

(7) 1958

IN THE PRIVY COUNCILNo. 20 of 1957ON APPEAL FROM THE HIGH COURT OFTHE COLONY OF SINGAPOREIN THE SUPREME COURT OF SINGAPOREB E T W E E N :-MARY NG ... Appellant

- and -

THE QUEEN ... Respondent

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RECORD OF PROCEEDINGS

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Exhibit Mark	Description of Document
	<u>Prosecution Exhibits</u>
Exs.P.3 to 16	Ledger Books
Ex.P.17	1 file containing newspaper cuttings
Ex.P.18	Mr. Colebourn's Visiting Card - England's address
Ex.P.19	Mr. Colebourn's change of address card at Fort Canning
Ex.P.25	Telegram
Ex.P.26	Telegram
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Ex.P.29A	Envelope of (P.29)
Ex.P.30	Small pocket note book
Ex.P.31	Negative
Ex.P.32	Photograph
Ex.P.33	Photograph
Ex.P.35	Slips of paper with Kok Min Jin's address
Ex.D.4	Rough sketch of table and chairs at Mary Ng's lounge

IN THE PRIVY COUNCIL

No. 20 of 1957

ON APPEAL FROM THE HIGH COURT OF THE

COLONY OF SINGAPORE

IN THE SUPREME COURT OF SINGAPORE

B E T W E E N :-

MARY NG           ...           Appellant

- and -

THE QUEEN       ...           Respondent

RECORD OF PROCEEDINGS

10

No. 1.

NOTES OF PROCEEDINGS

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Saturday 15th September, 1956

No. 1.

237. MARY NG

D.S.P. Ramakrishnan for prosecution.

P. de Souza with C.H. Koh for defence.

Charge: Attempting to obtain gratification  
as a reward for inducing a public  
servant.

Alt: Att. Cheating.

Notes of  
Proceedings -  
15th, 17th  
and 29th  
September and  
1st October  
1956.

20

Charges read and explained.

Claims trial.

Adjourned to Monday 17th 10 a.m. for mention.

Bail extended.

D.S.P. to consult D.P.P.

Sd. F. A. Chua

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Monday 17th September, 1956

237/56. MARY NG  
239/56. KOK MIN YIN

No. 1

Notes of  
Proceedings -  
15th, 17th  
and 29th  
September and  
1st October  
1956 -  
continued.

Adjourned to 29th Sept. 10 a.m. for  
hearing.

1st & 2nd reserved for further hearing.

Bail extended.

Sd. F. A. Chua.

---

Saturday 29th September, 1956

237/56. MARY NG

10

C.H. Koh: This case connected with  
cases in 3rd and 2nd District  
Court. The evidence in the  
2nd and 3rd District Court is  
important for my cross-  
examination. Notes just been  
supplied. Ask that the case  
be commenced on Monday.

D.S.P. Ramakrishnan:

I have no objection to 20  
adjournment.

I apply for amendment of  
Charge in Case 237/56 (marked  
as Exh. P2).

Amended Charge read and explained to  
Mary Ng.

Claims trial.

Adjourned to 1st October for hearing  
10 a.m.

Bail extended.

30

Sd. F. A. Chua

---

Monday 1st October, 1956.

237/56. MARY NG.

D.S.P. Ramakrishnan for prosecution.

C.H. Koh with P. de Souza for defence

Witnesses cleared

Ramakrishnan outlines prosecution case.

In the 1st Criminal District Court held at Singapore.

No. 1.

Notes of Proceedings - 15th, 17th and 29th September and 1st October 1956 - continued.

No. 2.

EVIDENCE OF WONG YUEN BONG.

Prosecution Evidence.

No. 2.

P.W.1. WONG YUEN BONG s/s (in English)

10 XD: Inspector of Police, C.P.I.B.

On 13th August 1956 at 7 a.m. I went to No. 111-B Tiong Bahru Road with a party of Police. It was the accused's home.

The accused was not in. There were a male Chinese and 2 females. The male Chinese was the brother of the accused.

I searched the premises. During the search the accused returned. I placed her under arrest.

20 Of the documents and papers I seized I produce (a) 14 Ledger Books (Exhs. P3-P16), (b) a file of newspaper cuttings (Exh.P17), (c) a private address card of Mr. Colebourn (Exh.P.18).

Exhs. P3-P16 were found on a table in the accused's bedroom.

Exh. P.17 was also found on the same table.

Exh. P18 was found in accused's handbag which she was holding when she came back.

I took accused to C.P.I.B.

XXD. Nil

Sd. F.A. CHUA

Wong Yuen Bong. Examination. 1st October 1956.



In the 1st  
Criminal  
District Court  
held at  
Singapore.

Prosecution  
Evidence.

No. 2.

Wong Yuen Bong.  
(Recalled)  
Examination.  
1st October 1956

Cross-  
examination.

Re-examination

P.W.1. recalled at request of prosecution.

P.W.1. WONG YUEN BONG, (Recalled) on former oath  
states:

XD: On 13th August 1956 at 9.40 a.m. I made a  
formal report of my arrest.

XXD: Koh: The report was not the first informa-  
tion I received. It is my report. I am the  
Investigating Officer with another Inspector. I  
did not take all the statements in this case. The  
other Inspector did the preliminary investigation.

When I was handed the file I found there  
was an information (Koh puts in certified copy of  
a report No. 13983 CT entered in Book kept under  
S.114 (3) of C.P.C. - Exh. D1).

10

Exh. D1 was the report that I made.

RXD: I made the report to cover the arrest of  
the accused. The information was given to me.

Sd. F. A. Chua

No. 3.

Owen Oxenden  
Griffiths.  
Examination.

1st October 1956

No. 3.

EVIDENCE OF OWEN OXENDEN GRIFFITHS.

P.W.2. OWEN OXENDEN GRIFFITHS s/s (in English):

20

XD: Superintendent of Police, C.P.I.B.

At 7 a.m. on 13th August, 1956 I was  
present at No.111-B Tiong Bahru Road when P.W.1.  
was there. I was a member of the search party  
and I took part in the search.

I took possession of the following docu-  
ments: (a) a change of address card of Mr.  
Devereux-Colebourn (Exh. P.19) This was found in  
one of the drawers in accused's dressing table.  
(b) A letter from the Opium Addicts Treatment  
Association (Exh.P20) I found it in one of the  
drawers in the dressing table. (c) Three slips  
of paper with names and addresses (Exhs.P21-P23).  
I found them in one of the drawers.

30

The accused arrived at 7.20 a.m. We started search at 7.05 a.m. She was present from time she arrived until we took her to the station.

In the 1st Criminal District Court held at Singapore.

XXD: Nil

Prosecution Evidence.

Witness released

No. 3.

Sd. F. A. Chua

Owen Oxenden Griffiths. Examination - continued. 1st October 1956.

No. 4.

No. 4.

EVIDENCE OF KWOK SING NGIE.

Kwok Sing Ngie. Examination.

P.W.3. KWOK SING NGIE, s/s (in English):

1st October 1956.

10 XD: Ag. A.S.P., C.P.I.B.

At 7 a.m. on 13th August 1956 I was member of search party at 111-B Tiong Bahru Road. I took part in the search.

I seized (a) a letter from one Annie Wew (Exh. P24). I found this in a locked drawer of a bed side table, (b) two telegrams (Exhs. P.25 & 26) - found in the same drawer.

20 (Koh: I ask that Court do not see the contents of Exhs. P24, 25 & 26 until the contents have been proved)

(c) A visitor's permit to General Hospital to visit Mr. Devereux-Colebourn (Exh. P27) - found in the same drawer. (d) A change of address card of Mr. Devereux-Colebourn (Exh. P28) - found in the same drawer. (e) Invitation to a party given by Devereux-Colebourn (Exh. P29 - Exh. P29A Envelope) - found in the same drawer.

The drawer was opened by the accused

XXD. de Souza:

Cross-examination

The accused gave me all the assistance that I asked her

RXD: Nil.

Witness released.

sd. F.A. CHUA.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

No. 5.

EVIDENCE OF FONG YING LOONG.

Prosecution  
Evidence.

P.W.4. FONG YING LOONG s/s (in English):

XD: Inspector of Police, C.P.I.B.

No. 5.  
Fong Ying Loong  
Examination.

On 13th August, 1956 at 7 a.m. I searched premises 70-C Boon Tiong Road. I seized a pocket book (Exh. P.30). I found this inside the bed-side table.

1st October  
1956.

The occupant of the premises Kok Min Yin was present. (Kok Min Yin id.)

10

Cross-  
examination.

XXD. de Souza:

I gave evidence in case where Kok Min Yin was complainant and accused was the accused in 3rd District Court Case No.265/56 last week. It was heard by the 3rd District Court and concluded on Thursday 27th September. In that case I also produced this same exhibit.

I was not present in the Court during the entire hearing of that case. I did not hear the evidence of Kok Min Yin.

20

I was not present when the Usher of the 4th Magistrate's Court, Lim Teck Ann, was recalled. Nor was I present when Kok Min Yin was recalled.

I heard accused was acquitted in that case.

RXD: Nil.

Witness released.

Sd. F.A. CHUA.

No. 6.

No. 6.

Alfred Quek Kim  
Boon.  
Examination.

EVIDENCE OF ALFRED QUEK KIM BOON.

1st October  
1956.

P.W.5. Alfred Quek Kim Boon s/s (in English):

30

XD: Civilian Investigator, C.P.I.B.

On 20th August, 1956 at about noon I went to the Mobile Photo Service at No.61 Orchard Road. There I interviewed Roland Park (id.). With his permission I searched his file of negatives.

I found this negative (Exh. P31). I took it away with permission of Park.

On same day I took Exh. P31 to the C.I.D. photographer This the man (Koh Kim Hock id.).

From time I took possession of Exh. P31 till time I handed it to Koh Kim Hock I did not retouch the negative.

XXD: Nil

Witness released.

Sd. F.A. CHUA.

10

No. 7.

EVIDENCE OF KOH KIM HOCK

P.W.6. KOH KIM HOCK, s.s. (in English):  
Sgt. photographer, C.I.D.

XD: On 20th August 1956 P.W.5. handed me Exh. P31 for printing.

I printed the negative - 2 copies (Exhs.P32-P33).

The negative was not touched up.

20 XXD: Nil

Witness released.

Sd. F.A. CHUA

No. 8.

EVIDENCE OF ROLAND PARK.

P.W.7. ROLAND PARK s/s (in English): Living at 38 Lorong 35 Geylang

XD: Partner of Mobile Photo Service, 61-A Orchard Road.

30 On 20th August, 1956 P.W.5. came to see me. I gave him permission to search my file of negatives. He drew my attention to Exh. P31.

I gave him permission to take it away.

In the 1st Criminal District Court held at Singapore.

Prosecution Evidence.

No. 6.

Alfred Quek Kim Boon.  
Examination - continued.

1st October 1956.

No. 7.

Koh Kim Hock.  
Examination.

1st October 1956.

No. 8.

Roland Park.  
Examination.

1st October 1956.

In the 1st Criminal District Court held at Singapore.

I took that photo at the Royal Singapore Flying Club of which I am a member, some time ago, 2 or 3 years ago. It was during the Club function.

I took photos professionally. I sell my photos to the members of the Club.

Prosecution Evidence.

Members usually ordered through the Club.

No. 8.

I know the person on the photo. They were Mary Ng and Devereux-Colebourn. I knew them both. They were members of the Club.

Roland Park. Examination - continued.

I can't remember whether Mary Ng or Devereux-Colebourn ordered copies of the photo.

10

1st October 1956.

Exhs. P32 & P33 are prints from negative Exh. P31. Not printed by me.

It is possible for a person to make a reproduction of a print and to enlarge it to any size but there would be a certain loss in the quality.

Cross-examination.

XXD. Koh:

I do not specialize in photo of news item.

My work not particularly for news value. I do commercial work. I attend parties, I do engineering work, aerial photography.

20

I attend parties only at request of party giving the party.

I was on this particular occasion invited by a member of the Committee to take photos at the Flying Club function.

I can't remember how many prints of Exh.P31 were ordered.

Anyone could go to my studio and order a copy if he knew the number. I can't remember if anyone did or not.

30

RXD: Nil

Witness released.

Sd. F.A. CHUA

No. 9.

No. 9.

How Eng Huat. Examination.

EVIDENCE OF HOW ENG HUAT.

1st October 1956

P.W.8. HOW ENG HUAT, s/s (in Hokkien):

15 years old; living at No.8 Choon Guan Street, student of Gan Eng Seng School.

I remember sometime in February 1956, two men came to the house.

I do not remember the date.

The two men came to look for my father. They came in the morning, I don't remember what time.

My father, How Say Lian, was not at home. My mother Cheong An Mooi was also out marketing.

I told them my father was not in and they left.

10 They came again the next day at about noon. My parents were not in. I told them this.

One of these two men told me he could help my father. I can recognise the man. This the man (Koh Min Yin id). They both left.

Later I informed my mother when she returned.

These people did not come back that day. I was at home that evening.

I can't remember the time when I told my mother.

20 I did not see these two people again.

XXD: de Souza:

I go to School at 7.30 a.m. I return home at 1.15 p.m. every day.

In February 1956 I was attending School. I did not miss school any day in February.

School days Mondays to Fridays.

I saw these two people on two occasions in February. On both occasions my father was not in.

30 They left a message saying that they could help my father in an opium case. I was the only person to whom they spoke.

I was not given a letter or something like that.

(de Souza: I apply under S.121 C.P.C. to look at the statement made by this witness to the Police.

Ramakrishnan produces the statement. Statement seen witness in statement says 2 people came again at night and he gave the time

40 Court: Copy of statement to be supplied to defence Statement marked P34).

In the 1st Criminal District Court held at Singapore.

Prosecution Evidence.

No. 9.

How Eng Huat. Examination - continued.

1st October 1956.

Cross-examination.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Prosecution  
Evidence.

No. 9.

How Eng Huat.  
Cross-  
examination -  
continued.

1st October  
1956.

I remember P.W.1 questioning me. I remember telling the Inspector that at "sometime in February I cannot remember the correct date, at about 10 a.m. two male Chinese came to my house in a Morris Minor car"

It is correct that it was about 10 a.m. that these two people came on the first occasion.

I remember telling the Police that at 8 p.m. on the 2nd occasion when these 2 men came at noon these two men came again. 10

The occasion when the two men came at night I did not see them, I heard people talking only and the statement that I made to the Police that these 2 men came again at 8 p.m. was told to me by my mother.

I did say to the Police "At about 8 p.m. the 2 persons again came to my house. This time my mother was present. They spoke to my mother. I do not know what conversation took place or what happened because I left my mother with them and went upstairs to play" 20

I did say to Inspector Wong "I did not ask my mother what took place. I do not know anything further than this".

Re-examination.

RXD: I heard these 2 people talking to my mother and her friend. I asked my mother who came and she told me "Those two men" I asked her the same night when my mother went upstairs.

At time I gave my statement I was asked if I knew anything and I said I did not know. 30

When they came at 8 p.m. I did not know they had come but my mother went upstairs where I was and I heard my mother talking to her friend upstairs.

Sd. F.A. CHUA

No.10.

Cheong Ah Mooi.  
Examination.

1st October  
1956.

No. 10.

EVIDENCE OF CHEONG AH MOOI.

P.W.9 CHEONG AH MOOI, s/s (in Cantonese):

Living at 8 Choon Guan Street, wife of How Say Lian. P.W.8 my son. 40

In February 1956, can't remember the date,

two persons came to the house to look for me but I was not in. P.W.8. told me that night when I returned. He told me those 2 persons came to look for my husband. P.W.8. did not say the reason for the visit.

The next day those two men came again. I was not at home. They came in the afternoon. When I returned home P.W.8. told me of the visit, that was at past 5 p.m.

10 At about 8 p.m. that same day, those 2 men came to my house. I can identify one of them.

I invited them to sit down. They came in. One of them, the one I can identify, asked me if my husband was in. I told him my husband was not in. The same man said he came to see my husband to speak to him about a case in Court.

This was one of the two men I can identify (Kok Min Yin id).

20 Kok Min Yin wrote something on a piece of paper and told me that if my husband returned I should tell my husband to go and see him at the address given on that piece of paper. He instructed me to hand that piece of paper to my husband. He emphasised that it was very important that I have to tell my husband to look him up at his house the address of which was given on that piece of paper. They both then left.

(Witness shown a chit)

30 This was the piece of paper given to me to be handed to my husband (Exh. P35).

I kept Exh. P35. My husband returned home very late and I handed him Exh. P35.

During the conversation with those 2 people no one else present. P.W.8 had gone out to play.

I told my husband about the visit of these 2 people.

XXD. de Souza:

40 Just before those 2 men came to the house I was sleeping. I woke up. I was sleeping downstairs. The cook woke me up.

At that time P.W.8 was out, playing in the street.

Those two people stayed with me at the very most  $\frac{1}{2}$  hour.

P.W.8. did not come in before those two left.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Prosecution  
Evidence.

No.10.

Cheong Ah Mooi.  
Examination -  
continued.

1st October  
1956.

Cross-  
examination.



In the 1st  
Criminal  
District Court  
held at  
Singapore.

Prosecution  
Evidence.

No.10.

Cheong Ah Mooi.  
Cross-  
examination -  
continued.

1st October  
1956

He came in about 10 p.m. when it was time for him to go to bed. My husband came back later.

I sleep upstairs but I usually rest during the day downstairs.

I did not speak to my son when he came back after playing.

RXD: Nil

Sd. F.A. CHUA.

Adjourned to 2.30  
Bail extended  
Hearing resumed.

10

No. 11.

Kok Min Yin.  
Examination.

1st October  
1956.

No. 11.

EVIDENCE OF KOK MIN YIN

P.W.10 KOK MIN YIN, s/s (in English):

Living at 70-C Boon Tiong Road, Singapore,  
a broker.

About the 19th or 20th February 1956 I visited Hou Suai Lian (How Say Lian id) at No. 8 Choon Guan Street, he was not in. I met the son. I was with a friend of mine, Tan Soo Onn who is at present in Java.

20

I asked the son for Mr. Hou. The son told me the father was out and I left.

I went back the next day with Tan Soo Onn. I met the son again. I did not meet Hou. The son told me that if I wished to see Hou it was best I came in the night. Then I left.

That same night at 7.30 or 8 p.m. I went back with Tan Soo Onn. There I met Mrs. Hou.

Mrs. Hou invited us in and we sat down. She asked me the nature of my visit. I told her I wished to see Hou about Hou's opium case.

30

I told her if Hou was interested I could bring him to see a friend to help him in his case. Then I gave her my name and address on a small piece of paper. I told her to give it to Hou and if Hou was interested he could come and see me at the address given.

(Witness shown Exh. P35)

This was the piece of paper with my name and address which I handed to Mrs. Hou.

We then left.

Three days later I was told by my daughter that Hou had called but I was out and that Hou had left a message asking me to meet him at Seng Guan's Bar, Telok Ayer Street at 8 p.m. the next night.

10 I met Hou as arranged. It is about 25th February 1956.

Hou was with a friend (Liang San Han id).

I introduced myself.

We were sitting at one of the front tables and after casual conversation and because there was much noise we went to one of the back tables.

20 There Hou asked me the nature of my visit. I told him I was being sent by a friend to talk to him about his case. He asked me who the person was and what help that person could offer.

I told him this friend could assist in his case. He was interested. I can't quite remember whether I told Hou who the friend was.

Hou arranged to meet me the next day so that I could take him to my friend. The appointment was to meet me at 2.30 p.m. the next day at junction of Kim Pong and Boon Tiong Roads.

We then adjourned to the Air View Bar. Nothing more was said about Hou's case.

30 At 9.30 p.m. I was sent home in his car by Liang San Han.

The next day I waited at the appointed place at 2.25 p.m. In a few minutes Hou and Liang came.

I took them to No.111-B Tiong Bahru Road. The accused opened the door. We entered. I introduced them to the accused. I believe I introduced the accused to Hou and Liang as Mary Ng the friend I had spoken about to Hou.

40 We all sat down in the hall -accused, Hou, Liang and I. No one else there. A little girl came and brought some coffee and went away.

As far as I can remember the accused spoke to Hou about Hou's case.

I believe the accused told Hou that the

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Prosecution  
Evidence.

No. 11.

Kok Min Yin.  
Examination -  
continued.

1st October  
1956.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Prosecution  
Evidence.

No. 11.

Kok Min Yin.  
Examination -  
continued.

1st October  
1956.

amount of opium that was found on his premises was a big amount and that the offence was a very serious one.

Then Hou denied there was a big amount of opium. Hou said the amount was very little.

The accused said that anyway the offence was there.

I believe the accused asked Hou whether he was interested to get her help. Hou said he was interested.

I believe the accused asked for \$3500 to get Hou acquitted.

Hou said the amount asked for was too much.

Hou asked accused the nature of the help. The accused said she could influence Mr. Colebourn to assist.

The accused went into her bedroom and took out a photo and this was shown to Hou and Liang. I had a glance at the photo. It was a photo of the accused and Mr. Colebourn. I can identify the photo.

(Witness shown Exh. P33)

I recognise this photo. It is similar to the photo that was produced by the accused.

Hou had a look at the photo and he recognised Mr. Colebourn.

The photo I saw was of the accused and Mr. Colebourn with a shadow of a head in the background. The photo was of the two of them only with the shadow of a head in the background. The accused and Mr. Colebourn were in the same pose. The photo produced by accused was postcard size. It was thicker than Exh. P33 and mounted on card-board.

The accused asked Hou if he was satisfied. Hou said he was satisfied.

The accused asked Hou to think things over and to let her know his answer the following day.

Then accused gave Hou her telephone number. Liang took down the number.

Then we left.

I did not speak much during the conversation in the hall.

I was asked by accused to contact Hou. That was why I went to see Hou.

10

20

30

40

The accused asked me to contact Hou about the 19th February - 10 days before I made my first payment to her. The accused gave me a piece of paper with the name and address of Hou. I copied only the name of Hou and his telephone number. I wrote it on my note book at the back of the cover. I did this in accused's house.

(Witness shown Exh. P30)

10 This is my note book. Hou's name and telephone number written on this note book.

There is another name bracketed with Hou's name. It is name of Liang San Han and his telephone number. This was written by me on night of 25th February at 9.30 p.m. when I was in Liang's car on my way home.

P.W.8. is the son of Hou. P.W.9. is Hou's wife.

20 XXD: (Koh: I wish to reserve my XXn. My application to 3rd District Judge for notes of evidence taken by him has only been partly granted I require the other parts of the notes for the XXn. of this witness.

Ramakrishnan: Nothing to say)

(Witness to stand down. He is told to come back the next day).

Sd. F.A.CHUA

No. 12.

EVIDENCE OF HOU SAY LIAN

30 P.W.11 HOU SAY LIAN, a/s (in Hockchew).

XD: Living at No.8 Choon Guan Street, business man.

On 26th July, 1955 I was arrested by the Narcotic Branch of C.I.D. I was charged in 4th Magistrate's Court on 27th July. I was bailed out.

My case was mentioned several times and was fixed for hearing on 29th February 1956. I was defended by a lawyer.

In the 1st Criminal District Court held at Singapore.

Prosecution Evidence.

No. 11.

Kok Min Yin. Examination - continued.

1st October 1956.

Cross-examination reserved.

No. 12.

Hou Say Lian. Examination.

1st October 1956.

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No.12.

Hou Say Lian.  
Examination -  
continued.

1st October  
1956.

On the 29th February 1956 I was convicted and fined \$3,000 in default 6 months imprisonment. I paid the fine.

On the 21st February 1956 two men went to my house to look for me. I was not at home. I was told of this by my wife when I returned home that night. P.W.9. my wife.

My wife gave me a chit of paper.

(Witness shown Exh. P35)

Exh. P35 was the chit.

10

My wife told me that the man had given instruction that I must go to look him up in connection with my opium case.

On the 22nd February I spoke to Leong San Han (Liang San Han id) about this matter. He is a friend of mine. I showed Exh. P35 to him as I could not read.

After looking at Exh. P35 Liang said that it was a trivial matter and told me not to worry about it. I told Liang that I must go to see that man.

20

On the 24th February at 7.30 p.m. I accompanied by Liang went to Boon Tiong Road to the address given in the chit. It was on the 3rd floor of the building. I did not go up, I sent Liang up.

I instructed Liang to find out if the person in question was in. I also told him to leave a chit in case that man was not in and fixing a meeting the following night, 25th February at 7.30 p.m. at Seng Guan Bar, Telok Ayer Street.

30

Liang came down and told me the man was not in and he told me he had left a chit arranging the meeting.

Sometime after 7 p.m. on the 25th February, I, accompanied by Liang, went to Seng Guan Bar, Telok Ayer Street.

Liang was in front of me when we entered the bar. A man in the Bar stood up and asked Liang if he was Hou Say Lian. Liang replied by indicating to me.

40

The three of us sat down at a table.

Kok Min Yin was the man. I did not know him before, P.W.10 is Kok Min Yin.

After sitting down I questioned P.W.10. I said "You have looked me up three times, what is the reason?" He replied "You have been arrested in connection with opium is it not?". I then asked how he knew about it. Kok Min Yin said "The 4th Magistrate's wife, Mary Ng, had sent me to see you". I asked him "How do you come to know the Magistrate's wife?" He said "I have also been arrested in connection with opium and I have spent \$2500 with a guarantee that the case would be thrown out".

10

At first we were sitting at one of the front tables, but later because of the crowd we moved to a table at the back.

I asked Kok Min Yin if his case was in connection with raw opium or chandu. He replied "raw opium".

20

The place became very noisy, noise from the juke-box and I told Kok Min Yin that the circumstances of my case was quite different to those of his. I also told him that I would tell him about my case at the Air View Bar.

Then the 3 of us went to the Air View Bar. There I related my case to Kok Min Yin.

Kok Min Yin told me it would be better to go and see the woman.

We arranged to meet on the 26th February at 2.30 p.m. at junction of Boon Tiong Road.

30

I kept the appointment. I went with Liang and met Kok Min Yin.

Kok Min Yin took us to 111-B Tiong Bahru Road, 2nd floor.

We went in. Kok Min Yin went first. A woman opened the door. Kok Min Yin told me that was the woman. Accused was the woman.

We sat down.

40

Accused asked me, pointing to me "You have been arrested in connection with a lot of opium". I replied "no such thing". The accused said "I know your case is coming up on the 29th" putting her hand to her chest she said "Do you know who I am? I am Mary Ng, I am the wife of a Magistrate, do you believe or not? If you do not believe I can show you something".

The accused went to a room at the back of the flat. She came back with a photo and showed

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Hou Say Lian.  
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continued.

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it to me. In the photo there was a man with his arm round the accused. The accused asked me pointing to the man in the photo "Do you know this man?" I said "I know the man, he is the 4th Magistrate".

Again accused said "Do you believe or not? If you can believe me I can do it for you and your case will be thrown out". She also said "I have done many cases for people and those cases were thrown out". Then I said "If you are going to help me it is very good and I am very glad".

10

Then accused said "The question is money. \$3500. I guarantee you the case will be thrown out".

Then I said "The allegation you made just now that I had a lot of opium is not a true fact. I shall tell you the circumstances of my case". I told her the circumstances.

I told accused that if it was \$3500, I could not pay. I made no offer.

20

When I was at the point of leaving the accused stopped me saying "Wait! Wait! I will give you my telephone number" I told Liang to take down her phone number.

Accused then said "Go back and think it over, ring me up at 7". Before leaving I said "If you can help me speak to the Magistrate to help me but to ask me to pay \$3500 I am unable to pay". Then accused said "Ring me up at 7".

Then we left.

30

During the conversation with accused Kok Min Yin took no part in the conversation but he heard every word said. Liang also heard everything.

The photo shown to me was photo of two persons - accused and the Magistrate.

The accused was on right side of Magistrate who had his right arm around her and his left hand raised in front of him with a glass.

Photo was postcard size; it was not mounted.

40

(Witness shown Exh. P30. Koh objects to it being shown on ground it is another way of getting round a leading question - allowed by Court).

Photo I saw is like Exh. P30 but with only

2 persons. The position of the two persons in Exh. P30 is exactly like the position of the persons in photo I was shown.

(Witness asked to mark out the picture that was in photo he was shown - witness drew a line)

I can't mark, but there were no other people in the photo.

Adjourned to 10 a.m. tomorrow.

Bail extended.

Sd. F.A. CHUA

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Hou Say Lian. Examination - continued. 1st October 1956.

10

Tuesday 2nd October 1956

237. MARY NG.

Hearing resumed.

P.W.8 and P.W.9 released

2nd October 1956.

P.W.11 HOU SAY LIAN on former affirmation states in Hockchew:

XD: The accused after giving her telephone number asked me to ring her up at 7 p.m.

20

At 7 p.m. on the 26th February Liang telephoned to accused. He spoke in English and asked if accused was in. I was present. Liang handed the receiver to me and told me accused was in. I heard the voice of the accused and I asked accused "Have you spoken or told the Magistrate to help me?" The accused replied "Confidential matter should not be spoken over the phone." She continued saying "Tomorrow come to my house at 12 noon". That would be the 27th.

30

On the 27th at 12 noon I went to accused's house with Liang. The accused opened the door for us, we went in and sat down.

After taking our seats the accused said to me within the hearing of Liang "How much can you pay?" I replied "You have not told the Magistrate to help me and you also have not said to the



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Hou Say Lian.  
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Magistrate that I have no opium or opium smoking paraphernalia".

The accused continued saying "Tell me how much you can pay?" I then replied "Alright I will give \$500". The accused said \$500 was too small a sum. She said "This money was wanted by the Magistrate, at least \$1000 would suffice".

I again said that I could not pay more than \$500 and again asked her to help me. After I said this accused suggested to me that she would lend me \$500 by pawning her jewellery and this \$500 would make the \$1000 required. 10

I agreed to this and I promised to pay her the \$500 loan 1 week after my case was over.

The accused said to me "This money is wanted by the Magistrate not by me" pointing with her hand on her chest "I have a lot of money" after saying this she said "If you don't believe me I will show you building plans".

The accused went to her room and took out and showed me a plan of a building. She also showed me her hands and said "I have diamond rings". I saw two diamond rings one on each hand. Accused also said "I have diamond ear rings" Actually she was wearing a pair of diamond ear rings. 20

I could not read the plan, it was in English. From what she said she wanted to impress me she was a very wealthy woman, because when she referred the plan to me she said "look I am putting up petrol kiosk, bungalows, garages" 30

When I and Liang looked at the plan she said "Now I am going to telephone the Magistrate"

She went to the telephone, used the phone and spoke in English which I did not understand. She put back the receiver and came back and told me the Magistrate was sitting on the bench and was not free. She told me to go home first. Then I said "Is my arrangement alright" meaning that I had arranged with her to pay her the loan after the case. Accused gave me no answer. She told me to go home and telephone her at 8 p.m. Liang and I left. 40

At 8 p.m. Liang telephoned the accused in my presence. They spoke in English. Liang handed me the receiver and I listened in. The accused said "\$1,000 is not enough". I begged her to help me. She said she could not. Then as I was about

to put down the receiver accused said "wait, wait, come again tomorrow morning at 10" that would be the 28th.

On the morning of the 28th at 10.30 I, accompanied by Liang went to accused's house.

10 Accused said "The Magistrate said that the \$1000 was too little and he was not going to accept it". She said to me "I had spoken to the Magistrate to help you". Then she said "Take a final word from me, the smallest sum wanted would be \$2,500. Then she said "If you don't take this heed I will give you a warning. Tomorrow (refers to 29th) when your case comes up to Court you will be fined \$3,000 and sent to jail for 6 months". I beg her again to help me and she said "No, that's all".

20 As I got up to leave her house, the accused said "Think it over". I replied "There is nothing for me to think over. I have no money". Then I left with Liang.

Next day I appeared in Court and I was fined \$3000.

XXD: de Souza:

I first met Kok Min Yin at the Seng Guan Bar.

Kok Min Yin tried to contact me because he said he was sent by the accused to contact me.

Kok Min Yin said he was sent by accused to help me in my opium case.

30 Kok Min Yin only told me that accused could help me by getting the case thrown out. He said that Mary Ng the wife of the 4th Magistrate would help me to get the case thrown out.

At that time I had already engaged a lawyer.

The impression given to me was that the accused could help me. I did not know how she was going to get the case thrown out. It might be her good intention to help me.

I did not tell Kok Min Yin that I did not need anyone's help as I already had a lawyer.

40 Kok Min Yin did not tell me that the wife of the 4th Magistrate would want remuneration.

Kok Min Yin told me that he had to spend \$2500 in his own case in order to get his case thrown out. He did not tell me what money I had to spend or pay. What he told me was that he

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Cross-  
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Hou Say Lian.  
Cross-  
examination -  
continued.

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could help me. I never thought that I had to spend money because I was innocent. The circumstances of my case different to that of Kok Min Yin whose case was a bad one.

At that time I never thought I had to spend money. Question of money was not mentioned. Kok Min Yin only said he could help me.

If Kok Min Yin had mentioned a sum I would not have been interested as I had already engaged a lawyer. 10

The question of money was brought up by accused all the time. She first demanded \$3500. I made no offer.

On the advice of Kok Min Yin I went with him to see the accused.

Up to the 26th I had no intention of paying any money in connection with my case. After my interview with accused on the 26th when she mentioned the sum of \$3500 I consulted some friends about my case on the night of the 26th. Most of my friends were of the opinion that I had made a wrong move by interviewing the accused who had demanded \$3500 on the grounds that if I did not concede to this demand I would surely or certainly get into trouble. Because of that I went back to see accused on the 27th. 20

I went back because I felt that if I did not pay money I would be put into trouble.

Liang was not one of those who advised me to go back. 30

Liang went with me on every occasion. He is a very good friend of mine. I did consult him in every respect of this case.

At the beginning between 21st, 22nd February Liang told me there was no necessity to see the person who said he would help me as I already had a lawyer. On the night of the 22nd I told Liang that they had looked for me 3 times and I should meet Kok. Liang kept on saying it was a small matter. 40

On the 24th February I went to see Liang and requested him to go with me to look up Kok Min Yin.

After question of money arose, Liang told me on the 29th February to make a report as it was wrong. I could not take his advice as my case was still pending.

My case was disposed of on the 29th February. I did not make a report after my case as I lodged an appeal.

I did not tell my lawyer about the accused. It was a confidential matter.

I did not tell the Police about the accused until August. In July the Police came to interview me I refused to say anything. They told me it was wrong.

10 I can't remember when my appeal was heard. It might have been heard on the 6th June 1956.

I can remember the dates of my visits to the accused because my case was pending. I don't remember the date of appeal as the case was over.

After the Seng Guan Bar we went to Air View Bar. There I discussed with Kok Min Yin the whole case. I related facts of my case to Kok Min Yin. but whether he paid attention to me or not I don't know.

20 I went to accused's house for the first time with Kok Min Yin and Liang. Three of us and the accused talked. There were no others. I did not see two men who were already there. I only saw a little girl at the back of the house.

I did not see these 2 people (Tan Kay Seng, Pek Boon Lian). They were not sitting in the sitting room when I arrived. I deny that they were present throughout the conversation I had with accused.

30 I did not see this boy (Loh Giap Kiou)

I smoke American cigarettes. It is a fact everyone knows it. The accused did offer me English cigarette and I said I do not smoke them. The accused did not call out to a boy who was in the bed room and he came out with American Cigarettes. I had my own American cigarettes.

The accused brought the photo out of her bed room, it was not on the radio. I did not see whether there was a photo on the radio.

40 I could remember the size of the photo which accused showed me. It was postcard size.

The accused mentioned the sum of \$3500. I did not give her a reply. Liang did not say anything.

I did say that if she wanted \$3500 I could not pay. I said this later after I had explained to accused my innocence.

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Hou Say Lian.  
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Hou Say Lian.  
Cross-  
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continued.  
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1956.

Liang said that the room in which opium was found did not belong to me and that I had rented it out. Liang did not say anything about the \$3500 asked by accused. Liang said to accused "Please help him, the room did not belong to him".

Liang spoke in English to the accused. I don't understand English. Liang later told me that he had asked accused to help me.

The accused told me that she was the wife of the 4th Magistrate. The name of the Magistrate was not mentioned I knew who the 4th Magistrate was at that time. My case was mentioned before that Magistrate. 10

I knew that the 4th Magistrate at that time was a European. I did believe accused has something to do with the Magistrate otherwise the Magistrate would not have had his arm round her in the photo. I did have a belief that accused had something to do with that Magistrate as the Magistrate had his arm round her in the photo and that shows she was a mistress or a wife. 20

Kok Min Yin and Liang were present all the time on the 26th February. I don't know if Kok Min Yin's version of the visit is different from mine.

I was asked by accused whether I was interested to get her help. The accused did ask me for \$3500 to get me acquitted. I told her "So much money, I have no money" I did not ask accused in what way she was going to help me. 30

After showing me the photo accused said "I can guarantee I can get the case thrown out"

I don't know why Kok Min Yin did not mention in his evidence that the accused said that she was the wife of the 4th Magistrate. The accused did say that to me. Whether other people paid attention to what she said I do not know.

It was a small sitting room.

When we left accused's flat on the 26th February, Liang did not say anything to me about the demand of \$3500. When I left the flat I left with Liang leaving Kok Min Yin behind. I told Liang the demand was unreasonable. Liang told me to take my time to speak to accused and to ring her up that night at 7. The idea of taking time was to keep on asking accused to help, not to request a reduction as I was not prepared to offer any sum. I intended to keep asking her to 40

help and if she did I intended to buy some gifts for her.

I rang accused up at 7 p.m. She asked me to go to her flat the next day at noon. There was this conversation on the phone.

10 The next day I, accompanied by Liang, went to accused's flat. When accused asked me how much I could offer I said "~~500~~500". I did not consult any one before making the offer. I did not discuss with Liang on the way to accused's flat. Liang was present when I made the offer of 500. When I made the offer Liang did not say anything. Liang did not say it was wrong to make this offer.

When accused offered to lend me 500 Liang was present. Liang did not say anything about this offer. For most of the time Liang was quiet. Liang said "Please help him, he is a good man", that was all he said.

20 Liang was present the whole time on the 27th February.

When we left the flat on the 27th February Liang did not discuss the matter with me.

Liang and I did call at accused's flat on the 27th Feb.

The accused did use the telephone and told me the Magistrate was on the Bench.

30 When we left Liang and I did discuss the matter. We discussed about the relationship between accused and the Magistrate. Liang did not say 1000 was cheap bargain nor did he make reference to the loan of 500 offered by the accused. Liang himself heard the offer made by the accused.

40 That night, 27th, I again got Liang to telephone accused and I spoke to accused who rejected the offer of 1000. I begged of her to help me and she told me to go back to her the next morning at 10. The next morning I and Liang went to accused flat. She told me if I did not pay I would be fined 3000 and jailed for 6 months. I did ask her for help. In fact I used the word "Tolong" many, many times. Liang also did ask her to help me. The accused said "No, that's all". I could not do anything more and if I had to go to prison I had to. As far as I was concerned that was the end of the matter but just as I was leaving accused said "Think it over" I replied "I have no money, what to think?"

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Cross-  
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Cross-  
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continued.

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When we went out and on the way home Liang told me to make a report. I refused, I said my case was still pending.

On the 26th at the first meeting with accused I did not ask accused to use her influence with the 4th Magistrate. Not true I went there on my own to ask her to help me. The accused did not say that she could not influence the 4th Magistrate. Not true the accused refused to help me.

When I was fined \$3000 I was stunned. I had suspicion that the accused had a hand in the severity of the fine. I was not angry with the accused.

I do not know Lim Ah Yew.

I have not seen this man before (Lim Ah Yew) but I have seen him around the Courts these last few days.

I patronise the Air View Bar; I frequent that Bar.

In May before my appeal was heard I can't remember if I met Lim Ah Yew at the Air View Bar. I meet many people in the Bar. I can't remember if I met Lim Ah Yew there. I am quite definite that I did not speak to anyone at the Bar about the accused.

Not true I told Lim Ah Yew that I was charged with an opium offence and the accused was responsible for the heavy fine imposed on me. I deny I asked Lim Ah Yew if he knew Mary Ng. I deny that when Lim Ah Yew told me he knew her I said I would like to frame her.

I don't know this man Lim Ah Yew.

I deny that two weeks after I met Lim Ah Yew I sent Liang and another man to look for Lim Ah Yew.

I made a statement to the Police after they contacted me, it was sometime in August. I can't remember the date.

Adjourned to 2.30

Bail extended

Koh: May I mention that Mr. Colebourn has been subpoenaed and he is leaving the Colony tomorrow.

Court: Mention this at 2.30.

Sd. F.A. CHUA

10

20

30

40

Hearing resumed.

Krishnan: The prosecution does not desire to call Mr. Colebourn.

Koh: As things are at present there is no need for us to call Mr. Colebourn and I do not oppose his release.

Court: Mr. Devereux-Colebourn is released.

In the 1st Criminal District Court held at Singapore.

Prosecution Evidence.

No.12.

P.W.11 HOU SAY LIAN, o.f.a. states (In Hockchew)

Hou Say Lian. Re-examination.

10 RXD: In July 1956 two police officers came to my house to look for me. I was not in the house and they went away. In August one Inspector in plain clothes came to my house and on this occasion I was in the house. He asked me to go with him to an office in the Supreme Court Building and I was questioned about this matter.

2nd October 1956.

I did not myself at any time want to make a complaint about this matter.

20 My appeal was heard on 6th June. I did not want to make a report. The matter had ended and I wanted to forget about it. I suffered no loss, that was another reason why I did not report to the Police. I did not give any money to accused.

I did not tell my counsel because it was a very confidential matter.

I would not have discussed this matter with accused if the person alleged to have been present on my 1st visit to accused were there.

30 I always carry American Cigarettes with me. Accused offered me cigarettes and I said "No" and I took out my own cigarettes. I declined because accused offered English Cigarettes.

I had no idea of framing the accused. I did not even make a report.

I did not know the accused prior to 26th February nor did I know where she lived.

XD: Court. Accused and I spoke in Hokkien dialect.

Examination by Court.

Sd. F.A. CHUA.



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held at  
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No. 11.

EVIDENCE OF KOK MIN YIN (recalled)

Prosecution  
Evidence.

P.W.10 KOK MIN YIN, on his former oath, states  
(in English)

No. 11.

XD: The accused asked me to contact Hou.

Kok Min Yin  
(recalled)  
Examination.  
2nd October  
1956.

I was arrested by the Narcotics Branch on  
18th Jan. '56.

On the 28th January, 1956 at 7 p.m. a man  
brought me to see the accused at 111B Tiong Bahru  
Road regarding my case. She talked about helping  
me. She asked for \$5000. 10

10 days later it was finally arranged that I  
should pay her \$2500 and I was to assist her to  
contact people who were involved in Criminal cases  
in the 4th Magistrate's Court. She would supply  
me with the names and I would do the contacting.

Hou was the first name given by accused for  
me to contact.

The man came to see me on the 28th January  
1956 and he took me to see the accused on the 6th  
February. That was my first visit to accused. 20  
About 16th February final arrangements made with  
accused.

(Witness shown Exh. P30)

The names appearing on the three leaves in  
the note book were written by me. They were names  
supplied by accused to me to contact.

When the Police came to my house on the 13th  
August 1956 they found Exh. P30 in my house and  
they took possession of it. 30

Cross-  
examination.

XXD. de Souza:

I have been expelled from the Federation and  
I cannot live there.

I am member of the Fathul Karib Club and I  
participate in their card games etc. - gambling.  
I have put up \$2000 as my share in a syndicate  
that operates the gambling in that Club. Besides  
this I have money in other gambling centres in the  
town.

In the Federation I was involved in the 36  
numbers gambling racket which was exposed in 1953. 40

My arrangement with accused was that I should contact the people whose names would be supplied by the accused.

The first person I contacted was P.W.11. I knew why the accused wanted to see P.W.11. She wanted to make money out of P.W.11 as she made money out of me. I knew that on her part she would influence the 4th Magistrate and get a case thrown out.

10 Police came to my house on the 13th August 1956 and took me to the C.P.I.B. There I was charged later in the evening.

(de Souza puts in certified copy of a report made against this witness - Exh. D2).

I was charged with abetting the accused in this case - Case No. 239/56 1st District Court. I did not engage any counsel. I have the means to do so.

20 I have a wealthy brother who is a pawnbroker and a tin miner and I can always go to him for money; about \$1000 at a time.

I made a statement to the Police as soon as I was taken to the C.P.I.B. I did not throw all the blame on the accused.

It is true I was charged for abetting the accused. On the 29th September the charge against me was withdrawn.

30 Not true that I did not engage counsel because I knew all along that the charge against me would be withdrawn. Not true the charge was withdrawn because I was prepared to give any kind of evidence against the accused.

I can't give a reason why I did not engage a counsel.

40 In January, 1956 I was charged in the 4th Magistrate's Court for possession of utensils and for opium. I engaged counsel. In spite of paying \$2500 to accused I still retained my counsel and it was on accused's advice that I retained counsel. I already had retained counsel before I first met accused, but I had not paid my counsel.

On the opium charge I was acquitted. It is not for me to judge if the decision was fair. I was not guilty.

In my opinion the accused influenced the Magistrate to get me acquitted.

The list of names on Ex. P30 was copied by me

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from several lists given to me by the accused in her house on several occasions, over a period of about 2 months.

The day I agreed to pay her \$2500 was about the 16th February.

I remember giving evidence on 20th September 1956 in the 3rd District Court in Case 265/56 in which I was the Complainant and Mary Ng was the accused. The Charge was cheating S.420 P.C. alternatively obtaining gratification S.163 P.C.

10

I was recalled on the 27th September 1956 and I gave further evidence in the same case.

I remember saying in the 3rd District Court "I accepted her terms with the condition that I assist her in recommending to her persons charged in Court for possession of opium. She then gave me a list of names and asked me to copy the names in the note book. I did so. There were 13 names and addresses. Exh. 30 is my note book".

I did also say that the names were written on the 3 pages.

20

In cross examination I did say that all the names were written at the same time.

I was recalled on the 27th September after Mr. Lim Teck Ann, Usher of the 4th Court, was also recalled and after he gave further evidence. When I was recalled I was asked by the 3rd District Judge what was the date when I made the entries in my note book Exh. 0 from the list given to me by the accused. It is correct my answer was "About a week before I went to see my brother about the cheque for \$1000 which was on the 29th February 1956". The 3rd District Judge also asked me "Was that the same time when I agreed to pay \$2500?" and my answer was "Yes".

30

When Exh. P30 was produced as Exh.0 in the 3rd District Court on the 20th September 1956 the name of "Liang Sun Han" was on it.

The list of names was made by me during the period of 2 months from about the 16th February.

40

After I was recalled and had given evidence in the case in the 3rd District Court Mary Ng, the accused was acquitted.

I did say in the 3rd District Court "The accused produced one short list and I wrote the names on the inside of cover". When I admitted all these things in the 3rd District Court I was terribly

confused and at that time when I said those things I thought that I was telling the true facts.

What I said in the 3rd District Court was not all wrong, the substance was there.

I was confused when I gave evidence in the 3rd District Court. After the case in the 3rd District Court I thought over the matter and I remembered that the list was not made all in one day and then I realised that I had made a mistake when I said the list was made in one day.

10

I first met Liang in the Seng Guan Bar on the 25th February 1956. I wrote Liang's name on cover of Exh. P30 on the 25th February just below Hou's name. Liang's name was not written on the 16th February.

Adjourned to 3rd October 10.15.

Bail extended

Sd. F.A. CHUA

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Kok Min Yin (recalled) Cross-examination - continued.

2nd October 1956.

Wednesday 3rd October, 1956

20 237/56. Hearing resumed.

3rd October 1956

P.W.10. KOK MIN YIN, o.h.f.o., states (in English):  
XXD. de Souza

The first occasion when I went to the accused's house was the 6th February 1956; that was in regard to my own particular case. I went on visiting her until 1st March 1956.

30

Two or three days after the 6th February after consultation with my wife I went again to see the accused. Two or three days later I went to see accused again at her house and offered her \$2000 which she refused to accept. After that I left.

The accused visited me after my 3rd visit to her but I can't remember how many days after. I remembered I said in the 3rd Court that accused came to see me 10 days later at 10 a.m.

On that occasion I told accused that I could not afford \$5000. Accused then left.

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About a week later I received a message when I returned home that the accused wanted to see me the next day. The next day I did go and see the accused and the accused agreed to accept \$2500 provided I assisted her to contact persons whose names she would give me.

1st time I saw accused was 6th February. The 2nd time was about the 8th or 9th February. The 3rd time was about 11th or 12th February or probably a day earlier. The 4th time visit took place 2 or 3 days later not 10 days later, that would be about the 13th or 14th or 15th February. I did say in the 3rd District Court that accused visited me 10 days after my 3rd visit to her. If visit was made 10 days later it would be about the 21st or 22nd February.

10

After I told accused that I could not pay the \$5000 I forgot about this matter for a few days. By a few days I mean 2 or 3 days, then accused left message asking me to see her. I did say in the 3rd District Court that I received the message about 1 week after my 3rd visit to accused. If the evidence I gave in the 3rd District Court was correct then the accused visited me about the 29th February and agreed to accept \$2500.

20

16th February was the day that accused gave me the name of Hou Say Lian. It was about the 16th February. I can't be sure of the date. It was also the day when the accused agreed to accept \$2500 from me. It may be the date was between the 16th and the 19th February.

30

When I met P.W.11 at the Seng Guan Bar I did tell him that I wanted to see him about the opium charge against him. I knew it was about opium because the accused told me about it. Accused told me verbally, it was not recorded by me in my note book Exh. P30.

(Witness asked to look at Exh.P30)

There are letters "OP" against certain names. They stand for "opium". There are letters "CJK" against other names - stands for Chap Jee Kee. There are no letters "OP" or "CJK" against Hou Say Lian's name in the book.

40

I don't exactly live on gambling. I used to indulge in gambling. I do not live by my wits.

I deny that the names written on Exh.P30 were names I myself gathered. I did receive lists of names from the accused. If I look carefully I may

still find some of the slips. They are not in my handwriting. I don't know whose it was.

I did not know that a surprise visit was made by the Police to accused's flat on the 13th August. My house was also visited the same day.

If the Police did not find any chit or chits in accused's flat I do not know why.

I do know a man named Choo Tee Chye (id.)

10 I met him in Tiong Bahru Road outside the flat of the accused sometime this year. I do not know that he is Manager of Wing Onn Insurance Co. Not correct that the accused was in his company. I deny that he introduced me to the accused. I met him on the stairs when I was leaving accused's flat. I had been to see accused about my case. I knew accused already when I met Choo Tee Chye. I can't say what visit it was to accused that I made that day.

20 If Choo Tee Chye says that he introduced me to accused he would not be speaking the truth. I deny that Choo Tee Chye introduced accused to me as an agent of his.

30 I deny that after meeting Choo Tee Chye I went to accused's flat and told her I had two insurance prospects for between \$25000-\$50000. I deny that after that I visited accused 2 or 3 times in connection with these prospects. I deny that on one of these visits I asked accused for a loan of five hundred dollars. I deny she refused to lend me the money and admonished me about the prospects. I deny that on these visits I saw the photo of accused with Devereux-Colebourn on the top of her radio-gram.

I deny that I thought the accused could be one of my agents to extort money from persons who were charged in the 4th Magistrate's Court. I deny that Hou was my first prospect and that was why I brought Hou to accused's flat.

40 When I first brought P.W.11 to see accused I introduced them. I said "This is Mary Ng, this is Mr. Hou and that is Mr. Liang". I also said "This is Mr. Hou the man you wanted to see".

The accused wanted to see Hou to offer help to him for money.

I was present throughout the conversation but I did not pay attention to all that was said because the thing that accused wanted me to do had been done and I was not interested.

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I don't quite remember if accused referred to herself as wife of Mr. Devereux-Colebourn.

We were seated around a table. I was about 5 to 6 ft. away from the accused. P.W.8 was sitting by my side I believe. I don't quite remember. I can't remember the position where Liang sat. Besides the 4 of us nobody was present.

I deny that two people were already seated around this table when I came.

I did not see these 2 people there (Tan Kay Seng and Pek Boon Lian). 10

No boy came in during the conversation and brought cigarettes.

I did not see this boy that day (Loh Giap Kiow). I know Loh, he is brother of accused. I met him on one or two occasions in the accused's flat when I visited accused. I had never spoken to accused in the presence of Loh.

When I spoke to P.W.11 about P.W.11's case at the Seng Guan Bar I did not notice the reaction of Liang. He did take part in the discussion. He heard what the proposition was. I told P.W.11 in presence of Liang that the accused was prepared to help P.W.11 for a consideration. 20

When I met P.W.11 and Liang to take them to accused's flat I don't remember talking to them of what would happen in the accused's flat.

In the flat I heard money being mentioned. Accused asked P.W.11 for \$3500. I did not say anything as the question was put to P.W.11. I did not pay much attention to the conversation between P.W.11 and accused. 30

When we had sat down after the introduction accused opened the conversation by asking P.W.11 whether he was arrested by the Narcotics and P.W.11 said "Yes". Then accused told P.W.11 that there was a large amount of opium found on his premises. P.W.11 denied and said only a small amount was found.

The accused knew what P.W.11 was charged with. Accused I don't think knew the amount of opium that was involved. Accused just told me to see P.W.11. 40

The accused then asked P.W.11 whether he wanted her help. P.W.11 said he did. Accused asked P.W.11 whether he believed she could help him. I don't quite remember P.W.11's reply.

The accused went to her room and brought out a photo which she showed to P.W.11. Accused asked P.W.11 if he recognised the man in the photo. P.W.11 said "Yes". Accused asked P.W.11 if he was satisfied.

The next question was about the price I believe. I am not sure how this question arose. There was a mention of \$3500. I don't remember if P.W.11 asked accused what she wanted.

10 P.W.11 said it was too much. I did not hear accused asking P.W.11 how much he could pay.

I don't know if any counter offer was made.

I don't remember what Liang said. I don't remember Liang saying that the amount was too much. Liang did take part in the conversation. P.W.11 and Liang whispered to each other, I did not hear what they said.

20 I deny that on my own accord I brought P.W.11 to see accused to solicit her aid. I deny that accused was very annoyed and said she had no influence over Devereux-Colebourn and I had no right to come there and she hoped that if this case was discovered I would be severely punished.

I get up every morning at 10 a.m. I go out every morning at about 11. I live in Tiong Bahru.

I have been to P.W.11's house. It took me 10 minutes by taxi.

30 On first occasion I went to P.W.11's house I met a boy. That was at 11 a.m. I saw the boy that morning, he was not at School.

I went with a friend Tan Soo On; he is now in Java; he will be back next month. He is a coffee shop owner in K.L. He comes to Singapore quite often on business. He does not live with me. I don't know what business he does in Singapore.

40 That morning Tan Soo On came to visit me and went out with me. I told him I wanted to go first to Choon Guan Street and he followed me. He went back to K.L. 10 days later. I believe he came here to get his visa for Java. He stayed in the Kum Leng Hotel, Jalan Besar. He just wanted to see me. The next day Tan Soo On visited me again as he wanted me to go out with him. That night he visited me again. Most of the time when he was in Singapore he was with me.

I do not know where the man is who brought me to accused's flat for the first time.

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The first day I brought P.W.11 and Leong to accused's flat, we left together but I was called back by the accused. The other two left.

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Adjourned 10 minutes.

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Kok Min Yin  
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continued.

RXD: The charge against me in 1st District Court Case No. 239/56 was withdrawn by the prosecution. I did not know that the case against me would be withdrawn. No police officer promised me that my case would be withdrawn.

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Re-examination

There is at present no charge hanging over me. 10

I expected to be acquitted in Case No.239/56.

In the 3rd District Court I made mistakes as to dates. I was terribly confused in the 3rd District Court. At that time I was not so sure of the dates but now after giving this matter serious consideration I now realize that those dates given in the 3rd District Court were not correct.

I paid the accused so many visits when I was negotiating with her about my case that I have lost judgement of these dates. My case was heard on 9th April, 1956. 20

The last visit I made to the accused was on the eve of my trial i.e. 8th April, 1956.

Between 6th February and 8th April I visited the accused between 15 to 20 times. These visits were related to my own case, P.W.11's case and other matters. I did not keep a record of the visits I made to the accused.

The dates I have given to this Court are from memory. It is very possible to make mistakes about dates. I did not expect to be asked about the dates of my visit so I did not pay much attention to the dates. 30

In the 3rd District Court my memory failed me.

The date when accused accepted my offer of \$2500 was between the 16th and 19th February.

When the accused gave me the name and address of P.W.11 on a piece of paper there was no other name on it.

I know Chew Tee Chye. I came to know him when he was in School with me in K.L.

When I met Chew Tee Chye outside Accused's flat, he told me he was doing insurance but did not tell me the name of the Company.

I have never been an insurance agent.

10 If I had any insurance prospects I would have taken them to the Insurance Company.

I saw the man who took me to see the accused for the first time when I returned from the races. I had not seen this man prior to that day.

I had not seen this man after he took me to see the accused for the 2nd time which was on the 6th February.

XD. Court at request of Mr. Koh:

20 The dates I gave in the 3rd District Court was given when I was being examined in chief by the prosecution.

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Prosecution Evidence.

No. 11.

Kok Min Yin (recalled) Re-examination - continued.

3rd October 1956.

Examined by the Court.

Sd. F.A. CHUA.

Adjourned 2.30.

Bail extended.

Sd. F.A. CHUA

Hearing resumed.

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No. 13.

EVIDENCE OF LIANG SAN HAN.

Prosecution  
Evidence

P.W.12 LIANG SAN HAN, a/s (in Hokkien):

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Liang San Han.  
Examination.  
3rd October  
1956.

Press reporter, living at 492 Margaret Drive.

I know P.W.11, he is Hou Say Lian, he is a friend of mine.

I came to know P.W.10 on the night of 25th February, 1956. I met Lim for the first time in Seng Guan Bar, Telok Ayer Street.

P.W.11 informed me that P.W.10 had been to his house to look for him two or three times. On the 22nd February, 1956 P.W.11 spoke to me again and showed me a piece of paper with some writing on it. P.W.11 showed this to me at the Air View Bar. The writing on the piece of paper was "Kok Min Yin, 70C Boon Tiong Road". Exh. P35 is the piece of paper shown to me by P.W.11. 10

P.W.11 told me two persons had been to his house to look for him two or three times and that those two persons were going to help him in connection with his opium case. 20

P.W.11 asked me to go with him to look for Kok Min Yin.

I told P.W.11 that since the case had gone to the Court it was useless to see Kok Min Yin.

I met P.W.11 on the 23rd February at the Air View Bar. He again asked me to go with him. I again told him it was not necessary to go and I was not free.

On the night of the 24th February, 1956 I met P.W.11 again at the Air View Bar. He told me that at any rate let us go and look up Kok Min Yin and see what help he could render. That same night at about 7.30 I took P.W.11 in my car to Boon Tiong Road. We looked for 70C Boon Tiong Road and found it after 10 minutes. P.W.11 said he was an old man and could not go upstairs and he told me to go upstairs and see if Kok Min Yin was in. He also told me that in case Kok Min Yin was not in I should leave behind a chit arranging a meeting at Seng Guan Bar at 8 p.m. the following night. I went upstairs while P.W.11 remained downstairs. I went to the 3rd floor to 70C. I knocked at the 40

door. A girl opened the door. I was told Kok Min Yin was not in. I got a piece of paper from the girl and I wrote "Mr. Kok tomorrow 8 p.m. meet at Seng Guan Bar" and signed P.W.11's name. I came down and met P.W.11 and told him what I had done.

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10 The next day 25th February at 8 p.m. I looked up P.W.11 and went with him to Seng Guan Bar. I walked into the Bar followed by P.W.11. As soon as I pushed the door I saw a man rising from a seat. As soon as I saw that man I recognised him as the person whose photo was in No. 70C. The man was Kok Min Yin.

No. 13.

Liang San Han.  
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As I went up to Kok Min Yin he asked me if I was Mr. Hou. I told him "No" pointing to P.W.11 who was behind me. P.W.11 went up to Kok Min Yin and spoke to him. We all sat down at one of the front tables.

20 P.W.11 asked Kok Min Yin why he had looked him up 2 or 3 times. Kok Min Yin replied "Because of your affair I want to speak to you, but there are a lot of people here it is hard to speak to you".

30 P.W.11 then suggested going to the back of the Bar and sat down. Kok Min Yin then said "I am sent by the Magistrate's wife to see you. She said she can help you in your opium case". P.W.11 asked Kok Min Yin how he came to know this woman. Kok Min Yin said "I am in the same boat with you. I also had an opium case. Someone had brought and introduced me to her and this woman has guaranteed that my case would be thrown out if I pay \$2500".

P.W.11 said to Kok Min Yin "in these circumstances how are we going to see the woman". Kok Min Yin then told P.W.11 that he would bring him to see this woman at 2.30 p.m. on the 26th February. Kok Min Yin said he would wait for P.W.11 at Junction of Boon Tiong Road and Tiong Bahru Road.

P.W.11 then suggested to go to Air View Bar to have some more drink. We went there. P.W.11 related some facts of his case to Kok Min Yin.

40 Kok Min Yin told P.W.11 to keep the appointment and I took Kok Min Yin and P.W.11 in my car.

Kok Min Yin asked me for my name and telephone number. I gave them to him and I dropped him at his house.

On the 26th February I took P.W.11 in my car to keep the appointment. We met Kok Min Yin there.

We went to 111B Tiong Bahru Road, S.I.T. flat,

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2nd floor. Kok Min Yin knocked at the door, a woman opened the door and we went in. Accused was the woman.

Kok Min Yin introduced us to the accused. Accused was introduced to us as Mary Ng.

We all sat down.

The accused spoke to P.W.11. She said "I know you have been arrested in connection with a lot of opium". P.W.11 said "No, a little bit only, beside it was not mine". Accused then said "The question whether it is large amount or a small amount does not matter. I know your case is coming up on the 29th for hearing, do you want me to help you?" She continued saying, indicating with her hand on her chest, "Do you know who I am? I am the 4th Magistrate's wife. A lot of people know me and I have helped a lot of people". On hearing this P.W.11 and I smiled. Accused continued saying "Do you believe me or not? If you do not believe me I can show you something". The accused rose and walked to the room at the back. She came out bringing with her a photo.

10

20

Accused showed the photo to P.W.11. I also had a look at it. I saw the 4th Magistrate, who I know, in the photo, he had his right arm around the body of the accused. The magistrate's left hand held a wine glass. It was not a group photo, it was photo of only the two of them. Photo showed the upper part of their bodies down to their thighs.

30

(Witness shown Exh. P32)

Exh. P32 shows picture of the 4th Magistrate Mr. Devereux-Colebourn and the accused. Their pose in Exh. P32 the same as the pose in the photo which was shown to us by the accused. The photo I was shown was postcard size. The view on photo I was shown is up to the line drawn on Exh. P32.

After showing the photo to P.W.11 accused said "Do you believe?" P.W.11 nodded his head. Accused then said to P.W.11 "Do you want me to help you?" P.W.11 said "If you can help me to speak to the Magistrate to favour me I shall be very thankful. In case I am acquitted I will buy you a present".

40

Accused then said "No, you must spend a sum of money \$3500". P.W.11 told accused that he had engaged a lawyer and his case was a small case, why should he spend so much money, and he could not pay the \$3500. Accused then told P.W.11 to go back and consider the matter. By then it was about 3.30 p.m. P.W.11 said he would go home.

50

As P.W.11 was about to leave accused said "I will give you a telephone number and at 7 ring me up". P.W.11 asked me to take down the number which I did.

P.W.11 and I left. Kok Min Yin remained behind.

The conversation took place in the sitting room. Only 4 of us were present. A young girl of 14 or 15 years brought us coffee but she left after serving coffee.

At 7 p.m. that night P.W.11 looked me up and asked me to telephone the accused. I rang up. I asked if it was the accused, accused said it was her, I handed the receiver to P.W.11.

P.W.11 told me that the accused said that confidential matters should not be spoken over the phone and it would be better to pay her another visit the following day at noon.

The next day at 12 noon I took P.W.11 to accused's flat.

P.W.11 asked accused what was the result after she had spoken to the Magistrate for a favour. The accused said that the Magistrate said that the amount of money should be \$3500. P.W.11 kept on asking accused for help and finally he offered \$500.

Accused said "A few hundred dollars cannot do anything to a Magistrate. Should be thousands".

P.W.11 after making several request for help told accused that after the case was over, say about a week, he would pay her \$500 as coffee money. P.W.11 also said that if the \$500 which he was going to pay was insufficient he suggested that the accused could borrow or try to borrow a sum of \$500 for him to make the total sum of \$1000.

The accused emphasised saying "The money is not wanted by me but by the Magistrate". She added saying that she had a lot of money, diamond rings, diamond earrings, worth several thousands of dollars. She also said she would produce a plan to show she was going to build a petrol kiosk.

Accused went to her room and produced a plan. It was a big plan, she unrolled it for us to see and I saw her name at the bottom of the plan.

After rolling up the plan the accused said she would telephone the 4th Magistrate. She went to the telephone. After she had used the phone she came back and told P.W.11 that the Magistrate was

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not free, he was holding Court. I heard three sentences of accused when she was using the phone. She said "Is Mr. Colebourn there" the second sentence I heard was "Never mind" the 3rd sentence was "I will contact him later".

P.W.11 said to accused "All right you speak to him" and he was about to leave when accused told him to ring up at 7 or 8 p.m. the same day. We left.

When P.W.11 asked the accused to borrow money for him the accused said she would pawn her jewellery to help him. 10

At about 8 p.m. that day I met P.W.11 who asked me to ring up the accused. I rang up accused. Over the phone accused spoke to me. She said that the Magistrate would not accept \$1000. I handed the receiver to P.W.11 and told him to speak to accused himself.

The next day 28th February at 10 a.m. P.W.11 and I went to accused's flat. The accused said the Magistrate would not accept \$1000, it was too small a sum. After P.W.11 begged her for help accused finally said "\$2500". P.W.11 said he could not pay the amount and that he had engaged a lawyer for his case and perhaps he might be acquitted. P.W.11 kept on begging her for help. Finally the accused said "If you don't pay \$2500 you might be fined \$3000 plus six months jail tomorrow". P.W.11 told accused that if she would not help him he could not help it. 20

Accused asked P.W.11 to go back and think it over. P.W.11 retorted "I can't do anything, there is nothing for me to think over". 30

Cross-  
examination.

XXD. de Souza:

I am not confused in my mind. I am sure.

I am married, seven children, the third child is a girl. She was born in 1931. I can't remember the date. So many years ago.

I am a reporter attached to Nanyang Siang Pau. I knew about the Trade Mission that went to China. They left for China in August. I can't remember the date. I did not report on the mission. I agree it was a big mission. The reporter dealing with the mission went with the mission. 40

P.W.11 was convicted of the opium charge. I know he appealed. When the appeal was heard I went to hear. It was the 6th June 1956.

I have not heard of the Chinese proverb "When the fish opens its mouth it would be caught".

I remember what took place so I can give the dates and details, because a week before the date of P.W.11's trial he and I were negotiating about P.W.11's case. P.W.11 kept on asking me to accompany him.

10 P.W.11 showed me Exh. P35 on the 22nd February 1956. I did not say to P.W.11 that it was a trivial matter. I said this case had gone to Court and these people could not help.

The 22nd February was not the first time that P.W.11 told me about the people who wanted to help. On 22nd February 1956 P.W.11 showed me Exh.P35 saying that Kok Min Yin had looked him up twice on the 21st.

On the night of the 21st P.W.11 told me that on the 20th February two persons had looked him up. He told me about 8 p.m. at the Air View Bar.

20 Adjourned to 10.15

Bail extended.

Sd. F.A. CHUA.

237/56. MARY NG.

Thursday 4th October, 1956.

Hearing resumed.

4th October  
1956.

P.W.12 LIANG SAN HAN, o.f.a. states (In Hokkien).

30 XXD: In February, 1956 my duties as reporter were to get news from the Police, not from the Courts. I used to go to the Police H.Q., I went twice a day.

I have reported Court cases 5 or 6 years ago.

When I went to Supreme Court to hear Hou's appeal I went there as a spectator and a friend of Hou.

On night of 24th February I took P.W.11 to Kok Min Yin's house. P.W.11 gave me instructions if Kok Min Yin was not in to leave a note to meet him the following night. I carried out this instruction faithfully.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Prosecution  
Evidence.

No. 13.

Liang San Han.  
Cross-  
examination -  
continued.

3rd October  
1956.



In the 1st  
Criminal  
District Court  
held at  
Singapore.

Prosecution  
Evidence.

No. 13.

Liang San Han.  
Cross-  
examination -  
continued.

4th October  
1956.

I left a note "Tomorrow at 8 p.m. meet at Seng Guan Bar" and I used P.W.11's name.

As far as I remember the meeting was to be at 8 p.m. not 7.30 p.m.

I did not know Kok Min Yin before this day nor did I know anything of him.

I did write address of Seng Guan Bar. I wrote down "Telok Ayer Street". I said so yesterday.

I did not know Kok Min Yin. I must have written address of the Bar.

10

We met at Seng Guan Bar. We sat down at a table. P.W.11 asked Kok Min Yin why he visited him two or three times. This was asked at the first table. We moved to the 2nd table when Kok Min Yin said that the place was noisy, he stated this at the stage when Kok Min Yin said he wanted to help P.W.11.

Kok Min Yin did say that the 4th Magistrate's wife could help.

I am telling the truth.

20

Kok Min Yin told us about his own case when he paid the accused \$2500. He said this at the 2nd table. I knew that for a consideration the accused would use her influence with the 4th Magistrate.

From the Seng Guan Bar we went to the Air View Bar. There Kok Min Yin related some of the facts of his case.

On the 26th February we went to accused's house. We sat down. There were 4 of us - P.W.11, Kok Min Yin, accused and I.

30

When I arrived I did not see male persons in the sitting room. I did not see any male.

I did not see this man (Tan Kay Seng).

I did not see any boy coming into the sitting room at any time. I did not see this boy (Loh Giap Kiow).

Yes, accused said "The question whether the amount of opium was large or small, is not the question". I heard this.

40

I saw the photo and I recognised Mr. Colebourn. I went up to have a look at the photo, I did not hold it. I went to see if really it was photo of Mr. Colebourn. P.W.11 asked me to see if it was

really the photo of the 4th Magistrate, so I went up to see. I do not know if P.W.11 knew how Mr. Colebourn looked like, he did not tell me.

I think P.W.11 must have known as he had appeared before Mr. Colebourn on several occasions. P.W.11's eye sight is probably not so good so he asked me to see.

I heard P.W.11 say "When I am acquitted I will buy you a present".

10 The accused did say "You must spend \$3500" and P.W.11 replied that he had engaged a lawyer, his case was small and why should he pay any money. I don't know why P.W.11 did not say anything about this.

When I was sitting down, P.W.11 was next to me on my left and he was about 2 or 3 feet away from my chair. Kok Min Yin was on my right. The accused was next to P.W.11.

20 Photo was shown by accused to P.W.11. Accused was between P.W.11 and Kok Min Yin. Kok Min Yin saw the accused handing the photo to P.W.11. Kok Min Yin did not take up the photo to look at it as far as I remember.

P.W.11 was holding the photo. He asked me if it was picture of 4th Magistrate and I went up to look at it. He did not pass it to me to look.

I only helped P.W.11 to ask accused to help P.W.11 in his case.

30 P.W.11 did not whisper to me. I do not know if Kok Min Yin in evidence said that P.W.11 and I whispered. P.W.11 and I were at some distance from each other, how could we whisper?

At 7 p.m. that night I rang up the accused. As soon as I got accused on the line I handed the receiver to P.W.11.

40 P.W.11 told me that accused said that it would be better to pay her another visit and that confidential matter should not be discussed over the telephone.

I did not hear the conversation of P.W.11 and accused on the telephone. I did not listen. I can't remember what I did. When I handed over telephone to P.W.11 I went aside. I heard one sentence only "Have you consulted the matter with the Magistrate?" After I heard this I went aside.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Prosecution  
Evidence.

No. 13.

Liang San Han.  
Cross-  
examination -  
continued.

4th October  
1956.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Prosecution  
Evidence.

No. 13.

Liang San Han.  
Cross-  
examination -  
continued.

4th October  
1956.

We went back to accused's flat on the 27th February.

It is correct that accused said to P.W.11 "How much money can you pay?"

P.W.11 said that he would give accused \$500 coffee money after his case.

It was P.W.11 who asked accused for a loan of \$500 and accused said she would pawn her ring. I did not take part in the conversation. I was not P.W.11's adviser, I am his friend, a good friend. P.W.11 is older than I am and he has more experience and he is richer, why should he ask me for advice. He did ask me for my opinion but I have never given him advice.

10

After the arrangement of \$1000 P.W.11 did not discuss to me about the matter.

On 28th February at 10 a.m. we went back to accused's house. Accused asked for \$2500 and P.W.11 said he had a lawyer and he would probably be acquitted.

20

P.W.11 did say that he had no money and he could not help it.

Naturally I was not pleased when P.W.11 was fined \$3000. I was present in Court. It did recall to my mind that accused had said that P.W.11 would be fined \$3000 and jailed six months. I did think that accused must have influenced the Magistrate to impose \$3000 fine.

I do not know a woman named Kwong Kim Han.

I don't know this woman (Kwong Kim Han).

30

I have been once to the Sin Seng Huet Bar, Kampong Bahru Road. It was this year sometime in June or July. Yes I was in company of Mr. Ho. I did see this man there (Lim Ah Yew). I did speak to him. We had drinks together. During the conversation the name of Mary Ng was mentioned. It was mentioned by Lim Ah Yew. I did not talk about P.W.11's matter, the appeal had been heard already and dismissed.

I deny that I mentioned P.W.11's case. Mr. Ho knew about P.W.11's case. It was Ho who introduced me to Lim Ah Yew.

40

I don't know if Ho is out of the country. I have not seen him for some time.

I admit that I went to the Bar with Ho with the express purpose of seeing Lim Ah Yew. Prior

to going to the Bar I did not go to Lim Ah Yew's house but Ho did. Ho and I went to the Bar to have a drink and to wait for Lim Ah Yew. I deny that the purpose was to mention P.W.11's case. It was not my business.

10 I deny that I asked Lim Ah Yew whether he would be prepared to do harm to the accused for a consideration. I did not know Lim Ah Yew before that date. He told me that night that Lim Ah Yew was reputed to be a gangster and member of secret society.

Kok Min Yin told us that it was accused who asked him to take us to accused's house.

I did say that Kok Min Yin told P.W.11 that he wanted to help P.W.11.

I deny that on the first visit to accused's flat one of us asked accused to use her influence with the Magistrate.

20 The accused did not say that she had no influence with the 4th Magistrate. The accused did not say that we had no right to go there and ask her to do such a thing. The accused did not say that she hoped P.W.11 would be convicted and heavily punished.

Not true that we visited the accused's flat only once. We went 3 times.

We rang up accused twice.

The accused did ring up the 4th Magistrate. She did so once.

30 Two weeks I did night work, two weeks I did day work. On 26th, 27th and 28th February I was on night duty. I am sure of this. If I was on day duty I had to go to Police H.Q. at 9.30 a.m. each day.

I admit that as a good friend of P.W.11 I wanted to help P.W.11 but not at any cost.

40 RXD: I went to look for Lim Ah Yew in connection with a friend's uncle's case. Ho told me he knew Lim Ah Yew and that Lim Ah Yew knew the accused. He said that Lim Ah Yew could speak to the accused.

I met Lim Ah Yew at the Bar. I spoke to Lim Ah Yew about my friend's uncle's case. I wanted Lim Ah Yew to speak to accused to help my friend's uncle. Lim Ah Yew agreed. Lim Ah Yew told me that my friend's uncle had been to see him 3 times and had offered him \$1000. (Court stops prosecution from asking any further question about Lim Ah Yew).

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Prosecution  
Evidence.

No. 13.

Liang San Han.  
Cross-  
examination -  
continued.

4th October  
1956.

Re-examination.

In the 1st  
Criminal  
District Court  
held at  
Singapore

Prosecution  
Evidence.

No. 13

Liang San Han.  
Re-examination -  
continued.

4th October 1956

Friend's uncle's case was in the 4th Magistrate's Court. It was to be tried sometime but I can't remember the date.

I did not write down in the chit the number in Telok Ayer Street where Seng Guan Bar was. It is easy to find the Bar. Only two in that street.

Sd. F.A. CHUA

No. 14.

Lim Teck Ann  
Examination.

4th October 1956.

No. 14.

EVIDENCE OF LIM TECK ANN

P.W.13 LIM TECK ANN, a/s (in English):

10

Usher attached to 3rd District Court.

In February, and March, 1956 I was attached to the 4th Magistrate's Court.

I have the Charge Book of the 4th Magistrate's Court.

How Suai Lian was charged with possession of prepared opium and smoking utensils in the 4th Magistrate's Court Case No.1571/55 on 27th July, 1955 and the case was heard on the 29th February 1956. The accused was convicted and fined \$3000 in default 6 months imprisonment.

30

Tan Hoon Chin was an accused in 4th Magistrate's Court Case 124/56. Charge possession of opium.

Tan Bang Kau was an accused in 4th Magistrate's Court Case 286/56 - Charge possession of morphine.

Goh Leng Kang was an accused in 4th Magistrate's Court Case No. 297/56 - Charge possession of prepared opium and smoking utensils.

40

Teng Boon Kiam was an accused in 4th Magistrate's Court Case No. 28/56 - Charge possession of prepared opium.

Lee Tiong Chua was an accused in 4th Magistrate's Court Case No.387/56 - Charge (1) possession of raw opium, (2) possession of prepared opium, (3) possession of smoking utensils.

Lim Lian (f) was accused in 4th Magistrate's Court Case No.425/56 - Charge permitting premises to be used for smoking opium, alt: possession of prepared opium and smoking utensils.

10 Tan Bee Eng was an accused in 4th Magistrate's Court Case No.1756/55 - Charge possession of prepared opium. Heard on 29th March 1956.

Chea Chan Tai (f) was an accused in 4th Magistrate's Court Case No.2109/55 - the possession of prepared opium and smoking utensils. Heard on 21st June, 1956.

Tan Seng Shew was an accused in 4th Magistrate's Court Case No. 74/56 - Charge possession of prepared opium.

20 Lim Cheng San was an accused in 4th Magistrate's Court Case No. 75/56 - Charge possession of smoking utensils. Cases 74/56 and 75/56 tried together.

Tan Ee Seng was an accused in 4th Magistrate's Court Case No. 477/56 - Charge with appeal clerk. Case on appeal.

Tan Kiat Seong was an accused in 4th Magistrate's Court Case No. 507/56 - Charge assisting in carrying on of a public lottery to wit Chap Ji Kee.

30 Lau A Chiau was an accused in 4th Magistrate's Court Case No.1103/56 - Charge possession of prepared opium and smoking utensils.

I can't trace the case of Tay Whatt Swee unless I am given the Case No.

Ho Ah Khay was an accused in 4th Magistrate's Court Case No. 935/56 - Charge possession of prepared opium and smoking utensils.

XXD: de Souza:

40 Case 286/56 Tan Bang Kau - he was first produced in Court on 1st March 1956.

Case 297/56 Goh Leng Kang - he was first produced on the 2nd March 1956.

Case 387 Lee Tiong Chua - he was first produced on the 19th March 1956.

In the 1st Criminal District Court held at Singapore.

Prosecution Evidence.

No. 14.

Lim Teck Ann. Examination - continued. 4th October 1956.

Cross-examination.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Prosecution  
Evidence.

No. 14.

Lim Teck Ann.  
Cross-  
examination -  
continued.

4th October  
1956.

Re-examination

Case 425/56 Lim Lian (f) - she was first pro-  
duced on 26th March 1956.

Case 477/56 Tan Ee Seng - he was first pro-  
duced on 3rd April 1956.

Case 507/56 Tan Kiat Seong - he was first pro-  
duced on 5th April 1956.

My duty is to call out the Case No., name of  
accused and to read the Charge. I do this clearly  
and audibly.

RXD: I do not call out the addresses of the ac- 10  
cused. I read out the Charge and it is interpreted  
to the accused. I read it from the Usher's table.

Witness released.

Sd. F.A. CHUA.

Adjourned to 2.30. Bail extended.

Sd. F.A. CHUA

No. 15.

Court  
Proceedings.  
4th October  
1956.

Hearing resumed.  
Case for the prosecution.

No. 15.

COURT PROCEEDINGS.

20

de Souza addresses the Court:

S.172 (f) C.P.C.

Alt. Charge: No offence has been disclosed  
under Ss.420 & 511. Under this section it is  
necessary for prosecution to prove (1) that  
there has been deceit and (2) that damage was  
done to Hou. No damage done to Hou. As re-  
gards deceit - essential witness not called,  
Mr. Devereux-Colebourn he was subpoenaed. He  
could say how well he knew the accused. He  
could say if there was any attempt on accused's  
part to influence him. Was Hou deceived? What  
is the position if Devereux-Colebourn is

30

called and says that accused can influence him. Where is the cheating? Deceit has not been proved.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

S.163: Remarks will apply also to the alt. Charge. S.114 C.P.C. A report has been put in by the defence (Ex. D1). No report put in with regard to this case. Exh.D1 refers to offence of taking illegal gratification. Inspector Wong not the complainant in this case. Hou is the complainant. His report has not been put in. Non production of report of Hou or first information is fatal. Chin Khing Siong v. R. 1952 M.L.J. p.74. Is Hou an accomplice? No doubt whatsoever that Hou was an accomplice. Law on accomplice is clear. Is there corroboration of Hou's evidence? Kok Min Yin and Liang corroborates Hou to certain extent.

No.15.

Court  
Proceedings.  
4th October  
1956 -  
continued.

Kok Min Yin is an accomplice. Liang is an accomplice.

Evidence of one accomplice cannot be corroborated by the evidence of another accomplice.

R. v. Tan Yook Swee 1954 M.L.J. p.116.

Court after warning can accept the uncorroborated evidence of an accomplice if in exceptional circumstances.

There are material discrepancies in the evidence of these accomplices.

Suspicious case - 1938 M.L.J. 117 P.P. v.

Lee Yee Heng - not sufficient to call on the defence.

D.S.P. addresses the Court:

Arrest S.31(a) C.P.C. I agree that Kok and Hou are accomplices. Is Liang an accomplice?

Ho is not an accomplice.

Charge under S.420 - Hou and Liang not accomplices.

This is case of attempted cheating no damage has been done yet.

Defence called on the alternative charge.

Acquitted on the main charge.

Koh: I ask for adjournment to consult client.

Adjourned to 5th October 11 a.m. for mention.

Bail extended.

Sd. F.A. CHUA



In the 1st  
Criminal  
District Court  
held at  
Singapore.

237/56. MARY NG.

Friday 5th October, 1956.

No. 15.

Ramakrishnan for prosecution.

de Souza for defence.

Court  
Proceedings.  
5th October  
1956.

Adjourned to 8th and 9th October.

Bail extended.

Sd. F.A. CHUA.

8th October  
1956.

237/56. MARY NG.

Thursday 8th October, 1956

Caution given to accused.

10

Accused handed in a written statement -  
Exh. D3.

Exh. D3 read by de Souza.

Ramakrishnan: I apply for a short adjournment  
to study Exh. D3.

Adjourned 15 minutes.

Sd. F.A. CHUA.

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Hearing resumed.

No. 16.

EVIDENCE OF CHEW TEE CHYE.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Defence  
Evidence.

No.16.

Chew Tee Chye.  
Examination.

8th October  
1956.

D.W.1. CHEW TEE CHYE, a/s (in English):

XD: de Souza:

Living at 55A Joo Chiat Place. Unit Manager  
of Wing On Life Assurance Co. Ltd.

10 I know the accused. I first met her in early  
part of this year at her house. I can't definitely  
recall the month. It was probably after the Chin-  
ese New Year as it was after the New Year that I  
appointed her Agent of the Asia Life Insurance Co.  
which at that time I was the District Manager.

Chinese New Year fell on the 11th February  
1956 or 12th February 1956. I went to see accused  
towards the end of February 1956.

I was in her flat teaching her how to sell  
Life Insurance. Her flat was at 111B Tiong Bahru  
Road.

20 As I had another appointment, the accused and  
I left the flat together and walked towards the car  
park. On the way I met Kok Min Yin (points to  
P.W.10).

30 Kok Min Yin and I were school mates. I had  
not met him before after leaving school. This was  
the first occasion. We had a chat. I told him I  
was working in Asia Life Insurance. I introduced  
accused to Kok Min Yin as the agent of my Co. I  
thought Kok Min Yin and the accused were strangers,  
that was why I introduced them.

After the introduction I can't remember if  
Kok Min Yin or accused said that they knew each  
other.

XXD: I joined Wing On in September 1956.

Cross-  
examination.

The first time I met accused was towards the  
end of February. I can't say how many days after  
the Chinese New Year.

40 Several days after meeting the accused for the  
first time I met Kok Min Yin. The meeting with Kok  
Min Yin was also in February. It can't be in  
March.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Defence  
Evidence.

No.16.

Chew Tee Chye.  
Cross-  
examination -  
continued.

8th October  
1956

I do not keep a diary. I don't work on schedule.

I went to accused's flat to interview her and to appoint her as Agent.

I came to know accused sometime in December 1955. I met her at a party. I can't remember which party. I went to many parties. I only met her at one party and she impressed me as a prospective agent.

When I saw accused at her flat in February that was the 2nd time I met her. 10

When I first met accused in December I did not speak to accused about insurance.

When I went to see accused in her flat I thought that she might be interested in insurance. She readily agreed to become an agent and I straightaway started teaching her the business. I taught her all the main points. I don't think she read the pamphlets. She can't read properly to understand. 20

I was a hospital assistant in K.L. before doing Insurance.

There was another appointment for me to call at her flat to teach her. I can't remember how many days after that.

After my second visit to accused's flat, I left with her and that was the day I met Kok Min Yin. Accused had different appointment. We were going to our respective appointment, I was not going to give her a lift. 30

I had my car parked behind the block where accused's flat was.

I can't remember exactly where I met Kok Min Yin. It may be downstairs or in between the floors. It was not on the road. I am quite definite.

When I met Kok Min Yin he was walking. I think he was walking up the stairs.

I don't know if there was a back stairs.

I don't know where Kok Min Yin was going to. 40

Accused's flat was on the 2nd floor. It may be in between the floors that I met Kok Min Yin.

I greeted Kok Min Yin first. I did not ask him where he was going. I straightaway introduced accused to Kok Min Yin as agent of my Co.

After meeting we talked a little before I did the introduction.

Not my business to ask Kok Min Yin where he was going. I did not ask Kok Min Yin what he was doing but I told him I was in the insurance business.

I don't think I told Kok Min Yin that if he had any insurance he should go and see the accused. I don't think I gave him my card.

10 I was not interested in Kok Min Yin as an Insurance Agent.

I had not seen Kok Min Yin for 3 or 4 years, more than that. Since leaving school I had met him once in a way.

I had not met him in Singapore before that day. I came to Singapore about 3 years ago.

20 At the first meeting in December accused gave me her address verbally - 111B Tiong Bahru Road. I have very good memory and I can remember the address. I can't remember at which party I met accused.

RXD: Nil.

Witness released.

Sd. F.A. CHUA.

D.W.1. recalled at request of prosecution.

CHEW TEE CHYE on former affirmation:

XXD: The accused had a radiogram in her flat. I don't know what make. There was nothing on the top of the radiogram.

RXD: Nil.

30

Witness released.

Sd. F.A. CHUA.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Defence  
Evidence.

No.16.

Chew Tee Chye  
Cross-  
examination -  
continued.

8th October  
1956.

Chew Tee Chye  
(recalled)  
Cross-  
examination.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

No. 17.

EVIDENCE OF TAN KAY SENG.

D.W.2. TAN KAY SENG, a/s (in Hokkien).

Defence  
Evidence.

XD. de Souza:

No.17.

Living at 26 Ganges Avenue, rubber planter;  
2 rubber estates in Mersing. Estates - one in my  
wife's name and the other in name of my mother and  
younger brother.

Tan Kay Seng.  
Examination.

I know the accused. Known her 3 or 4 years.

8th October  
1956.

In February 1956 I went to accused's flat in  
Tiong Bahru to ask her to assist me in selling my  
estate. While I was with accused one man called  
Peck, an egg seller, came to visit her.

10

A little later 3 others came. I can identify  
those 3 (points to P.W.10, P.W.11 and P.W.12).

The accused sat down and those 3 persons also  
sat down. The accused introduced me to that man  
(points to Kok Min Yin P.W.10).

Kok Min Yin told the accused there was some  
important matter he wanted to discuss with her. On  
hearing this I walked aside together with Peck. We  
went to the verandah.

20

I did not hear the conversation between accus-  
ed and Kok Min Yin.

After the accused shouted out I went in. Ac-  
cused shouted "I cannot do it, don't talk about  
it". That was all I heard. Those 3 people left.

I went back to the sitting room. I saw the  
accused was angry and I did not ask her anything.  
I left.

30

Cross-  
examination.

XXD: I do not have a residence at No. 11 Kim  
Cheng St.

I am rubber planter. I used to pay visits to  
my estate in Mersing.

I have known accused for 3 or 4 years.

I had been to accused's flat before. I can't  
remember how many visits I had made. I think be-  
tween 10 and 20 visits over the 3 or 4 years. All  
these visits not in connection with sale of my  
estate. They were social visits. She was also a  
car broker. Only once I asked her to help me buy  
a car.

40

I also asked her to help me sell my estate. She was not successful.

I went to see her to ask her to sell my estate between 2 and 3 p.m. I do brokering work as well in cars.

On previous visits sometimes I did meet people in her flat.

10 I was there 15 minutes when Peck arrived. I was seated with accused when Peck arrived. We did not sit around a round table. It was a rectangular table. The chairs were around this table.

The chairs were at the four corners of the table. I sat at one corner and the accused at another corner on my right.

When Peck came in he sat at the corner opposite me.

20 Peck asked accused about insurance, he wanted to take out a Policy. He did not mention for how much. The accused produced booklets. I think they were in Chinese but I did not pay much notice. As soon as accused took out the booklets those 3 people came. The accused took out the booklets from a room. Accused got up and went to the room and brought them out.

Those 3 people came in shortly after, most 5 to 10 mins., Peck had arrived.

Peck is a dealer in eggs. The accused introduced Peck as egg seller.

30 Those 3 people came in. Kok Min Yin introduced the other two persons to accused. Then accused introduced me to Kok Min Yin.

Kok Min Yin introduced P.W.11 to accused. I did not hear clearly what Kok Min Yin introduced P.W.11 as. I did not pay attention. I do not know what Kok Min Yin introduced P.W.12 as.

We all sat down.

Kok Min Yin sat at the corner next to me on my left.

40 There was a settee between Kok Min Yin and me and P.W.11. and P.W.12 sat on the settee. The accused sat at the same seat on my right.

The accused offered cigarettes which were on the table in a tin - 555 - to all of us.

I took a cigarette, the others also did except P.W.11 who said he smoked American cigarettes.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Defence  
Evidence.

No.17.

Tan Kay Seng.  
Cross-  
examination -  
continued.

8th October  
1956.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

Defence  
Evidence.

No.17.

Tan Kay Seng.  
Cross-  
examination -  
continued.

8th October  
1956.

The accused asked her brother to bring American cigarettes from her room and offered them to P.W.11. The brother was in the bedroom. Accused called out to her brother who brought out the American cigarettes.

The American cigarettes were in a packet -  
Lucky Strike.

Kok Min Yin told accused that he wanted to talk to her about some important matter. On hearing this I went to the verandah followed by Peck. 10

There was a door to the verandah, I did not close the door. No one closed the door. The door was ajar. I was about 15 ft. away from accused and the others. I did not pay attention to their conversation. When their tone was low I can't hear anything. If I cared to look I could see them but I did not.

I only heard "I cannot do it" because the accused shouted those words. I was on verandah 5 minutes when I heard accused shouting. I looked in and I saw they all had stood up and the 3 persons were about to leave. I did not pay attention what position they were standing. 20

The 3 persons trouped out. I did not hear anyone asking accused for assistance. I came into the hall.

The accused was angry. She did not say anything. Seeing that she was angry I left after a short while.

I did not hear accused saying "I hope you will be convicted and heavily punished." 30

After accused had said "I cannot do it" I looked into the Hall.

The 3 persons left. No one was called back.

After they left the door was closed. Shortly after that I left. I don't know who closed the door.

I did not meet the 3 people on my way down.

I left after 2 or 3 minutes. Peck stayed on.

RXD: Nil. 40

(Note: Interpreter is Mr. Tan See Mee)

Sd. F.A. CHUA.

No. 18.

## EVIDENCE OF PECK BOON LIAN

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D.W.3. PECK BOON LIAN, a/s (in Hokkien).

Defence  
Evidence.

XD: de Souza: Living at 157 Havelock Road, egg seller. Stall 39 New Market. I am partner in coffee shop also. I own a house.

No. 18.

I know the accused. Known her for 4 or 5 years.

Peck Boon Lian.  
Examination.

10 Sometime in February, 1956 I went to accused's flat. It was the 15th day of the 1st Moon which was a festival day. When I arrived, beside accused there were a friend and the younger brother of accused.

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1956.

I can recognise the friend (points to D.W.2).

About 10 minutes later 3 persons came. I can identify them (points to P.W.10, P.W.11 & P.W.12).

I was present when accused spoke to P.W.10, P.W.11, and P.W.12.

20 Firstly, I was introduced by accused to that man (points to Kok Min Yin P.W.10).

Kok Min Yin spoke to accused saying he had something important to speak to her. Accused said "Never mind, you can speak it out". When I heard the word "Important" mentioned by Kok Min Yin I went to the verandah.

30 I could not hear what was said between them. Then the accused raised her voice and said "I am not interfering in this matter." She repeated the same words "I am not interfering in this matter". The actual words used by accused were "This matter I cannot interfere". She also said "Don't come and see me again, I am not interfering in this matter." That was all she said. Then the 3 men went away.

I came back to the sitting room. Sat down. Accused was angry. When I asked her she said she was not going to interfere in the matter. I don't know what matter. She did not tell me.

40 XXD: Accused said "Don't come and see me again" this was also said in a loud tone. When those words were spoken I looked into the sitting room. Those people were sitting there.

Cross-  
examination.

When accused repeated the words they got up and went away.



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Defence  
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Peck Boon Lian.  
Cross-  
examination -  
continued.

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I did not hear accused saying anything else.

I did look at accused from the verandah when she raised her voice. I kept on looking in till the 3 persons got up and went away.

I did not hear accused saying "I hope you will be convicted and heavily fined".

Accused was very angry.

When I first arrived, accused, D.W.2 and accused's brother were sitting down talking.

The accused invited me to sit down. She introduced me to D.W.2. 10

The table was a square table: I was seated at a corner of the table on the right of accused. D.W.3 was opposite to accused. Accused's brother was sitting on my side of the table to my right.

We were not at the corners of the table.

(Witness asked to draw the table, and to insert his position by figure 1, accused's position by 2, D.W.3's position by 3, accused's brother's position by 4 - Exh. D4). 20

(Note: Interpreter is Mr. Lim Choon Ann).

Adjourned to 2.30

Bail extended.

Hearing resumed.

D.W.3. PECK BOON LIAN, o.f.a. states (in Hokkien).

XXD: The four of us were not sitting at the centre of the table, but nearer to the corner.

The accused's brother was also seated there.

I went there because she was a regular customer and it was a festival day besides she had been an insurance agent and she had asked me previously whether I would take insurance and on this visit I intended to ask her about insurance. 30

I did ask her about the insurance.

She said she would show me the prospectus.

It was the 15th day of the 1st Moon (Interp: It was the 26th February) I remember it quite definitely it was the 15th day of the 1st Moon. I did not go to accused's house the day before.

I have known the accused 4 or 5 years. I deliver 40

eggs to her. I visited her once a week to deliver eggs.

I remember visiting her for the first time, it was some years ago. I don't remember anything extraordinary happening but I remember I went there to sell eggs.

10 Other visits, I went there to deliver eggs; after delivery I would leave. If I was free I would sit down and chat to accused. I have met people at her place. If I can recognise the visitors I will say so. I can remember and identify all the persons that I have met there.

RXD: Nil.

Sd. F.A. CHUA

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Defence  
Evidence.

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Peck Boon Lian.  
Cross-  
examination -  
continued.

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No. 19.

EVIDENCE OF LOH GIAP KEOW.

D.W.4. LOH GIAP KEOW, a/s (in Teochew).

XD: de Souza:

20 Living at 111-B Tiong Bahru Road, Clerk at No. 5 Sub-depot B.O.D. Telok Blangah.

The 26th February, 1956 was a Sunday. I did not go to work. I was at home in the afternoon.

Between 2 and 3 p.m. one Tan (points to D.W.2) came. After a short while another person came (points to D.W.3). Later another 3 persons came (points to P.W.10, P.W.11 and P.W.12),

When these 3 came I opened the door. I was in the sitting room. When they came in I went into my room.

30 My sister, the accused, called me to bring her American Cigarettes.

I went back to my room. I did not hear the conversation in the sitting room. I heard someone raising her voice, the accused did. I did not hear clearly.

I heard the voice of my sister and I came out and I saw P.W.10, P.W.11 and P.W.12 leaving. After a short while D.W.2. and D.W.3. left, one after the other.

No.19.

Loh Giap Keow.  
Examination.

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Defence  
Evidence.

No.19.

Loh Giap Keow.  
Cross-  
examination.

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1956.

XXD: I am married with 2 children. I and my family occupied one room.

I was sitting in the sitting room with D.W.2, D.W.3 and the accused. I was in the sitting room when D.W.2. and D.W.3 came and I heard the conversation between them and the accused.

D.W.3 said he wanted to take out an insurance policy. He did not mention for how much.

The accused called out for American Cigarettes. I brought them out - Lucky Strike. That was the brand I smoke. I have American Cigarettes with me (produced an open packet of Lucky Strike). 10

I brought the Lucky Strike and gave it to the accused. I did not offer the cigarettes to the people present. The accused offered the Lucky Strike to P.W.11 who accepted it.

I did not see accused offering a cigarette to P.W.12.

I heard accused raise her voice. I did not hear her words clearly. It appeared as if she was scolding someone. I did come out of my room. I saw the 3 persons leaving and D.W.2 and D.W.3 about to come into the sitting room from the verandah. 20

Shortly after accused raised her voice I came out of my room. My bedroom door was closed.

RXD: Nil.

Sd. F.A. CHUA

No.20.

Lim Ah Yew.  
Examination.

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No. 20.

EVIDENCE OF LIM AH YEW.

D.W.5. LIM AH YEW, a/s (in Hokkien)

XD: de Souza:

Partner in coffee shop, living at 46 Blair Road. 30

I know the Air View Bar, it is downstairs. I am in habit of patronising this Bar.

I know a man called Hou Say Lian (points to P.W.10). I have met him at the Air View Bar.

I know the accused. I know her name.

I remember P.W.10 asked me if I knew the accused. He asked me in the Air View Bar. We met in the Bar. He was there when I arrived. We were not drinking together.

P.W.10 mentioned accused's name. I replied I know Mary Ng.

10 I remember P.W.10 saying that he had a case, I think an opium case, in the 4th Magistrate's Court and he was very heavily fined and he blamed Mary Ng for having caused him to be fined heavily. P.W.10 said he was very dissatisfied and he said if he had the opportunity he would take a revenge.

When P.W.10 was speaking to me he appeared to be drunk.

Nothing else happened.

This took place at 7 p.m. one evening towards the end of May, 1956.

I tried to forget about it, I did not speak to any one about it.

20 I know this man (P.W.12).

I remember I was introduced to Lim by one Mr. Ho. About 2 weeks after P.W.10 had spoken to me about money I was introduced to P.W.12 by Mr. Ho in Sin Seng Huat Bar, Kampong Bahru Road.

30 One night when I returned home my wife told me that Mr. Ho and a friend had come to the house to look for me when I was not in. They left a message with my wife to inform me to meet them at Sin Seng Huat Bar. I went immediately to the said Bar the same night.

I saw Mr. Ho in the Bar. He introduced me to P.W.12 who I did not know before.

40 P.W.12 spoke to me. He said Hou Say Lian was his good friend and he was sent by Hou Say Lian to speak to me and he had something to speak to me. P.W.12 said it was in connection with Hou Say Lian's case and that Hou Say Lian had been fined very heavily. He also said Hou Say Lian was fined so heavily because Mary had put him in trouble. He then asked me to assist him by getting someone to assault Mary and that Hou Say Lian was going to pay the expenses of getting the assailant.

I said I could not accept that offer. I would not do it, to get someone to assault a woman.

P.W.12 then said he would use another method and he would consult me about it. He said he had

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Lim Ah Yew  
Examination --  
continued.

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Evidence.

No.20.

Lim Ah Yew.  
Examination -  
continued.

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Cross-  
examination.

a relative who had been charged in connection with opium in the 4th Magistrate's Court. He told me to speak to Mary and asked her to help. Then we would pay money to Mary and at the same time inform the anti-corruption dept. to arrest her. I said I would not assist.

XXD: I am a canvasser for American International Assurance Co.

I have known the accused 4 or 5 years. Not very friendly with accused. 10

I don't know why of all people in Singapore P.W.12 should seek me to assist him. You must ask him that.

I think it might be because of my reputation, I am well known amongst the bad people.

I am connected with secret societies. In the past you could say that I was a leader as whatever I said those people would support me.

I have a prison record, starting from 1946. 1951 was my last conviction. 20

I was sentenced to 5 years for robbery but I was acquitted on appeal; that was in 1948.

P.W.12 asked me if I knew the accused and I told him that I did. He suggested laying a trap for accused through me. P.W.12 approached me because he knew I was a bad character and he thought he could buy me with money to help him.

P.W.12 did not make it clear to me whether he would give me the money and I in turn would give the money to Mary before the anti-corruption was informed. 30

P.W.12's object was to get me to act as an introducer. He told me he had a relative who had been arrested in connection with opium. Therefore he asked my assistance to speak to Mary and to ask her to help. I can't say why he came to me to assist him.

P.W.12 would not know if I was on good terms with the accused.

If he knew I was on good terms with accused P.W.12 would not ask me if I knew the accused. 40

P.W.12 did not know, that was why he asked me.

P.W.12 told me that he was asked by Hou to come and see me. If Hou had told P.W.12 that I knew Mary, P.W.12 would know.

I deny that I am paid by the accused to come and give evidence.

When P.W.11 told me that the accused had done him harm he was angry and he appeared he was going to take revenge and he said so.

10 RXD: I was served with a subpoena. It is true that I was reluctant to give evidence and I told the lawyer's clerk.

I know Mr. Koh the Counsel. I am not friendly with him.

Sd. F.A. CHUA

Mr. Koh: We have another 2 witnesses.

Adjourned to 10.15. Bail extended.

Defence witnesses 2, 3, 4 and 5 released.

Sd. F.A. CHUA

20

No. 21.

COURT PROCEEDINGS.

237/56. MARY NG.

Tuesday 9th October, 1956.

Hearing resumed.

Koh: The accused wishes to put in an explanatory statement. There is one point in the first statement which is not clear and this will clarify it. This is like giving further evidence.

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Defence Evidence.

No.20.

Lim Ah Yew.  
Cross-examination - continued.

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Re-examination.

No.21.

Court Proceedings.  
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No. 21.

Court  
Proceedings  
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continued.

Krishnan: This is unusual.

Court allows the explanatory statement to  
be filed.

Accused puts in explanatory statement -  
Exh. D5.

Koh reads Exh. D5.

Koh: We are not calling any more witnesses.  
This is the defence case.

Case for Defence concluded.

Koh addresses the Court:

10

S.415 P.C. "By deceiving any person"  
Ratanlal 18th Ed. P.1052. S.416 P.C. does not  
apply. S.417 - 1 year imprisonment. S.418 does  
not apply. S.419 punishment S. for S.416.  
S.420 punishment section. P.1077 Ratanlal  
"Difference between S.417 & S.420." P.1052  
Ratanlal "The authors of the code say .....  
as rightful". S.420 to be used only if proper-  
ty has passed - there can be no attempt under  
S.420. Look at the Charge before the Court. The  
Charge as framed cannot stand.

20

"Deception is of the essence of the offence  
of Cheating. In this case what was the repre-  
sentation that constitutes the Cheating? Every  
essential element of the Charge must be set out  
in the Charge. The evidence of Mr. Devereux-  
Colebourn is vital to this case. The deception  
Charge has not been proved. It has not been  
proved to Court that Mr. Devereux-Colebourn is  
the 4th Magistrate. Mr Mr. Devereux-Colebourn  
has been proved to be the 4th Magistrate there  
may be a presumption that he acted in a proper  
manner, but this presumption has been rebutted  
by the evidence of the prosecution of the tele-  
phone call by accused to the 4th Court, the  
photo of Mr. Devereux-Colebourn and accused.

30

Defence say Hou Say Lian wanted his re-  
venge.

Principles to be applied - Rajoo v.R.1949  
M.L.J. p.250 - reasonable explanation.

40

No evidence to show how the police came  
upon the information which led them to Mr.Park's  
studio, but we have given a clue.- during one

of Kok's visits photo disappeared. Reasonable conclusion is that Kok showed the photo to the police.

Kok, Hou and Liang contradicted one another. There are many contradictions - dates.

Kok is a person of undesirable character. D.W.1., Chew, is reputable person. Kok's evidence as to dates was different from that given in the 3rd District Court.

10 Kok's and Liang's evidence regarding visit by Liang to Kok's house different - Kok did not mention a chit. Kok never mentioned that accused said she was the wife of 4th Magistrate. Hou and Liang conspired and brought Kok in.

Lim Ah Yew, D.W.5. was cross-examined but was unshaken. Clear evidence that Hou sought revenge and Liang was the prime mover.

Kok said he saw photo in accused's flat and he gave minute details. Liang said Kok did not see the photo.

20 Liang said he heard Hou said "When I am acquitted I will buy you a present". Hou said he only thought about giving a present. Liang and Hou no doubt are conspirators against the accused. Liang said he never whispered to Hou. Kok said they did.

Hou knows how to use a telephone, why did Liang ring up for Hou? This is only to bolster their case.

30 Hou said accused offered \$500. Liang said Hou asked accused for \$500. Hou said Liang said matter was trivial, Liang said he told Hou that matter had gone to Court and nothing could be done in the matter.

Hou said he never consulted Liang about the matter. Can he be believed? Liang accompanied Hou on every occasion. Hou cannot be believed.

Hou never at any time made a voluntary report.

P.W.8, son of Hou, is a liar - his mother contradicted him. Both are liars.

40 There was a motive for fabrication of evidence by the prosecution witness - Hou.

Under C.P.C. no investigation can be carried out by the Police in a seizable offence unless such investigation originated under an information laid under S.114 C.P.C.

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No. 21.

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No. 21.

Court  
Proceedings.  
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continued.

Ramakrishnan addresses the Court:

Difference between S.417 & S.420. No where in the Code does it say that an attempt of Cheating is punishable under S.417. Ratanlal p.1073, p.1081 "The vital difference ..... C.P.C."

S.114 C.P.C. does not say information must be received before Police can investigate - S.31(1) (a).

Defence suggested whole thing was concocted by the prosecution witnesses. No report was made by Hou, he had no intention of doing so. Liang could have helped him to make a report.

10

Kok did not say that no chit was left. He was not asked about it.

There is a suggestion that Kok pinched the photo. It is a difficult feat. If Kok had taken the photo he could have produced it to the police. Police had to search for a copy of it.

There is a difference in weight between a statement made from the dock and a statement made on oath. If a person is not afraid to tell the truth why does she not give her evidence on oath. I ask Court to give its due weight.

20

D.W.1. Chew - He said he had a very good memory but he can't say for certain on many points. He was not clear on certain points when it suited him.

D.W.2. and D.W.3. contradicted each other - positions where they sat - outburst of the accused.

30

D.W.4. biased witness.

P.W.8. not a liar.

Defence story not true.

Lim Ah Yew's evidence cannot be believed.

Kok in his evidence here did not dispute that he made a different statement in the 3rd District Court and he gave an explanation for the mistakes he had made when giving evidence in the 3rd District Court.

40

Finding - guilty, convicted.

Ramakrishnan: Nothing known. This is an extraordinary case.

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Koh: Nothing to say.

SENTENCE: 3 months imprisonment  
and fine \$5000 in default  
a further 3 months imprisonment.

No.21.

Koh: I have been instructed to lodge an appeal. She was on bail of \$5000 and 2 sureties.

Court  
Proceedings.  
9th October  
1956 -  
continued.

10

Bail \$8,000 and 2 sureties pending appeal.

Sentence stayed.

Exhibits to Police.

Sd. F.A. CHUA.

No. 22.

No. 22.

GROUND OF DECISION.

Grounds of  
Decision.

In this case one Mary Ng was charged with the following charges:

20

"You MARY NG are charged that you, between 26th February and 28th February 1956 at Singapore, attempted to obtain from one HOU SUAI LIAN for yourself a gratification of Two thousand five hundred dollars as a reward for inducing by the exercise of personal influence, a Public Servant, to wit Mr.J.M.Devereux-Colebourn 4th Magistrate, Singapore, in the exercise of his official functions as 4th Magistrate, to

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show favour to the said HOU SUAI in connect-  
ion with 4th Magistrate Court Case No. 1571/  
55, and thereby committed an offence punish-  
able under Section 163 of the Penal Code (Cap.  
119)

No.22

Alternatively

Grounds of  
Decision -  
continued.

"You MARY NG are charged that you, between 26th  
February and 28th February 1956, at Singapore,  
did attempt to cheat one HOU SUAI LIAN by  
representing to him that you were able to  
induce Mr. J.M. Devereux-Colebourn, 4th Magis-  
trate Singapore, to show favour to him in con-  
nection with 4th Magistrate Court Case No.  
1571/55, and thereby dishonestly attempted to  
induce the said HOU SUAI LIAN to deliver to  
you the sum of Two thousand five hundred dol-  
lars, and you thereby committed an offence  
punishable under Sections 420 and 511 of the  
Penal Code (Cap.119).

10

The Prosecution evidence can be summarised as  
follows:-

20

On the 26th July 1955 one Hou Say Lian (P.W.11)  
was arrested by the police and he was charged in  
the 4th Magistrate's Court on the 27th July, 1955  
with being in possession of prepared opium and  
smoking utensils. The case was mentioned several  
times and was eventually fixed for hearing on the  
29th February, 1956.

On the 25th February, 1956, Hou Say Lian met  
one Kok Min Yin (P.W.10) in a Bar by arrangement.  
Hou Say Lian was accompanied by a friend Liang San  
Han (P.W.12). Kok Min Yin informed Hou San Lian  
that he was sent by the accused, who was the 4th  
Magistrate's wife, to speak to him about the opium  
charge which was pending against him, and that the  
accused for a consideration could help him by get-  
ting the case thrown out by the Court. Kok Min Yin  
then made arrangements to take Hou Say Lian to see  
the accused.

30

On the 26th February 1956 at 2.30 p.m. Kok Min  
Yin took Hou Say Lian and Liang San Han to the ac-  
cused flat at No.111-B, Tiong Bahru Road. The  
accused was in and she introduced herself to the  
visitors as the wife of the 4th Magistrate and  
showed them a photo of Mr. Devereux-Colebourn, who  
was then the Magistrate in the 4th Magistrate's  
Court, with his arm around the accused's body, and  
said that she could get an acquittal for Hou Say  
Lian for the sum of \$3,500/-. Hou Say Lian said

40

that he could not pay \$3,500/- but he however asked the accused to help.

On the 27th February 1956 at the request of the accused, Hou Say Lian, accompanied by Liang San Han, again visited the accused. The accused asked Hou Say Lian how much he could pay and the latter said "\$500". The accused said that \$500 was too little. She further said that it was the Magistrate who wanted the money and at least \$1000 should be paid. The accused then suggested that Hou Say Lian should borrow \$500 from her and with his \$500 he could pay the \$1,000. To this Hou Say Lian agreed. That same evening the accused informed Hou Say Lian that \$1,000 was not enough.

At the request of the accused Hou Say Lian again visited the accused with Liang San Han on the 28th February 1956. The accused informed Hou Say Lian that the Magistrate wanted more than \$1,000 and said that at least \$2,500 should be paid. Hou Say Lian replied that he could not pay \$2,500 whereupon the accused warned him that if the \$2,500 was not paid he would be fined \$3,000 by the Court and would be sent to jail for six months.

The next day, the 29th February 1956, Hou Say Lian was tried in the 4th Magistrate's Court and convicted and was fined \$3,000 in default six months imprisonment.

On the 13th August 1956 the accused's flat was searched by the police. The accused was not in when the police arrived but she returned during the search. Amongst the articles found and seized by the police were the following (1) a file containing newspaper cuttings headed "Petition to Retain Expat Magistrate" with a photo of Mr. Devereux-Colebourn (Ex.P17). (2) change of address card of Mr. Devereux-Colebourn dated 1st Sept. 1955 (Ex. P19), (3) a letter from the Opium Addicts Treatment Association dated 30th July 1956 (Ex.P20) about one Chua Tiong Swee who was undergoing anti-opium treatment, (4) Three slips of paper with names and addresses (Ex.P21-P23), (5) Visitors permit to General Hospital to visit Mr. Devereux-Colebourn dated 22.3.54 (Ex.P27), (6) a change of address card of Mr. Devereux-Colebourn dated 14th August 1954 (Ex.P28), (7) Invitation to a party given by Mr. Devereux-Colebourn on 10th June 1954 (Ex.P29).

All the above-mentioned exhibits were found in the accused's bedroom, some were found on a table, some including Exhibits P21-P23, were found

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Grounds of  
Decision -  
continued.

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District Court  
held at  
Singapore.

No. 22.

Grounds of  
Decision -  
continued.

in a drawer of her dressing table, and some in a drawer of a bedside table.

The police also searched the house of Kok Min Yin on the same day and a pocket book, (Ex. P30) containing a number of names, was seized.

It was established by the prosecution that the slips of paper Ex.P21 and P23 found in the drawer of accused's dressing table had the names of two persons who were charged with opium offences in the 4th Magistrate's Court in 1956. 10

It was also established by the prosecution that the pocket book, Ex.P30, contained the names of 12 persons who were charged in the 4th Magistrate's Court in 1956 with opium offences. Kok Min Yin in evidence said that these names were given to him by the accused and he was asked by the accused to contact these persons.

At the close of the case for the prosecution Defence Counsel submitted that the three main prosecution witnesses - Kok Min Yin (P.W.10), Hou Say Lian (P.W.11) and Liang San Han (P.W.12), were accomplices. I entirely agree that as far as the main charge was concerned these three witnesses were accomplices but as regards the alternative charge, Hou Say Lian and Liang San Han were not accomplices although Kok Min Yin was. 20

It was also submitted by the defence that as regards the alternative charge the prosecution had failed to prove (1) that there had been deceit and (2) that damage had been done to Hou Say Lian. As regards the second point it need only be said that the alternative charge was not of cheating but of an attempt to cheat. 30

As regards the first point that there was no proof that there had been deceit, the defence contended that the Magistrate, Mr.Devereux-Colebourn, should have been called by the prosecution as he was the only person who could say whether he could be influenced by the accused. In my view I don't think it was necessary for the prosecution to call Mr. Devereux-Colebourn as a witness to say that he could not be influenced by the accused before the Court could be satisfied that there was deceit. Whether the accused could or could not induce Mr. Devereux-Colebourn to show favour to Hou Say Lian was a fact which was especially within the knowledge of the accused and I was of the opinion that under Sec.107 of the Evidence Ordinance (Cap.4) it was not necessary for the prosecution to prove deceit by calling Mr. Devereux-Colebourn to say that 40 50

the accused could not influence him. The onus was on the accused to prove that she could induce Mr. Devereux-Colebourn, to show favour to Hou Say Lian.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

As the prosecution case on the main charge depended entirely on the uncorroborated evidence of accomplices I thought it proper to call on the defence on the alternative charge.

No.22.

10 When called upon to enter upon her defence the accused elected to put in a written statement (Ex. D3). After the defence witnesses had given evidence the accused put in a further written statement which was described as an "explanatory statement" (Ex.D5).

Grounds of  
Decision -  
continued.

20 In her written statement Ex.D3 the accused said that she was on terms of familiarity with both Mr. and Mrs. Devereux-Colebourn. She denied the allegation of the prosecution that she tried to extract money from Hou Say Lian by representing to him that she could influence the Magistrate, Mr. Devereux-Colebourn, to acquit him on the charge against him.

The accused said that she was introduced to Kok Min Yin by one Chew Tee Chye (D.W.1) as his Insurance Agent and after that Kok Min Yin had been to her flat on a few occasions to talk about prospective insurance cases.

30 The accused alleged that it was Kok Min Yin who brought Hou Say Lian and Liang San Han to her flat and asked her to assist, by contacting Mr. Devereux-Colebourn, to obtain the acquittal of Hou Say Lian, which she refused to do. She said she was very angry about it and told Hou Say Lian that she hoped he would be convicted and heavily punished.

40 The accused said in her second written statement (Ex.D5) as follows: "on the point of "INFLUENCE", I believe I could induce Mr.Colebourn to show favour to the Complainant, Hou Say Lian, but there was never any question of my so inducing him in this or in any other case."

The defence called five witnesses. Chew Tee Chye (D.W.1) said in evidence that one day towards the end of February 1956 he introduced the accused to Kok Min Yin as his Insurance Agent and he thought that Kok Min Yin and the accused were strangers to each other.

Tan Kay Seng (D.W.2) said in evidence that one day in February 1956 he was in the accused's flat when Kok Min Yin, Hou Say Lian and Liang San

In the 1st  
Criminal  
District Court  
held at  
Singapore.

No. 22.

Grounds of  
Decision -  
continued.

Han called. He walked away to the verandah and did not hear the conversation between accused and the three visitors. He only heard the accused saying "I cannot do it, don't talk about it". He further said that the accused was angry so he did not ask her what the matter was.

Peck Boon Lian, (D.W.3) said in evidence that he was present in the flat of the accused when Kok Min Yin, Hou Say Lian and Liang San Han called on the 15th day of the 1st moon 1956 (corresponding to 26th February 1956). He also went to the verandah and did not hear the conversation between the accused and the three visitors. He only heard the accused saying in a raised voice "This matter I cannot interfere" and "Don't come and see again, I am not interfering in this matter."

10

Loh Giap Keow (D.W.4) brother of the accused, said in evidence that on the 26th February 1956 D.W.2. and D.W.3. visited the accused in the flat and later Kok Min Yin, Hou Say Lian and Liang San Han came. He did not hear any conversation between accused and the visitors as he was in his room.

20

Lim Ah Yew (D.W.5) said in evidence that one night towards the end of May 1956 he met Hou Say Lian in the Air View Bar and Hou Say Lian, who appeared to be drunk, said that the accused had caused him to be fined heavily and if he had the opportunity he would take his revenge. This witness further said in evidence that one night, two weeks after meeting Hou Say Lian in the Air View Bar, he met a Mr. Ho in the Sin Seng Huat Bar and Mr. Ho introduced him to Liang San Han who asked him to get a person to assault the accused and when he refused, suggested that he should help to frame the accused.

30

I considered the evidence before me very carefully, I had no doubt that Hou Say Lian (P.W.11) and Liang San Han (P.W.12) were truthful witnesses. I did not believe the evidence of D.W.2., D.W.3 and D.W.4.

40

I reject the allegation of the defence that Hou Say Lian and Liang San Han framed the accused. The defence witness Lim Ah Yew (D.W.5) could not be believed without corroboration as he was a person of bad character. There was no corroboration.

Prosecution witness Kok Min Yin (P.W.10) no doubt was an accomplice but his evidence was corroborated by Hou Say Lian and Liang San Han and I accepted it.

Exhibits P20, P21 and P23 were seized from the flat of the accused. What was she doing with the names and addresses of two persons who were charged in the 4th Magistrate's Court and a report about an opium addict? She had not given any explanation. I believed the story of Kok Min Yin that the name of Hou Say Lian was given to him by the accused who asked him to contact Hou Say Lian.

In the 1st  
Criminal  
District Court  
held at  
Singapore.

\_\_\_\_\_  
No. 22.

10 As I have stated earlier I was of opinion that the onus was on the accused to satisfy the Court that she could induce Mr. Devereux-Colebourn to show favour to Hou Say Lian. This she had failed to do. I had no doubt that the accused tried to cheat Hou Say Lian by trying to get money from him by falsely holding out that she could induce the Magistrate, Mr. Devereux-Colebourn, to acquit him.

Grounds of  
Decision -  
continued.

I found the accused guilty and sentenced her to 3 months imprisonment and fined her \$5000 in default a further 3 months imprisonment.

20 I found, after passing sentence, that I had exceeded my jurisdiction by imposing a fine of \$5000. Under Sec.12(3) of the C.P.C. (Cap. 132), the maximum fine that a District Court can impose is \$3000. I ask that the High Court exercise its powers of revision and set aside the fine of \$5000 and impose a fine of \$3000 in default three months imprisonment.

Sd. F.A. CHUA

KEA...

DISTRICT JUDGE

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(S E A L)

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In the  
High Court of  
the Colony of  
Singapore  
Island of  
Singapore

No. 23.

NOTICE OF APPEAL

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IN THE HIGH COURT OF THE COLONY OF SINGAPORE  
ISLAND OF SINGAPORE

---

No. 23.

Notice of  
Appeal.  
9th October  
1956.

1st Criminal District Court Case No. 237/56  
Magistrate's Appeal No. 220 of 1956

MARY NG

accused  
Appellant

vs.

REGINA

Respondent

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To:  
The Honourable,  
The Judges of the High Court,  
Singapore.

NOTICE OF APPEAL

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The abovenamed Mary Ng hereby gives Notice of Appeal against the whole of the Judgment and sentence of the 1st District Judge in the above case on the 9th day of October, 1956.

Dated this 9th day of October, 1956.

20

Sd. Mary Ng

A P P E L L A N T

The address for service is c/o Messrs. de Souza & de Souza, Bank of China Building, 10th Floor, Battery Road, Singapore.

No. 24.

PETITION OF APPEAL.

In the  
High Court of  
the Colony of  
Singapore.  
Island of  
Singapore.

To  
The Honourable,  
The Judges of the High Court  
of the Colony of Singapore.

No. 24.

Petition of  
Appeal.  
19th February  
1957.

The Petition of Mary Ng, the Appellant herein,  
respectfully sheweth:-

1. Your Appellant was charged on the 1st October  
1956 before the First Criminal District Judge as  
follows:-

"You MARY NG are charged that you, between  
26th February and 28th February 1956 at  
Singapore, attempted to obtain from one HOU  
SUAI LIAN for yourself a gratification of  
two thousand five hundred dollars as a re-  
ward for inducing by the exercise of personal  
influence, a Public Servant, to wit Mr. J.M.  
Devereux-Colebourn 4th Magistrate, Singapore,  
in the exercise of his official functions as  
4th Magistrate, to show favour to the said  
HOU SUAI LIAN in connection with 4th Magis-  
trate Court Case No.1571/55, and thereby com-  
mitted an offence punishable under Section  
163 of the Penal Code (Cap.119)".

ALTERNATIVELY:

"You MARY NG are charged that you, between  
26th February and 28th February 1956 at  
Singapore, did attempt to cheat one HOU SUAI  
LIAN by representing to him that you were  
able to induce Mr. J.M. Devereux-Colebourn,  
4th Magistrate Singapore, to show favour to  
him in connection with 4th Magistrate Court  
Case No.1571/55, and thereby dishonestly at-  
tempted to induce the said HOU SUAI LIAN to  
deliver to you the sum of Two thousand five  
hundred dollars, and you thereby committed  
an offence punishable under Sections 420 and  
511 of the Penal Code (Cap. 119)".

2. On the 4th October 1956 at the close of the  
case for the Prosecution, the learned District  
Judge acquitted your Appellant on the main charge  
but called upon your Appellant for her Defence on  
the alternative charge of attempted cheating.

In the  
High Court of  
the Colony of  
Singapore.  
Island of  
Singapore.

No. 24.

Petition of  
Appeal  
19th February  
1957 -  
continued.

3. On the 9th October 1956 at the close of the case for the Defence your Appellant was convicted on the alternative charge and was sentenced to 3 months imprisonment and fined \$5,000.00 in default a further 3 months imprisonment.

4. Your Appellant is dissatisfied with the conviction and sentence on the following grounds:-

(i)(a). The learned District Judge was wrong in law in holding (page 44 of the Grounds of Decision para: 6) that "the onus was on the accused to prove that she could induce Mr. Devereux-Colebourn to show favour to Hou Say Lian". 10

(b) The learned District Judge was wrong in law when he stated in his Grounds of Decision (page 72 of the Record para:6):-

"Whether the accused could or could not induce Mr. Devereux-Colebourn to show favour to Hou Say Lian was a fact which was especially within the knowledge of the accused and I was of the opinion that under Section 107 of the Evidence Ordinance (Cap.4) it was not necessary for the Prosecution to prove deceit by calling Mr. Devereux-Colebourn to say that the accused could not influence him" 20

(c) The omission of the Prosecution to call Mr. Devereux-Colebourn (who was available) resulted in the Prosecution failing to prove its case since it had not proved "deception" an essential ingredient of the charge of cheating. Furthermore the learned District Judge should also have held that as Mr. Devereux-Colebourn was not called by the Prosecution it must be assumed that the evidence which could have been given would have been favourable to your Appellant. 30

(ii)(a) The three main Prosecution witnesses, viz., P.W.10, P.W.11 and P.W.12 were accomplices and your Appellant was convicted on their uncorroborated evidence. 40

(b) The learned District Judge was wrong in law in not treating them as accomplices and in particular when he stated in his Grounds of Decision (page 72 of the Record para: 4):-

"I entirely agree that as far as the main charge was concerned these three witnesses were accomplices but as regards the alternative charge, Hou Say Lian and Liang San Han were not accomplices although Kok Min Yin was".

In the  
High Court of  
the Colony of  
Singapore.  
Island of  
Singapore.

No. 24.

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(c) The learned District Judge acquitted your Appellant on the main charge at the close of the Prosecution case because he found that the Prosecution case on this charge depended entirely on the uncorroborated evidence of accomplices. For the same reasons he should have acquitted your Appellant on the alternative charge.

Petition of  
Appeal  
19th February  
1957 -  
continued.

(iii) The Prosecution failed to prove that Mr. Devereux-Colebourn was at all material times the 4th Magistrate.

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(iv) The Prosecuting Officer in his address to the Court (page 68 of the Record) stated:-

"There is a difference in weight between a statement made from the dock and a statement made on oath. If a person is not afraid to tell the truth why does she not give her evidence on oath. I ask the Court to give its due weight".

This statement was wholly illegal and gravely prejudiced your Appellant's case.

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(v) The charge on which your Appellant was convicted was bad in that there is in law no offence of attempting to cheat under Section 420 of the Penal Code.

(vi) The learned District Judge misdirected himself when he stated in his Grounds of Decision (page 74 of the Record para: 6):-

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"Prosecution witness Kok Min Yin (P.W.10) no doubt was an accomplice but his evidence was corroborated by Hou Say Lian and Liang San Han and I accepted it".

In fact these witnesses contradicted one another on material points and there were a number of discrepancies in their evidence.

(vii) The verdict was unreasonable or cannot be supported having regard to the evidence.

In the  
High Court of  
the Colony of  
Singapore  
Island of  
Singapore

No. 24.

Petition of  
Appeal.  
19th February  
1957 -  
continued.

(viii) The sentence was illegal and excessive.

5. Your Appellant therefore prays that such conviction and sentence may be quashed or that such order may be made thereon as justice may require.

And as in duty bound your Appellant will ever pray.

Dated this 19th day of February 1957.

MARY NG

A P P E L L A N T

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MARY NG

The address for service of the abovenamed Appellant is c/o L. Rayner, Advocate & Solicitor, Singapore.

No. 25.

Statement of  
Case.  
21st February  
1957.

No. 25.

STATEMENT OF CASE.

IN THE MATTER of the QUEEN on the PROSECUTION of  
MARY NG Appellant  
versus  
R E G I N A Respondent

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APPEAL under the provisions of Chapter XXVIII of the Criminal Procedure Code.

At a First Criminal District Court held at Singapore before F.A. Chua Esquire, a District Judge for the Colony of Singapore, the above-named appellant was charged as follows:-

She Mary Ng was charged that she, between 26th

February and 28th February 1956 at Singapore, attempted to obtain from one HOU SUAI LIAN for yourself a gratification of two thousand five hundred dollars as a reward for inducing, by the exercise of personal influence, a Public Servant, to wit Mr. J.M. DEVEREUX-COLEBOURN, 4th Magistrate, Singapore, in the exercise of his official functions as 4th Magistrate, to show favour to the said HOU SUAI LIAN in connection with 4th Magistrate Court Case No. 1571/55, and thereby committed an offence punishable under Section 163 of the Penal Code (Cap. 119).

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Alternatively

She Mary Ng was charged that she, between 26th February and 28th February 1956 at Singapore, did attempt to cheat one HOU SUAI LIAN by representing to him that she was able to induce Mr. J.M. DEVEREUX-COLEBOURN, 4th Magistrate, Singapore, to show favour to him in connection with 4th Magistrate Court Case No. 1571/55, and thereby dishonestly attempted to induce the said HOU SUAI LIAN to deliver to you the sum of two thousand five hundred dollars, and she thereby committed an offence punishable under Sections 420 and 511 of the Penal Code (Cap. 119).

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D.S.P. Ramakrishnan conducted the prosecution.

Messrs. P. de Souza with C.H. Koh appeared for the defence.

The case was called on for hearing on the 15/9/56, 17/9/56, 29/9/56, 1/10/56, 2/10/56, 3/10/56, 4/10/56, 5/10/56, 8/10/56 and 9/10/56.

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and the said appellant was convicted and sentenced as follows:-

3 months imprisonment and fine \$5,000 in default a further 3 months imprisonment.

Notice of appeal was lodged on the 9th day of October, 1956.

A copy of the record of the case was supplied to Mr. L. Rayner on the 4th day of February, 1957.

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A signed copy of the grounds of decision in the case was served upon Mr. L. Rayner on the 4th day of February, 1957. Petition of Appeal was lodged on the 19th day of February 1957.

The said appellant has paid the fee of \$5 for a copy of the record.

The Appellant has given security for costs in the sum of \$75,00 and has been released on bail in the sum of \$8,000 and 2 sureties.

In the  
High Court  
of the Colony  
of Singapore.  
Island of  
Singapore.

No. 25.

Statement of  
Case.  
21st February  
1957 -  
continued.

In the  
High Court  
of the Colony  
of Singapore.  
Island of  
Singapore.

The annexed copies of the record of the proceedings in the case, of the Notice of Appeal and of the Petition of Appeal are therefore transmitted to the Supreme Court in accordance with the provisions of Section 292 of the Criminal Procedure Code.

No. 25.

Dated this 21st day of February, 1957.

Statement of  
Case.  
21st February  
1957 -  
continued.

FIRST CRIMINAL  
DISTRICT COURT  
SINGAPORE

(Sgd.) J.W.D. AMBROSE  
District Judge.

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No. 26

No. 26.

Judgment of Mr.  
Justice Knight  
17th June 1957

JUDGMENT OF MR. JUSTICE KNIGHT.

The appellant in this appeal was charged under Section 163 of the Penal Code with attempting to obtain a gratification for inducing Mr. Devereux-Colebourn a Magistrate, to show favour to one Hou Suai Lian in connection with a criminal case pending in the Magistrates Court. Alternatively she was charged with attempting to cheat under Section 420 of the Penal Code as read with Section 511. The appellant was acquitted on the first charge but convicted on the alternative and sentenced to three (3) months imprisonment. She was further ordered to pay a fine of \$5,000 or undergo an additional period of three (3) months imprisonment in default.

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Eight grounds of appeal have been argued on her behalf - one of which (and I shall consider this first) has some substance. In the Court below it was the case for the prosecution (on the alternative charge) that the appellant had falsely represented to Hou Suai Lian that if he gave her a sum of money she was in a position to influence the Magistrate to acquit him in a case in which he was accused in the Magistrates Court. For the prosecution it was implicit that this representation was false and that the appellant when making it was guilty of deceit - an essential ingredient of the offence of cheating.

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Mr. Devereux-Colebourn, the Magistrate involved,

was present at the trial but for some reason was not called by the prosecution. I might add that this was a very serious case involving as it did, inter alia, the integrity of the Magisterial Bench and I am astonished that the prosecution was not conducted by an experienced Crown Counsel from the Attorney-General's chambers rather than a Police officer who could not be expected to deal adequately with so important and complicated a case. As the Magistrate was not called in the Court below, however, it is now maintained that the prosecution failed to prove its case since, for all anyone can know, he might have admitted, had he been called, that he was subject to the influence of the appellant and that if this was so, although the appellant (and no doubt the Magistrate himself) might well have been guilty of an offence - it was not that of cheating; as her representation would have been true and she would thus have practised no deceit.

At first sight this argument seems attractive because it is, of course, the duty of the prosecution to prove every essential element of the charge; but a presumption arises under Section 115 of the Evidence Ordinance that judicial and official acts have been regularly performed and it is a ridiculous proposition that all those holding judicial office (including, presumably, those holding the highest offices) should be required by law to deny in the witness box any fraudulent allegation that they were subject to influence in the exercise of their official duties. It is perfectly obvious that had he been called the Magistrate would have denied this allegation and if the appellant wished to establish it, he was available in Court had she wished to call him. On the contrary, however, she stated in her first unsworn statement that when approached by Hou and Liang to assist the former with Mr. Devereux-Colebourn she replied that "she was in no position to do so". Admittedly she varied this in her second statement (manifestly acting on advice) when she said she believed she could induce the Magistrate to show favour to Hou yet this contrasts very oddly with what she said previously, namely that she was only on terms of familiarity with him. In my opinion, therefore, although it might have been advisable to call Mr. Devereux-Colebourn in the Court below, the fact that he was not called is not fatal to the conviction.

The remaining grounds of appeal can be disposed of very shortly. I agree with the learned

In the  
High Court of  
the Colony of  
Singapore.  
Island of  
Singapore.

No. 26.

Judgment of Mr.  
Justice Knight  
17th June 1957  
- continued.



In the  
High Court of  
the Colony of  
Singapore.  
Island of  
Singapore.

No. 26.

Judgment of Mr.  
Justice Knight  
17th June 1957  
- continued.

District Judge that Hou and Liang were not accomplices of the appellant as regards the alternative count, though even if they were, there was ample evidence to corroborate what they said and they were believed by the District Judge.

The third ground was not relied upon by the appellant and although the prosecuting officer certainly should not have commented upon the failure of the appellant to give evidence in the Court below - nor, incidentally, should the District Judge have permitted such comment - this is not a case where there was a jury and I do not accept the allegation that the appellant was prejudiced by it. The District Judge is highly experienced and clearly was not swayed by an unfortunate remark made by a Police officer who, though no doubt doing his best, was not trained to prosecute in so complex a case as this. As I have already said, he should never have been called upon to prosecute.

10

As to the remaining grounds of appeal, under Section 299 of the Criminal Procedure Code I alter the conviction to one under Sections 417 and 511 of the Penal Code; there are discrepancies in many a true story told by different persons and the verdict was in no way against the weight of the evidence.

20

I cannot conclude without commenting that I am in full agreement with the learned District Judge that the guilt of the appellant was conclusively proved by the fact that the Police found in her dressing table, amongst other documents, a list giving the names and addresses of two other persons who had been charged in the 4th Magistrate Court. No attempt whatsoever was made by the appellant to explain this utterly damning piece of evidence and although, of course, she is fully entitled to do so, the appellant has merely relied in this appeal on legal and technical quibbles not one of which has even an iota of merit.

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The appeal is dismissed, the sentence of three (3) months imprisonment will be maintained. At the request of the learned District Judge, who inadvertently imposed a fine in excess of his jurisdiction, the fine is reduced to \$3,000 with three (3) months imprisonment in default.

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(Sd.) CLIFFORD KNIGHT  
JUDGE.

Singapore, 17th June 1957.

No. 27.

CERTIFICATE OF RESULT OF APPEAL.

MAGISTRATE'S APPEAL NO. 220 of 1956

IN THE HIGH COURT OF THE COLONY OF SINGAPORE

ISLAND OF SINGAPORE

In the  
High Court of  
the Colony of  
Singapore.  
Island of  
Singapore.

No. 27.

Certificate  
of Result of  
Appeal.  
17th June 1957.

In The Matter of First District Court Arrest Case

No. 237 of 1956

I.P. No. 1496/56 'A' Div.

MARY NG

Appellant

and

REGINA

Respondent

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In accordance with the provisions of Section 302 (1) of the Criminal Procedure Code I hereby certify that the appeal of Mary Ng against the conviction of F.A. Chua Esquire District Judge called on for hearing on the 12th & 17th days of June 1957 before the Honourable Mr. Justice C.Knight and after reading the case stated by the said Magistrate the transcript of the evidence the adjudication and conviction and after hearing Mr.L.Rayner Counsel for the Appellant and Mr. A. V. Winslow Counsel for the Crown

It was ordered that the appeal be dismissed, the sentence of three months imprisonment will be maintained. The fine is reduced to \$3,000.00 with three months imprisonment in default.

Given under my hand and the Seal of the Supreme Court this 17th day of June 1957

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Sgd. Tan Boon Teik

Dy. Registrar.

In the Privy  
Council

No. 28.

No. 28.

(L.S.)

ORDER IN COUNCIL GRANTING  
SPECIAL LEAVE TO APPEAL

Order in  
Council grant-  
ing Special  
Leave to Appeal.  
31st July 1957

AT THE COURT AT GOODWOOD HOUSE

The 31st day of July, 1957

PRESENT

THE QUEEN'S MOST EXCELLENT MAJESTY

LORD PRESIDENT  
SIR MICHAEL ADEANE

MR. MAUDLING  
SIR HARRY HYLTON-FOSTER

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WHEREAS there was this day read at the Board a Report from the Judicial Committee of the Privy Council dated the 23rd day of July 1957 in the words following, viz :-

"WHEREAS by virtue of His late Majesty King Edward the Seventh's Order in Council of the 18th day of October 1909 there was referred unto this Committee a humble Petition of Mary Ng in the matter of an Appeal from the High Court of the Colony of Singapore in the Supreme Court of Singapore between the Petitioner and Your Majesty Respondent setting forth (amongst other matters): that on the 9th October 1956 in the 1st Criminal District Court held at Singapore the Petitioner was convicted on a charge that she did attempt to cheat one Hou Suai Lian by representing to him that she was able to induce Mr.J.M. Devereux-Colebourne 4th Magistrate in the Colony of Singapore to show favour to him in connection with 4th Magistrate Court Case No.1571/55 and thereby dishonestly attempted to induce the said Hou Suai Lian to deliver to her the sum of \$2,500 and thereby committed an offence punishable under Sections 420 and 511 of the Penal Code of the Colony of Singapore and sentenced to three months imprisonment and fined \$5,000 or in default a further three months imprisonment: that the Petitioner appealed to the High Court of the Colony of Singapore which Court on the 17th June 1957 dismissed the Appeal but altered the conviction to one under Sections 417 and 511 of the Penal Code and reduced the fine to \$3,000 with three months imprisonment in default because the said District Court had so requested

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since that Court had inadvertently imposed a fine in excess of jurisdiction: And humbly praying Your Majesty in Council to grant her special leave to appeal against the Judgment of the High Court of the Colony of Singapore in the Supreme Court of Singapore dated the 17th June 1957 or for such further or other Order as may seem fit:

In the Privy  
Council

—  
No. 28.

Order in  
Council grant-  
ing Special  
Leave to Appeal.  
31st July 1957  
- continued.

10 "THE LORDS OF THE COMMITTEE in obedience to His late Majesty's said Order in Council have taken the humble Petition into consideration and having heard Counsel in support thereof and in opposition thereto Their Lordships do this day agree humbly to report to Your Majesty as their opinion that leave ought to be granted to the Petitioner to enter and prosecute her Appeal against the Judgment of the High Court of the Colony of Singapore in the Supreme Court of Singapore dated the 17th day of June 1957:

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"AND THEIR LORDSHIPS do further report to Your Majesty that the proper officer of the said High Court ought to be directed to transmit to the Registrar of the Privy Council without delay an authenticated copy under seal of the Record proper to be laid before Your Majesty on the hearing of the Appeal upon payment by the Petitioner of the usual fees for the same."

30 HER MAJESTY having taken the said Report into consideration was pleased by and with the advice of Her Privy Council to approve thereof and to order as it is hereby ordered that the same be punctually observed obeyed and carried into execution.

Whereof the Governor or Officer administering the Government of the Colony of Singapore for the time being and all other persons whom it may concern are to take notice and govern themselves accordingly.

W.G. AGNEW.

Exhibits

P.1.  
Charge.

E X H I B I T S

P.1. - CHARGE

CRIMINAL PROCEDURE CODE (CHAPTER 21), SECTION 151(1)

CHARGE.

You MARY NG are charged that you, on or about the 27th day of February 1956 at Singapore, attempted to obtain from one HOU SUAI LIAN for yourself a gratification of two thousand five hundred dollars as a reward of inducing, by the exercise of personal influence, a Public Servant, to wit Mr. J. M. DEVEREUX-COLEBOURN, 4th Magistrate, Singapore, in the exercise of his official functions as 4th Magistrate, to show favour to the said HOU SUAI LIAN in connection with 4th Magistrate Court Case No.1571/55, and thereby committed an offence punishable under Section 163 of the Penal Code (Cap. 119). 10

ALTERNATIVELY

You Mary Ng are charged that you, on or about the 27th day of February 1956 at Singapore, did attempt to cheat one HOU SUAI LIAN by representing to him that you were able to induce Mr. J. M. DEVEREUX-COLEBOURN, 4th Magistrate, Singapore, to show favour to him in connection with 4th Magistrate Court Case No.1571/55, and thereby dishonestly attempted to induce the said HOU SUAI LIAN to deliver to you the sum of two thousand five hundred dollars, and you thereby committed an offence punishable under Sections 420 and 511 of the Penal Code (Cap.119). 20 30

Sd. Y.B. WONG.

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P.2. - AMENDED CHARGE.Exhibits

P.2.

CRIMINAL PROCEDURE CODE (CHAP.21), SECTION 151(1).

Amended  
Charge.

## CHARGE.

10 You MARY NG are charged that you, between 26th February and 28th February 1956 at Singapore, attempted to obtain from one HOU SUAI LIAN for yourself a gratification of two thousand five hundred dollars as a reward for inducing, by the exercise of personal influence, a Public Servant, to wit, Mr. J.M. DEVEREUX-COLEBOURN, 4th Magistrate, Singapore, in the exercise of his official functions as 4th Magistrate, to show favour to the said HOU SUAI LIAN in connection with 4th Magistrate Court Case No.1571/55, and thereby committed an offence punishable under Section 163 of the Penal Code (Cap. 119).

Alternatively.

20 You MARY NG are charged that you, between 26th February and 28th February 1956 at Singapore, did attempt to cheat one HOU SUAI LIAN by representing to him that you were able to induce Mr. J.M. DEVEREUX-COLEBOURN, 4th Magistrate, Singapore to show favour to him in connection with 4th Magistrate Court Case No.1571/55, and thereby dishonestly attempted to induce the said HOU SUAI LIAN to deliver to you the sum of two thousand five hundred dollars, and you thereby committed an offence punishable under Sections 420 and 511 of the Penal Code (Cap.119).

(Sd.) Y.B. WONG.

30

(Y.B. Wong).

Exhibits

P.20 - LETTER FROM OPIUM ADDICTS TREATMENT  
ASSOCIATION.

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P.20.

Letter from  
Opium Addicts  
Treatment  
Association.  
30th July 1956

(Exempted from Registration under the Societies  
Ordinance.)

No. 472, Changi Road, Singapore 14.

---

30th July, 1956.

TO WHOM IT MAY CONCERN

Mr. Chua Tiong Swee, Identity Card Sz3.01357  
of 101 Amoy Street has been admitted as an inmate  
of the Opium Curative Centre of the above Assoc- 10  
iation as from 14th June 1956.

He is faithfully attending all prayers in the  
Temple and is responding to the treatment to rid  
himself of the opium habit, and through faith has  
made improvement. We are of the opinion that he  
required a stay of another 30 days before we can  
declare that he has completely renounced the evils  
of opium.

Mr. Lim Poh Beng of 163 Telok Ayer Street  
guarantees his attendance, fees and family expenses 20  
whilst he is under treatment.

Sd: P.T. Chia  
Hon. Secretary.

Sd: in Chinese  
High Priest

Sd: ?  
Officer-in-charge of  
Patients.

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P.21 - 23 - SLIPS OF PAPER

Exhibits

P. 21 - 23.

Slips of  
Paper.

LAU AH CHAW

256, Tanjong Rhu

25.8.56 F.H.

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TAY WIATT SWEE

289, East Coast Road

or 189 East Coast Road.

F.H. 22.8.56

C.J.K.

---

10

HO AH KHAY

39, Malay Street

Singapore

Age 45

17.8.56

2 p.m. F.H.

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Exhibits

P.24 - LETTER FROM ANNY WEV

P. 24

Letter from  
Anny Wev.  
23rd October  
1953.

Anny Wev.  
No. 9 Klang Road,  
Kuala Lumpur.

23rd October, 1953.

Miss Mary Ng,  
No.111-B Tiong Bahru Road,  
Singapore 3.

Dear Miss Mary,

How are you, I hope you are in good of health, 10  
I am very well here, I hope you can recognise me if  
not I am writing to you clearly, I am the one who  
sent your brother to the station, I am the daughter  
of Mr. J.P. Wee Hup Lang, and also we all went to  
Batu Caves once to pray the God, I hope you can  
recognise me now, the reason why I sent you the  
telegram yesterday the 22nd instant is to see you  
personally at Singapore regarding a case, to help  
a Indian who is now in demand recently, we still 20  
can fight for the case between next week, please  
write or telegraph immediately weather I can come  
and see you personally in Singapore regarding the  
case. I sent you the above telegram for which I  
also paid for 10 words for your reply, and also  
waited for the reply yesterday but unfortunately  
your reply only came to my hand to-day the 23rd  
instant at 5.30 p.m. please do reply immediately.  
I am also glad to tell you that I have bought a  
house at No. 9 Klang Road, Kuala Lumpur, on which 30  
I am staying now, I think that's all for the time  
being, will see you shortly on receipt of your  
favourable reply, and also thanking you in advance.  
Wishing you all my best wishes and Good Luck.

Yours Sincerely,

ANNY WEV, Kuala Lumpur.

Exhibits

P.34 - STATEMENT OF HOW ENG HUAT

P.34.

S-Police 49

Statement of  
How Eng Huat.

SINGAPORE POLICE FORCE

15th August  
1956.Witness A A4  
Page 1

Report No.13983-4/56

Division "A"

STATEMENT OF How Eng Huat Father's Name How Suai  
Lian.

Age 15 yrs. Male. Employment Schoolboy.

10 Nationality and dialect Hokkien Identity Card No  
Sjjjjj 09717

Address 8 Choon Guan Street.

Language spoken English Interpreted by -

Recorded by Wong Yuen Bong. Rank Inspt. Time 10.05  
a.m.

Date 15.8.56

I administer the following warning to the wit-  
ness:-20 "I am conducting a Police investigation into  
an offence of ..... alleged to have been com-  
mitted on..... at ..... You are  
bound to answer truly all questions relating to  
this case other than those whose answers would have  
a tendency to expose you to a criminal charge pen-  
alty or forfeiture."Signed Y.B. WONG.  
Examining Officer.Question:- What do you know about the facts of this  
case?30 Answer: I am the son of Mr. HOW SUAI LIAN (A2). I  
am at present studying in Form ii of the Gan Eng  
Seng English School.2. Sometime in February, I cannot remember the  
exact date, at about 10.00 a.m. in the morning, two  
male Chinese came to my house in a Morris Minor car,  
I cannot remember the number. Of these two one of  
them came up to the house and asked me for my  
father. The other sat in the car. I told him that

Exhibits

P.34.

Statement of  
How Eng Huat -  
continued.15th August  
1956.

my father was out, and asked him what he wanted. He asked me when my father would be back. I told him that I did not know and he left. On the same evening I told my mother (A5) about this when she returned home. I also told my father (A2) of these two persons visit when he came back at night.

3. At about 2.30 p.m. on the next day, the two same persons came to the house. They again asked me for my father (A2) I again told them that he was out, whereupon they said that they wanted to help my father (A2) in his Opium case. I therefore told them to come at night as I believed that my father (A2) would be back by then. After this they left. At about 7.00 p.m. my mother (A5) returned home and I told her of the visit by these two same persons. At about 8.00 p.m. the two persons again came to the house. This time my mother was present. They spoke to my mother (A5). I do not know what conversation took place or what happened, because I left my mother (A5) with them and went upstairs to play. At about 9.00 p.m. my mother (A5) came upstairs, and I presume they must have left by then. I did not ask my mother (A5) what took place. I do not know anything further than this. I can identify the two persons.

10

20

This is all I have to say.

By me,

This statement is to be signed, timed and dated by both the Recording Officer and the Interpreter. Resumed statements must also be signed, timed and dated and the witness rewarned.

30

Sd: Y.B. Wong  
(Y.B. WONG).

D.1. - COPY OF REPORT No.13983 CT.

Exhibits

D.1.

POLICE STATION AT WHICH REPORTED: Central Police Station.

BY WHOM RECORDED: Self

DATE AND TIME REPORTED: 9.40 p.m. 13.8.56

BY WHOM REPORTED: Wong Yuen Bong

SEX: Male AGE: 25 yrs. NRIC. No: W/C

RACE: Cantonese LANGUAGE: English OCCUPATION: Police Inspt.

Copy Report  
No. 13983 CT.

28th August  
1956.

10 ADDRESS: C/o Corrupt. Pract. Inv. Bureau.

BRIEF DETAILS:-

I obtained information that Madam MARY NG had taken a gratification, for the exercise of personal influence with a Public Servant. Acting on the instructions of D.P.P. I arrested her at 111-B Tiong Bahru Road at about 0800 hrs. on 13th August 1956 under Section 163 of the Penal Code.

Sgd. (Y.B. WONG)

20

Certified true copy of Report No.13983 CT.  
entered in a book kept under Sec.114(3)  
of the Criminal Procedure Code.

Sd: Gurdial Singh  
Officer-in-Charge, "A" Division,  
Central Police Station,  
Singapore.

Checked by me:

Sd: Chua Cho Phong  
(CHUA CHO PHONG)  
Senior Crime Clerk,  
"A" Division.  
28th August 1956.

30

Copied by me:

Sd: Ng Hee Fee  
(NG HEE FEE)  
28th August 1956.

ExhibitsD.2. - COPY OF REPORT NO. 13984 CT:

D.2.

Copy of Report  
No. 13984 CT.21st August  
1956.POLICE STATION AT WHICH REPORTED: Central Police  
Station

BY WHOM RECORDED: Self

DATE AND TIME REPORTED: 9.45 p.m. 13.8.56

BY WHOM REPORTED: Fong Ying Loong

SEX: Male AGE: 27 yrs. NRIC. No. W/C.

RACE: Cantonese LANGUAGE: English

OCCUPATION: Police

ADDRESS: c/o Corrupt. Pract. Inv. Bureau. 10

## BRIEF DETAILS:-

In connection with Report No. "A" 13983, my enquiries show that KOK MIN YIN abetted the said Madam Mary Ng in an offence under Sec.163 of the Penal Code.

I arrested the said KOK MIN YIN at 0815 hrs. on 13th August 1956 at No. 70-C, Boon Tiong Rd.

Sgd: IN ENGLISH

Certified true copy of Report No.13984 CT:  
entered in a book kept under Sec.114(3)  
of the Criminal Procedure Code Ordinance  
13/55. 20

Sd: ?

f. Officer-in-Charge, "A" Division,  
Central Police Station,  
Singapore.

Copied by me:

Sd: Wong Tieng Sang  
(WONG TIENG SANG)  
21st August 1956.

Checked by me:

Sd: Chua Cho Phong  
(CHUA CHO PHONG)  
Senior Crime Clerk,  
"A" Division  
21st August 1956. 30

D.3. - STATEMENT OF MARY NG.Exhibits

D.3.

Statement of  
Mary Ng.

I first came to know Mr. and Mrs. Colebourn in the Royal Singapore Flying Club in or about 1953. I have been to a party at their home on one occasion and have on several occasions been in the same group as themselves at the Flying Club.

10 The photograph of Mr. Colebourn with his arm round me was a picture taken at the Flying Club during a function there. On this occasion, Mrs. Colebourn was also present.

I can say that I was on terms of familiarity with both Mr. and Mrs. Colebourn but it would not be true to say that I was on terms of intimacy with both or either of them.

20 The prosecution alleges that sometime around the 26th of February of this year Mr. Kok Min Yin, at my request earlier contacted Mr. Hou Say Lian and brought him to my house together with Mr. Liang San Han in order that I would be able to extract money from Mr. Hou by representing to him that I could influence the 4th Court Magistrate Mr. Colebourn to acquit him on the charge that was preferred against him.

I deny this allegation entirely.

30 Sometime earlier than the 26th I happened to be outside my flat in the company of Mr. Chew Tee Chye when a person who I know now as Mr. Kok Min Yin greeted Mr. Chew. They had a few words and then Mr. Chew introduced me to Mr. Kok Min Yin as his Insurance Agent.

After that date Mr. Kok Min Yin had been to my flat on a few occasions on the pretext that he had 2 or 3 prospective insurance cases which he would introduce to me. I arranged with him that he would be entitled to half of any commission that I would receive.

40 He had also after the first occasion attempted to borrow the sum of \$500/- from me which I refused.

On my radiogram in the hall there was a photograph displayed of Mr. Colebourn with his arm around me. Besides this picture, there were also other photographs of me with other members of the Flying Club.

This photograph disappeared after one of Mr.

Exhibits

Kok's visit to my house. I can now surmise how it comes to be an exhibit in this case.

D.3.

Statement of  
Mary Ng -  
continued.

I have never denied as was evidenced from my Counsel's cross-examination of the prosecution witnesses that Mr. Hou Say Lian together with Mr. Kok Min Yin and Mr. Liang came to see me at my house on a date towards the latter part of February 1956. I however do deny that they came on more than one occasion.

At the time when they came, I was talking to 2 persons, Messrs. Pek Boon Lian and Tan Kay Seng, who had come to see me on business. I introduced these 2 persons to Messrs. Kok, Hou and Liang. When Mr. Kok told me that their business was of a private and confidential nature, these 2 persons then left the hall and went on to the verandah.

10

Their purpose in coming to see me was to obtain my assistance that I would contact Mr. Colebourn to obtain the acquittal of Mr. Hou Say Lian. When they arrived I was under the impression that these were 2 of the 3 prospects that Mr. Kok had spoken to me about previously. Mr. Kok was the first person to approach the subject and after that both Messrs. Hou and Liang also asked me to assist.

20

I replied that I was in no position to do so and that it was very wrong of them to have come to see me on a matter of this nature.

Mr. Kok still endeavoured to persuade me and Mr. Hou also added his entreaties supported by Mr. Liang.

30

After sometime I became angry and insisted in a loud voice that I could not do so and that I hoped Mr. Hou would be convicted and heavily punished.

They then left and that was the last I heard of Mr. Hou's case.

Sd: MARY NG.

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D.5. - SUPPLEMENTARY STATEMENT OF MARY NG.Exhibits

D.5.

I wish to add an explanatory note to the first part of my written statement put in by me on the 8th October, 1956.

Supplementary  
Statement of  
Mary Ng.

On the point of "INFLUENCE", I believe I could induce Mr. Coleburn to show favour to the Complainant, Hou Say Lian, but there was never any question of my so inducing him in this or in any other case.

9th October  
1956.

10

Dated this 9th day of October, 1956.

Sd: MARY NG.

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IN THE PRIVY COUNCIL

ON APPEAL FROM THE HIGH COURT  
OF THE COLONY OF SINGAPORE

IN THE SUPREME COURT OF SINGAPORE

B E T W E E N :

MARY NG           ...           Appellant

- and -

THE QUEEN         ...           Respondent

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RECORD OF PROCEEDINGS

1

KINGSLEY WOOD & CO.,  
6-7 Queen Street,  
London, E.C.4.  
Solicitors for the Appellant.

CHARLES RUSSELL & CO.,  
37 Norfolk Street,  
St. Paul, W.C.2.  
Solicitors for the Respondent.