

EXTRAORDINARY TRIAL IN CHINA.

used the following language in sentencing the prisoners:—

“Lum Assang and Lee Akwai, you have each been convicted of perjury in swearing on the trial of Shek Aluk, Shek Achung, Shek Chung Leen, and Shek Qui Leen, that they were landed from Saiwan Bay to near Sowkewan, on the night of the 17th of April last. You knew that they were on a trial for a crime for which you believed that their lives would, on conviction, be forfeited. You have admitted your crime, and you have made reparation as far as you can in the evidence you have repeatedly given; I have considered the excuse made by each of you, that you have each been subjected to imprisonment in the Police Chop, and to the pressure of the influence of the authority of the Water Police there to coerce you into perjury.

The learned counsel, Mr. Hayllar, after your trial, speaking for his client, the prosecutor, whilst he ably argued that all this forms no answer to the charge against you—that it did not exonerate you from legal guilt—admitted in expressive terms that the coercion which, as he said, had been proved, formed a very strong case of coercion as addressed to me in mitigation of punishment, that it formed quite a terrorism affecting your minds when you gave your testimony.

Concurring in all that has been humanely put forward, I must as judge blame you. Although I do not greatly wonder that the vile influences which were exercised prevailed over you, and although others were certainly far greater criminals, I cannot exonerate you from criminality.

I pass on each of you the lightest sentence, which considering all the circumstances of this case I can award.

The sentence of the Court on you, Lum Assang, is that you be imprisoned and kept to hard labor for six calendar months.

The sentence of the Court on you, Lee Akwai, is that you be imprisoned and kept to hard labor for six calendar months.

You, Tung Pak Foo, were defended by counsel who took every possible point and urged every possible topic in your favor. You are without excuse; no influence appears to have been exercised over you, and with great cunning (which all but succeeded), you deposed to facts and circumstances which you knew to be entirely untrue, as was demonstrated by your unsuccessful efforts by coercion and terror to suborn others to sustain your story by perjury. Your character as a person habitually on such terms with pirates as that a mere note from you was sufficient to protect honest trading boats from piracy, was proved

on your trial. If you had your full deserts you ought to suffer the severest punishment possible.

The sentence of the Court on you for the crime of which you have been convicted, is that you be kept in penal servitude for seven years.

You, Choy Asam and Tung Pak Foo, have each been convicted of conspiracy, the object of which was in order to gain the Government reward of \$500 to accuse in this Court, Shek Aluk, Shek Achung, Shek Chung Leen, and Shek Qui Leen of the crime of murder.

Neither of you had any excuse for your most wicked conduct.

The sentence on you, Choy Asam, is that you be imprisoned and kept to hard labour for five years.

The sentence on you, Tung Pak Foo, is that for this your crime of conspiracy, you be imprisoned and kept to hard labour for two years. This sentence and imprisonment to commence and take effect from and after the expiration or sooner determination of the sentence of penal servitude to which this Court has already sentenced you.

The result of these protracted trials is that it has been proved that Shek Aluk, Shek Achung, Shek Chung Leen, Shek Qui Leen, are not only “Not Guilty,” of the murder of which they were convicted, but that they were innocent—absolutely innocent—indeed, that they are peaceable and honest sailors. Every right minded man must deeply sympathize with them for the mental tortures—worse than bodily tortures—to which they have been subjected in the fear of death—of an ignominious death—aggravated by the feeling that they were innocent.

The Government can, and I hope will largely (it is beyond its power adequately to) compensate these poor men for the wrongs done to them.

I see that Tuk Cheong and some of the other respectable Chinese residents to whose exertions so much praise is due, are present.

No words I can utter can increase the satisfaction which they must feel, that by exerting themselves they have proved the innocence of the four men, and with so good an effect. Every right minded man must feel indebted to them. I trust that the success of their efforts will well satisfy them for the money which they have with right good heart expended to bring together such a mass of conclusive evidence, as has enabled this Court to exercise its most noble function, the elucidation of innocence. These efforts have been well seconded by the very able way in which the facts of the case have been marshalled before the Court. I trust that this success will induce them and other respectable Chinamen to take in future a more active part in effectually aiding