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BRITISH COLUMBIA. ATTORNEY GENERAL.
Attorney General documents.



I N D E X.

REX VS. CHOO LEE.

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

CANADA.)	
Province of British Columbia)	The jurors for our Lord
County of Vancouver.)	
City of Vancouver.)	the King present that Choo

Lee, at the City of Vancouver,

in the County of Vancouver, in the Province of British Columbia,
on the seventh day of April, in the year of our Lord one thousand
and nine hundred and five, unlawfully, with menaces, did demand
of Chow Dan thirty dollars the money of him the said Chow Dan,
with intent the said money from the said Chow Dan unlawfully
to steal, against the form of the statute in such case made and
provided, and against the peace of our said Lord the King, his
crown and dignity:

I hereby direct that the counsel acting for the
Crown at the Vancouver spring assizes, 1905, prefer
this Bill of Indictment to the Grand Jury.

Attorney-General.



INFORMATION AND COMPLAINT.

Canada:
Province of British Columbia,
City of Vancouver.

The information and complaint of Chow Te Tong, of Vancouver, taken the 7th day of April, A.D., 1905, before the undersigned, saith that Choo Lee with menace did demand of Chow Dan a certain sum of money, towit: \$30., with intent there and then to steal the same from the said Chow Dan.

(Sgd.) Chow F. Tong.

Sworn before me the 7th April, 1905, at Vancouver.

(Sgd.) A. Williams, P.M.



Depositions.

CHOW DAN called and sworn saith:-

Direct Exam. by Mr. Cane.

- 1.Q. You know the prisoner? A. I don't know him.
- 2.Q. When did you see him? A. Last Friday.
- 3.Q. Where? A. My home.
- 4.Q. Where is your home? A. 23 $\frac{1}{2}$, Canton St., upstairs.
- 5.Q. Was this man there? A. Yes.
- 6.Q. Where was you? A. I was sick, lying in bed.
- 7.Q. Did this man come to your bed? A. He came into my bed-room $\frac{1}{2}$.
- 8.Q. What did he do? A. I locked and I seen him and he grabbed at my chest.
- 9.Q. What did the accused say or do? A. He caught ahold of me by the chest and dragged me down on the floor and asked me for \$30. He said if I did not give him \$30. he would kill me. I yelled out and he put his hand on my mouth.
- 10.Q. Did anybody come? A. I said "Murder" and my wife heard it and she came rushing in and she then ran for assistance. He also had ahold of my queue and dragged me out into the passage.
- 11.Q. From the room into the passage? A. Yes. I had ahold of his clothes and he took ahold of my thumb and bent it back and he knocked me down and hurt my side. Three or four men came rushing upstairs and then took aholds of him and sent for the police. They put him down in a chair.
- 12.Q. How long had you been in bed sick? A. I was in the hospital 4 weeks and I should be in there yet. The doctor asked me to stay another week, but on account of business I had to get home, and the doctor advised me not to go anywhere outside of my home--just to keep quiet. My door is always locked on account of people coming in and out.



13.Q. Did he break it in? A. Friends coming in to see me all the time, the door was ~~xxxxxx~~ unlocked. It was closed but not ~~xxxxxx~~ locked.

14.Q. Had this man any right to ask you for any money? Did you owe him any? A. I don't know, I only know he is a bad man.

15.Q. Did you owe him any money? A. No; I never had any transaction with him at all.

16.Q. (Choo Lee) Did I go in and tell you to get out of the house? A. No.

Mrs. Chow Dan called and sworn saith:-

Direct examination by Mr. Cane.

17.Q. You are the wife of this last witness? A. Yes.

18.Q. Do you remember last Friday morning, the accused coming to the house? A. I do, at 1 o'clock.

19.Q. (Court) In the morning at 1 o'clock? A. 1 o'clock in the afternoon.

20.Q. What did you see him do, if you seen him doing anything?

A. I was in the parlor at the time and I heard my husband yell and I run in and I seen the accused having shold of my husband.

21.Q. What was he doing? A. He asked him for \$30., and said if he did not give it to him he would kill him.

22.Q. You did not see the first assault in the bedroom?

A. I went right to the bedroom door and seen him having shold of him.

23.Q. Did he say why he wanted the \$30.? A. I don't know.

24.Q. What did you do when you seen this man having shold of your husband? A. I went for assistance.



CHOW TOY called and sworn, saith as follows:

Direct examination by Mr. Cane.

25.Q. What do you know about this assault and threatening?

A. I was downstairs and Mrs. Chow Dan came down and asked me for help; so I ran up and found the accused having ahold of Chow Dan's queue on the floor.

26.Q. Did you hear the accused asking for money and threatening if he did not get it? A. Yes; I heard him asking Chow Dan to give him \$30., and if he did not give it to him he would kill him.

27.Q. Was any person with you at the time? A. Three or four came up with me, and he was handed over to the police.

28.Q. (Choo Lee) You assaulted me? A. No.



DEFENCE.

CHOO LEE called and sworn saith:-

*Was in Victoria
2 1/2 yrs ago.*

Two years and a half this woman (Mrs. Chow Dan) promised to marry me and all the officers know about it. She used to be prostitute and she has changed her mind and don't want to marry me. I have often been told by people outside that this woman wanted to see me. Lee Chick told me that this woman wanted to see me, and I asked him what time should I go, and he said "Go Friday at 1 o'clock" and I said "I will go if there is money in it." I went into the house and saw Chow Dan and told him to get out of the house. I did not touch him. I did not ask him for money. I just went there and told him to get out. He then yelled out and a crowd of men came in and two went out for the police and four of them assaulted me. They took me by the head and waist and put me down, and I was sick. They injured my head and waist and tore my clothes. I feel the effects of it yet in my arm. I am not afraid of one or two of them, but when there is a big crowd I am afraid.

Fooks.

30.Q. (Court) Is that all? A. That is all that took place in the room, but I have lots more to say about the woman.

Cross-exam. by Mr. Cane.

31.Q. What do you do? A. I am a tinker.

32.Q. Have you ever been up, convicted, and done time before?

A. Never for assault or stealing.

33.Q. For what was it? A. I was arrested for selling liquor to Indians.

34.Q. Why did you want this money from Chow Dan? A. Lee Chick told me that if I went there that the woman would give me \$50. I did not ask for the money. It is all false. It is a put up job.



STATEMENT OF THE ACCUSED.

Choo Lee saith as follows:

"I have nothing to say. I want to
give evidence."

(Sgd.) William Lee.

Taken before me at Vancouver, the 12th day of April, 1905.

(Sgd.) A. Williams,

P.M.



Chase Don #12



1905.

Vancouver Spring Hoize

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Ref. v. Choo Bee.

(Demanding money
with menaces.)

Crown Brief

May 9th 1905--


"Not guilty"

This Hon. atty. General

(to the King)

Abner Huntlett





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1905.

Vancouver Spring 1895.

Re/ v. Choo Lee.

(Demanding money
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Copy of deposition.

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