashita of the trouble and the accused was present. I told him that this was a forgery and that he was liable to get himself into trouble, and I asked him how long he had known Oye, the man who had signed the Deed. He told me that he had only met him, I

think the day prior to bringing him into the office. I told him then "you told me at the time this conveyance was signed that you had known this man for two or three years" and he seemed to take the matter lightly. He laughed at it and joked at it all the time.

MR. RUBINOWITZ. That is not evidence Mr. Arnold how he seemed to take the matter.

A And the result was that we entered into a certain arrangement with Mr. Kapelli who was acting for the man who said he was the real Oye and Iked'a brother and this other Jap gave us a conveyance.

28 Q The Doctor?

A Yes, gave us a conveyance of certain other property to release this property in question.

29 Q Ikeda not being present except at the first interview?

A I think Ikeda was present on several occasions. I think he was there two or three times.

30 Q Is that all you know about it Mr. Arnold, is there anything else you can tell us?

A I think that is all I know about it.

31 Q I will ask you again, there is no doubt that you gave this document to Ikeda, the document that we claim is forged, and that he went out with it and returned the next day, returned the next day to you?

A T ere is no doubt about it at all. I asked him to bring the man to whose order the certificate of Title in the Land Registry into the office, and he said it would be easier for him to take it up to the man and have him sign it. He took it away and brought it back executed and it was used by me for the purpose of registering the conveyance.

32 Q Thatiss all you know about it?

A Yes.

QUESTIONS BY MR. RUBINOWITZ.

33 Q Mr. Arnold you had known the accused man at the time that he came to make this loan transaction?

A Yes, I met him - I think the first time in March.

34 Q And you knew his name?

A Oh, yes, he was brought in by a Japanese named Fred Yoshi, a very respectable citizen, I believe.

35 Q You knew Mr. Ikeda's business?

A No, I didn8t know what business the accused was in.

36 Q Do you know what part he played in this earlier transaction during which you made his acquaintanceship?

A From memory.....

37 Q In what capacity he came to see you in connection with the transaction?

A I don't think he came in any capacity at that time. I t ink he merely came in with Mr. Yoshi, and the other Japanese who were negotiating the loan. But I have the impression he got some of the money.

38 Q Was that also money that was advanced by Mr. Ipstein?

A Yes.

39 Q How many times did the accused man come to see you at your office altogether in connection with this transaction which is the subject matter of this prosecution.

A I should think about six times altogether.

40 Q Within what space of time?

A Well I think three occasions were on the 8th, 9th and 10th of July. And the other occasions were January 1913, round the end of January 1913.

41 Q Would hat he the last occasion?

A Yes, I believe that was the last occasion.

42 Q He only came once to you in January, is that so?

A I would not be sure whether it was once or twice or three times. I could not be sure about it.

43 Q And when he came to see you in connection with the advance

of this money did he come alone at any time?

A I don't think so.

44 Q He always came with another man who went under the name of Oye?

A I believe on each occasion that he went into the office there were two Japanese with him.

45 Q You think in addition there was a third man?

A You see the loan was from two men, one conveyance fro Oye and another conveyance from a Jap of the name of Shimizu - in fact I am certain of that because the promissory note in question is signed by the two of them.

46 Q Would you let me see the document you now have in your hand. The money then was advanced to two men, one of whom was Oye and the other was Shimizu?

A I cannot say he was Oye. I can say....

47 Q Or went under the name of Oye?

A I presumed at that time, he was Oye.

48 Q And this man who went under the name of Oye you h ve already told us didn't speak English?

A He spoke a little English but not enough that you could converse with him.

49 Q With whom did you have your conversations; with the Accused man or with Shimizu?

A With Ikeda. Shimizu spoke very little English.

50 Q id Ikeda appear to you to translate what you were saying?

A I couldn't understand. I mightt understand a little French and Latin but when it comes down to Japanese...

51 Q But as far as you could see, did the accused man seem to translate to Oye what you were saying?

A I know when I asked him to ask Oye anything he would speak to him in Japanese but what he was saying it was impossible for me to tell.

52 Q And you informed the accused man that the certificate of Title was deposited at the Land Registry Office did you?

A I informed him that I would have to get an order for the use ofthe Certificate of Title from this other third party because the third party had made the application to register the deed from George Hay to Oye.

53 Q You had already made a search the previous day so you knew it was deposited in the Land Registry Office?

A I didn't think the Certificate of Title was registered I knew the Conveyance from Hay to Oye was in the Land Registry Office.

54 Q Did I understand you to say in your examination in chief that you informed the Accused man that it would be necessary to obtain from a man named Kajiki an Order for the use of the Certificate of title.

55 Q The next morning he came back with this order signed?

A On the 9th July, I drew up the order and gave it to him.

56 Q Was Oye with him on the morning following when this order was returned to you?

A Yes, Oye was with him; I am not sure if the other Japense was with him or not.

57 Q And the cheque you gave to Oye?

A I gave the cheque to Oye, yes.

58 Q Did you see who executed this Deed?

A Oh, yes, I was present when the deed was executed.

59 Q Who?

A One is signed by Oye and the other is signed by Shimizu.

60 Q The deed was executed by a Japanese? Not the Japanese..

A He wasn't the signatory.

61 Q He merely witnessed the signature?

A Yes.

62 Q Now with regard to this last interview that you had apparently with the accused and one or two other Japanese; do you recollect very clearly the circumstances of that interview?

A I recollect the interview very clearly but I cannot tell you exactly what took place.

63 Q At that time you informed the accused man that something or another was a forgery?

A I did. I went after him very strong. I told him that he had put the game up to me; and I was going to put him in Jail. I went after him good and strong, as strong as I could.

64 Q And it was as the result of that ultimatum, that somebody other than the accused made some arrangement with you?

A The arrangement wasn't made with me; the arrangement was made with my client; and after it was made they came to my office for me to carry it into effect.

65 Q But the other party besides our party wasn't the accused man?

A No, it was his brother and a Doctor.

66 Q Now, Mr. Arnold, will you swear postively that upon this occasion when this arrengement was pending the accuse man saw you?

A Yes, h was in my office. I have four offices and the offices are in the shape of an E. 103 is on the left facing on Pender Street, 4 and 5 there and 6 is anoffice facing ~~on~~ out on the light well; and it was in room 106 that I took Ikeda, his brother and the Doctor and Ikeda the Accused. I remember that distinctly. I am under the impression that Epstein was present but I would not be certain .

67 Q And this time in January on how many occasions did you see the Accused. I mean just once or more?

A I think he was at the office two or three times but I would not say for certain.

68 Q But you are quite certain of this one occasion when the accused was present?

A Yes, I am certain he was in the office in January, 1913, and I went after him very strong.

69 Q You say he took it rather lightly?

A Yes, he laughed at the matter, he seemed to think it was a joke.

70 Q Do you remember what he said?

A I ould not tell you all that was said; I know that he told me, when I asked him why he told me that this fellow was Oye and he had known him two or three years then the real Oye had sworn a Declaration that he had been up at Nadgen Harbour, Queen Charlotte Islands from February, or March to October, 1912. Well he told me he ha known this Oye two or threeeuears and then he said he had only met him the night prior to their coming to my office on the first occasion.

71 Q Was that about all h said in connection with this fgrgery?

A Yes, at that time Imdidn't know anything about the letter being forged.

72 Q That was all you remember him saying about this forger

A Yes, that is all I remember.

73 Q Would you recognize this man who went under the name f Oye if you saw him again?

A I couldn't say I could. but my impression was he was a shorter Jap than Ikeda, the Accused and very dark.

74 Q Have you ever seen the man who says he is the real ~~Ikeda~~ Oye?

A No, I haven't.

75 Q You saw the accused man sign his name as witness to that Deed which has been put in as Exhibit "B".A.Yes.

J. S. EPSTEIN, called as a witness, being first sworn, testified as follows:

QUESTIONS BY MR. McKAY.

76 Q You live in the City of Vancouver?
A Yes.

77 Q What is your address here?
A Hotel Alcazar at the present time.

78 Q Now, you are one of the persons who loaned the money in this particular case on this lot in question, Lot 19?
A Yes.

79 Q Do youmknow Ikeda?
A I did know Ikeda from before, I had done some business with him before.

80 Q When did you see him in this particular case first; this loan on Lot 19; when did you see Ikeda with regard to this loan on Lot 19?
A That is the same time that Mr. Arnold stated, about a couple of days before.

81 Q A couple of days before?
A A few days before Mr. Arnold at the same time.

82 Q What is the date of the Deed.
A He was in the office several times.

83 Q That was some time in July?
A Yes, he was about six times in the office.

84 Q That was some time in 1912?
A Yes.

85 Q Did you see him after this transaction went through?
A Yes.

86 Q How did you come to see him?
A Well, he used to come into my office to pay me interest.

87 Q On this particular loan
A Yes.

88 Q That is this loan that was made to Oye and Shimizu?

A Yes.

89 Q Ikeda came to your office and paid you the interest?

A Yes.

90 Q How many times did he come?

A Several months, sometimes twice a month he came to see me anyway and sometimes he would now show up and I wou go after him.

91 Q What length of time?

A About a year ago.

92 Q That is about a year ago, I mean how long did he come into your office to pay you the interest?

A Pretty nearly a year. seven or eight months anyway.

93 Q Is that all you had to do with him then?

A That is all I had to do. He brought in this document t get money on it. and I know Ikeda and he brought in some o fellow countrymen, and I asked hi, "do you kno him well", said "Yes, I do know those fellows well, because if I didn't know them well I would not do any business with those fellows".

94 Q He was r ferring to who?

A Oye and Shimizu both so I went to worj. I would not have done any business unless I knew Mr. Ikeda because I knew him pretty well before and he said he knew those men and that everything would be alright. So I thok the documents and turned them over to Mr. Arnold and put the deal through.

QUESTIONS BY MR. RUBINOWITZ:

95 Q Did you know what Ikeda's business was at this time?

A At that time he told me he was working in a real estate office on Powell Street, some number.

96 Q And at the time he came to pay you interest, there were several loans which he had put through in your office

A That was the second loan, only two loans that is all.

97 Q How many times altogether did he come to pay interest

to you?

A Oh several months. He came a few months as I said befo seven or eight months or six months, I cannot exactly say, I have got a memorandum but I couldn't say; he kept up the interest pretty well and then he quit and I was after him and he told me that the man Oye hadn't sent it to him and he couldn't pay any more so he quit and I saw I couldn't do anything with those fellows so I quit them.

98 Q Could you tell me everything that passed upon this occasion when he introduced these men who went under the name of Oye and this man Shimizu?

A What do you mean, everything that occured.

99 Q Do you remember clearly the conversation which passed?

A No. They were talking in their own language.

100 Q Between you and them?

A I cou n't talk to them very much, those fellows, they didn't talk very much English but I was talking to Mr. Ik da, this fellow standing right here on the corner, he speaks pretty good, he was doing the business for them, he brought them into my office.

101 Q½ Did you ever pay him any commission, did you pay him commission onnthis occasion?

A Well, he asked me for commission and I think I gave him three dollars as Agent.

MR. McKAY. I want to put in another deed Your Honour that is signed by Ikeda as a witness. The handwriting is in evidence here.

MR. RUBINOWITZ. I object to that going in, that has very little to do if anything with the present charge.

COURT. It is for the purpose, I presume, of comparing handwriting

MR. RUBINOWITZ. You already have the handwriting on the original deed.

COURT. I will allow that in.

C. S. ARNOLD, recalled by Mr. McKay.

COURT. You are sworn, Mr. Arnold.

102 Q I produce to you a docyment dated 28th January, 1913, made between Taira Ikeda and Shigeshi Iwashita to Jacob Samon Epstein and Jacob Izen. This is the first loan you spoke about is it?

A No, this is the Conveyance that was given by he Accused's brother and the Doctor on the 28th January, 1913, the date I mentioned I went after Ikeda very strong about forging the deed.

103 Q And this is the deed given, and it is signed by Taira Ikeda and Shigeshi Iwashita, and this man's signature is there as a witness?

A Yes, he was in th office.

104 Q Did you see that signature?

A Yes, he was in the office on that date and he witnessed the signature.

105 Q You saw him witnessing that signature?

A Yes, I did.

DEED dated 28th January, 1913, produced as Exhibit "E"

106 Q Here is a receipt dated July 10th, 1912, this is also his signature?

A I didn't see him sign it, Mr. Epstein can swear to that.

J.S. EPSTEIN, Recalled by Mr. McKay.

COURT. You are still under oath, Mr. Epstein.

MR. McKAY. I also put in a Receipt of July 10th. You saw Ikeda sign that receipt did you?

A Yes, he signed that, he signed that, I saw him sign that because the girl in the office made the receipt and I made him sign it.

RECEIPT produced as Exhibit "F".

WILLIAM HUNT, called as a witness, being first sworn, testified as follows:-

EXAMINED by MR. McKAY.

107 Q You are a clerk in the Land Registry Office in the City of Vancouver?

A Yes.

108 Q You have been served with a subpoena asking you to produce certain documents?

A Yes.

109 Q Have you got the Deed there from Oye to Epstein and Izen?

A Yes.

MR. McKAY. This is the original. This is the one filed in the Land Registry Office.

(argument)

110 Q Then that is yours is it, Mr. Hunt?

A Yes.

MR. RUBINOWITZ. That is not put in Mr. McKay. Those go back to Mr. Hunt.

MR. McKAY. Yes, but the other original is put in.

111 Q You also produce an order to the Registrar of Titles dated July 9th signed by Y. Kajiki - Exhibit "D"?

A Yes.

COURT. I am afraid Mr. McKay, we will have to keep that here. You see in a charge of forgery it is not a case where the wording makes any difference because otherwise we would allow a copy to go in. I think it has got to remain and be sent up to the other Court. I think I will have to keep that.

MR. McKAY. Then we had better put that original in too.

COURT. Yes. (DEED from Oye to Epstein and Izen put in As Ex."G")

MR. McKAY. Mr. Hunt also produces this Deed, Shimizu to Epstein and Izen?

A Yes.

(DEED from Shimizu to Epstein and Izen produced as Ex."H")

MR. McKAY. There is also a misapprehension, a mistake here. I also ask Mr. Hunt to produce an application which is signed, we say, by the real Kajiki and Mr. Hunt has not produced it here this morning. If Your Worship thinkks there is enough evidence, I can produce that at the trial. I can inform my learned friend that that will be produced at the trial.

112 Q Are those all the documents you have?

A Yes, there is one Conveyance.

113 Q There is nothing else there, Mr. Hunt?

A No.

114 Q Can you get hold of that application?

A It is in a book Your Worship.

COURT. If you could manage to do without that until the trial.

MR. RUBINOWITZ. It it has to be used at the trial bu an hand-writing expert, I think I would like to see it at the trial here.

COURT. Except you can see Mr. Rubinowitz we don't want to put the Land Registry Office to any more inconvenience that necessary.

MR. RUBINOWITZ. Well, perhaps my friend can tell me before the trial what is the nature of the evidence that the hand-writing Expert is going to give in connection with that document and I will be quite satisfied to dispense with that document now.

MR. McKAY. This application, Your Worship, is an application to register, and it is written by the accysed, Ikeda, a whole lot of writing there and signed by Kajiki.

COURT. That is, you are alleging it is a genuine signature by the real Kajiki, and the body of it is written by the accused. Of course, that is exceedingly important.

MR. RUBINOWITZ. Perhaps my friend will consent to this request I make, that I be given a photographic copy.

MR. McKAY. Well I will have Mr. Sprott make a photograph.

Y. KAJIKI,

called as a witness, being first sworn, testified as follows:
(Through Interpreter)

112 Q Your name is what?

A Y. Kajiki.

113 Q What does "y" stand for?

A The first letter of my name is Yagoro.

114 Q Now you see this document here, Exhibit "D", is that your signature?

A No, sir.

115 Q Now do you know anything about Lot 19 in Block one, this Lot 19 and block one?

A I cannot remember exactly, but it seems to me this property is not mine unless I examine my documents I cannot tell whether that belongs to me or not.

116 Q Did you ever give that order?

A I never remember. It is not in my knowledge

117 Q Did you ever give any person permission to sign your name to that?

A No, sir, no person.

118 Q Do you know Ikeda?

A Yes, I know Ikeda.

119 Q Did you ever give Ikeda permission to sign your name to that?

A No, sir.

120 Q Would you write your name there, your signature there, two or three times?

A This is my signature, I carry chequesl

121 Q Would you let us have those cheques?

A Yes.

122 Q That is your signature written by you?

A Yes.

MR. McKAY. I am going to put that in as Exhibit "I". That is a bundle of cheques written by the real Kajiki.

123 Q Can tou rell me did you write the whole of the cheque there?

A Yes, some of them I did not write. That is not mine. The signature I write myself.

124 Q That is not yours?

A No.

125 Q 516 is not written by yourself, that is the body of it?

A No.

126 Q Is that written by you?

A Yes.

MR. McKAY. Number 513 is written by the informant.

COURT. That is a bundle of thirty cheques signed by the witness Y. Kajiki will be put in as Exhibit "I".

(THIRTY cheques produced as Exhibit "I".

127 Q Did I ask you if you had ever seen that order before, that particular order?

A No, I never saw it before.

128 Q Do you remember why that certificate of property should be in your name, the certificate of title to that property

A I don't know, sir.

129 Q Do you know a man named Sadakichi Oye?

A Yes.

130 Q Did you ever see that Deed before - that is Exhibit "A" did you ever see that Deed before?

A Yes.

131 Q Did you register that Deed in the Land Registry Office?

A I think I did register this Deed in the land registry office.

132 Q Who made out the application to register?

A I didn't make the application for myself, but I went down to the office as the agent for Oye.

133 Q Who was the agent of Oye?

A I cannot remember exactly, but it is a fact I went down

and registered Mr. Oye's deed, but I cannot remember....

134 Q But you do not remember who went with you?

A I cannot remember.

135 Q How long have you known Ikeda?

A I think four or five years.

136 Q Where did you know him, whereabouts did you know him, here in Vancouver?

A Yes, at Vancouver when I was going a restaurant business in Vancouver first I saw him.

137 Q Did he work for you?

A No.

138 Q He never worked for you?

A No, sir.

MR. RUBINOWITZ. No questions.

(Argument)

(CASE ADJOURNED to 24th and further adjourned to 30th instant).

COURT. (Gives usual warning to accused)

MR. RUBINOWITZ. I reserve my defence.

COURT. I commit the accused for trial at the next Court of Competent Criminal Jurisdiction.

CERTIFIED by me as being a true and correct copy of the proceedings taken at the hearing of the said case.

(sgd) H. C. Shaw.

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

AFFIDAVIT OF STENOGRAPHER.

Signed by

L. H. Heaney.

Rex vs Ikeda

List of Exhibits &c

7. – Receipt.
D – Letter – July 9th/12
H – Deed – do do
Application to L.R.O. – 13th Dec/11
do do 13th Dec/11
do do 13th Dec/11
a/c – Geo. T. Waddle 25th Jany/14
3 applications to L.R.O. – 4th Dec/11
2 Briefs – Rex vs Ikeda –

Received the above,
25th Jany, 1914 –

also Exhibits F, G, and B.

ury List – Rexus Vergil

Jaura Ikeda.

~~Age~~ letter – pardoned.

Epstein

Arnold

Presumed

Jan 1913

Arnold – partisan – {to rob out Wright
enthusiasts Wright

Mrs Epstein – brought specially.

Offered a position in Ala – Ikeda –

Accused at preliminary –

Public – Counsel's advice

"LAND REGISTRY ACT."

:o:

70872

FORM A.

LAND REGISTRY OFFICE RECEIVED DEC 1 1911 VANCOUVER, B.C.

Date December 13th 1911

I, J. Kajiki, of Vancouver, B. C.,

declare that I am ~~Solicitor for or~~ the duly authorised Agent of Sadakichi Oye

of Vancouver, and that he is the owner in Fee of the Real Estate

hereunder described, and he claims to be registered accordingly.

DESCRIPTION OF REAL ESTATE.

Town or District.	Lot or Section.	Admeasurement or Acreage.
South Vancouver	Lot 19 Block 1 N. 1/2 of 5 District 391 and 392	2.50 .70 3.20

LIST OF INSTRUMENTS.

Date.	Parties.	Character of Deed.
November 25th	H. G. Ballson to G. May to Sadakichi Oye	Deed
	Lot 1 No 5244 E	

And I declare that to the best of he knowledge the value of the said Real Estate is

Three hundred & fifty Dollars, and that the title deeds mentioned

hereon are all those in my custody, possession, or power relating to same.

Signature J. Kajiki

N.B.—This application must be signed by the declarant.

240 Alexander St Vancouver B.C.

30,000/7/1911

70873 "LAND REGISTRY ACT."

FORM A.

Date December 4th 1911

I, Y. Kajiki, of Vancouver, B. C.,

declare that I am Solicitor for ~~or for or~~ the duly authorised Agent of Shotaro Hori

of Vancouver, and that He is the owner in Fee of the Real Estate

hereinafter described, and he claims to be registered accordingly.

DESCRIPTION OF REAL ESTATE.

Town or District.	Lot or Section.	Admeasurement or Acreage.
South Vancouver	Lot 3 Block 4. S. 1/2 of S.W. 1/4 District 339	2.50 .70 3.20

LIST OF INSTRUMENTS.

Date.	Parties.	Character of Deed.
September 7th	Edward J. Allan to Shotaro Hori	C. of T. No. 14012 & Made in office B 1329 24 285

And I declare that to the best of he knowledge the value of the said Real Estate is

Three hundred fifty Dollars, and that the title deeds mentioned

hereon are all those in my custody, possession, or power relating to same.

Signature Y. Kajiki

240 Alexander St.

Vancouver B. C.

N.B.—This application must be signed by the declarant.

30,000/7/1911

LAND REGISTRY OFFICE RECEIVED DEC 13 1911 VANCOUVER B.C.