



Canada,
Province of British Columbia,
County of Yale,

To wit:

The Jurors for Our Lady
the Queen present that

Chen Sung, on the fourteenth day of March in the year of Our Lord one thousand eight hundred and ninety-four, at night about the hour of twelve unlawfully and burglariously did break and enter the dwelling house of Yuen Lee, situate on the North side of Victoria Street in the City of Kamloops, with intent unlawfully and burglariously to steal the goods and chattels of the said Yuen Lee then and there being found in the said dwelling house and he the said Chen Sung having so broken and entered and then being in the said dwelling house did unlawfully and burglariously steal two thousand dollars or thereabouts of the monies, and four gold bracelets, thirty gold finger rings, two cans one hundred ounces of opium and one tin box of the goods and chattels of the said Yuen Lee in the said dwelling house then being found:

And the said Jurors do further present that the said Chen Sung, on the said fourteenth day of March in the year of Our Lord one thousand eight hundred and ninety-four, two thousand dollars or thereabouts of the monies, and four gold bracelets, thirty gold finger rings, two cans one hundred ounces of opium and one tin box of the goods and chattels of the said Yuen Lee, theretofore unlawfully and burglariously stolen, unlawfully and burglariously did receive and have, he the said Chen Sung then well knowing the same to have been unlawfully and burglariously stolen.



Witnesses:

- | | | | |
|----------------|---------------------|------------|--------|
| 1. | R. H. Lee | - - - - - | page 2 |
| <u>2.</u> | Yuen Lee | - - - - - | " 3 |
| <u>3.</u> | Foon Hee | - - - - - | " 5 |
| <u>4.</u> | Yuen Lee (recalled) | - - - - - | " 6 |
| 5. | Richard Blair | - - - - - | " 6 |
| 6. | Hugh McLean | - - - - - | " 8 |
| 7. | John Mitchell | - - - - - | " 8 |
| 8. | Ah Tom | - - - - - | " 9 |
| <u>9.</u> | Louis Sherrin | - - - - - | " 9 |
| <u>10.</u> | Nelson Riopelle | - - - - - | " 10 |
| <u>11.</u> | R. R. Shuttleworth | - - - - - | " 10 |
| 12. | Alexander McMorine | - - - - - | " 11 |
| 13. | M. J. McIver | - - - - - | " 11 |
| | Statement Accused | - - - - - | " 13. |
| | <u>14.</u> | Ah Hock. | |
| | 15. | L. Norris. | |

Exhibits

- X 1- Boards - cut from floor.
- X 2- Trunk -- bn. which goods stolen.
- X 3- Lock of trunk.
- X 4- Plan of house.
- X 5- Trunk of prisoner.
- X 6- Piece of paper - gambling a/c.
- X 7- Bag - stolen. p.b.
- X 8- Ticket to Sicamous.
- X 9- " " Vernon.
- X 10- Handkerchief.
- X 11- Bits etc. in no. 5.
- X 12- Keys of prisoners.



(Copy)

INFORMATION AND COMPLAINT FOR AN INDICTABLE OFFENCE.

Canada,
Province of British Columbia,
County of Yale.

The Information and Complaint of Yuen Lee, of the City of Kamloops, taken this sixteenth day of March in the year of Our Lord 1894, before the undersigned, one of Her Majesty's Justices of the Peace in and for the said County of Yale, who saith that Chen Sung, of the City of Kamloops, in the District or County aforesaid, at the city of Kamloops, between eleven o'clock p.m. on the 14th instant and eight o'clock a.m. on the 15th instant, unlawfully and burglariously did break and enter the building occupied by the said Yuen Lee as a store and dwelling, situated on the north side of Victoria street, and did unlawfully and burglariously steal about two thousand dollars in gold, silver and bank notes, four gold bracelets, about thirty gold finger rings, two cans of opium containing fifty ounces of opium each, and one small tin box, the goods and chattels of the said Yuen Lee.

(Sd) Yuen Lee.

Taken before me the day and year first above mentioned at the City of Kamloops, in the District or County aforesaid.

(Sd) R. H. Lee, J. P.



DEPOSITIONS OF A WITNESS.

Canada,
Province of British Columbia,
County of Yale.

The deposition of R. H. Lee of Kamloops, taken before the undersigned, a Justice of the Peace for the said County of Yale, this second day of April, in the year 1894, at Kamloops, in the presence and hearing of Chen Sung, etc., etc. (see original Information).

The said Deponent, R. H. LEE, saith on his oath as follows:-

My name is R. H. Lee. I am Mayor of Kamloops, and also Land Surveyor and Civil Engineer; I received information in connection with this case about 11 a.m. on the 15th March; Chief Kelly reported a robbery in town; I went to the City Clerk; we went to Yuen Lee's house; I saw that a hole had been cut in the floor; we examined the place; we brought the boards which we found under the building to the Clerk's office (Boards produced marked exhibit No. 1); those are the boards we found there; we found a trunk on the river bank, about 200 feet up the stream (Trunk produced and marked exhibit No. 2); that is the trunk we found; it was broken; we also picked up the lock (lock produced and marked exhibit No. 3) which was also broken; Mr. McIvor and I carried the trunk to his office, with the contents, consisting of some cigar boxes and pieces of clothing, no money or jewelry; I prepared the plan now produced (exhibit No. 4) of the building occupied by Yuen Lee, showing position of bedroom, hole cut in floor, position of ground, etc.; the hole is about 21 by 25 inches in



size; distance from ground to floor was measured; it was about 3 1/2 feet; the rear of building is towards the river; there is a door by which entrance can be made under the building

(Sd) R. H. Lee.

The Deponent, YUEN LEE, on his oath saith as follows:-

My name is Yuen Lee; I live in Kamloops; I am a merchant, keep a chinese provision store; I am the informant in this case; on the 9th day of the second month by the Chinese Calendar, on a Wednesday night, I lost about \$800 in bank notes, including two \$50 bills, some \$20, \$10 and \$5 bills, also \$160 in gold coin, including five \$20 pieces, ^{three 8/10 pieces.} and six \$5 pieces, also \$35 in ten cent pieces, done up in \$5 rolls in paper, also \$30 in five cent pieces, some nickels and some silver, in rolls of \$2.50, \$2.25 and \$2.00, also twenty-eight finger rings, mostly gold rings, made by Chinese, one with a stone set in it, also two gold nuggets, one of which had a hole in it, also a parcel of women's ornaments which had been left with me, containing a pair of bracelets of peculiar make, an octagonal shape, also a pair of bracelets of a different pattern, made of gold and another composition, also eight finger rings, some large and some small, made of gold; seven gold hair pins; one gold pin for the ear; one pair of gold earrings; one pair of earrings, made of gold and precious stones;) the parcel containing the last mentioned articles was tied up in a colored handkerchief; the articles which I lost were in a trunk when I last saw them; there was also some clothing in the trunk; that is the trunk now produced (exhibit No. 2; when I last saw the trunk, about 11 o'clock that night, it was in ^{its} ~~the~~ usual place under my bed; I mean the ordinary Chinese bed;



the bed was boarded up from the floor, forming a sort of locker underneath; it had a door in front, which was kept locked; I saw the trunk about 11 o'clock on that Wednesday night; I locked it; that is the lock now produced (exhibit No. 3); I also lost a tin box; it was a square tin box, having a lock, with a handle in centre of lid; I used it as a cash box; it contained \$150 in silver, \$170 in bank notes; I last saw it about 11 o'clock on that Wednesday night; I carried it from the counter in the store to the trunk and placed it on top of the trunk, on the outside; I also on the same night lost 100 taels of opium, which was kept in tin cans placed on top of the trunk; there were two cans; I first missed the lost property about nine o'clock on the next (Thursday) morning; I felt cold in my room during that night, thought there was a draft somewhere; my friend thought it came from under the bed; I opened the place and found a hole cut in the floor, and all the property above mentioned had been stolen, also three small cans of opium, which were kept on the floor in the locker, were gone; I know the prisoner; he lived in my store six months and one day; he had no occupation at that time; he was a loafer and a gambler; he occupied my bed quite often while smoking opium, but not frequently the last two or three weeks he was there; the prisoner often saw me put money in the trunk before mentioned; it was not known to many that I had money in the trunk, except that kept in the tin box; the prisoner has seen me put some of the jewelry that I have mentioned in the box; I last saw the prisoner on the morning of the 6th day of the second month, by the Chinese Calendar, between two and three o'clock; he said he was going away on the

Who?
?



train that morning but did not say where he was going; I made out his account and found that he owed me \$25.45; he asked me to lend him \$2.50; I lent him that amount; I saw the second trunk now produced (exhibit 5) before now; it was kept in the prisoner's bed room, in my house, upstairs; it is the prisoner's trunk; I have also seen the pieces of paper now produced (exhibit No. 6) before now; I recognize them as belonging to the prisoner; I recognize the handwriting on the paper; it is a record of a gambling account kept by the prisoner; the pieces of paper were found by Ah Hee; I brought them to Mr. McIvor, also brought the nails now produced which were wrapped up in these pieces of paper.

(Sd) Yuene Lee.

John Endicott Gardner,

Interpreter.

The deponent FOON HEE, on his oath saith as follows:-

My name is Foon Hee; I know Yuen Lee's place; I was at his place on the morning the robbery was reported; it was Thursday morning; I know exhibit No. 6; I went under Yuen Lee's house to investigate; I found these pieces of paper and nails (exhibit No. 6) under the house, near to the hole cut in the floor, on a beam; I handed them to Yuen Lee; the beam on which I found them was a part of the house.

(Signature in Chinese)

(Sd) John Endicott Gardner,

Interpreter.

A.G.S.



The Deponent, YUEN LEE, recalled, on his oath says as follows:-

The bag in which the women's ornaments which I lost were kept was a black bag made of Chinese cloth, and was tied with a cord to draw the top together; the bag produced (exhibit No. 7) is the bag which I lost; I recognize the bag as being the one which contained the articles mentioned.

(C. P. R. ticket, Book 1472, Ticket 19, Form 177, from Kamloops to Sicamous, March 15th, 1894, was here produced and marked exhibit No. 8).

(Also C. P. R. Ticket, Book 67, Ticket 32, Form 224, Sicamous to Vernon, March 16th, 1894, was here produced and marked exhibit No. 9).

The following articles were also produced and put in evidence, tied up in a colored handkerchief, and marked exhibit No. 10.

(Sd) Yuen Lee.

John Endicott Gardner,

Interpreter.

The Deponent, RICHARD BLAIR, on his oath saith as follows:-

My name is Richard Blair; I am a policeman in the employ of the City of Kamloops; on March 15th Chief Kelly told me a robbery had been committed at Yuen Lee's store; a search warrant was directed to me; I went with Messrs. J. Mitchell, M.J. McIver and R. H. Lee, Mayor, to Yuen Lee's store; we went to Yuen Lee's room and saw that a hole had been cut in the floor under his bunk (the plan produced exhibit 4 is recognized as a plan of the building occupied by Yuen Lee); the hole in



the floor was nearly square; I saw that holes had been bored in the floor^{boards} from below; I noticed along one of the boards remaining in the floor contained a few auger holes and that the tongue had been cut with a sharp instrument; I examined the floor from underneath; I went to Yuen Lees store about midnight Thursday night, the 15th; I went under the house; it was at this time I made the examination above stated; I had a lighted candle; I found some pieces of tallow or wax candles; they looked as if a candle had been whittled at the end; the openings between the boards of the outside wall had been filled with rags, and on a partition across the building under the floor a sheet of paper was tacked; there was a nail driven in the outside of each of the joists nearest the hole, and pieces of cotton tied on them; a piece of wood was screwed up to these joists, like a shelf, with common wood screws; I went into Yuen Lee's store after his examination; by this time the prisoner was suspected; I searched the premises at the request of Yuen Lee (and found the trunk now produced, exhibit No. 5); I tried to ~~open~~ open it; I got a key from a Chinaman and unlocked the trunk; I found three auger bits, two files, a saw made from a knife, some rough auger bit handles and a whetstone, in the trunk; these articles (now produced) (exhibit No. 11) are the ones I found in the trunk; I locked the trunk and took these articles to Mr. McIver at his office; they remained in my possession from the time that I found them until I handed them to Mr. McIver; I and two Chinamen carried this trunk to Mr. McIver's office; I gave it in charge of Mr. McIver; before I took the trunk away from Yuen Lee's I examined it to see that it was the same one; the contents had



apparently not been disturbed; the first time I remember seeing the prisoner was on the night he was brought by Constable Thompson from Vernon; I went to the train to meet them and with Thompson brought him to the Kamloops gaol; he was searched in my presence in the gaol; I recognize exhibits 7, 8, 9 & 10; I saw Thompson hand them to the gaoler, Hugh McLean; the keys now produced (exhibit No. 12) were among the articles handed to the gaoler by Constable Thompson; (witness here unlocks the trunk, exhibit No. 5, with one of the keys); I found the articles in exhibit 11 in the top till of the trunk.

(Sd) Richard Blair.

The Deponent, HUGH McLEAN, on his oath saith as follows:-

My name is Hugh McLean; I am assistant Gaoler in the Kamloops Gaol; I was on duty on the night the prisoner was brought in by officer Blair and a Constable from Vernon; I recognize exhibits 7, 8, 9, 10 and 12; they were handed to me by the Vernon Constable as being the prisoner's property.

(Sd) Hugh McLean.

The Deponent, JOHN MITCHELL, on his oath saith as follows:-

My name is John R. Mitchell; I am agent for E. G. Prior & Co. (Ltd) hardware merchants, at Kamloops; I recognize the prisoner; I first saw him to my knowledge about February 28th last in E. G. Prior & Co.'s store; he bought an auger bit of Sargent & Co.'s make; (one of the bits part of exhibit 11 identified as a 5/16 bit of S. & Co.'s ~~make~~ manufacture, same as sold by witness to the prisoner about Feb. 28th); I saw the prisoner again in the same store about three days later; he



bought a 3/8 in. bit of the same make; (3/8 in. bit, part of exhibit 11, recognized as one of Sargent & Co.'s manufacture, same as that sold to prisoner); I positively identify the prisoner as being the man who bought the bits mentioned.

(Sd) John R. Mitchell.

The Deponent, AH TOM, saith on his oath as follows:-

My name is Ah Tom; I live in Kamloops; I know the prisoner well; I last saw the prisoner on the 10th of March about midnight; he was then in my house; he said he was going to take the train and leave town; he said he would like to have a bite before leaving; I cooked a meal, with his assistance; he brought a bottle of Chinese medicinal wine; we drank some of it; we had some Chinese ^{sausages;} ~~sausages;~~ some sausages were left, and the prisoner said he would take some with him on the train; after one o'clock a.m. he went away, taking the wine bottle and the sausages with him; I never saw him after that until I saw him in Court.

(Sd) Ah Tom.

John Endicott Gardner,

Interpreter.

The Deponent, LOUIS SHERRIN, on his oath saith as follows:-

My name is Louis Sherrin; I keep the Vendome Restaurant in Kamloops, in the West End, below the Chinese quarter; I recognize the prisoner; I cannot swear that I ever saw the prisoner in my restaurant.

(Sd) Louis Sherrin.



The Deponent, NELSON RIOPELLE, on his oath saith as follows:-

My name is Nelson Riopelle; I am an hotel keeper; I keep the Vendome Hotel at the West End of Kamloops; I was in the hotel on the night of March 14th; between 11 and 11:30 o'clock a Chinaman came into the restaurant; the prisoner looks very much like the man I saw in the Restaurant, but I cannot swear positively that he is the man.

(Sd) Nelson Riopelle.

The Deponent, R. R. SHUTTLEWORTH, on his oath saith as follows:-

My name is R. R. Shuttleworth; I am a laborer; I know the prisoner; I have known him about a year; I think I first saw him in Vernon, next, I think, in Revelstoke; I have conversed with him several times; I was in Kamloops on the night of the 14th March; I was at the Vendome restaurant between 11 and 12 o'clock at night; I saw the prisoner there then; he had just had a meal when I went in; I spoke a few words to him then; I thought he acted in an excited manner; he told me he was going away that night, that he was going east; I am positive the prisoner is the same man I spoke to at the Vendome Hotel on the night of March 14th.

R. R. Shuttleworth.

The Deponent, ALEXANDER McMORINE, on his oath saith as follows:-

My name is Alexander McMorine; I am at present a freight conductor on the C. P. R.; I was a passenger conductor on the run between Kamloops and Donald on the 15th of March last; I issued C. P. R. coupon now produced (exhibit 8) on the 15th of March, to a Chinaman; I recognize the coupon by the punch



marks; a Chinaman to whom the coupon was issued was on the train that morning; he paid his fare from Kamloops to Sicamous; he paid \$2.35 in 5 cent pieces and an American dollar and two half dollars; the fare from Kamloops to Sicamous is \$4.35 if the ticket is bought on train; the five cent pieces which the Chinaman paid me were done up in rolls in paper; he had more than one roll; he broke the rolls before paying me the money.

(Sd) A. McMorine.

The Deponent, M. J. McIVER, on his oath saith as follows:-

My name is M. J. McIver; I am City Clerk; I remember the 15th March last; I received some information on that day, and in consequence I went to Yuen Lee's store in company with Mayor Lee and went into Yuen Lee's bedroom and found a hole had been cut in floor; Mayor Lee and myself then went down to river bank and saw exhibit 2 lying some distance from the water's edge; I also saw brass lock exhibit 3 which appeared to be broken from the trunk; I opened the trunk, saw some cigar boxes empty; there was no money or jewelry that I saw in the trunk; I then went back to Yuen Lee's store in company with the mayor and went in under the building through a side door; I saw the same hole cut in the floor as I saw in the bedroom; I examined the ground and saw a couple of quart bottles which seemed to have been used as candlesticks; one bottle was nearly filled with water; I also saw a smaller bottle with sealing wax round the top; it was a pint bottle; there was also a package of wire nails; I left them there, (exhibit No. 6); I examined the paper for pencil marks but did not see them; I got a lighted candle and examined the hole in the



floor; the holes were bored across seven of the floor boards and along the edge of one; also the tongue from one of the boards was cut away with a sharp instrument; I brought them to my office, exhibit No. 1, also exhibit 2; both exhibits No. 1 and 2 have been under my control since; I got lock, exhibit No. 3, was brought to my office with the trunk and has remained in my control since; Officer Blair and one or two Chinamen brought exhibit 5, a large trunk, to my office and it has remained under my control since; exhibit No. 6 was handed to me by Yuen Lee and Ah Tom in my office and has remained with me since; articles composing exhibit 11, bits, files, book, etc. was handed to me by Officer Blair and have remained under my control since.

(Sd) M. J. McIver.

J. A. McIntosh, J. P., P. M.


The depositions of R. H. Lee, Yuen Lee, Foon Hee, Richard Blair, Hugh McLean, John R. Mitchell, Ah Tom, Louis Sherrin, Nelson Riopelle, R. R. Shuttleworth, Alexander McMorine and M. J. McIver, written on the several sheets of paper to the last of which my signature is annexed, were taken in the presence and hearing of Chen Sung, and signed by the said R. H. Lee, Yuen Lee, Foon Hee, Richard Blair, Hugh McLean, John R. Mitchell, Ah Tom, Louis Sherrin, Nelson Riopelle, R. R. Shuttleworth, Alexander McMorine and M. J. McIver respectively in his presence.

In witness whereof I have in the presence of the said Chen Sung signed my name.

(Sd) J. A. McIntosh,

Police Magistrate for the City of Kamloops and

Justice of the Peace for the County of Yale.



STATEMENT OF THE ACCUSED.

Canada,
Province of British Columbia,
County of Yale.

Chen Sung stands charged before the undersigned, Police Magistrate and a Justice of the Peace in and for the County aforesaid, this second day of April in the year one thousand eight hundred and ninety-four, for that, etc., etc. (see original Information).

Whereupon the said Chen Sung says as follows:-

"I have nothing to say at present."

Taken before me at Kamloops the day and year first above mentioned.

(Sd) J. A. McIntosh, J. P.

For Recognizance to Give Evidence see original depositions.

Copy depositions.

and Indict

P. &

00
Chen Sung.

94
Brief
for Crown

2nd Oct 1911

Wilson for defence:

Smith for Crown:

10 am. to 5 pm.

Jury return 5²⁰

"guilty" both counts.

Sentence 5 years.





Canada,
Province of British Columbia,
County of Yale,

To wit:

The Jurors for Our Lady
the Queen present that

Chen Sung, on the fourteenth day of March in the year of Our Lord one thousand eight hundred and ninety-four, at night about the hour of twelve unlawfully and burglariously did break and enter the dwelling house of Yuen Lee, situate on the North side of Victoria Street in the City of Kamloops, with intent unlawfully and burglariously to steal the goods and chattels of the said Yuen Lee then and there being found in the said dwelling house and he the said Chen Sung having so broken and entered and then being in the said dwelling house did unlawfully and burglariously steal two thousand dollars or thereabouts of the monies, and four gold bracelets, thirty gold finger rings, two cans one hundred ounces of opium and one tin box of the goods and chattels of the said Yuen Lee in the said dwelling house then being found:

And the said Jurors do further present that the said Chen Sung, on the said fourteenth day of March in the year of Our Lord one thousand eight hundred and ninety-four, two thousand dollars or thereabouts of the monies, and four gold bracelets, thirty gold finger rings, two cans one hundred ounces of opium and one tin box of the goods and chattels of the said Yuen Lee, theretofore unlawfully and burglariously stolen, unlawfully and burglariously did receive and have, he the said Chen Sung then well knowing the same to have been unlawfully and burglariously stolen



Witnesses:

| | | |
|-----|-------------------------------|--------|
| 1. | R. H. Lee - - - - - | page 2 |
| 2. | Yuen Lee - - - - - | " 3 |
| 3. | Poon Hee - - - - - | " 5 |
| 4. | Yuen Lee (recalled) - - - - - | " 6 |
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| | Statement Accused - - - - - | " 13. |



(Copy)

INFORMATION AND COMPLAINT FOR AN INDICTABLE OFFENCE.

Canada,
Province of British Columbia,
County of Yale.

The Information and Complaint of Yuen Lee, of the City of Kamloops, taken this sixteenth day of March in the year of Our Lord 1894, before the undersigned, one of Her Majesty's Justices of the Peace in and for the said County of Yale, who saith that Chen Sung, of the City of Kamloops, in the District or County aforesaid, at the city of Kamloops, between eleven o'clock p.m. on the 14th instant and eight o'clock a.m. on the 15th instant, unlawfully and burglariously did break and enter the building occupied by the said Yuen Lee as a store and dwelling, situated on the north side of Victoria street, and did unlawfully and burglariously steal about two thousand dollars in gold, silver and bank notes, four gold bracelets, about thirty gold finger rings, two cans of opium containing fifty ounces of opium each, and one small tin box, the goods and chattels of the said Yuen Lee.

(Sd) Yuen Lee.

Taken before me the day and year first above mentioned at the City of Kamloops, in the District or County aforesaid.

(Sd) R. H. Lee, J. P.

DEPOSITIONS OF A WITNESS.

Canada,
Province of British Columbia,
County of Yale.

The deposition of R. H. Lee of Kamloops, taken before the undersigned, a Justice of the Peace for the said County of Yale, this second day of April, in the year 1894, at Kamloops, in the presence and hearing of Chen Sang, etc., etc. (see original information).

The said Deponent, R. H. LEE, saith on his oath as follows:-

My name is R. H. Lee. I am Mayor of Kamloops, and also Land Surveyor and Civil Engineer; I received information in connection with this case about 11 a.m. on the 15th March; Chief Kelly reported a robbery in town; I went to the City Clerk; we went to Yuen Lee's house; I saw that a hole had been cut in the floor; we examined the place; we brought the boards which we found under the building to the Clerk's office (Boards produced marked exhibit No. 1); those are the boards we found there; we found a trunk on the river bank, about 200 feet up the stream (Trunk produced and marked exhibit No. 2); that is the trunk we found; it was broken; we also picked up the lock (lock produced and marked exhibit No. 3) which was also broken; Mr. McIvor and I carried the trunk to his office, with the contents, consisting of some cigar boxes and pieces of clothing, no money or jewelry; I prepared the plan now produced (exhibit No. 4) of the building occupied by Yuen Lee, showing position of bedroom, hole cut in floor, position of ground, etc.; the hole is about 21 by 25 inches in



size; distance from ground to floor was measured; it was about 3 1/2 feet; the rear of building is towards the river; there is a door by which entrance can be made under the building

(Sd) R. H. Lee.

The Deponent, YUEN LEE, on his oath saith as follows:-

My name is Yuen Lee; I live in Kamloops; I am a merchant, keep a chinese provision store; I am the informant in this case; on the 9th day of the second month by the Chinese Calendar, on a Wednesday night, I lost about \$800 in bank notes, including two \$50 bills, some \$20, \$10 and \$5 bills, also \$160 in gold coin, including five ^{three \$10 pieces} \$20 pieces and six \$5 pieces, also \$35 in ten cent pieces, done up in \$5 rolls in paper, also \$20 in five cent pieces, some nickels and some silver, in rolls of \$2.50, \$2.25 and \$2.00, also twenty-eight finger rings, mostly gold rings, made by Chinese, one with a stone set in it, also two gold nuggets, one of which had a hole in it, also a parcel of women's ornaments which had been left with me, containing a pair of bracelets of peculiar make, an octagonal shape, also a pair of bracelets of a different pattern, made of gold and another composition, also eight finger rings, some large and some small, made of gold; seven gold hair pins; one gold pin for the ear; one pair of gold earrings; one pair of earrings, made of gold and precious stones; the parcel containing the last mentioned articles was tied up in a colored handkerchief; the articles which I lost were in a trunk when I last saw them; there was also some clothing in the trunk; that is the trunk now produced (exhibit No. 2; when I last saw the trunk, about 11 o'clock that night, it was in ^{its} the usual place under my bed; I mean the ordinary Chinese bed;



the bed was boarded up from the floor, forming a sort of locker underneath; it had a door in front, which was kept locked; I saw the trunk about 11 o'clock on that Wednesday night; I locked it; that is the lock now produced (exhibit No. 3); I also lost a tin box; it was a square tin box, having a lock, with a handle in centre of lid; I used it as a cash box; it contained \$150 in silver, \$170 in bank notes; I last saw it about 11 o'clock on that Wednesday night; I carried it from the counter in the store to the trunk and placed it on top of the trunk, on the outside; I also on the same night lost 100 taels of opium, which was kept in tin cans placed on top of the trunk; there were two cans; I first missed the lost property about nine o'clock on the next (Thursday) morning; I felt cold in my room during that night, thought there was a draft somewhere; my friend thought it came from under the bed; I opened the place and found a hole cut in the floor, and all the property above mentioned had been stolen, also three small cans of opium, which were kept on the floor in the locker, were gone; I know the prisoner; he lived in my store six months and one day; he had no occupation at that time; he was a loafer and a gambler; he occupied my bed quite often while smoking opium, but not frequently the last two or three weeks he was there; the prisoner often saw me put money in the trunk before mentioned; it was not known to many that I had money in the trunk, except that kept in the tin box; the prisoner has seen me put some of the jewelry that I have mentioned in the box; I last saw the prisoner on the morning of the 6th day of the second month, by the Chinese Calendar, between two and three o'clock; he said he was going away on the



train that morning but did not say where he was going; I made out his account and found that he owed me \$25.45; he asked me to lend him \$2.50; I lent him that amount; I saw the second trunk now produced (exhibit 5) before now; it was kept in the prisoner's bed room, in my house, upstairs; it is the prisoner's trunk; I have also seen the pieces of paper now produced (exhibit No. 6) before now, I recognize them as belonging to the prisoner; I recognize the handwriting on the paper; it is a record of a gambling account kept by the prisoner; the pieces of paper were found by Ah Hee; I brought them to Mr. McIvor, also brought the nails now produced which were trapped up in these pieces of paper.

(Sd) Yuen Lee.

John Endicott Gardner,

Interpreter.

The deponent FOON HEE, on his oath saith as follows:-

My name is Foon Hee; I know Yuen Lee's place; I was at his place on the morning the robbery was reported; it was Thursday morning; I know exhibit No. 6; I went under Yuen Lee's house to investigate; I found these pieces of paper and nails (exhibit No. 6) under the house, near to the hole cut in the floor, on a beam; I handed them to Yuen Lee; the beam on which I found them was a part of the house.

(Signature in Chinese)

(Sd) John Endicott Gardner,

Interpreter.



The Deponent, YUEN LEE, recalled, on his oath says as follows:-

The bag in which the women's ornaments which I lost were kept was a black bag made of Chinese cloth, and was tied with a cord to draw the top together; the bag produced (exhibit No. 7) is the bag which I lost; I recognize the bag as being the one which contained the articles mentioned.

(C. P. R. ticket, Book 1472, Ticket 19, Form 177, from Kamloops to Sicamous, March 15th, 1894, was here produced and marked exhibit No. 8).

(Also C. P. R. Ticket, Book 67, Ticket 82, Form 224, Sicamous to Vernon, March 16th, 1894, was here produced and marked exhibit No. 9).

The following articles were also produced and put in evidence, tied up in a colored handkerchief, and marked exhibit No. 10.

(Sd) Yuen Lee.

John Endicott Gardner,

Interpreter.

The Deponent, RICHARD BLAIR, on his oath saith as follows:-

My name is Richard Blair; I am a policeman in the employ of the City of Kamloops; on March 15th Chief Kelly told me a robbery had been committed at Yuen Lee's store; a search warrant was directed to me; I went with Messrs. J. Mitchell, M.J. McIver and R. H. Lee, Mayor, to Yuen Lee's store; we went to Yuen Lee's room and saw that a hole had been cut in the floor under his bunk (the plan produced exhibit 4 is recognized as a plan of the building occupied by Yuen Lee); the hole in



the floor was nearly square; I saw that holes had been bored in the floor ^{boards} from below; I noticed along one of the boards remaining in the floor contained a few auger holes and that the tongue had been cut with a sharp instrument; I examined the floor from underneath; I went to Yuen Lees store about midnight Thursday night, the 15th, I went under the house; it was at this time I made the examination above stated; I had a lighted candle; I found some pieces of tallow or wax candles; they looked as if a candle had been whittled at the end; the openings between the boards of the outside wall had been filled with rags, and on a partition across the building under the floor a sheet of paper was tacked; there was a nail driven in the outside of each of the joists nearest the hole, and pieces of cotton tied on them; a piece of wood was screwed up to these joists, like a shelf, with common wood screws; I went into Yuen Lee's store after his examination; by this time the prisoner was suspected; I searched the premises at the request of Yuen Lee (and found the trunk now produced, exhibit No. 5); I tried to ~~open~~ open it; I got a key from a Chinaman and unlocked the trunk; I found three auger bits, two files, a saw made from a knife, some rough auger bit handles and a whetstone, in the trunk; these articles (now produced) (exhibit No. 11) are the ones I found in the trunk; I locked the trunk and took these articles to Mr. McIver at his office; they remained in my possession from the time that I found them until I handed them to Mr. McIver; I and two Chinamen carried this trunk to Mr. McIver's office; I gave it in charge of Mr. McIver; before I took the trunk away from Yuen Lee's I examined it to see that it was the same one; the contents had



apparently not been disturbed; the first time I remember seeing the prisoner was on the night he was brought by Constable Thompson from Vernon; I went to the train to meet them and with Thompson brought him to the Kamloops gaol; he was searched in my presence in the gaol; I recognize exhibits 7, 8, 9 & 10; I saw Thompson hand them to the gaoler, Hugh McLean, the keys now produced (exhibit No. 12) were among the articles handed to the gaoler by Constable Thompson; (witness here unlocks the trunk, exhibit No. 5, with one of the keys); I found the articles in exhibit 11 in the top till of the trunk.

(Sd) Richard Blair.

The Deponent, HUGH McLEAN, on his oath saith as follows:-

My name is Hugh McLean; I am assistant Gaoler in the Kamloops Gaol; I was on duty on the night the prisoner was brought in by officer Blair and a Constable from Vernon; I recognize exhibits 7, 8, 9, 10 and 12; they were handed to me by the Vernon Constable as being the prisoner's property.

(Sd) Hugh McLean.

The Deponent, JOHN MITCHELL, on his oath saith as follows:-

My name is John R. Mitchell; I am agent for E. G. Prior & Co. (Ltd) hardware merchants, at Kamloops; I recognize the prisoner; I first saw him to my knowledge about February 23th last in E. G. Prior & Co.' store; he bought an auger bit of Sargent & Co.'s make, (one of the bits part of exhibit 11 identified as a 5/16 bit of S. & Co.'s make manufacture, same as sold by witness to the prisoner about Feb. 23th); I saw the prisoner again in the same store about three days later; he



bought a 3/8 in. bit of the same make; (3/8 in. bit, part of exhibit 11, recognized as one of Sargent & Co.'s manufacture, same as that sold to prisoner); I positively identify the prisoner as being the man who bought the bits mentioned.

(Sd) John R. Mitchell.

The Deponent, Ah TOM, saith on his oath as follows:-

My name is Ah Tom; I live in Kamloops; I know the prisoner well; I last saw the prisoner on the 10th of March about midnight; he was then in my house; he said he was going to take the train and leave town, he said he would like to have a bite before leaving; I cooked a meal, with his assistance; he brought a bottle of Chinese medicinal wine; we drank some of it, we had some Chinese sauges; some sausages were left, and the prisoner said he would take some with him on the train; after one o'clock a.m. he went away, taking the wine bottle and the sausages with him; I never saw him after that until I saw him in Court.

(Sd) Ah Tom.

John Enalcott Garaner,

Interpreter.

The Deponent, LOUIS SHERRIN, on his oath saith as follows:-

My name is Louis Sherrin; I keep the Vendome Restaurant in Kamloops, in the West End, below the Chinese quarter; I recognize the prisoner; I cannot swear that I ever saw the prisoner in my restaurant.

(Sd) Louis Sherrin.



The Deponent, NELSON RIOPELLE, on his oath saith as follows:-

My name is Nelson Riopelle; I am an hotel keeper; I keep the Vendome Hotel at the West End of Kamloops; I was in the hotel on the night of March 14th; between 11 and 11:30 o'clock a Chinaman came into the restaurant; the prisoner looks very much like the man I saw in the Restaurant, but I cannot swear positively that he is the man.

(Sd) Nelson Riopelle.

The Deponent, R. R. SHUTTLEWORTH, on his oath saith as follows:-

My name is R. R. Shuttleworth; I am a laborer; I know the prisoner; I have known him about a year; I think I first saw him in Vernon, next, I think, in Revelstoke; I have conversed with him several times, I was in Kamloops on the night of the 14th March; I was at the Vendome restaurant between 11 and 12 o'clock at night; I saw the prisoner there then; he had just had a meal when I went in; I spoke a few words to him then; I thought he acted in an excited manner; he told me he was going away that night, that he was going east; I am positive the prisoner is the same man I spoke to at the Vendome Hotel on the night of March 14th.

R. R. Shuttleworth.

The Deponent, ALEXANDER MEMORINE, on his oath saith as follows:-

My name is Alexander Memorine; I am at present a freight conductor on the C. P. R.; I was a passenger conductor on the run between Kamloops and Donald on the 15th of March last; I issued C. P. R. coupon now produced (exhibit 8) on the 15th of March, to a Chinaman; I recognise the coupon by the punch



marks; a Chinaman to whom the coupon was issued was on the train that morning; he paid his fare from Kamloops to Sicamous; he paid \$2.35 in 5 cent pieces and an American dollar and two half dollars; the fare from Kamloops to Sicamous is \$4.35 if the ticket is bought on train; the five cent pieces which the Chinaman paid me were done up in rolls in paper; he had more than one roll; he broke the rolls before paying me the money.

(Sd) A. McMorine.

The Deponent, M. J. McIVER, on his oath saith as follows:-

My name is M. J. McIver; I am City Clerk; I remember the 15th March last; I received some information on that day, and in consequence I went to Yuen Lee's store in company with Mayor Lee and went into Yuen Lee's bedroom and found a hole had been cut in floor; Mayor Lee and myself then went down to river bank and saw exhibit 2 lying some distance from the water's edge; I also saw brass lock exhibit 3 which appeared to be broken from the trunk; I opened the trunk, saw some cigar boxes empty; there was no money or jewelry that I saw in the trunk; I then went back to Yuen Lee's store in company with the mayor and went in under the building through a side door; I saw the same hole out in the floor as I saw in the bedroom; I examined the ground and saw a couple of quart bottles which seemed to have been used as candlesticks; one bottle was nearly filled with water; I also saw a smaller bottle with sealing wax round the top; it was a pint bottle; there was also a package of wire nails; I left them there, (exhibit No. 6); I examined the paper for pencil marks but did not see them; I got a lighted candle and examined the hole in the



floor; the holes were bored across seven of the floor boards and along the edge of one; also the tongue from one of the boards was cut away with a sharp instrument; I brought them to my office, exhibit No. 1, also exhibit 2; both exhibits No. 1 and 2 have been under my control since; I got lock, exhibit No. 3, was brought to my office with the trunk and has remained in my control since; Officer Blair and one or two Chinamen brought exhibit 5, a large trunk, to my office and it has remained under my control since; exhibit No. 6 was handed to me by Yuen Lee and Ah Tom in my office and has remained with me since; articles composing exhibit 11, bits, files, book, etc. was handed to me by Officer Blair and have remained under my control since.

(Sd) M. J. McIver.

J. A. McIntosh, J. P., P. M.

The depositions of R. H. Lee, Yuen Lee, Foon Hee, Richard Blair, Hugh McLean, John R. Mitchell, Ah Tom, Louis Sherrin, Nelson Riopelle, R. R. Shuttleworth, Alexander McMorine and M. J. McIver, written on the several sheets of paper to the last of which my signature is annexed, were taken in the presence and hearing of Chen Sung, and signed by the said R. H. Lee, Yuen Lee, Foon Hee, Richard Blair, Hugh McLean, John R. Mitchell, Ah Tom, Louis Sherrin, Nelson Riopelle; R. R. Shuttleworth, Alexander McMorine and M. J. McIver respectively in his presence.

In witness whereof I have in the presence of the said Chen Sung signed my name.

(Sd) J. A. McIntosh,

Police Magistrate for the City of Kamloops and

Justice of the Peace for the County of Yale.



STATEMENT OF THE ACCUSED.

Canada,
Province of British Columbia,
County of Yale.

Chen Sung stands charged before the undersigned, Police Magistrate and a Justice of the Peace in and for the County aforesaid, this second day of April in the year one thousand eight hundred and ninety-four, for that, etc., etc. (see original information).

Whereupon the said Chen Sung says as follows:-

"I have nothing to say at present."

Taken before me at Kamloops the day and year first above mentioned.

(Sd) J. A. McIntosh, J. P.

For Recognizance to Give Evidence see original depositions.

Copy depositions
and
Indictment.

R. v.

Chen Sung.

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