

Judgment  
14, 1968  
14

JUDICIAL COMMITTEE OF THE  
IN THE PRIVY COUNCIL

No. 20 of 1967

ON APPEAL FROM THE FEDERAL COURT  
OF MALAYSIA HOLDEN IN SINGAPORE  
(APPELLATE JURISDICTION)

B E T W E E N :

(1) OSMAN BIN HAJI MOHAMED ALI

and

(2) HARUN BIN SAID alias TAHIR Appellants

-- and --

THE PUBLIC PROSECUTOR

Respondent

UNIVERSITY OF LONDON  
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LEICESTER SQUARE  
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RECORD OF PROCEEDINGS

VOLUME I

(pages 1 to 389)

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VOLUME I

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IN THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL      No.20 of 1967  
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B E T W E E N:

1. OSMAN BIN HAJI MOHAMED ALI  
    and  
2. HARUN BIN SAID ALIAS TAHIR      Appellants  
    - and -  
THE PUBLIC PROSECUTOR      Respondent

10

RECORD OF PROCEEDINGS  
SINGAPORE EMERGENCY CASE NO.2/65  
IN THE HIGH COURT IN SINGAPORE  
BEFORE THE HONOURABLE MR.JUSTICE F.A.CHUA

In the High  
Court in  
Singapore

PUBLIC PROSECUTOR

vs.

1. OSMAN BIN HAJI MOHAMED ALI  
2. HARUN BIN SAID alias TAHIR

20 Crown Counsel: May it please you, my Lord: I have  
an application to make. I have, in fact,  
tendered three amended charges. They are so  
far the same, except that they have been more  
stream-lined, so-to-speak.

His Lordship: You have given a copy to Mr. Kamil?

Crown Counsel: I have given him a copy. I think  
my learned friend will confirm that he has got  
it.

In the High Court in Singapore

Mr. Kamil: Yes, my Lord.

His Lordship: Have you anything to say regarding this proposed amendment?

Mr. Kamil: No.

No.1

NO.1.

Charge.

CHARGE.

4th October 1965.

THE ACCUSED ARE CHARGED:

THAT you, (1) Osman bin Haji Mohamed Ali (2) Harun bin Said alias Tahir, are charged that you, on or about the 10th day of March, 1965, at about 3.07 p.m. at MacDonald House, Orchard Road, Singapore, committed murder by causing the death of one Susie Choo Kway Hoi(f) and thereby committed an offence punishable under Section 302 of the Penal Code, Chapter 119.

10

Interpreter: First Accused: I claim trial.

Second Accused: I claim trial.

SECOND CHARGE:

YOU (1) Osman bin Haji Mohamed Ali (2) Harun bin Said alias Tahir, are charged that you, on or about the 10th day of March, 1965, at about 3.07 p.m. at MacDonald House, Orchard Road, Singapore, committed murder by causing the death of one Juliet Goh Hwee Kuang (f) and thereby committed an offence punishable under section 302 of the Penal Code, Chapter 119.

20

Interpreter: The first accused claims trial.

The second accused claims trial.

THIRD CHARGE:

30

YOU, (1) Osman bin Haji Mohamed Ali (2) Harun bin Said alias Tahir, are charged that you on or about the 10th day of March, 1965, at about

3.07 p.m. at MacDonald House, Orchard Road, Singapore, committed murder by causing the death of one Yasin bin Kesit, and thereby committed an offence punishable under section 302 of the Penal Code, Chapter 119.

In the High Court in Singapore

No.1

Charge.

4th October 1965 (Contd.)

Interpreter: The first accused claims trial.

The second accused claims trial.

Both the accused claim trial on all the three charges.



10 Crown Counsel: I appear for the Prosecution in this case, my learned friend Mr. Mohamed Kamil Suhaimi appears for both the accused and my learned friend Mr. Roy Sharma holds a watching brief for the Hongkong & Shanghai Bank. I understand that my learned friend, Mr. Kamil, wishes to submit a preliminary point before your Lordship.

For the Crown: ... Mr. Francis T. Seow.

20 For both the Accused: ... Mr. Mohamed Kamil Suhaimi.  
Mr. Roy Sharma holds a watching brief for the Hongkong & Shanghai Bank.

---

NO. 2

PRELIMINARY SUBMISSION BY DEFENCE COUNSEL

No.2

Preliminary Submission by Defence Counsel  
4th October 1965.

30 Mr. Kamil: May it please your Lordship: I am assigned to appear for both the accused in this matter. Before we go on with the case, I feel that, as an officer of the Court and as a servant of the law, it is my duty to attract the Court's attention to something which I cannot resist, but to come to the conclusion that there is something which appears as an

In the High  
Court in  
Singapore

No.2

Preliminary  
Submission by  
Defence  
Counsel  
4th October  
1965. (Contd.)

attempt to interfere with the flow of justice in this Court. Your Lordship, I realise that this case is quite unpopular, because of the nature of it, and maybe there is some sectional force which is quite prejudicial against the case, and it may be against myself for defending an alien enemy of our country.

His Lordship: This is immaterial to this Court.

Mr. Kamil: There is something.

His Lordship: I understand that you want to submit a preliminary point. Can we just come to it? 10

Mr. Kamil: If your Lordship will allow me to say something? On last Saturday, on the 30th September, 1965, I visited both the accused at the Prisons. They told me that since the 27th of September, 1965, since their case was last mentioned, their uniforms were taken away by the Prison authorities or by someone there, and, in fact, according to my information, they came here without their uniforms, and one of them even told me that they cannot have their uniforms; if they have their uniforms, then their case cannot be tried. If your Lordship will remember the question of uniform was raised in the last case where Mr. Justice Kulasekaram was hearing another Indonesian case. I cannot understand about this thing, but this is just to attract your attention; and, secondly, I was told by them that since the last-mentioned date, they were put in solitary confinement, one by himself. I also do not understand this thing. And the last thing (maybe it is my mistake) which I would like to attract your Lordship's attention to also is that on Saturday I intended to see them for the last time for taking last instructions, and I was refused permission to enter the Prisons on Saturday afternoon. The reason is that the day was a half-day. I feel deeply serious, because the question before us is the question of life and death. Apart from that, I would like to plead the protection of the Geneva Convention for these two accused. They are the citizens of Indonesia. They are the members of the armed forces, and I wonder whether 20 30 40

it is the time to make his submission in connection with this case.

His Lordship: Yes, Mr. Seow, what do you wish to say?

In the High Court in Singapore

No.2

Preliminary Submission by Defence Counsel  
4th October 1965 (Contd.)

No.3

REPLY BY CROWN COUNSEL TO PRELIMINARY SUBMISSION

No.3

Reply by Crown Counsel to Preliminary Submission.  
4th October 1965.

10 Crown Counsel: My Lord, there are two distinct matters here, which my learned friend has raised. The first one of which, the first head of which, is that, as I see it, there are three complaints which he has made. Now, insofar as the uniforms of the accused persons are concerned, my Lord, I may be able to assist your Lordship on that. My Lord, the accused persons were arrested without any uniform. In fact, one of them at the time when he was taken into custody was bare-bodied, and enquires were instituted as to how they came to be in possession of uniforms, having regard to the fact that they had been arrested and taken into custody at the time without any uniforms. It transpired that they had, in fact, received them from other Indonesians, who landed in Singapore on some other occasions, and who apparently had passed these uniforms on to them before they were segregated. It was felt that these persons were assuming an identity to which they are not entitled and that the situation should, in fact, be remedied without any delay. I must say here that the Prison authorities, in fact, slipped up in this matter, without knowing its full consequences at the time.

20

30

My Lord, insofar as the complaint of solitary confinement is concerned, I am not quite sure whether my learned friend really

In the High  
Court in  
Singapore

No. 3

Reply by  
Crown Counsel  
to Prelimin-  
ary Submission  
4th October  
1965 (Contd.)

means solitary confinement, or cellular confinement. The distinction is very material here, my Lord, whereas solitary confinement is punitive in its intention and scope, but cellular confinement is where each person, each prisoner, is given one cell, but he enjoys the amenities of the prison as any other prisoners of his category.

His Lordship: What is the position, Mr. Kamil? Did they complain that they were kept in separate cells? 10

Mr. Kamil: One person was put in one cell without contact with other persons. They were in the prison cells. They were there the whole day long, and they were allowed to go to take their bath for ten minutes and then go in again, and their food and everything were taken at the cells.

Crown Counsel: That does not tell us whether that is cellular confinement or solitary confinement. A prisoner is put in solitary confinement if he has misbehaved himself, or he has infringed some of the standing prison regulations and that is punitive in its scope. From what my learned friend has described, it would appear it is cellular confinement. And so far as the third complaint is concerned, I must confess I am somewhat astonished. I am unable to assist your Lordship in that regard. My learned friend has every right to visit the Prisons, even though for a day, to take any instructions which he wishes. I will look into this matter, my Lord. 20 30

His Lordship: Will you kindly look into the matter?

Crown Counsel: Mr. Kamil has the right to see the prisoners. I am somewhat astonished that they have refused him entrance. I don't know whether he has disclosed his identity and the purpose of his visit. No doubt he has, my Lord, but I will certainly look into it, and I can give him an assurance that my learned friend will have every facility to visit the prisoners, and, further, if there is any 40



difficulty and if he will let me know, I will look into it promptly.

In the High  
Court in  
Singapore

No. 3

Reply by  
Crown Counsel  
to Prelimin-  
ary Submission  
4th October  
1965 (Contd.)

10 The second head, my Lord, which touches this very crime itself, is the claim by my learned friend of what he has described as the protection of the Geneva Convention, as his clients are Indonesian citizens, and are the members of the Indonesian armed forces. My Lord, I submit that before my learned friend can invoke the protection, so-to-speak, of this Convention, of these Conventions, he must establish that he is entitled to be so protected, and the onus, I submit, my Lord, is on my learned friend to establish to your Lordship that they are, or that they can and should be given the protection of the Convention.

20 His Lordship: I think Mr. Kamil's enquiry is that whether this point should be dealt with first or at a later stage.

Crown Counsel: It seems to me that it may be desirable and convenient to have the matter thrashed out at this stage.

30 His Lordship: I feel that also. I think you will agree that the onus is on you? Your clients are asserting that they are Indonesians. There is one thing I am not certain and that is whether, according to the Geneva Convention, a war has been declared or there is an armed conflict. Does it make any difference?

Mr. Kamil: There is no difference.

His Lordship: I think what we are now concerned with is the question of their status.

Mr. Kamil: Yes. I do not think Mr. Seow is going to say there is no state or war or anything like that.

Crown Counsel: I will mention this and I think that is the official stand. There is, in fact, no state of war between us.

40 His Lordship: That might be so, not a declared war, and for that matter a state of armed

In the High  
Court in  
Singapore

No. 3

Reply by  
Crown Counsel  
to Prelimin-  
ary Submission  
4th October  
1965 (Cont.)

conflict. Are you going to state that the Geneva Convention does not apply?

Crown Counsel: Yes.

His Lordship: Does not apply at all?

Crown Counsel: To this present case. To the present case, that is correct. That would be the stand of the Prosecution in this matter.

Mr. Kamil: I cannot get why the Prosecution does not suppose as to the existence of an armed conflict between Malaysia and Indonesia which this case came, this incident came when we were in Malaysia.

10

His Lordship: I do not understand you. Your stand is that your clients are prisoners-of-war?

Mr. Kamil: Yes, that is my stand. Now the Court takes judicial notice of armed conflict, the existence of armed conflict as the learned Deputy Public Prosecutor has submitted to that, because my hands are tied if I have to prove the existence of armed conflict, as I cannot, I understand, call the witnesses. It is difficult to call the Minister - Dato Ismail.

20

His Lordship: What is your stand on that? You know that the Convention is only applicable where there is a state of war?

Crown Counsel: Our stand on a state of armed conflict?

His Lordship: What is your stand? Are you going to say no state of war or no armed conflict?

30

Crown Counsel: That is correct, my Lord. My argument would be in the alternative. That there is, in fact, no state of war between Indonesia and Malaysia of which Singapore was then a part, or for that matter a state of armed conflict. The alternative argument, of course, my Lord, is I am quite prepared to go this far: that there is probably what is described as a state of attrition between

40

the two territories which is different. Now, if your Lordship is not with me on that matter, may I again put it this way? That if your Lordship holds that there is, in fact, a state of armed conflict at that time, then the question which arises is whether these two accused persons are prisoners-of-war, or whether they can claim to be prisoners-of-war within the meaning of Article 4.

In the High  
Court in  
Singapore

No. 3

Reply by  
Crown Counsel  
to Prelimin-  
ary Submission  
4th October  
1965 (Contd.)

10 His Lordship: The first point is armed conflict?

Crown Counsel: Yes.

His Lordship: I am just wondering whether you are not conceding the point?

Crown Counsel: Well, I am not on very firm ground. I am prepared. I am in your Lordship's hands entirely on that first matter.

His Lordship: My view is that there is a state of armed conflict.

Crown Counsel: Yes.

20 His Lordship: In your case, Mr. Kamil, you need only deal with the point as to whether your clients are prisoners-of-war or not.

Mr. Kamil: Is it necessary for me to call my clients to prove their identity?

30 His Lordship: It seems to me that evidence must be led. I do not think you can just make a statement from the Bar. But there is one thing which I want to impress upon both of you. I think you will also have to call your evidence. I take it you will call evidence, Mr. Seow, as to the arrest?

Crown Counsel: The evidence led should only be confined to the circumstances of the arrest.

His Lordship: Both counsel must not lead evidence concerning other matters. They must only confine to the status of the two accused.

Crown Counsel: That is so.

In the High Court in Singapore

No.3

Reply by Crown Counsel to Preliminary Submission 4th October 1965 (Contd.)

His Lordship: I take it, Mr. Kamil, that you have taken instructions on this point.

Mr. Kamil: Yes, my Lord.

His Lordship: Very well.

Mr. Kamil: I will call upon the first accused. My clients are Indonesians. I do not know whether the interpreter is an Indonesian.

His Lordship: We have an Indonesian interpreter. I believe he speaks Indonesian, and is specially engaged for this case.

10

Dy.Registrar: Yes, my Lord.

---

No.4

Defence Evidence.

No.4

Osman Bin Haji Mohamed Ali Examination 4th October 1965.

OSMAN BIN HAJI MOHAMED ALI (1st ACCUSED)

OSMAN BIN HAJI MOHAMED ALI (1st Accused)

(Examination in Chief by Mr. Kamil)

(Affirmed in Indonesian)

Q. Your name is? A. Osman bin Haji Mohamed Ali.

His Lordship: Will you tell this witness that it is better for him to answer the questions that are being put by his counsel. We do not want him to stray. Confine your answers to the questions put by your counsel. I think I shall explain to him that we are now only concerned with his status. I understand from his counsel that he is an Indonesian from Indonesia, that he is a prisoner-of-war and that he is a member of the armed forces. That is the only thing we are concerned with at present.

20

30

Q. What is your occupation? A. I was a member of the armed forces.

Q. What type or what Division? A. A member of

the K.K.O.

His Lordship: Q. Can you tell me what K.K.O. stands for? A. Korps Kommando Operasi.

Q. When did you join the armed forces? A. In the year 1960, 2nd February, 1960.

Q. What is your rank? A. I was a corporal.

Q. Is it a regular force with salary paid? A. Regular force; I was paid.

His Lordship: Q. Monthly? A. Monthly.

10 Q. Were you issued with uniforms? A. I was, my Lord.

Q. Where were you stationed? A. I was stationed at Pulau Merchan, Rhio Islands.

Mr. Kamil: I think that is so far as the army is concerned.

His Lordship: Is that all you want to ask him? I do not know your case. Is that your case, Mr. Kamil? I do not know what information you have as regards the army.

20 Mr. Kamil: Yes, my Lord.

OSMAN BIN HAJI MOHAMED ALI (1st Accused)

(Cross-examination by Crown Counsel)

Q. Pulau Merchan is where you live, isn't that so? A. It was a military post.

His Lordship: Q. The question is Pulau Merchan was where you lived, you were living there with your family. Is that correct?

A. I was stationed there on duty.

30 Q. The question is you lived there as living there and staying there is different. You live there with your relatives, the members of your family, your father, your mother, your sisters

In the High Court in Singapore

Defence Evidence

No.4

Osman Bin Haji Mohamed Ali Examination 4th October 1965 (Contd.)

Cross-examination.

In the High  
Court in  
Singapore

Defence  
Evidence

No.4

Osman Bin Haji  
Mohamed Ali  
Cross-  
Examination  
4th October  
1965 (Contd.)

and your brothers? A. I was  
stationed there as a member of the  
armed forces.

His Lordship: I think it would be better to  
put it to him in several questions.

- Q. Do your parents live there? A. No, my Lord.
- Q. Where do they live? A. Jatisabah in Central  
Java.
- Q. Do you remember the 13th of March of this year?  
A. Yes, my Lord. 10
- Q. You were then in the sea clinging on to a  
plank of wood? A. Yes, my Lord.
- Q. Together with you at the time was Accused  
No.2? A. Yes, my Lord.
- Q. And you had been in the water for some hours  
before you were picked up? A. I was there  
for about six hours.
- Q. You were picked up by a bumboat? A. I was  
picked up by a boat.

His Lordship: Q. Boatman, is it?  
A. By a boat. 20

Q. By a boatman? A. By a boatman,  
my Lord.

- Q. By a Chinese or one of the Chinese? A. Yes,  
my Lord.
- Q. He was one of those persons in the boat who  
picked you up? (Lee Ah Paw produced in Court)  
A. I do not remember, my Lord.

Crown Counsel: Your name please?

Interpreter: Lee Ah Paw. 30

His Lordship: Q. There were more than one  
person in that boat? A. I was not  
fully conscious, so I could not  
remember.

Crown Counsel: Can you please speak up?  
I also would like to hear you.

Q. Do you remember speaking to him, or to a male Chinese in the boat? A. I was not talking at all.

Q. Did you ask him to take you and your friend, the other accused, to Pulau Bukom? A. No, my Lord.

Q. Did you tell him that your boat had capsized? A. No, my Lord.

10 Q. And that both of you were fishermen? A. No my Lord.

Q. And that you came from Kampong Kapor, Singapore? A. No, my Lord.

Q. Are you suggesting that you never spoke a word at all to him? A. Yes, my Lord.

Q. And he never asked you anything? A. No, my Lord.

Q. Do you agree that when you were picked up, you were bare-bodied? A. No, my Lord.

20 His Lordship: Q. You deny that? A. I deny that.

Q. And that you were only wearing, and that all you had on was a pair of dark trousers? A. I was in uniform, my Lord. I was in military uniform at that time.

Q. And that you were barefooted at that time? A. Yes, my Lord.

Q. You agree? A. Yes, my Lord.

Q. And that your co-accused was in civilian dress? A. He was in uniform, my Lord.

30 Q. And that he was also barefooted? A. Yes, my Lord.

Q. Do you agree that you were subsequently searched by the Police? A. Yes, my Lord.

Q. And nothing was found on you? A. Yes, my Lord.

In the High Court in Singapore

Defence Evidence

No.4

Osman Bin Haji Mohamed Ali

Cross-Examination  
4th October  
1965 (Contd.)

In the High  
Court in  
Singapore

Defence  
Evidence

No.4

Osman Bin Haji  
Mohamed Ali  
Cross-  
Examination  
4th October  
1965 (Contd.)

Q. As indeed nothing was found on your co-accused? A. He was also in uniform and a wrist watch, nothing else.

Q. Can you explain to this Court what were you two doing in the water? A. On the 13th of March at 2 a.m. I was ordered to leave Pulau Merchan, and to proceed to Pulau Dua. About half-an-hour's travelling, there was a leak in the boat, resulting from a collision with an object. When the boat was full of water it sank. I took a piece of plank from the keel of the boat to save ourselves.

10

Q. Do you agree that Pulau Dua, another name for Pulau Dua as we know it here, is the Sister's Island? A. I don't know, my Lord.

Q. And Pulau Dua are the islands comprising what is known as the Southern Islands, the Singapore Southern Islands? A. Yes, my Lord.

Q. And do you agree that you were picked up in Singapore territorial waters? A. Maybe, my Lord.

20

Q. Near Pulau Sebarok? A. Yes, my Lord.

Q. I want you to have a look at this photograph? (Photograph shown to witness) Is that you? A. Yes, my Lord.

Crown Counsel: May his Lordship be shown the photograph? (Photograph shown to his Lordship)

His Lordship: Mark it as A. If the charge proceeds it will be put in again.

30

Crown Counsel: No.

His Lordship: We had better mark it as A.

Crown Counsel: As you please, my Lord. Can my learned friend be shown that photograph? (Photograph shown to defence counsel)

Q. I put it to you that that was how you were



dressed when you were picked up by the bumboat?  
 A. No, my Lord.

In the High  
 Court in  
 Singapore

Q. Please look at this photograph? (Photograph  
 shown to witness) Do you recognise that photograph?  
 A. My friend Harun.

Defence  
 Evidence

Q. That is your co-accused? A. Yes, my Lord.

No.4

His Lordship: That will be Exhibit B.

Osman Bin Haji  
 Mohamed Ali  
 Cross  
 Examination  
 4th October  
 1965 (Contd.)

Crown Counsel: Much obliged, my Lord. Can  
 it be shown to defence counsel? (Photograph  
 shown to defence counsel and his  
 Lordship).

10

Q. I put it to you that that was how he was  
 dressed when he was picked up with you?  
 A. No, my Lord.

Q. What is your regimental number, if any?  
 A. 23352.

Q. And what is your Unit? A. K.K.O - Korps  
 Kommando Operasi.

His Lordship: Q. What sort of Unit is this?  
 Is that a fighting Unit, or what Unit?  
 A. It is a branch of the Naval Unit.

20

Q. What unit in the K K.O.? A. I was in the  
 mortar section.

Q. You are in the mortar section. What is the  
 name of your Unit? A. I was in the mortar  
 section - Mortar Kompige Section.

Q. What is Kompige? A. Third Battalion, P.K.O. -  
 Pasokan Kommando Ormada.

Q. Right, 3rd Battalion. Now, what rank of  
 officer commands a battalion? A. Major; a  
 major.

30

Q. Who commands this battalion - Pasokan Commando  
 Armada, which I understand is your unit?  
 A. A Colonel is the head of the Pasokan  
 Commando Armada.

In the High  
Court in  
Singapore

Defence  
Evidence

No.4

Osman Bin Haji  
Mohamed Ali  
Cross  
Examination  
4th October  
1965 (Contd.)

Q. What is his name? A. Rujito.

Q. Who is the 2 I.C.

His Lordship: Just a minute: what is the name? A. Colonel Rujito.

Q. Who is the 2 I.C. of that battalion - 2 I.C., the second in command? A. Lt. Colonel Paulus Soebekti (Spelt out).

Q. He is your 2 I.C.? A. Yes, my Lord.

Q. What Company of this 3rd Battalion do you belong to? A. "G" Company, my Lord.

10

His Lordship: F, G - is it? A. Yes, "G",

Q. Who is in charge of this Company? A. Lieutenant Soekirno (spelt out).

Q. Do you seriously wish the Court to believe that a Lieutenant commands a company? A. Yes, my Lord.

Q. And that the 2 I.C. of a battalion is a Lt. Colonel? A. Commanding Officer of a battalion is a major.

His Lordship: No, No; second in command. A. A captain.

20

Q. You said just now the second in command was Lt. Colonel Paulus, but now you say what - it is a major, is it?

Q. Now he says he is a Captain - I am not quite sure. What is he now - make up your mind. What is the rank of a 2 I.C. of battalion? A. It is a Captain, my Lord.

Q. I put it to you, you are guessing. A. I am not guessing, my Lord. It is correct.

30

Q. I put it to you that the rank of a 2 I.C. of a battalion is Major. A. He is a Captain, my Lord.

Q. But you agree he is not a Lt.Colonel? A. No, my Lord.

Q. Now, I put it to you that a Lieutenant cannot be in charge of a company. A. A Lieutenant is the commander of a company.

Q. And I put it to you that a Major commands a company - do you agree? A. He is a commander of a battalion.

Q. Look, aren't you getting all mixed up? Now, you say a Major is a commander of a battalion. Aren't you getting all your ranks mixed up? A. No, my Lord.

Q. What rank of officer would be in charge of a section? A. A Sergeant.

Mr. Kamil: Excuse me, I don't know whether the Interpreter knows the terms of the Military in order to interpret to the accused.

Cr. Counsel: It is quite simple: I put it to him; he is only translating what I am - -

His Lordship: Mr. Kamil, I think these words are also used in Indonesia, whether they are Captain, Major, Sergeant, Corporal. So I don't think there is any difficulty.

Interpreter: It is a Seksi, Section.

Mr. Kamil: Do you know the military ranks?

Interpreter: Yes, I know some, but whatever he says - -

His Lordship: Whatever he says is being translated. You say a section is commanded by a Sergeant, yes. A. A Second Lieutenant is a commander of a section.

Q. Now, he is a Second Lieutenant?

A. Second Lieutenant; he is a commander of a section.

In the High  
Court in  
Singapore

Defence  
Evidence

No.4

Osman Bin Haji  
Mohamed Ali

Cross  
Examination  
4th October  
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Examination  
4th October  
1965 (Contd.)

Q. Just now you said he is a Sergeant;  
now you say he is a Second Lieutenant?

A. He was the second in command of the  
section.

Q. I put it to you that if you are a regular  
soldier of the Indonesian Armed Forces, you  
would know without any difficulty the various  
officers holding which posts? A. I find no  
difficulty.

Q. And I put it to you that you are not a soldier 10  
of the Indonesian Armed Forces as you claim?  
A. Yes, I am a member of the Armed Forces.

Q. Have you an identity card? A. Yes, my Lord.

Q. What does that identity card show? A. About  
military information, membership of the Armed  
Forces; contains the particulars of membership  
of the Armed Forces.

Q. What do you mean "contains the particulars of  
membership of the Armed Forces"? What are you  
trying to tell us? A. For identity purposes. 20

His Lordship: What does it show, can you  
remember? Does it give your name, rank,  
number, what is it? A. Names and  
particulars, other particulars are shown.

Cr. Counsel: Mr. Interpreter, you must not  
put a leading question to him. Let  
us get it out of him.

His Lordship: No, no. I am afraid I asked  
the question.

Cr. Counsel: Oh, I see. I beg your pardon, 30  
Mr. Interpreter.

A. Names and addresses and other particulars  
about myself.

Q. What particulars? A. Names of the companies  
and section of the platoon.

Q. It shows who your Sergeant is? A. It was  
signed on behalf of the commander of the

battalion.

Q. What - by your Sergeant, is it?

His Lordship: No, no. Let us have this clearly. It was signed by whom?

A. It was signed by the commander of the battalion himself.

Q. Who is that? A. Major Abdul Moeis Jangut (spelt out).

10 Q. You are sure these are not names which you are conjuring up as you are going along? A. No, my Lord.

Q. What else does this card show? A. Other information relating to military.

Q. Yes, you have been telling us other information. We want to know what is this other information relating to the Military. A. The holder of the card should carry it as long as he is a member of the Armed Forces.

20 His Lordship: We are asking for the particulars. One expects you to tell this Court what this card contains. You told me you have been in this corps since 1960, five years. You have been carrying this card around with you. Surely, you can tell us what particulars it contains. You can't be carrying this same thing around and don't look at it for five years you have had this card. A. On the front page of the card are printed the words "Member of the Armed Forces". At the bottom of it are printed the words "Corps Commando Operasi".

30

His Lordship: K.K.O.? A. Yes, K.K O.; Indonesian Naval Forces.

Q. That is all? Anything else? A. On the inside cover, contains the number of the card.

Q. Yes? A. The name.

In the High Court in Singapore

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Osman Bin Haji Mohamed Ali

Cross-Examination  
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1965 (Contd.)

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Mohamed Ali

Cross-  
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4th October  
1965 (Contd.)

His Lordship: The name of the holder, is it?

A. Name of the holder; rank, my Lord,  
registration number, regimental number.

Q. Regimental number; yes? A. Regimental  
number; section. That is all, my Lord.

Q. Now, do you agree your identity card, if you  
have one, is a very valuable document?

A. Yes, my Lord.

Q. And one which you should carry, wherever you  
go, with you? A. Yes, my Lord.

10

Q. And did you do that? Did you do that? The  
answer is Yes or No.

His Lordship: Mr. Seow, give him a chance.  
I think he answered you. A. Yes, I  
had it with me.

Q. You had it with you. When- on the  
13th, is it? A. Yes, my Lord, on the  
13th.

Q. It was in your pocket, is it? A. I put it  
in a plastic bag, in the sampan, my Lord.

20

His Lordship: You did not carry it, is it?  
A. No, my Lord.

Q. And presumably your co-accused, too, did the  
same thing? He, too, put it in a plastic bag  
which he placed in a sampan? A. He put it  
in a different plastic bag.

Q. And both plastic bags were lost in the sea?  
A. Yes, my Lord.

Q. Were you a fisherman? A. No, my Lord.

Q. Before 1960? A. No, my Lord.

30

Q. What were you before then? A. I was still  
schooling at that time.

His Lordship: 1960? A. Before 1960.

Q. When did you leave school? A. In the year 1960,

when I joined the Army.

Q. I suggest to you that you are, in fact, a fisherman?

His Lordship: Why do you call it the Army.

It would appear that it is the Navy that you joined, is it? And you say the Army. You know the difference between Army and Navy? A. In the Naval Forces.

10

Q. Yes, But I am just drawing your attention. Do you know the difference between Army and Navy? And you say you joined the Army in 1960. "I know the difference between Army and Navy". What I am telling you is that you said that you left school in 1960, when you joined the Army. So I drew your attention.

20

Is that your evidence to me: that you joined the Navy, not the Army? A. I joined the Navy, my Lord.

Q. I am just drawing your attention. Yes, why do you make a mistake like that? If you joined the Navy, you say you joined the Navy, but you just told me that you joined the Army. Or what - you have made a mistake when you said you joined the Army? A. Yes, my Lord.

30

Q. You know the difference between the two - the Army ---

His Lordship: I think he does; he was trying to explain to me just now the difference between the Army and Navy, wasn't it? A. Yes, my Lord.

Q. Now, I put it to you that you are, in fact, a fisherman. A. No, my Lord.

Q. And that you were recruited for this particular assignment. A. No, my Lord.

Q. For which you were paid? A. No, my Lord.

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Osman Bin Haji Mohamed Ali

Cross-Examination  
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Osman Bin Haji Mohamed Ali

Cross-Examination  
4th October 1965 (Contd.)

Q. And that you were given elementary instructions on how - on the use of explosives? A. No, my Lord.

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His Lordship: Yes, Mr. Kamil, any question?

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OSMAN BIN HAJI MOHAMED ALI

(Re-examination,) (By Mr. Kamil)

Re-examination

Q. How long after you were taken to the land, that this picture was taken? A. After one day.

His Lordship: Are you talking about two photographs or one?

10

Mr. Kamil: Yes, the same or the next day.

His Lordship: The next day, is it? A. The following day.

His Lordship: You say it was taken off the sea on the 13th, is it?

Mr. Kamil: That is correct, on the 13th.

His Lordship: So when you say the next day, it was early hours of the morning, 2 a.m., isn't it, Mr. Seow?

20

Cr. Counsel: No, he was picked up between 8 and 8.30 on the morning of the 13th of March.

His Lordship: So you say the next day; it means the 14th, is it? A. Yes, my Lord.

Q. Now, you had better check me. Is it the first photograph taken by the Police? How many pictures have been taken? A. The second picture, my Lord. The second photograph.



Q. How many pictures have been taken of you?  
A. Twice, my Lord.

Q. Where were your uniforms when your pictures were taken?

Cr. Counsel: I beg your pardon, my Lord. The point is, it is, in fact, a point at issue whether or not he has any, and I hope my learned friend would not put it so bluntly as that.

10 His Lordship: What has happened to your uniform? A. The Police told me that my uniform should be kept in the lock-up as it was wet. And I was loaned other - I was loaned that trousers.

His Lordship: That is all, is it? Just the trousers, and nothing else? I am asking him, what was given to him. Only the trousers? A. A singlet, my Lord and trousers.

20 Q. Why did you use the singlet? A. There were two photographs taken; one in the shirt, and the other without.

His Lordship: You mean the first photograph, is it, taken of you? A. In the first photograph I had.

Q. You had your singlets on? A. Yes, I had. In the second photograph I do not have my singlet.

30 Q. Do you know the names and ranks of the British Army? A. No, my Lord.

Q. Is it possible that the ranks and names in the British Army are different from your Indonesian  
---

His Lordship: How can he answer that? He does not know.

Q. You had your identity card before? A. Yes, my Lord.

Q. Were you supposed to learn your identity card

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Osman Bin Haji Mohamed Ali

Re-Examination  
4th October  
1965 (Contd.)

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Osman Bin Haji  
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Re-  
Examination  
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by heart? A. Yes, my Lord.

His Lordship: "I am supposed to know"?  
A. To learn the contents of the identity  
card.

His Lordship: To learn the contents of the  
identity card? A. On my own initiative  
I have got to know; I have to know the  
contents of the identity card.

Q. You are not supposed to learn it?  
A. No, my Lord.

10

Q. But most of the time you kept your identity  
card with you? A. Yes, my Lord.

Q. So you may be - is it possible that you forgot  
the contents of your identity card?

Cr. Counsel: My Lord, this is --

His Lordship: I don't think he was  
instructed to learn the particulars.  
Are you going to demolish that?

Mr. Kamil: No, what I want to know is  
whether this - just like a very  
important document - whether we have to  
remember by heart every day, just like  
my identity card. I don't remember what  
is in it.

20

His Lordship: No, just now you said you are  
supposed to learn, and then you said "On  
my own initiative I learned." So can  
you make clear: are you supposed to  
learn the particulars of the identity  
card or not? A. Actually I was ordered  
to know the contents of the identity card.

30

Q. When you told the Court that you were a member  
of the Armed Forces, did you use the word  
"Milita"?

Cr. Counsel: My Lord, perhaps he could be  
asked what word did he use, instead of  
using that word.

His Lordship: Yes, what word did he use?

Q. The first time when you were asked, what word did you use? A. Indonesian Naval Forces.

His Lordship: "I used the words "Indonesian Naval Forces"."

Q. Is there any common Indonesian word meaning Naval Forces and Armed Forces? A. Yes, my Lord.

10 His Lordship: You were asked whether there are separate words for "Military Forces" and "Naval Forces", is it?

Mr. Kamil: No, no; whether it is the land forces. I do not know, myself, the name. The land forces and the sea forces.

His Lordship: No, just one thing at a time. Are there two separate words for "Land Forces" and "Sea Forces"? A. Yes, my Lord, but generally it is called the Armed Forces.

20 Q. So when you say that you were a member of Armed Forces, it could be, I mean to say, that you were also a member of the sea forces.

His Lordship: No, no. That is not the point. I don't recall his mentioning the word "Army" nor "Navy". A. I was in the Navy.

30 Q. You said you were given a loan of clothes by the Police. Were you given back your uniform afterwards? A. My uniform was returned to me in the lock-up after I was tried at the Lower Courts.

His Lordship: Where are the uniforms now?

A. It was confiscated on the 27th of September.

Q. Was that the day you appeared before me, can you remember? What was the day he was mentioned before me?

Dy.Registrar: 27th of September.

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Osman Bin Haji Mohamed Ali

Re-Examination  
4th October  
1965 (Contd.)

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Mohamed Ali

Re-  
Examination  
4th October  
1965 (Contd.)

His Lordship: I remember he appeared before me, I think it was on the 27th - he was in some green outfit. A. Yes, my Lord.

Q. And that, you say, was your uniform?  
A. Yes, my Lord.

Q. That has been taken away, is it?  
A. Yes, my Lord.

His Lordship: Then they could be produced, Mr. Seow.

10

Cr.Counsel: Yes; I think we have them downstairs.

His Lordship: That was taken away from you after you had appeared before this Court?  
A. Yes, my Lord.

Mr. Kamil: I think that is all.

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Questions by  
the Court.

OSMAN BIN HAJI MOHAMED ALI

Questions by the Court:

Q. You say on 13th of March this year you were ordered to leave Pulo Mercham, to proceed to Pulo Dua? A. Yes, my Lord.

20

Q. And you said you were in uniform? A. Yes, my Lord.

Q. And, I take it, you had your arms with you?  
A. Yes, my Lord.

Q. What did they consist of? What did they consist of, the arms? A. Light automatic rifle.

Q. And, I take it, you were sent out on some mission? A. Yes, my Lord.

30

Q. And, I take it, you knew that you were going to a place which is a territory of this State?  
A. Yes, my Lord.

- Q. You were to do some act of hostility, is it?  
A. I was only a boatman.
- Q. You were only a boatman? A. Yes.
- Q. No, what I am asking you is: you were sent out on on a mission and you said you knew you were to come into a territory of Singapore. Were you ordered to commit some act of hostility - that is what I am asking you? A. I was ordered to leave that place only as a boatman, a rudderman.
- Q. To be a? A. To leave the place, act as rudderman.
- Q. How many of you? A. And the arms were for self-defence purposes.
- Q. No, I am asking you how many persons were in the boat? A. Two of us.
- Q. Only the two of you? That is, you and the second accused? A. Yes, my Lord.
- Q. But you have not answered my question: whether you were to go to this island of Pulo Dua to commit some act of hostility, or were you just to go round there to stop, or what? A. I was sent there only to exchange the boats; to exchange my boat - to exchange my boat with a boat belonging to a local resident.
- Q. Only to go to Pulo Dua to exchange a boat, is it? A. To exchange a boat with a local resident.
- Q. "To change my boat"? A. Yes.
- Q. For another boat? A. Yes.
- Q. With a person on the Island, is it? A. Yes, my Lord.
- Q. I take it your uniform has the rank?
- Cr. Counsel: Yes, it is here, my Lord.
- Q. Does your uniform show your rank? A. Yes, my Lord.

In the High  
Court in  
Singapore

Defence  
Evidence

No.4

Osman Bin Haji  
Mohamed Ali

Questions by  
the Court.  
(Contd.)

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Defence  
Evidence

No.4

Osman Bin Haji  
Mohamed Ali

Questions by  
the Court.  
(Contd.)

- Q. Will you open these two and ask him which one is his uniform? First of all, is there any name on the uniform? A. Yes, marks and names.
- Q. Names, numbers - what? A. marks in the --
- Q. What marks? A. Rank marks; my rank.
- Q. First of all, does it bear your name? A. No my Lord.
- Q. "Uniform does not bear my name." Does it bear your number? A. No, my Lord. 10
- Q. Doesn't bear number. What does it bear, then? Nothing? Bears your rank, is it? A. On the trousers my name is printed.
- Q. Am I right in saying that your uniform has your rank? A. Yes, my Lord.
- Q. Your stripe is it? A. Yes, my Lord. Stripe yes.
- Q. Stripe of a what? Stripe of a Corporal? A. Corporal, my Lord.
- Q. Will you show him? Which one is your uniform? Just tell us which one - don't open it out. Show it to him. Which one is your uniform? 20
- (Exhibit is shown to witness)
- That one is it? (Witness holds up exhibit).
- If you like to do it, you can open it out and see it.
- Q. Will you kindly pick up your uniform? (Points to Exhibit in Court) A. Yes. (Witness picks up Ex.C).
- Q. This shows your rank? A. Yes. 30
- Q. That is the rank of a Sergeant? A. Yes, a Sergeant has a different marking.
- Q. Three stripes? A. Yes.

- Q. Nothing inside? A. No.
- Q. Your trousers has your name? A. Yes.
- Q. Can you show your name? A. It is written "Mun"
- Q. Your name is not there? A. "Mun".
- Q. That is all; "Mun, K.K.O."? A. Yes.
- Q. No number? A. No number.
- Q. Who washes your uniform? A. I wash myself.
- Q. It is usual, in the Indonesian Armed Forces you have to do your own washing? A. If necessary we have got to wash ourselves.
- Q. I am asking you, who washes your uniform? A. There was a washerman for that purpose.
- Q. The point is: how can a washerman tell that is your uniform; he washes hundreds of uniforms? A. Not many people.
- Q. Your Armed Force has a very small number? A. There are many washermen, not only one.

In the High Court in Singapore

Defence Evidence

No.4

Osman Bin Haji Mohamed Ali

Questions by the Court. (Contd.)

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(Accused No.1 returns to the dock)

No.5

No.5

20

HARUN BIN SAID alias TAHIR (2nd Accused)

Harun Bin Said alias Tahir Examination 4th October 1965.

HARUN BIN SAID @ TAHIR (Accused No.2)

Examination-in-chief by Mr. Kamil.

(Affirmed in Indonesian)

- Q. Your name? A. Harun bin Said @ Tahir.
- Q. Your language? A. Indonesian.
- Q. Your occupation? A. I was a member of the K.K.O. Unit (Korps Kommando Operasi).

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Court in  
Singapore

Defence  
Evidence

No.5

Harun Bin Said  
Alias Tahir  
Examination  
4th October  
1965  
(Contd.)

Q. What is your rank? A. I was a Lance/Corporal.

Q. What is that in Indonesian language?  
A. Leading seaman in Indonesian language.

His Lordship: Q. Is that a rank? A. Yes.

Q. Two stripes? A. Yes.

Q. Where was your last station? A. Pulau Nyurop.

His Lordship: Q. Where is that? A. Next  
to Pulau Merchan in the Rhio Islands.

Q. How long ago did you join the Forces. A. I  
joined the Forces on the 15th April, 1964.

Q. Were you issued with uniforms? A. Yes.

Q. Now, you remember when you were first taken  
from the sea? A. On the 13th March at about  
2 a.m.

His Lordship: Q. This year? A. Yes,  
March this year.

(Witness continues:) At about 2 a.m. I left  
Pulau Merchan. I was ordered by my Commander,  
Lt.-Colonel Paulus, to proceed to Pulau Dua.  
I was ordered to proceed to Pulau Dua to bring  
some cash and to hand over the money to a  
certain Chinese man named Tan, who was waiting  
for me at Pulau Dua. On reaching Pulau Dua  
after handing over the money to Mr. Tan, I  
was told to exchange boats with him as his  
boat was full of clothing, clothing for me to  
take back to Indonesia. I was ordered to leave  
Pulau Merchan at 2 a.m.

His Lordship: Q. You have told us all that.  
Having handed over the money to Mr. Tan  
you said you exchanged boats? A. I was  
told to do that.

Q. So you had not reached Pulau Dua?  
A. Yes.

Q. What happened? A. at about 2 a.m.  
on the 13th March I was ordered to leave



Pulau Merchan to proceed to Pulau Dua.

Q. Then what happened? A. After sailing for about half-an-hour, the boat collided with an object of which I do not know.

Q. What sort of a boat? A. It is an outboard motor.

Q. And No.1 was steering the boat?  
A. Yes.

10 Q. You said the boat collided? A. Yes, then suddenly water came gushing into the boat. I could not throw out the water as the boat was already filled with water. I pulled out a piece of plank from the keel of the boat.

Q. You mean a piece used for sitting down? A. A loose plank.

Q. A loose plank at the bottom of the boat? A. In the boat.

20 Q. Yes, at the bottom; I do not mean underneath? A. Yes.

Q. And then? A. To save myself I swam by clinging to the plank.

Q. What was your intention? A. With the intention of returning to Indonesia.

Q. Which part of Indonesia, what is the name of the place? A. Pulau Samboe.

Q. Could you reach Pulau Samboe? A. No.

Q. Why? A. As the current was very strong.

30 Q. How long were you in the sea? A. From about 2 p.m. to about 9 in the morning when I was given help.

Q. Were you in uniform that day? A. Yes. I was without my shoes.

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Defence Evidence  
    No.5      
Harun Bin Said alias Tahir  
Examination  
4th October 1965  
(Contd.)

In the High  
Court in  
Singapore

Defence  
Evidence

No.5

Harun Bin  
Said alias  
Tahir  
Examination  
4th October  
1965  
(Contd.)

His Lordship: Q. When you left Pulau Merchan you were in shoes? A. No, I was not allowed to do so.

Q. So you were in full uniform; you were not in tunic and trousers? A. Yes.

- Q. Where are your uniforms now? A. Confiscated by the Prison authorities.
- Q. When was it first taken? A. First it was confiscated by the Police.
- Q. Do you know why it was confiscated? A. I was told my uniform was wet. 10
- Q. Were you given something? A. I was given an underwear and a pair of trousers.
- Q. Were you given a shirt? A. No; underwear only, a singlet, short sleeve.

His Lordship: Q. Just now you said underwear. Can you tell us where you put on this underwear. Just now you said you were given an underwear. Now it would appear there is some confusion as to the translation. Now this underwear, where did you put it on? A. On the body. 20

Q. So it is not an underwear; it is a shirt. Look at the photograph; is it the one you were wearing as shown in photograph Ex.B? A. Yes.

- Q. When was your uniform taken again, the second time?

His Lordship: First of all when was it returned to him? 30

- Q. When was it returned to you? A. After being produced for three times at the lower courts, I was returned to jail; then I was given the uniform back.
- Q. Did you use the uniform after that? A. Yes, I used it continuously until I was produced in this Court.

His Lordship: Q. On what date? A. On the 27th September, 1965; I have been produced here for about five times.

In the High Court in Singapore

Q. During that five times did you use the uniform? A. Yes, only now my uniform has been confiscated.

Defence Evidence

No.5

His Lordship: Q. Immediately after the 27th September your uniform was confiscated?

Harun Bin Said alias Tahir

Examination 4th October

1965

(Contd.)

10 Q. Do you know the reason why it was confiscated? A. I was told by the Prison officer that I could not use the uniform.

Q. Did he say any other thing? A. He told me that if I do not have any other clothes he would buy it for me.

Q. Did he say anything about the uniform again, why he took it? A I was told that I could ask the Judge about the uniform.

20 Q. You were not told any other things? A. When I was given this outfit which I am wearing, I refused to put it on and I was threatened that he would use force on me.

Q. What about the uniform? A. Confiscated and kept in the store.

30 Q. Apart from that did the Prison officer tell you that you cannot use the uniform in the Prison; did he give you any other reason in the jail? A. He told me that if I put on the uniform I would not be brought to Court; the Court would not accept me, as the Judge would not accept it.

HARUN BIN SAID @ TAHIR (Accused No.2)

Cross-Examination

Cross-examination by Crown Counsel.

Q. Now, if your version is correct, you and accused No.1 were on a peaceful mission to Pulau Dua? A. Yes.

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- Q. You were not on a warlike mission? A. No.
- Q. There was no necessity, therefore, to carry any arms with you? A. For self-defence I had to carry arms.
- Q. What arms did you carry? A. Automatic "COR" short rifle.
- Q. What kind of rifle is that; come you are a soldier describe to us the rifle which you carried? A. About the same height as the "Lee and P" rifle.
- Q. What kind? A. Automatic rifle.
- Q. Of what calibre? A. 45.
- Q. You are quite sure you are not talking about an automatic pistol? A. Not a pistol.
- Q. Apart from this rifle, what else did you carry? A. Cartridges.
- Q. How many rounds? A. 260 rounds.
- Q. What about your co-accused? A. I do not know about him.

His Lordship: Q. You do not know what he carried? A. The same kind of rifle, but I do not know how many rounds.

Q. He had the same type of weapon?  
A. Yes.

- Q. Where did you carry these rounds? A. It was placed in the boat; the rifle and the ammunition.
- Q. Apart from the rifle and the rounds of ammunition, did you carry any other type of weapon? A. No.
- Q. On whom you were going to use; you were on a peaceful mission? A. As a member of the Forces I was given instructions that I could not leave my weapons while on duty.

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- Q. Did you wear slippers when you were in the boat?  
A. No.
- Q. What about the co-accused? A. No.
- Q. I put it to you that both of you were wearing what is commonly described as canvas slippers or beach sandals? A. No.
- Q. Did you wear any hat? A. No.
- Q. Or any form of head-dress? A. It was not necessary at night to put on a songkok.
- 10 Q. Do you know Indonesian Armed Forces had issued their regular soldiers with a head-dress?  
A. Yes.
- Q. Did you have any web-belt? A. Yes, the web-belt was placed together with the magazines in the boat.
- Q. You lost your web-belt? A. I lost everything.
- Q. Your identity card was also lost? A. Everything, yes.
- 20 Q. Is it correct your boat had no light that night? A. I did not have any light that night.
- Q. Do you know it is usual to have a light; yes or no? A. The K.K.O. out-board motors are not provided with lights.
- Q. Now in the Prison here you remember meeting other Indonesians? A. I never met any Indonesian in the Prison.
- 30 Q. In the Remand Prison here did you not mingle with other Indonesian prisoners? A. I was in a room only; I was only out to take my bath.
- Q. In your bath and during recreation you mingled with other Indonesian prisoners, isn't that so? A. I was only allowed to mix during bathing hours only.

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His Lordship Q. We are only interested with

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Indonesian prisoners? A. During the bath only.

Q. Were these prisoners Indonesian prisoners or not? A. Malaysians.

Q. No Indonesians? A. Two persons only.

Q. I put it to you there were more Indonesians there with whom you were able to mix during your recreational hours? A. The Indonesians did not mix with me. No recreational hours, only during bath. I was given food and I had to eat myself in the room. 10

Q. Very well, these two Indonesians also were in uniform? A. I have never seen them in uniform.

Q. I suggest to you that the uniforms, which you and your co-accused had been wearing up till now, were given to you by the other Indonesian prisoners in Prison? A. No.

Q. I put it to you that when you were picked up near Pulau Sabaro both of you were in civilian dress? A. No, I was in uniform; my uniform was wet. 20

Q. And then both of you claimed to be from Singapore, Kampong Kapor, Singapore? A. No.

Q. And that both of you were fishermen? A. No.

Q. And your boat had capsized or had sunk? A. No, I did not claim to be a fisherman.

Q. And that you asked to be taken to Pulau Bukom? A. As far as I can remember the sampan man told me.... 30

His Lordship: Q. First of all did you ask to be taken to Pulau Bukom? A. No. As far as I can remember the sampan man told me that I am not a Singaporean but an Indonesian.

Q. Do you agree that Indonesian Malay and our local Malay is substantially the same except for the accent? A. No.

Q. You understand the Interpreter very well?  
A. Yes.

(Court adjourns to 2.30 p.m. -  
4.10.65)

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(Court resumes at 2.30 p.m.  
4.10.65)

HARUN BIN SAID @ TAHIR (Accused No.2)

Cross-examination by Crown Counsel - contd.

(On former affirmation)

- 10 Q. What is your Unit? A. K.K.O.  
Q. Now, you understand English? A. No.  
Q. But you gave your answer without waiting for  
the Interpreter to translate it?  
Interpreter: After I told him.  
Q. I am interested in the Unit to which you  
belong? A. In the Infantry Section.  
Q. What Battalion? A. The 10th Battalion.  
Q. 10th Battalion, what? A. 10th Battalion of  
the K K.O.
- 20 Q. You belong to a different Battalion then?  
A. Yes.  
Q. He (No.1 accused) in the 3rd Battalion and you  
are in the 10th Battalion? A. Yes.  
Q. What is the name of your C.O. A. Major Kadir.  
Q. You are quite sure that a Major commands a  
Battalion? A. Yes, he is in charge of the  
Battalion.  
Q. What is the name of your company commander?

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A. Lieutenant Pomo.

Q. You would have the Court to believe that a Lieutenant commands a company? A. He was the one who used to give instructions and exercises.

Q. In fact you don't know, you think he is?  
A. As far as I know he is the man.

Q. Do you agree with me that a Major commands a company? A. He is the Commander of the Battalion.

Q. I put it to you, you don't even know the structure of an Infantry Battalion? A. As far as I know he is the Major and he is the Commander of the 10th Battalion.

Q. What is your number? A. 12224.

Q. Do you agree once a regiment in combat you always wear it on your shirt or on your uniform, yes or no? A. I have no number on my tunic.

Q. Do you agree that it is usual to have a number on it? A. Only the numbers were recorded in the book and in the identity card.

His Lordship: Q: If you are found dead, how does one know your number; in battle you are shot and killed, how would they know who you are? A. When I go to war I use a collar with a number disc.

Q. You have been issued a number disc?  
A. Yes.

Q. You have been issued with a metal identity disc bearing your number? A. A disc bearing K.K.O. and the number of the Regiment.

His Lordship: Q. Your Regimental number?  
A. Yes.

Q. Which you wear round your neck? A. Yes.

Q. You have been issued? A. Yes.

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- Q. Did you have it on the 13th March? A. No.  
 Q. Why not? A. I was not allowed at that time by my Commander.

His Lordship: Q. Why? A. I don't know.

Q. Is it because to hide your identity as a soldier? A. I have no idea. I was not told.

- Q. A private has got no stripe?

His Lordship: Q. Is there such a thing as a Private in your Army or not? A. On enlisting no rank is issued.

- Q. When you enlist you got no stripe? A. Yes, only after one month I will be given a rank.

- Q. We are talking about an Indonesian soldier; a man without a stripe is a Private; is that correct? A. Yes.

- Q. After some time if he is good, amongst other things, he is promoted in which case he gets one stripe? A. In Indonesia if he has a good education he will be given a rank within one or two months.

- Q. That is Lance/Corporal?

His Lordship: Q, What is the first promotion? A. In my case after two months I was promoted to Lance/Corporal.

Q. We are asking you now, what is the first promotion; from Private he becomes what, if he is promoted? A. Generally if he has a good education he might be promoted to a Corporal or a Sergeant.

Q. I am asking you what is the first step for promotion? A. One stripe.

Q. That is the first promotion? A. Yes.

Q. And that signifies what rank? A. second seaman.

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Harun Bin Said alias Tahir

Cross-Examination  
 4th October  
 1965 (Contd.)

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Q. For goodness sake don't bring the Navy in. Look you say you are an infantryman, you are in the 10th Battalion of the K.K.O, isn't that so? A. Yes.

His Lordship: Q. You are in the Land Army? A.K.K.O. of the Navy is amalgamated into one and it is called Pasokan Kommando Armada.

Q. What does one stripe like that mean; what rank will you be, just one stripe? A. In the K.K.O. one stripe signifies as second class soldier; whereas in the Navy second class seaman. 10

Q. I am not interested in the Navy; you have told us you are in the Infantry; just confine ourselves to that?

His Lordship: Q. You said you are in the Infantry Section? A. Yes.

Q. That, I take it, is a Land Army? A. Not so. 20

Q. So Infantry is not Land Army, land or sea, or both; I don't know? A. An infantry man is a soldier.

Q. I am only interested in the Infantry; you told us you belong to the 10th Battalion, and my understanding is that it is Infantry; let us therefore keep to it? A. Yes.

Q. Now, if you have two stripes like this (points to exhibit)?

His Lordship: Q. I take it when you wear one stripe that means you are a second class soldier? A. Yes. 30

Q. You are a Private second class? A. Yes.

Q. Now the next step will be two stripes, isn't that so, like this one (Points to exhibit)? A. Yes.

Q. What does that mean? A. That signifies first class Private.

Q. Where you have three stripes as shown here, what does that signify? A. That signifies Corporal.

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Q. If you have one "V" stripe? A. Second class Sergeant.

Defence Evidence

His Lordship: Q. No bars? A. No.

No.5

Q. Just "V" only? A. Yes.

Harun Bin Said alias Tahir

10 Q. So when you described yourself in your evidence in chief as being a Lance/Corporal that is not quite correct? A. After two stripes I will be considered as a Corporal; just three stripes to be a Corporal. After the two stripes and being added another one I will be considered a Corporal.

Cross- Examination  
4th October  
1965 (Contd.)

His Lordship: I am talking of Lance Corporal, you know? A. Three stripes is a Corporal.

20 Q. Lance Corporal has what - two stripes? You said just now "after two stripes I will be Corporal"? A. Three stripes will be a Corporal.

Q. So what does a Lance Corporal have - two stripes? A. Two stripes signify a rank below Corporal.

30 Q. I know. Below Corporal - a private, or what? A second class private is below Corporal. What is it? I am asking you a simple question: a Lance Corporal has how many stripes? That is all.  
A. There is no such rank in Indonesia.

Q. Then why did you describe yourself as Lance Corporal? There is no such rank, is it? Then why did you describe yourself as Lance Corporal? Will you kindly translate what he said, Mr. Interpreter? What did he say? A. In my opinion only.

Q. In your opinion you are a Lance Corporal?

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Harun Bin Said alias Tahir

Cross-Examination  
4th October 1965 (Contd.)

Q. I put it to you, you are not a soldier at all?  
A. I am, my Lord.

Q. I put it to you that you are one of those who were recruited for a special assignment.

His Lordship: Mr. Seow, I am interested in the other uniform. It has not been identified. One has been identified.

Cr.Counsel: Yes, my Lord.

A. I made an application to join the Forces.

Q. For which assignment you were paid a certain sum of money? A. No, my Lord, I was paid monthly. 10

Q. Both of you were paid for this assignment \$350. A. I am not a mercenary soldier.

Q. Which both of you spent in Singapore? A. No my Lord.

His Lordship: What do you mean by that expression: "I am not a mercenary soldier"? A. Interpreter: He said what he means is that he is not being seduced by money to join the Army. 20

Q. Now, that jungle-green uniform was worn by you in prison, is that correct?

His Lordship: Show it to him. A. No, my Lord.

Q. It is not the uniform that you were wearing in prison? A. I brought it from Indonesia.

Q. This is the uniform you brought from Indonesia? Have a look at it - we want to be fair to you. You examine the things; they are all bundled up. Will you kindly examine it and satisfy yourself that that is the uniform you brought from Indonesia? A. Yes, my Lord. 30

Q. I put it to you that uniform was given to you

by one of the Indonesian prisoners in the local prison.

His Lordship: We will mark that - what is that? I thought "D" has already been marked.

Cr. Counsel: "C" is the other one.

A. No, I brought the uniform from Indonesia.

Q. Now, that uniform bears the rank of a private first class, do you agree? A. Yes, my Lord.

10 Q. You told the Court not so long ago that you were a private second class? A. No, my Lord, no.

His Lordship: No what? A. Two stripes signify private first class.

Q. You said this uniform, which you said was brought from Indonesia, has two stripes, and that signifies a first class private? A. It signifies private first class, my Lord.

20 Q. Yes, but you have told the Court not so long ago that you are a private second class.

His Lordship: Did he say that?

Cr. Counsel: He did, my Lord. We have it checked back from the Court notes. In cross-examination.

His Lordship: He said Lance Corporal.

Cr. Counsel: That was in examination-in-Chief; and then he went on to say he was a private second class.

30 His Lordship: No, I have got it - if he has one stripe he is a second class soldier. One stripe.

Cr. Counsel: One stripe would be a private second class; that is so. He said he was.

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Cross-Examination  
4th October  
1965 (Contd.)

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Cross-Examination 4th October 1965 (Contd.)

Mr. Reporter ---

(Court Reporter rises)

Ct. Reporter: The question was "You are a private second class?" A. Yes.

His Lordship: That comes before what?

Cr. Reporter: That comes before Your Lordship: "I take it you are wearing second class - that means you are a uniformed soldier?" A. Yes.

Q. You have now promoted yourself to first class private? 10

His Lordship: Kindly read it to me again.

(Court Reporter reads the same passage again)

I think there must be some confusion there, Mr. Seow, because my question to him - I think the Reporter has got what he said. I asked him "If you were to wear one stripe you are a second class soldier?" He said Yes. And then he followed up on the question "You are a private second class". He answered Yes. But my question, first of all, was "If you were wearing one stripe". "If you were wearing"! My question was "If", is it? 20

Ct. Reporter: Yes.

His Lordship: I don't know; there seems to be some doubt. I am just trying to clarify the position: are you a second class private or not? That is all. A. I am a private, class I. First class private. 30

Q. You are a private, class I.

His Lordship: And you think you are a Lance Corporal? A. Yes, my Lord. People here called me, addressed me as

a Lance Corporal.

Q. What - in Singapore, is it? A. While I was in prison, the Prison Officers called me a Lance Corporal.

Q. Well, I put it to you, you are not a soldier, whether first or second class, or even third class.

His Lordship. May I see that uniform?

(Exhibit is shown to His Lordship)

10 A. No, my Lord, I am a member of the Armed Forces.

His Lordship: You are a member of what?  
A. I am a member of the Armed Forces.

Q. What little military knowledge you have gathered regarding rank and structure of an infantry battalion, I put it to you, you acquired it from the other Indonesian prisoners in prison. A. No, my Lord.

HARUN BIN SAID

Re-examination.

20 (Re-examination) (By Mr. Kamil)

Q. In the prison from your first entry into the prison, were you allowed to mix with other people? A. No, my Lord.

Q. How did you come to know that there were Indonesians in your prison? A. I was informed by the Police. I was informed by the gaol keeper that there were Indonesians in the gaol.

His Lordship: Gaoler, is it?

30 Q. Did you ever see them? A. Yes, I saw them when I was released for the bath.

Q. Usually how many hours were you allowed to go to this bath? A. Before I was only allowed half an hour, but now I have been allowed one hour.

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Cross-Examination  
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1965 (Contd.)

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Tahir

Re-examination  
(Contd.)

- Q. One hour? A. One hour's time.
- Q. So in the bathroom you mixed with them?  
A. Yes, my Lord.
- Q. How did you go to the bathroom, with clothes?  
A. I was accompanied by the guard. I was accompanied to and from.
- Q. Even in the bathroom? A. Even in the bathroom, my Lord.
- Q. Were you allowed to do some exercises or recreation? A. No, my Lord, after the bath I was allowed a little time to sit down and then I was escorted back to my cell. 10

His Lordship: You are not allowed to take exercise? A. No, my Lord; not outside.

- Q. Can you interpret fully?

His Lordship: I can't imagine that you spend one hour bathing. One hour is a mighty long time. I think the truth is that you are too lazy to get exercises. That is why you prefer to sit down and do nothing. Why blame the Prison Authorities and say you are not allowed to take exercises. A. There were a lot of people taking bath. 20

- Q. Were you allowed to go out of the cells other than to take the bath? A. No my Lord.

Mr. Kamil: That is all.

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Questions by  
the Court.

Questions by the Court:

- Q. Now, did you know the first accused at Pulo Mercham? A. Yes, my Lord, I knew the first accused at Pulo Mercham. 30
- Q. Your evidence is that you did not come to Pulo Mercham. Your last post was at another island, Pulo Nurope - next to Pulo Mercham, is that right? A. Pulo Nurope is near Pulo Mercham; so, and if we are leaving ---



- Q. Just a minute - you were stationed there - Pulo Nurope, am I right? A. I was stationed at Pulo Nurope.
- Q. So when you were at Pulo Nurope did you know the first accused? A. He usually comes to Pulo Nurope; so I knew him then.
- Q. You come to know him, is it? Then who ordered you to go to Pulo Dua? A. I was ordered by Lt. Colonel Paulus.
- 10 Q. And who ordered the first accused to go? A. Same, my Lord - Lt. Colonel Paulus.
- Q. Now, first accused belongs to the 3rd Battalion? A. Yes.
- Q. And he is stationed at Pulo Mercham? A. Yes, my Lord.
- Q. And, according to him, he is in the Navy. I am just drawing your attention to the uniform which, he says, belongs to him: it has an anchor on it, which he says identifies him as in the Navy. But your uniform has no anchor. So it seems to me both of you belong to quite different units: he was stationed in Pulo Mercham; you are stationed in this other island? A. Pulo Nurope.
- 20
- Q. And you mean to tell me that this Lt. Colonel took one man from one island and another man from another island and said, "The two of you go on one mission"? A. Yes.
- Q. You expect me to believe that? I mean, commanders don't work that way. If they want to take anybody they will take two or three persons from one unit; they don't take one person from one unit on one island and another person from another island, and then ask you to go somewhere, and go off. A. He did not call me personally.
- 30
- Q. Who did not call you personally? Paulus? A. He was at Pulo Mercham, and instructed others.

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Harun Bin Said alias Tahir

Questions by the Court  
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Questions by  
the Court  
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1965 (Contd.)

Q. No, can you give me any explanation why you two from different units, stationed at different places, should be picked to do the same mission? A. Lt. Colonel Paulus is the commander of the Samboe and other islands.

Q. That may be so. You might have a permanent Commander-in-Chief. What I am trying to find out is why two persons from two different units and from two different islands are picked for one mission. Is it because the two of you are very clever or expert at this job? A. I do not know, my Lord. 10

Q. You do not know the reason, is it? A. I do not know the reason.

Q. Is it not because you were picked and you were known to be a good soldier, and he is picked because he is known to be a good sailor? You don't know the reason? A. I do not know, my Lord. I was not told so.

Q. You agree that this uniform which you say you brought from Indonesia do not bear your name or your regimental number? A. No name or number. 20

Q. You agree? A. There is a number.

(His Lordship: Exhibit "D", is it?)

Secretary: "D")

A. My Lord, there is a number printed on the trousers.

Q. There is a number? A. Printed on the trousers.

Q. What number, is it? A. No.5 - 2, my Lord. 30

Q. No.5 - 2. What does that signify? A. At the time of issue, the number was there.

Q. That is all, is it? Can you tell me where is it? Inside, or? A. On the outside.

Q. Give it to him.

(Exhibit is shown to witness)

A. (Indicates waistline).

Cr. Counsel: What is the number, my Lord?

His Lordship: He said it is 5 - 2.  
Is that right?

A. 5 - 2.

Q. You remember, is it? A. Yes, my Lord, because I always see the number.

Q. It is not very clear. It might be a "9".

Cr. Counsel: It is not his regimental number.

(Witness returns to the Dock)

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His Lordship: Yes, Mr. Kamil, any other witnesses?

Mr. Kamil: No.

Crown Counsel: May I proceed to call my first witness?

His Lordship: Yes.

In the High Court in Singapore

Defence Evidence

No.5

Harun Bin Said alias Tahir

Questions by the Court  
4th October 1965 (Contd.)

10

Prosecution Evidence

No.6

LEE AH PAW

No.6  
Lee Ah Paw Examination  
4/5th October 1965

20

LEE AH PAW

(Examination-in-chief by Crown Counsel)

(Affirmed in Hokkien)

Q. Your name is Lee Ah Paw? A. Lee Ah Paw.

Q. Of what address please? A. Living at No.10 Amoy Street.

Q. You are a bumboat man? A. Yes.

In the High  
Court in  
Singapore

Prosecution  
Evidence

No.6

Lee Ah Paw  
Examination  
4/5th October  
1965 (Contd.)

- Q. On the 13th of March, 1965, at about 6 a.m. did you leave in bumboat SC 9591 from Boat Quay? A. Yes, SC9591.
- Q. And together with you, amongst others, was one Tay Woon Lin, the taikong? A. Yes, my Lord.
- Q. Is that the person? (Tay Woon Lin produced in Court) A. Yes, my Lord. (Tay Woon Lin produced and identified in Court)
- Q. You were then on your way towards Pulau Bukon. 10  
Is that correct? A. Yes.
- Q. As you approached Pulau Sebarok, did you hear anything? A. I heard the sound of a whistle, and two persons raising their hands.
- Q. Where were they - these two persons? A. They were in the sea.
- Q. And what were they doing in the sea? A. They were hanging on to a piece of wood, and calling out for help.
- Q. And did you go towards them? A. Yes. 20
- Q. Did anyone get into your boat when you approached them? A. Of the two, the thin one climbed into my bumboat.
- Q. Was the other one remaining in the sea?  
A. Yes.
- Q. Did you at that stage see who they were?  
Were they Chinese, Malays, Indians or what?

His Lordship: Q. You saw they were dark?  
A. Yes, they were dark in appearance. I don't know whether they were Singaporeans 30  
or Indonesians.

- Q. Do you mean they were Singapore Malays, or Indonesian Malays? A. Yes.
- Q. Can you identify those two persons if you were to see them again? A. Yes.

Q. Are they here in Court? A. (Witness points at the dock)

Q. Would you both stand up? (Both the accused stand up in the dock) Those are the two?  
A. Those are the two in the dock.

Q. Of the two, which one would you say climb into your boat? A. The second accused.

Q. How were those two persons dressed? A. The first accused, the stouter one, was bare on his upper body.

Q. Bare-bodied? A. Yes. He was wearing a pair of trousers, long trousers.

His Lordship: Q. What colour? A. It was dark in colour, darkish in colour.

Q. And Accused No.2, the one who climbed into your boat? A. He was wearing a short-sleeved sports shirt, and also a pair of darkish trousers.

Q. I want you to look at these photographs, Exhibits A and B? Do you recognise those as shown in the exhibits?

(Exhibits A and B shown to witness)

A. Yes, my Lord.

Q. Was that how they were dressed?

His Lordship: Q. Who are they as you say you recognise them? A. They are the accused, the two accused.

Q. They were dressed in that manner?

A. They were dressed in the manner as shown in the two photographs.

Q. You said Accused No..2 was wearing a pair of darkish trousers. Now, would you look at Exhibit B? It does not look darkish does it?  
A. It is not darkish in the picture, but at the time when I saw him --

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Prosecution Evidence

No.6

Lee Ah Paw  
Examination  
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1965 (Contd.)

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His Lordship: Q. Trousers in photograph - which one? A.B. It is not darkish in colour, but at the time when I first saw the second accused with his trousers on, it appeared to me to be darkish in colour, probably due to the fact that it got dirty.

Q. Would you say positively that they were not wearing exhibits C and D? (Exhibits shown to witness)

10

His Lordship: Q. Mr. Interpreter, will you tell this man whether it is possible that the trousers might look dark because it was wet? He said that the trousers appeared to be darkish when he first saw the second accused. He said it might be due to dirt. I am asking him is it possible that it was darkish, because the trousers was wet? A. Yes, it is possible that it could be due to wetness. 20

Q. Can you positively say that they were not wearing Exhibits C and D? A. Yes, that is so. That they were not wearing Exhibits C and D.

Crown Counsel: The jungle green uniform?

Mr. Interpreter: Yes.

Q. Now, when Accused No.2 got into your boat, did he say anything to you, or did you ask him anything? A. I did ask him questions.

Q. What did you ask him? A. That is so, I asked him where he came from.

30

Q. Did he make any reply? A. Yes.

Q. What did he say? A. He said he was from Kampong Kapor, Singapore.

Q. When he said that, did he refer to both of them from there, or he himself? A. He was referring to himself;

Q. And did he say anything about his friend who was in the sea? A. He asked me to save the first accused.

Q. Did he say where did the first accused come from?  
A. No.

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Q. Did you ask him what had happened, or did he  
or the other tell you what had happened?  
A. I did ask them, and the second accused  
also told me what had happened.

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Q. What did he say? A. The second accused told  
me that their boat had been capsized when  
their boat was being collided by another boat.

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10 Q. Did he tell you what they were doing, or who  
they were? A. No.

His Lordship: Q. Was he not curious to  
ask what they were doing in the water?

A. I asked them, and I was given the  
answer that their boat had been capsized  
by another boat.

Q. You did not ask them what they were  
doing in their boat? A. They said that  
they were fishermen.

20 Q. Who said - the second accused? A. The  
second accused said that both of them  
were fishermen.

Q. And they had been fishing there, somewhere  
around there, when their boat capsized? A. Yes,  
the second accused also told me that they  
were fishing at the time when their boat was  
capsized.

Q. Did you ask them for their identification  
papers? A. I did.

30 Q. What did they say?

His Lordship: Q. The other one was still  
in the water, you know? You can't  
imagine all this happening? A. I only  
asked the second accused to hand over  
his passport, to show me his passport  
rather.

Q. You mean identity card, or something  
like that? A. Yes, identity card.

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Q. When you were doing all this, the other one was still in the water?

A. Yes, he was hanging on to the tyre. The first accused was hanging on to the tyre, which was hanging by the side of my boat.

Q. Did Accused No.1 at any stage get into your boat? A. Yes, he did. He did eventually climb into my boat

His Lordship: Q. You asked the second accused to show you his identity card?

10

Q. Was he able to show you? A. He was unable to produce it, and he gave his excuse by saying that it dropped into the sea.

Q. Did you believe him at all? A. I did not.

Q. At about that stage, did a Marine Police boat come alongside yours? A. Yes.

Q. You instructed your taikong, Tan Woon Lin, to attract the Police boat? A. Yes, that is right, to sound the horn and to wave our hands in order to attract the Police boat.

20

Q, Which came alongside yours. A. Yes.

Q. And you then explained to the Police officer the circumstances in which you had picked up the two accused? A. Yes.

Q. Can you call Corporal 2790?

His Lordship: Q. Can you recognise the Police officer?

Q. Can you identify the Police officer? A. I do.

Q. He is outside the Court? A. Yes.

30

Crown Counsel: Where is he?

Q. Is that him? A. Yes, my Lord (Mohamed Dali bin Abu, Corporal 2790, produced and identified in Court).



- Q. You explained to him and you handed the two accused over to him? A. Yes.
- Q. And he instructed you to accompany him back to the Marine Police Station? A. Yes, back to the Clifford Pier.
- Q. Which you did? A. Yes.

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LEE AH PAW

Cross-Examination

(Cross-examination by Mr. Kamil)

- 10 Q. What was the time when you saw the accused first? What was the time when you first saw the accused?
- His Lordship: Q. Roughly? A. Between 7 and 8 a.m.
- Q. How far away from Clifford Pier was this? A. It is very far away.
- Q. Was it near Samboe Island? A. No, they were not near to Sebarok Island, Pulau Sebarok.
- Q. How far is Sebarok Island from Samboe? A. I wouldn't know, my Lord.
- 20 Q. Can Samboe be seen from Sebarok? A. Yes, with the aid of binoculars.
- Q. What was your impression when you saw them in the water? A. Well my impression was if someone were to be in the sea because the boat had sunk, I must save them.
- Q. Why did you stop? A. Because they called for help, so I stopped.
- Q. What was your intention? A. To save them.
- Q. So all your mind was concentrated on saving

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them? A. Yes.

Q. Did you know whether they were Malays or non-Malays? A. I know that they were Malays, but what sort of Malays I did not know.

Q. You did not suspect them anything? A. No, I did not.

His Lordship: Q. Why did you ask your taikong to attract the attention of the Police? A. Because when I asked for their identity card, they couldn't produce 10 it. I had then a suspicion that they might be Indonesians or otherwise.

Q. Who came to the boat first? A. Which of the two accused persons came to the boat first?

Q. Yes? A. The second accused, the thin one.

His Lordship: Q. Is it correct that you had no conversation at all with the first accused? A. That is so.

Q. Where was the first accused when the second accused was on your boat the first time? A. He was still clinging on to the piece of plank in the sea. When the second accused climbed on to my boat, the first accused was still clinging on to the plank in the sea. 20

Q. How was his condition? A. Whose condition?

Q. The first accused's condition in the sea? A. He was just clinging on to the piece of wood still floating.

Q. When you were talking with the second accused on the boat, was the first accused still clinging on to the plank in the sea? A. Yes. 30

Q. On that piece of plank? A. Yes.

His Lordship: You are not denying that they were in the sea?

Mr. Kamil: No.

His Lordship: The main point is the question of how they were dressed.

Mr. Kamil: Yes.

His Lordship: I think you should ask him on that.

Mr. Kamil: Because I want to see his mind at that time.

His Lordship: Q. Were you excited at that time or not? A. I was not, but when I could not get the identity card after my demand --

Q. The second accused? A. When he could not produce his identity card after my demand, I became frightened, and quickly tried to contact the Marine Police.

Q. When you asked for the identity card to be produced, the first accused was still in the sea? A. Yes, he was still clinging on to his plank in the sea.

Q. What made you ask for the identity card? A. Because there were several explosions happening in Singapore, and I was afraid of that, so I asked for his identity card.

Q. But you did not suspect anything at first, did you? A. That is so.

Q. Then why did you ask for the identity card? A. After I dragged the second accused on to my boat, it was then that I asked for his identity card, and he could not produce it.

Q. Your concentration was to save the people? A. Yes.

Q. Why didn't you save the one in the sea first before you started thinking of the identity card? A. My bumboat was slowly drifting towards the other man, who was still clinging on to the plank, and when the first accused clung on to the tyre beside the boat, it was

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then that I asked the second accused for his identity card.

Q. Is it not better for you to save the man first before you think of something else?

His Lordship: Q. Why did you bother about the identity card if there were people in the sea, as your duty was to fish them out? A. The first accused was pulling the tyre in the process of climbing on to my boat when I asked the second accused for his identity card.

10

Q. You were frightened at that time when no identity card was produced? A. Yes.

Q. So at that time you first heard the sound of a whistle, and then your mind was concentrated on saving that man?

His Lordship: I can't see the point of this, you know.

Mr. Kamil: Maybe that he did not notice much of the dress of this man.

20

Q. How was the man dressed - the first one who came to the boat?

His Lordship: That is the second accused. A. He was wearing a "T" shirt, and a pair of trousers.

Q. Did you notice him clearly?

His Lordship: The clothes are available, are they - the clothes of these people?

Crown Counsel: Yes, my Lord.

His Lordship: I think we will adjourn now. I will sit at 9.30 and I think we will sit to 1 only. We will see how we get on.

30

Court adjourns at 4.10 on 4.10.65 to 9.30 on  
5.10.65.

LEE AH PAW

(Cross-examination by Mr. Kamil) (contd.)

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Crown Counsel: Before my learned friend continues with his cross-examination, I wish to state, my Lord, that I have caused inquiries to be made of the Director of Prisons regarding my learned friend's attempted visit on Saturday afternoon, and I am told that Saturday afternoons are usually half days, and, therefore, the Prison runs on with a skeleton staff, and, therefore, they do not encourage visitors during that period. However, as I gave my learned friend that assurance, I continue to give that to him. He will make it a special exception in his case.

Interpreter: Witness is reaffirmed in Hokkien.

20

Q. For how long was the accused on board before the Marine Police came? A. Do you mean the second accused?

Q. Yes? A. A short while.

Q. A very short while? A. About 10 to 15 minutes.

Q. Is it true that when you were talking about the identity card - at that time - the Marine Police passed by? A. When I was talking, asking the second accused for the identity card, the Marine Police came close up to my boat.

30

Q. For how long was the Marine Police on your boat? A. None of the officers from the Marine boat came over to my boat. The two accused persons were told to cross over to the Marine boat.

Q. So that the conversation took one to two minutes? A. About two or three minutes. When the Marine boat came close up to my boat, I spoke to the Marine Police officer before the two accused crossed over. That period took about two or three minutes.

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Q. Did you follow the accused, both the accused, to the boat of the Marine Police? A. Yes, I followed them across to the Marine boat.

Q. To where did you follow?

His Lordship: I take it he went over to the Marine boat.

Q. Did you stay long in the Marine Police boat? A. As soon as I crossed over to the Marine boat, I went back to my own bumboat.

Q. You did not stay there very long? A. That is so. 10

Q. You just surrendered them and you came back to your boat? A. Yes.

Q. Did you see them the second time, see both the accused? A. After that occasion did he say them again?

Q. Yes? A. No.

Q. When was the last occasion you saw both the accused? A. At the Marine Police Station.

Q. That is where you saw them the second time? A. Yes. 20

His Lordship: Q. Same day? A. Yes, the same day.

Q. At what time? A. The same morning. I did not see my watch.

His Lordship: Q. 12 o'clock or 1 o'clock roughly? A. Roughly 10 a.m.

Q. Why did you go to the Marine Police?

His Lordship: I think the Marine Police told him to follow the Police back. 30

Q. How were the accused dressed at that time? A. At which time?

Q. In the Marine Police Station? A. They were in the same clothing as I first saw them.

Q. Did you look at the clothes carefully? A. Yes.

Q. Was it dry? A. No, still wet.

Q. I put it to you that both the accused were not clothed as you have described in the boat?  
A. I disagree with that. They were wearing the clothing in the way I have described.

Q. I put it to you that you asked for the identity card not because you were afraid of bombs?

10 His Lordship: What is your question?

Q. He asked the accused for the identity card not because of his hearing rumours of bombs in Singapore as he said? A. That is not so. It was originally because of this that I asked for the identity card.

Q. I put it to you it was because of something in the accused which prompted you to ask for the identity card, something on him or about the accused?

20 His Lordship: I don't understand the question. What do you mean by, "Because of something"?

Mr. Kamil: What I am driving at is that it was the dress which made him suspect him.

A. Well, if he was wearing clothes like normal people there was no question of my asking for his identity card. It was because of the bombs that I asked for the identity card.

30 Q. I put it to you that it was because you saw them the second time in the Police Station with that dress that you believe that he was dressed in that dress in the boat?

His Lordship: He did not notice the dress in the boat. He only noticed the dress carefully at the Police Station. By that time he was already in civilian dress. I think that is your point.

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Mr. Kamal: Yes.

A. All along both on the bumboat and at the Marine Police Station, they were wearing civilian clothes.

Q. At the Marine Police were you asked to look carefully at the dress of the accused?

A..No one told me to look at the clothings of the accused persons carefully. I did so of my own accord.

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(No re-examination  
Witness stands down)

10

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No.7

Mohd.Dali Bin Abu.

Examination  
5th October 1965

No.7

MOHD. DALI BIN ABU

MOHD. DALI BIN ABU

(Examination-in-Chief by Crown Counsel)

(Affirmed in Malay)

Q. Your name is Mohd. Dali bin Abu? A. Yes.

Q. Marine Corporal No.2790 attached to the Marine Division? A. Yes.

Q. On the 13th of March, 1965 at about 8 a.m. were you in charge of Police Boat PC11?  
A. Yes, my Lord.

20

Q. And at about that time was your boat proceeding towards Pulau Bukom? A. Yes, my Lord.

Q. On approaching Pulau Sebarok, did you notice a bumboat attracting your attention? A. Yes, my Lord.

Q. As a result of which you went towards it?  
A. Yes, my Lord.

30



- Q. And there you met the last witness? A. Yes, my Lord.
- Q. And his taikong who is waiting outside this Court? A. Yes.
- Q. Did the last witness speak to you? A. He did.
- Q. And did he hand over to you two persons? A. Yes, my Lord.
- 10 Q. Who were they? A. Both the accused. (Witness points at the dock)
- Q. Did he explain to you the circumstances how he came to pick up the two accused? A. Yes, my Lord.
- Q. Now, did you speak to the two accused? A. Yes, I did, my Lord.
- Q. What did you speak to them about? A. I asked them for their names.
- Q. Did you ask them what their occupation was? A. Yes, my Lord.
- 20 Q. What did they say, if anything, in reply? A. They told me that they were fishermen, that their boat had capsized and that they were drifting.
- Q. In the sea? A. Yes.
- Q. To cut a long story short, you eventually brought both the two accused back to the Marine Police Station? A. Yes.
- 30 Q. And at the same time you instructed the last witness to follow you in his boat back to the Marine Police Station? A. Yes, my Lord.

His Lordship: You have not asked him about the dress.

Crown Counsel: I am much obliged.

- Q. At the time when they were handed over to you

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by the last witness, what kind of dress were the two accused wearing? A. The first accused had no singlet or shirt on but trousers, bare-bodied.

His Lordship: Q. What else? Bare-bodied?

A. And trousers.

Q. What kind of trousers? A. Long trousers.

Q. Can you remember what colour it was?

A. Greyish colour.

Q. And Accused No.2? Was anyone of them in uniform or both of them? 10

A. Interpreter: He has not said.

His Lordship: Q. Was he wearing a "T" shirt? Do you know what is a "T" shirt?

A. He means a singlet with long sleeves.

Crown Counsel: Short-sleeved shirt.

Singlet is your interpretation of it.

His Lordship: Short-sleeved shirt and a pair of trousers.

Q. A short-sleeved shirt and a pair of trousers? Was that a kind of uniform or not? A. No. 20

Q. Can you remember what is the colour of the shirt and trousers Accused No.2 was wearing?

A. I cannot remember.

Q. But any way I want you to look first at Exhibit A? (Exhibit shown to witness) Do you recognise that photograph? A. Yes.

Q. What does he see there? Is that how he was dressed on the day when you picked him up?

A. This shows the photograph of Accused No.1, bare-bodied, a pair of trousers and shoeless. 30

Q. But the point is this: Was he dressed like that when he picked him up? A. Yes.

Q. Will you look at Exhibit B? (Exhibit shown to witness) Do you recognise that photograph?

A. Yes, my Lord.

Q. Was that how he was dressed when you picked him up. A. Yes.

His Lordship: The second accused?

Crown Counsel: That is so, my Lord.

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Mohd. Dali bin Abu

Examination  
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MOHD. DALI BIN ABU

(Cross-examination by Mr. Kamil)

Cross-Examination

Q. Do you know when this picture was taken?  
A. I don't know.

10 Q. Have you seen this picture before? A. No, my Lord.

Q. You said you do not remember the colour of the shirt. Do you remember the colour of the trousers? A. Worn by which one?

Q. Both of them? A. Yes, by the picture I can tell you now.

His Lordship: Q. Without going by the pictures. You saw these people?  
A. Yes.

20 Q. What made you remember the trousers, the colour of the trousers and not the colour of the shirt?

His Lordship: You are talking about the second accused?

Mr. Kamil: Yes.

His Lordship: As he is the only one with the shirt.

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bin Abu

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Mr. Kamil: Yes.

Q. What is the colour of the second accused's trousers? A. It was white colour.

His Lordship: Q. When you say "White", do you mean light colour? This is white you know? A. Yes.

Q. Your uniform is white? A. Yes, light colour.

Q. What do you mean by "Light colour"? A. If it is white, the colour is like my shirt and trousers. 10

Q. What do you mean by "Light"? A. It is mixed up with some grey colour.

Q. Something like this? (Witness is shown a piece of paper) A. Yes, more or less like this paper; cream.

Q. It is because you see the picture that you say that it is light? A. I still remember it when I first saw it.

Q. At the boat you saw the trousers? A. Yes. 20

Q. And it was light coloured, it was like this colour? A. Yes.

Q. What did you say about the colour of the trousers of the other accused - the first accused, the one with a bare body? A. Grey.

Q. What do you mean by "Grey"? And you noticed the colour of the shirt, You did not notice the colour of the shirt of the other accused, the one with the shirt? A. It is like yellowish colour. 30

Q. In your examination-in-chief you said that you did not remember? A. It is difficult to explain the colour of the shirt, but I have got it in my mind.

Q. Why didn't you say so before? A. If I said so perhaps --

- Q. Perhaps what? A. Yellow and light yellow would have been different.
- Q. But that is a question of statement. But you did remember, did you? A. Yes.
- Q. Why did you say not remember at the first time? A. I said so because it was difficult for me to describe the colour.
- 10 Q. So that means when you said you did not remember you were telling a lie? A. It was not my aim to tell lies.
- Q. But the result was the same? A. Yes.
- Q. On the boat you saw both the accused's dresses were wet? A. Yes.
- Q. Including the trousers of the one with the shirt?

His Lordship: Of the clothing.

A. Yes.

- 20 Q. I put it to you that the first time you saw them they were not in the dress as in the picture? A. I don't agree. They were in this attire in A my Lord.
- Q. Look at the trousers? What is the colour of the trousers? A. It is grey.
- Q. That colour is grey according to your eyes, is it?

30 His Lordship: Mr. Kamil, I do not like to interrupt you. It seems to me it is unfair question. It is a black-and-white photograph. If you look at it you can't tell what it is - it is in black and white. How can you test him on the colour as in the photograph. Even red trousers, if you look at a photograph would appear black. A white one would appear white, but then anything off white will be off white in colour, and anything off black would be dark.

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Q. Thank you. I put it to you that they were in different dress when you first saw them.

His Lordship: No, no, Mr. Kamil. Why don't you come to the point? Your case is that they were in uniform, isn't it?

Mr. Kamil: Yes.

His Lordship: Why don't you put it to him?

Q. I put it to you that they were in uniform, in green colour uniform? A. No, my Lord.

-----

Re-examination.

MOHD. ALI BIN ABU

10

(Re-examination) (By Crown Counsel)

Q. Please look at Exhibits C and D.

(Exhibits are shown to witness).

Look at them. They are jungle-green uniforms, is that correct? Look at them. Look at them.

His Lordship: How would you describe those? A. They are military uniforms.

Q. Did you see Exhibits C and D, or any ---

His Lordship: Green in colour, is it?  
A. Green.

20

Q. Or anything like them on 18th of March, 1965, when you took those from last witness?  
A. I did not.

Q. You can definitely say they were not wearing those two uniforms? A. Yes.

Q. What did he say? A. They did not; I am quite certain.

-----

(Witness stands down)

No.8

AHMAD BIN MOHD. AMIN

AHMAD BIM MOHD. AMIN

(Examination in Chief) (By Crown Counsel)

(Affirmed in Malay)

Witness: "Ahmad bin Mohd. Amin."

- Q. Sergeant 1537 attached to the Marine Police Station? A. Yes, my Lord.
- 10 Q. Now, on the 13th March, 1965, were you in charge of the chargeroom, Marine Police, Clifford Pier, Singapore? A. Yes, my Lord.
- Q. And at about 10.25 a.m. did Corporal 2790, the last witness, arrive at Clifford Pier in his boat? A. Yes, my Lord.
- Q. Did he hand over you two persons? A. Yes, he did.
- Q. Who were the two persons? A. (Indicates towards Dock) Two male Malays who look like Indonesians, and they are in the dock, - the
- 20 accused.
- Q. Now, after Corporal 2790 had handed the two accused over to you, did you speak to them? A. Yes.
- Q. Did you find out from them what their names were? A. I asked them for their names, and where they came from.
- Q. Yes, where did they say they came from? A. They said they came from Indonesia, fishing near Pulo Sebarok.
- 30 Q. Fishing near Pulo Serbarok? A. Yes.
- Q. Now, at about 10.30 a.m., did you phone the Marine Police Station at Cavenagh Bridge? A. Yes.

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Ahmad bin  
Mohd. Amin

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Q. For an escort to take the two accused there?  
A. Yes, my Lord.

Q. And at about 10.50 a.m. a P.C. 4112 and G.P.C. 44, 429 arrive and take the two Indonesians, two accused back to the Marine Police Station at Cavenagh Bridge? A. Yes, my Lord.

His Lordship: Back to Marine Police Station? A. Yes.

Cr. Counsel: That is right, my Lord, at Cavenagh Bridge. Perhaps I should explain the chargeroom at Clifford Pier is a sub-police station of the Marine Police Division.

10

Q. Is that correct? A. Yes, my Lord.

Q. Now, what sort of dress were the two accused wearing at the time when they were handed over to you?

His Lordship: Ask them to stand up.

A. (Indicates) Accused No.1 was wearing - his name is Osman.

20

Q. Was wearing what? A. He was not then wearing nothing on his body, and he was wearing a long black pants.

Q. Did he have any footwear? A. No, my Lord.

Q. Would you please look at Exhibit A? Is that how he was dressed when he was brought or when he was handed over to you?

His Lordship: You look at the photograph.

A. He was dressed like that.

Q. And Accused No.2? A. Accused No.2 was wearing a t-shirt.

30

His Lordship: The first photo. What is it - Exhibit?

Interpreter: "A".



His Lordship: Yes. Second accused: how was he dressed? A. Second accused was wearing a t-shirt and he was wearing a cream-coloured pair of trousers.

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Q. Now, when you say a t-shirt, do you know what a t-shirt really is? A. It is short.

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No.8

His Lordship: Has it got an opening here or not? An opening down? A. Yes.

Ahmad bin Mohd. Amin

10 Q. Well, that is not a t-shirt. What you are going to say is he was wearing a short-sleeved shirt and worn outside. A. Worn outside, hanging outside.

Examination  
5th October  
1965 (Contd.)

His Lordship: Short-sleeved shirt, yes.

Q. Worn out.

His Lordship: Yes, what colour is that?

Q. Can you remember? Beige sort of colour, is it? A. Like the window curtain (indicates).

Cr. Counsel: Beige-like, my Lord.

20 A. The colour of shirt is like that of the curtain.

Q. Beige-like. Now, look at Exhibit "B", please.

(Photograph is shown to witness)

Was that how he was dressed on that day?

A. Yes, it was like Exhibit "B".

Q. Now, look at Exhibits C and D in front of you. Do you know what they are? A. These are military uniforms.

Interpreter: He said "soldiers' clothes".

30 Q. Soldiers' clothes. Jungle green in colour? A. Yes.

Q. Was any one or more of them wearing that on that day? A. No.

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In the High  
Court in  
Singapore

Prosecution  
Evidence

No.8

Ahmad bin  
Mohd. Amin

Cross-  
Examination  
5th October  
1965 (Contd.)

AHMAD BIN MOHD. AMIN

(Cross-examination) (By Mr. Kamil)

Q. Do you know when this picture was taken?  
A. I don't know.

Q. Can you say that the shirt in this picture of  
the Accused No.2 is yellow in colour? A. Yes.

Q. I put it to you that both the accused were  
not dressed like this here? A. I don't  
agree.

Q. I put it to you that both of the accused,  
when you first saw them, were in green-  
colour uniforms? A. No.

10

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Re-  
Examination

AHMAD BIN MOHD. AMIN

(Re-examination) (By Crown Counsel)

Cr. Counsel: Just one question, my Lord.

Q. In answer to my learned friend, you said that  
the shirt worn by accused No.2 on that day  
could be described as yellow. You said,  
do you remember? No, do you remember saying  
that it could be this colour? You agreed with 20  
him? A. Yes, light yellow.

Q. Now, what I want to ask you now is: would  
you like to describe that colour in His  
Lordship's court curtains? What you call it?  
Well, let us have it - "kuning" what?  
A. "Ringan kuning".

Cr. Counsel: Light yellow. I think I  
would describe it as beige.

His Lordship: Yes.

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(Witness stands down)

30

TAN TEE CHEOW

(Examination-in-Chief) (By Crown Counsel)

(Affirmed in English)

In the High  
Court in  
Singapore

Prosecution  
Evidence

No.9

Tan Chee  
Cheow

Examination  
5th October  
1965

Q. Your name is Tan Tee Cheow? A. Yes.

Q. P.C.4112 attached to the Marine Police Dividion?  
A. Yes, Sir.

Q. On the 13th of March, 1965, at about 10.30a.m.  
together with G.P.C. 44,429 did you go to  
Clifford Pier? A. Yes, Sir

10 Q. And you arrived there at about 10.50 a.m.?  
A. Yes, Sir.

Q. Speak up, will you please? And there did  
Sergeant 1537 hand over to you two persons?  
A. Yes, the Sergeant handed over to me two  
accused persons.

Q. Speak up. I can't hear you. A. Sergeant  
1537 handed over two accused persons to me.

20 Q. And are those two accused persons in Court  
today? Look around. A. Yes, Sir. They are  
the two.

Q. Where? A. (Indicates) Those two.

Q. They are the two accused. And you then,  
together with P.C.44,429, brought the two  
accused back to the Marine Police Station  
at Cavenagh Bridge? A. Yes, Sir.

Q. Now, can you tell this Court what kind of  
clothes the two accused were wearing at the  
time? A. According to my memory --

His Lordship: According to your what?

30 Q. Memory. A. The two accused: one of them was  
bare-bodied with black trousers.

Q. One of them was bare-bodied? A. The other  
one wore a t-shirt and trousers.

In the High  
Court in  
Singapore

Prosecution  
Evidence

No.9

Tan Tee Cheow  
Examination  
5th October  
1965 (Contd.)

Q. T-shirt and a pair of trousers. Now, the one who was bare-bodied: what sort of pants did he have on? A. Pants is a pair of black trousers.

His Lordship: Is a pair of?

Q. Black pair of trousers, my Lord.

Now, can you remember who was that one who was bare-bodied and wearing a black pair of trousers? A. The one who is sitting.

Q. Where- on your? 10

His Lordship: Ask them to stand up.

A. This is the one (indicates), facing me on my left-hand side.

Q. I see, the one on your left: accused No.1. And the other one who, you said, had a t-shirt and what? A. And a pair of long trousers.

Q. Can you remember the colour of the shirt first? A. The colour of the shirt is - the colour is between orange and brown. 20

Q. Between orange and brown. The colour of the shirt. And the trousers - can you remember? A. The trousers is light yellowish.

Q. Light yellowish colour. Right, now do you know what is a t-shirt? A. T-shirt, somebody called it. You can call it sports shirt also.

Q. Well, let us have the correct term, you see. Do you know what is a t-shirt, to start with? A. With short sleeve. 30

Q. Yes? A. And --

Q. Is there an opening at the neck here? A. Yes, opening but in the centre of the chest.

Q. What sort of opening at the neck?

Mr. Kamil: Centre of the chest.

Q. What sort of opening in the neck. What do you understand by a t-shirt? A. Yes, I understand.

Q. What? What is it?

His Lordship: Is it like the one you are wearing? A. No.

Q. Is there an opening at the neck? Well, I imagine there must be an opening at the neck, otherwise you couldn't put it on.

Q. What sort of opening at the neck? A. With a collar and the button.

Q. There is a collar and button, and that is what you understand by a t-shirt? A. Button is only open up to the centre part of the chest.

Q. Well, that is not a t-shirt, as I understand it. A t-shirt is what we call turtle-neck, you know? Anyway, the point is that is what you understand as a t-shirt.

His Lordship: And you say there are buttons down, is it?

Cr. Counsel: Yes, up to the chest there.

Q. Can you look at Exhibits A and B? You recognize those photographs?

(Exhibits are shown to the witness)

A. Yes.

Q. Do they show how they were dressed on that day? A. Yes. The photographs show they were dressed on that day.

Q. One last question: do you see the two--

His Lordship: Has he identified the other accused? He has pointed the first

In the High  
Court in  
Singapore

Prosecution  
Evidence

No. 9

Tan Tee  
Cheow

Examination  
5th October  
1965 (Contd.)

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In the High  
Court in  
Singapore

Prosecution  
Evidence

No. 9

Tan Tee  
Cheow

Examination  
5th October  
1965 (Contd.)

accused as the man wearing - bare-bodied.

Cr. Counsel: Much obliged, my Lord.

Q. Now, the other person who, you said, was wearing a shirt between orange and brown colour and light yellowish trousers: who is he? Which one? A. The one sitting in front of---

Q. The second person? A. Yes, the second person.

His Lordship: Second accused.

Q. One last question: you see the two exhibits in front of you? A. Yes, I see. 10

Q. Exhibits C and D: do you recognize what they are? Have a look at them. A. They are military uniforms.

Q.. Was any one or more of the accused persons wearing those uniforms? A. No, they were not wearing this uniform when I escorted them back to the station.

-----

Cross-  
Examination

TAN TEE CHEOW

(Cross-examination) (By Mr. Kamil)

Q. What do you know by the meaning of t-shirt? Can you explain again? A. If you give me a shirt --- 20

His Lordship: I don't think we would want to go through that again. Mr. Seow has gone through it at length. It would appear it is not a t-shirt, but just an ordinary sports shirt.

Q. Did you discuss this case with your friends? A. No, because this case happened quite long already. 30

His Lordship: Mr. Kamil, I am sorry; I can't hear your question.

Q. Did you discuss this case with your friends?

His Lordship: Yes, what is your answer?  
No? A. Yes.

Q. Did you see those witnesses outside this morning? A. Yes, I saw them.

Q. Did you speak to them? A. I came here at 10 o'clock sharp; I did not speak to any of them.

Q. Did you know them? A. Of course, they should know me; I was in uniform.

10 Q. You know them? A. The only men I know is our Sergeant and Corporal.

His Lordship: You know the Sergeant and the Corporal, is it correct? A. Yes.

Q. You must speak up; I cannot hear you. I am writing and I am depending on my hearing.

Cr. Counsel: Speak up, louder please.

Q. And you saw them this morning? A. Yes, I saw them this morning.

20 Q. You did not speak to them? A. Yes, I speak to them.

Q. Now you say you speak to them; just now you said you did not speak to them? A. No, no. I did not say that;

His Lordship: Let us be fair to him. Your question to him was: did you discuss the matter? Which is quite a different thing, you know.

30 Did you discuss this thing with those witnesses, the Sergeant and the Corporal?  
A. No, I did not discuss this matter with them. I speak to them just because I want to know what time the case.

Cr. Counsel: But he did speak to them, my Lord, to find out about the time of the case.

In the High  
Court in  
Singapore

Prosecution  
Evidence

No. 9

Tan Tee  
Cheow

Cross-  
Examination  
5th October  
1965 (Contd.)

In the High  
Court in  
Singapore

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Evidence

No. 9

Tan Tee  
Cheow

Cross-  
Examination  
5th October  
1965 (Contd.)

His Lordship: Will you kindly speak up?  
I cannot hear you. Most of what you say  
I cannot hear.  
You said you spoke to them but you did  
not discuss with them. What did you  
speak to them about? A. About what  
time we left the station.

Q. Did you speak to them about the clothes of  
the accused? A. No, I did not speak to them 10  
regarding this matter.

Q. What do you say if all the others describe the  
shirt as a t-shirt? A. Pardon?

Q. What do you say ---

His Lordship: Only one has described it  
as a t-shirt.

Q. I think both of them.

His Lordship: Ahmad bin Mohd. Amin  
described it, and then after that he said  
it was a sports shirt. 20  
Yes, carry on. There is only one  
witness, Ahmad bin Mohd. Amin: he  
described it as a t-shirt.

Cr. Counsel: That is the Sergeant.

His Lordship: The other one, Mohamed Ali,  
said accused was wearing a short-sleeved  
shirt and a pair of trousers. Yes.

Q. What do you say to that, if one of the  
witnesses said the same thing as you - t-shirt?  
A. I don't know what they are - what they were 30  
giving their evidence, but I give my own  
evidence here.

His Lordship: Mr. Tan, not only you have  
described the shirt as a t-shirt - it is  
not a t-shirt - but another witness  
also has described it as a t-shirt. So  
the inference is that you must have  
spoken; the two of you must have spoken.  
What do you say to that?



Two persons have made the same mistake in describing it as a t-shirt. Did you speak to anyone about the dress or not?

In the High Court in Singapore

A. No.

Prosecution Evidence

Q. I put it to you that at the time when you first saw the accused, the accused were not in the dress as you have described in this Court this morning? A. Yes.

No.9

Tan Tee Cheow

His Lordship: What is his answer?

Cross-Examination  
5th October  
1965 (Contd.)

10

Cr. Counsel: Yes, my Lord.

His Lordship: Do you understand the question or not? A. I understand.

Q. Mr. Kamil said you are not telling the truth. You see, you have described to us how the accused was dressed, and Mr. Kamil has put it to you that this description is wrong; you are not telling the truth. A. The description--

20

Q. And then you say "Yes". Do you understand? If you don't understand I will ask Mr. Kamil to repeat it or to explain. Don't just say "yes" to something you don't understand. A. He said that the first I saw the accused on that day the description of the "dressing" of the two persons is different.

Q. From what you have described? A. From what I say today.

Q. And you answered "Yes"? A. Yes.

30

Q. I don't know whether you understand or not. In other words, you are admitting you have made a mistake, you know. Is that correct - you have made a mistake, is it, about this matter? A. But they have got a different "dressing" today.

Cr. Counsel: Oh, I see, my Lord.

His Lordship: Nobody is asking you about

In the High  
Court in  
Singapore

Prosecution  
Evidence

No.9

Tan Tee  
Cheow

Cross-  
Examination  
5th October  
1965 (Contd.)

how the accused are dressed today. We are talking about how they were dressed on that day, not today. What have you got to say? A. The "dressing" of the two accused ---

Q. No, I want to be fair to you. Would you prefer to speak in Chinese? If you do not understand English very well, you can speak in Chinese, unless, I suppose, your English is better than your Chinese. I don't know. You prefer to speak in English? A. If I have a chance to speak in Mandarin, - may I have a chance to speak in Mandarin.

10

Q. Mandarin, yes certainly. If you can speak better in Mandarin, it is better for you.  
So will you put the question to him again, Mr. Kamil?

(Chinese Interpreter steps forward)

20

Interpreter: What is your question, please?

Q. I put it to you that when you first saw both the accused they were not dressed as you just described this morning? A. The clothings that they had put on on the day is the same as I have described today.

Q. I put it to you that they were in uniform, green uniforms? A. No.

Q. Can you look around this Court and look at every colour in this Court? Is there any colour the same as the shirt of the accused? Every corner, up and down.

30

Interpreter: What colour?

Q. Colour of the shirt. A Similar to the rings (indicates reporter's notebook).

Q. That one is reddish, is it? A. Well, it can be said to be reddish.

His Lordship: It is pink to me.

Cr. Counsel: More pinkish.

Mr. Kamil: Thank you.

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In the High Court in Singapore

Prosecution Evidence

No.9

Tan Tee Cheow

Cross-Examination  
5th October  
1965 (Contd.)

His Lordship: Yes, Mr. Seow, any questions?

(Re-examination) (By Crown Counsel)

Re-examination

Q. Just one question, please: In what language stream were you educated? A. I came from the Chinese stream.

(Witness stands down)

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No.10

MAHMUD BIN HAJI ALI

MAHMUD BIN HAJI ALI

Examination-in-chief by Crown Counsel.

(Affirmed)

No.10

Mahmud bin Haji Ali

Examination  
5th October  
1965

10

Q. Your name is Mahmud bin Haji Ali? A. Yes, my Lord.

Q. You are an Inspector of Police attached to the Marine Division at Cavenagh Bridge? A. Yes.

Q. On the 13th March, 1965, at about 11.05 a.m.

In the High  
Court in  
Singapore

Prosecution  
Evidence

No. 10

Mahmud bin  
Haji Ali

Examination  
5th October  
1965 (Contd.)

- were two Indonesians brought to your station?  
A. Yes.
- Q. And they are the two accused? A. Yes.
- Q. At about 11.40 a.m. that same day did you speak to Accused No.1? A. Yes.
- Q. Did you ask him what his occupation was?  
A. Yes.
- Q. What reply, if any, did he give you? A. No.1 accused said he was a fisherman.
- Q. Later did you speak to accused No.2? A. Yes. 10
- Q. Did you ask him what his occupation was?  
A. Yes.
- Q. What reply, if any, did he give you? A. He told me he was a farmer.
- Q. What kind of clothes were the two accused wearing at the time when they were brought to the Marine Police Station? A. The first accused was wearing only black trousers; he was bare-bodied.
- Q. Did he have any shoes? A. No. 20
- Q. He was bare-bodied? A. Yes.
- Q. What about accused No.2? A. Accused No.2 was wearing a pair of cream trousers and a yellowish shirt.
- Q. Did he have any footwear? A. No.
- Q. He was bare-footed? A. Yes.

-----

Cross-  
Examination

MAHMUD BIN HAJI ALI

Cross-examination by Mr. Kamil.

- Q. What did they say to you their occupation was?  
A. The first accused told me he was a fisherman and the second accused a farmer. 30

- Q. What was the colour of the trousers of the first accused? A. The colour was black.
- Q. Can you describe again the colour of the shirt of the second accused? A. The shirt of the second accused was yellowish in colour.
- Q. You understand English very well? A. Yes.
- Q. Is it light yellow? A. It is yellowish.
- 10 Q. Yellowish means white and yellow? A. The shirt and trousers were dirty; I can only say yellowish in colour.
- Q. This one is yellowish (shows a piece of paper)? A. Yes.
- Q. Like that? A. Yes.
- Q. The colour of the shirt? A. Yes.
- Q. So it is inclined to be white and yellow, like this one? A. Yes.
- Q. What was the colour of No.2 accused? A. Colour of the trousers, cream.
- 20 Q. What do you mean by cream? A. Between yellow and white.
- Q. The same as the shirt? A. Lighter than the shirt.
- Q. When did you first see them? A. I saw them at about 11.05 a.m. on the 13th March, 1965.
- Q. How was the state of the clothes, wet or dry? A. Damp, a bit wet.
- Q. Still wet? A. Yes.
- Q. Can you describe how the shirt looked like; is it like my shirt? A. Yes, with a collar.
- 30 Q. I put it to you that what you described this morning is not the same as the dresses worn by both the accused when you first saw them? A. What I did say, my Lord, was the colour.

In the High  
Court in  
Singapore

Prosecution  
Evidence

No.10

Mahmud bin  
Haji Ali

Cross-  
Examination  
5th October  
1965 (Contd.)

In the High Court in Singapore

Q. I put it to you that they were in green uniform? A. No.

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Prosecution Evidence

No.10

Mahmud bin Haji Ali

No re-examination.

(At 11 a.m. Court adjourns for ten minutes)

Cross-Examination  
5th October 1965 (Contd.)

(Court resumes at 11.10 a.m.)

No.11

Wong Kee Huat  
Examination  
5th October 1965

No.11

WONG KEE HUAT

WONG KEE HUAT

Examination-in-chief by Crown Counsel.

(Sworn) (In English)

10

Q. Your name is Wong Kee Huat? A. Yes.

Q. You are a principal Rehabilitation Officer attached to the local Prison, Outram Road?  
A. Yes.

Q. On the 29th March, 1965, at about 4.50 p.m. did you admit two Indonesians by the name of Osman bin Haji Mohd. Ali and Harun bin Said alias Tahir into your Prison?

Mr. Kamil: My Lord, before this witness is called, I wonder whether it is proper because our trial is under Emergency Regulations where according to the Ordinance two days prior to the trial the substance of the witness's evidence should be given to accused persons, and this has been given to me only yesterday.

20

His Lordship: The point is this: this is

not an ordinary Emergency case; Preliminary Inquiry was not taken.

Crown Counsel: No, my Lord.

His Lordship: If you want to consult your clients, we will adjourn for a short while.

Mr. Kamil: It is not necessary, my Lord.

10 Q. You admitted two Indonesians by the name of Osman bin Haji Mohd. Ali and Harun bin Said alias Tahir? A. Yes.

Q. Are they the two accused in the dock? A. Yes.

Q. At the time when you admitted them into your Prison, can you remember what dress they were wearing? A. They were in civilian clothes.

Q. Can you remember what kind of civilian clothes they had? A. The first accused had a dark tight-fitting trousers.

His Lordship: Q. Any shirt? A. He had a light brown sports shirt.

20 Q. That is accused No.1? A. Yes.

Q. And accused No.2 can you remember what he had on? A. I cannot remember.

Q. What kind of civilian dress he had on? A. He had ordinary civilian dress.

Q. Now subsequently were there brought into your Prison a batch of 40 odd persons taken prisoners in the Pontian landing? A. Yes.

30 Q. Were they all Indonesian prisoners? A. Some of them were Indonesians and some of them were Johore boys.

Q. Were they Malays, Chinese or Indians? A. Mostly Chinese, some of them were Malays.

Q. Now in this batch of 40 odd prisoners, could you tell the Court what kind of dress they had on? A. About 10 of them had jungle green

In the High Court in Singapore

Prosecution Evidence

No.11

Wong Kee Huat

Examination  
5th October  
1965 (Contd.)

In the High  
Court in  
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Evidence

No.11

Wong Kee  
Huat

Examination  
5th October  
1965 (Contd.)

uniform on them.

Q. Now these prisoners who were brought in subsequently were they able to mix freely?  
A. Yes they were mixing up freely.

Q. Were they able to mix with the two accused persons? A. Yes.

Now subsequent to the admission of the 40 odd prisoners do you remember seeing the two accused in any kind of dress in Prison?  
A. Yes.

10

Q. Did you notice at about that time what kind of dress they were wearing? A. They were definitely in civilian dress.

His Lordship: Q. When you admitted them they were in civilian dress? A. Yes.

Q. Were they in any other dress? A. No.

Q. Later on did you see the two accused in any other kind of dress? A. Yes.

Q. What kind of dress? A. In jungle green uniform.

20

His Lordship: Q. That is after their admission? A. Yes.

Q. When was that? A. After the Johore group had been brought in.

Q. Can you remember the date or you cannot remember? A. On the 9th April the Johore prisoners were brought in; after that I used to see them in jungle green uniform

Q. Did you do anything about it, or did you just let it go? A. I just let it go

30

Q. Until the 27th September this year, is that correct, when the Police queried as to where they got the uniform from? A. That is correct.

Q. And as a result of that you caused the uniforms to be taken away from them?



A. That is correct.

Q. And these are the two uniforms in question, exhibits C and D, is that correct? A. That is correct, my Lord.

In the High Court in Singapore

Prosecution Evidence

No. 11

Wong Kee Huat

Examination  
5th October  
1965 (Contd.)

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His Lordship: Mr. Kamil, you want to consult your clients?

Mr. Kamil: I think I will consult my clients.

(At 11.25 Court adjourns for five minutes).

10

Court resumes at 11.35 a.m. after short adjournment

WONG KEE HUAT

Cross-Examination.

Cross-examination by Mr. Kamil.

Interpreter: The witness is on former oath, my Lord.

Q. Mr. Wong, the accused, both the accused came to your prison on the 29th March? A. That is correct.

20 Q. That is the first time? A. Yes.

Q. They were in civilian clothes? A. That is correct.

Q. Did they go out again after that?

Crown Counsel: What do you mean?

Q. Did they stay long in the prison, or were they taken out again? A. To which part?

His Lordship: Q. Anywhere?

Q. Did they remain in prison all the time, or were they taken out somewhere to the Special Branch, the CID or anywhere? Did they leave the prison? A. I was off duty. He might

30

In the High Court in Singapore

Prosecution Evidence

No. 11

Wong Kee Huat

Cross-Examination  
5th October 1965 (Contd.)

have been taken out. As far as I remember he had been taken out before for mention.

Q. You don't have the record? You don't have the record of the people coming in and out?

A. Unless I check up.

Mr. Kamil: I think you had better get it. I apply to get the records, but he does not know the answer.

His Lordship: They were taken out from where to where?

10

Mr. Kamil: He was taken out from the prison after one day - the first one, and the second one after one week to the Police, the CID, and then they were taken back after that.

His Lordship: Same day?

Mr. Kamil: Different day.

His Lordship: They were brought back on the same day?

Mr. Kamil: One of the accused was taken out 20 of the prison after spending one night in the prison, and then they stayed away in the Police for about one week and they were brought back to the prison.

His Lordship: Q. Can you give an answer?  
A. We are on shift duty.

Q. You can't say? A. I cannot definitely say that.

His Lordship: The first accused was taken out of the prison to the CID and later brought back. I can't understand this line of cross-examination. I would have thought that the most important point would be the date when they were first brought to the prison.

30

Mr. Kamil: That is not objected to by the accused. The first day they were in

civilian clothes, because those were the clothes given by the Police to them. Then they were brought back to the Police, one of them, after spending one night in the prison. They were taken to the CID. One of them was taken to the CID, and then he was brought back after one or two weeks later after his case was mentioned in the lower Court. And then the other accused spent there about one week. After that he was taken out again to the lower Court.

In the High  
Court in  
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No. 11

Wong Kee  
Huat

Cross-  
Examination  
5th October  
1965 (Contd.)

10

His Lordship: During that time they were in uniform?

Mr. Kamil: Not in uniform. In the lower Court, they were given back their uniforms.

His Lordship: I don't think this witness can answer all these things.

20

Crown Counsel: He could put these questions to this witness whether he knows anything of that. My Lord, my learned friend has made a statement from the Bar. Perhaps he could put it in the form of questions to this witness.

His Lordship: I think you had better put it to him. The first accused was taken out of the prison for one week and was later brought back on the same day.

30

Mr. Kamil: Not the same day. I think the second accused - he was only one night in the prison, and then he was taken away to the CID where he spent one week or so in the CID.

His Lordship: Q. Do you know about that?  
A. I am afraid I can't tell that.

His Lordship: You had better bring the record.

Crown Counsel: I have sent for that record.

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No. 11

Wong Kee  
Huat

Cross-  
Examination  
5th October  
1965 (Contd.)

Q. Do you mix up with them everyday? A. I used to see them coming down to have recreation. There is another officer in charge of them.

Q. You are in charge of them? A. I am in charge, not exactly the whole Remand Prison.

His Lordship: Q. You used to see them coming down to bath? A. Coming down for bath and recreation.

Q. Did you see them everyday? A. If I am there in the Remand, yes. 10

His Lordship: Q. If you are on duty you see them? A. Yes, during the recreation hours.

Q. How many days were you on duty? What was the shift? A. We are on morning, and the next day we are on afternoon. Sometimes we may be in Remand, and sometimes we may be in other sections.

Q. May you be out of the Remand Prison for one or two days, or three or four days? A. Yes. 20

Q. May be longer than that? A. Yes.

Q. How long? A. Sometimes may be off for a week.

Q. Can it be more than one week? A. Yes.

Q. How long is it? A. Say two weeks. I have got to check my record.

Q. It can be two weeks? A. At one stage. Yes, there was one stage.

Q. Can it be more than that? A. I can't remember. 30

Q. Do you usually go out of the Remand Prison to the other part of Changi Prison? A. I may be engaged on gate duty.

Q. Is it your duty to notice the clothes of the prisoners? A. No.

His Lordship: Q. Is it correct that Remand prisoners, or rather prisoners who are in remand wear whatever clothes they like?

A. Yes, their own clothes. They are allowed to send back their clothes for washing and they are allowed to receive them.

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Cross-Examination  
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10 Q. You do not care about their clothes? A. Normally we don't record the particulars of the clothing, because it is in their possession.

Q. When they go out and go in again you don't know whether they are dressed in the same dress or different dresses? A. I do not know about that.

His Lordship: Q. When they are first admitted do you make a note of their dresses? A. No.

Q. You don't? A. No.

20 Q. So when they go out and come back also you do not notice it, because it is not your duty to note that? A. That is correct.

Q. When did you first notice them in different clothes? A. Until it was brought to my notice.

His Lordship: Q. Do you understand the question or not? Please listen to the question? You told us that you noticed at one stage they were wearing green uniforms? A. Yes.

30 Q. And he wants to know when was the first time that you noticed they were wearing green uniforms? A. After the Johore group had been brought in.

Q. When was that? A. After the 9th of April 1965.

Q. That means after one week or two weeks? That means after about twelve days of the accused coming into the prison? A. That is correct.

His Lordship: I thought your question was how many days after the Johore prisoners

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were brought in did you notice this?

Mr. Kamil: No, no. My question was when was the first time.

His Lordship: When was the first time you saw the accused wearing green uniforms. His answer is that it was after the Johore prisoners were brought in. I thought the next question you were asking him was "How many days after the Johore prisoners were brought in?"

10

Mr. Kamil: I think I had better follow your question.

Q. How many days after the prisoners from Johore, these green-clothed soldiers came? A. After the 9th of April.

His Lordship: Q. Mr. Wong, we know the 9th of April. We are asking you how many days after the 9th did you see the two accused wearing green uniforms? A. A few days after.

20

Q. Can you say the same day, the next day, one week after or one month after, or a few months after? A. A few days after the Johore group were brought in.

Q. One day or two days? A. A few days afterwards.

Q. How did you come to notice their uniforms? A. As they came down for bath and recreation they used the uniforms.

Q. Was it brought to your attention by someone? A. No.

30

His Lordship: Q. I take it that these Johore prisoners, some of them were also wearing jungle green? A..Yes, my Lord.

Q. How is he going to tell us that these two persons were also in jungle green unless you know them well? There were so many prisoners, and normally those persons were wearing jungle green.

There were others there also wearing jungle green? A. I can recognise these two.

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His Lordship: Q. What attracted your attention to these two persons that you saw them wearing jungle green? A. I can recognise these two.

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10 Q. They could have worn it earlier, could they not, without your noticing it? A. No, they could not have.

Q. Why do you say that? A. One week earlier before the Johore group was brought in.

Q. Earlier than the time when you first noticed them? A. As I have said, I have seen that a few days after this group had been brought in.

Q. That was the first time you noticed them? A. That is correct.

20 Q. But it could have been that they wore that before that and you did not notice them? A. No.

Q. Why? A. Because on the very day they came in, I searched them, and it was quite difficult to put my hands into their pockets.

Q. Earlier than the date when you first noticed them in jungle green, maybe two days earlier or one day earlier. Could it be possible? A. It could not be possible.

Q. Why? A. Because of the time.

30 His Lordship: Q, It is possible that they were in jungle green, they were wearing jungle green uniforms without attracting your attention before the 9th of April? A. At that time these two used to come down. We used to bring them down. We used to bring them down for bath.

Q. Before the Johore prisoners were brought in? A. Yes.

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Q. Who is that? A. My second officer used to bring these two down. They were kept separately from the other remand prisoners, and they were taken down daily for bath and exercise.

Q. By whom? A. By my second officer.

Q. Your second officer? A. Yes.

Q. It was not by you? A. No. Before they are locked up, they have to come up to me that these two are ready to be locked up. That is why I used to see them.

10

His Lordship: Q. After they had taken their bath and recreation, I take it that they were taken back to their cells?  
A. Yes.

Q. At the end it was you who would go and see that they were there? A. Yes.

Q. To their cells? A. Yes.

Q. One cell? A. Two cells.

Q. And I would go and see that they were properly locked in? A. Yes.

20

Q. Why should they be locked? A. We were instructed. After their bath, they were to be locked up.

Q. So every day they were locked up? A. That is correct.

Q. Separately or what?

His Lordship: Q. Separate cells? A. Yes.

Q. Why should you treat them differently from the others? A. We were given instructions regarding this.

His Lordship: They are not the ordinary criminals in remand in Outram Prison.

30

Q. What happened after the Johore prisoners were brought before the clothes were changed?



His Lordship: Q. After the Johore prisoners were brought in what happened? The routine was changed? A. They were kept together with these two in the same landing as the two accused.

Q. But they have separate cells?

A. Separate cells.

10 Q. And they were separated from them all the time, except for the bath time? A. That is correct.

His Lordship: Q. Do they all go down to take their bath together? A. They go down in batches for bath and exercise daily, and after their bath and exercise they are locked up.

Q. Batches of how many? A. Of fifteen.

Q. They were taken out by the guard? A. By my second officer.

20 Q. Alone? A. No, with two other warders. They were three.

Q. There will be three? A. That is correct.

Q. The guards were always at the time with the accused and the other prisoners? A. That is correct.

Q. For how long is the recreation? A. It is one hour and 15 minutes for each session.

Q. That means for bath and recreation? A. Yes,  $1\frac{1}{4}$  hours in the morning and  $1\frac{1}{4}$  hours in the afternoon.

30 His Lordship: Q. Recreation and bath?

A. Yes,  $1\frac{1}{4}$  hours in the morning and  $1\frac{1}{4}$  hours in the afternoon.

Q. The time between the bath and the recreation is some time? A. Yes.

Q. The guards did not report to you as to the changing of new uniforms? A. No, they did not.

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- Q. Or rather, they did not notice the changing?  
A. They did not report to me.

His Lordship: Well, he can't tell you whether they noticed; he can say only whether they did not report.

- Q. The guards were also there when they were taking their baths? A. That is correct, my Lord.

- Q. Did you notice whether those people, those Indonesian people, soldiers ---

10

His Lordship: Johore prisoners.

- Q. Apart from these prisoners ---

His Lordship: I think we can refer to them as Johore prisoners.

- Q. Yes, Johore prisoners - whether any of them used civilian clothes? A. As I said, there were only ten of them who had uniforms, the rest were in civilian dresses.

- Q. Now, out of these ten, whether one or two of them had changed into civilian clothes?  
A. They could have; could have changed.

20

- Q. But you did not notice? A. No.

- Q. Do you know them, these people, with their clothes, with this uniform? A. I can recognize their faces, but I cannot ---

- Q. But you do recognize them? A. Yes.

His Lordship: Mr. Wong, will you tell us - these people with uniforms, are they Indonesians, or are they Johore boys, or what are they? A. Some of them are Indonesians with uniforms; some of them are Johore boys with uniform.

30

- Q. You recognize them? A. Yes.

- Q. Do you recognize them as prisoners with the uniforms? A. Yes.

Q. Did you notice any of them change into civilian clothes? A. I did not.

Q. You did not notice? A. I did not notice.

Q. So you cannot say for sure that they have changed their clothes?

His Lordship: I can't understand, Mr. Kamil.

Q. You cannot say for sure that some of them have changed their clothes into civilian clothes.

10 His Lordship: I think his answer is this: some of them could have done, is that right? Some of them could have changed into civilian clothes? A. Yes, you see, now these Johore prisoners, when they have a visit from their parents, they used to bring in their civilian clothings. So those who had uniform earlier ---

His Lordship: The Johore boys, is it?  
A. Yes.

20 His Lordship: Had visitors who brought to them civilian clothes; yes.

Q. Did they change themselves into civilian clothes? You don't notice? A. They had changed.

Q. All of them? A. Not all.

His Lordship: Some changed into civilian clothes; yes.

30 Q. Just now you said you did not notice any of them changing into civilian clothes? A. I think I did not say that.

Cr. Counsel: No, my Lord. I think the question was in the context of during bath.

His Lordship: I have got it written down: I did not notice that some of them changed into civilian clothes.

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- Q. No, just now you said that you did not notice some of them changed into civilian clothes? A. Yes, I said some of them. But some have changed.

His Lordship: Mr. Kamil drew your attention that earlier you said you did not notice when some of them changed into civilian clothes. Do you mean these Johore prisoners? And now you say that some of them had changed into civilian clothes, the Johore boys? A. When they had their clothing brought in, they used to change; and those who hadn't got any clothing brought in, they had to put on their own uniform.

10

- Q. That means your first statement was wrong, or the second statement was wrong? A. The first statement was wrong. The second statement was correct.

- Q. Why did you say it wrongly? A. But I did not notice - I did not tell the Court regarding the clothing brought in.

20

- Q. Did you examine their uniforms? A. No, I did not.

- Q. So you did not know anything about the uniform?

His Lordship: What do you mean by that?

- Q. Only, you know, that they were green uniforms, is it? A. That is correct.

- Q. You do not know the marking and everything? A. No.

30

- Q. So you cannot also tell whether these two boys, apart from presumption, that they had taken the uniforms from those people, from the Johore prisoners? A. I beg your pardon?

- Q. You cannot say for sure that their uniforms were the uniforms of those boys, prisoners, apart from the presumption that they took from them? A. that is correct.

His Lordship: You understand the question?

Q. As you say, they were first brought in on the 29th March, 1965? A. Yes, that is correct.

Q. The Indonesian prisoners and the Johore prisoners came on the 9th? A. Of April, that is correct.

Q. Of April; that is to say, only a few days elapsed? A. That is correct.

Q. So less than one week, less than two weeks? A. Yes.

10

His Lordship: 11 days, Mr. Kamil.

Mr. Kamil: 12 days or 11 days - I don't know.

His Lordship: 12 days.

Q. 12 days. So roughly about 12 days? A. Roughly about 12 days.

Q. And then you first noticed them, these accused, in the uniform only after one or two days later? A. I would say a few days after.

Q. So that is to say only after their coming into the prison for about two weeks or so, or a little bit more? A. A little bit more.

20

Q. On the last - 27th of ---

His Lordship: September.

Q. September. You did take their uniforms? A. We were instructed.

Q. By whom? A. By my Superintendent.

Q. Why, - do you know? A. He did not give us a reason.

Q. Is it not strange?

30

His Lordship: Well, that is not for him. He was ordered, Mr. Kamil. He has only

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to obey orders, not to question.

His Lordship: Have the records arrived,  
Mr. Seow?

Crown Counsel: I think Mr. Martin has gone  
down to check.

Mr. Kamil: I think for the time being, Sir,  
waiting for the records ---

His Lordship: You have got any other witness,  
Mr. Seow?

Crown Counsel: Yes, my Lord. Inspector 10  
Hubert Hill.

His Lordship: Will you stand down?

-----

(Witness stands down)

No.12

Hubert Hill  
Examination  
5th October  
1965

No.12.

HUBERT HILL

HUBERT HILL

(Examination-in-chief) (By Crown Counsel)

(Sworn in English)

Q. Your name is Hubert Hill? A. Yes.

His Lordship: Inspector of Police.

20

Q. An Inspector attached to the Special  
Investigation Section of the C I.D.?  
A. Yes, my Lord.

Q. And you are the investigating officer into  
this case? A. Yes.

Q. Now, on the 13th of March, 1965, at about  
12.30 p.m. were you informed of this case -  
I mean, I beg your pardon, you were  
informed by Inspector Mahmud ---

His Lordship: At what time? A. 12..30 p.m

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Q. That two Indonesians had been arrested by  
the Marine Police?

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His Lordship: By Inspector? A. Mahmud.

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Q. Mahmud, my Lord. Is that correct? A. Yes.

Hubert Hill

Q. And he inquired whether you were interested  
in them? A. Yes.

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Q. You said you were? A. Yes.

10 Q. At about 1.15 p.m. did you arrive at the  
Marine Police Station? A. I did.

Q. And there did you see the two Indonesians  
in question? A. Yes.

Q. And are they the two accused? A. They are.

Q. At the time when you saw them, can you tell  
this Court in what kind of dress they were  
wearing? A. At the time I saw them the  
accused No.1 was bare-bodied and wore a pair  
of black trousers.

20 Q. Accused No.2? A. Accused No.2 wore a sport  
jacket and a pair of off-white trousers.

Q. Would you please look at exhibits A and B?  
Do they show you how the accused were dressed  
at the time you saw them? A. Yes, these  
photographs show how they dressed on the day  
they were arrested, or I saw them.

Q. And you caused the photographs to be taken of  
the two accused? A. I did.

His Lordship: On what date?

30 Q. Can you remember? A. On the 15th of March,  
1965.

His Lordship: On the 15th of March. A. Yes.

Q. Now, we have heard that the two accused were  
sent to the local prison and admitted on the

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29th of March, 1965, at about 4.50 p.m.?

A. Yes.

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Q. Do you know about that? Do you, that they were admitted to the local prison on the 29th of March?

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Hubert Hill

A. Yes.

Examination  
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Q. You know about that?

A. Yes.

Q. And we have been told that Accused No. 1 at the time of his admission into the local prisons was wearing a shirt.

10

A. He was.

Q. Can you explain to this Court where he got that shirt from, when you told us that he was bare-bodied?

A. I gave him the shirt to wear.

His Lordship: Yes, Mr. Kamil.

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Examination

Q. When did you give them the shirt?

His Lordship: Give him, not them.

Q. Give him?

20

A. On the 13th of March.

His Lordship: Gave the first accused?

A. I gave the shirt to the first accused on the 13th March evening.

Q. When did you first see them?

A. At 1.15 p.m. on the 13th

Q. When was the picture taken, was he photographed?

A. They were photographed on the 15th.



Q. On the 15th?

A. On the 15th, that was a Monday.

Q. You know the accused were taken from the sea, both?

A. Yes.

Q. Were found in the sea?

A. Yes.

Q. Were their dresses still wet when you did see them?

10 A. When I saw them at 1.15 they were wet.

Q. What did you do with them?

A. I interviewed Accused No. 1.

Q. Do you know that they were taken from - at what time, do you know, they were taken to the Marine? 10 o'clock?

His Lordship: We have evidence on that, Mr. Kamil.

Mr. Kamil: Yes. It is about 10.15 or so.

20 His Lordship: From the officer concerned who brought the prisoners to the Marine Police Station.

A. Do you want me to answer that?

Q. If you know.

His Lordship: I can't see how he would know. He would be told, I mean.

Q. Do you know the clothes were still wet?

A. Yes.

Q. You did not do anything about the clothes?

A. No.

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Q. How long did you interview them?

A. I interviewed the first accused at 1.25.

His Lordship: At one ---

A. At 1.25 p.m. May I refer to my diary  
as to how long?

Q. Yes.

A. (After reference) I interviewed the  
first accused between 1.25 and 1.55 p.m.

Q. Between 1.25?

A. 25, p.m. and 1.55 p.m. And then again 10  
at 2.30 p.m. to 3.15 p.m. at the  
Marine Police Station.

Q. The same person?

A. Accused No. 1.

Q. The same.

Cr. Counsel: At 1-5?

A. To 1.55; and 2.30 to 3.15.

His Lordship: 1.25 to 1.55; 2.30 to 3.15?

A. Yes, I interviewed the first accused.  
twice. 20

Q. Same day?

A. Same day.

Q. What about the second accused?

A. I did not interview the second accused.

Q. Were you of high rank of the people there?

A. Pardon?

Q. Were you of the higher rank?

A. Yes, at the time I was Acting Assistant Superintendent.

His Lordship: Acting?

A. Assistant Superintendent of Police.

His Lordship: Acting A.S.P.

Q. When you secondly interviewed him, first accused, at about 3 o'clock, something about that ---.

His Lordship: 2.30.

10 Q. 2.30 to 3 o'clock? A. 2.30 to 3.15.

Q. 3.15; he was still dressed? A. In the same.

Q. In the same thing? A. And bare body.

Q. And bare body? And the trousers were still wet? A. After that I did not bother to find out whether it had dried or not.

Q. You also did not bother whether accused could get sickness because of the wet --- A. Yes.

Q. You did not bother? A. I did not think about it.

20 Q. You did not think of changing their clothes into dry clothes? A. I did not think about it.

Q. Was not he a human being? A.

His Lordship: Pardon?

Q. Was not he a human being? A. He was; he is.

Q. And all the time he was in wet clothes?

His Lordship: Well the fact remains that he did not give them dry clothes. Are you suggesting to him that he did give them dry clothes.

30 Mr. Kamil: No, I just - I think so - whether he gave them dry clothes.

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A. No, I only gave a shirt later in the evening.

Q. So you left them in the cold.

Cr. Counsel: There is no evidence that it was cold.

Q. Wet must be cold. So you left them in the cold, in the wet damp clothes? A. I left them as I saw them when I interviewed them.

Q. Is it not your duty to see that a person is treated well when he is brought ---

His Lordship: Mr. Kamil, I don't think that is the point. Your point is that dry clothes were given to your client, is it? You have put it to him. He said he did not give them.

10

Q. I put it to you that they were given dry clothes? A. No, my Lord, except for the shirt.

Mr. Kamil: Thank you.

---

His Lordship: Any re-examination?

Cr. Counsel: No re-examination, my Lord.

20

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Questions by Court

Q. You only had two photographs taken? You know just now you were shown two photographs?  
A. Yes.

Q. The first photograph is a photograph of the first accused, and the other photograph is a photograph of the second accused? A. Yes.

Q. What I am asking you is, are those the only photographs taken of them? A. I had another photograph taken of the first accused.

Q. When was this? Subsequent to this, or?  
A. Subsequent to this.

30

Q. Subsequent to Exhibit A. Do you know if any other officer had photographs taken of them?  
A. My Lord, the procedure is when we produce an accused in Court the Criminal Records Office also take their facial photographs.

Q. I am not interested in that. A. That is all. You mean the full attire? No.

10 Q. The evidence that was given by one of the accused - both are countrymen - at least, one of them said that these photographs that are in court were the second set of photographs. The other photograph was taken earlier on. A. No, altogether these two, and a third photograph.

Q. So that is not right? A. That is not right.

His Lordship: Yes, all right. Thank you, Mr. Hill.

(Witness stands down)

His Lordship: Yes, Mr. Seow.

20 Crown Counsel: That would be my case on the point. I understand the correct book is on its way.

His Lordship: Mr. Kamil, your clients may want to make a further statement about these uniforms.

Mr. Kamil: I think so; I better recall them with your Lordship's permission.

His Lordship: Yes.

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Singapore

No. 13

OSMAN BIN HAJI MOHD. ALI

Defence  
Evidence

Osman Bin Haji Mohd. Ali (Accused No. 1)(recalled)

No. 13

Further Examination-in-Chief. (By Mr. Kamil)

Osman Bin  
Haji Mohd.  
Ali  
Examination  
5th October  
1965.

(On former affirmation)

His Lordship: Mr. Interpreter, tell him  
we want to hear his story about the  
return of his uniform.

Interpreter: Yes, my Lord.

Q. When you came to the Marine Police Station you were in uniform, is that right? A. Yes. 10

Q. Did you use them all along up to now? A. Yes.

His Lordship: Tell him we want his story  
about his uniform because I remember he  
told us at one stage his uniform was  
taken away.

Q. You remember you told the Court that your  
uniform was taken away by someone?

His Lordship: Before the 27th September?  
A. Yes. 20

His Lordship: We have reached the stage  
where you were in uniform when you went  
over to the Marine Police boat; you were  
in uniform? A. Yes.

Q. Then you were taken to the Marine  
Police Station? A. Yes.

Q. And you were still in uniform? A. Yes.

Q. So when was your uniform first taken  
away? A. Before I was photographed.

Q. On what date? A. On the 13th March. 30

Q. So when the photograph was taken how  
were you dressed? A. On the first  
occasion I was in my uniform.

Q. You said your uniform was taken before you were photographed; now you say your photograph was taken in your uniform; please make up your mind; what is this? Do you now say that your photograph was taken wearing your uniform? A. On the first occasion I was photographed in my military uniform.

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Osman Bin  
Haji Mohd.  
Ali  
Examination  
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10

His Lordship: Q. After the photograph was taken your uniform was taken away, is that what you now say? A. I was still wearing my uniform after the photograph.

Q. Then what happened? A. A few days later I was given another outfit.

Q. What happened to your uniform? A. After I was given the outfit my uniform was taken by the Police.

20

Q. Then when did you get back the uniform? A. After I was brought to the lower Court three times, the uniform was returned to me.

Q. Where was that; where was your uniform returned? A. In the lock-up of the lower Court.

Q. Did you use that? A. I put on my uniform and the one which I was wearing was taken back by the Police.

Q. From the lock-up in the lower Court where did you go? A. I was taken back to the Remand Prison.

30

His Lordship: Q. Wearing your uniform?  
A. In my uniform.

Q. Was it the first time you went to the Prison?  
A. It was the second time.

Q. When did you first go to the Prison, can you remember? A. I was sent to the Prison for the first time on the 29th March, 1965.

His Lordship: Q. How long did you stay in the Prison? A. May be one week.

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His Lordship: Q. Then what happened to you?

A. Then I was produced again at the  
lower Court.

Q. From the lower Court where were you  
taken? A. I was taken back to the  
Prison.

Q. The same day? A. On the same day  
after the trial.

Q. From the Prison you were taken to the  
lower Court? A. Yes.

10

Q. Was that the first time you were taken  
to the lower Court? A. No.

Q. When was it? A. That was the third  
occasion.

Q. When was the first occasion? A. I cannot  
remember.

Q. Was it after you went to the Prison or before?  
A. Before I was taken to the Prison.

His Lordship: Q. The first time? A. The  
first time.

20

Q. What happened the second time? A. From the  
C.I.D. I was taken to the Prison, that was  
the second time. The second time I was taken  
to the lower Court from the C.I.D. lock-up.

His Lordship: Q. So after the second time  
when you were produced in Court, where  
were you taken? A. I was sent to the  
Prison.

Q. After you appeared the second time,  
you were taken to the Prison the same  
day? A. Yes, on the same day.

30

Q. So the second time you were in the  
lower court that was on the 29th March?  
A. Yes.

Q. So it would appear the 29th March was  
the day when you were brought into court  
the second time? A. Yes.



His Lordship: Q. Then after one week you were taken out again from the Prison to the lower Court the third time? A. Yes.

In the High Court in Singapore

Q. And in the lock-up in the lower Court you were returned your uniform? A. After the Trial.

Defence Evidence

No.13

Q. After that you were taken back to the Prison the same day? A. Yes.

Osman Bin Haji Mohd. Ali

10 Q. At that time you were wearing your uniform? A. I was in my uniform.

Examination  
5th October  
1965 (Contd)

His Lordship: Nothing more, Mr. Kamil?

Mr. Kamil: No.

Osman Bin Haji Mohd. Ali (Accused No. 1)

Cross Examination

Further cross-examination by Crown Counsel.

Q. Now when your uniform was taken away from you was that because your uniform was wet? A. I was told that my uniform was wet and it got to be washed.

Q. And in fact it was wet? A. Yes.

20 Q. And you were given the outfit, as you say, a black pair of trousers and a sports shirt to wear, is that so? A. Yes.

Q. And that was about three days after the 31st March? A. May be.

Q. And who was the police officer who took your uniform away? A. The man was in uniform but I do not know his name.

Q. Is that the Inspector (Points to Hubert Hill)? A. Not that Inspector.

30 Q. Was he a Chinese Inspector, a Malay Inspector? A. The man looks like a Chinese.

Q. Was it this Inspector (Points to Gan Boon Leong)? A. No, not that person.

In the High  
Court in  
Singapore

Defence  
Evidence

No. 13

Osman Bin  
Haji Mohd.  
Ali Cross  
Examination  
5th October  
1965 (Contd)

Q. Where did this take place, at the Marine Police Station? A. In the lock-up of the Police Station.

Q. At the Marine Police Station? A. I do not know the difference between a Police Station and a Marine Police Station.

Q. The Police Station where you were originally brought under escort by P.C.117; look at him (Points to witness in Court)? A. I cannot remember.

10

His Lordship: Q. We have in evidence you were taken to two police stations by the sea and from there you were taken to another police station? A. Yes.

Q. Was it the lock-up in the first police station, second or third; I do not know which? A. From the second police station I was taken to a third one.

Q. Where did this take place, that your uniform was removed from you? A. At the third police station.

20

Q. Now, when your uniform was returned to you was it nicely laundered and starched? A. It was not starched or ironed; it was cleaned only.

Q. The same with accused No. 2's uniform? A. Yes.

Q. Which police officer returned the uniform to you? A. The man was in civilian clothes; I do not know whether he was a police officer.

Q. Is this the Inspector (points to Hubert Hill)? A. Not that police officer.

30

Q. Any police officer here or behind you? A. He does not appear to be here.

Q. After he gave you the uniform back did he ask you to acknowledge receipt? A. Yes.

Q. And you acknowledged receipt that you received back your uniform? A. I only signed a piece of paper after receiving my uniform and after my outfit was taken by him.

Q. And so did accused No. 2? A. Yes.

Q. Do you agree with me that when you went to Prison on the 29th March you were in civilian clothes? A. No.

Q. You were in your newly cleaned uniform? A. Yes.

His Lordship: Q. You were in uniform?  
A. Yes.

Q. Both of you in uniform? A. Yes.

10 His Lordship: Q. Can you tell me what happened on the 29th March? A. Actually we went to the Remand Prison without our uniforms on.

Q. Can you please make up your mind. When I asked you what happened on the 29th March your answer was: Actually we went to the Remand Prison without our uniforms on? A. Yes.

20 Q. You earlier on told us that on the 29th March you were taken to the lower Court from the C.I.D.? A. Yes.

Q. So where did you get your uniform on the 29th March; when you went to the Remand Prison you were in civilian clothes; you told us the second time you were taken to the C.I.D.? A. Yes.

Q. Then from the Makhamah Rendah you were taken to the Prison? A. Yes.

Q. That was the first time you went to the Prison? A. Yes.

30 Q. That was on the 29th March? A. Yes.

Q. Then when Mr. Seow asked you on the 29th March when you went to the lower Court you were not in uniform, and your answer was you were in uniform. So I am asking you where you got your uniform on the 29th March; was it in the lower Court or in Prison. On the 29th March

In the High Court in Singapore

Defence Evidence

No.13

Osman Bin Haji Modh. Ali Cross Examination 5th October 1965 (Contd)

In the High  
Court in  
Singapore

Defence  
Evidence

No.13

Osman Bin  
Haji Modh.  
Ali Cross  
Examination  
5th October  
1965 (Contd)

His Lordship (contd.): whether in the morning, afternoon or night, you had no military uniform, is that right? A. Yes.

Q. Throughout all your appearances in the lower Court you never had a uniform on; throughout your entire appearances? A. Yes.

Q. It was only in the High Court when you made your appearance here you had your uniform on, both of you? A. Yes, after the uniforms had been returned to us.

10

Q. And you came up for the first time in the High Court on the 17th May?

His Lordship: Can you remember?

A. I cannot remember.

(Court adjourns to 9.30 a.m. - 6.10.65)

6th October  
1965

Crown Counsel: I have just a few more questions to end up my cross-examination.

His Lordship: You are on your former oath.

Witness: Yes, my Lord.

Q. Now, is it correct that your uniform was handed back to you after your third appearance in the lower Court? A. Yes, my Lord.

20

Q. And you said in the lock-up of the lower Court? A. Yes, my lord.

Q. Now, I have here the various dates. Now, you were produced in the 9th Court, Magistrate's Court for the first time on the 15th of March, 1965? A. I do not remember, my Lord.

Q. It was two days after your arrest? A. I don't remember, my Lord.

30

Q. Would you agree soon after your arrest? A. A few days after I was arrested.

- Q. Both of you were produced in the lower Court?  
A. Yes, my Lord.
- Q. And you were then remanded in custody for one week? A. I do not know how many days I was detained.
- Q. The point is he was remanded in custody at the CID lock-up? A. I do not know that, my Lord. It was at the Police Station.
- 10 Q. On the 22nd of March, both of you were produced in the 9th Court again? A. I can't remember, my Lord.
- Q. But you were produced for the second time?  
A. Yes, my Lord, as far as I can remember.
- Q. After which do you remember being remanded back in the CID lock-up? A. Yes, my Lord.
- Q. The same lock-up? A. Yes, my Lord, but I was in solitary confinement myself.
- Q. And you remained in that lock-up for one week?  
A. I cannot remember, my Lord.
- 20 Q. The point is you remained for some days in that lock-up without appearing in Court?  
A. Yes, my Lord.
- Q. And then on the 29th of March, 1965, do you remember that both of you were being produced at the 9th Magistrates Court for the third time? A. Excuse me, my Lord. What was the occasion? On what occasion was the second occasion?
- 30 Q. I am going to the third occasion? A. I was produced before the Magistrate's Court on the 29th, but I could not remember on what occasion it was.
- Q. The point is you remember being produced on that day? A. Yes, my Lord, I remember.
- Q. And this time after appearing in the 9th Magistrate's Court, you did not go back to that Police Station lock-up? A. Yes, my Lord.

In the High  
Court in  
Singapore

Defence  
Evidence

No.13

Osman Bin  
Haji Modh.  
Ali Cross  
Examination  
6th October  
1965 (Contd)

In the High  
Court in  
Singapore

Defence  
Evidence

No.13

Osman Bin  
Haji Modh.  
Ali Cross  
Examination  
6th October  
1965 (Contd)

Q. Do you remember after your appearance in Court on this day, you were taken to the Remand Prison? A. Yes, my Lord.

Q. And do you remember after some days both of you were produced before the 9th Magistrate's Court again? Some days after that, to be exact on the 5th of April, 1965, both of you were produced in the 9th Magistrate's Court? A. I cannot remember the date, my Lord.

His Lordship: Q. After a few days do you agree? A. Yes, after a few days has a vague meaning. It might mean one week or two weeks.

10

Q. Don't be too clever please. What do you say? How many days or how many weeks? A. I cannot remember, my Lord.

Q. After you were remanded in prison, do you remember some time later you appeared in that 9th Magistrate's Court again? A. Yes, my Lord, I remember.

Q. That was the last appearance?

20

His Lordship: That was the last occasion he was produced in the lower Court?

Crown Counsel: On the 5th of April.

His Lordship: Q. Is it correct that was the last time you appeared in the lower Court? A. On what date, my Lord?

Q. According to the Prosecution it was on the 5th April, but you can't remember the date? A. I cannot remember the date, but actually in the Remand Prison I do not know how many days I was produced again in the lower Court.

30

His Lordship: While you were in Prison you were produced before the lower Court only once after you had gone to Prison. Is that correct. A. Yes, my Lord.

Q. In all you appeared in the lower Court four times? A. I cannot remember, my Lord.

In the High Court in Singapore

Q. On the last occasion when you appeared, were you told that your case had been remitted to the High Court? A. Yes, my Lord.

Defence Evidence

No.13

- - - - -

(Further re-examination by Mr. Kamil)

Osman Bin Haji Modh. Ali Cross Examination 6th October 1965 (Contd)

Q. Your uniforms were given back to you on the last occasion after your appearance in the lower Court?

10 Crown Counsel: I object to that question, because it is leading.

Re-examination

His Lordship: It is leading.

His Lordship: Q. Can you tell us when was your uniform returned to you? A. My uniform was returned after the last trial in the lower Court.

20 Q. Can you say that your uniform as well the second accused's uniform was returned to you that same day? A. Yes, my Lord, the same day.

Q. Same day and same place? A. Yes, my Lord.

- - - - -

His Lordship: Do you want to recall the second accused?

Mr. Kamil: I think the same thing.

His Lordship: Do you want to recall him?

Mr. Kamil: I would like to recall him, but he will give the same thing.

- - - - -

In the High  
Court in  
Singapore

No. 14

HARUN BIN SAID (a) TAHIR

Defence  
Evidence

Harun Bin Said (a) Tahir (2nd Accused) (Recalled)

(Further examination-in-chief by Mr. Kamil)

No. 14

Harun Bin  
Said alias  
Tahir  
Examination  
6th October  
1965

His Lordship: You are on your former  
affirmation.

Witness: Yes, my Lord.

Q. Do you remember the first time you were brought  
to the Remand Prison? A. I cannot remember,  
my Lord, but what I can remember is that after 10  
I was taken to the Remand Prison for one night  
the next morning I was taken back to the Police  
Station.

His Lordship: Q. You were taken out of the  
Prison the next day? A. I was taken back  
to the Police Station.

Q. Did you come back to the Remand Prison after  
that? A. I was detained at the Police Station.

Q. After that had you ever come back? A. After 20  
the last appearance in the lower Court, I was  
only returned to the Remand Prison.

Q. How were you dressed when you were first taken  
to the Remand Prison for the first time?

A. I was dressed in the outfit given by the Police.

Q. How were you dressed the second time when you  
were brought to the Remand Prison after the  
lower Court, the last occasion in the lower  
Court?

Crown Counsel: Can I have the question again?

A. Was it the second occasion or the last occasion? 30

Q. The last occasion in the lower Court?

His Lordship: Q. Your evidence says that you  
were taken to the Remand Prison twice?

A. Once, my Lord.



10 Q. This is your evidence. We are not catching you on this. Do you remember you told us that you were brought to the Remand Prison, first of all you were brought to the Remand Prison? Will you ask him to listen to me. I am trying to assist him. Will you ask him to listen. His evidence is that when he was taken to the Remand Prison for the first time, he was in an outfit given to him by the Police?  
A. Yes, my Lord.

Q. When you said you stayed in the prison for one night? A. Yes.

Q. Then you were taken out to the Police Station? A. Yes.

Q. Then you stayed there for several days. Is that correct or not? A. Yes, my Lord, I stayed there for quite long.

20 Q. Then you were taken back to the Remand Prison? A. Yes, my Lord.

30 Q. Isn't that two times that you were taken to the Remand Prison? Why keep on telling me only one time? Look, isn't it two times? When you went to the Remand Prison, you stayed one night. Then you were taken out. Then after some days you were taken back again. Isn't that two times? Wouldn't you agree that you were taken to the Remand Prison for the second time? A. Yes, my Lord.

Q. Why waste a lot of time? Will you tell him that I am not trying to trick him. I am trying to assist him. Now, your counsel wants to know the second time you were brought to the Remand Prison, how were you dressed? A. After my second appearance, I was returned my uniform.

40 Q. That is not the second appearance. You just confine to the question when you returned to the Prison for the second time you were in uniform. Is that right or not? A. Yes, my Lord.

In the High Court in Singapore

Defence Evidence

No.14

Harun Bin Said alias Tahir  
Examination  
6th October  
1965 (Contd)

In the High Court in Singapore

Defence Evidence

No.14

Harun Bin Said alias Tahir Examination 6th October 1965 (Contd)

His Lordship contd.

Q. Did you say it was returned to you at the lower Court lock-up? A. Yes, my Lord.

His Lordship: Look, you know, this is your story. It is so difficult for me to get it out of you. He was in uniform the second time, Mr. Kamil.

Mr. Kamil: Yes, my Lord.

- Q. Did you use the uniform in the prison? A. Yes, my Lord, I put the uniform on. 10
- Q. All the time? A. All the time until the 27th of September when it was confiscated.
- Q. Do you know you said your uniform was given back to you in the lock-up of the lower Court? A. Yes, my Lord.
- Q. When was it taken from you before it was returned back? A. When I was taken to the Police Station after being rescued from the sea.
- Q. Do you know why? A. I was told that my dress was wet, so in return they gave me a dry outfit. 20

Cross Examination

- Q. You were told that your uniform was wet, and was it wet? A. Yes, my Lord, it was wet.
- Q. At what time was your uniform returned to you in the lower Court lock-up? A. After I was produced before the Judge.
- Q. After you were? A. After I was produced before the Magistrate.
- Q. It was not as soon as you were brought to the lower Court lock-up? A. No, my Lord.
- Q. And is it correct that it was returned to you at the same time as the uniform of Accused No. 1 was returned to him? A. Yes, my Lord, on the same day. 30

His Lordship: Q. Same day and same time? A. Yes, my Lord.

- Q. It was returned to you after your third appearance in the lower Court? A. I cannot remember my Lord, but, in fact, on the last occasion I was brought before the lower Court.
- Q. Now, in all you appeared in the lower Court five times? A. I cannot remember, my Lord, how many times.
- 10 Q. Let me run through with you the dates. On the 15th of March, both you and the accused No. 1 were produced in the 9th Magistrate's Court, 2 days after you were arrested? A. I cannot remember the date, but I was produced.
- Q. That was the first time? A. Yes, perhaps, my Lord.
- Q. Not perhaps, but that must be the first time? A. Yes, my Lord.
- Q. After that both of you were remanded in the CID lock-up? A. Yes, my Lord.
- 20 Q. For one week? A. I cannot remember, but it was quite long.
- Q. And you remember on the 22nd of March, 1965, both of you were produced again in the 9th Magistrate's Court? A. I cannot remember the date, but I was brought.
- Q. That was the second time? A. Yes, my Lord.
- Q. After your second appearance both of you were remanded in the CID lock-up? A. Yes, my Lord.
- 30 Q. And then a week later on the 29th of March both of you were produced in the 9th Magistrate's Court again? A. I cannot remember, but I was produced again.
- Q. That was the third occasion? A. Yes, my Lord, three times.
- Q. After your appearance in the 9th Magistrate's Court, you were not brought back to the CID lock-up. Isn't that so? A. Yes, my Lord.

In the High Court in Singapore

Defence Evidence

No.14

Harun Bin Said alias Tahir Cross Examination 6th October 1965 (Contd)

In the High Court in Singapore

Defence Evidence

No. 14

Harun Bin Said alias Tahir Cross Examination 6th October 1965 (Contd)

Q. Instead you were brought to the Remand Prison?  
A. Yes, my Lord, that was the first occasion.

Q. That was your first admission into the Remand Prison? A. Yes, My Lord.

Q. On the 30th of March, 1965, that is the next day, you were brought back to the 9th Magistrate's Court, you alone. Isn't that so?  
A. Yes, my Lord.

His Lordship: Can you remember whether it was the 30th or can't you remember?

A. I cannot remember the date, my Lord.

10

Q. Is it the next day after your admission?  
A. Yes, my Lord.

Q. And then after your appearance in Court, on that day, you were taken to the CID lock-up where you were remanded? A. Yes.

Q. For one week? A. I cannot remember whether it was one week or not.

Q. But in any event that would be your fourth appearance in the 9th Magistrate's Court up to that day? A. Yes, my Lord.

20

Q. And then a week after, on the 5th of April, 1965, both of you were produced in the 9th Magistrate's Court again? A. I was brought alone from the Police Station, my Lord.

Q. Yes, quite right. You were brought alone from the C.I.D. lock-up to the 9th Magistrate's Court and then you found Accused No.1. awaiting there for you? A. Yes, my Lord.

His Lordship: First accused was there, yes. 30

Q. And both of you were produced before the 9th Magistrate on that day? A. Yes, my Lord.

Q. And then you were told that your case was being remitted to the High Court for trial? A. Yes, my Lord.

Q. And in so far as you were concerned that was your fifth appearance in the 9th Magistrate's Court? Come on! You have agreed that you had made four appearances up to the 30th of March, and the next appearance would be the fifth - it is simple arithmetic. A. Yes, my Lord, the fifth time.

In the High  
Court in  
Singapore

Defence  
Evidence

No. 14

10 Q. And in all these appearances in the Lower Court you did not have your uniform on? You did not wear any uniform? A. Yes, my Lord.

Harun Bin  
Said alias  
Tahir Cross  
Examination  
6th October  
1965 (Contd)

Q. Accused No. 1 has told us that his uniform was taken away by the Police on the 15th of March. Was yours also taken on that day? A. I do not know about his uniform, because I was not mixed up with him.

His Lordship: When was your uniform taken?

A. My uniform was confiscated after I was taken to the second police station.

20 Q. How many days after? A. On the same day I was arrested.

Q. At what time would that be? A. I do not know the exact time, my Lord, but it was mid-day.

Q. Look, at mid-day you were still at the Marine Police Station? A. Yes, my Lord.

Q. Are you suggesting, therefore, that you were - or rather that your uniform was taken away from you at the Marine Police Station at mid-day? A. Yes, my Lord.

30 Q. So it was not at the second police station? A. Second police Station.

His Lordship: That is what he considers as the second one.

Crown Counsel: Yes.

His Lordship: If I remember the other accused, I think, clarified that: it was not at the Marine Police Station, at Cavenagh Bridge I think I am right in thinking that.

In the High  
Court in  
Singapore

Defence  
Evidence

No.14

Harun Bin  
Said alias  
Tahir Cross  
Examination  
6th October  
1965 (Contd)

Crown Counsel: That is so, my Lord.

His Lordship: I think it was in some other  
police station.

Crown Counsel: That is right.

Q. Well, I put it to you that you did not have  
your uniform. You did not have any uniform  
at all. A. Yes, I own, my Lord.

Q. And that both of you acquired these uniforms  
from the Johore prisoners in the Remand  
Prison? A. I received my uniform in  
Indonesia.

10

- - - - -

His Lordship: Any re-examination?

Mr. Kamil: No re-examination, my Lord.

His Lordship: All right. Just go back.

(Witness returns to the Dock)

- - - - -

His Lordship: Mr. Kamil, do you still  
want the prison record?

Crown Counsel: The prison officer is  
here, my Lord, with the records. I  
don't know whether my learned friend  
wants to ask him.

20

(Prison Officer, Wong, takes the stand)

No. 15

WONG KEE HUAT

In the High  
Court in  
Singapore

Wong Kee Huat

Prosecutor  
Evidence  
No.15

(Further cross-examination) (By Mr. Kamil)

His Lordship: You are on your former oath,  
Mr. Wong. A. Yes, my Lord.

Wong Kee  
Huat Cross  
Examination  
6th October  
1965.

Q. Mr. Wong, after the 29th of March, the first  
occasion when the accused were brought to the  
prison, did you go away from the prison?

10 His Lordship: What do you mean by that,  
Mr. Kamil? Rather vague.

Mr. Kamil: Because he went for duties or  
he went away to do some duties outside  
the Prison. A. No my Lord.

His Lordship: Outside Outram Prison.

Q. You have not gone away at all? A. After 6.30,  
everything, and the prisons had been locked  
up ---

20 His Lordship: When was this? A. On the  
29th.

Q. I do not think Mr. Kamil is concen-  
trating on that alone. He is asking you  
whether any day after the 29th you were  
on duty elsewhere than in the Outram  
Prison.

Q. You remember last time you said you occasionally  
went away from the prison? A. Yes. 29th,  
30th I was there. And from the 1st ---

30 His Lordship: Just a minute. What are you  
looking at, Mr. Wong? Your record there,  
is it? A. Yes, my Lord.

Q. What is it? A. My duty.

Q. Your duty record? A. Yes, my Lord.

In the High Court in Singapore

Prosecution Evidence

No.15

Wong Kee  
Huat Cross  
Examination  
6th October  
1965 (Contd.)

His Lordship:

Q. 29th to what date? A. To 30th.

Q. 30th March you were on duty at Outram Prison? A. Yes, Remand Prison.

Q. Yes, after that? A. After that I was in the - then on the 1st of April ---

His Lordship: You mean after that - what? You went on leave or doing some other duty? A. No, I was on duty in other parts of the prison.

10

Q. What do you mean by other parts of the prison? In Outram Prison also? A. Yes.

Q. Not in that section? A. Not in that section.

Q. From 1st April? A. To the 6th.

His Lordship: That was from 1st April? A. To the 6th.

His Lordship: To the 6th April; yes.

Q. After that? A. Then on the 8th to 10th I was there again.

Q. 8th to 10th you were there. So 7th you were not there? A. I wasn't there.

20

His Lordship: 7th you were not there.

Q. So 1 to 7, you were not there, not 1 to 6, is that right? Because you said 8th to 10th you were there. That means 7th you were not there? A. 7th I was not there, that is correct.

Q. So 1 to 7.

His Lordship: Is that correct, Mr. Wong? A. On the 7th I was not there, that is correct.

30

Q. No, Mr. Kamil said, you agree that from the 1st April to the 7th you were not on duty at the section where the two accused were.



A. I beg your pardon - I have said earlier, on the 1st of April to the 6th of April I was there; and 7th I was not there.

In the High Court in Singapore

Q. No, I don't understand. Can you say again?

Prosecution Evidence

His Lordship: I am afraid there is a muddle here because my impression is that you were at the section where the two accused were from the 29th to the 30th? A. Yes.

No. 15

Wong Kee  
Huat Cross  
Examination  
6th October  
1965 (Contd.)

Q. Is it correct? A. Yes.

10

His Lordship: Then you say after that you were on duty at some other section and you gave us the date - 1st to 6th? A. 1st to 6th I was sent there to work again.

Q. I don't know, Mr. Seow. Did you have that impression? I have got it down here.

Crown Counsel: I did.

His Lordship: I am afraid we will have to start all over again, Mr. Wong.

20

On the 29th of March, where were you on duty? A. On the 29th of March I was on remand duty.

Q. Same section? A. That is correct.

His Lordship: Then 30th? A. 30th I was there also.

Q. Then the 1st? A. And then from the 1st to the 6th I was in remand again. On the 7th I wasn't there; I was in some other. Then from the 8th to the 10th I was in remand again.

30

Q. Then? A. Then from the 13th to 14th I was there again.

His Lordship: You were where - in remand, is it? A. Yes.

In the High  
Court in  
Singapore

Prosecution  
Evidence

No.15

Wong Kee  
Huat Cross  
Examination  
6th October  
1965 (Contd.)

Q. Am I right to say that 8th to 10th you were in the Remand Prison, is that right? A. That is correct.

Q. So 11th to 12th you were not there? A. That is correct.

Q. 13th to? A. 14th again.

Q. You were there? A. That is correct.

Q. After that? A. Then from 17th to 21st ---

His Lordship: You were in remand, is it?  
A. That is correct.

10

Q. That means from 15th to 20th you were not in remand?

His Lordship: I think that is obvious.

A. No, 15th to 16th.

Q. Oh, sorry. 15th to 16th.

His Lordship: He has given us the date when he was in remand. So at other times he was somewhere else.

Mr. Kamil: I think that is all.

- - - - -

Re-exami-  
nation

Q. Now, let us get clear the category of the two accused persons. Under what category of prisoners would they fall? A. They are on this we call it - shall we say, the special prisoners. 20

Q. Special prisoners. Are they on remand or not? A. They are on remand.

His Lordship: Category of special prisoners? A. Special remand prisoners.

Q. Special remand prisoners. Before the 9th of April, 1965, were there any prisoners in the remand section or elsewhere? 30

His Lordship: 9th of April?

Q. Before the 9th of April, were there any prisoners in the remand or elsewhere in your prison who had or wore jungle-green uniform? A. No, my Lord.

Q. Now, please look at all those books before you. What books are those? A. It is the daily admission and discharge books.

10 Q. They are your prison record, is that correct?  
A. That is correct.

His Lordship: Daily admission and? A.  
Discharge record books.

Q. Kept by the prison in the course of its dealings or duty, is that correct? A. That is correct.

20 Q. Now, please look into your prison record, and can you tell this Court whether on the 30th of March, 1965, any one of the two accused were brought out of the prison? A. Yes, on the 30th of - I beg your pardon, 30th of --

Q. Yes, 30th of March. A. Yes, on the 30th of March, Harun bin Said had been taken out of the Remand Prison.

Q. And from your record where was he taken to? A. He was taken to the 9th Magistrate's Court.

30 Q. Harun bin Said. And then please look at your prison record, whether there is any entry shown on the 5th of April, 1965, concerning the two accused persons. Is there any entry, to begin with? A. Yes.

Q. What does that entry say? A. On the 5th of April, Osman bin Haji.

His Lordship: Osman bin Haji.

Q. Bin Haji Mohamed Ali? A. Bin Mohamed Ali.

Q. Come on, give his name in full, please, Mr. Wong. A. Was taken by the police to the 9th Magistrate's Court.

In the High  
Court in  
Singapore

Prosecution  
Evidence

No.15

Wong Kee  
Huat Re-  
Examination  
6th October  
1965 (contd.)

In the High  
Court in  
Singapore

Prosecution  
Evidence

No.15

Wong Kee  
Huat Re-  
Examination  
6th October  
1965(Contd.)

His Lordship: Taken by the police from prison,  
is it? A. Yes.

- Q. From your remand prison? A. From my.
- Q. Is there any entry for that same day regarding  
the return of the accused persons? A. Yes.
- Q. Please look. Isn't there 4.20? A. Yes,  
both of them returned at 4.20.
- Q. They were brought back to your remand prison?  
A. That is correct.
- Q. Is there any entry to the effect from the 9th  
Magistrate's Court? A. I beg your pardon. 10
- Q. From where? A. From the 9th Magistrate's  
Court.

Crown Counsel: That is all, my Lord.

His Lordship: Mr. Kamil, I will allow you  
to ask any questions arising out of the  
record.

Mr. Kamil: Yes.

(Witness stands down)

Crown Counsel: You don't want to cross-  
examine him? 20

Mr. Kamil: I think I won't.

No.16

Application  
for further  
Cross-  
Examination  
6th October  
1965.

No. 16

APPLICATION FOR FURTHER CROSS-EXAMINATION

Mr. Kamil: Sir, may I apply for the further  
cross-examination of two persons?

His Lordship: You want to further cross-  
examine whom? The Boatman, is it?

Mr. Kamil: The boatman, yes. 30

His Lordship: On what points?

Mr. Kamil: The only thing is whether your Lordship would allow or not.

His Lordship: Yes, what I want to know is on what point you want to cross-examine him? I will allow you to do so if it is relevant.

Mr. Kamil: Only on small points. I have given the substance.

10 His Lordship: Anyhow, can you tell me what is it you want to cross-examine him.

Mr. Kamil: I may comment on the substances if I be given a chance. In my submission I may have to comment on the substance, but if I cannot produce the substance then I cannot.

His Lordship: Yes, but can you tell me what is it that you want to ask him?

20 Mr. Kamil: Yes, whether the substance which is given here is materially the same substance as is given to the police.

His Lordship: I don't understand what substance is this.

Crown Counsel: I think my learned friend is referring to the substance of the boatman's evidence as supplied by the Prosecution to him.

30 His Lordship: You mean, you want to ask him about the statement he made to the Police, is it? What do you want, Mr. Kamil?

Mr. Kamil: I just want to know whether the substance here is the same materially as the substance which is given to the Police.

His Lordship: I am sorry. I am afraid, I couldn't follow you. He has given evidence on oath. Then you are going to

In the High Court in Singapore

No. 16

Application for further Cross-Examination  
6th October 1965 (Contd.)

In the High  
Court in  
Singapore

No.16

Application  
for further  
Cross-  
Examination  
6th October  
1965 (Contd.)

His Lordship contd.

ask him - what? Whether his evidence on oath, what he has given, is substantially the same as what he has informed the Police, or what?

Mr. Kamil: No, my intention is when I will be given the time for giving the submission on the points, then I may have to produce this thing. But I cannot produce that. If this is not produced I cannot comment on it. But if your Lordship thinks that it is not necessary to produce it I can comment on it.

10

His Lordship: No, no. It is not for me to say whether it is necessary or not necessary. It is your case, but what I want to know is, before I will allow you to further cross-examine, what it is that you wish to cross-examine him on. Do I understand that you want to challenge his statement which he has made before this Court?

20

Mr. Kamil: Not really challenging, Sir. It is not really challenging. It is only to see whether the substance as provided by the Prosecution to me is the same as he provided to the Police.

His Lordship: But, surely, that is not the point, is it? The point is this: whether what he has stated in this court on oath is substantially the same as what he has told the Police. What is worrying you, Mr. Kamil? Is there anything which is inconsistent with what he has said.

30

Mr. Kamil: It is not a question of inconsistency. It is a question of - I would like to make a comment on some of the behaviours and the background of the evidence of the Police witnesses.

40

His Lordship: I am sorry, I am afraid I cannot follow you, Mr. Kamil. If you suspect, Mr. Kamil, that what he has

His Lordship continued.

given to us on oath today is not what he has made in his statement to the Police, then you have a certain course you can ask the Court to invoke, under the Criminal Procedure Code. That is what I mean. If you want me to look at the statement and see whether there is any inconsistency, I think there is some provision.

In the High  
Court in  
Singapore

No.16

Application  
for further  
Cross-  
Examination  
6th October  
1965 (Contd.)

10 Crown Counsel: That is correct, my Lord.  
It is not a question of suspect, your Lordship. Your Lordship has quite rightly pointed out ---

His Lordship: It is up to you to ask me, and I think I am obliged to under the C.P.C.

Crown Counsel: That is correct, my Lord.  
If my learned friend has reasonable suspicion or grounds.

20 His Lordship: If you ask me to look, and then I find that there is nothing inconsistent, that is the end of it.

Crown Counsel: But that does not appear to be what is in my learned friend's mind.

Mr. Kamil: It is not in mine.

Crown Counsel: If I understand him correctly, I think he wants this witness to say what he said is true or not in the light of what the Police evidence says.

30 His Lordship: What he has told us, you mean?

Crown Counsel: Isn't that so, or am I mistaken? But, then, your Lordship has pointed out he is on oath.

Mr. Kamil: Of course, I am not going to insist, but I think I like to have him there to say only whether this, the substance which I will give to him, the substance of the evidence which is

In the High  
Court in  
Singapore

No.16

Application  
for further  
Cross-  
Examination  
6th October  
1965 (Contd.)

Mr. Kamil continued

provided by the Police to him, is the same materially as the one that he gave to the Police. That is all.

His Lordship: I know, but I am afraid that is the wrong way of doing it, you know, Mr. Kamil.

Mr. Kamil: I just leave it to your Lordship.

His Lordship: I don't know, because that is why I am asking you if there is anything 10  
in the statement which was supplied to  
you by Mr. Seow that is worrying you.  
If you think there is anything that has  
been inconsistent with what he said in  
court, then you can.

Crown Counsel: May I state here, my Lord,  
I think I am beginning to understand my  
learned friend. I hope he will correct  
me if I am wrong. The statement which I  
have supplied him is a summary of the 20  
substance of the evidence that these  
witnesses are going to give. I think my  
learned friend does not appreciate the  
fact that that substance of the evidence  
which I have given him has been summarized  
or culled by me from his statement to  
the Police. They are not independent  
statements. I think my learned friend  
is under the impression that they are 30  
separate statements which I have conjured  
out of my own head. Is that what is  
troubling you?

Mr. Kamil: No, no. Not that.

His Lordship: You see, Mr. Kamil, we are  
only concerned at this stage with one  
point alone. But I dare say - I don't  
know, when we come to the main issue in  
this case, whether Mr. Seow is going to  
lead further evidence on this man.

Crown Counsel: Oh, I will be on other --- 40



His Lordship: The point is, are you on this particular point? We are only concerned now with one point, but I dare say that this man will probably have other evidence relating to the main matter which, I think, Mr. Seow would lead.

Crown Counsel: We are on the preliminary point only.

His Lordship: Yes, we are on a preliminary point.

Mr. Kamil: So I think better don't.

Crown Counsel: Not better don't. If my learned friend wants to challenge the statement, then he has to make an application now.

His Lordship: Yes, I have pointed out to him if he has reason to challenge it, then there are certain procedures.

Crown Counsel: Or he must hold his peace for ever.

His Lordship: No, you cannot preclude him from challenging later on,

Crown Counsel: Oh no, he can't - at a later stage if we should go on further, he is perfectly at liberty to make his application again.

His Lordship: Yes. So, what do you do, Mr. Kamil? You withdraw your application?

Crown Counsel: I do not know whether there is any application.

His Lordship: Well, he has asked permission to cross-examine again.

Mr. Kamil: I think I withdraw, Sir.

His Lordship: Mr. Seow, have you got any other witnesses?

In the High Court in Singapore

No.16.

Application for further Cross-Examination  
6th October 1965 (Contd.)

In the High  
Court in  
Singapore

No.16

Application  
for further  
Cross-  
Examination  
6th October  
1965 (Contd.)

Crown Counsel: No, my Lord.

His Lordship: There is only one point which strikes me. You have put in the photograph. Speaking from the evidence point of view, then, it has not been conclusively proved.

Crown Counsel: I submit it has - the accused ---

His Lordship: Well, I don't know. You have not produced the photographer. Strictly speaking --- 10

Crown Counsel: Well, if your Lordship thinks so, I will have the photographer called, but I thought since the accused persons have admitted that they are ---

His Lordship: But this is a criminal trial. I do not want it to be said when it comes to appeal that certain things have not been conclusively proved. At least there are several cases which say that at a criminal trial if you want to prove an exhibit, it has got to be. 20

Crown Counsel: As it please you, my Lord.

His Lordship: All we have is the evidence of the Inspector that they were taken, but I think you must have the evidence of the man who took the photographs to tell us when they were taken. I think he is the best evidence really.

Crown Counsel: Yes. 30

His Lordship: How long will you take?

Crown Counsel: He should be here in 10 minutes; he is standing by at the C.I.D.

His Lordship: So we adjourn.

Crown Counsel: As it please you.

His Lordship: We can adjourn now.

(Court adjourns at 10.40 a.m. 6.10.65.)

No. 17

LING CHIN LUAN

In the High  
Court in  
Singapore

Ling Chin Luan

Prosecution  
Evidence

Examination-in-chief by Crown Counsel.

No.17

(Affirmed) (In English)

Ling Chin  
Luan  
Examination  
6th October  
1965.

- Q. Your name is Ling Chin Luan? A. Yes.
- Q. You are a photographer attached to the C.I.D.?  
A. Yes.
- Q. On the 15th March, 1965, at about 10.45 a.m.  
at the C.I.D. did you take a photograph of a  
male Indonesian? A. Yes, I did.
- Q. On the instructions of Inspector Hubert Hill?  
A. That is so.
- Q. Will you look at Ex. A, is that the enlarge-  
ment of the photograph of that person which  
you took on that day? A. Yes.
- Q. And have you got the negative of that enlarge-  
ment with you? A. Yes.
- Q. Which you now produce? A. Yes.

(Enlargement Exhibit A.  
Negative " A.N.)

Cross-examination by Mr. Kamil

Cross-  
Examination

- Q. At what time did you take the photographs?  
A. At 10.45 a.m.

No re-examination.

(Witness released)

In the High  
Court in  
Singapore

No. 18

TAN CHWEE SIONG

Prosecution  
Evidence

Tan Chwee Siong

No.18

Examination-in-chief by Crown Counsel.

Tan Chwee  
Siong  
Examination  
6th October  
1965

(Affirmed) (In English)

- Q. Your name is Tan Chwee Siong? A. Yes.
- Q. You are a photographer attached to the C.I.D.?  
A. That is correct.
- Q. Now on the 15th March, 1965, at about 11 a.m.  
at the C.I.D. did you take a photograph of a  
male Indonesian? A. I did.
- Q. On the instructions of Inspector Hubert Hill?  
A. That is correct.
- Q. Will you please look at Ex. B, is that the  
enlargement of the photograph which you took  
on that day? A. This is the enlargement  
I took and the negative is in my possession.
- Q. Which you now produce? A. Yes.

10

(Enlargement Ex. B  
Negative Ex. B.N.)

20

—————  
No cross-examination.

(Witness released)  
—————

His Lordship: That is your case?

Crown Counsel: That is so, my Lord.

No. 18ADEFENCE SUBMISSION FOR STATUSIn the High  
Court in  
SingaporeNo.18A

His Lordship: Yes, Mr. Kamil.

Defence  
Submission  
on Status  
6th October  
1965

10 Mr. Kamil: Coming to the witnesses for the  
Prosecution, we notice that one witness,  
the boatman, is not a police witness and  
the prison officer is not a police  
officer, and the rest are police officers.  
The question before us which is something  
touched by the witnesses for the Prose-  
cution is the question of uniform. All  
the police witnesses as regards the  
uniform denied that they were in uniform.  
They also said that one was bare-bodied  
and the other with a shirt. It is easy  
to say that one person was half dressed  
and the other was fully dressed. It is  
easy to remember that one was taller than  
20 the other and one is much thinner than  
the other. If one is told about it one  
can remember very well, but it is diffi-  
cult to remember the colour of the dress  
itself and some particulars of the dress  
unless one really saw it. If we come  
to the evidence of the boatman, he did  
not say about the colour of the shirt but  
he described the colour of the trousers  
of the one with the shirt as dark. When  
30 further asked he said may be it appears  
dark because it was wet. He described  
the trousers of the bare-bodied as dark  
also. When we come to the Corporal,  
Mohd. Dali, the policeman who received  
both the accused from the hand of this  
boatman, at first he categorically stated  
that he did not remember the colour of  
the shirt. Then after some time after  
being cross-examined he said it was yellow.  
40 This is the first time we hear about the  
colour of the shirt. Regarding the  
colour of the trousers he said the  
trousers of the person with the shirt,  
at first he said wet, then after further  
questioning he said, light. So here  
the question of the colour given by the  
boatman. The boatman said it was dark.

In the High  
Court in  
Singapore

No. 18A

Defence  
Submission  
on Status  
6th October  
1965 (Contd.)

Here it was white or light. The condition of the trousers is the same, still wet. As regards the trousers of the one with the bare-body, he described it as grey. When we come to the witness, Sgt. Mohamed Amin (If I am not wrong in his name), the colour of the shirt now change from yellow to the colour of beige, I think, the one which he indicated; the trousers as cream and the trousers of the bare-bodied person as black. Now instead of grey it becomes black. Now when we come to the other policeman, Mr. Tan, another colour was described. The shirt now instead of yellow or beige becomes pink, and he showed that by indicating the colour in court. The trousers is yellowish and the trousers of the other one still black. When we come to Inspector Mahmud, the trousers is still black of the one with the bare-body, but now the shirt becomes cream and he said like the piece of paper I indicated to him which is rather whitish. The trousers of the one with the shirt still cream. Now the colours - pink, beige and cream or whitish - are different colours. Also the trousers dark and light.

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Now we come to the description of the shirt. Two policemen told us the shirt is "T" shaped which was a wrong description, and one cannot but infer that this description is a mistake by two persons and it is not just a coincidence. Inspector Hill admitted giving one of the accused with a shirt, if I am not wrong, on the 13th March, the same day in the evening (and it was a good gesture on his part, perhaps influenced by human feelings to give a person a dress who is not dressed) but his action is quite contradictory at one time because he said that the man to whom he gave the shirt was still dressed in the wet damp trousers; that was I think at 3 o'clock or so. Perhaps he did give him the dried

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10 clothes instead of the wet clothes or he  
advised some-one to give him the dried  
clothes. And further if we look at the  
photograph, it was taken on the 15th, after  
two days, and still the person was bare-  
bodied as shown in the photograph even  
after two days he was with the shirt as  
told by Inspector Hill. So the question  
of the dress is somewhat astonishing.  
The behaviour of the boatman on the boat  
was quite queer or strange. At the time  
when he saw the men he was most concerned  
with saving the men from the sea; he  
could not think of identity cards; he  
said he did not suspect anything. Most  
probably something attracted his attention  
and having heard of rumours in Singapore,  
perhaps it was the green uniform of the  
20 persons which attracted him and caused him  
to suspect. All these persons are the  
witnesses for the Prosecution, police  
witnesses, and their evidence, the sub-  
stance of their evidence had been given to  
me. May I say that they were earlier  
interviewed by the police; perhaps the  
question of dress is underlined.

30 Now we come to the evidence of Mr. Wong, the  
prison officer. I may say that his  
evidence is impromptu evidence. It is not  
strictly of the police. The substances  
of his evidence was supplied to me only on  
the day when this case was first heard.  
So he was not a proper witness. The  
question of whether the accused were brought  
for the first time from the Prison with  
uniform is no question because all of them  
agree that they were in civilian clothes.  
40 The first time they were brought on the  
29th March that was the day when the prison  
officer noticed, perhaps carefully of the  
dress. He said that it was not his duty  
to note or to take notice of the dress of  
the prisoners. So to them clothes are  
not important at all just perhaps as one  
look at passers-by and cars in the street-  
they may be before our eyes but we may not

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possibly distinguish because our mind is not on the people and the colour of cars. He further said nobody took notice, or perhaps he himself did not notice whether a person goes out with a dress and exchange it with another dress. He described the accused as being put in a special place or perhaps cells with those brought previously. He said that the Johore prisoners came in on the 9th April and these people were kept separate from the accused except at the time of bath and recreation which is about one hour in the morning and one hour in the evening. They were brought out from their cells and marched on in batches of fifteen under guards, only three guards at the bath and at the recreation and also accompanied at the time from the cells up to the bathroom. None of the guards ever reported or noticed that they have changed clothes. According to him these people were brought out by other persons, second in command; he said he is the one who brings them back and saw them in their cells. There is no evidence whether he had seen them in military dress when he brought them to the cells or when he first saw them in the cells. The first time his attention was drawn was when they came out from the cells; it is not when they saw them in the cells and he cannot say if he saw them changing clothes; he does not know of any marks or anything. But he presumed that they must have taken, or they had changed them, because the first time he saw them they were in civilian clothes or dress. That is the only conclusion for him. I have already referred, my Lord, to the unimportance of the dress to the Prison officers. Perhaps the time when he first became aware of the fact that both the men were in uniform was not the first time the men were going about in jail with the uniforms. The case is about six months ago. It is quite a long time, and he does not also know the importance of the uniforms. He knows

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10 about it very later after being ordered to  
take back the uniforms. So his mind,  
perhaps, is a kind of association with a  
mental calculation. He jumped to the  
conclusion that the uniforms must have  
come from the Johore prisoners. Since  
the Johore prisoners were brought in on the  
9th, then that must have been a few days  
after the 9th. This is just a matter of  
mental deceit, which makes a person  
believe after certain clues, so his con-  
clusion might be wrong, especially when  
he was not all the time with the prison-  
ers. He was sometimes in and sometimes  
out. That means he is not always, all  
the time, with the prisoners, with the  
accused. So we have nothing, but to  
20 come to the conclusion to accept the word  
of the accused.

30 We come to the uniform itself. One of  
the accused is stout and the other one is  
thin. I might infer that these uniforms  
fit them well, especially the trousers.  
The uniforms and their unit concur. They  
are both from the K.K.O. - Korps Kommando  
Operasi. But one was with the Naval  
attachment, and the other one was with the  
Infantry or Land attachment. The one of  
the Naval attachment is shown on the shirt  
itself and there is an anchor, whereas the  
one of the Land attachment is without an  
anchor. Osman can categorically say  
that the trousers belongs to him. There  
is a mark there, an abbreviation of his  
name "Man". Perhaps his unit is a very  
small unit, and that the clothes are, or  
that the marks are only for personal use.  
40 Harun, the other one, can say also cate-  
gorically that the trousers is his,  
because there is a mark "52". The place  
of the mark is quite secret. They cannot  
know the importance of the uniforms to try  
to remember them unless they are their own.  
They cannot know that they would be con-  
fiscated on the 27th, so that they would  
try to remember everything about their

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Mr. Kamil continued

uniforms. The shirts have no numbers and no names, but still they have marks, officers' marks, so it cannot be confused with the other privates. Officers are not many in one small unit. So we have, I think, first the private and the second one is the corporal mark on the shirt. Their stories are very consistent, but, perhaps, a little bit confused here and there under the expert cross-examination of our expert Deputy Public Prosecutor. They said that their uniforms were taken by the Police, because they were wet or something like that, and they were returned on the last occasion after they had attended the lower Court. Those uniforms were returned to them in the lower Court after their last appearance there. In connection with the uniforms, they have come to the High Court four or five times with the uniforms. The Police did not take any notice of them, because they did not know the importance of the uniforms. Perhaps, only they took notice of them because of the last case to which I have already referred. So the question of noticing it or not noticing it is the same, as Mr. Wong also did not come to notice it. The Police did not come to notice it, although they were brought here by the Police and the Prosecutor and so on. We do not know the hierarchy or the ranks of the Indonesian soldiers, or of the Indonesian Armed Forces. It may be the same with our soldiers, it may be the same with the British Army and it may be different. So we do not know what is the Indonesian Army. The description by them is that one is from the Naval attachment, and the other is from the Land attachment. The one with the Naval attachment says that he is a radar man, and the one with the Land attachment is not a radar man. According to them, they came with the boat, with uniforms and with their guns for self-defence, but unfortunately their boat sank, so everything was lost. Their

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10 identity cards and their papers, which were  
in the boat, were also lost. So these  
are the circumstances, and that is why you  
cannot find any identification on him or  
on them. We do not know, but we have to  
accept what they say that they are  
soldiers in the Indonesian Army. They  
honestly say that they do not know. One  
comes from one division, and the other  
one comes from a different division. They  
are just, I think, soldiers, and they only  
come to carry out the orders without  
question. They said they came to Palau  
Dua, an island off Singapore in the sea.  
They were not in an offensive mission.  
They were to take back the boat full of  
clothing to their places, so it is  
20 understandable why they were not in a  
ready battle, combat position. Their  
arms and ammunitions were in the boat,  
not on their bodies. Their identity  
documents were also in the boat. So  
this is the position. From that I submit  
and pray that the Court will find there  
is evidence to show that these people are  
really soldiers from Indonesia. Their  
position is somewhat difficult, because  
of the difficulty of the occasion. They  
30 were found not on land, but in the sea;  
not in the boat, but in the water. So  
what we know or get is mostly from their  
word of mouth. In considering this, I  
hope the Court will give the benefit of  
the doubt to the accused. It is not  
only consistent with our law, but it is  
also consistent with the Geneva  
Convention. I think it is Schedule 5,  
or Article 5.

40 His Lordship: The Geneva Convention 1949?

Mr. Kamil: The second paragraph of  
Article 5 reads:

"Should any doubt arise as to whether  
persons, having committed a belligerent  
act and having fallen into the hands of  
the enemy, belong to any of the

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categories enumerated in Article 4, such persons shall enjoy the protection of the present Convention until such time as their status has been determined by a competent tribunal."

If we are in doubt, I think, it is safer to take them as prisoners-of-war. I will now come to the law itself. I would like to point to the 3rd Schedule of the same Convention, Article 4, which reads:

10

"Prisoners of war, in the sense of the present Convention, are persons belonging to one of the following categories, who have fallen into the power of the enemy: Members of the armed forces of a Party to the conflict as well as members of militias or volunteer corps forming part of such armed forces."

20

So the accused came as soldiers. They would be in category 1. If I may, I would like to refer to Article 3 of the 3rd Schedule again which reads:

"In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

30

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms"

His Lordship: You are claiming they have laid down their arms? They lost their arms. You know they put their arms in the boat, and lost them. Now you say they surrendered their arms to the Police?

Mr. Kamil: And if I may, I would like to refer also to Article 4(2) of the same Schedule.

40

His Lordship: Article 4 A(2).

Mr. Kamil: Article 4, 3rd Schedule.

His Lordship: A and B.

Mr. Kamil: That is so, A2.

His Lordship: Divided into categories A and B. I know which one you are referring to.

Mr. Kamil: I will read A2:

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10

"(2) Members of other militias and members of other volunteer corps, including those of organised resistance movement, belonging to a Party to the conflict and operating in or outside their own territory, even if this territory is occupied provided that such militias or volunteer corps, including such organised resistance movements, fulfil the following conditions:

20

- (a) that of being commanded by a person responsible for his subordinates;
- (b) that of having a fixed distinctive sign recognisable at a distance;
- (c) that of carrying arms openly;
- (d) that of conducting their operations in accordance with the laws and customs of war.

His Lordship: Mr. Kamil, let us not be confused. Your clients are claiming under category A1 or A2.

Mr. Kamil: Category A1.

30

His Lordship: Why are you reading to me Category 2. then?

Mr. Kamil: I am just reading Category 2 to show it is different from Category 1.

His Lordship: Yes.

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Mr. Kamil: So, my Lord, this is my submission,  
and I hope your Lordship will give the  
benefit of any doubt to the accused.

His Lordship: Mr. Seow, I don't propose to  
call on you.

No. 19

JUDGE'S RULING ON STATUS

No. 19

Judge's  
Ruling on  
Status  
6th October  
1965.

His Lordship: Mr. Interpreter, will you  
kindly translate to the accused what I am  
about to say?

10

The evidence is overwhelming that, when  
the two accused were picked up in Singapore  
waters on the 13th of March this year by  
the boatman, they were not in military  
uniform. The first accused was wearing  
a pair of civilian trousers, and was bare-  
bodied, while the second accused was in  
civilian dress - a sports shirt and a  
pair of long trousers. I also find on  
the evidence that, when picked up, the  
two accused claimed to be fishermen,  
whose boat had capsized, but later to the  
Inspector of Police, the first accused  
claimed to be a fisherman, while the  
second accused claimed to be a farmer.

20

The two accused claim to be members of  
the regular armed forces of the Republic  
of Indonesia, and they also claim that  
they are prisoners-of-war under Article  
4 A(1) of the Geneva Convention of 1949.

30

Now, the onus of proving that they are  
members of the regular armed forces of the  
Republic of Indonesia lies on the two  
accused. They have failed to discharge  
that onus, and in any case I have no  
doubt that they are not members of the  
regular armed forces of the Republic of  
Indonesia.

Now, even if they are members of the regular armed forces of the Republic of Indonesia, they are not, in my opinion, entitled to the status of prisoners-of-war. In my view, members of the enemy armed forces, who are combatants and who come here with the assumption of the semblance of peaceful pursuits divesting themselves of the character or appearance of soldiers and are captured, such persons are not entitled to the privileges of prisoners-of-war. Mr. Kamil, the trial will proceed. Mr. Seow, are you ready to start?

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6th October  
1965 (Contd.)

10

Crown Counsel: Yes, my Lord.

His Lordship: Ask them to sit down. (Both the accused sit down in the dock)

His Lordship: You have summoned witnesses?

20

Crown Counsel: Yes. Before I open the case for the Prosecution, my Lord, may I apply for the release of Mr. Wong Kee Huat?

His Lordship: Very well. All the witnesses are released who are not required today.

Crown Counsel: I am much obliged.

(Crown Counsel opens the Case for the Prosecution)

And now, with your Lordship's leave may I proceed to call my first witness, Michael Jeremiah?

30

His Lordship: We will carry on with the numbering, otherwise we will be confused. We have had so far six Prosecution witnesses. I take it some of these, the ones you have called, you will call again?

Crown Counsel: That is so.

His Lordship: I think you had better stick

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to the same number; there might be confusion otherwise.

No.19

Judge's  
Ruling on  
Status  
6th October  
1965 (Contd.)

Crown Counsel: As it please you, my Lord.  
He will now be P.W.10.

No.20

No.20

MICHAEL JEREMIAH

Prosecution  
Evidence

Michael Jeremiah

Michael  
Jeremiah  
Examination  
6th October  
1965.

(Examination-in-chief) (By Crown Counsel)

(Sworn in English)

10

Q. Your name is Michael Jeremiah? A. Yes, my Lord.

Q. Police photographer attached to the C.I.D.?  
A. Yes, my Lord.

Q. Now, on the 10th of March, 1965, at about 4 p.m. on the directions of Inspector Gan Boon Leong did you take 67 photographs?

His Lordship: How many photographs, sixty ---

Crown Counsel: Sixty seven, my Lord.

Q. At the Hongkong & Shanghai Bank branch and at MacDonal House, Orchard Road, Singapore?

20

A. Yes, I did, my Lord.

Q. Would you please look at those enlargements? Are they the enlargements of the photographs which you took on that day? A. Yes, my Lord, those are the enlargements.

Q. Which you now produce? A. Yes, my Lord.

Q. And have you the negatives? A. These are the negatives, my Lord.



Crown Counsel: My Lord, do we begin a new numbering - P.1 to P.67?

His Lordship: Yes. Other exhibits are marked A, B and C.

Crown Counsel: Much obliged, my Lord.

His Lordship: Enlargements of photographs P.1 - P.67; and negatives - PN.1 - PN.67.

(Sets of exhibits are distributed)

In the High Court in Singapore

Prosecution Evidence

No.20

Michael Jeremiah Examination 6th October 1965 (Contd.)

10 Q. Now, if you look at P.1, that shows the Hongkong & Shanghai Bank branch and MacDonald House, Orchard Road, Singapore. A. Yes, my Lord.

Q. The Sin Sin Furniture Shop is also shown in it? A. Yes, my Lord.

Q. And you can see a bus section?

His Lordship: Yes, there is a signboard there, is it - Sin Sin? A. Yes, my Lord.

20 Q. Yes, there is a bus section shown in the same photograph.

His Lordship: The bus section is at Art Furniture?

Crown Counsel: Yes, almost in front of the Art Furniture Ltd.

Q. Now, would you turn to P.2? That shows the entrance to the Hongkong & Shanghai Banking Corporation? A. Yes, my Lord.

30 His Lordship: Front entrance? A. The front entrance.

Q. It also shows the damage to its glass doors? A. Yes, my Lord.

Q. Turn now to P.3. That shows the five-foot way in front of the Hongkong & Shanghai Bank? A. Yes, my Lord.

In the High Court in Singapore

Prosecution Evidence

No. 20  
Michael Jeremiah Examination 6th October 1965 (Contd.)

Q. Incidentally, MacDonald House and Hongkong & Shanghai Bank is one and the same building?  
A. Yes, my Lord.

Q. And it shows the debris on the five-foot way?  
A. Yes, my Lord.

Q. Right, turn to P.4. That is another view of the front of MacDonald House? A. Yes, my Lord.

Q. Showing two damaged vehicles and debris?  
A. Yes, my Lord.

10

Q. Turn now to P.5. This is another view of the front of MacDonald House? A. Yes, my Lord.

Q. And it is taken, looking towards the Sin Sin Furniture Shop? A. Yes, my Lord.

Q. In other words, it is opposite to P.3? A. That is correct.

Q. Turn to P.6.

His Lordship: Opposite direction?

Crown Counsel: The opposite direction, my Lord.

20

Q. Now, that shows the damage to the two cars shown in P.4 and 5? A. Yes, my Lord.

Q. The opposite view. Now, did you know the position of the car SB.9057 before you took this photograph? A. No, my Lord.

His Lordship: What was your question?

Q. Did he know the position of this car before he took. A. No, I did not know.

Q. You took it as you saw it? A. Yes, my Lord.

Q. And you do not know whether it had been moved and placed in this position? A. No, my Lord.

30

Q. Right, look at P.7. That shows the park, part of the side elevation of MacDonald House?  
A. Yes.

His Lordship: Shows what?

- Q. The side elevation. And damage to it? A. Yes.
- Q. It also shows the damage to Progress Motors' facade? A. Yes, my Lord.
- Q. Or front elevation. Now, look at P.8. Now, that shows the side elevation of MacDonald House? A. Yes, my Lord.

His Lordship: There is a line between the Progress Motors and MacDonald House, is it?  
A. Yes, my Lord.

- Q. That is correct, my Lord, showing the debris as well on the lane? A. Yes, my Lord.
- Q. And cracks on the front and side elevations of MacDonald House? A. Yes, my Lord.

His Lordship: And cracks?

Crown Counsel: Cracks in the wall, my Lord, on the side and front elevations.

- Q. P.9 is another view of P.8? A. Yes, my Lord.
- Q. Look at P.10. P.10 shows the damage to the windows and cracks on the side elevation of MacDonald House? A. Yes, my Lord.
- Q. Look at P.11. That is a close-up of that same window shown in P.10? A. Yes, my Lord.
- Q. P.12 is another view of the side elevation of MacDonald House? A. Yes, my Lord.
- Q. Showing the cracks? A. Yes, my Lord.
- Q. Look at P.13. That shows the broken windows of the Compradore's Office at the bottom? A. Yes, my Lord.
- Q. And top, broken windows, to be the windows of the mezzanine floor? A. Yes, my Lord.
- Q. Now, turn to P.14. That is a close-up of the entrance to the lifts of MacDonald House? A. Yes, my Lord.

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Singapore

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No.20  
Michael  
Jeremiah  
Examination  
6th October  
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Singapore

Prosecution  
Evidence

No.20  
Michael  
Jeremiah  
Examination  
6th October  
1965 (Contd.)

- Q. And it shows the damage to it? A. Yes, my Lord.
- Q. And damage to them. Right, look at P.15. That is a close-up of the damage to the two lifts on the ground floor of MacDonald House? A. Yes, my Lord.
- Q. Right, P.16, is the damage, shows the damage to the wall above the lifts shown in P.15? A. Yes, my Lord.

His Lordship: Above the lifts?

10

Crown Counsel: My Lord, above in P.15, sort of looking up at an angle.

- Q. Now, P.17 is a close-up of the lift shown in P.15? A. Yes, my Lord.
- Q. It also shows a brown leather shoe in it? A. Yes, my Lord.

Crown Counsel: My Lord, it has got to be held up this way.

His Lordship: Yes.

- Q. Otherwise it might look confusing. P.17 is a close-up of the right lift shown in P.15, this way up, my Lord.

20

His Lordship: Yes, I have got it.

- Q. Now, P.19 shows the staircase leading up from the ground floor to the Mezzanine Floor? A. Yes, my Lord.

His Lordship: That, I take it, is somewhere near the lift? A. Yes, near the left.

- Q. Near the right lift, or the left?  
A. Near to the left lift.

30

- Q. Left lift? A. No, I mean the right lift.

- Q. Come, come. Right, please. A. Right lift, my Lord.

Q. P.20 shows the staircase leading to the landing?

His Lordship: Same staircase, is it?

A. Yes, the same staircase.

Q. Same staircase leading to the landing on the Mezzanine Floor? A. Yes, my Lord.

Q. Actually it is a continuation of P.19, is that correct? A. Yes.

His Lordship: Looking upwards, I take it?

A. Yes, my Lord.

10 Q. You climb up, how many steps do you take to this one, one flight or two? A. One flight.

Q. Now, look at P.21. That shows damage to the ceiling on the landing on to the Mezzanine Floor? A. Yes, my Lord.

Q. You were at the Mezzanine Floor when you took this picture? A. Yes.

Q. So this would be, in fact, the first floor, is it? Or -- A. The first floor is above the ceiling.

20 Q. So this is what - the ceiling of the Mezzanine Floor. A. The ceiling of the Mezzanine Floor.

Q. And P.22 is a close-up of that same damage as in P.21? A. It is another damage next to P.21.

Q. Isn't that another view of P.21? A. The damage is on this side (indicates to right, outside picture).

His Lordship: That is another damage, is it?

A. Another Damage.

30 Q. To the ceiling, is it? A. Yes, my Lord.

Q. To the ceiling of the same Mezzanine Floor? A. Yes, my Lord.

Q. P.23 shows a crater? A. Yes, My Lord.

In the High Court in Singapore

Prosecution Evidence

No.20

Michael Jeremiah Examination 6th October 1965 (Contd.)

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Singapore

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Evidence

No.20

Michael

Jeremiah

Examination  
6th October  
1965 (Contd.)

Q. On the passageway of the landing on the Mezzanine Floor? A. Yes, my Lord.

Q. Now P.24 shows the Correspondence Office? A. Yes, my Lord.

His Lordship: Correspondence Office of the Bank, is it?

Crown Counsel: That is right, my Lord.

Q. And P.25 is another view of the Correspondence Office? A. Yes, my Lord.

Q. And P.26 is another view of the Correspondence Office? A. Yes, My Lord. 10

Q. P.27 shows the debris in the Correspondence Office? A. Yes, my Lord.

Q. It also shows a lady's shoes? A. Yes, my Lord.

Q. P.28 shows the part of the Correspondence Office and blown off wall next to the lift? A. Yes.

His Lordship: Q. That must be the right lift? A. Yes. 20

Q. You could see one cable? A. Yes.

Q. P.29 shows the side of the lift wall blown off? A. Yes.

Q. This picture was taken on the mezzanine floor? A. Yes.

His Lordship: Q. Which lift, right or left? A. Right lift.

Q. P.30 shows the blown off wall of the Bills Office of the Bank on the mezzanine floor? A. Yes. 30

Q. And it also shows the bottom right hand corner, part of the Correspondence Office wall blown down? A. Yes.

- Q. P.31 shows the entrance to the Correspondence Office? A. Yes.
- Q. Taken from the Bills Office? A. Yes.
- Q. P.32 shows the interior of the Bills Office of the Bank? A. Yes.
- Q. Looking towards the Correspondence Office? A. Yes.
- Q. Part of the wall is shown as blown off? A. Yes.
- 10 Q. P.33 shows a portion of the blown off wall of the Correspondence Office taken from the Bills Office? A. Yes.
- Q. The stairway shown in the foreground of P.33 leads to the ground floor of the Hongkong and Shanghai Bank? A. Yes.
- Q. It leads into the banking hall? A. That is correct.
- Q. P.34 is another view of the same stairway shown in P.33? A. Yes.
- 20 Q. P.35 shows an electric clock in the banking hall? A. Yes.
- Q. And it also shows that the clock had stopped at 3.07? A. Yes.
- His Lordship: Q. You know that? A. Yes.
- Q. P.36 shows the staircase leading up to the Bills and Correspondence Offices on the mezzanine floor from the banking hall? A. Yes.
- His Lordship: Is it the same stairway?
- Crown Counsel: That is right.
- Witness:, The same as shown in P.33 and P.34.
- 30 Q. P.37 shows the damage to the ceiling of the Compradore's Office? A. Yes.
- Q. P.38 shows the banking hall? A. Yes.

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No.20  
Michael  
Jeremiah  
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Singapore

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No.20

Michael  
Jeremiah  
Examination  
6th October  
1965 (Contd.)

- Q. Which you took from the Bills Office looking down? A. Yes.
- Q. Now, look at P.39, is that another view of P.38? A. Yes.
- Q. And so is P.40? A. Yes.
- Q. It also shows the damage to the airwell and lanterine on the ceiling of the banking hall? A. Yes.
- Q. P.41, P.42 and P.43 show the damage to the airwell and damage to the light on the ceiling of the banking hall? A. Yes. 10
- Q. P.44 shows the damage to the staircase from the landing of the mezzanine floor to the first floor? A. Yes.
- Q. P.45 shows the damage to the entrances to the lifts on the first floor? A. Yes.
- Q. P.46 shows the entrance to offices of the first floor? A. Yes.
- Q. P.47 is a close-up of the premises of Lim Wee Pheng Co. Ltd. A. Yes. 20
- Q. P.48 shows the stairway leading down from the second floor to the first floor? A. Yes.
- Q. You took this photograph standing on the second floor? A. Yes.
- Q. P.49 shows the damage to the entrances to the lifts on the second floor? A. Yes.
- Q. P.50 shows the damage to the entrance to the Australian High Commission on the second floor? A. Yes.
- Q. P.51 shows the damage to the entrances to the lifts on the 3rd floor? A. Yes. 30
- Q. P.52 shows the damage to offices on the 3rd floor? A. Yes.



Q. P.53 shows the damage to entrances to the lifts on the 4th floor? A. Yes.

Q. P.54 to the 5th floor? A. Yes.

Q. P.55 to the 6th floor? A. Yes.

Q. P.56 to the 7th floor? A. Yes.

Q. P.57 shows the stairway leading up to the 8th floor? A. Yes.

Q. You took this photograph standing on the 7th floor? A. Yes.

10 Q. And the object seen in P.57 is part of the lift door from the 8th floor lift entrance? A. Yes.

Q. P.58 shows the damage to the entrances to the lifts on the 8th floor? A. Yes.

Q. And the object shown in P.57 can be seen in P.58? A. Yes.

His Lordship: On the left?

Crown Counsel: That is correct, my Lord.

Q. P.59 shows Progress Motors' premises? A. Yes.

20 Q. And it is very clear, but it also shows the showroom mirrors have been broken? A. Yes.

His Lordship: Q. You saw that?  
A. Yes, the glasses were broken.

Q. P.60 shows the side elevation of Progress Motors? A. Yes.

Q. And it also shows the damage to it? A. Yes.

Q. In fact the windows were all gone? A. Yes.

Q. P.61 shows the damage to the Far East Motors' windows? A. Yes.

30 His Lordship: Q. Which window is that?  
A. The upper window.

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Jeremiah  
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6th October  
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Q. P.62 shows the broken window panes of Cycle and Carriage Co. Ltd.? A. Yes.

Q. P.63 shows the damage to windows of the Associated Auto Co. Ltd.? A. Yes.

Crown Counsel: Your Lordship can see all the glass panes are all gone.

His Lordship: Yes.

Q. P.64 shows the damage to vehicles parked in the car park in front of MacDonald House?  
A. Yes.

10

His Lordship: This is by the side of Associated Auto Motors? A. Yes.

Q. At least the front windscreen of three vehicles were broken and frosted? A. Yes.

Q. P.65 shows the entrance to the car park in P.64?  
A. Yes.

Q. And it shows the damage to car SK.1325 as well?  
A. Yes.

Q. And you see a sort of snow-like matter on the road, is that all glass debris? A. Yes,  
broken glasses.

20

Q. P.66 shows the damage to the vehicle parked next to the car park in P.64? A. Yes.

Q. And it shows two other cars with their wind-screens and glass windows smashed or broken?  
A. Yes.

Q. Together with a flat tyre, punctured? A. Yes.

Q. P.67 shows a damaged showcase of Universal Cars? A. Yes.

Q. Now, on the 11th March, 1965, at about 9.40 a.m. 30  
under the instructions of Inspector Lim Swee Fong, did you take five photographs of two female corpses at the General Hospital Mortuary?  
A. Yes, I did.

Q. Do you now produce the enlargements of these photographs which you took on that day? A. These are the enlargements.

His Lordship: Q. And the negatives?  
A. Yes.

Q. And you produce the negatives? A. Yes.

(Enlargements admitted - Exs.P.68 to P.72)  
Negatives admitted Exs.PN.68 to PN.72)

In the High  
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Singapore

Prosecution  
Evidence

No.20  
Michael  
Jeremiah  
Examination  
6th October  
1965 (Contd.)

10 Q. Now, on the 12th March, 1965, at about 3.55 p.m. under the directions of Inspector Gan Boon Leong, did you take 8 photographs of a male Malay corpse at the General Hospital Mortuary?  
A. Yes, I did.

Q. And you now produce the enlargements of these photographs which you took? A. Yes.

Q. And the negatives? A. Yes.

(Enlargements admitted - Exs.P.73 to P.80)  
Negatives admitted Exs. PN.73 to PN.80)

20 Q. Now, P.68, P.69 and P.70 refer to the female corpse in P.68? A. Yes.

Q. And P.71 and P.72 refer to the other female corpse? A. Yes.

Q. And P.73 to P.80 to the third corpse? A. Yes.

No cross-examination.

(Witness released)

In the High Court in Singapore

No.21

WILLIAM CHEN SENG WEE

Prosecution Evidence

William Chen Seng Wee

No.21

William Chen Seng Wee Examination 6th October 1965

Examination-in-Chief by Crown Counsel.  
(Affirmed) (In English)

- Q. Your name is William Chen Seng Wee? A. Yes.
- Q. You are an Architect? A. Yes.
- Q. With Messrs. Palmer and Turner? A. Yes.
- Q. Messrs. Palmer and Turner were responsible for the architecture and the preparation of building plans of MacDonald House, Orchard Road, Singapore? A. Yes. 10
- Q. That is your Company? A. Yes.
- Q. And you produce from the files of your Company or firm the plan of the ground floor and mezzanine floor of the said building? A. This is the mezzanine floor (indicates on plan) and these are copies made from the original.
- Q. These are known as photostat copies; you run through a special duplicating machine to get copies? A. Yes. 20
- Q. And this is a replica of the original? A. That is correct.

(Plan admitted - Ex. P.80)  
P 80A ground floor. P.80B mezzanine floor)

No cross-examination.

(Witness released)

No. 22

FREDDIE CHONG

In the High  
Court in  
Singapore

Freddie Chong.

Prosecution  
Evidence

Examination-in-Chief by Crown Counsel.

No.22  
Freddie  
Chong  
Examination  
6th October  
1965 (Contd.)

(Sworn)

(In English)

Q. Your name is Freddie Chong? A. Yes.

Q. You are a Technical Assistant attached to the Survey Department, Singapore? A. Yes.

10 Q. On the 25th March, 1965, at about 8.40 a.m. on instructions did you go to MacDonald House, Orchard Road, Singapore? A. Yes.

Q. Where you met Inspector Gan Boon Leong? A. Yes

Q. Who then instructed you to carry out a survey of MacDonald House and all the buildings around it? A. Yes.

Q. And then you prepared a survey of the area in question? A. Yes.

Q. According to scale? A. Yes.

20 Q. Now, have you got the original of your survey?  
A. The original is kept in the department.  
These are prints of the original (Prints shown)

Q. Do you now produce; this has been photostat?  
A. Yes; they are called "Sun Prints."

163A.

In the High  
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Q. What kind of a process is that? A. Exposed  
to light.

Prosecution  
Evidence

(Survey plan admitted - Ex. P.81)

No.22  
Freddie  
Chong  
Examination  
6th October  
1965 (Contd.)

No cross-examination.

(Witness released)

Court adjourns to 9.30 a.m. - 7.10.65).

No. 23

GAN BOON LEONG

In the High  
Court of  
Singapore

No.23

GAN BOON LEONG

(Examination-in-chief by Crown Counsel)  
(Affirmed in English)

Gan Boon  
Leong  
7th October  
1965

Examination

Q. Your name is Gan Boon Leong? A. Yes.

Q. You are an Inspector of Police attached to the  
Special Investigation Section of the CID?  
A. That is correct.

10 Q. On the 10th of March, 1965, at about 3.20 p.m.  
on instructions did you proceed to MacDonald  
House, Orchard Road, Singapore? A. I did.

Q. You arrived there at about 3.35 p.m.? A. I  
did.

Q. Did you go into MacDonald House? A. I did.

Q. And into the HongKong & Shanghai Bank Branch?  
A. That is correct.

20 Q. Did you instruct Police photographer, Michael  
Jeremiah, P.W.10, to take photographs showing  
the damage to the Hongkong & Shanghai Bank  
Branch? A. I did.

Q. And to MacDonald House? A. That is correct.

Q. And all the various scenes along Orchard Road  
showing the extent of the damage caused by the  
explosion? A. That is right.

Q. And the enlargements of the photographs, which  
were taken by P.W.10 on your instructions,  
appear as P.1 to P.67? A. That is right.

30 Q. Inspector Gan, would you turn to P6? Would you  
be able to tell his Lordship where car SP9057  
was before this picture was taken? A. At the  
time when I arrived at the scene, the car was  
in this position.

Q. In this position? A. Yes.

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Court of  
Singapore

No.23

Gan Boon  
Leong  
7th October  
1965

Examination  
- continued

Q. You don't know whether it had been moved from somewhere and placed there as shown in P.6?  
A. I don't know.

Q. On the 12th of March, 1965, at about 3.55 p.m. did you instruct P.W.10 to take eight photographs of a male Malay corpse by the name of Yasin bin Kesit? A. I did.

Q. And they appear as P.73 to P.80? A. That is correct.

Q. On the 25th of March, 1965, did you instruct Freddie Chong, P.W.12, of the Survey Department to prepare a survey plan of MacDonald House and the area in relation to it? A. I did.

10

Q. And P.81 is the plan, which you obtained? (Plan shown to witness) A. Yes, this is the plan, my Lord.

Cross-  
examination

GAN BOON LEONG

(Cross-examination by Mr. Kamil)

Q. You said that you arrived at MacDonald House at 3.35 p.m. Were you the first policeman to be there? A. No, my Lord.

20

Q. Do you know who were there before you? A. No, I don't know. The Reserve Unit was there. The Divisional Police Officers were there at the time when I arrived at the scene.

Q. Was the public allowed to the area? A. At the time when I arrived at the scene in Orchard Road in front of MacDonald House, the traffic was diverted into Penang Lane.

30

Q. Will you look at P.1? (Exhibit shown to witness) Can you point in the photograph which is Penang Lane? A. It is not in the Photograph. It is on the left.

Q. This side? A. It is on the left.



Crown Counsel: P.81 would show it, my Lord.

His Lordship: Q. Penang Lane is not shown in this photograph? A. It is not shown in this photograph.

Q. Will you look at P.81? (Exhibit shown to witness)

10 His Lordship: Q. I think you made a mistake Inspector when you said that the traffic was diverted into Penang Lane. On the right it is Penang Road? A. It is Penang Road, and I made a mistake.

Q. Penang Road is another road off the main road? A. Yes, I made a mistake. It is Penang Road.

Q. Now, when you look at P.81 and then you look also at P.1, can you say which direction? You said the traffic was diverted into Penang Road? A. Yes.

20 Q. So the area in front of MacDonald House had no traffic at that time? A. Except for the Police vehicles and the ambulances.

Q. Now, can you recognise picture P.1 - the tall building? A. MacDonald House.

Q. Now, can you say which direction - this side or this side - is Penang Road? A. Penang Road is this side. That is coming from Stamford Road it is this side.

30 His Lordship: Q. It is on the right of the photograph? A. Penang Road is on the left of the photograph behind, far behind. It is not in the photograph itself.

Q. Inspector Gan, does not Penang Road stretch from Clemenceau Avenue right down to the Stamford Road Junction of Orchard Road? A. That is correct.

Q. Penang Road stretches from Clemenceau Avenue to the junction of Orchard Road and Stamford Road? A. Yes.

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No.23

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7th October  
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Cross-examination  
- continued

In the High  
Court in  
Singapore

No.23

Gan Boon  
Leong  
7th October  
1965

Cross-  
examination  
- continued

His Lordship: Mr. Kamil, I do not know what your point is. I think you all know where Penang Road is.

Mr. Kamil: I am not very sure myself.

His Lordship: It is the road, which runs parallel to Orchard Road along this path. There is a row of buildings in front of MacDonald House, most of them are motor firms, and Penang Road runs behind that row of buildings, and it is almost parallel to Orchard Road.

10

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No re-examination  
(Witness stands down)

---

No.24

Goh Nam Soon  
7th October  
1965

Examination

No.24

GOH NAM SOON

GOH NAM SOON

(Examination-in-chief by Crown Counsel)  
(Affirmed in Hokkien)

Q. Your name is Goh Nam Soon? A. Yes.

Q. And you live at No.165 Somapah Road, Singapore.  
A. Yes.

20

Q. You are a hawker by occupation? A. Yes.

His Lordship: My Lord, this witness does not implicate any of the accused in any way, and I propose to lead this witness until such time as my learned friend objects.

Q. You have a foodstall outside the Hongkong & Shanghai Bank canteen, Orchard Road?

His Lordship: You have or you had?

30

Crown Counsel: I will find out from him.

Q. You have a foodstall? A. Yes, I still have this foodstall.

Q. You have a foodstall where? A. Outside the Hongkong & Shanghai Bank branch canteen.

Q. Outside the Bank canteen in Orchard Road, Singapore, A. Yes.

Q. It is called the Hongkong & Shanghai Bank Branch canteen, Orchard Road, Singapore?  
A. I was previously operating in the canteen, and on account of bad business, I moved out of the canteen to the side of the Bank.

Q. That is the sidelane between Progress Motors and MacDonald House. Is that correct?  
A. Yes.

Q. You serve the staff of the Hongkong & Shanghai Bank Branch? A. Yes.

Q. Now, on the 10th of March, 1965 at about 3 p.m. --

His Lordship: Q. Where was your stall on that date? A. It was by the side of the Bank.

Q. It was in the lane? A. Yes, in the lane by the side of the Bank.

Q. On the 10th of March this year at about 3 p.m. did you come out of the Bank? A. Yes.

Q. Were you then walking back to your stall?  
A. After collecting my money from my customers, I was on my way to wash my hands in the building.

Q. The customers in the Bank. You had come out of the Bank? A. I was on my way.

Q. To wash your hands? A. I was on my way out of the Bank to go and wash my hands.

Q. You had come out of the Bank? A. Yes.

Q. Please look at P.2? You had already come out of the doors of the Bank as shown in P.2?

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Examination  
- continued

10

20

30

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Examination  
- continued

A. yes.

His Lordship: Q. You had come out of this door? A. As shown in photograph P.2.

- Q. Now, look at P.5? Do you recognise that photograph? A. I do.
- Q. Now, were you walking along the 5 footway in front of the Bank after you had come out of it? A. Yes.
- Q. In which direction - towards the foreground, or towards the background of the photograph? A. I was walking towards the foreground of the picture. 10
- Q. Now, look at P.9? Do you recognise P.9? A. I do.
- Q. It shows the sidelane and the entrance to MacDonald House? A. Yes.
- Q. As you walked along the 5 footway, did you reach the entrance of MacDonald House as shown in P.9? A. Yes.
- Q. Now, when you reached there, did you notice anything? A. I smelt some tyre burning. 20
- Q. Do you mean you felt or smelt? A. Smelt something like tyre burning, a kind of smell.
- Q. Now, did you go into MacDonald House as a result of that? A. Yes, I did. I went in. I thought that there was something burning, and I went in to investigate.
- Q. You went in and did you go up the staircase? A. I did go up the stairs after entering.
- Q. That is the staircase by the lifts? A. Yes. 30
- Q. As you went up the staircase, did you see anything? A. I saw a bag in the mezzanine floor.
- Q. What sort of a bag did you see? A. It was a blue coloured bag.

Q. What kind of bag is this? A. It is one of those canvas bags with the Malayan Airways mark on it, travelling bag.

His Lordship: Did you say Malayan Airways?

Interpreter: He said there was a tiger.

His Lordship: I don't think you should translate it as Malayan Airways.

Q. Yes? A. There is a tiger. It is a canvas bag with a tiger.

10 His Lordship: Q. A soft bag? A. Yes my Lord.

Q. And I think he said a kind of airways bag?  
A. Interpreter: I put the question to him whether it is an airways bag, and he said yes.

Q. It would be correct to say on the landing of the mezzanine floor? A. Yes, on the floor of the mezzanine floor.

Q. And did you see thick smoke coming out from that bag? A. I did.

20 Q. And did you hear a hissing sound emanating from that bag? A. Yes.

Q. When you saw that, what did you do? A. I immediately ran to the bank to inform the supervisor.

His Lordship: Q. You ran downstairs?  
A. Yes.

Q. Out of MacDonald House along the 5 footway into the door of the Bank. Is that correct?  
A. Yes.

30 His Lordship: Q. Through the front door?  
A. Yes.

Q. Into the same door through which you had come out? A. Through which I had come out earlier.

Q. You went to see one Mr. Conceicao? A. Yes, George Conceicao.

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Examination  
- continued

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7th October  
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Examination  
- continued

Crown Counsel: Can we have George Conceicao?

Q. Can you identify him if you were to see him again? A. Yes.

Q. And did you tell him what you saw? A. I did.

Q. Is that the gentleman? A. Yes. (George Conceicao produced and identified in Court)

Q. Did he ask you where the jaga was? A. He told me to look for the jaga for him.

Q. And as a result of which did you leave him?  
A. Yes.

10

Q. And you came out of the bank? A. Yes.

Q. To look for the jaga? A. Yes.

Q. Can you tell us what happened? A. As I was pushing the door in order to get out, there was an explosion.

Q. Was it a terrific explosion that shook the building? A. It was. Yes, the glass shattered too.

Q. The glass of what - of the doors or of the ceiling or of what? A. The glass of the door, the ceiling as well as the bulbs, electric bulbs. They were all smashed.

20

His Lordship: Did he agree that it was a terrific explosion?

Interpreter: He did.

Q. Were you injured? A. I was.

Q. Where? A. At the back of my neck.

Q. Where else, if any? A. And some cuts on my back by splinters.

Q. Glass splinters? A. Yes, glass splinters.

30

Q. Later were you sent to the hospital? A. Yes.

Q. Where you were treated for your injuries as an

out-patient? A. Yes.

Q. Do you know your admission number? A. I cannot recall.

Q. Have you got your Admission Card? A. No.

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Examination  
- continued

GOH NAM SOON

(Cross-examination by Mr. Kamil)

Q. Mr. Goh, you told the Court earlier that you were going out through the door in P.2 at 3.00 o'clock. Is that right? A. Yes.

Cross-  
examination

10 Q. How do you know that it was 3 o'clock?  
A. Because that is the daily routine. I finish my work at some time after 2. I collect my money round about that time, about 3 o'clock. I finish collecting my money round about 3.

Q. What was your purpose to go to the Bank?

His Lordship: To collect money from his customers.

Q. Did you see the clock in the Bank? A. I cannot recall, but this is a daily affair.

20 Q. Will you look again at picture 2 and picture 9. You said you were walking somewhere at picture 9 there when you first smelt something?  
A. I was on the steps of the entrance to MacDonald House, the side entrance. It was on the steps of the entrance to MacDonald House, the side entrance.

His Lordship: Were you going into MacDonald House or what? A. Yes, I was. I was on my way to wash my hands.

30 Q. You were on your way into MacDonald House? A. I was on my way into MacDonald House in order to wash my hands.

Q. Where was the place you went to wash? A. On the first floor. The place where I intended to

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Cross-  
examination  
- continued

wash my hands is on the first floor.

Q. How far is this? You see the door herein P.9?

Interpreter: How far is?

Q. The door, from the main door at P.1, P.2?  
A. About a wall from me, my Lord. (indicates wall in Court).

His Lordship: From you? A. Yes, from me.

His Lordship: 27 feet.

Q. You went to the Mezzanine Floor, is it right? 10  
A. Yes.

Q. How high was that from this stop, the down floor step?

Interpreter: You mean from the ground floor?

Q. (Nods his head). A. (Indicates court railing) About the top of the railing, my Lord; or 15 feet.

Q. When did you first see the bag, as you say?  
A. After climbing on to the Mezzanine Floor and having turned a corner, I then first saw this bag which was kept by the side. 20

His Lordship: Which was? A. (Witness demonstrated) Assuming that is the corner. After climbing to the Mezzanine Floor I was turning the corner when I saw this bag by the side of the corner.

Q. How far away is the bag from the place, you first saw it? A. About this table, this corner of this table, Interpreter's table, away from the witness box; about five to six feet. 30

Q. What made you turn to the corner? A. Well, I had to turn a corner in order to climb further stairs up.

His Lordship: To go to the first floor?  
A. Yes.



Q. How was the bag placed? A. It was placed against the wall.

His Lordship: Is it the outer wall of the building or the inside wall? A. It was the staircase wall, my Lord, not the outer wall.

Q. Was it at a conspicuous place? A. No, it wasn't in a conspicuous place. That place was rather dark.

10 Q. Could you describe how dark it was? A. It wasn't very dark, my Lord. It was a little dark, but with the colour, blue colour of the bag placed against that background it is little difficult to spot it. That place has very little people walking past it.

Crown Counsel: Very few people what?  
A. Very few people walking past it.

Q. How - made you spot the bag?

Interpreter: What made you spot?

20 Q. What made you spot the bag? A. The smoke.

His Lordship: With the smoke coming from it?  
A. Yes.

Q. When you saw the smoke, what did you do?  
A. Ran.

Q. That means from that six feet away from the bag you ran away? A. Yes, I ran downstairs.

Q. Did you see anything about the bag? A. It has a Tiger head.

His Lordship: Pardon? A. Bag has a Tiger head.

30

Q. It is printed on its side, is it?  
A. That is so.

Q. How big was the Tiger head? A. About the size of the photograph.

Q. Which photograph? A. In front of me. This is

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Cross-examination  
- continued

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Cross-  
examination  
- continued

the usual bag, travelling bag that is being sold outside.

Q. What was the colour of that Tiger head?  
A. White. The Tiger head printing is white in colour.

Q. Did you see something else about the bag?

His Lordship: Is there anything else apart from the Tiger head? A. That was about all that I saw of the bag. I did not see anything else.

10

Q. There was no handle? A. Yes, it has a handle.

His Lordship: Can you tell us how big is the bag? A. (Demonstrates) Length is about  $1\frac{3}{4}$  feet.

Q. About 2 feet to me. Do you agree, Mr. Seow?

Crown Counsel: I would put it - yes, my Lord,  $1\frac{1}{2}$  to 2 feet.

His Lordship: Yes, and how high is it?  
A. Well, it was then placed on the ground and the height was about 8 inches.

20

Q. How was the handle?

His Lordship: What do you mean by that, Mr. Kamil?

Q. How was the handle placed, handle of the bag? Was it on the ground on on the ---

Interpreter: Was it placed upside down, or the bag?

Q. Can't say.

His Lordship: How was the bag placed?  
A. Well, it was placed on the ground with the handle on top.

30

Q. In other words, you say the bag was placed right side up? A. Yes, that is right. Yes, that is so, my Lord.

Q. Now, the handle was placed, the bag was placed in the right position with the handle on the top, is it right?

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His Lordship: Yes, that is what he said, Mr. Kamil, right side up.

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Q. Yes, this handle, the whole of the handle was placed on the top of the bag, or whether some of it is hanging? A. I cannot recall.

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10 Q. You can't remember. Now, this handle, is it a long type handle or short type one? A. I only saw one short handle.

Cross-examination  
- continued

Q. The part of the handle which you saw: how long is it?

His Lordship: Short, is it? Short handle?

Mr. Kamil: Short handle.

His Lordship: You want to ask him how long is it?

Q. That part which he saw. A. I cannot say.

20 Q. Now, this bag: is it thick or thin, compressed or bulge? A. You mean bulky, or was it ---

Q. Yes. A. (Demonstrates) It was not compressed, but about this big - about 8 inches.

His Lordship: Now, when you looked at the bag, did it convey to you that the bag was filled, half-filled? A. It appeared to me to be half-filled.

Q. What made you think it was half-filled?  
A. Because part of it sank down.

30 His Lordship: You mean part of the top of the bag? A. Yes, the top part of it sank down.

Q. When you describe that the bag was this length just now, which I said was about 2 feet, are you saying that that was only the bottom part, or the whole bag was 2 feet wide? A. The bottom. I was

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Cross-  
examination  
- continued

referring to the bottom length.

His Lordship: How about the top part of the bag? Was it 2 feet in length? What I am asking you is, does the bag narrow at the top? A. It is slightly narrower at the top.

Q. Could it be possible that the bag was not half-filled?

His Lordship: Pardon?

Q. Could it be possible that the bag was not half-filled? A. From what I see I don't think so, although the top part of the bag slightly sank downwards.

10

Q. It is like the travel bag? A. Yes.

Q. The kind of the Airways providing the passengers? A. Yes.

Q. Have you seen a bag like that empty, lying on the ground? A. They sell this outside. I can't remember.

His Lordship: You haven't got a bag like that? A. That is so, I don't have a bag of that kind.

20

Q. You haven't seen them. You can't remember. Could you agree with me that some travelling bags can stand on the ground without being compressed from the top even if they are empty? A. I don't know about this.

His Lordship: Yes, Mr. Kamil, could we get on a bit faster?

Q. Now, after seeing the smoke which one did you see first: the bag first, or the smoke first? A. I saw the smoke first.

30

Q. From where is it?

His Lordship: What Mr. Kamil wants to know is, is it before you turned the corner or after? A. Before, my Lord. As I entered the side entrance, smoke was

coming down from the stairs.

Q. As you were going up, is it? A. As I entered the side entrance, on my way up smoke was coming.

Q. There is no side entrance. That is the entrance to Macdonald House. The other entrance is the Bank entrance. It is the entrance to MacDonald House.

10 Interpreter: Well, I mentioned side entrance in contradistinction to the main entrance to the Bank, if that is ---

His Lordship: I take it the whole building is called MacDonald House, only that part is ---

Crown Counsel: I believe the whole building is called MacDonald House, my Lord.

Q. So you first saw the smoke when you were still on the staircase, is it right?

His Lordship: On the ground floor.

20 Q. On the ground floor.

His Lordship? That is his evidence, Mr. Kamil.

Q. You told the Court this morning that - you ran away when you saw the smoke?

30 His Lordship: That, I think, was after he saw the bag. His evidence is that he was going up the stairs; he smelt something like fire burning. Then he went up the stairs to the Mezzanine Floor, and then he walked along and turned the corner to go up the steps leading to the Floor when he came across the bag with the smoke coming out. That is his evidence.

Q. Could you see from where was the smoke?

Interpreter: Where the smoke came?

Q. Yes.

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Cross-  
examination  
- continued

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Cross-  
examination  
- continued

Interpreter: At which stage - I am sorry,  
please be more precise. At which stage  
when you saw the smoke, can you say?

Q. When you saw it.

Interpreter: For the first time? A. I  
don't know. I could not say.

Q. You went up the stairs. You saw the bag.  
Could you see from where, when you have seen  
the bag, could you tell us where the smoke  
came from? A. The smoke came from the bag.  
It was being emanated from the bag. 10

His Lordship: It was coming out from the  
bag? A. Coming out.

Q. From inside the bag?

Crown Counsel: Well, it is obvious, my  
Lord, if it is coming out from the bag  
it must be from inside the bag.

Q. So, as soon as you saw the smoke and the bag,  
you ran away? A. Yes.

Q. Was it a split second? 20

His Lordship: What Mr. Kamil is asking is,  
for how many minutes did you look at  
this bag? Immediately you saw it, you  
bolted, is it? A. Well, in fact, as  
soon as I stretched out my neck and saw  
the bag with the smoke, then I ran.

Q. That is about a second, is it correct? A. I  
don't know about that.

Q. You say the place was darkish?

His Lordship: Where the bag was? 30

Q. The place.

His Lordship: Where the bag was?

Q. Yes. A. Yes.

Q. How could you see all the things about the bag

when you just saw the thing about a split second like that? A. I was very near the bag.

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Q. Did you suspect anything? A. No, I did not suspect anything, but if there is anything amiss I would look up Mr. George.

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Q. How fast did you run?

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His Lordship: What made you run, then, if you did not suspect anything? A. I saw smoke emanating from the - smoke.

Cross-  
examination  
- continued

10

Q. Smoke can also come from a joss-stick, for all I know; cigarettes. There must be an explanation why you ran down so quickly, isn't it? And yet, when Counsel asked you if you suspected anything, you said you suspected nothing. A. I was afraid. So I ran.

Q. What made you afraid? A. Well, I can't explain it. I got frightened, so I ran.

20

Q. Just because you saw smoke in the bag you got frightened? A. Yes.

Q. And you did not suspect anything? A. I did not; I did not suspect this sort of thing; I am a businessman.

Q. How fast did you run?

Crown Counsel: I think this witness said he ran quite fast.

His Lordship: Q. I suppose you ran as fast as your feet could carry you? A. Yes.

Q. And then you saw Mr. George Conceicao? A. Yes.

30

Q. Who is Mr. George Conceicao?

Crown Counsel: This witness has already identified Mr. Conceicao.

His Lordship: He will be called as a witness?

Crown Counsel: Yes.

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Cross-examination  
- continued

His Lordship: He was in the Bank?

Crown Counsel: Yes, he is a general supervisor.

Q. You knew him well, did you? A. He is working in the Bank and I contacted him.

Q. Then he asked you to find the jaga? A. Yes.

Q. Do you know the jaga? A. I do.

Q. Did you know his place? A. He could be found outside the Bank

Q. Did you run for the jaga? A. I walked very briskly. When I was at the entrance the bomb exploded.

10

Q. You came down running?

Crown Counsel: The witness has said that several times.

Q. You came down running, and why did you not run also to see the jaga?

His Lordship: Mr.Kamil, your cross-examination must be relevant; this sort of cross-examination will go on for some time; I don't know what your instructions are.

20

Mr. Kamil: I don't wish to cross-examine him further.

Crown Counsel: Perhaps I could remind my learned friend; this witness does not implicate his clients in any way whatsoever.

Mr. Kamil: I think I have got my point.

---

GOH NAM SOON

30

Re-examination

Re-examination by Crown Counsel.

Q. Now, apart from the employees of the Bank to whom you serve by selling food, do you sell to



any other employees in that building? A. Yes, I do.

Q. On the other floors as well? A. Yes.

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Questions by Court:

Q. This bag that you saw, have you seen similar bags? A. They sell this sort of bag outside.

Q. In the shops? A. Yes.

Q. You have seen them have you? A. Yes.

Re-examination  
- continued  
Questions by Court

(Witness released)

10

No.25

GEORGE CONCEICAO

GEORGE CONCEICAO

Examination-in-chief by Crown Counsel.  
(Sworn)

No.25  
George Conceicao  
7th October  
1965  
Examination  
(in English)

Q. Your name is George Conceicao? A. Yes.

Q. And you are a Staff Officer of the Hongkong and Shanghai Bank Branch at MacDonald House, Orchard Road, Singapore? A. That is correct.

20

Q. On the 10th March this year at about 2 p.m. you were in the Correspondence Office on the Mezzanine Floor? A. Yes.

Crown Counsel: I propose to lead this witness until such time my learned friend objects.

Q. At that time you were talking to Mrs. Susie Choo? A. That is right.

His Lordship: Mr. Seow, for this purpose you need only show the faces; you can just cover them with a sheet of paper.

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Examination  
- continued

Crown Counsel: As your Lordship pleases.

- Q. Look at P.71 (shown), that is Mrs. Susie Choo?  
A. That is correct.
- Q. Her full name is Susie Choo Kway Hoi? A. That is correct.
- Q. She was a secretary to the Bank? A. That is correct.
- Q. And she occupied the Correspondence Office?  
A. Yes.
- Q. With another girl by the name of Juliet Goh? 10  
A. Yes.
- Q. Who was also another secretary to the Bank?  
A. Yes.
- Q. Would you please look at P.68, does that show Juliet Goh? A. Yes.
- Q. Now, at the time when you were talking to Mrs. Choo, was there one Stamford Bodestyne in that room? A. Yes.
- Q. He is the Assistant Supervisor of the Bank? 20  
A. That is correct.
- Q. This is the gentleman in question (Stamford Bodestyne produced)? A. Yes.
- Q. He was in the room, waiting for Juliet Goh?  
A. That is correct.
- Q. Who was not there? A. that is so.
- Q. And at about 3 p.m. you left the Correspondence Office? A. That is correct.
- Q. And went down to your own desk? A. Yes.
- Q. Which is in the Banking Hall itself? A. Yes.

His Lordship: Q. How do you know it was 3 o'clock? A. I just happened to see my watch, and it happened to be the closing hour of the Bank.

- Q. When you left Mrs. Choo was she still in the room or in the office? A. Yes.
- Q. Now, when you were back at your desk, did one Goh Nam Soon come up to you? A. Yes, he did.
- Q. That was the last witness? A. Yes.
- Q. You know who he is? A. Yes.
- Q. Who is he, can you tell the Court? A. He is a hawker; he sells food in the side lane between Progress Motors and MacDonald House.
- 10 Q. He came up to you and what did he tell you? A. He spoke in Malay and said lot of evil smelling smoke somewhere near the lift.
- Q. Where was that; did you understand where it was? A. He said somewhere near the lift.

His Lordship: Q. Lifts operating which floor? A. Ground floor, mezzanine floor.

- Q. What did he tell you? A. He said somewhere near the lift.

His Lordship: Q. Which floor? A. He did not mention to me which floor.

- 20 Q. Anything else that he told you that you can remember? A. Nothing else.
- Q. What did you say to him in reply, if anything? A. I asked him whether the watchman was anywhere around and whether the watchman knew anything about this smoke.
- Q. Did you tell him what to do, or to do anything? A. I just told him to go along and I will call him later. Immediately I was to follow him.
- 30 Q. What for? A. I told him "You go I will be coming along; I will come along."

His Lordship: Q. To go back? A. I just said "Go back."

- Q. And you would follow him? A. Yes.

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Singapore

No.25

George  
Conceicao  
7th October  
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Examination  
- continued

In the High  
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George  
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7th October  
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Examination  
- continued

- Q. He then left you? A. Yes.
- Q. Did you follow him as you said? A. Yes, shortly after that I got up to investigate what it was all about.
- Q. Can you say how long after he left you? A. Roughly about 30 seconds.
- Q. And what happened? A. The moment I stood up there was an explosion.
- Q. At the moment, could you tell from the sound of the explosion its direction? A. Yes. 10
- Q. From where? A. From the mezzanine floor.
- Q. Was there dust everywhere? A. There were lots of dust and smoke.
- Q. Glasses shattered? A. Yes, and lot of fallen glass, debris, stones, and so on.
- Q. Did you then rush up to the mezzanine floor? A. Yes, I did.
- Q. But you could not get into Mrs. Choo's office? A. I could not get in through the door proper. 20
- Q. Because of the debris? A. Yes because of the debris and filing cabinets.
- Q. Look at P.24, P.25, P.26 and P.27, do they show you the Correspondence Office where Mrs. Choo was when you left her? A. Yes, they do.
- Q. Then with the help of the other Bank staff and the firemen on the scene, did you remove Mrs. Choo and Juliet Goh? A. Yes.
- Q. From underneath the debris? A. Yes.
- Q. You then helped to carry Mrs. Choo down to the ground floor? A. Yes. 30
- Q. Did you feel her pulse? A. Yes, I did.
- Q. Did you feel anything? A. I did not.

Q. You then accompanied her in an ambulance to the General Hospital? A. That is correct.

Q. Was Juliet Goh carried in the same ambulance or in another ambulance? A. She came in another ambulance.

Q. And there at the General Hospital you were told that she had passed away? A. Yes.

His Lordship: Q. Who had passed away?  
A. Mrs. Choo

10 Q. In that same ambulance was one Ramasamy Marimuthu.

His Lordship: Q. When you arrived at the hospital you were told by the Doctor?  
A. Yes, at the hospital.

Q. In the ambulance was Mrs. Choo and Ramasamy Marimuthu? A. Yes.

Q. Marimuthu was a liftman employed by the Bank?  
A. Yes.

Q. And another male Malay? A. Yes.

20 Q. Do you know his name? A. No.

Q. Where does he work? A. He was not a Bank employee; he just happened to pass by.

Q. You do not know him? A. I do not know him.

Q. Now, I want you to have a look at P.80A, that shows the ground floor of MacDonald House; do you recognise it? A. Yes.

Q. You see the Banking Hall right in the centre?  
A. Yes.

30 Q. From the Banking Hall do you go up a flight of steps? A. Yes.

Q. Does that show a flight of steps above the Compradore's Office? A. Yes.

His Lordship: Q. Where is the staircase leading to the mezzanine floor?

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Examination  
- continued

A. Here (indicates).

Q. Will you show it to my learned friend, Mr. Kamil? A. (Witness shows).

His Lordship: That can be marked "A".

Q. Now look at P.80B, that shows the mezzanine floor plan; is that correct? A. Yes.

Q. Now, the mezzanine floor has two offices only, one is the Inward Bills Department, referred to as Bills Office: A. Yes.

Q. And the Correspondence Office? A. Yes. 10

Q. It is described there as "Secretaries"? A. Yes.

Q. Now as you go up the flight of steps you turn right to go into the Correspondence Office or left? A. Right.

Q. The two deceased ladies were the secretaires to the Bank? A. That is correct.

Q. And then, Mr. Conceicao, the two red portions here, that is the wall that separates the Correspondence Office from the landing in the tenanted part of MacDonald House? A. Yes. 20

Q. Incidentally, you yourself were not in? A. No.

Cross-  
examination

GEORGE CONCEICAO

Cross-examination by Mr. Kamil.

Q. That afternoon before three o'clock did you see Mr. Goh Nam Soon, the one who told you about the smoke? A. Before three o'clock I don't remember seeing him.

Q. He did not tell you anything about a bag? A. I don't remember him saying so. 30

Q. Your office can be seen by the public? A. Yes.

His Lordship: Q. The public can see your

desk? A. Yes.

Q. And you can see them from your place? A. Yes.

Q. Can easily be approached? A. Yes.

Q. Did you see that Goh Nam Soon when he first came to you; how did he come to you, walking?  
A. Yes, he was walking.

His Lordship: Q. In a normal way? A. Yes.

No re-examination

(Witnessed released)

10 (At 11.25 Court adjourns for a few minutes)

(Court resumes after short adjournment at 11.38 a.m.)

No.26

AVADH BIHARI RAI

AVADH BIHARI RAI

(Examination-in-chief by Crown Counsel)  
(Affirmed in Hindustani)

Q. Your name is Avadh Bihari Rai? A. Yes.

Q. You are a liftman? A. I am.

20 Q. Employed by the Hongkong & Shanghai Bank?  
A. I am.

Q. And you operate the lifts at MacDonald House, Orchard Road, Singapore. A. I do.

Q. On the 10th of March this year at about 3 p.m., did you relieve a liftman by the name of Shariff? A. I did.

Q. Within a minute or two after you relieved him, do you remember taking two European ladies in your lift up to the 5th floor? A. Yes.

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George Conceicao  
7th October 1965

Cross-examination  
- continued

No.26

Avadh Bihari Rai  
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Examination

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Avadh Bihari  
Rai  
7th October  
1965

Examination  
- continued

Q. Can you identify anyone of those two ladies?  
A. I can't.

Q. They got off at the 5th floor? A. They did.

Q. And then you brought your lift down to the  
ground floor? A. That is so.

Q. You picked up passengers on your way down?  
A. I did.

Q. Now, on your way down to the ground floor, did  
you hear a very loud explosion? A. On the  
5th floor, my Lord, two ladies, two other  
ladies, and a Malay entered the lift. I heard  
a very loud explosion. 10

Q. As your lift was coming down to the ground  
floor? A. That is so.

Q. Did that explosion shake your lift? A. Yes,  
my Lord. The light went out. The lift was  
damaged and certain pieces from the lift fell  
on to my feet.

Q. The light inside your lift went out? A. Yes.

His Lordship: Q. And fell on your feet?  
A. That is so. 20

Q. Is it correct that this happened to you as  
your lift reached the third floor on its way  
down? A. That is so.

Q. The explosion threw all of you down to the  
lift floor? A. That is so.

Q. You sustained slight injuries to the back of  
your right hand and your left thigh? A. That  
is so.

Q. Now, when you breathed in, did you feel any  
sensation? A. When I breathed in, the smoky  
air that I breathed in hurt my nostrils, and  
I felt a coughing sensation. That was the  
feeling I got. 30

Q. Did you feel anything around you? A. No.

Q. Did you feel the heat? A. Yes, somewhat warm.



- Q. Now, is it correct that your lift at that moment jammed on the third floor? A. Yes.
- Q. And the doors of your lift were forced open slightly? A. Yes, that is right.
- Q. Did you force open the door of your lift within a few moments after the explosion? A. Yes, I did.
- Q. And you squeezed your way out? A. That is so.
- 10 Q. And then you assisted the other passengers in your lift out of it? A. I did.
- Q. Then you went downstairs to the ground floor and out into Orchard Road? A. That is so.
- Q. And you went home? A. I did.
- Q. And were not treated at the General Hospital? A. No.

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No. 26

Avadh Bihari Rai  
7th October 1965

Examination  
- continued

AVADH BIHARI RAI

Cross-examination

(Cross-examination by Mr. Kamil)

- 20 Q. Mr. Avadh, how many minutes from the time you first relieved your friend in the lift to the explosion? A. I couldn't tell, because I did not have any watch with me.

- Q. Can you guess?

Crown Counsel: May I submit that that is not a proper question to ask this witness to guess his evidence?

His Lordship: Q. Can you estimate or not roughly? A. I cannot estimate, my Lord.

- Q. But it was not very long? A. I took over at 3 p.m.

- 30 His Lordship: Q. You took over at 3 p.m. We want to know what time did the explosion happen - half-an-hour later or what? A. I am not in a position to say

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Cross-  
examination  
- continued

as to how long it had been from the time  
I took over from my colleague.

Q. Was the lift all the time moving from down-  
stairs to upstairs and from upstairs to down-  
stairs from the first time you took over the  
lift to the explosion? A. Yes. I was taking  
the lift up and down from the time I took  
over. I operated the lift until the time the  
explosion occurred.

Q. Can you remember just approximately how many  
times you went up and how many times you went  
down and then there was an explosion? 10  
A. Maybe about ten times, ten trips, because  
the lift is not left idle even for half a  
minute there.

Q Can you explain usually from the ground floor  
to the upper-most floor how long does the lift  
take?

His Lordship: This man does not operate  
the lift that way. He stops at every  
floor. 20

His Lordship: Q. Have you ever been from  
the ground floor straight up to the top  
floor? A. About two seconds from the  
ground floor right up to the top floor.

Q. How many floors?

Crown Counsel: Eight floors.  
A. About two seconds.

Q. It must be jet propelled? A. He says  
only two seconds if it is taken at  
express speed up. 30

Q. Now, supposing there is a stop at every floor -  
stop, stop, stop - how long will it take?  
A. More than ten minutes.

His Lordship: Q. More than ten minutes?  
A. More than ten minutes.

Q. By the way did you stop during that period,  
did you ever stop at the first floor taking  
passengers?

His Lordship: Q. During the ten trips?  
A. No, my Lord.

Q. You did not stop at the first floor?  
A. No.

Q. What about the mezzanine floor? A. No, my Lord.

Q. Before the explosion did you feel anything inside the lift? A. No, I did not feel anything inside the lift prior to the explosion.

10 Q. Did you smell anything before the explosion?  
A. No, my Lord.

Q. How is your lift? Is it an old type of lift, or what type of lift is it? A. It is an old lift.

His Lordship: Q. I think Mr. Kamil is asking whether it is an open lift or a closed lift? A. It is a closed lift, my Lord.

20 Q. That means when you go up and down, you cannot see outside from the lift? A. No, you can't see anything outside.

\_\_\_\_\_

No re-examination.

\_\_\_\_\_

AVADH BIHARI RAI

(Questions by Court)

His Lordship: Q. In the mezzanine floor, there are no offices. Are there any offices in the mezzanine floor, apart from the Bank?

30 Q. If a person gets into your lift and gets out on the mezzanine floor, can he go to the office without climbing up the stairs? Is there any office there?

Crown Counsel: There is no door. You can't get out at the mazzanine floor, my Lord.

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Avadh Bihari  
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Cross-  
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- continued

Questions by  
Court

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Questions by  
Court  
- continued

His Lordship: There is no lift door?

Crown Counsel: No. A. Now he says the lift  
does not stop there.

Q. Is there a door there? A. There is a  
door, but we are not permitted to stop  
the lift on the mezzanine floor.

Q. You don't know whether there are any  
offices on the mezzanine floor?  
A. There are no offices there as far as  
I know.

Q. What about the first floor? A. There  
are.

10

Witness stands down and is released

No.27

Joan Harrison  
7th October  
1965

Examination

No.27

JOAN HARRISON

JOAN HARRISON (f)

(~~Examination-in-Chief~~) (By Crown Counsel)  
(Sworn in English)

Q. Your name is Joan Harrison? A. Yes.

Q. You live at 5 Corunna Court, West Coast Estate,  
Singapore? A. Yes.

20

Q. You are a housewife? A. Yes.

Q. Can you please speak up a bit louder?  
A. Sorry.

Q. On the 10th of March this year at about 3.02  
p.m. did you arrive at Macdonald House, Orchard  
Road, Singapore? A. I did.

Q. You arrived there with a friend? A. Yes.

Q. Who had a dental appointment? A. My friend  
had a dental appointment.

30

Q. Yes, your friend had a dental appointment, I believe, at 3.20 p.m. that day? A. That is right.

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Court in  
Singapore

Q. It was raining then? A. Yes, it was.

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Q. Now, did you then take a lift up? A. Yes, to the 5th floor.

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Q. You did. Now, as you walked into Macdonald House to take the lift, did you notice anything? A. Just a smell of fireworks, very heavy.

Examination  
- continued

10

Q. You noticed a smell? A. Fireworks.

Q. Of what? A. Smell of fireworks.

Q. Like fireworks? A. Yes.

Q. Now, both of you then got into the lift? A. Yes.

Q. A lift operated by an Indian man? A. That is right.

Q. Can you identify the liftman? A. Well, couldn't swear to it as to which one.

20 Q. I see; in that case can you please tell him to go off?

(Witness in question leaves the Court)

And the liftman brought you up to the 5th floor? A. Yes, that is right.

Q. Where both of you got off? A. (Witness makes an affirmative gesture).

Q. Now, when you noticed a smell like that of fireworks did you make any remark? A. Yes, I remarked to my friend that there was a smell of fireworks, and she remarked it was the smell like a bomb.

30

His Lordship: And she said what? A. It smelt like a bomb.

Q. Of course, at the time you did not realize how

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Examination  
- continued

close she was to the truth? A. No, it was just a talk between the two of us.

Q. Now, when the lift door shut and you ascended up to the 5th floor, did you detect that smell? A. The smell had gone into the lift.

Q. Now, when you got off at the 5th floor, did you notice anything? A. There was just a faint smoke coming from the stairs, but it could have been cigarettes.

10

Q, You cannot say what it was? A. No.

Q. But you did notice smoke coming up from the steps? A. Yes.

Q. When you said that is coming up from the steps - stairs below? A. Well, beside, I take it, it was the stairs, but never ---

Q. Yes, not from the top stairs, but from the bottom stairs? A. (Witness makes an affirmative gesture).

Q. And you, both of you then got into the clinic, the dental clinic? A. Yes.

20

Q. Now, after you had got into the clinic, did you hear anything? A. Not until the bomb went off I heard, like a terrific clap of thunder, and the windows shattered.

His Lordship: And the windows shook?  
A. Windows shattered

Q. And you said what - the windows? A. The windows shattered.

Q. The windows shattered. Would you say how long after you had gone into the clinic that you heard this? A. About two minutes.

30

Q. When that happened, did you see anything? A. No, we just said it was a bomb and decided to leave before we were asked to leave.

Q. You left by the rear staircase, is that correct,

both you and your friend? A. Yes.

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JOAN HARRISON (f)

No. 27

(Cross-examination) (By Mr. Kamil)

Joan Harrison  
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Q. What was your friend? A. A lady.

Cross-  
examination

Q. Oh, a lady? A. Yes.

Q. She was only joking, or did she know the smell?

A. It was a joke, as one of the bombs had already gone off only a few days. And it was a joke between us.

10 Q. But you did not know the smell of bomb?  
A. No.

Q. What about your friend? A. I doubt it.

Q. You don't think? A. Yes.

Q. Thank you. By the way, would you describe the smell of the smoke? A. No.

Q. You cannot? A. I can't. Smell of the smoke, I cannot describe the smell of the smoke. It was just smoke that came out from the lift.

20 Q. You said just now the smell of fire work?  
A. That was the smell that emanated from Macdonald House, not the smell of smoke.

Q. Is it different, the smell of the smoke and the one --- A. Of course, it is like cigarettes.

His Lordship: I take it when you entered Macdonald House you smelt something which you say was smell like fireworks?  
A. Like fireworks.

30 Q. When you got to the top, when you came out? A. There was no smell. There was smoke, but no smell.

His Lordship: No smell, I see, So you saw a bit of smoke coming out? A. A faint

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Joan Harrison  
7th October  
1965  
Cross-examination  
- continued

smoke, which could have been cigarette smoke; it could have been anything.

- Q. What do you mean by smell of fireworks?  
A. Well, it is just like smell of fireworks, like English fireworks.
- Q. Supposing there is fireworks smell, and there is the smell of, say, burning rubber, would it be the same? A. No, the smell is vastly different.
- Q. Vastly different? A. Yes.
- Q. You can distinguish it very quickly? A. Well, yes.

10

Mr. Kamil: Thank you.

His Lordship: Any re-examination?

Crown Counsel: No re-examination, my Lord.

His Lordship: Thank you, Mrs. Harrison.

Crown Counsel: May she be released? Thank you very much, Mrs. Harrison. I am sorry you had to wait so long to give your evidence. A. Quite all right.

20

(Witness stands down)

No.28

Stanford Bodestyne  
7th October  
1965  
Examination

No.28

STANFORD BODESTYNE

STANFORD BODESTYNE

(Examination-in-chief) (By Crown Counsel)  
(Sworn in English)

- Q. Your full name, please? A. Anthony Stanford Bodestyne.
- Q. You are an Assistant Supervisor of the Hongkong & Shanghai Bank Branch, Macdonald House, Orchard Road, Singapore? A. Yes, that is correct.

30



Q. Now, on the 10th of March this year at about 2.45 p.m. were you in the Correspondence Office? A. Yes, I was.

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Q. You were waiting for Juliet Koh? A. Yes, that is correct.

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Q. Can I have that picture?

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(Exhibit is handed to Crown Counsel)

She was not there? A. She was not there.

Examination  
- continued

10 Q. Would you please look at P.68? Does that show Juliet Koh for whom you were waiting? A. Yes.

Q. At the time do you remember George Conceicao was in the Correspondence Room talking to Mrs. Suzie Choo? A. Yes, George Conceicao was present.

Q. He is P.W.15. You had been waiting for Juliet Koh? A. Yes, I was.

Q. In that room? A. In that room.

20 Q. And then you left the Correspondence Office? A. I left shortly after George Conceicao had left the Correspondence Room.

Q. You remember what time it was? A. In my estimation I think shortly after three.

Q. Shortly after three that you left? A. Shortly after three.

Q. To go down to the banking hall? A. to go down to the banking hall.

30 Q. And the only way down to the banking hall was down that flight of steps, is that correct? A. Yes, that is correct.

Q. And on your way down, did you meet Juliet Koh? A. On my way down I met Juliet Koh coming up the steps.

Q. She was on her way back to the Correspondence Office? A. She was on her way back to the

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- continued

Correspondence Room.

Q. You told her that you had returned the file which you had borrowed from her earlier, is that correct? A. Yes, that is correct.

Q. And which you had left on her desk? A. Yes.

Q. It was for that purpose that you waited for her, is that correct? A. Yes, that is correct.

Q. And then you went back to your own office?  
A. I went back to my own office.

10

Q. Later did you hear anything? A. Yes, I heard a very loud explosion?

His Lordship: When? When you got back to your office? A. When I got back to my department.

Q. Was it very loud? A. Loud explosion, yes.

Q. How long after you had met Juliet Koh did you hear this explosion? A. It could be about two or three minutes after I left Juliet Koh.

20

Q. Now, are you familiar with the tenanted part of Macdonald House? A. Yes.

Q. You are. Now can you tell his Lordship whether you can get off the lift at the Mezzanine Floor? A. No, you can't; there is no lift to the Mezzanine Floor.

Q. When you say there is no lift to the Mezzanine Floor, is it correct to say there is no door? A. There is no opening to the Mezzanine Floor to the lift.

30

Q. And one other question: is it correct that the Mezzanine Floor is sealed off completely from the tenanted part of Macdonald House? A. Yes, it is correct.

Q. And that access to the Mezzanine Floor can only be by, through the banking hall of the Bank itself? A. That is correct.

Mr. Kamil: I have no questions.

His Lordship: Thank you, Mr. Bodestyne.

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Singapore

No.28

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Bodestyne  
7th October  
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Examination  
- continued

(Witness stands down)

No.29

RAMASAMY MARIMUTHU

RAMASAMY MARIMUTHU

(Examination-in-chief) (By Crown Counsel)  
(Affirmed in Tamil)

No.29

Ramasamy  
Marimuthu  
7th October  
1965

Examination

Witness: "My name is Ramasamy Marimuthu,  
affirmed in Tamil."

10

Interpreter: "I am a bit deaf," the witness  
says.

Q. That deafness is due to the injuries which you  
sustained in the explosion on the 10th of March  
this year, is it correct? A. That is so.

His Lordship: Where do you live?

Q. You live at 32 Marthoma Road, Singapore?  
(Spelt M-A-R-T-H-O-M-A). A. That is so.

His Lordship: Where is that?

20

Crown Counsel: I am told it is off St.  
Michael's Road. A. Near St. Michael's  
Road.

Q. Now, you are employed as a liftman by the  
Hongkong & Shanghai Banking Corporation at  
Macdonald House, Orchard Road, Singapore?  
A. Yes.

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No.29

Ramasamy  
Marimuthu  
7th October  
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Examination  
- continued

Q. On the 10th of March this year at about 3 p.m. were you on duty? A. Yes.

Q. At about that time were you on the ground floor? A. Yes, in the lift.

Q. Whilst there did you smell anything? A. Yes, I smelt something like the smell of fire-crackers.

Q. When you say smell of fire-crackers, do you mean of burning fire-crackers? A. Yes.

Q. As a result of that did you come out of your lift? A. I did not come out, but I looked out from the lift. 10

Q. I see. And can you tell this Court what did you see, if anything? A. I saw smoke.

Q. Where was the smoke coming from? A. It came from upstairs.

Q. Upstairs where? A. From upstairs in the way of the staircase from my left.

His Lordship: Down the staircase, is it?  
A. Yes. 20

Q. Isn't that so? That is what he is trying to say - very involved way of saying? A. That is right, yes.

His Lordship: Down the stairways, is it, coming?

Q. Coming down the stairways? A. Coming down the staircase.

His Lordship: On your left? A. On my left.

Q. Well, you saw smoke. Did you go up the stairs to find out what it was - or rather, what was the cause of the smoke? A. No, I did not. I wanted to go up by the lift, but by the time the smoke was intense and I started coughing. 30

His Lordship: You wanted to go up by the lift in order to go and investigate, is that what you say? A. To investigate

the cause of the smoke.

- Q. Did you go up in the lift to investigate?  
 A. I remember closing the door of the lift, that is all I remember. Then I became unconscious. I regained consciousness only after I had reached ---

His Lordship: "I remember closing the door to the lift." That is all you remember? A. Yes, I became unconscious because of the smoke. I regained consciousness only after arriving at the hospital.

- Q. It was quite thick, is it - the smoke?  
 A. Yes. I had never seen such smoke in my life.

- Q. All you remember was you shut the door with the intention of going up to investigate?  
 A. Yes.

- Q. And you became unconscious - or rather, put it this way: you recovered consciousness at the General Hospital? A. Yes, it was night then. It was about night then, about 8 p.m.

- Q. When you recovered consciousness? A. Yes.

- Q. And you found yourself in Ward 7 of the General Hospital? A. Yes.

- Q. Did you receive cuts on your left leg, on your head, on your forehead? Is that correct? A. Yes.

- Q. You had bruises on your back? A. Yes, I lost my teeth also.

- Q. Your lost your set of false teeth?

His Lordship: You lost some of your teeth, is that right? A. My false teeth was lost, and my natural teeth became shaky.

- Q. You also were injured in your left eye?  
 A. Yes, they left a permanent scar, a black spot on my eye.

In the High  
 Court in  
 Singapore

No. 29

Ramasamy  
 Marimuthu  
 7th October  
 1965

Examination  
 - continued

In the High  
Court in  
Singapore

No.29

Ramasamy  
Marimuthu  
7th October  
1965

Examination  
- continued

Q. As a result of which you are still undergoing treatment at the General Hospital? A. Yes, I have a card with me: on the 5th my ear was X-rayed.

His Lordship: The 5th, you said?

Q. The 5th of which month? A. On the 5th of October, my Lord.

Q. That is, two days ago? A. Yes.

His Lordship: Your ears were X-rayed?  
A. My ears were X-rayed.

10

Q. Now, is it correct you were admitted, or rather your admittance number is 16038?  
A. Yes, my admission number was 163038.

Q. Can you tell this Court when were you discharged from hospital? A. It must be here, the discharge certificate is here. I can't read it.

Interpreter: Here it is stated on the 22nd of March, 1965 - discharged on.

Q. You were discharged and, as you have told us, you are still undergoing treatment as an outpatient?

20

His Lordship: What date is it? A. 22nd of March, 1965. Yes, after that I had been continuously receiving treatment.

Q. Right up to now? A. Yes.

Q. I understand now you have to wear glasses, is that correct? Spectacles? A. Yes, I was told that I must wear spectacles, and I just bought one.

30

Q. Which you need not have to use before the 10th March? A. No, I did not before that.

Q. What about your hearing aid now? A. I have to buy one; I don't have the money.

No cross-examination.

(Witness released)

No. 30BARRY O. DONNELIn the High  
Court in  
Singapore

BARRY O. DONNEL

No. 30(Examination-in-chief by Crown Counsel.)  
(Sworn)Barry  
O. Donnel  
7th October  
1965Examination  
(In English)

Q. Your name is Barry O. Donnel? A. Yes.

Q. You are an Administrative Attache to the  
Australian High Commission, MacDonald House,  
Orchard Road, Singapore? A. That is correct.10 Q. On the 10th March this year at about 3.05 p.m.  
where were you? A. At that time I had gone  
to the lift landing in the foyer of the second  
floor, MacDonald House, just before the  
Australian Commission.Q. Which is where the Australian High Commission  
is situated? A. That is correct.Q. You had pressed the lift button to call for  
the lift? A. Yes.

Q. With the purpose of going down? A. Yes.

20 Q. And can you tell us what happened after that?  
A. After pressing the lift button I turned  
round and almost immediately I heard a very  
loud explosion.Q. What happened to you? A. I was thrown about  
10 feet into the offices of the Commission.  
From there I scrambled into the office and got  
up to my office at the Australian Commission,  
and there were lot of dust and smoke and  
broken glass also in the office.30 Q. You found the chairs and tables of the  
Commission broken and thrown about? A. Yes,  
and the partition being blown down. The front  
door of the office had been blown completely  
into the office.Q. The window bars and the panes were shattered?  
A. Yes.

In the High  
Court in  
Singapore

No. 30

Barry  
O. Donnel  
7th October  
1965

Examination  
- continued

- Q. You sustained a few bruises on your back?  
A. Yes on my back a few bruises.
- Q. Will you please look at P.50, does that show the entrance to the Australian High Commission? A. Yes, that is looking from out of the office.
- Q. This is taken from the Australian High Commission looking towards the left foyer?  
A. yes.
- Q. And shows part of the door? A. Yes, that is one-half of the swing door which was blown off in the explosion. 10
- Q. Did you suffer some shock? A. Yes, slight shock. I think that is the normal reaction.
- Q. After you had recovered from your shock, what did you do? A. I went downstairs, one floor below, to the first floor but there was broken rubble.
- Q. Were you able to get there? A. No, I went down by the rear inside. 20
- Q. Did you manage to get down by the rear?  
A. With quite a bit of luck, by opening grills and so on I got through the rear part.

Cross-  
examination

BARRY O. DONNEL

Cross-examination by Mr. Kamil

- Q. When you pressed the button of the lift what was the time? A. Shortly after three o'clock.
- Q. You looked at your watch? A. Well I did not specifically look at my watch.
- Q. Could it be before that, you did not see your watch? A. I did shortly before I left the office. 30
- Q. What time was it? A. It was about three minutes to three. I remained in the office.



Q. You remained a little while in the office?  
A. Yes.

In the High  
Court in  
Singapore

No. 30

No re-examination.

(Witness released)

Barry  
O. Donnel  
7th October  
1965

Cross-  
examination  
- continued

No. 31

ZAINAL BIN KASSIM

ZAINAL BIN KASSIM

No. 31

Zainal Bin  
Kassim  
7th October  
1965

Examination-in-chief by Crown Counsel.

(Affirmed)

Examination  
(In Malay)

10 Q. Your name is Zainal bin Kassim? A. Yes.

His Lordship: Q. Where do you live?  
A. 34, Fernhill Road, Singapore.

Q. You are an office assistant employed by the  
Australian Commission? A. Yes.

Q. At MacDonald House, Orchard Road, Singapore?  
A. Yes.

Q. You are in the clerical staff? A. Yes.

Q. On the 10th March this year just a few minutes  
past 3 p.m., did you return to MacDonald House?  
A. Yes.

20 Q. It was raining at that time? A. It was  
drizzling.

Q. In fact you arrived outside MacDonald House  
in a car? A. Yes.

Q. And you ran into the lift in MacDonald House?  
A. Yes.

In the High  
Court in  
Singapore

No.31

Zainal Bin  
Kassim  
7th October  
1965

Examination  
- continued

Q. As you entered the lift what happened? A. I heard the sound of an explosion.

His Lordship: Q. As soon as you entered?  
A. Yes.

Q. What happened to that lift? A. It was smashed?

Q. What happened to that lift; did it drop?  
A. Yes.

Q. Into the basement? A. Yes.

His Lordship: Q. Is that the right lift or  
the left lift? A. The one on the left.

10

Q. And you lost consciousness? A. Yes.

Q. When you regained consciousness, did you find yourself lying in the lift? A. In the basement covered with dust and debris.

His Lordship: Q. On the floor of the lift?  
A. Yes.

Q. And you managed to crawl out? A. Yes.

Q. You were injured on the back of your head?  
A. Yes.

20

Q. In your left shoulder and on your back?  
A. Yes.

Q. And in your leg? A. Yes.

Q. When you got out you were assisted by the staff of the Australian High Commission? A. Yes.

Q. Who brought you to the General Hospital?  
A. Yes.

Q. Where you were warded in Ward No.7? A. Yes.

Q. Is it correct your admission number is 163050?  
A. I cannot remember.

30

Q. Have you got your Admission Card with you?  
A. I don't have it here.

Q. You were discharged from the General Hospital on the 15th of March? A. Yes.

In the High Court in Singapore

ZAINAL BIN KASSIM

No.31

(Cross-examination by Mr. Kamil.)

Zainal Bin Kassim  
7th October 1965

Q. It was drizzling that day? A. Yes.

Examination - continued

Q. It was not the kind of rain which would stop people from going out in a normal way?

Cross-examination

His Lordship: Q. Was it a heavy drizzle or what? A. It was drizzling; it was not heavy.

10

Q. Were you able to walk about on the road? A. Yes.

Q. People could walk about even in a storm; were people walking about? A. I did not see.

Q. But it was not the kind of rain which would discourage people from going out of the house? A. It is not because of the rain people cannot walk.

20

His Lordship: Q. Was it the sort of rain where people would take shelter and not walk about? A. When the rain is heavy naturally people will not be walking about.

Q. I am not talking about that; you said there was a drizzle? A. In a drizzle people can walk about.

No re-examination

Questions by Court:

Questions by Court

30 Q. Did you notice a lying man whether he was an Indian or a Malay or a Chinese? A. He was an Indian.

(Witness released)

In the High  
Court in  
Singapore

No. 32

KUPUSAMY KADIREVELU

No. 32

Kupusamy  
Kadirevelu  
7th October  
1965

Examination  
(In Tamil)

KUPUSAMY KADIREVELU

Examination-in-chief by Crown Counsel.  
(Affirmed)

Q. Your name is Kupusamy Kadirevelu? A. Yes.

Q. And you live at 104 Peck Siah Street,  
Singapore? A. Yes.

Q. You are a tamby employed by Lee Wee Thin  
Import Export Co., Ltd.? A. Yes.

10

Q. Which has its office at MacDonald House, first  
floor? A. Yes.

Q. On the 10th March this year at about 3.10 p.m.  
were you standing outside your office?  
A. I was inside my office.

Q. Not outside? A. No.

Q. At that time did you hear a loud explosion?  
A. Yes.

Q. The sound of which came from the direction of  
the staircase? A. Yes.

20

Q. Did you see a flash and smoke filled the whole  
of your office? A. Yes, I fell down.

His Lordship: Q. I take if you were near  
the door, you were inside but near the  
door? A. Yes, I was near the door.

Q. You lost consciousness? A. Yes.

Q. And when you recovered consciousness you found  
yourself in Ward No.7 at the General Hospital?  
A. Yes.

Q. Is it correct that you suffered from a  
fractured left clavicle; is that correct?  
A. Yes there was a fracture on my shoulder.

30

Q. And then your pelvis was also fractured?  
A. Yes.

Q. I suppose you were then in a state of shock?  
A. I did not know anything; I fell down and the Manager came.

Q. Where, to see you in Hospital; is that right?  
A. Some people came from the Bank and helped me out from the place where I was lying.

Q. You were told or were you conscious of that?  
A. I was not fully unconscious; I could remember small things.

Q. Semi-conscious? A, Yes.

Q. You were discharged from the General Hospital on the 24th March this year, a fortnight after? A. Yes, I was discharged on the 24th March from the hospital.

Q. Now, your admission number is 163037; is that correct? A. I cannot remember.

Q. Have you got your admission Card there with you? A. I left it at home. I have not brought any papers about my admission.

No cross-examination.

No re-examination

(Witness stands down)

Mr. Kamil: My Lord, tomorrow is Friday; may the Court adjourn at 12 for Friday prayers?

His Lordship: Very well.

(Court adjourns to 9.30 a.m. - 8.10.65)

In the High  
Court in  
Singapore

No. 32

Kupusamy  
Kadirevelu  
7th October  
1965

Examination  
- continued

10

20

In the High  
Court in  
Singapore

No.33

YEO SUAN KIM

No.33

Yeo Suan Kim  
8th October  
1965

Examination

YEO SUAN KIM

(Examination-in-chief by Crown Counsel)  
(Sworn in Mandarin)

- Q. Your name is Yeo Suan Kim? A. Yes.
- Q. You live at No.9 Lorong 12, Geylang, Singapore.  
A. Yes.
- Q. You are a student at the Trinity College?  
A. Yes. 10
- Q. You are studying to be a Pastor? A. Yes.
- Q. On the 10th of March this year at about 3 p.m.  
were you walking along Orchard Road? A. I  
was.
- Q. On the way to the bus stand near the Sin Sin  
Furniture shop. Is that right? Look at  
P.1? (Exhibit shown to witness) A. Yes,  
I do, my Lord.
- Q. And you were walking to the bus stop shown in  
P.1, just in front of the bus stop? A. Yes. 20
- Q. You were coming from the direction of  
Clemenceau Circus to the bus section? A. In  
fact, that is quite correct, but, in fact, I  
came out from this lane, from the Trinity  
College, which is behind MacDonald House.
- Q. You came out from this lane then? Look at P.8?  
Is that the lane you came out of? A. It is  
the other lane in between Borneo Motors and  
some other road.
- Q. Oldham Lane? A. I don't know the name of the  
lane. 30

His Lordship: The lane between Borneo  
Motors and Century Motors is called  
Oldham Lane.

Crown Counsel: Yes, it is.

Q. Look at P.81? (Exhibit shown to witness) You see Century Motors in P.81. You came out from that lane, Oldham Lane, and then you walked past Spot Radio, Pacific Dry Cleaners and Far East Motors? A. Yes.

In the High  
Court in  
Singapore

No.33

Q. Your geography of Singapore is not very good. In other words you have to pass MacDonald House to get to the bus stop? A. That is so, my Lord.

Yeo Suan Kim  
8th October  
1965

Examination  
- continued

10 Q. When you came up to MacDonald House, did you see anything? A. When I came up to where the lift was, the elevator lift was, I noticed smoke coming from that direction.

Q. You saw smoke coming out from that direction? A. Yes.

Q. Did you notice whether there were any persons watching? A. I noticed what appeared to me to be a watchman in his local custom dress shining a torch.

20 Q. Did you see some persons about? A. That watchman was shining at something with his torch in his hand outside the lift, and beside him there were a few other persons with him.

Q. When you saw that what did you do? A. Just at that point as I was looking in that direction, a loud explosion occurred.

30 Q. You were walking past MacDonald House, you saw smoke coming out, you saw some people about, you were curious and you stopped, did you, to look? A. I did not stop. No, I did not stop. In fact, I was still walking, and as I looked in the direction of the lift, I saw a watchman and some other persons.

Q. A person whom you take to be the watchman? A. Yes, and the explosion occurred.

40 Q. And then what happened to you? A. I felt numb all over my body. I only realised that I had been showered with glass splinters when I was in hospital and told by the Doctor.

In the High  
Court in  
Singapore

No. 33

Yeo Suan Kim  
8th October  
1965

Examination  
- continued

Q. In other words, you had no recollection of what had happened. All you remember was an explosion and that was all?

His Lordship: Q. When you heard the explosion, you lost consciousness. That is what Mr. Seow was putting to him?

A. No, that is not so. What I mean is after the explosion, although I was numbed all over my body, I was still conscious. I was aware that people were yelling around me.

10

Q. And then? A. I was still standing, but I had become weakened, and I fell on to the ground. Later on a Doctor came to see me, or to inspect me.

His Lordship: Q. At the spot. A. On the spot where I fell.

Q. Later a Doctor attended to you? A. Yes.

His Lordship: Q. Where you fell? A. Where I fell.

20

Q. Did you have any recollection of anything else? A. No, when the Doctor came to attend to me, he told me not to be afraid, that he was a Doctor and that he came to save me.

Q. Where was this - at the General Hospital? A. When the Doctor told me, spoke to me, I had already been moved to a place, but I don't know where.

Q. Did you pass out at any time? A. No, I never passed out at any stage.

30

Q. Later you were taken to the General Hospital? A. Yes.

Q. Where you were admitted to Ward 7? A. I believe it was Ward 10. It was an emergency ward.

Q. Your admission number is 163034? A. I did not notice the number.



Q. Weren't you told to bring your admission card along? A. (Witness refers to card) 163034.

In the High Court in Singapore

Q. You were discharged from the hospital on the 29th of March, some nineteen days after that? A. I remember round about that. I was there for about three weeks.

No. 33

Yeo Suan Kim  
8th October  
1965

Q. You sustained injuries on your head? A. Yes.

Q. Your face? A. Yes.

Examination  
- continued

Q. Both on your arms and on your legs? A. Yes.

10 Q. Just now you were trying to show us your arms? What was it that you were trying to show us? Do you mean the scars on your injuries? A. (Witness shows left arm)

Q. Both arms? A. Mainly on my left arm. There is a little bit on my right arm.

---

No cross-examination by Mr. Kamil

(Questions by Court)

Questions by Court

His Lordship: Q. Look at photograph No.9? (Exhibit shown to witness) Is this the entrance to MacDonald House you were talking about? A. Yes. That is so. In fact, I was standing on the 5 footway at the centre of the entrance.

20

---

(Witness stands down and is released)

In the High  
Court in  
Singapore

No. 34

SENIN BIN HAMAWI

No. 34

Senin Bin  
Hamawi  
8th October  
1965  
Examination

SENIN BIN HAMAWI

(Examination-in-chief by Crown Counsel)  
(Affirmed in Boyanese)

Q. Is your name spelt SENIN BIN HAMAWI? (Crown  
Counsel spells out name)

A. Interpreter: He does not read.

Q. Have you got your identity card with you?  
A. Yes. (Witness produced identity card)

10

Interpreter spells out name from identity  
card - SENIN BIN HAMAWI.

Q. You live at No.268-M Khiam Hock Road?  
A. Yes.

Q. You are a driver employed by the Cycle &  
Carriage Co., Ltd., Orchard Road? A. Yes.

Q. On the 10th of March, 1965, some time in the  
afternoon, do you remember standing in front  
of a new Plymouth car at the Display Room of  
your company? A. Yes, my Lord.

20

Q. When you heard an explosion? A. Yes, I  
heard it.

Q. You then ran to the back of your company?  
A. I fell down.

Q. You got up and you ran inside? A. I collapsed  
there.

His Lordship: Q. You lost consciousness or  
what? A. I was semi-conscious.

Q. And did you realise that you had been injured?  
A. I did not realise that.

30

Q. And when did you realise that you had been  
injured? A. When I got up I saw blood  
streaming down; until I saw blood.

Q. You got up and tried to run to the back?

His Lordship: Q. You saw blood where?

Crown Counsel: Running down his back.

A. On the side. (Witness indicates right side of body)

Q. You got up to run inside? A. I did not run.

His Lordship: Q. You went to the back?

A. No.

10 Q. You were subsequently taken to the General Hospital? A. Yes.

Q. Where you were warded in Ward 7? A. Yes.

Q. Your admission number is 163049? A. I have forgotten the number.

Q. Have you got your admission card? A. I haven't got it here.

Q. Weren't you told to bring it today? A. I was not told.

Q. And you were discharged the next day on the 11th of March? A. Yes, my Lord.

20 Q. You had been injured on the right side of your back? A. Yes.

---

No cross-examination  
(Witness stands down and is released)

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No. 35

TAN BEE GEOK

TAN BEE GEOK (f)

(Examination-in-chief by Crown Counsel)  
(Affirmed in English)

Q. Your name is Tan Bee Geok? A. Yes.

In the High Court in Singapore

No. 34

Senin Bin Hamawi  
8th October 1965

Examination  
- continued

No. 35

Tan Bee Geok  
8th October 1965

Examination

In the High  
Court in  
Singapore

No. 35

Tan Bee Geok  
8th October  
1965

Examination  
- continued

Q. You live at No.429-7 Jalan Rumah Tinggi, Singapore? A. No, I am not living there. I have removed.

Q. Where are you living now? A. I am living at 12C Yiong Siak Street.

Q. Your occupation? You are unemployed? A. I am working with my father.

Q. As what? A. I am helping my father.

Q. As what?

His Lordship: Q. Assisting your father?  
A. Yes.

10

Q. Office assistant? A. Anything, I do general work.

Q. At that time you were unemployed, or you were not doing anything? A. I was doing something.

Q. Any way, the point is on the 10th of March, you were staying at No.429-7 Jalan Rumah Tinggi, Singapore? A. Yes.

Q. On the 10th of March, 1965, at about 3 p.m., did you come out of motor car SU9003? A. Yes.

20

Q. The car had then stopped in front of Progress Motors? A. Yes.

Q. And after you had got out of the car, you were walking towards the Far East Motors? A. Yes.

W. Were you walking on the 5 footway or on Orchard Road itself? A. On the 5 footway.

Q. When you got out of the car, did you walk on the 5 footway? A. There was some sort of a dust bin blocking me, so I walked up Orchard Road and then I walked in.

30

Q. Were you walking along the 5 footway or on the road? A. It was on the road when the explosion happened. After the explosion, I ran away.

Q. You were on the road when the explosion took

place? A. Yes.

Q. When you heard the explosion, did you turn around to look? A. Yes.

Q. What did you see? A. The whole building was very smoky when I looked back.

Q. Was MacDonald House very smoky? A. Yes.

Q. You were there and we were not there. Can you please tell us what you saw and what happened to you? Now, as you did so, were you hit on your head by falling debris? A. Yes.

Q. Which caused you to be giddy, and you collapsed on the road? A. I ran inside Far East Motors.

Q. What did you do when you were hit on the head? A. So I ran inside Far East Motors, and then I was unconscious.

His Lordship: Q. You were hit on the head, and you ran into where? A. I ran inside Far East Motors.

Q. And you collapsed there? A. Yes.

Q. And you were later taken to the General Hospital? A. Yes, and there I regained consciousness.

Q. At the General Hospital? A. Yes.

Q. And you found yourself in Ward 43? A. Yes.

Q. Your admission number is 163035? A. that I am not very sure.

Q. Have you got your admission card with you? A. No.

Q. And you were discharged the next day? A. Yes.

In the High Court in Singapore

No. 35

Tan Bee Geok  
8th October  
1965

Examination  
- continued

No cross-examination by Mr. Kamil.

In the High  
Court in  
Singapore

No. 35

Tan Bee Geok  
8th October  
1965

Questions by  
Court

(Questions by Court)

His Lordship: Q. Do you know where the debris came from? Did they come from MacDonald House, or you don't know?  
A. It was coming from the sky.

Q. You don't know where they came from?  
A. Yes.

Witness stands down and is released.

No. 36

Ishar Singh  
8th October  
1965

Examination

No. 36

ISHAR SINGH

10

ISHAR SINGH

(Examination-in-chief by Crown Counsel)  
(Affirmed in English)

Q. Your name is Ishar Singh? A. Yes, Corporal 1137.

Q. Attached to Joo Chiat Police Station? A. Yes.

Q. On the 10th of March, 1965, I believe you were off duty? A. I was, my Lord.

Q. And at about 3.07 p.m. you were in Progress Motors workshop at Orchard Road? A. That is correct. 20

Q. You were talking to some friends of yours there? A. I was.

Q. When you heard a very loud explosion next door? A. Yes, my Lord.

Q. As a result of which you rushed out? A. Yes.

Q. At the time you did not know where it was? A. I did not know, my Lord. I came out from the workshop.

Q. You rushed out from the workshop to Orchard Road and you saw that smoke was coming out of MacDonald House itself? A. That is correct. 30

Q. And in front of the entrance to the lift of MacDonald House, did you see a man lying face downwards by the side of the road divider?  
A. I did.

In the High  
Court in  
Singapore

Q. I want you to have a look at P.4, P.5 and P.6? (exhibits shown to witness) Could you tell his Lordship where you saw that man lying? Do those photographs show the spot? A.No, my Lord, they don't show the road divider.

No.36

Ishar Singh  
8th October  
1965

Examination  
- continued

10 Q. Will you run through the photographs? What about P.1? Does that show it? A. P.1 shows it, my Lord.

Q. Would you indicate to his Lordship? A. My Lord, there was a man lying abreast of the road divider near the road sweeper in the photograph in P.1.

Q. The man with a broom? A. That is correct.

Q. And how was he lying - parallel to MacDonald House? A. He was abreast the road divider, parallel to the road divider.

20 His Lordship: Q. How far from it? A. I don't know, my Lord, not very far.

Q. It couldn't be very far? A. About a foot or two.

Q. About a foot? A. Yes.

Q. Did you go up to him? A. I went up to him, my Lord.

Q. And you found that he had multiple injuries on both his legs? A. Yes.

30 Q. Did you notice also that he had some injuries behind his left ear? A. Yes, my Lord.

Q. And that he was bleeding profusely? A. Yes, my Lord.

Q. I want you to have a look at this man in the other photographs - P.73, P.74 and P.75? I have covered this one. Is that the man you saw? (Photographs shown to witness) A. This

In the High  
Court in  
Singapore

No. 36

Ishar Singh  
8th October  
1965

Examination  
- continued

is the man I saw lying on the road, my Lord.

Q. Turn over to the next page, photograph 74?  
That is another view of him? A. Yes, my Lord.

Q. The same person? A. Yes.

Q. Now, did you carry him or leave him? You left  
him where he was? A. I left him on the road.

Q. In addition to that person, did you see two  
other bodies on Orchard Road? A. Yes, my  
Lord, in front of MacDonald House, the lift.

His Lordship: Q. Two other bodies were  
lying on the road? A. Two Chinese, male  
Chinese.

10

Q. There were two male Chinese? A. Yes.

Q. Were they conscious, or semi-conscious, or  
what? A. They appeared to be dazed, my Lord.  
They were lying on the road.

Q. They were then lying by the side of a Holden  
Station Wagon? A. Yes.

Q. And I think you noticed they were both in grey  
uniform? A. That is correct.

20

Q. And you helped to carry those two persons to  
the 5 footway of Progress Motors? A. That is  
correct.

Q. Pausing there for a while, I want you to have  
a look at P.6? (Exhibit shown to witness)  
That is the Holden car in question? A. The  
black one, my Lord.

Q. That is the one? A. This one.

Q. Now, you see that same car in P.5, and it is  
on the rightside up? It is on its four wheels.  
At the time when you saw it, where was it?  
A. When I came out to the road, this car, the  
engine, was facing the left of MacDonald House.  
The front was facing the entrance to MacDonald  
House, and the rear was facing the car park of  
Cycle & Carriage.

30



Q. And was it on its rightside up, or had it turned on its side? A. It was on its right-side up like this. This is not the right position.

His Lordship: Q. It was upright? A. Yes.

Q. When you saw it, can you remember was it lying on its side with its wheels in the air?

A. As far as I saw it, it was lying as it is in this photograph, but the other way round.

10 Q. In other words, it would block the flow of traffic? A. It would block the flow of traffic.

His Lordship: Q. It was across the road?

A. It was across the road.

Q. Do you know who moved this car to this position as shown in P.6? A. Some firemen when they came.

Q. You saw them carrying the car? A. Yes.

Q. Or moving the car? A. Yes.

20 Q. Will you again look at P.4? You see this car SS3793? A. Yes.

Q. Now, can you remember when you came out, did you see a driver in this car? A. Yes, my Lord.

Q. He was sitting behind the wheels? A. That is right.

Q. What was his condition when you saw him? A. He appeared to have no injuries, but was in a state of shock.

30 Q. In a state of shock? A. Yes.

Q. He just sat there immobile? A. He just sat there immobile.

Q. And you helped to bring him out of the car? A. That is right.

Q. After you had done that, did you go into

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Macdonald House? A. I did, my Lord.

Q. Where you helped to remove the body of the male Indian? A. I did, my Lord.

Q. From the entrance of the left limb? A. From the entrance of the left limb.

His Lordship: Left limb, was it? A. Yes.

Q. From the left limb. He was an Indian? A. Yes.

Q. Was he conscious or was he unconscious? A. He was not conscious.

10

Q. After that you went up to the Mezzanine Floor? A. Yes, my Lord.

Q. And then, together with some others, you helped in the rescue of two ladies? A. Yes, my Lord.

Q. Whom you later found to be Mrs. Suzie Choo and Juliet Koh? A. Yes.

His Lordship: Two Chinese Ladies, is it? A. Two Chinese ladies.

Q. They were buried right underneath the debris? A. They were buried underneath the debris.

20

His Lordship: They were both buried under the debris, is it? A. That is right, my Lord.

Cross-  
Examination

ISHAR SINGH

(Cross-examination) (By Mr. Kamil)

Q. Mr. Singh, you said you heard the explosion at 3.07 p.m.? A. Yes, my Lord.

His Lordship: Is that correct? A. I was asked ---

30

Q. He said yes.

His Lordship: Is that correct? A. that

was correct, my Lord.

- Q. Did you look at your watch at that time?  
A. My Lord, as a matter of fact, I was playing with my watch then.

His Lordship: What? A. I was then playing with my watch in the workshop - I can't pronounce its make. But the people in the workshop thought my watch had an alarm. So I took it out and we were looking at it.

- Q. And you took it off, is it? A. That is right, my Lord, I took it off.

Q. You showed it to them? A. We were looking at the watch, and I was telling them that there was no alarm when I saw the time was 3.07.

- Q. And you noticed the time, is it? A. I noticed the time, my Lord.

- Q. You were in plain clothes or in ---  
A. I was in plain clothes, my Lord.

- Q. So you were there not officially? A. No, my Lord.

Q. Not officially. Do you remember at what time the official police officer came? A. I don't.

- Q. Did you notice them coming? A. My Lord, may this question be repeated?

Q. Did you notice them, this - the first police officer, or officers come to the scene?  
A. No, my Lord.

- Q. But afterwards there were policemen? A. There were policemen.

Q. When did you first notice them? A. I do not remember the time, my Lord. Everybody was hurt over there. I was helping when these policemen came.

- Q. Just after? A. I think so.

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Q. Shortly, or long time? A. There were many police officers; I was not able to say who came and at what time.

Q. No, no. I am not asking about the time. First time you noticed any one of them?  
A. I think maybe about two or three minutes later there were police officers.

His Lordship: Two or three minutes after the explosion, is it? A. Yes, my Lord, radio cars had already arrived there.

10

Q. Were the public allowed to be there on the scene? A. I did not pay much attention to that.

Q. When did you leave the scene? A. When the Federal Reserve Unit came and everybody had been removed.

His Lordship: You left the scene when the Federal Unit came, is it? A. Yes, my Lord.

Q. And what? A. Everybody had been removed, and all the sick people had been removed to hospital.

20

Q. All injured people had been removed?  
A. Yes, my Lord.

Q. What time was it? A. I don't know the time, my Lord.

Q. Did you notice whether public cars were allowed to pass that Orchard Road before you left the scene? A. I did not notice.

Q. So you do not know whether the road had been blocked or not? A. The road was blocked.

30

Q. The road was blocked? A. The road was blocked.

Q. By whom? A. I do not know by whom, my Lord.

Q. When you say that the road was blocked, does it mean that the public vehicles were not allowed to pass? A. I did not pay attention

to the public vehicles, my Lord, but the road was blocked.

Q. Where was the road block? A. I do not know, my Lord. I do not know.

His Lordship: How do you know the road was blocked? Is it because you did not notice vehicles moving up and down, or what? Or did you notice there was a policeman at one end stopping traffic and diverting traffic? A. I did not pay attention whether there was traffic moving along the road.

Q. You see, the point is that you keep on saying the road was blocked, the road was blocked. Mr. Kamil asked you: do you know? A. The road was blocked.

Q. How do you know? A. I later came to know the road was blocked when I left the place from the workshop of Progress Motors, and went to Dhoby Ghaut, where I saw a policeman diverting traffic. But standing at Macdonald House, I did not know the road was blocked.

His Lordship: Dhoby Ghaut junction?  
A. That is right, my Lord.

Q. Could you say whether the road was blocked from both sides? A. I am unable to say that.

Q. At what time - if you know- the Police Reserve first came?

His Lordship: Mr. Kamil - "both sides"?  
Do you mean both sides of the road, or do you mean both ends?

Q. Both ends. A. I do not know, my Lord.

Q. You do not know about the Reserve Unit?  
A. I do not know.

Q. You said something about the Reserve Unit just now, do you remember? A. No.

Q. When they came, did you see any Reserve Unit then? A. I saw Reserve Unit.

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Q. Did you see them coming? A. I just noticed them there. I did not see them coming.

Q. When did you first notice them? A. When I came down from Macdonald House.

Q. So that was the first time you saw them? A. That is right, my Lord.

Q. So you spent some time in Macdonald House, is that right? A. Yes, my Lord.

Q. How long, can you say, approximately? A. I cannot say.

10

Mr. Kamil: Thank you.

Crown Counsel: No re-examination, my Lord.

His Lordship; Thank you.

Crown Counsel: May he be released?

His Lordship: Yes.

Crown Counsel: Thank you very much, Corporal.

(Witness stands down)

No.37

Mohd Yusof  
Bin Sukiman  
8th October  
1965

Examination

No.37

MOHD YUSOF BIN SUKIMAN

MOHD YUSOF BIN SUKIMAN

20

(Examination-in-chief) (By Crown Counsel)  
(Affirmed in Malay)

Witness: "Mohd Yusof bin Sukiman, affirmed in Malay".

Q. SC.2855? A. Yes, my Lord.

Q. Attached to the Marine Police? A. Yes, my Lord.

Q. Now, do you have a cousin by the name of Yasin bin Kassim? A. Yes, my Lord.

Q. (Spelt) Y-A-S-I-N; bin Kasim? A. I have a  
cousin by that name.

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Q. And look at P.73. (Witness is shown photograph).  
Is that the photorgaph of him? A. Yes, my  
Lord.

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Q. Now, do you know that he was employed as a  
driver by the Malaya-Borneo Building Society?  
A. Yes, my Lord.

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10

Q. Incidentally, he is - what? Yasin or Yasmin?  
A. Yasin. (Spelt) Y-A-S-I-N.

Examination  
- continued

Q. And of Macdonald House, Orchard Road,  
Singapore? A. Yes, my Lord.

Q. Now, when he was alive, is it correct he  
stayed at 60-A Anamalai Avenue, Bukit Timah?  
A. Yes, my Lord.

His Lordship: Lived at - 16-A?  
A. -A, Anamalai.

20

Q. Or Anamalai Avenue Bukit Timah. And he was 43  
years of age at the time of his death?  
A. Yes, my Lord.

Q. Later, did you identify his body to Inspector  
Lim Swee Fong? A. Yes, my Lord.

Mr. Kamil: No question..

His Lordship: Thank you, Yusof. He is  
released.

Crown Counsel: Much obliged, my Lord.

(Witness stands down)

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No.38

CHRISTOPHER CLIFTON

No.38

Christopher  
Clifton  
8th October  
1965  
Examination

CHRISTOPHER CLIFTON

(Examination-in-chief) (By Crown Counsel)  
(Sworn in English)

Q. Your name is Christopher Clifton, is that  
right? A. Yes, Sir.

Q. You are a Sergeant, Ammunition Technician,  
attached to No.2 Detachment? Is that your  
full designation? A. It is.

10

His Lordship: Attached to?

Crown Counsel: No.2 Detachment, Ammunition  
Inspectorate. What is it - Malaysian  
Infantry Brigade.

Q. Now, on the 10th of March this year at about  
4 p.m. on instructions, did you proceed to  
Macdonald House, Orchard Road.? A. I did.

Q. Where you inspected the scene of the  
explosion, is it correct? A. That is correct.

Q. Accompanied by Inspector Lim Choon Mong, who is  
outside? A. Correct.

20

Q. And other police officers and, I believe, also  
Mr. Godfrey?. A. Correct.

Q. Can we get both of them identified: Inspector  
Lim Choon Mong and Mr. Godfrey?  
You inspected the damage done to Macdonald  
House? A. I did.

(Witnesses, Godfrey and Lim, produced)

Q. That Mr. Godfrey? A. Mr. Godfrey.

Crown Counsel: Your full name, please?

30

Witness: Stanley Humphry Godfrey.

Crown Counsel: Thank you very much. Wait  
outside. (Witness leaves the Court)



Q. And Inspector Lim Choon Mong? A. Inspector Lim Choon Mong.

Crown Counsel: Your name, Inspector?

Inspector: Lim Choon Mong, my Lord.

Crown Counsel: Thank you.

(Inspector leaves the Court)

Q. And others, as you said, inspected the scene and the damage, and would you look at P.23?

(Exhibit is shown to witness)

10 Did you find this crater? A. 23, you say?

Q. P.23, on the passageway of the landing of the Mezzanine Floor? A. Yes, I did.

Q. That was the crater you found? Now, on your way up through the staircase, up to the Mezzanine Floor, were you able to detect any smell? A. I detected this what I thought was the smell as I entered the building.

20 Q. Then, as you entered the building? A. As I entered, as I came into the area in front of the lift ---

Q. That would be - would you please look at P. you entered by the entrance shown in P.9, is that right? Please look at it. A. Yes, I did.

Q. Look at P.15. A. I should say in that area.

Q. You were able to detect a smell of what? A. What in my opinion was a nitroglycerine base explosive.

30 His Lordship: Smell of what? A. A nitroglycerine base explosives.

Q. Nitroglycerine base, is it?

Crown Counsel: Yes, explosives.

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- continued

- Q. As a result of your examination of the scene and damage to the building, would you be able to tell this Court how many pounds of explosives of that group could have been used?  
A. I estimated between 20 and 25 pounds.

His Lordship: 20 to 25 pounds of nitroglycerine, is it? A. No, my Lord, of ---

- Q. Now, at that time, is it correct to say that there was no evidence that you could find as to the method of explosives, its initiation, is it? A. I beg your pardon, my Lord? 10

His Lordship: What is the question, Mr. Seow?

Crown Counsel: At the time, my Lord, he could find no evidence as to the method of initiation.

A. That is correct.

- Q. That is to say, how it was lighted up?  
A. Correct. 20

- Q. Now, Sergeant Clifton, we now know from Goh Nam Soon, a hawker, that he went up just along the staircase, he saw a bag, lots of smoke coming out of it and he heard a hissing sound when he came up to the landing on the Mezzanine Floor. What does that suggest to you, if what he says is correct.

His Lordship: Wait a minute - is the Sergeant aware of the evidence of this man? 30

Crown Counsel: No, I am putting it to him, my Lord.

- Q. Witness has told us that just before the explosion he smelt something like tyre burning - anyway, to him - and he went up to investigate. He went up the stairs and he came round to the Mezzanine Floor and he saw a bag from which thick smoke was pouring out and he heard a hissing sound. A. That, to me, would signify --- 40

Q. What does that suggest to you? A. That would signify that safety fuse or a burning fuse had been used as a means of initiation for the main explosive.

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His Lordship: Would you say that again, because I was busy recording. "Smelt something like tyre burning. He saw a bag from which he saw smoke was coming out and he heard hissing sound"?

10 Crown Counsel: That is right, my Lord. And what does that suggest to him?

Examination  
- continued

His Lordship: Yes, what is your answer?  
A. It would signify to me, my Lord, that either safety fuse or a burning fuse.

Crown Counsel: A safety or a burning fuse, my Lord. A. Had been used as a means of initiation.

20 Q. As opposed to a time device? A. As opposed to a time device.

Q. Just one question: on this question of safety device. Can you just explain to this Court what do you mean by a safety fuse or a burning fuse? A. A safety fuse or a burning fuse is a length of cord which - containing a train, normally a gunpowder train.

His Lordship: Gunpowder? A. Train.

30 Q. Train? T-R-A-I-N (spelt out)?  
A. Train - T-R-A-I-N (spelt out), which goes through the centre of the cord. This, according to the type of the make-up, the exact make-up of the train, determines the burning type.

Q. What I want to get clear from your evidence, Mr. Godfrey, is: would it be correct to say that the length of the fuse would give you the margin of time for the person who initiates it to get away from it? A. Yes, I would say so.

40 Q. And that would be - what? Depending on the length of the fuse, that is two minutes?

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Examination  
- continued

A. Length, and also type of fuse.

Q. That is what you mean by safety fuse?

A. Safety fuse; safety margin.

Q. After the person had lighted it, to get away from it, usually you go on about - what? Five minutes' duration? A. I do not think, we cannot give really specific - it depends on the individual.

Q. But, whether it is light enough, to make sure that he can get away from it before it explodes? A. Exactly.

10

His Lordship: That is on the Chemistry side.

Crown Counsel: Yes, I think we should get it down on record.

Cross-  
examination

CHRISTOPHER CLIFTON

(Cross-examination) (By Mr. Kamil)

Q. When you say that you smelt somewhat like the smell of Nitroglycerine explosive, what do you mean by that? A. Well, assuming that different types of explosives and having come across certain explosions I said I smelt what, in my opinion, was nitroglycerine base. The atmosphere - the smell in the air - to me meant that.

20

Q. So explosives have different compositions? A. Yes, many.

Q. Is nitroglycerine - is it a kind of gas? A. Well, it comes in different forms.

Q. Now, when you say that it is nitroglycerine, it seems to be nitroglycerine base explosives, is it? Any explosive of that kind which uses fuses? A. I am sorry about it - I don't quite understand your question.

30

Q. You have just heard just now that you say that there is a safety fuse. Now, that will give a time that the explosive will explode because

when the end of the fuse will --- A. The end of the fuse does not set off the explosive; there is something else. An explosion is a chain of events.

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Q. Now, what can you say about the explosive which was used?

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10

His Lordship: You mean to say the end of the fuse does not set off the explosive? Some other device? A. There is a detonator at the end of the fuse, my Lord.

Cross-  
examination  
- continued

Q. It is the detonator which sets off the explosives? A. That, yes, my Lord.

Q. What do you mean by detonator? A. Detonator? Detonator is one of the items that comprise this chain that I am talking about. You have - the best ways I can put it is to put it in similarity to a fire: you have a match, paper, wood, charcoal, - one thing boosting up the other in time. You cannot have one without the other. That means ignition. So you have your fuse. Your fuse, through heat, ignites the composition. Then the detonator, which is sensitive. It explodes in order to burn, exploding the main mast.

20

Q. So the detonator must be burnt first? A. Not burnt.

Q. Activated? A. Activated, yes activated.

30

Q. Supposing the fuse, - say, this is the explosive? A. Yes.

Q. Now, the fuse, you coil it on the explosive. Then you burn the fuse. Will it deflect the detonator straight away?

His Lordship: Sorry, Mr. Kamil. I can't hear you.

Q. If there is an explosive, the fuse is together with the coil on the explosive - not the explosive, the fuse. Then we burn the fuse. Will it deflect immediately upon the detonator? A. Well, it depends, you see. The fuse is

40

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- continued

coiled around.

Q. Just put, instead of put in lengthwise, you put in an alarm? A. Yes, where is that detonator inserted? Into the explosives?

Q. I do not know. Supposing the detonator is together with the explosive - the whole together - what happened?

His Lordship: What Mr. Kamil is after is: he says that if the fuse is coiled on the top of the explosive and the fuse burnt, would the heat from the fuse ignite or activate the detonator? That is what he is after.

10

Crown Counsel: Prematurely.

His Lordship: Yes, prematurely. A. I appreciate that, but it depends on how it is coiled, the position of the detonator. If it is coiled closely together, I should say the heat could very well affect it when it got to the end of the fuse, but you would still have a certain amount of delay. The detonator must be at one end of the fuse. You don't sort of put the detonator on the fuse. It goes on the other end, which you light.

20

Crown Counsel: No re-examination, my Lord.

Questions by Court

CHRISTOPHER CLIFTON

Questions by the Court:

His Lordship: I have got one question to ask. Now, you said here you estimated that about 20 to 25 pounds of explosive --- A. Yes, my Lord.

30

Q. Was used to cause that damage. Now, what I want to find out from you is: 20 to 25 pounds - how big would that parcel be? A. Again, my Lord, it would depend on the type of explosive. It is

possible to get 8-oz. cartridges, 4-oz. cartridges, 100-kilogramme blocks, 200, 400, 1-lb. - one cannot really say without actually knowing what the explosive was.

Q. But can it be so big that you can't put it into a bag which is 2 feet at the bottom, at the base? A. I doubt it.

Q. It could go in, or it couldn't? It could go in, small enough, is it? A. Yes.

His Lordship: Yes, thank you.

Crown Counsel: May he be released, my Lord? I believe this witness wants to return to Saba, is that correct? A. It is correct.

His Lordship: Yes. A. Thank you, my Lord.

Crown Counsel: Thank you very much, Sergeant Clifton.

(Witness stands down)

No. 39

STANLEY MONTAGUE GODFREY

STANLEY MONTAGUE GODFREY

(Examination-in-chief) (By Crown Counsel)  
(Sworn in English)

Q. Your name is Stanley Montague Godfrey, is it? A. Yes.

Q. And you stay on the top of the Hongkong & Shanghai Bank Branch, Macdonald House, Orchard Road, Singapore, is that correct? A. Yes.

Q. You are the Property Manager of the Bank? A. Property Manager.

Q. Although you stay at Orchard Road, your place

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- continued

of work is at Collyer Quay? A. Yes.

Q. Now, on the 10th of March this year at about 3.15 p.m. at the Hongkong & Shanghai Bank, Collyer Quay, Singapore, did you receive information that there had been an explosion at Macdonald House? A. Yes, I did.

Q. As a result of which you proceeded there?  
A. Yes.

Q. And you arrived there, I believe, at about 3.25 p.m.? A. Yes.

10

Q. Upon arrival there, did you enter the Banking Hall? A. Yes, I did.

Q. I think it will be easier if I take you through your evidence of the various damage which you found and leave out which you have not --- A. Yes.

Crown Counsel: My Lord, this witness will give evidence purely on the damage to the building. I propose to lead him throughout.

20

His Lordship: Yes.

Q. You entered the Banking Hall, and you found part of the wall of the Correspondence Office on the Mezzanine Floor had collapsed, had collapsed on to the internal staircase?  
A. That is correct.

Q. And there was a hole?

His Lordship: There was a what?

Crown Counsel: A hole, my Lord.

Q. Through the ceiling of the Compadore's Office? A. That is correct.

30

Q. Almost every window in your Banking Hall had been broken? A. Yes.

Q. And the light fittings damaged? A. Yes.

Q. As you entered the Banking Hall, did you see a



number of injured persons there? A. Yes, I did.

Q. They were receiving treatment? A. They were.

Q. I believe at the time you made a very superficial inspection of the Banking Hall, is that correct? A. That is correct, yes.

Q. And then you went out into Orchard Road again? A. Yes.

10 Q. And you went round it into what has been described as the tenanted part of Macdonald House? A. That is correct.

Q. Where you found the damage to be more severe? A. Yes.

Q. Inside the lift foyer you found it was deeply piled with rubble? A. It was very deeply piled.

His Lordship: Of what - the ground floor, is it? A. Ground floor, right.

20 Q. And at the time you were there I think you saw one badly injured person? A. That is correct, yes.

Q. Can you remember what race he was? A. He was Indian.

Q. Indian? A. Yes.

Q. Did you recognize him? A. Not at first, no. He was covered in dust and, well, I thought he was dead and paid no attention to him. But fortunately he has recovered.

Q. Do you know who he is? A. Yes.

30 Q. He is one of your liftmen? A. One of my liftmen.

Q. Ramasamy Marimuthu? A. That is correct, yes.

Q. And you noticed the staircase by the side of the right lift to be also deeply piled with rubble? A. Yes.

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- Q. Which you climbed over? A. That is correct, yes.
- Q. And you went up the stairs to the Mezzanine Floor level? A. Yes.
- Q. Where you found the wall separating the Correspondence Office from the staircase had collapsed? A. Yes.
- Q. Pausing there for a while, Mr. Godfrey, there is no access to the Correspondence Office by that staircase, is that correct? A. That is correct. 10
- Q. You have to go through your Bank? A. You get to the Correspondence Office only through the Bank.
- Q. Only through the Bank? A. Yes.
- Q. That is through the ground floor? A. Yes.
- Q. And going up through what you have just described a moment earlier, through the internal staircase? A. That is correct, yes.
- Q. Yes, at the time you noticed members of the Fire Brigade were removing the rubble and debris in the Correspondence Office when you reached there? A. Yes. 20
- Q. To extricate two persons who were trapped underneath it? A. Yes.
- Q. Those two persons: do you know who they were? A. Yes.
- Q. They were your two Secretaries? A. They were, yes.
- Q. Mrs. Suzie Choo and Miss Juliet Goh? A. Yes. 30
- Q. Did you accompany the Bomb Disposal - or expert, that is Sergeant Godfrey, the last witness? A. Yes, I did.
- Q. To locate the point at which the explosion occurred. A. Yes.

Q. Which was determined as being adjacent to the parapet wall on the Mezzanine landing of the staircase in close proximity to the next flight of stairs up to the first floor? A. That is correct, yes.

His Lordship: It was found to be where?

Crown Counsel: Adjacent to the parapet wall on the Mezzanine Floor of the staircase.

10 Q. Pausing there, the staircase in question is the staircase you use to go up through the tenanted part of Macdonald House? A. That is correct.

Q. Not the internal staircase? A. No.

Q. Which is in close proximity to the next flight of stairs up to the first floor?

His Lordship: In close proximity?

Crown Counsel: To the next flight of steps up to the first floor.

Q. That was all you did? A. Yes.

20 Q. Correct? A. Correct, yes.

Q. On the 11th of March, 1965, you made a more detailed survey of the damage to Macdonald House? A. Yes.

Q. Incidentally, we are not quite sure - when we refer to Macdonald House, does it refer to the entire building? A. It is the entire building, yes.

30 Q. We have been using it as referring to two separate buildings actually Macdonald House refers to your Bank, to that part, to that tenanted part? A. I would make it a little easier to identify if you call Macdonald House the Bank Chambers, that is the tenanted part, and the other part of the Bank.

Q. So, Macdonald House Chambers? A. Yes.

Q. Right, on this side you found on the ground

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- continued

floor, the Banking Hall, a hole through the ceiling of the Compradore's Office? A. Yes.

Crown Counsel: This is his more detailed survey the next day.

- Q. Immediately below the point of explosion?  
A. Yes.
- Q. You found your wooden partition bent out of shape? A. Yes.
- Q. This wooden partition is where - in the Compradore's Office? A. That is correct, yes. 10
- Q. And you found, as you told us a moment earlier, the wall, one wall of the Compradore's Office had collapsed on to the internal staircase? A. Yes.
- Q. And the staircase balustrade was damaged?  
A. Yes.
- Q. Now, the wall of the Correspondence Office separating it from the main staircase, the upper part of the building had collapsed into the street? A. Yes. 20
- Q. Is it Orchard Road? A. Yes.
- Q. The main staircase to the upper part that is tenanted, the tenanted part of MacDonald House? A. Yes.
- Q. It collapsed into Orchard Road? A. Yes.
- Q. And the outer wall had bulged out towards Orchard Road? A. Yes.
- Q. The metal windows were twisted? A. Yes.
- Q. And the metal frames broken? A. Yes. 30
- Q. Still on the ground floor, the entrance to MacDonald House Chambers? A. Yes.
- Q. You found both the outer walls forming the corner of the building had bulged outward?  
A. Yes.

- Q. And the bronze frame entrance door buckled?  
A. Yes.
- Q. I now want you to look at the photographs;  
will you please look at P.9, that is the  
entrance? A. That is the main entrance through  
the chambers.
- Q. And the bronze frame entrance doors and frame  
buckled, that is shown in P.14? A. Yes.
- Q. And one lift totally destroyed? A. Yes.
- 10 Q. Would you turn to the next page, P.15?  
A. Yes, left hand lift.
- Q. The front wall of the lift shaft had collapsed?  
A. Yes.
- Q. And its rear wall had bulged outward? A. Yes.
- Q. Coming on to the mezzanine floor you found  
there was a hole in the landing through to the  
Compradore's Office below? A. Yes.
- Q. Look at P.21, is that the one? A. No, that is  
standing on the mezzanine floor level.
- 20 Q. Looking up to the first floor, photograph P.23,  
there is a hole in the landing? A. Yes.
- Q. Which is also, incidentally, the point of  
explosion? A. Yes.
- Q. And the wall of the Correspondence Office  
totally damaged, that is shown in P.28?  
A. Yes.
- Q. And part of the wall of the Bank mezzanine  
floor demolished? A. Yes.
- 30 Q. That is also shown in P.28? A. Yes on the  
right hand side.
- Q. Part of the Bank Property Department also  
demolished? A. Yes.
- Q. Is that exactly in the centre of P.28?  
A. Yes, exactly in the centre of the picture.

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Q. And the wall on the left is also demolished?  
A. Yes.

Q. That is also shown in P.28? A. Yes.

Q. That is to the left of the damage you just mentioned? A. Yes.

Q. Now we go onto the first floor; you found the outer walls, the corner of the building had bulged outwards? A. Yes.

Q. That is shown in P.29, slightly shown there?  
A. Yes.

10

Q. Which is above the first window? A. That is correct.

Q. And the doors to both lifts blown outwards?  
A. Yes.

Q. And that is shown in P.45? A. That is correct.

Q. And the front wall of the lift shaft buckled and partly demolished? A. Yes.

Q. Which is also shown in the same photograph?  
A. Yes.

Q. And the floor of the office occupied by Lim Wee Pheng Co., Ltd., and the floor in the corridor partly blown upwards? A. Yes.

20

Q. And all partitions dividing the floor into separate offices badly damaged? A. Yes.

Q. The floor on the left demolished? A. Yes.

Q. And the staircase slightly damaged? A. Yes.

Q. And the straight wall demolished? A. Yes.

Q. Now we come to the second floor; the walls forming the corner of the building had bulged outwards? A. Yes.

30

Q. And the floor of the left foyer buckled upwards? A. Yes.

Q. That is shown in P.49? A. That is correct.

- Q. And the doors of the lifts also blown outwards?  
A. Yes.
- Q. And the entrance doors to the office of the Australian High Commission had been blown into the office? A. Yes.
- Q. As shown in P.50? A. Yes.
- Q. And the doors to the rear staircase had been damaged? A. Yes.
- 10 Q. We now move on to the third floor; you again found the outer walls forming the corner of the building bulged outwards? A. Yes.
- Q. And the doors of the lift blown outwards as shown in P.51? A. Yes.
- Q. The lift was damaged and stuck in the shaft just within the floor level? A. Yes.
- Q. That is the right lift? A. Yes.
- Q. The lift nearer the photograph? A. Yes.
- Q. And the outer wall of the lift shaft had bulged? A. Yes.
- 20 Q. And the alluminium frame partition forming the offices occupied by the Metal Box Co. had buckled? A. Yes.
- Q. And the doors damaged? A. Yes.
- Q. Incidentally, would ypu please look at P.52, that is an office on the third floor?  
A. That is the entrance to the office of the Metal Box Co., Ltd.
- 30 Q. Now coming to the fourth floor, you again found the outer walls forming the corner of the building had bulged outwards? A. Yes.
- Q. And the lift doors blown outwards? A. Yes.
- Q. As shown in P.53? A. Yes.
- Q. And the walls and the lift shaft had bulged?  
A. Yes.

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Q. And the doors to the tenanted offices damaged?  
A. Yes.

Q. Now, from the 5th to the 8th floors you found  
all the lift doors blown outwards? A. Yes.

Q. As shown in P.54, P.55, P.56, P.57, and P.58?  
A. Yes.

Q. That is part of the lift doors? A. Yes.

Q. And you found the front doors to both flats on  
the 8th floor badly damaged? A. Yes.

Q. Is that where you were staying? A. Yes.

10

Q. The doors were blown open? A. Yes.

Q. And the locks were damaged? A. Yes.

Q. Now we come to the next lift; there is a lift  
for goods? A. Yes.

Q. You found the landing doors on the ground  
floor were slightly bent? A. Yes.

Q. Approximately 75 per cent of all the windows  
on the ground floor of MacDonald House were  
broken? A. Yes.

Q. And 40 per cent of the windows on the main  
staircase wall were broken? A. Yes.

20

Q. What was the cost of repairs? A. Approximately  
\$250,000.

Q. It has been completely repaired? A. Not  
completely; the lifts have not yet been  
reinstalled.

Q. One last question, Mr. Godfrey, the damage was  
as photographed when you arrived, when you  
examined on the 10th? A. Yes.

Q. Right up to P.58, is that correct; they all  
refer to MacDonald House? A. That is correct.

30

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No cross-examination.



His Lordship: I have not quite gathered where the point of explosion was. Could you clear that point, Mr. Seow.

In the High Court in Singapore

Further questions by Crown Counsel.

No. 39

Q. Would you please look at P.80 A and B; they show the ground and mezzanine floors plan of MacDonald House? A. Yes.

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Q. The architects of which were Messrs. Palmer and Turner? A. Yes.

Examination - continued

10 Q. Would you look at P.80B; can you indicate the point of explosion on the photograph? A. Yes (indicates). Part of the drawing that is marked upper part on the left hand side there is a square which represents the damage outside the building.

His Lordship: Could you mark a cross on the plan? (Witness marks a cross in ink).

(Witness released)

No. 40

No. 40

20 LIM CHOON MONG

Lim Choon Mong  
8th October 1965

LIM CHOON MONG

Examination-in-chief by Crown Counsel.  
(Affirmed)

Examination (In English)

Q. Your name is Lim Chin Mong? A. Yes.

Q. You are an Inspector of Police attached to the Special Investigation Section of the C.I.D.? A. Yes.

30 Q. On the 10th March, 1965, at about 3.30 p.m. were you informed of a bomb explosion in MacDonald House, Orchard Road, Singapore? A. Yes.

Q. Whereupon you proceeded immediately to the scene? A. That is correct.

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No. 40

Lim Choon  
Mong  
8th October  
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Examination  
- continued

Q. You arrived there at about 3.45 p.m.? A. Yes.

Q. And you found that almost all the windows of MacDonal House and the glass panels of nearby shops had been shattered? A. Yes.

Q. And Orchard Road in front of MacDonal House was strewn with debris? A. Yes.

Q. And motor vehicles which were parked nearby were damaged? A. Yes.

Q. When you entered the Banking Hall of MacDonal House you noticed the wall clock had stopped at 3.07 p.m.? A. Yes, 3.07 o'clock.

10

Q. Will you look at P.35? A. Yes, this photograph shows the wall clock.

Q. Together with Segt. Clifton and Mr. Godfrey and others you surveyed the building? A. Yes.

Q. And you inspected a corridor on the landing of the mezzanine floor as in P.23? A. Yes.

Q. Then you collected bits of debris around this crater in P.23? A. Yes.

Q. Which you marked MAC.1-5? A. Yes.

20

Q. Into five separate bundles? A. Yes.

Q. And these are the bits of debris collected in five separate groups? A. These are the five bundles.

(Five bundles admitted Ex.P.82 A-E)

Q. On the 11th March this year at about 11 a.m. did you hand Ex.P.82 A-E to the Senior Chemist, Lim Chin Hua, at the Department of Chemistry for analysis? A. Yes.

Q. On the 2nd April, 1965, at about 12 noon, did you receive from the Senior Chemist, Lim Chin Hua, his report? A. Yes.

30

Q. On his examination No.S2515/65? A. Yes.

- Q. And you collected back P.82 A-E? A. Yes.
- Q. That same day at about 2 p.m. and at about 2.30 p.m., respectively, did you serve a copy of the said report on Harun bin Said (No.2 accused) and Osman bin Haji Mohd. Ali (No.1 accused)? A. Yes.
- Q. Who acknowledged receipt of the same? A. Yes.
- Q. This is the report which you served on him? A. Yes.

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Examination  
- continued

10 Crown Counsel: May that be marked for identification?

(Chemist report marked P.83 for identification)

- Q. Now, would you look at this; is this the acknowledgment by No.2 accused? A. Yes, this is the receipt I obtained from No.2 accused.

(Receipt admitted - Ex.P.84-A)

- Q. And this is the acknowledgment you received from No.1 accused? A. Yes.

(Receipt by No.1 accused - admitted - Ex.P.84-B)

20 Q. Will you please read out Ex.P.83?

His Lordship: Have you anything to say about its admission, Mr. Kamil.

Mr. Kamil: I have nothing to say.

His Lordship: You have no objection?

Mr. Kamil: No, my Lord.

(Witness reads Ex.P.83)

"DEPARTMENT OF CHEMISTRY

1st April, 1965.

Lab.No.(S) 2515/65

REPORT UNDER SECTION 424 OF THE CRIMINAL  
PROCEDURE CODE, 1955

30

I, Lim Chin Hua, Senior Chemist, Singapore, do

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hereby certify that at 11-00 a.m. on the 11th day of March, 1965, there were handed to me by Insp.Lim Choon Mong five exhibits unsealed and marked "MAC 1" to "MAC 5" respectively.

I found the exhibits to be:

"MAC 1" ... Pieces of cement and stony material.

"MAC 2" ... One piece of stony material which appeared to be marble.

"MAC 3" ... One piece of stony material which appeared to be marble.

"MAC 4" ... (i) One piece of worked metal.  
(ii) One piece of wood  
(iii) Pieces of cement.

"MAC 5" ... Slabs of stony material which appeared to be marble.

10

On analysis I was able to detect nitrite and nitrate on the pieces of cement and stony material "MAC 1" and pieces of cement "MAC 4 (iii)", but no chlorate, perchlorate, potassium, sulphide, thiocyanate, picric acid, T.N.T. or esters of nitric acid. These findings are consistent with the products of explosion of the high explosive type (T.N.T., nitroglycerine, nitrocellulose, etc.).

20

I was able to detect only traces of nitrite on the rest of the exhibits.

After examination the exhibits were sealed "Chief Chemist, Singapore," and handed together with this Report to Insp. Lim Choon Mong at 12 noon on 2.4.65.

30

(Sgd.) Lim Chin Hua.  
Senior Chemist, Singapore.  
The Commissioner of Police,  
Singapore."

(Chemist Report admitted - Ex. p.83)

No cross-examination.

(Witness released)

No.41

RONALD GAN CHOON CHENG

In the High  
Court in  
Singapore

No.41

RONALD GAN CHOON CHENG

Examination-in-chief by Crown Counsel

(Sworn)

Ronald Gan  
Choon Cheng  
8th October  
1965

Examination  
(In English)

Q. Your name is Ronald Gan Choon Cheng? A. Yes.

Q. You are an Inspector of Police attached to the C.I.D.? A. Yes.

10 Q. On the 10th March, 1965, at about 4.30 p.m. did you arrive at MacDonald House, Orchard Road, Singapore? A. Yes, I did.

Q. You were assigned the task of recording particulars of vehicles that were damaged in and around the vicinity of the explosion? A. Yes.

Q. And you began going round recording particulars? A. Yes.

Q. Have you the particulars in your diary? A. Yes.

20 Q. Which you made at the time in question? A. Yes.

Q. Can you give us the particulars of the cars?

His Lordship: Q. Is that your diary?  
A. Yes, this is the official diary.

Q. What is the number of the first vehicle? A. First vehicle SH. 3385.

Q. Where was it? A. It was parked in front of the International Bar, 22/24, Orchard Road, Singapore.

30 Q. What was the extent of the damage to this vehicle? A. The front windscreen was broken and the bonnet was slightly dented.

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Choon Cheng  
8th October  
1965

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- continued

Q. And the next vehicle? A. The second vehicle SU 4511; it was parked in front of 37 Orchard Road. The extent of damage: front windscreen broken, bonnet was slightly dented.

Third vehicle SL 6214; it was parked in the car park opposite MacDonald House. The extent of damage: front windscreen was shattered.

Fourth vehicle SU 1123; it was also parked at the car park. The extent of damage: front windscreen broken. 10

Fifth vehicle SL 4346; it was also at the car park. The extent of damage: front windscreen broken.

Sixth vehicle SP 408; it was also in the car park. The extent of damage; the side windscreen on both rear and front doors were broken.

Seventh vehicle SK 5971; it was also at the car park. The extent of damage: the front windscreen broken. 20

Eighth vehicle SK 1325; it was parked opposite MacDonald House along Orchard Road. The extent of damage: the front windscreen broken, the right side of body was dented, the right mudguard and bumper were also dented, and the right front and rear tyres were punctured.

Ninth vehicle SK 2982; it was also parked opposite MacDonald House along Orchard Road on the other side facing Orchard Circus. The extent of damage: the window glass and windscreen were broken, the rear windscreen was dented, and both the front and rear doors on the right side of the body were dented by glass splinters; both tyres on the front were punctured. 30

Tenth vehicle SK 1261; it was also parked along Orchard Road. The extent of damage: front windscreen on the right side of the window glass was broken. 40

Eleventh vehicle SL 4832; it was also parked in front of the Associated Auto Co., 41/43 Orchard Road. The extent of damage: the front and rear windscreens were broken.

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Twelfth vehicle SL 3052; it was also parked in front of 41/43 Orchard Road. The extent of damage: front and rear windscreens were broken.

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10 Thirteenth vehicle SK 7773; it was also parked in front of 41/43 Orchard Road. The extent of damage: rear door on the right and mudguard were dented by glass splinters.

Examination  
- continued

Fourteenth vehicle SS 8008; it was parked in front of Cycle and Carriage Co., Ltd. The extent of damage: its front fender and right front door were dented.

20 Fifteenth vehicle SS 3793; it was parked directly in front of MacDonald House, Orchard Road. The extent of damage: its front and the rear windscreens were shattered.

Sixteenth vehicle SP 9057; it was also parked directly in front of MacDonald House. The extent of damage: its windscreen was broken, and the body of the car, including the top and the sides were dented by glass splinters.

30 Seventeenth vehicle SK 6640; it was parked in front of Hongkong and Shanghai Banking Corporation, Orchard Road, Singapore. The extent of damage; the top portion of the car was slightly dented by falling splinters.

Eighteenth vehicle SP 6004; it was in the showroom of the Associated Auto Co., 41/43 Orchard Road. The extent of damage: front windscreen was broken.

Nineteenth vehicle, Valiant car, no number, brand new car; it was in the showroom of No. 41/43 Orchard Road. The extent of damage: its front windscreen was broken.

40 Twentieth vehicle, another brand new Plymouth car in the showroom of No. 41/43 Orchard Road. The extent of damage: the front windscreen was

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broken.

And four brand new Renault cars in the show-  
room of Progress Motors, Orchard Road; all  
the windscreens of the four cars were broken.

That was all.

No cross-examination.

(Witness released)

(At 12 noon, court adjourns to Monday,  
11.10.65 - 9.30 a.m.)

No.42

Dr. Alfred  
Oliver Aaron  
11th October  
1965

Examination

No.42

DR. ALFRED OLIVER AARON

DR. ALFRED OLIVER AARON

(Examination-in-chief by Crown Counsel)  
(Sworn in English)

- Q. Your name is Alfred Oliver Aaron? A. Yes.
- Q. You are the senior pathologist attached to the General Hospital? A. I am the Acting Senior Pathologist attached to the General Hospital.
- Q. Have you a pathologist under you by the name of Dr. Hoo Chun Chuen? A. Yes, my Lord.
- Q. Do you know that Dr. Hoo Chun Chuen performed autopsies on three persons? A. Yes.
- Q. By the name of Mrs. Susie Choo Kway Hoi? A. Yes.
- Q. And one Juliet Goh? A. Yes.
- Q. Both of whom on the 11th of March this year? A. Yes.
- Q. And the third person was one Yasin bin Kesit on the 12th of March this year? A. Yes.

1C

2C



Q. Would you be able to tell his Lordship where is Dr. Hoo Chun Chuen at the moment? A. Dr. Hoo at this moment is in the United Kingdom attending a scholarship post-graduate course leading to the Diploma in Clinical Pathology.

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Dr. Alfred Oliver Aaron  
11th October 1965

Examination  
- continued

10 Crown Counsel: My Lord, at this stage, I should mention that I did contact my learned friend here before Dr. Hoo left for the United Kingdom on this post-graduate course, which meant very much to his future career, and my learned friend, after my discussion with him, had no objection to his leaving Singapore, as I told him that I would be making an application under Section 424 of the Criminal Procedure Code for the admission of his autopsy reports. I also pointed out to my learned friend that Dr. Hoo's autopsy reports are, in fact, not controversial. These persons, in fact, did die from blast injuries, and he very kindly agreed to Dr. Hoo being released.

20

Q. Now, have you produced from the files of the Department of Pathology the original of the reports? A. I have got the original reports with me.

Q. On the three autopsies performed by Dr. Hoo? A. Yes.

30 Q. Are those three reports signed by Dr. Hoo? A. Yes, they are signed by Dr. Hoo.

Q. Whose signature you identify? A. Yes, I recognise Dr. Hoo's signature.

40 Crown Counsel: I should also point out that these reports, or copies of these reports, were served on my learned friend within the provisions of Section 424, and before I formally apply for their admission, my Lord, perhaps my learned friend would confirm what I have been saying.

Mr. Kamil: I have no objection to these reports, my Lord.

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- continued

Q. Do you now produce the original of these three autopsy reports? A. Yes.

Q. Have you any other copies? A. I have other copies.

His Lordship: The autopsy report of Susie Choo Kway Hoi will be marked Exhibit 85A. The next one is Juliet Goh Exhibit 85B. The next one is Yasin bin Kesit Exhibit 85C.

Crown Counsel: Can I run through with the Doctor, Dr. Aaron the reports? 10

His Lordship: Yes.

Q. Perhaps you could explain to us the technical terms used in these reports? A. Yes.

Q. Can we take Exhibit 85A, Doctor?

His Lordship: Report of Mrs. Susie Choo Kway Hoi.

A. Yes, I have it here.

Q. Can you read this report, or run through it? 20

A. (Witness reads) Susie Choo Kway Hoi. The body of an adult female Chinese. Height 5 feet 3 inches. Weight 9 st. 6½lbs. Lacerated wounds on right leg, few superficial abrasions on right side of face. Skeletal System: Skull - Cross shaped fracture 4 x 7 cm. right parietal region. That is the right side of the head (witness indicates). Linear fracture 6 cm. left parietal region. Also on the left side of the head (witness indicates). Fracture 5th rib on the left side in the anterior axillary line. It would be around here, somewhere around here (witness indicates). Central Nervous System: Brain - 1278 gms. There was extensive subarachnoid haemorrhage. There was haemorrhage on the surface of the brain due to the rupture of the vessels on the surface. That would be what is termed blood vessels, tiny blood vessels from the brain. 30

Q. Had ruptured? Yes, Laceration - it is a tear - on the right posterior surface of cerebellum. Cerebellum is one part of the brain below. The surface of the cerebellum was lacerated. The heart was normal. The aorta was normal. The trachea and bronchi - the windpipe was full of blood. Lungs were normal. Stomach: rupture of the pyloric region. That is the stomach, the end of the stomach here before it joins the small intestines.

10

Q. That was ruptured? A. Ruptured. Liver weighed 1298 gms. There were several lacerations on the right lobe. Tears to the liver. There was a 3 cm. diameter haemangioma in the right lobe. This is simply a tumor, a tumor of the blood vessels; tumor of the veins occurs during development. Spleens: normal. 3 cm. diameter haemangioma in the right lobe is tumor in the venous system occurring in the right lobe. It occurs during development. The kidneys being ruptured. Bilateral perirenal haematoma is the collection of blood around the kidneys, arising out of the rupture of the upper pole of the left kidney and the lower pole area of the kidneys. As a result of the rupture of the kidneys, blood had come out and collected between the tissues around the kidneys. Those are the injuries on the deceased. The cause of death was shock and haemorrhage from blast injuries.

20

30

His Lordship: Q. How did you arrive at this conclusion of blast injuries unless you have been told that there was an explosion? From the injuries sustained, would you be able to say now? Dr. Aaron, speaking as a pathologist, if you were given the serious injuries you have described, what conclusion would you yourself have come to? A. I would conclude that the injuries are consistent with haemorrhage, with shock and haemorrhage from blast, that means to say explosive force; when you get an explosive force --

40

Q. What I am trying to find out is that without knowing the history of this lady, how she met her death, would you

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- continued

just looking at the injuries come to the conclusion that it was due to blasting?  
A. Without knowing, it would not be able to say.

His Lordship: Q. The evidence that I have is that she was buried under the rubble. I mean an explosion would cause a wall to collapse and the rubble would drop on her. Is it right to say that it is a blast injury? The injuries - I mean - if you were not told about this, do you think these blast injuries would be taken into consideration? If you were told that this explosion had occurred, it is consistent with it. I thought you would be able to say, looking at the injuries, that they were distinct from a person having been run over by a motor car, or knocked down by a lorry? If you were to look at the injuries alone without knowing, without being given the history - unless you were told that there was an explosive force of disruption - could you conclude that death was due to shock and haemorrhage?  
A. Yes.

10

20

Q. I should put one further question: Would it be consistent with this person having received the injuries from a blast? A. It is consistent.

30

His Lordship: Q. Knowing that there was an explosion, the injuries would be consistent with blast injuries? A. Blast injuries.

Q. Or explosives? A. Yes, blasting is the result of an explosion and a great force of disruption, a wave of air.

Q. Now, P.85B? A. (Witness reads) Juliet Goh. Post-mortem showed adult female Chinese. Weight 8 stone  $3\frac{1}{2}$  lbs. Height 5 ft. 3 in. Multiple abrasions on the left temple, and left cheek. Lacerated wounds 4 x 2 cm. at the left infra clavicular region, below the collar bone (witness indicates). Multiple

40

abrasions over the left infra mammary region, below the breast (witness indicates), left shoulder, left hand and left side of neck. Skeletal System: Fracture upper one-third of the sternum, the breast bone (witness indicates) and all the ribs up to the 10th at the anterior axillary line. Here on the left side from the 1st to the 10th were fractured (witness indicates). Central Nervous System: Brain 1158 gms. Heart 198 gms. n.a.d.

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- continued

10

His Lordship: Q. What is N.A.D.?  
A. Nothing abnormal detected.

Q. Yes? A. Aorta. Aorta is the blood vessel which comes out from the heart. There were several tears over the lower portion of the thoracic aorta. Tears of the aorta. Respiratory System: Trachea and bronchi, windpipe, contains blood-stained clot. Lungs 762 gms. Right lungs showed multiple, multiple foci congestion and haemorrhage, with several bullae in the lower lobe. A bulla is a blister where blood - there is a bulla, for example, if you scalded, you get a flapped bulla blister. These injuries in the lungs are consistent with blast injuries, caused by air being forced into the respiratory system. Digestive Organs, liver, spleen and kidneys are normal. Endocrine systems are normal. The cause of death in this case was shock and haemorrhage from blast injuries. This is one case one would say it is blast injuries.

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Q. You can say this definitely without knowing the background? A. Yes, blast injuries.

Q. In both these two instances, would you be able to say from the injuries whether death was instantaneous? A. It would appear that from these injuries death occurred within a very short period of time, either instantaneously or within a few minutes, a very short period of time.

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His Lordship: Q. That death occurred within a very short period of time? A. Yes.

Q. Can you turn to the last autopsy report P.85C

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on Yasin bin Kesit? A. Yes. (Witness reads)  
This deceased was admitted on the 10th of  
March at 5 in the evening, and died on the  
12th of March at 12.02 p.m. Post-mortem  
showed an adult male Malay. Multiple healing  
small abrasions over the entire body.  
especially over the back of the trunk. V-  
shaped sutured, stitched, laceration 16 c.m.  
long, extending over the left mid-parietal  
region, or left side of the head over, above  
the middle (witness indicates), down to the  
lower end of the left ear lobe. It would be  
this direction (witness indicates). There was  
a sutured, stitched, "L"-shaped laceration  
12 cm. on the left arm. There was a right  
paramedian incision with suture 28 cm. on the  
abdomen. This is an operation wound, a  
surgical operation. Skeletal System: Skull-  
linear fracture 9 cm. long over the left  
occipital parietal region. That is the back,  
between the back and the left side of the  
head (witness indicates). Fracture 3rd, 4th  
and 5th ribs on the left side at the anterior  
axillary line, on here (witness indicates).  
Central Nervous System: Brain - 1480 gms.  
Massive subarachnoid haemorrhage with  
contusion, that is bruising, and laceration of  
the left parietal and occipital region. That  
would be around here (witness indicates).  
That means haemorrhage on the surface of the  
brain, with bruising and laceration, which  
the brain sustains on the left. Cardio-  
vascular System: Aorta - Intimal fair in the  
lower thoracic and abdominal portion.  
Heart - 314 gms. normal. Respiratory System:  
Trachea and bronchi normal. That is the  
passages were normal. This word should be  
intimal tear, not fair. Digestive System:  
Stomach - extensive contusion of the mucosa  $\frac{1}{2}$   
the little membrane. The intestines were  
normal. Liver weighed 1490 gms. There was a  
healing laceration 10 cm. over the right side  
of the right lobe. The spleen was removed at  
operation. The kidneys were normal. The  
endocrine system was normal. The cause of  
death was intracranial injuries from fractured  
skull and blast injuries.

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Q. Would that be consistent with injuries if you  
were told that the patient was involved in an

explosion? A. When an explosion occurs, the explosive force - it all depends - if it is a man, he will be flung off. The man will be flung off, and he can land himself, or land on anywhere and get all these injuries, and these extensive contusions may result as well. It would be consistent with blast injuries. The force of the blast will throw a man, fling a man, in the air, and he will be flung across, hit himself anywhere and he will get all these injuries, as well as the extensive bruising of the little membrane of the stomach.

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10

No cross-examination  
(Witness stands down)

No.43

TAN NGOH CHUAN

TAN NGOH CHUAN

(Examination-in-chief by Crown Counsel)  
(Sworn in English)

No.43

Tan Ngoh Chuan  
11th October 1965

Examination

20

Q. Can we have your full name? A. Tan Ngoh Chuan.

Q. You are a surgeon attached to the General Hospital? A. Yes, my Lord.

Q. And you are the head of which Unit, Mr. Tan?  
A. I am one of the surgeons in the Unit, B Surgical Unit.

30

Q. Now, on the 10th of March, 1965, would you be able to tell his Lordship how many persons were admitted into your ward for treatment, as a result of bomb blast injuries? A. Six persons, my Lord.

Q. Can we have those six names? A. The names are Yeo Suan Kim, male aged 23 ---

Q. Can we have the injuries as we go along?  
A. When he was admitted, he was found to be conscious and rational. He had a pulse rate of 88 per minute regular, fair volume. He was not

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Chuan  
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dyspnoeic. The injuries were (1) The right eye: In the right eye, there were severe lacerations of his right eye, and his eyelids were covered with clots, blood clots. The right eyeball was completely collapsed.

His Lordship: Q: What does that mean? A. the eyeball, which is stronger, is flattened. The contents have come out, and there was a large laceration at the back, measuring 2 cm. About half the contents of the eye had prolapsed.

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Q. What does that mean? A. It means that the fluid, that has been in the eye, has escaped from the eye, together with the lens of the eye. No. 2: On his anterior chest wall, there were multiple lacerations.

Crown Counsel: It would be better if I put in the typewritten reports and just mark them.

Q. Have you got copies of the report? A. I have got them.

20

Q. Of all the six persons? A. Yes.

Crown Counsel: Can they be shown to my learned friend, together with the age, address and the admission numbers?

Witness: I have got the admission number, not the address unfortunately.

His Lordship: Q. These reports were prepared by you? A. Yes, all prepared by me.

Crown Counsel: In the meantime, could they be shown to him, so that he could run through them. I will arrange to let him have copies. (Reports shown to Mr. Kamil)

30

Q. Will you run through the six names in question, Dr. Tan? A. They are Yeo Suan Kim, Senin bin Ahmawi, Peter Ng Joo Nee, Kupusamy Kadhervalu, Zainal bin Kassim, and the last one is Yasin bin Kesit.



Q. His is the deceased? A. Yes.

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Q. Is it correct that, in addition to those six, Juliet Goh and Susie Choo were brought into your ward? A. No, your Lordship, I have no record of it here.

No.43

Tan Ngoh Chuan  
11th October 1965

\_\_\_\_\_  
No cross-examination  
\_\_\_\_\_

Examination  
- continued

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His Lordship: We had better mark the reports. The first one will be P.86A - Yeo Suan Kim. Exhibit P.86B will be Senin bin Ahmawi. Exhibit P.86C will be Peter Ng Joo Nee. Exhibit P.86D will be Kupusamy Kadhervalu. Exhibit P.86E will be Zainal bin Kassim and Exhibit P.86F will be Yasin bin Kesit.

\_\_\_\_\_  
(Witness stands down)  
\_\_\_\_\_

No.44

DR. CHANDA SINGH

No.44

Dr. Chanda Singh  
11th October 1965

DR. CHANDA SINGH

(Examination-in-chief by Crown Counsel)  
(Affirmed in English)

Examination

20

Q. Your name is Chanda Singh? A. Yes, my Lord.

Q. You are a medical officer attached to the General Hospital? A. Yes.

Q. On the 10th of March this year, were you one of the emergency teams of medical officers set up to treat the victims of a bomb explosion?  
A. Yes, I was.

His Lordship: Q. At MacDonald House?  
A. Yes.

30

Q. And your team examined and treated some 26 out-patients? A. Yes, we did.

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Singh  
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Examination  
- continued

Q. Who came to you suffering from minor injuries, contusions, lacerations as a result of flying glass splinters? A. Abrasions from flying splinters of glass, concrete and wood. They were all walking patients.

Q. As distinct from those who have been brought in on stretchers? A. Yes.

Q. And after they were treated, they were all allowed to go? A. Yes.

Q. Now, amongst the 26 out-patients that were examined by you and members of your team, are you able to recognize any of them - I think 19 of them waiting outside? A. I don't think so. 10

Q. But have you got the names of --- A. Yes, I have got their names.

Crown Counsel: My Lord, I do not think I should go through their injuries, except to give their names.

Q. The first one is Nasir bin Jadam? A. Yes. 20

Q. (Spelt out) N-A-S-I-R bin J-A-D-A-M correct? A. That is right.

Q. The second one is Mohd Ali bin Sihar? Sihar is S-I-H-A-R? A. Yes, correct.

Q. Third is Jaffar bin Abdul? A. Yes.

Q. The fourth person is Sirat bin Haji Sekat. Sirat is S-I-R-A-T. Bin Haji Sekat - S-E-K-A-T, is that correct? A. Yes.

Q. The fifth person is Shariff bin Ujang. S-H-A-R-I-F-F bin Ujang - U-J-A-N-G? A. Right. 30

Q. Sixth: Teo Kah Ping? A. Yes.

Crown Counsel: K-A-H P-I-N-G, my Lord

Q. The seventh person is Mohamed Noor bin Bachok? A. That is right.

- Q. Bachok is B-A-C-H-O-K. The eighth is Hamdi bin Alwi; H-A-M-D-I, bin Alwi, - A-L-W-I. Correct? A. Yes.
- Q. The ninth person is Hussein bin Kamis? A. Yes.
- Q. The tenth person is I.C. Menzies?  
His Lordship: Menzies?
- Q. Menzies - M-E-N-Z-I-E-S? A. Yes.
- Q. The eleventh person is Lim Wee Cheng - W-E-E C-H-E-N-G? A. Yes.
- 10 Q. The twelfth person is J. Thompson? A. Yes.
- Q. The thirteenth person is Mohamed bin Mijat. Mijat is M-I-J-A-T? A. Yes.
- Q. The fourteenth person is See Yew Kah. S-E-E Y-E-W K-A-H? A. Correct.
- Q. The fifteenth person is Koh Soon Hiong or Hong. K-O-H S-O-O-N H-I-O-N-G? A. Yes, correct.
- Q. And the sixteenth person is Lim Hiak Hee? A. Yes.
- 20 Q. H-I-A-K H-E-E, a female. Have you got a record there that she is a female? A. Yes, female - 25.
- Q. The seventeenth person is Lim Piak Lay? A. Yes.
- Q. Another female. The eighteenth is Irene Yap, a female- correct? A. 24 - yes.
- Q. And the nineteenth person is Dawi bin Arshik. A-R-S-H-I-K? A. Yes.

His Lordship: You have only given 19 names.

- 30 Crown Counsel: The others have left Singapore; some of them are passing tourists and members of the Consular Corps. Perhaps we could run through.

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Q. Can you give me the other names, then?  
A. Mikoma - M-I-K-O-M-A. Adult male.

Q. Japanese, an adult male? A. Kimio Yosuga -  
K-I-M-I-O Y-O-S-U-G-A. Ali.

His Lordship: Ali - A-L-I? A. Yes, A-L-I.  
Ahmad bin Navdia. Robert S. Saxton.  
Goh Nam Hoon Isnin bin Hawi.

Q. I-S-N-I-N? A. I-S-N-I-M; Isnim bin  
Hawi.

Q. Incidentally, this person Goh Nam Hoon: have  
you got his address there? Is it 195 Somapah  
Road? A. No, I am afraid we don't have his.

10

Crown Counsel: You do not have.

His Lordship: Yes, Mr. Kamil, any  
questions?

Mr. Kamil: No question.

His Lordship: Thank you.

Crown Counsel: May the doctor be released?

His Lordship: Yes.

Crown Counsel: Thank you very much, doctor  
for coming.

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(Witness stands down)

No.45

No.45

Witnesses  
offered for  
Cross-  
examination  
11th October  
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WITNESSES OFFERED FOR CROSS-EXAMINATION

Witnesses offered for cross-examination

Crown Counsel: And now, my Lord, there are  
19 of the persons who were injured whom  
I am going to offer to my learned friend  
for cross-examination if he wishes  
anyone to be called:

30

Nasir bin Jadam

Mohamed Ali bin Sihar

Jaafar bin Abdul

Sirat bin Haji Sekak

Shariff bin Ujang

Teo Kah Ping

Mohd Noor bin Bachok

Hamdi bin Alwi

Hussein bin Khamis

Mr. Menzies

10

Mr. Lim

Jacqueline Thomson

Mohd bin Bachok

See Yew Wah

Koh Siou Hiong

Are you Jacqueline Thomson? And you are - Mrs. Irene Yap. Lim Phiak Hee. And you are - Phiok Lay. Dawi bin Arsik.

20

My Lord, I am offering all these persons, any one or more of them, if my learned friend is interested.

His Lordship: Would you require any of them?

Mr. Kamil: No, my Lord. It is only for interest.

His Lordship: In that case, they can leave the Court. Well, thank you, Ladies and Gentlemen, for coming into court. You are all released.

30

(Witnesses leave the court)

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Singapore

No.45

Witnesses  
offered for  
Cross-  
examination  
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1965

- continued

In the High  
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Singapore

No.46

LIM SWEE FONG

No.46

Lim Swee  
Fong  
11th October  
1965

Examination

LIM SWEE FONG

(Examination-in-Chief) (By Crown Counsel)  
(Sworn in English)

Q. Your name is Lim Swee Fong? A. Yes.

Q. You are an Inspector of Police attached to the  
Central Police Station? A. Yes.

Q. On the 10th of March this year at about 3.30  
p.m. did you arrive at MacDonald House? 10  
A. Yes, my Lord.

Q. Later you proceeded to the General Hospital?  
A. Yes.

Q. On the 11th of March, 1965, at about 9.40 a.m.  
did you identify the bodies of two deceased  
female persons to the Pathologist, Dr. Hoo  
Chun Chuen? A. Yes.

Q. As the bodies of Mrs. Suzie Choo Wai Hoi?  
A. Yes, your Lordship.

Q. And Juliet Goh? A. Yes, my Lord. 20

Q. And you directed the police photographer  
Michael Jeremiah, P.W.10, my Lord - to take  
photographs of the said two bodies? A. Yes,  
my Lord.

Q. And they appear as P.68 to P.72?

(Exhibits are shown to witness)

A. Yes, my Lord.

Q. On the 12th of March, 1965, at about 12.30 p.m.  
did you learn of the death of another victim  
by the name of Yasin bin Kasim? A. Yes, my 30  
Lord.

Q. Identified to you as such by Mohamed Yusof bin  
Sukiman? P.W.27. A. Yes, my Lord.

His Lordship: By whom?

Crown Counsel: P.W.27 - Mohamed Yusof bin Sukiman.

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Q. At about 3.55 p.m. that same day, did you identify the body of Yasin bin Masim to the Pathologist, Dr. Hoo Chan Chuen? A. Yes, my Lord.

(Crown Counsel sits down)

His Lordship: What about the photographs?

Examination  
- continued

10

Crown Counsel: Oh yes, I am much obliged, my Lord.

Q. He is the person shown in P.73?

(Exhibit is shown to witness)

A. Yes, my Lord.

His Lordship: Yes, Mr. Kamil, any questions?

LIM SWEE FONG

Cross-  
examination

(Cross-examination) (By Mr. Kamil)

20

Q. Inspector, you said you identified the body of two persons - Juliet Goh and Suzie - to the Pathologist? A.Yes, Sir.

Q. How did you know that? How did you know them?  
A. By the relatives of these deceased persons.

Q. They identified them to you? A. Yes, my Lord.

His Lordship: Any re-examination?

Crown Counsel: No, my Lord.

His Lordship: Yes, all right. Thank you, Inspector, you are released.

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No. 47

TAN BOH ENG

No. 47

Tan Boh Eng  
11th October  
1965

Examination

TAN BOH ENG

(Examination-in-chief) (By Crown Counsel)  
(Affirmed in Hokkien)

Witness: "Tan Boh Eng, affirmed in Hokkien.  
442-C Stirling Road, Hock Lee Bus Conductor."

Q. Now, on the 10th of March, 1965, were you on  
duty? A. Yes.

Q. You were on duty as such on Bus.SH.482? Along  
what route was this bus operating? A. From  
Alexandra to Jalan Kubu. 10

His Lordship: Kubu, or Kuboh? A. Kuboh.

Q. That is off Victoria Street, is it?  
A. Yes.

Q. Now, does your route include Orchard Road?  
A. Yes. Usually, I start from the beginning.

Q. No, we wouldn't want all the routes you took.  
A. Yes, the roads covered Orchard Road.

Q. Which part of Orchard Road? A. Well, from  
the circus and all the way down passing in  
front of the Hongkong & Shanghai Bank and Sin  
Sin Furniture Shop. 20

Q. Pass the traffic light at Dhoby Ghaut - we are  
talking about your route? A. Yes.

Q. Pass that along Stamford Road? A. Yes, along  
Stamford Road.

Q. Look at P.1, please, That shows part of your  
route, does it? A. Yes.

Q. You mentioned just now the circus. What circus.  
is that on Orchard Road? A. To the left end  
of the photograph 1. 30

Q. That, I think, is known as Orchard Circus, is  
that right? A. Yes.



Q. Right, now on this day at about 3 p.m. where were you -or rather, where was your bus?

A. I think it was a minute or two past 3 o'clock, my bus arrived in the vicinity of - one or two minutes past 3 o'clock.

His Lordship: My bus was? A. Arrived in the vicinity of the Hongkong & Shanghai Bank, Orchard Road.

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Q. Now, is there a bus section near the Hongkong & Shanghai Bank, Orchard Road. A. Yes.

Examination  
- continued

Q. Where would that be? Look at P.1 and, if it is there, would you point it out? Firstly, he wants to explain. Let us have it - what is it he wants to ---

Interpreter: He said just exactly in front of the Sin Sin Furniture Shop.

20

Q. Is the Sin Sin Furniture Shop shown in P.1? Have a good look at it. Pick it up and take a good look. A. (Indicates centre of photo) This is Sin Sin Furniture Shop; it is at this point.

His Lordship: Did he point at the right place or not?

Interpreter: In fact, not exactly, it is to the left of SinSin.

Q. Where the little girl is standing, is it?

Interpreter: He points to the bus stop which is in front of Art Furniture Depot.

30

Q. When you say arrived in the vicinity of the Hongkong & Shanghai Bank, at which place along that road did your bus arrive about one or two minutes past three, can you point out? A. Yes, I meant to say the bus arrived at the bus stop near the Hongkong & Shanghai Bank.

His Lordship: At this particular bus stop? A. Yes.

Q. That was what - one or two minutes past

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- continued

three? A. Past three.

Q. What kind of day was it, can you remember?  
A. It was raining.

Q. Now, when you arrived at that bus section on this afternoon, can you remember whether any persons, any passengers got off or got on your bus? A. Two alighted from my bus, and two boarded it.

Q. Who were the two persons who boarded your bus at that section? A. Two Malays. 10

His Lordship: Male, female? A. Two male Malays.

Q. Yes, and then after you had picked up the passengers did your bus continue on its journey? A. Yes.

Q. Yes, and then what happened, can you tell us? A. The bus stopped again at the traffic light, at the Orchard Road and Penang Lane junction traffic light.

Q. You mean, the lights were against you, is it? A. The light was against us. 20

Q. Yes? A. While the bus was held up at the traffic light at the Orchard Road and Penang Lane junction two more passengers boarded the bus.

Q. Who were those two persons - Chinese, Indians, what? A. Another two Malays.

His Lordship: Another two male Malays, is it? A. Yes.

Q. Now, where did the second two Malays after they had boarded at the traffic lights get off your bus? A. They alighted at the section before the terminus at Jalan Kuboh. 30

Q. Can you remember about what time your bus reached ---

His Lordship: I take it they got out at Victoria Street, is it? Where is this

section?

Interpreter: He said Yes.

Q. Can you remember what time your bus arrived at its terminal at the other end? A. 3.24 p.m.

His Lordship: The time of arrival is recorded, isn't it? A. Yes.

Q. Ask him not to be nervous. Tell him to listen to the question and answer.

10 Q. On your way to the bus terminal at Jalan Kuboh from the vicinity of or from that section of MacDonald House, how many passengers had you in that bus?

Interpreter: Before these people?

Q. No, from the bus section.

His Lordship: Just between the bus section at the Art Furniture Depot, is it?

Crown Counsel: That is right, my Lord, right to the other end of this terminal.

20 Q. No, no. How many passengers were there, you know? A. Seven or eight in all.

Q. Now, on the 18th of March, 1965, at about 1.20 p.m. at the Marine Police Station, did you attend an identification parade? A. Yes.

Q. Did you pick out anyone in the parade? A. Yes.

Q. How many persons did you pick out? A. Two.

Q. Who are the two persons you picked out; are they here in Court this morning? A. Yes.

30 Q. Would you point them out? A. The two persons in the dock.

His Lordship: Q. What is the reason for picking them out; you picked them out as what? A. the persons who placed the bomb.

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- continued

Q. Did you see them placing the bomb when you went there to identify; you were in the bus, you picked them out as what? A. (No Answer).

His Lordship: Q. He has not answered the question. Did you see them place the bomb? A. I did not.

Q. So therefore you could not have identified anyone as having placed the bomb? A. Yes.

His Lordship: Q. Tell him I don't want him to presume; tell us what you saw? A. Yes. 10

His Lordship: Q. Now on that day you picked out the two accused; why did you pick them out? A. I was to pick out the persons who boarded my bus.

Q. Why didn't you say so earlier? A. I picked out the two persons as having boarded my bus.

Q. Where and when? A. At a traffic light when my bus was held up.

His Lordship: Q. You picked them out as the persons who boarded your bus at the traffic light? A. Yes. 20

Q. After you had left the bus section at Sin Sin; is that correct? A. Yes.

His Lordship: We will take a short adjournment.

(At 10.55 a.m. Court adjourns)

Cross-  
examination

TAN BOH ENG

Cross-examination by Mr. Kamil.

Q. Mr. Tan, on the 18th March this year you said you identified the accused in the Police Station? A. Yes. 30

Q. How did you identify them? A. There were only seven or eight passengers, it is easier to identify the accused because of that.

Q. How did you identify them?

Crown Counsel: Perhaps my learned friend can explain.

His Lordship: That is the way he pulled them out from the parade; is that what you mean, Mr. Kamil?

Mr. Kamil: That is so, my Lord.

His Lordship to witness: Q. You just pointed at the accused, is that it?

10 - A. As I walked past the line of men, I stopped in front of the accused and pointed out the accused.

Q. First you came to the line, you could not identify them, is that right; when you were first introduced to the line you could not identify any of them? A. I walked past the line once and on my return I pointed out the accused.

20 His Lordship: Q. I take it that happened to both of them, the two accused?

A. It was the second time walking past the line I stopped twice to point out the two accused.

Q. So the first time you did not identify them?

His Lordship: That is not a fair question. You can ask him, what did he do; did he stand there or look around or immediately walk down the line.

Mr. Kamil: I am much obliged.

30 Q. First when you came to the line, what did you do before passing the line? A. I walked slowly, observing each and everyone of them as I passed the first time carefully. Then I walked back.

Q. So when you first observed them and walking you could not identify them is that correct?

Crown Counsel: That is not a fair question.

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Cross-  
examination

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Cross-  
examination  
- continued

His Lordship: Q. You did not pick out the accused on your first journey because you did not recognise them? A. I first walked down the line. I had already spotted out the accused. I did not point them out on the first instance because I wanted to make sure there was no mistake about it.

Mr. Kamil: May I get instructions from my clients.

10

His Lordship: Yes.

(Mr.Kamil consults the accused)

Q. Can you remember how many people were there in the line? A. I did not count the men but I guess there might be 11 or 12 persons.

Q. Can you remember their dress? A. They were dressed in all sorts of clothes.

Q. They were in shirts? A. Some were in shirts and some were not.

His Lordship: Q. When you say some not, you mean they were bare-bodied? A. By shirts I mean the conventional type of shirts that you have to slip it over your head and some in Hawaiian shirts but tucked in.

20

Q. The two accused were not in shirts? A. In sports shirts where you have to slip over the head.

Q. Both of them? A. Some type of sports shirt but of different colour, both of them.

30

Q. Their dresses were different from those in the line? A. Yes.

Q. How did you go to the Police Station for the parade? A. I went there upon receipt of a letter from the C.I.D.

His Lordship: Q. Were you taken there by the Police or you went there on your own. A. I went there myself by bus.

Q. When you arrived at the Police Station, did you know your job?

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His Lordship: What you were to do?

A. I went by bus to the C.I.D. and from the C.I.D. I was taken in a Police vehicle to the Marine Station.

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Q. You were accompanied by the Police? A. Yes.

Cross-  
examination  
- continued

Q. In the journey did you speak or did they speak to you anything, the Policemen? A. No.

10 Q. Now at the Station either at the C.I.D. or at the Police Station did they speak to you or did you speak to them? A. Yes, when I arrived at the C.I.D. I was asked if I could recognise the ~~two~~ persons who had boarded my bus.

Q. Were you shown some pictures? A. No.

His Lordship: Do you mean photographs?

Mr. Kamil: Yes.

20 Q. Now, you said something about the bomb just now. Who told you about the bomb? A. The day following the bomb incident, I was questioned by the Police.

His Lordship: I don't think this answer is admissible, Mr. Seow.

Crown Counsel: My learned friend wants it, maybe, for a good cause.

30 His Lordship: It is infringing the Criminal Procedure Code. Do you want to pursue that line? If you think it is necessary we could see whatever statement is made after you have heard the evidence.

Crown Counsel: It is up to my learned friend whether he wishes to have a look at the statement. (Crown Counsel whispers to Mr. Kamil). My learned friend does not wish.

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Cross-  
examination  
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Q. How would you know about the bomb?

His Lordship: Q. What Mr. Kamil wants to know is: Why do you say that? Will you tell this witness what Mr. Kamil wants to know is why, when you were asked about picking up the two accused, you said you picked them up as the persons, who placed the bombs?

Crown Counsel: Planted the bomb.

Q. And it turned out that you did not see them planting the bomb. What made you say they planted the bomb? A. When you asked me that question, I thought you wanted to know whether the two persons I had identified were the persons who had planted the bombs. The incident of the bomb is well known to everybody.

10

His Lordship: You were not asked about that. I think you can leave it Mr. Kamil.

20

His Lordship: Q. You presume all this?  
A. Because they have been arrested, and I thought they must be the persons.

His Lordship: Tell him that it is dangerous to presume such things.

Q. Now, you go back first to the 10th of March this year when you said your bus started at Alexandra or somewhere? A. Yes.

His Lordship: Q. Can you tell us what time you started from Alexandra? That is your terminus, isn't it? A. at 2.42 p.m. I left the terminus at Alexandra.

30

Q. Through your route, how far is the terminus from MacDonald House? A. More than two miles.

Q. How long would it take normally? A. Ten to twenty minutes.

His Lordship: Q. You mean to where?  
A. From Alexandra Road to MacDonald House.



Q. When you started leaving the terminus, did you look at the clock or watch? A. No.

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Q. So you did not know the time? A. The bus moves according to a schedule.

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Q. You said that you arrived at the Hongkong & Shanghai Bank at 2 past three or 1 past three?  
A. Yes.

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His Lordship: Q. One or two minutes past three? A. Yes.

Cross-  
examination  
- continued

10 Q. Did you look at the watch? A. Yes, I looked at the watch of a passenger.

Q. Why did you look at the watch? A. Because of rain, I was afraid the bus might be moving faster and ahead of schedule, so I had to look at the time to find out whether the bus had been ahead of time, in which case I would have to remind the driver to slow down.

Q. I take it you looked at the watch at the Sin Sin furniture shop?

20 His Lordship: He looked at the watch of a passenger.

Q. You looked at the watch when you passed the bus stop at the Sin Sin furniture shop?  
A. When the bus came to a stop at the section outside the Sin Sin Furniture shop, I looked at the passenger's watch.

Q. You looked at the watch carefully? A. Yes.

Q. Your eyesight is very good? A. Yes.

30 Q. Then, Mr. Tan, why is it necessary for you to say it was one minute or 2 minutes past three?  
A. Because the minute hand was past 1 minute, and was not at 2, past 1 minute and not reached 2.

Q. Mr. Tan 1 minute past three is different from 2 minutes past three, and if it is between, it must be half or a little bit less?

Crown Counsel: My learned friend is splitting

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seconds, my Lord.

His Lordship: He saw the minute hand  
between 1 minute and 2 minutes.

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Cross-  
examination  
- continued

- Q. I put it to you that you were guessing when you said so? A. Yes, I did look at the watch of a passenger for the time, no guessing.
- Q. I put it to you that you never saw that in the furniture shop or in front of the furniture shop? A. Well, I say I did, and you say didn't. I don't know where we will get to. 10
- Q. At what time did you arrive at the terminus at Jalan Kubu? A. 3.24 p.m.
- Q. You looked at the watch also? A. the bus arrived at the time when, according to the schedule, it would have cleared, so at the moment I saw it was 24, and the clerk in charge also told me to leave, and I left immediately.
- Q. So you looked at the watch? A. No, at the terminus it was the clock. 20
- Q. You looked at the clock? A. Yes, at the terminus.
- Q. How far is the terminus at Jalan Kubu from the Sin Sin furniture shop? A. More than a mile.
- Q. Mr. Tan, how many persons did you say in the bus? A. 7 to 8 persons.
- Q. All along? A. By "All along", do you mean from Alexandra? 30
- Q. Yes. A. At the A.B.C. Breweries some passengers alighted, and at that stage there were only 2 or 3 left in the bus.
- Q. Where are the A.B.C. Breweries? A. In the Alexandra Road area.
- Q. Now, from that A.B.C. Breweries there were only 7 or 8 passengers or more? A. 2 or 3 left.

Q. After that nobody boarded? A. Yes, some passengers boarded at the Thye Hong biscuit factory.

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Q. Where is the Thye Hong biscuit factory?

A. It is along Alexandra Road.

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Q. Still in Alexandra Road? A. Yes.

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Q. Then how many of them? A. It was a rainy day. There were few passengers on that day. At the Thye Hong one boarded, so there were about 3 or four passengers only at Thye Hong.

Cross-  
examination  
- continued

Q. Why did you keep on telling us that it was a rainy day? A. Well, on a rainy day there would be less passengers, and on a sunny day there would be more passengers.

Q. At Thye Hong how many? A. One person boarded.

Q. Then? A. The 3 or 4 passengers in the bus at Thye Hong alighted, all alighted, at Henderson Road.

His Lordship: Q. There was none in the bus then? A. The 3 or 4 from Thye Hong alighted, and 3 or 4 new passengers boarded.

Q. Now, how many persons were there at Thye Hong? A. 3 or 4.

His Lordship: Q. His evidence is that at Thye Hong 1 passenger boarded the bus, but at that time there were 3 or 4 passengers. The bus ran along Henderson Road and the 3 or 4 persons got off and 3 or 4 passengers boarded, so at Henderson Road there were 3 or 4 passengers. After leaving Henderson? A. And from Henderson Road, the bus moved on uninterrupted until Pulau Saigon Bridge. I think 2 or 3 more boarded at Pulau Saigon Bridge.

Q. And then? A. And the next stop was at Sin Sin Furniture shop, Orchard Road.

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Cross-  
examination  
- continued

His Lordship: Q. How many passengers got  
off at Sin Sin? A. 2 alighted.

Q. And 2 boarded? A. 2 alighted and 2 boarded.

Q. How many got into the bus in Pulau Saigon  
Bridge? A. 2 or 3 boarded.

Q. Nobody got out? A. No.

Q. After this Sin Sin furniture shop, what  
happened? A. The bus stopped at the traffic  
light?

Q. Go on? A. Then 2 more Malays boarded at the  
traffic light. 10

His Lordship: Q. That is the two accused?  
A. Yes.

Q. After that? A. After the bus had turned into  
Victoria Street at the first section, a  
passenger alighted.

His Lordship: A passenger? A. Yes.

Q. That is near the Holy Infant Jesus School?  
A. Yes.

Q. After that? A. One more alighted at Rochore  
Road, and the rest of the passengers alighted  
at the last stop before the terminus. 20

His Lordship: Last bus stop before the  
terminus, is it, at Arab Street? Or  
before Arab Street? A. Yes, at Arab  
Street that is the last stop.

Q. Mr. Tan, if that person who got off at Holy  
Infant Jesus School - could you remember?  
A. No.

Q. But you saw him going out, isn't it? A. Yes,  
he signalled that he wanted to alight, and I  
pressed the bell for him. 30

Q. The one who got off at Rochore Road: Could you  
identify him? No.

His Lordship: You mean, if you were to see him again you can't recognise him, is it?  
 A. Well, if you were to produce him today I could recognize him.

Crown Counsel: I think he said something a bit earlier about some passengers.

A. In the case of a full bus it is difficult to identify the passengers.

10

His Lordship: Then why did you say in answer to Mr. Kamil that you can't recognize? A. Well, in the case of a bus with only about 10 odd passengers I would be able to pick out the passengers, but not in the case of a full bus.

Q. At Rochore Road one person got in your bus, is that right? A. Alighted, not boarded.

Q. Got out? A. Yes, got out of the bus.

Q. At the terminus how many of them got out? A. It was empty bus at the terminus.

20

Q. All right, before the terminus, is it possible after Rochore Road?

His Lordship: One stop before the terminus, I think you want. Ask him.

Q. Yes. A. Five or six of them.

Q. Do you remember them?

Interpreter: Remember?

Q. I mean, you can identify them? A. Yes.

30

Q. At the Sin Sin Furniture Shop, the ones who got off: could you remember them, the two persons who got off? A. No.

Q. The bus was empty, was it?

His Lordship: Where, Mr. Kamil?

Mr. Kamil: At the Sin Sin Furniture Shop only eight or seven persons.

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Cross-examination  
 - continued

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Cross-  
examination  
- continued

His Lordship: But that is not empty.

Mr. Kamil: Not full up.

A. Yes.

His Lordship: So when your bus left Sin  
Sin you had about six or seven  
passengers, is that right? A. Seven  
or eight passengers.

Q. Now, at Sin Sin you said two persons went off?  
A. Yes.

Q. You could remember them, you could not?  
A. No.

10

Q. And the persons who got in? A. Yes.

His Lordship: Can you recognize them?  
A. Yes.

Q. Were they in the Court today? A. No.

Q. At Pulau - what did he say?

Interpreter: Saigon.

Q. Saigon Bridge, how many did you say got off  
or got in? A. Two boarded at Pulau Saigon  
Bridge.

20

Q. Could you recognize them? A. Yes.

Q. What were they - Chinese, Malay? A. Chinese.

Q. You know their dresses? A. Both of them  
were wearing shirts tucked in and front slit  
open.

His Lordship: What is that? A. This type  
of shirt (witness's own), the whole full  
slit in front, full opening in front.

Q. Most of them? A. Yes.

Q. How was the trousers? A. In trousers,  
wearing long trousers. I don't quite observe  
the colour. It is something bluish.

30

Q. Did they wear slippers? A. They wore shoes.

Q. Am I wrong; some people also got in the bus at Pulau Saigon, isn't it? A. Yes.

Q. How many of them? A. Two.

His Lordship: Mr. Kamil, you are going through the ~~same~~ thing again. Just now he told you the two boarded at Pulau Saigon.

Q. Got in.

10 Interpreter: Yes, boarded.

Q. I am sorry. Nobody went out? A. No.

Q. Now, at Henderson Road, some people got in, is it right? A. Yes.

Q. How many? A. Three.

Q. Three of them?

His Lordship: Three persons boarded?  
A. Three boarded.

Q. Chinese, or Malays or Indians? A. Chinese.

His Lordship: All Chinese, is it? A. Yes.

20 Q. You could remember them? A. No.

Q. There were not many people in the bus at the time, is it right? A. Yes.

Q. How many? At Henderson? A. I think when the bus left Henderson Road there were about seven or eight passengers.

Q. Before leaving? A. Some alighted and some boarded at Henderson Road.

Q. Mr. Tan, your bus sometimes go full and sometimes empty, not very full?

30 His Lordship: When? On that day, or ---

Mr. Kamil: No, any day.

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A. That is so.

Q. That day on the 10th, how many trips did the bus go? A. That was the first trip.

Q. After that?

His Lordship: That was the first trip for you, is it? A. For me it was the first trip.

Q. After that? A. Until I finished that day I covered 12 trips to and from; 12 trips, six each way.

10

His Lordship: Six trips, isn't it, to and from? A. Yes, it is twelve trips; both way would be twelve trips.

Q. Six-six, to and from? A. To and from twelve, six each way.

Mr. Kamil: So, am I wrong - that every day you go six trips?

His Lordship: Twelve trips.

Q. Twelve trips? A. Yes.

Q. So you saw many people in the bus? A. Yes.

20

Q. Can I say that from the 10th to now you have seen thousands of people, passengers?  
A. Yes.

Q. And you saw them in various dresses also?  
A. Yes.

Q. It was about six months ago? A. Yes.

Q. And the bus stops or stopped in various places?

Crown Counsel: At various sections.

Q. Sections? A. Yes.

30

Q. Maybe in one section it stops hundred times?

Interpreter: Up to today?



His Lordship: How many trips does this bus do in a day? A. Twelve trips.

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Cross-examination  
- continued

10

Q. Yes, I am not talking about your duty. I am talking of your company running this bus. It must run also in the morning. That day you were on duty in the afternoon, but it must be running in the morning as well? A. There are 27 buses on the same route per day. 27 buses on this route in a day.

Q. So after this long time and after meeting many, or thousands of passengers, how could you still remember some six months ago?

A. As a bus conductor we are not allowed to pick up passengers at any traffic light, and then we conductors are very annoyed with people boarding or alighting at traffic lights because we will be held responsible.

20

His Lordship: You say very annoyed?

A. Get very annoyed, and we pay particular attention to these people.

Q. You get very worried because of what?

A. Because we might be held responsible.

Q. Now, what about that person whom you remember getting out at the Holy Infant Jesus School?

A. I couldn't recognize the person who alighted at the Holy Infant Jesus.

30

Q. Just now you said you could remember the one at Rochore? A. Because there were few passengers in the bus.

Q. Did you pay particular attention to them, those men?

His Lordship: To whom?

Mr. Kamil: To those people who went out at Rochore.

A. Yes.

Q. What made you pay particular attention?

A. Because the bus could not pull right up to the bus section.

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Cross-  
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- continued

Q. Were you also annoyed? A. No, I had - in which case, I had to tell the passengers to wait until the bus had come to a stop, and then alight.

Q. Now, at that Pulau Saigon bridge you remember them, do you - if I am not wrong, you remember them?

His Lordship: Mr. Kamil, you are going over and over again.

Crown Counsel: My Lord, I must object to my learned friend; his cross-examination is valid up to a point, but when it comes to a duplication and quadruplication of the same occasion, then I must object. 10

His Lordship: Mr. Kamil, aren't you satisfied you have gone through them already?

Mr. Kamil: Yes, my Lord, because this is a question of his identification of a certain person. 20

His Lordship: Yes, I know, I quite appreciate that, but one should not go over and over again the same point.

Q. I put it to you, Mr. Tan, that you did not remember any of those people in the trips? On the 10th.

His Lordship: Mr. Kamil is putting it to you that you cannot remember the passengers that go up and go down in the bus on the 10th of March. A. I could. 30

Q. And I put to to you that the stories you told the Court today is not correct? A. It is the correct version.

Q. And I put it to you that the accused never boarded your bus that day? A. Yes, they boarded my bus at the traffic lights.

Q. And I put it to you that you never saw them that day? A. Yes, I saw them that day. 40

Q. And I put it to you that you had never seen them before the identification parade? A. Well I recognised them as having boarded my bus and I picked them out at the Marine Police Station.

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Q. And I put it to you that you identified them because you had been told to do so? A. No.

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Q. And that you were shown the pictures? A. No, I was not shown the photographs.

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10

Q. Someone had shown you these men, the two accused? A. No, that is not true.

Cross-examination  
- continued

Crown Counsel: I hope my learned friend will be able to substantiate these allegations.

His Lordship: You have some grounds, Mr. Kamil?

Mr. Kamil: These are my instructions.

His Lordship: I leave it to you. It seems to me that they are your instructions. You want to question him on that?

20

Mr. Kamil: No, my Lord. That is all.

No re-examination.

Questions by Court.

Questions by Court

Q. In cross-examination you said that these two accused were differently dressed from the others? A. That is so.

Q. What do you mean by that. Were they differently dressed from the other people in the parade? A. I mean the colour was different from the others.

30

Q. Were they in ordinary dress except the colour? A. They were of ordinary clothes but of different colour.

Q. Did you have a close look of the two accused when they were in your bus? A. Yes.

Q. What made you to look at them closely? A. Because they boarded at the traffic lights and I was very annoyed with people who do so and I therefore stared at them.

40

Crown Counsel: Can we get the correct interpretation - stared or looked hard?

Witness: In fact I had a mind to order them off the bus.

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Questions by  
Court  
- continued

Interpreter: Looking hard and stared are  
both the same.

Q. Did you collect the fare from them? A. Yes.

Q. How did you do that? A. One paid for the  
fare for both; one of them gave me 20 cents  
for two five cent tickets, and they sat on  
different seats, one on each side.

Q. On different seats? A. Yes on different  
sides of the bus.

Q. The same side? A. On opposite sides. 10

Q. Who was the one who paid you the fare?  
A. The thin one.

Q. Will you point him out? A. The one on the  
other side; accused No.2.

Q. How were they dressed? A. Both of them were  
wearing shirts that had to be slipped over  
the head.

Q. What colour, do you know; if you cannot  
remember say so? A. Something which is  
yellow and yet not yellow. 20

Q. Both of them? A. No.

Q. We will take one by one; take the one from whom  
you collected the fare; how would you describe  
the colour? A. If I were to name it, I would  
say the colour was darkish or blackish red.

Q. Will you look around and tell us any colour  
which is similar or more or less the same. There  
are many colours - we have green, maroon,  
different kinds of green, beige, dark brown?  
A. There isn't such a colour in the Court room. 30

Q. How about the trousers then? A. Long trousers.

Q. What colour, is it dark, is it white? A. It  
is light-coloured trousers.

Q. How about the first accused, can you remember?  
A. He was also wearing a type of shirt which  
can be slipped over.

Q. What colour? A. I cannot remember the colour.

Q. What about the trousers? A. This one was  
wearing a dark coloured trousers.

\_\_\_\_\_  
(Witness stands down) 40

(Court adjourns to 9.30 a.m. - 12.10.65)  
\_\_\_\_\_

LEE AH PAW

In the High  
Court in  
Singapore

LEE AH PAW

(Examination-in-chief by Crown Counsel)  
(Affirmed in Hokkien)

No. 48

Lee Ah Paw  
12th October  
1965  
Examination

Crown Counsel: I will be going over substantially his evidence and cover some other points not covered originally.

Q. Your name is Lee Ah Paw? A. Yes.

10 Q. On the 13th of March, 1965, at about 6 a.m. did you leave Boat Quay, Singapore? A. Yes.

Q. In your bumboat SC9591? A. Yes.

Q. Together with you at the time was one Tan Woon Lin, the taikong? A. Yes.

Q. And there were three other persons on board? A. Yes.

Q. Where were you bound for? A. Near Pulau Bukom in Pulau Sebarok.

20 Q. You were on your way to Pulau Sebarok, which is an island near Pulau Bukom? A. Yes.

Crown Counsel: He just now mentioned to do business.

Q. Do you mean your boat was carrying some merchandise. Is that right? A. It is a bumboat.

Q. It was carrying some merchandise? A. Yes.

Q. Is it correct that you intended to proceed towards a tanker that was anchored near by Pulau Sebarok? A. Yes.

His Lordship: At or near?

30 Crown Counsel: Anchored nearby Pulau Sebarok.

Q. On your way there, did you hear anything? A. I saw two persons in the sea, and they were shouting for help.

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12th October  
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(contd.)

- Q. Yes, and what did you do? A. I approached them together in a group.
- Q. And did you see who those two persons were?  
A. I saw two darkish persons, and I did not know whether they were Singaporeans or Indonesians.
- Q. Were they males or females? A. Males.
- Q. Did you notice how they kept afloat? A. The two of them were clinging on to a piece of wood.
- Q. When you approached them, did anyone of the two go on board your boat? A. The thin one got on to my boat. 10
- Q. Pausing there for a while, can you identify those two persons you saw clining on the plank in the sea? A. Yes.
- Q. Can you point them out if they are here in Court?  
A. The accused, my Lord.
- Q. Which one of the two climbed on to your boat?  
A. The second accused, my Lord.

His Lordship: Q. Ask him to stand up?  
(Second accused stands up in the dock) 20  
A. The second accused.

- Q. What about the other person? A. The first accused, who was clinging on to the piece of wood, hung on to my disused, tyre, motor car tyre, hanging at the rear of my boat.
- Q. At the rear or at the side? A. Rear.
- Q. When Accused No. 2 got into your boat, did he say anything to you? A. Yes, I did ask him as to where he came from.
- Q. Did he say anything in reply? A. Yes, he said he came from Kampong Kapor in Singapore. 30
- Q. Did you ask him what happened, or did he tell you what happened? A. Yes, I asked him how he came to be there, and he said he went there fishing and his boat had been run into and sunk.

His Lordship: Q. This piece of wood that you saw the two accused hanging on to - what sort of wood is that? A. It is a long piece of plank.

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Q. How long? A. It is shorter, slightly shorter, than the length of this bench. (Witness points at a bench in Court).

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10 Q. Could you use this desk - the length of the Secretary's desk? What about the length of the Secretary's desk? Could it be about that length or shorter? A. Shorter even than the Registrar's table.

Examination  
(contd.)

Q. Could you indicate how short it is? A. About here. (Witness indicates three-quarters of the Registrar's table). Three-quarters of the length.

Secretary: The whole length is 10 feet.

Crown Counsel: About 7 feet long, my Lord.

His Lordship: Would you say so, Mr. Kamil?

20 Mr. Kamil: Yes.

His Lordship: 7 feet.

His Lordship: Q. How broad was it? A.  $1\frac{1}{2}$  feet. (Witness indicates).

His Lordship: Nearly 2 feet.

Q. Now, when Accused No. 2 said that he was from Kampong Kapor did you believe him? Did you accept his explanation? A. No, I did not believe him.

30 Q. Would you give any reason why? A. Because I asked for his identity card, and he said he did not have one and that caused me to be suspicious about him.

Q. Was there anything else apart from that? A. Furthermore I have read and heard about explosions here and there and this has heightened my suspicion.

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Examination  
(contd.)

His Lordship: Q. In Singapore you mean?

A. In Singapore.

Q. Could you tell this Court in what language did you two converse? A. In Malay.

Q. Did you understand him? A. I did not understand him fully, and he had the twang of Indonesia or Indonesian twang.

Q. Did he understand you? A. Yes.

Q. I mean, for instance, when you asked him for his identity card, did he know what you were asking him judging from his replies to you? A. Yes.

10

Q. Now, did Accused No. 2 ask you to do anything for them? A. Yes, he asked me to take them to Singapore, and I told them that I could not take them.

Q. To take them back to Singapore? A. Yes, I was asked by No. 2 to take them back to Singapore, and I told him that since he did not have an identity card, I could not take him on board my boat.

20

His Lordship: Q. Did he ask you anything else? A. That is all, my Lord.

Q. Earlier on in this case you told his Lordship that he asked you to take them to Pulau Sebarok?

His Lordship: You are cross-examining him?

Crown Counsel: I am just trying to recall to him what he had said.

His Lordship: Q. You told him you could not take him to Singapore. What else did he say? Did he ask you to throw him back into the sea or what? Will you ask this man to listen carefully and properly. You were there, and we were not there. We want to know all that happened. He asked you to take them back to Singapore and you said you could not do so, because they had no identity cards. What else? What other

30



conversation took place? A. The conversation ended there.

In the High Court in Singapore

- Q. Earlier in this trial you told his Lordship that he had asked you to take them to Pulau Bukom?  
A. Yes.

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10 His Lordship: We have asked you to tell us what conversation there was between you, and now when you are reminded you say "Yes". That is the reason why I asked you when you told him you could not, did he ask you to throw him back into the sea when you said no. Now, you have come out with this. When Mr. Seow reminded you earlier, you said that this man asked you to take him to Pulau Bukom, and now you say he asked you to take him to Pulau Bukom.

Lee Ah Paw  
12th October  
1965

Examination  
(contd.)

- Q. Can you explain? A. When I said I could not take them back to Singapore, he then asked me to take them to Pulau Bukom.

20 His Lordship: Q. Will you kindly tell this man that he was there. He must relate to us everything that took place between him and the accused. We were not there. So you say that the second accused asked you to take him to Pulau Bukom after you refused to take him to Singapore? A. Yes.

30 His Lordship: Will you tell this man to think carefully and don't get excited. Just think carefully. We want to know what actually happened.

- Q. What reply, if any, did you make to that request?  
A. Well, when I told them that since they did not have identity cards I could not take them either to Singapore or to Pulau Bukom, and when I said that they were silent.

- Q. At about that stage did you see any boats nearby?  
A. Just then another bumboat passed by, and I informed, or asked, the bumboat man to call for the Marine Police. That bumboat is SC8621 or 8625.

In the High  
Court in  
Singapore

No.48

Lee Ah Paw

12th October  
1965

Examination  
(contd.)

Q. At about that stage, did you see a Marine Police boat approaching you? A. Yes, I saw an approaching Marine boat.

Q. And you attracted its attention? A. Yes, I sounded the boat's siren, and at the same time waved to them to come.

Q. By then where was Accused No. 1? Was he still in the sea, or had he climbed on board? A. He had climbed on to my boat.

Q. Did the Marine Police boat come alongside yours? A. Yes. 10

Q. And you explained to the Police Officers in it what had happened? A. Yes, I informed the Police personnel that these two persons did not have identity cards, and I handed them over to the Marine Police.

Q. And you were requested to accompany the Marine Police boat to the Marine Police Station? A. Yes.

Q. Which you did? A. Yes. 20

Q. What clothes was Accused No. 1 wearing? A. He was bare-bodied, and was wearing a pair of darkish trousers.

Q. Accused No. 2? A. No. 2 was wearing a short-sleeved, small-collared, and slip-over-the-head type of sports shirt, and a pair of long trousers. It was greyish in colour, but had been much stained.

Q. One last question: Did you ask them what they were doing before their boat sank, or did they tell you? A. Yes, I did ask them and they told me that their boat had been knocked over and I further asked them what were they doing there, and they said they were fishing. 30

Cross-  
examination

LEE AH PAW  
(Cross-examination by Mr. Kamil)

Q. Mr. Lee, the place where you saw these two men in the sea: How far was it from Singapore? A. It

was in the sea opposite the ESSO oil store refinery.

In the High Court in Singapore

His Lordship: Q. Pulau Sebarok, isn't it?

A. Yes, it is called Pulau Sebarok.

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Q. Stick to the name Pulau Sebarok, otherwise people might think somewhere else? A. It was within the Singapore territorial waters.

Lee Ah Paw  
12th October  
1965

Q. How far is it from the Singapore beach? A. It is very far from Clifford Pier.

Cross-examination  
(contd.)

10 Q. Can you say it by miles? A. I do not know in terms of miles from Clifford Pier.

His Lordship: Q. For how long had you travelled from Boat Quay - hours, half-an-hour or what? A. More than an hour in my motor boat when I found them.

Q. When you say that it is far from Singapore, it is still in Singapore waters. Is it close to international waters? A. No, it is not near international waters.

20 Q. Is there any Indonesian island nearby? A. No.

Q. Or you do not know? A. No, Singapore, sir, is far from any Indonesian island.

His Lordship: Q. It would be of interest to you now that the oil island of Pulau Samboe is an Indonesian island?

Crown Counsel: That is on the other side.

His Lordship: This is the nearest, I think.

Crown Counsel: That is so.

30 His Lordship: Q. Do you know that Pulau Samboe is Indonesian? A. Yes, I know Pulau Samboe.

Q. Is it anywhere near Samboe? A. It is very far from Samboe.

Q. Very far from Samboe? A. Yes.

In the High  
Court in  
Singapore

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1965

Cross-  
examination  
(contd.)

Q. You said that the international waters is far from the place. Do you know where is the international waters? A. Well beyond Pulau Sebarok.

Q. How far is it from Pulau Sebarok?

His Lordship: What is how far - international waters or Pulau Sebarok?

Mr. Kamil: International waters

A. Yes, in my boat, it would take more than half-an-hour to reach international waters from Pulau Sebarok.

10

Q. You first saw them - these two people - in the sea before they called you for help? A. Yes.

Q. And they did not do anything else? A. Yes, they shouted and they waved for help.

Q. They only shouted and waved. That is all? A. Well, you could whistle quite loudly, and then the sound of the whistle comes out. It is a very loud type of whistle made with the mouth.

20

Q. How long did you speak to this man? A. For a short while.

Q. Do you speak Malay? A. Yes, a little.

Q. Very little Malay? A. Yes, I speak very little Malay. I could not carry on a long conversation.

Q. And you do not know Indonesian Malay? A. No.

30

Q. So what you spoke to these people is in your little Malay? A. Yes.

Q. And they spoke to you in a dialect which you do not understand? A. Well, they spoke with a twang like "titah" and "adah" and I don't quite understand them.

His Lordship: Are you saying that you did not understand what they said?

A. I could understand a little of what they said.

In the High Court in Singapore

\_\_\_\_\_  
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Q. Only a little of what they say. So what they spoke to you might be different from what you understood them?

Lee Ah Paw

His Lordship: Look, Mr. Interpreter, tell this witness, he has told us the conversation with the second accused, and one of the things he said was: take me to Singapore; take me to Pulo Bukom. That is the conversation by the second accused to you?

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Cross-examination (Contd.)

10

A. Yes.

20

Q. Now, you have told Mr. Kamil that your knowledge of Malay is very little. Mr. Kamil is putting it to you that you might have misunderstood them: they did not say such a thing? A. In respect of the request to take them either to Singapore or Pulo Bukom I could understand them, and there was no mistake about it.

Q. So you understood what they said, then? A. Yes.

30

Q. Why did you say you could not understand them clearly? So you did not carry on a conversation with them? A. The second accused is easier to understand, but the first accused spoke with a heavier twang and was more difficult to understand him by me.

40

His Lordship: First accused spoke with a twang, is it? A. First accused spoke with a stronger twang and was harder to understand.

His Lordship: Mr. Kamil, do you want him to repeat in Malay what was said?

In the High  
Court in  
Singapore

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Lee Ah Paw

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1965

Cross-  
examination  
(contd.)

Mr. Kamil: Not necessary, my Lord.

Q. Mr. Lee, I put it to you that he never told you anything about Kampong Kapor and fisherman - something like that.

His Lordship: That is the second accused?

Q. One of them. A. Yes, accused No. 2 indeed said he came from Kampong Kapor and he was fishing there.

Q. I put it to you that their dress was different from what you have just described this morning? A. Yes, they were in civilian clothes as described. 10

His Lordship: Yes, Mr. Seow.

Re-  
examination

(Re-examination) (By Crown Counsel)

Q. With your knowledge of Malay were you able to carry on an intelligible conversation with them? A. Yes, on both sides, the conversation was not fully understood. Part of my conversation was not understood by him. They did not understand part of what I said, and I did not understand part of what they said. 20

Q. Now, you have told my learned friend that you could, however, understand their request to you to take them first to Singapore; after you refused, their request to take them to Pulo Bukom? A. Yes.

Q. What about the circumstances - how they were found in the sea, how you found them in the sea? A. Yes, they understood what I was asking when I found them in the sea. 30

Q. And did you understand their reply? A. Yes.

Q. What about the identification papers? A. Yes, both understood each other.

Q. What do you mean by both understood? A. The identification papers.

Q. What do you mean both understood each other? You mean you and the accused, or the accused - between the two accused? A. Myself and the accused understand each other, regarding the identification papers; we understand each other.

In the High Court in Singapore

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No.48

Q. I see. What about the loss of the identification papers? A. Yes, I understood him, and he said his identity card went down with his boat.

Lee Ah Paw

12th October 1965

10 Q. You understood that perfectly? A. Yes.

His Lordship: I want to ask you one question about this plank, the plank which these two accused were holding on to. You say it is a long one, and you have indicated it is slightly less than 10 feet - it is about 7 feet. Had the plank been planed, or is it rough? A. It is a plain one.

Re-examination (contd.)

20 Q. It could have come from a boat? I asked you a question: could it have come from a boat?

Interpreter: Yes, he said, it had come from a boat, and to him it had been discarded.

Q. To him it appeared - what? A. It had been thrown overboard for having been rotten.

His Lordship: Yes, all right. Thank you.

(Witness stands down)  
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In the High Court in Singapore

NO.49

TAY WOON LIM

No. 49

Tay Woon Lim

12th October 1965

Examination

TAY WOON LIM (offerred for cross-examination)

His Lordship: He has not been called before?

Cr. Counsel: No, my Lord, and I don't propose to take him through, but I do offer him to my learned friend.

His Lordship: Yes, you could just lead him.

10

Cr. Counsel: Tay Woon Lim: a taikong of bum boat SC.9591 on the 13th of March, 1965. Perhaps can we have an indication from my learned friend whether he wishes to ask questions?

Mr. Kamil: No, I do not wish.

His Lordship: I do not know what is the position, this "offering" business, Mr. Seow? I always thought you call him, he is sworn and he is offerred - rather than a statement like this.

20

Cr. Counsel: Yes, my Lord. This is the 37th witness.

(Witness is affirmed in Hokkien)

Witness: "Tay Woon Lim, affirmed and states in Hokkien."

Cr. Counsel: Living at 13-B Cheong Hong Lim Street, Singapore? A. Yes.

Q. You are a Taikong? A. Yes.

30

His Lordship: Of what bum boat?

Cr. Counsel: Of bum boat SC.9591.

Witness: Yes, 9591.



Cr. Counsel: My Lord, I am offering him for cross-examination if my learned friend wishes to do so.

In the High Court in Singapore

His Lordship: So on the 13th of March were you with the last witness?

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Witness: Yes, my lord.

Tay Woon Lim

Q. And that was the day when you picked up two persons from the sea? A. Yes.

12th October 1965

10

His Lordship: Well, Mr. Kamil, do you wish to cross-examine. He has been offered to you.

Examination (contd.)

Mr. Kamil: No.

His Lordship: Yes, all right.

(Witness stands down)

NO. 50

No.50

MOHD. DALI BIN ABU

Mohd. Dali bin Abu

MOHD DALI BIN ABU (Examination-in-chief)  
(By Crown Counsel) (Affirmed in Malay)

12th October 1965

Witness: "Mohd Dali bin Abu."

Examination

20

Q. Corporal 2790? A. Yes, my Lord.

Q. Attached to the Marine Division, Marine Police?  
A. Yes.

Q. Now on the 13th of March this year at about 8 a.m. were you in charge of Marine Boat P.C.11?  
A. Yes, my Lord.

Q. And at about 8.30 a.m. were you then proceeding towards Pulo Bukom on patrol? A. Yes, my Lord.

Q. Now, on arrival near Pulo Sebarok, did you notice a bum boat signalling to you? A. Yes, my Lord.

30

Q. As a result of which did you approach it?  
A. Yes, my Lord.

In the High  
Court in  
Singapore

No.50

Mohd. Dali  
bin Abu

12th October  
1965

Examination  
(contd.)

Q. That bum boat was SC.9591? A. Yes, my Lord.

Q. And did you meet the last but one witness,  
P.W.1 - Lee Ah Poh? A. Yes, my Lord, I  
met the last ---

Q. And also the last witness, P.W.37? A. Yes,  
my Lord.

Q. And did you see two male persons in the boat?  
A. Yes, my Lord.

Q. Who were the two persons? A. The accused in  
the dock. 10

Q. Yes, the two accused. And did P.W.1. explain to  
you the circumstances how he came to pick  
them up? A. Yes, my Lord.

Q. And he handed over the accused to you?  
A. Yes, my Lord.

Q. Did you then inform Control about it? A. Yes,  
my Lord.

Q. And you were instructed to bring the two  
accused back to the Marine Police Station?  
A. Yes, my Lord. 20

Q. And you at the same time instructed P.W.1. to  
follow you? A. Yes, my Lord.

Q. Did the two accused persons have any  
identification papers on them? A. No, my  
Lord.

Q. And what sort of clothes were they wearing  
at that time? A. The first accused was  
wearing - he had no shirt on, and a pair  
of grey trousers.

Q. And accused No. 2? 30

His Lordship: Wearing a pair of?  
A. Grey trousers.

Q. Grey, or greyish?

A. Second accused was wearing sports shirt -  
yellow coloured. Colour was yellow. Long  
trousers, pair of long trousers. The colour  
was more or less like that paper (indicating  
Counsel's file).

His Lordship: Creamish, is it?

A. Creamish.

In the High Court in Singapore

No. 50

Q. You arrived at Clifford Pier Marine Police Sub-station? A. Yes, my Lord.

Q. At about 10.20 a.m.? A. Yes, my Lord.

Mohd. Dali bin Abu

Q. After which you handed over the two accused to Sergeant 1537? A. Yes, my Lord.

12th October 1965

Q. After which you resumed patrol? A. Yes, my Lord.

Examination (contd.)

10 His Lordship: Yes, Mr. Kamil?

(Cross-examination) (By Mr. Kamil)

Cross-examination

Q. I put it to you the dress of them were different from what you said just now? A. No.

Cr. Counsel: No re-examination.

(Witness stands down)

NO. 51

No. 51

RE SERGEANT 1537 AND P.C. 4112

Re Sergeant 1537 and P.C. 4112

Cr. Counsel: Sergeant 1537

20 His Lordship: Is it necessary to go through this witness, Mr. Seow, again unless you propose to bring out further evidence.

12th October 1965

Cr. Counsel: Well, I am in your Lordship's hands.

His Lordship: These other things are all in evidence.

Cr. Counsel: I would have thought, my Lord.

His Lordship: It is a different thing from trial by Jury, but here the Jury is absent, unless you want to lead further evidence from them.

In the High  
Court in  
Singapore

            
No.51

Re Sergeant  
1537 and  
P.C.4112

12th October  
1965  
(contd.)

Cr. Counsel: No, I am not asking him.  
Substantially the same evidence as the  
other.

His Lordship: I cannot see any point.

Cr. Counsel: Very well, my Lord.

His Lordship: Well, Mr. Kamil, you are at  
liberty to further cross-examine him if  
you want.

Mr. Kamil: I reserve the cross-examination.

His Lordship: No question of reserving - do you 10  
want him or not?

Mr. Kamil: This man?

His Lordship: Yes, Sergeant 1537.

Cr. Counsel: P.C. 4112 - same man. Do you  
want him? P.W.4, my Lord. My learned  
friend does not wish to cross-examine  
further.

(Witness stands down)

No.52

Mahmud bin  
Haji Ali

12th October  
1965

Examination

NO. 52

MAHMUD BIN HAJI ALI

20

MAHMUD BIN HAJI ALI (Examination-in-Chief)  
(By Crown Counsel) (Affirmed in English)

Q. Your name is Mahmud bin Haji Ali?

A. Yes, my Lord.

Q. Inspector of Police attached to the Marine  
Police Station? A. Yes.

Q. On the 13th of March, 1965, at about 11.05 a.m.  
were you at the Marine Police Station? A. Yes,  
my Lord.

Q. During that time were two male Indonesians  
brought to the Marine Police Station? A. Yes,  
my Lord.

30

Q. Who are they? A. They are Osman (indicating the Dock).

In the High Court in Singapore

Q. They are the two accused? A. Yes, they are the two accused.

—  
No.52

Q. Upon their arrival at the Marine Police Station, could you tell this Court where they were placed? A. They were placed in the lock-up passageway.

Mahmud bin Haji Ali

Q. In the passageway of the lock-up? A. Yes.

12th October 1965

10 His Lordship: Two accused were what?  
A. The passageway of the lock-up.

Examination (contd.)

Q. Now, at about that time did there also arrive two persons by the name of Lee Ah Boey and Tay Woon Lim? A. Yes, my Lord.

Q. And they are the two - they are P.W.1. and P.W.37? (Pointing to two men in Court) What did you do? A. Before I got a statement from Taikong ---

Q. Can you speak a bit louder?

20 His Lordship: Let us have this clear. You said on arrival the two accused were placed in the passageway of the lock-up. The next statement: you said at about that time there arrived P.W.1 and P.W.37? A. Yes.

Q. What - they came in the passageway also? A. No.

Q. Where were they? A. They arrived at the station.

30 Q. Did you then proceed to record a statement from ----

His Lordship: No, what I want to know is: they arrived at the station - where? At the chargerroom, is it? A. The chargerroom.

Q. Did they see the two Indonesians or not? When they arrived did they see the two Indonesians? A. Yes, my Lord.

In the High  
Court in  
Singapore

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Mahmud bin  
Haji Ali

12th October  
1965

Examination  
(contd.)

Q. Do you understand the question?

Q. The two accused. A. Yes.

Q. Or did they come in the same transport?  
A. Same transport.

His Lordship: What - the two Indonesians  
arrived? A. At the same time in the  
station.

Q. In the same transport? A. They  
came. When I was informed about  
that, they came at the same time at  
the Marine Police Station. 10

Q. So, four persons arrived? A. Four  
persons, yes.

His Lordship: The two accused and the two  
Chinese? A. Yes, my Lord.

Q. You see, I am asking you this question.  
All I want to know is whether these  
two witnesses, these two Chinese, saw  
the two Indonesians. That is all I  
am trying to find out. A. At the time 20  
these two bum boat men were in the  
Station Diary Compartment, and these  
two accused were in the chargerroom.

Q. But just now you said they all arrived  
in the same transport? A. No, the  
same time; at the same time in the  
station.

Q. You don't know whether they came in the same  
transport? A. I do not know whether they came  
in the same transport. They came at the same 30  
time in the station, because I was in my office,  
my Lord.

His Lordship: Two accused arrived at the  
same time, according to you? A. Yes.

Q. But whether they came in the same transport  
or not you don't know? A. No.

Q. The two accused were then, you said, in the  
chargerroom? A. Yes.

Q. And P.W.1 and P.W.37? A. Were in the station also.

Q. Yes, but where --

His Lordship: No, the two accused were then put in the passageway? A. Yes.

Q. They were first in the chargeroom, is that right? A. That is right.

Q. And you gave instructions for them to be placed in the passageway in the lock-up?  
A. Yes.

Q. Where was P.W. 37? A. In the Station.

Q. Where in the Station; at the back, upstairs, downstairs, where? A. We have one Charge Room and an adjoining Charge Room. There was a Station Diary table in the Charge Room, because we have two rooms, and I saw the bumboat man just next to the Charge Room.

Q. You then proceeded to record a statement from him? A. Yes, from the taikong of the bumboat.

Q. That is P.W.37? A. Yes.

Q. Did you have a word with P.W.1, Lee Ah Paw?  
A. Yes.

His Lordship: Q. You recorded only from one person? A. I recorded a statement from the taikong of the bumboat, then I interviewed the other, the bumboat man.

Q. You did not record a statement from him? A. No.

Q. You did not record a statement from him at that time, you just spoke to him; we are now dealing with P.W.1?  
A. Yes.

Q. You only spoke to him? A. Yes.

Q. Now, after you had recorded a statement from P.W.37 what did you do? A. Then I decided to charge the accused, the two

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Examination  
(contd.)

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In the High  
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Examination  
(contd.)

Indonesians, for having entered a controlled area.

- Q. What time was that, can you remember?  
A. It was round about 11.35 a.m.
- Q. Then what did you do? A. Then I went to the passage of the lock-up.
- Q. For what? A. I took one of the accused named Osman bin Haji Ali.
- Q. That is accused No. 1? A. Yes, to my office.
- Q. Yes, and then? A. Then I told accused No. 1 that I am going to charge him for having entered a controlled area. 10
- Q. And then? A. Before that I prepared my charge for this accused.
- Q. After you had prepared the charge, what did you do? A. Then I asked him some formal questions, particulars of accused No. 1.
- Q. You asked his name? A. His name, address and occupation.
- Q. And then? A. Then I read the charge over to accused No. 1. 20
- Q. In what language? A. In Malay.
- Q. Did he understand you? A. Yes, he understood me.
- Q. And then after you read the charge? A. After that I administered the formal caution.

His Lordship: Mr. Seow, you are now coming to the statement; I think it is a convenient time to have a short adjournment. 30

Crown Counsel: As your Lordship pleases.

—  
(At 11.00 a.m. Court adjourns for a short while)

- Q. You told us, Inspector, that you read the charge to accused No. 1, after which you



administered the formal caution? A. Yes.

Q. Now after you had done that, what did you and the accused do? A. He understood the caution. I then signed and he also signed it.

Q. Did he say anything, yes or no? A. No.

Q. And then what did you do, or what did he do? A. Then I signed it again and he also signed it.

10 Q. Now that charge, as you have explained to this Court, was a charge against him for having entered a controlled area? A. Yes.

Q. That is under which Ordinance? A. Under the Internal Security Act.

Q. After he had signed it and after you had signed it, can you now tell us what you did? A. It suddenly occurred to me that since they were Indonesians they might be able to throw some light.

Q. On what? A. On the MacDonald House explosion.

20 Q. That thought having occurred to you, what did you do? A. I administered the short caution.

His Lordship: Q. What do you mean by short caution? A. It is a short caution as distinct from the formal caution.

Q. You administered a short caution to him, and did he understand you? A. Yes.

30 Q. And then after that what did you do? A. Then I decided to ask him some general questions.

Q. About what? A. I first asked him when he came.

Q. What were the questions you asked, about what? A. About how he came to Singapore and when he came to Singapore.

Q. And as a result of these questions which you

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Examination (contd.)

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Examination  
(contd.)

put to him, what did you do? Before that did he make any replies to you? A. Yes.

Q. As a result of his replies what did you do?  
A. Then I informed S.I.S.

Q. Before that, did you stop questioning him?  
A. Yes.

His Lordship: Q. Can you tell me whether your questions and his answers were recorded or not? A. No.

Q. The short caution was also not recorded? A. No.

10

Q. When you say the short caution was not recorded, what do you mean by that? A. I just asked him some general questions.

Q. Did you record the short caution which you administered? A. No.

Q. Did you record it anywhere? A. In my notebook.

Q. In your diary? A. Yes.

Crown Counsel: So you must think before you answer, Inspector.

20

Q. And you said you got in touch with the S.I.S.?  
A. Yes.

Q. That is the Special Investigation Section of the C.I.D.? A. Yes.

Q. And there you were informed that Inspector Hubert Hill is in charge of the MacDonald House case? A. I came to know that he was in charge of the MacDonald House explosion.

His Lordship: Q. You got in touch with the S.I.S. and you were told? A. I learned that.

30

Q. You were told or you learned that Inspector Hubert Hill was the investigating officer into the MacDonald House case? A. Yes.

Q. As he was not in you left a message for him to call you back? A. Yes.

- Q. And whilst waiting for him to get in touch with you, what did you do? A. I decided to charge No. 2 accused. In the High Court in Singapore
- Q. Having decided that what did you do with accused No. 1? A. I took back accused No. 1 to the passageway of the lock-up. No.52
- Q. And then you took out accused No. 2? A. Yes. Mahmud bin Haji Ali
- Q. And where did you bring him? A. I brought him to my office. 12th October, 1965
- 10 Q. And there what did you do? A. The same thing; I recorded the particulars of accused No. 2, his name, address and occupation. Examination (contd.)
- Q. Did you charge him? A. Yes, I told him that he was charged for having entered a controlled area.
- Q. Did you explain or read the charge to him? A. Yes, I did.
- Q. In Malay? A. Yes.
- 20 Q. And did he understand you? A. Yes, he understood me.
- Q. After you had read or explained the charge to accused No. 2, what did you do? A. I then administered the formal caution.
- Q. And then? A. I explained the formal caution to him in Malay and he understood it.
- His Lordship: Q. The formal caution was recorded? A. Yes, and he signed it and I signed it.
- 30 Q. Did he say anything? A. No.
- Q. What did both of you do, if anything? A. He signed it and I also signed it.
- Q. After that did you question him? A. No.
- Q. As you did in the case of the first accused? A. No.

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Haji Ali

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Examination  
(contd.)

Q. What did you do after that? A. Then I took accused No. 2 to the passage-way of the lock-up.

Q. You sent him back? A. Yes.

Q. And at about 12.30 p.m. did Inspector Hubert Hill telephone to you? A. Yes.

Q. What did you tell him over the telephone?  
A. I told him that we have arrested two Indonesians from the sea off Pulau Saparoh and I asked him if he would be interested.

10

Q. Whether interested in them? A. Yes.

Q. What did he say? A. He told me not to allow anybody to question.

Q. Presumably, he said he was interested or words to that effect? A. Yes, he instructed me not to allow anybody to question.

Q. And at 1.15 p.m. did Inspector Hubert Hill arrive? A. Yes.

Q. After which you handed the case over to him?  
A. Yes.

20

Cross-  
examination

-----  
MAHMUD BIN HAJI ALI (Cross-examination by  
Mr. Kamil)

Q. You said that the accused were put in the passageway of the lock-up? A. Yes, I did.

Q. Were they together? A. Yes.

Q. Can you say what time Inspector Hubert Hill came - 3.30 or something? A. At about 1.15 p.m.

His Lordship: Q. Inspector Hill arrived  
at 1.15 p.m.? A. Yes.

30

Q. That was the time when you handed both the accused over to Inspector Hubert Hill?  
A. Yes.

Q. Why did you put them in the passageway?  
 A. I have to put them in the passageway before I decide what charge I have to frame, and also before the accused are put in the lock-up, their bodies must be searched and a receipt of all personal property must be issued.

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Q. They remained in the passageway up to the time when Inspector Hubert Hill came? A. Yes.

Mahmud bin  
 Haji Ali

Q. You did not search? A. No.

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 Cross-  
 Examination  
 (contd.)

10 Q. Why didn't you search? A. I had to record a statement from the taikong of the bumboat.

His Lordship: Q. Is it usual to search the prisoners as soon as they arrive?  
 A. No, my Lord, I have to decide what charge I have to put to the accused. Then after that the accused will be put in the lock-up.

20 Q. If you don't do that immediately, you give them the opportunity to divest themselves of what was in their pockets? However, although I don't know what the Police procedure is, I would have thought that they are to be searched. It is routine for them to be searched, and it is done as quickly as possible, not after something else?

30 A. The search only will be made when we have decided to put the accused in the lock-up.

Q. When did you decide to put the accused in the lock-up? A. I had to find out from the taikong the facts of the case - how he rescued the Indonesians - and what charge I had to frame.

Q. Did you interview the taikong? A. Yes, my Lord.

40 His Lordship: Not only did he interview the taikong, but he recorded a statement also.

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Cross-examination (contd.)

Q. How long did you take to record the statement and to interview him? A. Just about 15 or 20 minutes, my Lord.

His Lordship: Q. It took 15 to 20 minutes to record the statements from the taikong and the other man? A. Yes.

Crown Counsel: P.W.1. my Lord.

Q. Then you interviewed P.W.1.? A. Yes.

His Lordship: Q. Does that include both - the 15 to 20 minutes? A. About 15 minutes I recorded a statement from the taikong, and it took me about 5 minutes to interview the second bumboat man.

10

Q. In all about 25 minutes? A. Yes, round about 20.

His Lordship: Q. 15 minutes and 5 minutes. Your interview took 20 minutes? A. Yes.

Q. 15 to 20 minutes? A. Yes.

20

Q. What time was it when you finished interviewing both the taikong and the other bumboat man, P.W.1? A. At about 11.30 my Lord.

Q. And you left both the accused still in the passageway? A. That is correct.

Q. You did not start to search them? A. No, my Lord.

Q. What time did you search them after interviewing this man? A. Actually it is not for the Inspector to search the bodies of the accused, my Lord. It is for the Charge Room corporal on duty to search the accused.

30

Q. You did not tell them to search them? A. No.

Q. Is it your duty to ask them to search? A. No, my Lord.

His Lordship: Q. It is the duty of the sergeant in charge of the Charge Room? A. Yes.

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Q. You did not instruct the sergeant to make a search? A. No.

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Q. Are you not the head of the Station? A. I am just an Inspector.

Mahmud bin Haji Ali

His Lordship: Q. You are not the head of the Station? A. I am not the head of the Station.

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10

Q. Who is the head? A. It is my O.C.

Cross-examination (contd.)

Q. You noticed both the accused are wet? A. Yes, my Lord.

Crown Counsel: In wet clothes, my Lord.

Mr. Kamil: Yes.

His Lordship: Q. Both the accused's clothes were wet? A. Yes.

20

Q. And you allowed them to be in wet clothes all the time? A. Yes, that is for the time being, my Lord.

Q. You did not think of their health?

His Lordship: Q. You did not think of giving them dry clothes? A. Yes, but at the time I was just interrogating this taikong.

Q. What I am asking you is: Did you think of giving them dry clothes? A. At the time no.

30

Q. Did you think of giving them? A. No, my Lord.

Q. You knew that they were taken from the sea and they were cold, and you never thought of serving them at least?

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Crown Counsel: There is no evidence that they were cold, my Lord. This is not Europe.

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Q. Is it usual for you not to think of the safety of the prisoners? A. I beg your pardon?

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Haji Ali

Q. It is usual for you to think of the safety of the persons whom you interrogate?

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Crown Counsel: May I ask what he means by "Safety"?

Cross-  
examination  
(contd.)

Mr. Kamil: Good condition - health, or something like that. 10

His Lordship: Q. You are not concerned about the health of the prisoners?  
A. Yes, naturally we have. Supposing the accused is sick, then we have to send him to hospital. In this case they are healthy.

Q. Healthy and not sick? A. Not sick.

Q. When did you see them again after you sent them to the passageway? A. At about 11.40 a.m. 20

His Lordship: Q. I saw both the accused again at 11.40 at the passageway?  
A. Yes.

Q. They were handcuffed? A. No, my Lord.

Q. They were left like that? A. They were put in the passage of the lock-up.

Q. Now after 11.40 did you see them again?  
A. Yes, the second accused. I saw the second accused again in the afternoon.

Q. What do you mean by, "You saw the second accused again"? A. After recording the statement. 30

His Lordship: I don't know whether you have listened to it. He took him out to administer the caution.

Mr. Kamil: After that.



His Lordship: If you are going to go through his evidence like this, it will take a lot of time.

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Q. After administering the charge and everything, you sent both of them to the passageway?  
A. Yes, my Lord.

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Q. After that, after you recorded everything and all that, what time did you see them again? A. Yes.

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10 Q. Did you see them again? A. Yes, it was about 1.15 p.m.

Cross-examination (contd.)

Q. That is when Inspector Hubert Hill came?  
A. Yes.

-----  
No re-examination  
(Witness stands down)  
-----

Crown Counsel: May I apply for the release of all these witnesses, in particular P.C.4112, who has been brought from a sick bed?

20 His Lordship: Very well. You have no objection that they are being released, Mr. Kamil?

Mr. Kamil: No.

His Lordship: Do you require any of them to be identified?

30 Crown Counsel: No. As regards the last witness we can always get him at any time. Just these two gentlemen, P.W.1. and P.W.37, as they are selling merchandise to passing ships.

His Lordship: They are released.  
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HUBERT HILL

                      
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HUBERT HILL (Examination-in-Chief by Crown  
Counsel) (Sworn in English)

Hubert Hill

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Examination

Q. Your name is Hubert Hill? A.  
Yes, my Lord.

Q. And you are an Inspector of Police attached  
to the Special Investigation Section of the  
C.I.D? A. Yes, my Lord, Senior Inspector.

Q. You are the investigating officer in this  
case? A. Yes. 10

Q. On the 10th of March, 1965, at about 4.30 p.m.  
did you arrive at MacDonald House, Singapore?  
A. Yes.

Q. Were you investigating into an explosion  
case? A. Yes, my Lord.

Q. I don't want to take you through all the  
damage to this house, but I will come straight  
to the point. On the 13th of March this year  
at about 12.30 p.m. were you informed by  
Inspector Mahmud that two Indonesians have  
been arrested by the Marine Police? A. Yes. 20

Crown Counsel: That is P.W.5, my Lord.

Q. And he enquired from you whether you were  
interested in them? A. Yes, my Lord.

Q. And at about 1.15 p.m. you arrived at the  
Marine Police Station? A. Yes.

Q. With an interpreter by the name of Saruan  
bin Haji Abdul Rashid? A. Yes.

Q. Is that the gentlemen in question? 30  
A. Yes. (Saruan bin Haji Abdul Rashid  
produced and identified in Court)

Q. And at about 1.25 p.m. that afternoon, can  
you tell us what you did? A. At 1.25 p.m.  
I interviewed the first accused, together  
with the interpreter, Saruan, in the privacy  
of an office.

Q. How many persons were present in this interview? A. The accused, the first accused, the interpreter and myself.

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His Lordship: Q. Only three of you?  
A. Three of us.

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Q. We will go step by step, Inspector Hill. From where did you take accused No. 1? A. I took Accused No. 1 from the passage of the Marine Station lock-up.

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10 Q. All right. You were in this room, and can you tell us what you did? A. Yes.

Examination  
(contd.)

His Lordship: Q. You took him to a room?  
A. To an office.

Q. Where - Marine Station? A. In the Marine Police Station.

Q. Where only three of you were present? A. Yes, three of us were present.

Q. What did you do? A. I then administered the short caution.

20 Q. Through the interpreter? A. Through the interpreter.

Q. To Accused No. 1? A. Yes.

Q. After you had administered the short caution what did you all do? A. I then asked Accused No. 1 questions.

Q. Before you asked him questions what did you do? After the caution, you know?

His Lordship: Q. Was the caution recorded or just verbal? A. It was recorded.

30 Q. The caution was recorded? A. Yes, the short caution was recorded.

Q. And after it was administered, you signed it and he signed it? A. He signed it. After it was administered, the first accused signed it.

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Examination  
(contd.)

- Q. Did you sign it? A. I signed it.
- Q. And the interpreter signed it? A. I can't remember. I signed it.
- Q. You think you signed it? A. May I refresh my memory with the document?

- Q. We have not reached that stage yet. The accused signed it? A. The accused signed it.

His Lordship: Q. At this stage will you just tell us what you can remember?

A. The accused signed the short caution. 10

- Q. But you can't remember whether you signed it?  
A. I can't remember at this stage whether I signed it.

- Q. And then you said you asked him certain questions? A. I asked him certain questions.

- Q. And did he make any replies to those questions?  
A. He made replies to each of these questions.

His Lordship: Q. These questions and replies were recorded? A. Yes, I recorded these questions and replies. 20

- Q. In the course of this questioning, can you tell us what you did? A. You mean the questions I put?

- Q. You put questions to him, he made certain answers and you went along in this way you told us. And what happened as you went along?  
A. at 1.55.

- Q. He was replying to you. Correct? A. Correct.

- Q. And then what happened? A. I recorded those replies. 30

- Q. We are going along. Now, what happened? What did you do? As you went along questioning him, he was answering you. You recorded them, and what happened? A. I proceeded along in this manner until 1.55 p.m.

- Q. And then? A. When I concluded the interview with the first accused.

His Lordship: Q. When you concluded the questioning? A. I stopped at that stage.

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Q. Why did you stop at that stage? A. I stopped at that stage, because at that stage I made up my mind.

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Q. To do what? A. To charge the first accused in connection with the MacDonald House explosion.

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10 Q. Right. Before you proceeded to charge Accused No. 1 what did you do? A. We are still on the interview?

Examination  
(contd.)

Q. Yes? A. I read back the record of my interview to the first accused through the interpretation of Inche Saruan.

Q. And then? A. And I invited him to make any correction if he wished to do so.

Q. Can you remember whether he did? A. He made no corrections.

20 Q. And then what did you do, or he do, or all of you do? A. He then signed at the end of that recorded interview, after which the interpreter and I signed also.

Q. Will you please look at this recorded interview? Is this the record of that interview? (Exhibit shown to witness)  
A. Yes, it is.

30 Crown Counsel: May it be marked for identification at this stage as P.87? May I suggest that it be marked 87A, my Lord?

His Lordship: Will you put it on record that I have not looked at the statement?

Crown Counsel: Yes.

His Lordship: Mark it for identification, but I have not seen it. (Marked 87A for identification).

Crown Counsel: Yes, my Lord.

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(contd.)

His Lordship: Mr. Kamil has seen it?

Crown Counsel: A copy has been served  
on his client.

His Lordship: Have you got a copy?

Mr. Kamil: I have. I would like to  
object to this.

Crown Counsel: Naturally you must.

His Lordship: You wish to object ot  
its admission, Mr. Kamil?

Mr. Kamil: Yes, I will be objecting to  
this. 10

Q. After you had finished P.87A, what did you  
do? A. I then prepared the charges against  
the first accused.

Q. For what offence? A. For the offence of  
murder under Section 302 of the Penal  
Code.

Q. In respect of which persons? A. In respect  
of three deceased persons, namely, Mrs.  
Susie Choo, Miss Juliet Goh and Inche Yasin  
bin Kesit. 20

Q. And can you tell us what did you do?  
A. I then read the charges out to the first  
accused with Inche Saruan interpreting.

Q. Have you told us that you had prepared the  
charges? A. Yes, I did.

Q. Yes, and then? A. The accused - first  
then signed a copy of the charge.

His Lordship: There is only one charge,  
is it? But you said "I then prepared  
charges"? A. One charge, on one sheet. 30

Q. On one sheet of paper, one charge. The  
accused signed the copy? A. Signed charge-  
sheet.

Q. Yes, and then? A. The Interpreter signed  
on the charge-sheet as well.

Q. After that, what did you do? A. I then administered a formal caution which I recorded. The accused signed at the end of the formal caution.

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His Lordship: First accused? A. Yes. The Interpreter signed after the caution. The first accused then volunteered a statement.

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10 Q. Which you recorded? A. I recorded a statement.

Examination  
(Contd.)

Q. Now, at the end of the - or of his statement to you, what happened? What did you do? A. At the end of the statement I read it back to the first accused, inviting him to make any corrections.

Q. Can you remember whether he made any? A. He made no correction.

20 Q. Yes? A. He then signed at the end of the statement, after which the Interpreter and I signed also.

Q. Would you please look at this statement? Is that a statement which you recorded from Accused No. 1? A. Yes, it is.

Crown Counsel: My Lord, may that be marked for identification: as P.87B?

His Lordship: Yes

Cr. Counsel: I am much obliged.

30 Q. Now, on the 14th of March this year at about 6.50 p.m., did you serve a copy of P.87A and B on Accused No.2? A. Yes, my Lord.

His Lordship: Accused No. 2? A. Accused No. 2, yes.

Q. Did he acknowledge receipt of it? A. He received acknowledgment of it.

His Lordship: Second accused, is it? A. On accused No. 2.

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Examination  
(contd.)

Q. And is this his acknowledgment?

(Exhibit is shown to witness)

A. It is, my Lord.

Cr.Counsel: May that be marked: as  
P.87C, my Lord?

His Lordship: Yes.

Q. Now, at about 6.55 p.m. that same day did you  
serve a copy of the statement of Accused No. 2  
on Accused No. 1? A. Yes, my Lord.

His Lordship: Served a copy of a statement 10  
of?

Cr. Counsel: Accused No.2, on Accused No. 1.

Q. Would you please look at the original?

His Lordship: What is that you are  
producing?

Cr. Counsel: That is the statement. I want  
it to be marked for identification.

His Lordship: How many statements?

Cr. Counsel: Two: once, the interview;  
and once, the statement proper. 20

Q. Is that correct? A. Yes, my Lord.

Cr. Counsel: My Lord, may that be marked for  
identification: as P.88A and B,  
respectively?

His Lordship: Yes.

Q. Accused No. 1 acknowledged receipt of that copy?  
A. Yes, my Lord.

Q. And this is the acknowledgment?

(Exhibit is shown to witness)

A. Yes, my Lord. 30



Cr. Counsel: May that also similarly be marked, as 88C?

His Lordship: I am much obliged.

Cr. Counsel: Yes.

His Lordship: Yes, Mr. Kamil

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Examination  
(contd.)

Cross-  
examination

HUBERT HILL (Cross-examination)(By Mr. Kamil)

Q. Mr. Hubert Hill, on that day did you notice the dress of the accused No. 1? A. Yes, I did.

10 His Lordship: Dress of first accused?

Mr. Kamil: Yes.

Q. So you saw him at 1.15? A. Yes.

Q. The dress was still wet? A. First accused was bare-bodied.

Q. The trousers were still wet? A. The trousers were still wet.

Q. Did you ever think of giving him dry clothes, dry trousers? A. At that time, no, my Lord.

20 Q. You knew, or you were told, that he was taken from the sea in the morning, is that right?  
A. Yes, my Lord.

His Lordship: Out of the sea.

Q. Did you ask him whether he had taken any food?  
A. I did not, my Lord.

Q. You did not concern yourself with his food?  
A. I did not think about it.

Q. You interviewed him up till 3 o'clock?  
A. Up till 3.15.

30 His Lordship: You can have a look at your diary is that time recorded in it?  
A. Yes, my time is recorded.

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Cross-  
examination  
(contd.)

Q. You can refer to your diary.  
A. I concluded the whole interview  
at 3.35 p.m.

Q. The whole interview? A. The whole  
interview.

His Lordship: By 3? A. 3.35 p.m.

Q. So may I suggest that you took about two hours  
and 20 minutes to interview him?  
A. Yes, my Lord.

Cr. Counsel: How many hours? 10

A. 2 hours 20 minutes, with - there was  
a break in between that period, my Lord.

Q. How long was the break? A. It was between  
1.55 p.m. and 2.35 p.m.

Cr. Counsel: 1.55? A. To 2.35.

His Lordship: From what time to ---  
A. 1.55 p.m. to 2.35 p.m., when I  
prepared the charges.

Q. Even during that break you did not think of  
giving him any food? A. I did not think about  
it. 20

Q. You did not think of what the accused felt  
at that time?

His Lordship: You did not feel he must be  
hungry? A. It did not occur to me to  
question the accused on that. I arrived  
at 1.15 p.m.

Q. What was your concern? Your mind was concentrated  
on what? A. Yes, I was investigating into  
MacDonald House explosion. 30

Q. The whole of your mind was on the explosion?  
A. Yes.

His Lordship: The whole of your mind  
was where? A. I was concerned about  
the MacDonald House explosion.

Q. And the whole of your mind was thinking of

getting the culprit? A. Yes, I was interested in finding whether the accused person could assist in the investigation.

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Q. Did you also interview the second accused?  
A. No, my Lord.

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Q. You were the investigating officer? A. I was.

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10 Q. Why didn't you interview him? A. I was dealing with the first accused and when I had finished dealing with him I learned that A.S.P. Mr. Khosa would be dealing with the second accused.

Cross-examination  
(contd.)

His Lordship: That who - Mr.? A. A.S.P. Khosa - (spelt) K-H-O-S-A.

Q. You learned that A.S.P. Khosa?  
A. Would be dealing with the second accused.

Q. Do you know why? A. Do I know why Mr. Khosa was?

Q. Yes.

20 His Lordship: Mr. Kamil, I do not know whether you are on dangerous ground or not. Something might be said which might cause some embarrassment. I do not want to stop you, but if you think it is material ---

Mr. Kamil: No, because he is the investigating officer.

30 His Lordship: You might find out who is A.S.P. Khosa. Where is he? Is he in the same branch with you, or is he your senior officer? A. He is in C.I.D. He was O.C. Marines and Other Sections - O.C. M & O, we call it.

Q. But you are in charge of it?

His Lordship: O.C. of Marines? A. Of Marines and Other Sections.

Q. Of the C.I.D., is it? A. Yes.

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Cross-  
examination  
(contd.)

Q. Is it not proper that you should be the person who interviewed the second accused person? A. My Lord, Mr. Khosa has been assisting me in my investigation since the 10th of March.

Q. How was the accused when you interviewed him? A. Which accused? First accused?

Q. I mean, the first accused.

Cr. Counsel: What does my learned friend mean by "how was he"?

10

Q. Was he seated? A. Yes, he was seated.

Q. On the chair? A. Yes.

Q. Who is this Mr. Saruan? A. He is a certified interpreter attached to the C.I.D.

Q. He is qualified to interpret in English? A. He speaks the Malay language.

Q. When you broke up in the middle, what did the accused do?

His Lordship: What did the ---

Q. Broke up in the middle of the interview.

20

His Lordship: Where is the break up - that is between 1.55 to 2.35, is it?  
A. Yes.

Q. Where was the first accused? A. He was with me in another office where I was preparing the charges.

Q. In another office? A. In another office.

Q. Where the charges were being prepared? A. Yes.

30

Q. Who was in that office? A. I was typing the charges. I believe Mr. Mahmud was in that office.

His Lordship: Yes, Mr. Kamil.

Q. This accused easily answered your questions?  
A. Yes, my Lord.

Q. Willingly?

His Lordship: He answered willingly?

A. He answered them.

Q. Willingly? A. Yes, willingly.

Q. Even after you have charged him, or even after you had read the charge of murder?

A. Yes. I did not ask questions when I read the charge of murder.

His Lordship: Your answer is, "I did not ask him questions after the charge had been read"? A. Yes.

Q. What do you mean by that?

His Lordship: You see, there are two stages to this. First as far as I remember, you said you asked a lot of questions. I think it lasted for some time, isn't it, Mr. Hill? A. Yes, 1.25 to 1.55.

Q. After the charges, after you charged him with murder, he did not say anything to you?

A. After I charged him I administered the formal caution. He volunteered a statement.

Q. I put it to you, Mr. Hill, that the accused never volunteered to say anything? A. He volunteered the statement.

Q. I put it to you that this statement was never read to him?

His Lordship: Which one, there are two?

Mr. Kamil: I have only one.

A. It was read over to him.

His Lordship: Which one, are you talking about 87-B?

Crown Counsel: Both, A and B.

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Cross-  
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(contd.)

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Cross-  
examination  
(contd.)

Mr. Kamil: When I asked the Police they sent me only one statement.

His Lordship: You have been supplied with the second one?

Mr. Kamil: Yes. They did not know anything about it.

His Lordship: Have you taken the trouble to collect from them?

Mr. Kamil: I did send a letter to the Police; they sent me only one. 10

His Lordship: They were served on the accused persons; it is their business to hand them over to you.

Mr. Kamil: These people are stupid; they did not know anything about the statement.

Q. I put it to you, Mr. Hill, that you got his signature only after he was beaten? A. No, my Lord.

Q. By someone in the Prison or like that?

Crown Counsel: I object to that question. He said someone had beaten him; these are serious allegations and my learned must be specific. 20

His Lordship: Mr. Kamil, you must have concrete grounds for such allegations.

Mr. Kamil: My instructions are the accused did not give voluntarily.

His Lordship: That may be so, but that does not follow that he was beaten.

Mr. Kamil: He was beaten. 30

His Lordship: Beaten by whom, beaten by Mr. Hill or some other police officer.

Mr. Kamil: He cannot remember.

Crown Counsel: More than one apparently.

Mr. Kamil: May I get instructions?

His Lordship: Yes.

(Mr. Kamil consults the accused)

Mr. Kamil: My instructions are: Mr. Hill did beat him.

His Lordship: Well, put it to him.

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Q. I put it to you that you did beat him?  
A. No, my Lord.

10 Q. After you had beaten him only then that he  
did sign the statement? A. No.

Q. I put it to you that he did not know the  
contents of the statement which he signed?  
A. It was read back to him.

Cross-  
examination  
(contd.)

Re-examination by Crown Counsel.

Re-  
examination

Q. Inspector Hill, why was it necessary for  
you and accused No. 1 to go to another  
office during the break? A. Because in  
that second office there was a type-  
writer and stationery.

20 Q. In answer to a question by my learned friend,  
you said that Inspector Mahmud was also  
present, did he speak to accused No.1?  
A. When I brought accused No.1 to the second  
office nobody spoke to him.

Q. Or he to Inspector Mahmud or anybody?  
A. Nor he to anyone.

Q. You said that A.S.P. Khosa has been assisting  
you in your investigations into this case  
since the 10th March? A. Yes.

30 Q. Was he the only officer who did that?  
A. There were several police officers,  
including Mr. Gan Boon Leong and Mr. Lim  
Chin Mong.

Q. When you arrived at the Marine Police  
Station at 1.15 p.m. that day, did you know  
whether both the accused had had their lunch

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examination  
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by then? A. I did not find out.

- Q. From your experience as a police officer would you be able to say what time lunch would be served to prisoners in the lock-up?  
A. Lunch is approximately served somewhere around 12 noon.

(Witness stands down)

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A.S.P. JERNAL SINGH  
KHOSA

10

A.S.P. JERNAL SINGH KHOSA - Examination-in-Chief  
by Crown Counsel. (affirmed) (In English)

- Q. Your name is Jernal Singh Khosa?  
A. Yes.

- Q. You are an Asst. Superintendent of Police attached to the C.I.D.? A. Yes.

- Q. On the 13th March this year at about 4.20 p.m. through the interpretation of Sarun bin Haji Abdul Rashid did you interview one Harun bin Said alias Tahir? A. Yes.

20

- Q. Which one is he? A. No. 2 accused in white.

- Q. Would you please tell the Court step by step what you did? A. I brought the second accused to the first floor of Marine Police Station.

- Q. From where? A. From the passage in front of the lock-up.

- Q. Where on the first floor? A. The Staff Sergeant's office, Staff Sergeant's room.

- Q. When you began with the interview who were present in the room, apart from you and the interpreter? A. The second accused Harun.

30

- Q. You, the second accused and the interpreter?  
A. Yes, no one else.



- Q. What did you do? I then administered a short caution through the interpreter.
- Q. Did he understand you? A. Yes, he understood the caution.
- Q. After that what happened? A. After that I put questions to him.
- Q. Did anybody sign anything? A. No. 2 accused signed.

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10 His Lordship: Q. This caution was recorded? A. Yes it was recorded.

Examination  
(contd.)

Q. No. 2 accused signed as having understood the caution. A. Yes.

- Q. After he had signed it, what did you then do? A. I then put questions to the accused after each question the answer was also recorded.
- Q. After the end of which what did you do? A. At the end of the questions and answers, the questions and answers were read back through the interpreter to the second accused. He was asked if he wished to make any corrections; he did not make any corrections and then he signed at the bottom of the questions and answers.
- 20 Q. Did you too sign? A. Yes.
- Q. You signed and the interpreter signed? A. Yes, the interpreter too signed.
- Q. Would you look at P.88-A, is this a record of your questions and answers? A. That is so.
- 30 Q. After that what did you do? A. At the end of the questions and answers I decided to charge No. 2 accused on three counts of murder.
- Q. On three charges of murder? A. Yes. I brought the accused together with the interpreter down to the Charge Room and there I had the three charges prepared against the accused. I left a copy of the charges with the Charge Room Corporal for records, and at

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(contd.)

about 5.15 p.m. I brought the accused and the interpreter back to the same room on the first floor. There through the interpreter I read out the three charges to No. 2 accused.

- Q. After they had been read back to him, what did the accused do, if anything?  
A. He signed at the bottom of the charges.
- Q. And what about the interpreter? A. The interpreter too signed. 10
- Q. Now, after that what did you do?  
A. I then administered the caution.
- Q. Which caution? A. The long one.
- Q. What we have referred to as the formal caution? A. Yes.
- Q. At the end of the formal caution, what happened? A. No. 2 accused signed as having understood; so did the interpreter.
- Q. And did he give you a statement? A. Yes, he did give a statement. 20
- Q. After he had given you a statement, did you record it? A. Yes I recorded it.
- Q. After he had given you a statement, can you tell the Court what happened?  
A. The statement was read back through the interpreter to accused No. 2.
- Q. After he had read back what did he do?  
A. He was asked if he had any corrections to make.
- Q. Can you remember whether he made any? A. No he did not make any corrections. 30
- Q. After that what did he do, if anything?  
A. He signed the cautioned statement, the interpreter too signed.
- Q. What about yourself? A. I too signed it.

Q. Will you please look at P.88-B; is this the statement as recorded by you?

A. Yes.

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Q. One last question: Before you began to ask accused No. 2 questions, did you have any idea or suspicion that he was implicated in any way in the MacDonald House explosion?

A. No, I had no idea that he was implicated, but I felt he might be able to help me, to give me useful information.

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(Court adjourns to 9.30 a.m. - 13.10.65)

Examination (contd.)

JERNAL SINGH KHOSA (On former oath)  
(Cross-examination by Mr. Kamil)

13th October 1965

His Lordship: Q. Inspector, you are on your former oath? A. Yes.

Cross-examination

Q. Mr. Khosa, you said that you came to the Marine Police Station at 2.40? A. 2.40. I took the second accused out at 4.20, as I said that yesterday. This was not asked of me when I first arrived.

20

His Lordship: Q. You arrived at the Marine Police Station at 2.40? A. Yes.

Q. And then you took Accused No. 2? A. That is right at 4.20.

Q. From where did you take him? A. He was in the passage outside the lock-up.

Q. Was he alone or together with someone? A. He was alone, and there was a policeman guarding him.

30

His Lordship: Q. What did you do there between 2.40 and 4.20? A. I was waiting for the interpreter who was being used by Inspector Hill. It was a Saturday afternoon. We couldn't get any other man.

Q. And he was available at 4.20? A. Yes.

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Cross-  
examination  
(contd.)

- Q. Is it right that Inspector Hill was the investigating officer of the MacDonald House incident? A. It is true.
- Q. Why is it necessary for you to interview the second accused? A. I was the officer-in-charge of the Malay and other sections, CID, and whenever there is a case where Malays or any other races other than Chinese are involved, or non-Chinese are involved, I come to the assistance of any other branch in the CID. 10
- Q. But you did not interview the first accused, did you? A. No, I did not, because I was told that Senior Inspector Hill was dealing with him.
- Q. With regard to the second accused, why can't you leave Mr. Hill to interview him instead of yourself? A. I felt I was there doing nothing, and I should help him.
- Q. But the time was not concurrent between your interview of the second accused and Mr. Hill's interview of the first accused - the times were different? A. Yes, it was at a different time when I dealt with the accused. I dealt later after he had finished. 20
- Q. Then why it would be necessary for you to help him? A. I have been helping him since the beginning, that is the 10th of March, in the whole investigation.
- Q. Do you know what Mr. Hill did after his interview of the first accused? Did he have no time to interview the second accused? A. I don't understand your question. 30
- Q. You took over the interpreter from Mr. Hill? A. I took over.
- Q. Now, you helped him because it might be necessary for you as he might have no time or something like that? A. Not necessarily no time. He was quite a busy man, so I just volunteered. 40

His Lordship: Q. It is not a question of Inspector Hill having no time to interview the second accused? A. It is not a question of no time.

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Cross-examination (contd.)

- 10 Q. After interviewing the second accused what did you do? A. I brought him back to the CID.
- Q. CID? A. Yes, Robinson Road, Criminal Investigation Department, Robinson Road.
- Q. Alone? You brought him back alone to the CID? A. No, Inspector Sundram was also with me.
- Q. What I mean is that you took the second accused alone, but not together with the first accused? A. That is true.
- Q. Do you know where was the first accused at that time? A. The first accused, no. I did not know until later.
- Q. You haven't seen him? A. Yes.
- Q. When did you see him? A. At the CID.
- Q. Later? A. Yes, later.
- 20 Q. When? A. It was about 6.15 p.m.
- Q. Now, Mr. Khosa, the bomb case, the MacDonald House bomb case: Is it a very important case? A. Three persons had died.
- Q. Can I say that practically all the Police Force was activated for that case? A. I do not agree.
- Q. Or can I say that the Police force involved in this case was all alerted?

His Lordship: What do you mean by that?

30 Mr. Kamil: Get extra alert.

His Lordship: Q. Who were investigating into the case? A. The CID.

Q. Is the whole of the CID alerted? A. Yes, alerted.

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Cross-  
examination  
(contd.)

- Q. May I say that this case is not just important, but very important in the eyes of the public. Is that right? A. I would not know what the public opinion is. To me it was important.
- Q. You say that these people are Indonesians, and that made you think that they might be of some help in this matter? A. I did not say that because they are Indonesians.
- Q. What made you think of the bomb? A. They were arrested in the sea. This was three days after the explosion. That is why I felt they could be, or they would be able to give me some useful information. 10
- Q. How did you link these people and the bomb? A. There was no link until I questioned him - the second accused.
- Q. You know them to be Indonesians?  
A. Yes, I learnt that when I arrived at the Marine Police Station. 20
- Q. May I say that your mind was also concentrated on finding the persons who would be involved in the bomb case at that time? A. After the 10th March, I was alerted, my mind was alerted in order to trace the culprits.
- Q. How was the accused when you first saw him?  
A. The second accused?
- Q. Yes? A. I do not understand "How".
- Q. What was his condition, or how he was being dressed or what? 30

His Lordship: What is your question?

Mr. Kamil: How was the accused when you first saw him?

His Lordship: It is a very vague question.

Mr. Kamil: His condition, if you know?

His Lordship: He wants to find out what is the condition you are talking about?

Q. Did you notice his dress, or something like that? A. Dress, yes. The second accused was wearing an off-white coloured trousers with a sports shirt.

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His Lordship: Q. Was he wet? Was his clothing wet? A. Before 4.20 when I first saw him he was not wet.

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Q. You first saw him at 4.20, but not earlier than that? A. I did not interview him earlier.

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Q. His clothes were dry? A. Yes.

Cross-examination (contd.)

Q. What kind of trousers? Is it the ordinary khaki trousers? A. Off-white.

His Lordship: Off-white.

Q. What do you mean by off-white? A. Not white.

Q. What about the material?

Crown Counsel: That is a very vague question to answer. I do not think I know what material, what fabric, or type of fabric my learned friend has got on unless it is expert evidence.

His Lordship: Q. You can't give? A. I can't.

Q. But it is just ordinary trousers? A. It is long trousers, ordinary trousers. I myself do not know. Dacron. An ordinary trousers of ordinary material, which you can see. It is not extra-ordinary. I can't answer your question, because "Ordinary" is difficult to qualify.

His Lordship: What are you driving at, Mr. Kamil? Is there anything special about the trousers?

Q. It is dry. Just not thin like this? A. I did not notice.

His Lordship: You said that you would produce the clothes.

Crown Counsel: I have completely forgotten about it.

10

20

30

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Cross-  
examination  
(contd.)

His Lordship: I think you had better  
call somebody to produce it.

Crown Counsel: We have not been able to  
trace them.

His Lordship: I am afraid your question  
is rather difficult to answer, you  
know. What do you mean by  
"Ordinary" or "Extra-ordinary"?

- Q. What about the sports shirt? Is it like  
cotton, like this, woolly like this? 10  
A. I can't remember that either, but he  
had short sleeves.

His Lordship: Q. You can't remember what  
kind of material? A. Yes.

- Q. This passageway of the lock-up: Is it inside  
the Marine Police Station? A. It is in the  
Marine Police Station behind the Charge  
Room towards the left as one faces out of  
the Police Station. It is behind the Charge  
Room towards the left as one faces out of 20  
the Police Station.

His Lordship: Q. I suppose there is another  
door to the passageway? A. There is  
a door leading to the lock-up from the  
Charge Room.

- Q. I visualise a lock-up. It has got  
a door. You say there is a  
passageway. I take it the passage  
leads on to somewhere or into the  
Charge Room. Is there a door 30  
between the passageway and the Charge  
Room? A. There is a door.

- Q. I am not talking of the lock-up.  
I am talking whether there is a  
door out to the lock-up from the  
passageway, from the Charge Room?  
A. I can't remember that. I only  
used that place on that day.

- Q. You can't remember whether there  
is a door? A. I can't. 40



Q. You used that once. You have been there once on that particular day?  
A. On the 13th of March this year.

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Q. You have not been there since?  
A. No.

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Q. You have only been to that part of the Station only once? A. Yes.

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Q. Can I say that the passageway is a kind of room? A. It is not a room.

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10 Q. Where to the right and to the left there are walls? A. On the right, there is a wall, and on the lefthand side there is the lock-up door, the cell door.

Cross-examination (contd.)

His Lordship: Q. One or two? A. Two. It is a long passage.

Q. And one end of the passage leads to the Charge Room. What about the other end? A. It is a blocked wall.

Q. The wall is made of brick? A. Yes.

20 Q. That means if a person is put there with the door closed, he cannot run away? Supposing there is a door and the door is closed, then you cannot run away? A. No, there is another opening towards the back of the Police Station, where the Orderly Sergeant sits.

30 His Lordship: Q. We are talking about the passage. At one end of the passage there is a wall? A. The other side - if you walk out from the wall side, you turn left to enter the Charge Room. If you go straight, it goes towards the rear of the Station.

40 Q. The passage leads to the Charge Room, and from the Charge Room you can go to the other parts of the Police Station? A. No, my Lord, from the passage there are two openings, one goes to the Charge room and the other goes to the rear of the Police Station.

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Cross-  
examination  
(contd.)

Q. At one end there are two openings?  
A. Yes. Can I assist the Court  
if I draw it?

His Lordship: Yes. (Witness draws  
passageway of the Marine Police  
Station) (Sketch plan drawn by this  
witness shown to his Lordship).

Ex.89 His Lordship: You had better mark that as  
Exhibit 89. Show it to Mr. Kamil and  
Mr. Seow? 10

(Exhibit 89 - sketch plan - shown  
to Mr. Kamil and Crown Counsel).

His Lordship: Q. One opening leads to  
the Charge Room, and the other one?  
A. To the rear of the Station.

Q. Is there any door for that second opening,  
which leads to the rear of the Station?  
A. There is a door.

His Lordship: Q. The one leading to the  
outside? A. Yes. 20

Q. Is it a closed door - the one which is  
leading to the rear?

His Lordship: Q. Was that door closed  
when you went down at 4.20?  
A. I did not use the door. I entered  
from the Charge Room.

Q. Did you notice whether the door  
was closed? A. I don't remember.

Q. You came to that room the first time, only  
one and only time? A. The passage? 30

Q. Yes? A. Yes.

Q. So that is the one and only time that you  
noticed the door? A. Yes.

Q. And you did not notice the condition of  
the door - open or closed? A. I have  
also seen this door from outside when  
using the Treasury building, going to the  
Treasury building.

His Lordship: Q. You have seen this door from the outside from the Treasury building? A. Yes.

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Cross-examination (contd.)

- 10 Q. Then you brought the second accused to the Charge Room. Is that right? A. No, I brought him past the Charge Room. I brought him upstairs.
- Q. Now, how did you interview him? Now, upstairs - which part of upstairs? A. Staff Sergeant's room.
- Q. How was the second accused when you interviewed him? Was he seated or standing? A. He was seated.
- Q. Where - in front or beside you? A. Opposite me. I was at the table, and he was opposite me. The interpreter was on my left.
- Q. Was he happy? A. I don't know.
- 20 His Lordship: Q. You can't say? A. I can't say.
- Q. When you charged him for murder, what did he do - this accused? A. Nothing.

His Lordship: Do you want this to come out? Do you want this to come out at this stage? Are you saying that he jumped out of his chair or what, because I don't want him to say what was said by the second accused, you know?

30 Mr. Kamil: No.

- Q. He had no reaction? A. I don't know what you mean by "Reaction". It is not very clear.

His Lordship: Mr. Kamil, at this stage we are only concerned with the admissibility of the statement, whether it was voluntarily made. You may further cross-examine the witness on that point.

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Cross-  
examination  
(contd.)

Crown Counsel: I hope my learned friend will put his questions more precisely and more carefully without letting the cat out of the bag.

Mr. Kamil: I don't understand.

His Lordship: I am sorry if you don't understand. Well, you better proceed and I will just keep an eye. You can ask this A.S.P. about the accused's reaction, try to find out whether he was startled or what. 10

Mr. Kamil: Yes, something like that.

Witness: He appeared quite normal to me.

His Lordship: Q. After he was charged?  
A. Yes.

Q. He little knew that the charge was murder?  
A. He knew because it was interpreted.

His Lordship: Q. The charges were interpreted to him? A. Yes.

Q. So he gave a statement to you? 20

His Lordship: Q. He volunteered the statement to you? A. Yes, after the formal caution.

Q. He gave the statement to you willingly? A. Yes, as he spoke and it was interpreted to me and I wrote it down.

His Lordship: Q. Will you kindly answer the question: he gave it to you willingly?  
A. Yes, willingly.

Q. I put it to you, Mr. Khosa, he never gave you any statement that day? A. He did, my Lord. 30

Q. I put it to you that he never knew the contents of the one which he signed? A. He did.

Q. I put it to you that you were all the time pressing him and accusing him and involving

him in the bomb? A. I did not.

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Q. I put it to you that at one time or another you used force on him? A. I did not.

Q. And I put it to you that at one time or another you did assault him? A. I did not.

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Q. And then you presented to him a paper telling him to sign it because it was the normal way for a person being arrested to sign papers? A. That is not so.

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10 Q. And I put it to you also that the statement had never been read to him or translated to him. A. The statement was read and interpreted.

Cross-  
examination  
(contd.)

Q. And I put it to you because of this misrepresentation and violence that he finally signed the statement? A. That is not true.

-----  
No re-examination.

(Witness stands down)

20 Crown Counsel: My Lord, I would like to recall Inspector Mahmud.

His Lordship: On what?

Crown Counsel: I want to ask him whether he recorded in his diary the questions he put to accused No. 1.

His Lordship: You asked him yesterday.

Crown Counsel: I leave it to your Lordship. I think he told us he asked certain general questions.

30 His Lordship: Mr. Kamil, what have you to say to that?

Mr. Kamil: I don't know the relevancy of that. I object to that.

His Lordship: On what ground?

Mr. Kamil: I don't find any relevancy.

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His Lordship: I will allow to recall  
him.

Crown Counsel: Much obliged, my Lord.

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Cross-  
examination  
(contd.)

No.55

Mahmud bin  
Haji Ali  
(recalled)

13th October  
1965

Examination

NO. 55

MAHMUD BIN HAJI ALI (RECALLED)

MAHMUD BIN HAJI ALI (Recalled)

Questions by Crown Counsel (On former affirmation)

- Q. Inspector Mahmud, yesterday you said after you had charged Accused No. 1 under the Internal Security Act then it occurred to you he might be able to assist you and you asked some general questions? A. Yes. 10
- Q. Before that you administered a short caution to him? A. Yes.
- Q. And you said you did not record the general questions? A. Yes.
- Q. And you said you did not record these questions and answers.

Mr. Kamil: May I say something; this does not arise in cross-examination. 20

His Lordship: Mr. Seow is making an application to recall this witness.

- Q. You recorded a short caution in your diary? A. Yes.
- Q. What I want to know is: the questions which you asked and the answers which he made, were they recorded anywhere else? A. No, except

in my diary.

- Q. And they were in your diary covering the period from 1st February to the 10th June?  
A. Yes.

In the High Court in Singapore

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His Lordship: I don't see any point. I thought you were going to put in the diary. What struck me was that according to him these questions were not recorded at the time; it was recorded subsequently.

Mahmud bin Haji Ali (recalled)

13th October 1965

Examination (contd.)

10

Questions by Court

- Q. How long after the interview? A. Just a few minutes after.

Questions by Court

His Lordship: It seems to me that it does not comply with the Judges Rules.

Crown Counsel: Judges Rules do not say. All that I am interested in is the short caution which he administered; he said he recorded it in his diary.

20

His Lordship: You do not even make an effort to mark that.

Crown Counsel: I was going to leave it to my learned friend. They have been recorded in his diary covering that period of time of what he did.

His Lordship: As far as you are concerned you do not want that marked. If he wants to ask questions he can do so.

30

Crown Counsel: Unless this witness refers to his diary and to the questions which he put and the answers given, then my learned friend can have a look.

His Lordship: Do you want that marked?

Crown Counsel: No, my Lord.

His Lordship: Do you want to ask any questions, Mr. Kamil?

Mr. Kamil: No, my Lord.

(Witness stands down)

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Court in  
Singapore

NO. 56

SARUAN BIN ABDUL RASHID

No.56

SARUAN BIN ABDUL RASHID Examination-in-Chief  
by Crown Counsel. (Affirmed) (In English)

Saruan bin  
Abdul Rashid

13th October  
1965

Examination

- Q. Your name is Saruan bin Abdul Rashid? A. Yes.
- Q. And you are a Certificated Translator attached to the C.I.D.? A. Yes.
- Q. On the 13th March this year at about 1.25 p.m. at the Marine Police Station did you act as interpreter in Malay for Inspector Hill? 10  
A. Yes.
- Q. Inspector Hill interviewed a male Indonesian by the name of Osman bin Haji Mohd. Ali?  
A. Yes.
- Q. Can you recognise that person? A. Yes.
- Q. Can you point him out if he is in Court?  
A. That person (Points to Accused No. 1).
- Q. You know him? A. That was the first time I had seen him; I do not know him.
- Q. Did accused No. 1 say anything in that inter- 20  
view? A. Yes.
- Q. And you interpreted whatever he said?  
A. Yes.
- Q. Now at the end of it what did you do?  
A. After that interpretation I signed my name.
- His Lordship: Q. What was Inspector Hill doing? A. He was recording.
- Q. Inche Saruan, let us begin from the very beginning; how many persons were in the room? A. Three. 30
- Q. Who were they? A. Myself, Inspector Hill and Inche Osman (accused No. 1).



Q. What did Inspector Hill do, if anything?  
A. He gave him a caution.

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Q. Can you tell us whether a long or short  
caution? A. A short one.

Q. Now after he had given a caution what did you  
do? A. I interpreted that short caution to  
accused No. 1.

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Q. Did he understand you? A. Yes, Sir.

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10 Q. Now after that what did accused No. 1 do, if  
anything. A. He gave a statement.

Examination  
(contd.)

Q. You had interpreted the caution, he understood  
it, what did accused No. 1 do next, if anything?  
A. He was seated together in the room.

Q. Did he do anything after that? A. After that  
he signed the statement.

Q. Let us go stage by stage. I am referring to  
the interview at 1.25 p.m. After he had signed  
can you remember whether you signed your name?  
A. Yes.

20 His Lordship: Q. The short caution was  
administered? A. Yes.

Q. And interpreted? A. Yes, he under-  
stood it.

Q. What did he do then? A. He gave a  
statement.

Q. Then after making the statement?  
A. I interpreted it to him and then  
he signed it.

30 Q. He made a statement which was  
recorded by Inspector Hill and  
then what happened after that?  
A. After the statement, Sir?

Q. Yes? A. He signed it.

Q. If you go step by step you will  
not be confused? A. Yes.

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Examination  
(contd.)

Q. I am now talking about the stage when the short caution was administered; now what happened after that short caution was administered to accused No. 1, you were interpreting? A. Yes.

Q. Then what did he do? A. He signed it.

Q. How many cautions were administered on this day to the accused No. 1? A. Two cautions.

Q. What was the second caution administered to accused No. 1? A. It was a long caution.

Q. Now, Mr. Saruan, please forget for the time being the long caution. I want you to confine yourself for the time being as to what happened after the first and short caution was administered to accused No. 1: do you understand me? A. Yes. 10

Q. Let us go on from that? A. Yes.

Q. After he had signed the short caution, can you remember what Inspector Hill did, if anything? A. He took down the statement.

Q. What is the purpose of having two cautions; what did Inspector Hill do, if anything? A. I cannot remember. 20

His Lordship: Q. We were not there; we do not know what happened; it is for you to tell us what happened that day. Mr. Hill wrote down the statement? A. Yes.

Q. He asked accused No. 1 certain questions? A. Yes.

Q. Do you remember those questions? A. Yes.

Q. Now, to those questions did accused No. 1 reply? A. Yes. 30

Q. Which you interpreted? A. Yes.

Q. Did he understand the questions? A. Yes.

Q. The questions which Inspector Hill put to the accused and his replies, were they recorded? A. They were recorded.

Q. Now at the end of these questions and answers, what did you do, if anything?  
 A. I read over the questions and answers to accused No. 1.

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Q. Did he understand? A. He understood.

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Q. Did he make any corrections? A. No.

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Q. Or additions? A. No.

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Q. Now after you had read back the questions and answers can you tell the Court what did accused No. 1 do, if anything? A. He signed it.

Examination (contd.)

Q. After that what did you and Inspector Hill do? A. I countersigned it.

Q. And what about Inspector Hill? A. He also did the same thing.

Q. Is it correct the interview ended at 1.55 p.m.?  
 A. Yes.

Q. Will you please look at P.87-A, do you recognise it? A. Yes, this is the one.

20

Q. That shows the questions and answers?  
 A. Yes.

Q. Now right at the end of the first caution, do you see accused No.1's signature there, is it there? A. Yes.

Mr. Kamil: This has not been admitted yet.

His Lordship: No.

Mr. Kamil: It will be admitted only after the admission.

30

His Lordship: You can question the Inspector. If the thing has been admitted there is no point in calling the interpreter. Are you making a submission to me?

Mr. Kamil: No, my Lord.

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(contd.)

Q. You identify the accused's signature there?  
A. Yes.

Q. And your signature? A. Yes.

Q. And Inspector Hill's signature? A. Yes.

Q. Now after that first interview, as I call  
it, can you remember what happened then?  
A. Inspector Hill took the accused downstairs.

Q. Later did he use your services? A. Yes.

Q. That was at 2.35 p.m., is that correct?  
A. Yes.

10

Q. Now at 2.35 p.m. can you tell us what happened?  
A. Inspector Hill again brought accused No. 1  
to the room.

Q. How many of you were there? A. Three of us;  
Inspector Hill, accused No. 1 and myself.

Q. Did Inspector Hill ask you to do anything?  
A. Yes.

Q. What did he ask you? A. He asked me to read  
the charges.

Q. To read the charges in English? A. To  
translate them into Malay.

20

Q. You mean to say you explained the charges to  
him in Malay? A. Yes.

Q. How many charges? A. There were three charges.

Q. Now, after the three charges had been  
explained to Accused No.1, can you tell  
us what happened next? A. He understood  
the charges.

Q. Yes. And did he do anything to signify that  
he understood it? A. He signed the charges.

30

Q. You mean he signed on the sheet where the  
charges were? A. Were written.

Q. Typed? A. Yes.

- Q. And you? A. I signed it.
- Q. You also signed it? A. Yes.
- Q. For you to show that you had interpreted them to him? A. Yes.
- Q. Interpreted and explained to him? A. Yes.
- Q. And then what happened next? A. And then I interpreted the second caution, the long caution.
- 10 Q. Who gave you that second caution? A. Mr. Hill.
- Q. That second caution, as you have told us earlier, was the long caution? A. Yes.
- Q. After you had interpreted the long caution, did accused No. 1 do anything? A. He understood it. He signed it.
- Q. Speak up please? And did you do anything? A. I signed, countersigned it.
- Q. And after that what happened? A. After the statement, sir?

20

His Lordship: Mr. Saruan, look, everything possible is being done to assist you to give evidence. Mr. Seow is taking you step by step, you know.

- Q. After finishing, interpreting, the long caution, he had signed it, you had signed it and then what happened? A. He was taken out. The accused was taken out.
- Q. Taken out where to? A. Out of the room.
- 30 Q. So he did not say anything, and didn't do anything? Look, please, please what is wrong with you? You had given him a long caution? A. Yes.
- Q. Inspector Hill gave you a long caution, and you interpreted it to Accused No. 1? A. Yes.

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Examination  
(contd.)

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(contd.)

Q. He signed at the bottom of it. You counter-  
signed it and then what did Accused No. 1  
do, if anything? A. He says everything.  
He says the statement is all right.

Q. What statement are you talking about?  
A. The statement he was giving after signing  
it.

His Lordship: Q. After signing the  
caution, did he make a statement?  
A. Yes.

10

Crown Counsel: That is all we want from  
you.

Q. After the caution, he gave a statement, did he?  
A. Yes.

Q. Did he or not? A. Yes, he gave a statement.

Q. Which you interpreted to Inspector Hill?  
A. Yes, to Inspector Hill.

Q. Who wrote it down? A. Yes.

Q. All right. After he had given his statement,  
what did you do? A. I read it over once  
again to him.

20

Q. Did he understand you? A. Yes, he understood.

Q. Did he make any corrections, additions, or  
alterations? Can you remember? A. No, sir.

Q. And then what happened? A. He signed it.

Q. What about you? A. I signed it also.

Q. And Inspector Hill? A. He signed also.

Q. And this statement was concluded at 3.15  
p.m. Is that correct? A. Yes.

Q. Will you please look at P.87B? (Exhibit  
handed to witness) Is that the statement  
in question? A. Yes, sir.

30

His Lordship: 3.50 or 3.15?

Crown Counsel: 3.15, my Lord.

Q. Have a good look at it? Don't look as if it is just any odd piece of paper? Do you identify your own signature? A. Yes, sir.

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Q. The accused's signature? A. Yes, sir.

Q. And Inspector Hubert Hill's signature? A. Yes.

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Crown Counsel: Please take it away from him.

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10 Q. At about 4.20 p.m. that day, did you also act as interpreter in Malay for A.S.P. Khosa? A. Yes.

Examination (contd.)

Crown Counsel: A.S.P. Khosa is P.W.38, my Lord.

His Lordship: We will adjourn now.

(Court adjourns for a short while and resumes at 11.15 a.m.)

His Lordship: You are on your former affirmation.

Witness: Yes.

20 Q. At about 4.20 p.m. that same day did you also act as interpreter in Malay for ASP. Khosa? A. Yes.

Q. In his interview with one Harun bin said @ Tahir? A. Yes.

His Lordship: Q. Is he in Court - this man Harun? A. Yes, the second accused Harun bin Said.

30 Q. This interview was carried out where - in a room? A. In a room in the Marine Police Station, my Lord.

Q. Was anybody else present apart from you three? A. There was nobody present.

Q. What did ASP. Khosa do to start the interview, if anything? A. Yes, he read the short caution to him.

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(contd.)

- Q. Which you interpreted? A. I interpreted it in Malay to Harun.
- Q. Did he understand the caution? A. Yes, he understood the caution.
- Q. At the end of that what did Accused No. 2 do, if anything? A. He signed his name.
- Q. After he had signed below the caution? A. I countersigned it.
- Q. Did you? A. No, I am sorry.
- Q. Incidentally have you told us what kind of caution it was - long or short? A. Short caution. 10
- Q. After that what did ASP. Khosa do, if anything? A. He asked him questions.
- Q. Which you interpreted to the accused? A. In Malay.
- Q. Did he understand it? A. He understood it.
- Q. Those questions? A. Yes.
- Q. And did he make any replies? A. Yes.
- Q. Which you interpreted back to ASP. Khosa? A. Yes. 20
- Q. These questions and answers: Were they recorded? A. They were recorded by Mr. Khosa.
- Q. By ASP. Khosa? A. Yes.
- Q. At the end of the questions and answers, can you tell us what happened? A. Harun signed it.
- Q. He just signed it straightaway? A. Before that I read it over to him.
- Q. Let us have it, but don't jump the gun. You read it back to him before he signed it? A. Yes. 30
- Q. Did he understand it? A. He understood it.



- Q. When you say you read it back to him, what did you mean - in English? A. All in Malay.
- Q. Did he understand? A. Yes.
- Q. Did he make any corrections, additions or alterations? A. No, my Lord.
- Q. After he had signed it, what did you do, and what did A.S.P. Khosa do? A. He counter-signed.
- Q. Both of you? A. Yes.
- 10 Q. Please look at P.88A? (Exhibit shown to witness) Do you recognise it? A. Yes, this is the one.
- Q. You identify the accused's signature? A. Yes.
- Q. Below the caution? A. Yes, below the caution.
- Q. And below the end of the statement?  
A. Yes.
- Q. And you identify your own signature?  
A. Yes.
- Q. And that of ASP Khosa? A. Yes.
- 20 His Lordship: That is P.88A?  
Crown Counsel: That is correct.
- Q. Later did ASP. Khosa make use of you again?  
A. Yes.
- Q. That was at what time can you remember?  
A. I can't remember.
- Q. Was it at about 5.15? A. Somewhere there.
- Q. Now, on this occasion, how many of you were present? A. There were three of us present.
- Q. In the same room? A. Same room.
- 30 Q. What did you do on this occasion?  
A. I read the charges. I did the same thing. I read the charges, translated the charges to him.

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Examination  
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Examination  
(contd.)

- Q. You read the charges to the accused in Malay? A. Yes, in Malay.
- Q. Did he understand the charges? A. Yes, he understood the charges.
- Q. At the end of it, did Accused No. 2 do anything? A. He signed the charges. He signed on the piece of paper containing the charges.
- Q. And did you sign it? A. Yes.
- Q. After the charges had been read to Accused No. 2 in Malay, what did ASP. Khosa do, if anything? A. He read to him the long caution. 10
- Q. Presumably in English? A. In English, and I interpreted it into Malay.
- Q. Did you interpret it to Accused No. 2 in Malay? A. Yes.
- Q. Did he understand the caution, the long caution? A. Yes, he understood the long caution. 20
- Q. And what did Accused No. 2 do after you had interpreted the caution to him? A. He signed it beneath the caution.
- Q. And what about you? A. I signed it too.
- Q. And then what did Accused No. 2 do, if anything? A. He gave a statement.
- Q. At the end of that statement, what did you do, if anything? A. I signed the statement. Before that I read it over to him.
- Q. Give it step by step. Don't jump the gun? A. I read the statement over to him in Malay. 30
- Q. To Accused No.2? A. Yes.
- Q. Did he make any corrections, additions, or alterations? A. No, my Lord.
- Q. To that statement? A. No, my Lord.

- Q. And what did he do, if anything? A. He signed it.
- Q. And you? A. I countersigned it. So did Mr. Khosa.
- Q. That statement was concluded at about 5.40 p.m.? A. Yes.
- Q. Please look at P.88B? (Exhibit shown to witness) Do you recognise this document?  
A. Yes.
- 10 Q. Do you identify the accused's signatures?  
A. Yes.
- Q. One beneath the charges, one beneath the long caution and one beneath the statement?  
A. Yes.
- Q. And you identify your own signature?  
A. Yes.
- Q. As well as that of ASP. Khosa?  
A. Yes.
- (Cross-examination by Mr. Kamil)
- 20 Q. Mr. Saruan, you are attached to the CID?  
A. Yes, I am attached to the CID.
- Q. For how long have you been in the CID?  
A. I have been there for seventeen years.
- His Lordship: Q. All the time as an interpreter? A. Yes, translator.
- Q. Are you a policeman? A. No, sir.
- Q. You are a Malay? A. I am a Malay.
- Q. You were born in Singapore? A. I was born in Singapore.
- 30 Q. You are a qualified interpreter?  
A. I am a certificated translator my Lord.
- His Lordship: Q. In other words, you have to take some examination? Did you have to take some examination?

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Examination  
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Cross-  
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Cross-  
examination  
(contd.)

A. Yes, my Lord.

Q. You have to take and pass it?

A. Yes, my Lord.

Q. Examinations in Malay? A. Yes, in Malay.

Q. Translator? A. Yes.

Q. Set by the Government? A. Yes.

Q. You are only qualified for the English language and the Malay language? A. Yes.

Q. You are not qualified for the Indonesian language? A. No, my Lord. 10

Q. Mr. Interpreter? A. Translator.

Q. Mr. Translator, you remember the 13th of March, 1965? A. Yes, my Lord.

Q. You were brought or you went to the Marine Police Station? A. I was taken to the Marine Police Station.

Q. To assist? A. To assist Mr. Hubert Hill.

Q. And then you saw the first accused? A. Yes, my Lord. 20

Q. You spoke to him. Did he ask you about food? Did the first accused ask you about food? A. Yes, my Lord.

His Lordship: Q. He asked you about food? A. Yes.

Q. What time was that? A. I can't remember the time.

Q. Roughly can't you remember - 1 o'clock, 2 o'clock, or was it 5 o'clock or 8 o'clock? A. At the Marine Police Station at about 1.30. 30

Q. About 1.30? A. Yes.

Q. That was in front of Mr. Hubert Hill? A. Yes, my Lord.

Q. What happened? Was he given food? A. No, my Lord.

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Q. Mr. Hubert Hill knows Malay? A. He knows Malay.

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Q. What happened? He was not given food?  
A. Yes, my Lord.

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His Lordship: Q. What was your answer when he asked you for food?  
A. I asked him to wait. I told him to wait.

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Q. You said wait? A. Yes.

Cross-examination (contd.)

Q. Did you notice his dress that day? A. Yes.

Q. How was it? A. Osman was bare-bodied.

Q. I mean his trousers? A. His trousers were black.

Q. How were the trousers, wet or dry?  
A. It was wet.

Q. Do you know why the trousers were wet?  
A. I do not know.

20

Q. How long did the interview take place?  
A. It was about half an hour; between half to one hour.

Q. All along you spoke in Malay? A. Yes, all along I spoke in Malay.

Q. You knew they were Indonesians? A. Yes.

Q. How did you know they were Indonesians?  
A. Because they said they are Indonesians.

Q. If they did not tell that they were Indonesians?  
A. I could not suspect them to be Indonesians.

30

Q. If they did not tell you that they were from Singapore, you could not suspect that they were from Singapore?

His Lordship: Q. They may the Indonesians resident in Singapore? (sic)

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Cross-  
examination  
(contd.)

A. They may be Indonesians and yet  
resident in Singapore.

- Q. If you did not suspect them as Indonesians,  
you took them to be Malays? A. Yes.

His Lordship: Q. Are you saying you first  
took them as Malays? A. I mean Javanese.

Q. Look at him, do you suspect him to  
be Malay or Indonesian? A. Indonesian.

Q. Looking at him you could tell that  
he is an Indonesian? A. Yes

10

- Q. You said that if they did not tell you, you  
could not tell that they were Indonesians; I  
think you better clarify? A. By looking at  
them they are Indonesians.

His Lordship: Q. That is what you say now.  
Earlier you said, if they did not tell  
you you did not suspect that they were  
Indonesians. At first you said that  
and now you say something else? A. By  
looking at them they are Indonesians.

20

Q. Why did you say earlier you cannot  
tell; you made a mistake or what;  
it is a very serious matter, you are  
taking it very lightly? A. I mean  
the first one he might be a Javanese  
or a Boyanese; that is what I meant;  
but they are Indonesians.

- Q. Only from the look of the men that you suspect  
them to be Javanese or Boyanese or other  
Indonesians; apart from that you could not  
suspect? A. No.

30

His Lordship: Q. By looking at the first  
accused you knew that he is an  
Indonesian? A. Yes.

- Q. Apart from that you could not say; there is  
nothing? A. there is nothing.

Crown Counsel: There is a contradiction in  
terms.

His Lordship: What contradiction?

Crown Counsel: I do not follow; I am getting mixed up.

His Lordship: Apparently it is now clear.

His Lordship: Q. By looking at the person (to witness) you knew that the first accused is an Indonesian; is that correct or not?  
A. That is correct.

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10 Q. Now you have been together with these men for one hour or two hours? A. Yes.

Cross-examination (contd.)

His Lordship: He said half an hour to one hour.

Mr. Kamil: All right half an hour to one hour.

20 Q. From that mixing up with him, apart from his look, and apart from what he told you he was an Indonesian, you could not suspect him to be an Indonesian? A. I suspected him from the way he spoke.

His Lordship: Q. From his speech?  
A. Yes, twang and speech.

Q. So he spoke in Indonesian language? A. He spoke in Malay.

Q. What do you mean? A. Twang spoken in Malay, I can say that he is an Indonesian.

Q. Am I wrong in saying that he spoke in Indonesian Malay? A. No, he spoke Malay.

30 Q. Do you know Indonesian Malay? A. I don't know Indonesian Malay, but he spoke Malay.

Q. If you do not know Indonesian Malay, how can you say that he did not speak in Indonesian Malay? A. He might have spoken with a Javanese twang, but when he spoke to me he spoke in real Malay.

Q. So all along he used Malay language as spoken

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examination  
(contd.)

in Singapore? A. Yes.

His Lordship: You have taken much more time in putting questions; you should get on a bit quicker; you have taken about five minutes for each question.

Mr. Kamil: I will try.

Q. Mr. Saruan, what about No. 2 accused?  
A. I did the same as I interpreted to the first accused. I acted as interpreter for the same accused. 10

His Lordship: Q. He spoke in Malay or what?  
A. He spoke in Malay.

Q. He also spoke in Malay? A. Yes.

Q. As spoken in Singapore? A. Yes.

Q. Mr. Saruan, this man, No. 2 accused spoke in Malay of the Indonesian twang? A. Yes, he spoke in Indonesian twang.

Q. And yet you spoke to him in Malay? A. Yes, I spoke to him in Malay. 20

Q. Do you know that there is a difference between the Malay as spoken in Singapore and the Indonesian Malay? A. No, there is no difference.

Q. So if there is a difference of what you spoke to him might not be understood by him?  
A. He understood very well, Sir.

Q. I put it to you that he could not understand much of your spoken Malay? A. No, he understood me very well. 30

Q. I put it to you that both the accused could not understand well your spoken Malay?  
A. No, they understood me very well.

Q. Mr. Saruan, I put it to you that you did not even allow them to clarify what you said to them? A. No, I clarified everything to them.



Q. And I put it to you that you did not read the statements properly to them? A. I read the statements properly to them, my Lord.

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Q. You told No. 2 accused to sign because you said it is normal to sign papers when a person is arrested? A. That is not so.

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Q. I put it to you, Mr. Saruan, that these two people did not make any statement as written in the statements which were shown to you this morning? A. No, they made the statements.

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10

His Lordship: You mean the recorded statements?

Cross-examination (contd.)

Mr. Kamil: Yes, my Lord.

Q. I put it to you that they have been assaulted before they signed it? A. That is not so.

Crown Counsel: My learned friend should mention the name of the person he is referring to.

Q. And you slapped one of them? A. No.

20

His Lordship: Which one, Mr. Kamil?

Mr. Kamil: May I consult my clients?

His Lordship: Yes.

(Mr. Kamil consults his clients)

Q. That you yourself had slapped both of them when they refused to sign? A. No, my Lord. Not at all, my Lord.

Mr. Kamil: Thank you.

(Re-examination) (By Crown Counsel)

Re-examination

30

Q. In answer to one of the questions by my learned friend, you said that you are not qualified in Indonesian Malay. Do you remember saying that? A. Yes, Sir.

Q. Now, what do you mean by Indonesian Malay

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in which you are not qualified? A. I mean Indonesian Malay, mostly the speeches, the spoken words: they might include some of the Javanese words which I do not know.

- Q. So you are referring now to what? To a dialect, to a particular dialect, or to?  
A. Indonesian dialect, some that I heard outside. Some are Javanese, outside when they are ---
- Q. You are referring to what? What dialect? 10  
A. Indonesian language; Indonesian language.
- Q. What is that? A. That Indonesian language.
- Q. What do you understand by Indonesian language? What have you in mind when you said that?  
A. My Lord, when I heard over the radio, sometimes they are speeches - I mean, the Indonesian language itself.
- Q. What is it called? A. Bahasa Indonesia - Indonesian language.
- Q. I, too, could tell you that. 20
- His Lordship: You cannot understand, is it? A. I don't understand.
- Q. Not a word of it? A. Some of it; some, but not all.
- Q. Do you know the difference between dialects and languages? A. Dialects - spoken dialects.
- Q. Never mind. Do you know the difference between dialect and language?

His Lordship: Don't you know that the South Malays speak, not completely different, 30 but somewhat different from the northern Malays? A. Yes.

Q. That is a dialect, Mr. Saruan.  
A. Yes, Sir.

Q. Those people from Kedah, from Trengganu --- A. Trengganu ---

Q. They come down to Singapore: they speak to you and some words you don't understand? A. Right, my Lord. Yes, my Lord.

In the High Court in Singapore

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No.56

Saruan bin Abdul Rashid

13th October 1965

Re-examination (contd.)

- Q. What have you in mind when you say you are not qualified in the Indonesian language?  
A. I am a certificated Malay translator, so I cannot say that I am qualified in the Indonesian language.
- 10 Q. In the language or in the dialect, or what?  
A. In the dialect itself.
- Q. Right, how often have you been called to do interpretation? A. Not very often, because my work is a translator in office, not going out.
- Q. Now, I am asking how often have you been called as an interpreter. Is this your first case of interpretation? A. No, this is not my first case.
- 20 Q. All right, can you tell us how often? You do not have to give us the exact number of times? A. When there are cases coming up, I am usually called to deal with the cases.
- Q. Yes, can you tell us how often you have done that? A. I can't tell you when there are cases coming up, Sir.
- Q. Not many cases coming up in the past, Mr. Saruan. How often have you done it? Only once, twice, thrice, six times, ten times, twenty times? A. I couldn't remember.
- 30 Q. Many times? A. Many times.
- Q. Yes, that is all. If you could just answer it. And is this the first - or, let me put it this way: how often in Indonesian Malay cases, or in Indonesian cases? A. Many times, Sir.
- Q. As well, many times as well, is that so?  
A. Yes.

In the High Court in Singapore

No.56

Saruan bin Abdul Rashid

13th October 1965

Re-examination (contd.)

- Q. Now, at what stage in the interview or in the recording of the statement did accused No. 1 ask you for food? A. When we were in the room.
- Q. Yes, was it at the beginning or towards the end or what? A. In the beginning; in the beginning.
- Q. When, in the beginning? You know there are two stages. You had the interview, and the recording of the statement, do you remember? A. The interview; at the interview. 10
- Q. At the interview stage? A. Yes.
- Q. Was it at the beginning of the interview or towards the end of the interview? A. At the beginning of the interview.
- Q. Even before the caution was taken? A. Even before the caution was taken.
- Q. He spoke to you? Accused No. 1 spoke to you? A. Yes.
- Q. Did you pass it on to Inspector Hubert Hill? A. No, Sir. 20
- Q. You took it upon yourself and told them to wait till the whole thing is over? A. Yes, my Lord.
- Q. What about Accused No. 2? Did he make any such request? A. No, my Lord.

His Lordship: Yes, all right. Thank you.

(Witness stands down)

He wants to be released, is it, Mr. Seow? 30

Cr. Counsel: Yes, may he be released?

His Lordship: Yes, but I suppose he can be recalled?

Cr. Counsel: Oh yes.

Cr. Counsel: That would conclude this phase of the evidence, or anyway so far as the Prosecution is concerned at the present stage.

In the High Court in Singapore

His Lordship: Is there any other statement which might be challenged.

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Cr. Counsel: I only have one other statement of Accused No. 1, only in so far as Accused No. 1 is concerned, before Mr. Donald Yeo. But that is a separate issue altogether.

Saruan bin Abdul Rashid

13th October 1965

His Lordship: But I was just thinking: isn't it better for us to have all the evidence, and then we can hear Mr. Kamil before I decide.

Re-examination (contd.)

Cr. Counsel: May I suggest it is on the statement first?

Mr. Kamil: No, I think it is better.

His Lordship: I think it is much more convenient for us to have all the statements, if you want to put them in, and then let Mr. Kamil decide; he might want to call.

Cr. Counsel: As you please. Then your Lordship will rule on both statements?

His Lordship: Yes, on both statements. I think it might be more convenient.

Cr. Counsel: Yes, then I proceed to call Inspector Tan Eng Bok.

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In the High Court in Singapore

NO. 57

TAN ENG BOCK

No.57

Tan Eng Bock  
13th October  
1965  
Examination

TAN ENG BOCK (Examination-in-chief)  
(By Crown Counsel) (Sworn in English)

His Lordship: Your name is Tan Eng ---

Witness: Tan Eng Bok. (Spelt) B-O-C-K.

Q. You are an Inspector of Police attached to the Special Investigation Section of the C.I.D? A. That is so.

Q. On the 13th of March this year at about 5.05 p.m. did you escort Accused No. 1 to the General Hospital for medical examination? A. I did. 10

His Lordship: First accused, is it?  
A. That is so.

Q. Before bringing him before the 4th Magistrate, Mr. Donald Yeo? A. That is so.

Q. And there Accused No. 1 was examined by Dr. W.C. Cheng? (Spelt) C-H-E-N-G.

His Lordship: Doctor? A. W.C. Cheng, my Lord. 20

Q. Now, after the medical examination by Dr. Cheng, you then brought Accused No. 1 to the 4th Magistrate Court? A. That is so.

Q. At South Bridge Road, Singapore. Is this the Doctor in question?

(Witness is brought into court)

A. That is so.

Cr. Counsel: Your name, please, Doctor?

Doctor: Cheng Boey Chhi. 30

Cr. Counsel: How do you spell Boei Chhi?

Doctor: "B-O-E-Y C-H-H-I"

Q. Now, at 5.25 p.m. you arrived at the 4th Magistrate's Court? A. That is so, my Lord.

Q. Where you handed Accused No. 1 over to the Court Interpreter Ishak bin Haji Nawawi?  
A. That is correct.

(A witness is brought in)

Cr. Counsel: Your name please?

Witness: Ishak bin Haji Nawawi.

Q. Is that him? A. That is so.

10 (The witness leaves the Court)

Q. And at about 6.20 p.m. you took custody of Accused No. 1 again and brought him once more to the General Hospital? A. That is so, my Lord.

Q. Where he was examined by the same medical officer? A. That is right.

Q. Or same doctor. And then you took Accused No. 1 back to the C.I.D.? A. That is so.

20 Q. Do you know whether Accused made any statement or confession to Mr. Donald Yeo? A. No, I don't know, my Lord.

Q. Now, on the 18th of March this year at about 1.10 p.m. did you hold an identification parade at the Marine Police Station which included the two accused? A. I did, my Lord.

Q. How many persons comprised this parade?  
A. 18 persons including the two accused.

Q. Who were these persons? A. They were male Malays, members of the public.

30 Q. Were they all of the same or of about the same age, height and build as the two accused persons? A. That is so, my Lord.

Q. Now, you introduced one Tan Boey Eng to the parade, is that correct? A. That is right, my Lord.

In the High Court in Singapore

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No.57

Tan Eng Bock

13th October 1965

Examination (contd.)

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Tan Eng Bock  
13th October  
1965

Examination  
(contd.)

- Q. And did he pick anyone out? A. Yes, my Lord.
- Q. Who? A. He identified the two accused in the Dock.
- Q. He picked out the two accused? A. That is so.
- Q. Now, before he was introduced to the parade, did he have any opportunity of seeing its formation? A. No, my Lord.
- Q. And before he was introduced to the parade, did you explain to both accused the usual facilities? A. That is so. 10
- Q. That is to say, of changing their clothes, combing their hair and tidying themselves up in any way they like? A. That is so, my Lord.
- Q. Did you also give them a choice of selecting their positions in the parade? A. I did, my Lord.
- Q. And would you be able to say what position did accused No. 1 elect? A. He was standing in position No. 9 facing me on my left, from my left. 20

His Lordship: The accused took a position? A. No. 9 position from my left as I face the parade, my Lord.

- Q. And Accused No. 2? A. He was in position No. 5.
- Q. As you face the parade? A. As I face the parade. 30
- Q. From your? A. From my left.

His Lordship: Mr. Seow, this doctor is here. This witness may be cross-examined at length. I think you had better call the doctor first. Would that be more convenient or not? I don't like to detain doctors unnecessarily.



Cr. Counsel: That is so.

In the High Court in Singapore

His Lordship: Have you any objections, Mr. Kamil? If we call the doctor? I would like to release him. We don't like him hanging around.

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Cr. Counsel: Yes, we are short of doctors - important people. So we will have to do all we can.

Tan Eng Bock  
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1965

(Inspector Tan is stood down temporarily)

Examination  
(contd.)

10

NO.58

No.58

CHENG BOEI CHHI

Cheng Boei Chhi

CHENG BOEI CHHI (Examination-in-Chief)  
(By Crown Counsel) (Sworn in English)

13th October  
1965

Q. Your name is Cheng Boei Chhi? A. Yes.

Examination

Q. You are a Medical Officer attached to the General Hospital? A. Yes.

Q. And on the 13th of March this year, were you in the Outpatient - or is it the Casualties Department? A. Casualties Department.

20

Q. And at about 5.10 p.m. do you remember the last witness, Inspector Tan, bringing to you a male Indonesian by the name of Osman bin Haji Mohamed Ali? A. Yes.

Q. For you to examine?

His Lordship: Who - that Inspector, is it? A. Yes.

Q. What is his name, Doctor?

Cr. Counsel: Osman bin Haji Mohamed Ali.

30

Q. Is that correct? A. Yes.

Q. And can you identify that person, Doctor? A. No.

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Cheng Boei  
Chhi

13th October  
1965

Examination  
(contd.)

Q. And did Inspector Tan tell you the purpose of the medical examination? A. Yes.

Q. What did he say?

His Lordship: I think we had better not hear what he said. What were you asked to do? Were you asked to examine?

Q. You were asked to examine this person by the name of Osman bin Haji Mohamed Ali for any injury? A. Yes.

10

Q. As he was going to bring him before a Magistrate? A. Yes.

Q. And did you examine him thoroughly? A. Yes, I did.

Q. Did you find any injuries on him? A. No.

Q. Did this man, Osman bin Haji Mohamed Ali complain to you of having been assaulted or having been injured? A. No.

Q. By the Police, or by anybody whilst he was in their custody? A. No.

20

Q. And again at 7.05 p.m. that same day did you examine the same person? A. Yes, I did.

Q. Again, for evidence of injury, assault, etc.? A. Yes, I did.

Q. And did you find any? A. No.

Q. And did he complain to you of having been assaulted? A. No.

Q. Being injured? A. No.

Q. By the Police, or by any other person? A. No.

Q. Now, at 6.25 p.m. that same day did you also examine one Harun bin Said, alias Tahir? A. Yes.

30

Q. For injuries, did you? A. Yes.

Q. And did you find any? A. No.

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Singapore

Q. Now, incidentally can you identify this man,  
Harun bin Said? A. No.

Q. Now, he was brought to you by Inspector  
Sundram? A. Yes.

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Q. Can you identify that Inspector, Doctor?  
A. No.

Cheng Boei  
Chhi

Q. Oh, you cannot. That is all right.  
Now, had Harun bin Said, alias Tahir,  
complained to you of having been assaulted  
or injured by any police officers or by any  
other person whilst in Police custody? A. No.

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Examination  
(contd.)

Q. Were you told that this man Harun bin Said  
was being brought before a Magistrate?  
A. Yes.

Q. And at about 7.45 p.m. that same day did you  
examine the same person? A. Yes, I did.

Q. Again, for injuries? A. Yes.

Q. And did you find any? A. No.

Q. And did he complain to you of having been  
assaulted or injured by anyone? A. No.

Q. Whilst he was in Police custody? A. No.

(Cross-Examination) (By Mr. Kamil)

Cross-  
examination

His Lordship: Yes, Mr. Kamil.

Q. Dr. Cheng, when you were brought these two  
persons by two Inspectors, where were the  
Inspectors when you examined them? A. The  
Inspectors were with me.

His Lordship: The Inspectors were - what?  
A. With me.

His Lordship: When you examined the patient.

Q. How did you examine the patient? A. I asked  
the patient to take off his shirt, examined  
the upper part of the body.

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Cross-  
examination

His Lordship: Take off his shirt, and examine? A. The upper part of his body. I examined the exposed area, took down their long pants.

Q. Examined the exposed area? A. After I took off the short, then the areas that are not covered by the clothes.

Q. Then asked them to take off their pants, is it? A. Then took off their trousers on further examination. That is how I did.

10

Q. That is the same with the other accused? A. Yes.

Q. You were looking for injuries? A. Yes.

Q. Skin injuries? A. Yes, or any signs of swelling.

Q. So your concern was to find injuries or swelling on the skin? A. No, I am afraid I can't - not only for the skin.

20

Q. Now, how did you examine by, only by looking at the persons? By X-rays? A. By feelings.

His Lordship: I am sorry, Doctor. I cannot hear you. A. By feeling - palpation.

Q. And by feeling? A. And palpations.

Q. Feeling what? A. Palpations.

Q. That is all? A. Yes.

Q. Now, as a Doctor, can you say that any kind of assault which gives pain must necessarily give a mark? A. No.

30

Q. So you would agree that if the person does not complain to you that he has been assaulted, and there is no mark, you cannot say that he has not been assaulted? A. Agree.

Cr. Counsel: This is a matter for comment.

His Lordship: Yes. I should have thought the relevant question to put to him would be the sort of assault which your client said he suffered. I do not know - I leave it to you. It seems to me to be more relevant than just general questions like this.

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Cross-examination (contd.)

10 Q. Supposing a person - say, I put my hand like this (demonstrating on self), not very hard, sufficiently hard, it gives a painful feeling, is it right?

His Lordship: I am sorry, I was busy writing the last question, and answer. What is it? (contd.):

Q. I say when a person put both hands here, and presses like that sufficiently hard, but not very hard, it gives a painful feeling.

20 His Lordship: You mean, sort of pressed on the ears?

Mr. Kamil: Yes, to the ears.

His Lordship: It would cause pain?

Q. It would cause pain. A. Your pressure - I am sorry, can you put the question again?

Q. Supposing a person does like that?

Cr. Counsel: You slap a person.

30 A. Not slap, but pressure just put in - may I demonstrate? You mean by using this, and press like that (demonstrating).

Q. No, no. Just do like that (demonstrating).  
A. Hit on?

Q. Hit on, the ears. A. Yes, if sufficient force there will be pain.

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Cross-  
examination  
(contd.)

Q. And by your optical examination you could not trace it? A. No - I am sorry, what I mean by No, I mean I disagree with your question.

Q. No, by your just examination of that patient as you described this morning you cannot trace? A. Yes, I can.

Q. How? A. If the force is strong enough to cause pain, that depending on the time after the injury has been caused; if it is only a short period, say within five, ten minutes or even fifteen minutes, there is some tenderness, just by palpating on to the area.

10

Q. But if more than that?

His Lordship: Even 15 minutes, is it?  
A. Yes.

Q. Now, if I slap a person, not very hard, but just to cause pain, could it be detected?  
A. The way you slap it - no.

Q. A little bit harder? A. Depends on the degree. 20

His Lordship: With a lot of force used, naturally you would detect it?  
A. Yes, that is within ten to fifteen minutes.

Q. So only within ten or fifteen minutes. Now, if I box a person, not very hard, but sufficient to cause pain, say in the stomach, could it be detected? A. Again, depends on the degree and the time after the assault.

Q. What about the time - ten and 15 minutes also? A. If hard, I think it may be detectable within half an hour.

30

Q. If it is hard enough? A. If hard enough.

Q. But if it is not very hard, just causing pain like someone feeling the pain, that is within ten minutes, fifteen minutes?  
A. Yes.

Q. What was the detection mark? Is it a mark on the skin? (Demonstrates punching motion) Supposing I do like that in the stomach?

40

A. It is by feeling pressure applied into the abdominal wall, and if sufficiently painful the patient's stomach wall will contract. The abdominal wall will contract and cause a resistance which could be detectable by the hand.

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Q. Did you examine the feet of the accused?  
A. Yes.

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Chhi

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10

His Lordship: Examine the what?

A. The feet.

Q. Both of them? A. Yes.

His Lordship: Feet of the two men;  
yes.

Cross-  
examination  
(contd.)

Mr. Kamil: I think that is all, Sir.

His Lordship: Any re-examination?

Cr. Counsel: Yes, my Lord.

(Re-examination) (By Crown Counsel)

Re-  
examination

20

Q. Doctor, you told us that the Inspector, you said the Inspector was with you when you examined the accused? A. Yes.

Q. Were you referring to one or more or both Inspectors? A. I cannot remember. There were officers with me.

Q. There were? A. Officers.

Q. You mean police officers? A. Yes.

Q. With you. Now, what sort of room is your Casualty Room, where you examined patients?  
A. A room which consists about ---

30

Q. Is it a large room, or a small room - that is what I am trying to say. A. Say, about 12 feet by 14 feet - about that. I cannot exactly say.

Q. Would you indicate in this Court? A. Well, probably around there to the bench.

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Re-  
examination  
(contd.)

Q. From where? A. From here (corner of Registrar's desk is indicated) up to the end of the wall. From that wall up to about the bench and slightly further. There is a couch with a curtain where a person can lie on it and you can pull the curtain across. There are two couches and one table in the centre.

Q. When you were examining the two persons, did you go into the room where you draw the curtains? A. Not for the first part of the inspection. 10

Q. Not for the first part? By which I take it the second part of your examination was done in the privacy of that room when you draw the curtain? A. Behind the curtain.

Q. Who was with you, then at the time?  
A. I cannot identify the people - you mean the police officers?

Q. No, what I want to know is ---- 20

His Lordship: Let us have this clear, Doctor. When you examined one man, how many police officers were there in the room with you? A. Well, I cannot quite remember, but there was definitely one officer with me.

Q. But there might have been more?  
A. There might have been more.

Q. When you were examining these persons behind the curtain, as you put it, were the police officers also with you, or were they waiting on the other side of the curtain? A. They were on the other side of the curtain. 30

Q. So that it will leave just you and that patient of yours? A. Yes, and an assistant.

Q. And the? A. And an assistant, a nurse.

Q. And an assistant. Now, although the accused persons did not complain to you of having been assaulted or injured by any person, can you remember whether you asked him that? A. Yes, I did. 40



Q. And, as you have told us, in both instances?  
A. I asked them whether they had been assaulted, whether they had any pain or any complaint. They said No.

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His Lordship: Thank you, Doctor.

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Witness: Thank you, my Lord.

Cheng Boei Chhi

His Lordship: The doctor is released.

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Cr. Counsel: I am much obliged. Thank you very much, Doctor.

10

His Lordship: Is there any other Doctor outside?

Re-examination (contd.)

Cr. Counsel: No. Doctor Cheng is the only one.

(Witness stands down)

NO. 59

No.59

TAN ENG BOCK

Tan Eng Bock (recalled)

TAN ENG BOCK (Witness is recalled)

13th October 1965

His Lordship: You are on your former oath. A. That is so, my Lord.

20

Mr. Kamil: May I get instructions first from my client?

Cross-examination

His Lordship: Yes.

(Cross-examination) (By Mr. Kamil)

Q. Mr. Tan, when did you say you bring the first accused to the Doctor the first time?

A. The 13th of March, 1965, about 5.10 p.m.

30

Q. Were you alone, apart from the accused, when you brought him to the hospital?

A. No, I had two detectives who escorted the accused with me.

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Singapore

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Tan Eng  
Bock  
(recalled)

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1965

Cross-  
examination  
(contd.)

His Lordship: Two detectives?

A. That is so, my Lord.

Q. From where did you bring this accused?

A. From C.I.D., my Lord.

Q. Were you in uniform? A. No.

Q. And the detective? A. No.

Q. So you were the person together with the  
Doctor when he examined the patient, the accused?

A. No, when the Doctor took the accused behind  
the curtain I was outside. 10

His Lordship: No, no. Did you go into  
the examination room with the first  
accused? A. Yes, at the first stage,  
my Lord.

Q. You went into the room with the  
first accused; yes. And you were  
there in the initial stages of the  
examination? A. That is so.

Q. So when ----

His Lordship: When the Doctor took the  
accused behind the curtain, you did  
not go there? A. I was outside. I  
did not go in. 20

Q. You were outside. It means you were  
outside the room? You remained in  
the room? A. I remained in the room,  
but I did not go behind the curtain.

His Lordship: You remained where you were.

Q. What kind of curtain? A. A drawn curtain,  
a piece of cloth, a partition. 30

Q. A small partition just to hide a person?  
A. Not to hide; so that they can have some  
privacy.

His Lordship: More privacy, yes.

Q. Mr. Tan, did you say anything - I beg your  
pardon: I put it to you that before you

brought the accused to the Doctor, you told him not to tell the Doctor that he was assaulted? A. That is not true, my Lord.

In the High Court in Singapore

Q. I put it to you also that you told him ---

His Lordship: You are talking now of the first accused?

Mr. Kamil: Yes.

No.59

Tan Eng Bock  
(recalled)

Q. You told him that if he did tell anything to the Doctor he would be further assaulted? A. That is not so.

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Cross-examination  
(contd.)

Q. You were the person who escorted the accused to the Magistrate? A. Yes, together with my detective.

Mr. Kamil: May I get another instruction?

His Lordship: Yes.

Mr. Kamil: (After consultation) That is all, Sir.

His Lordship: Do you wish to re-examine him?

20 Cr. Counsel: May it please you, my Lord.

Re-examination. (By Crown Counsel)

Re-examination

Q. Inspector Tan, do you know of any Standing Instructions regarding the escort of prisoners to the General Hospital? A. Yes, my Lord.

His Lordship: There are Standing Instructions? A. There is.

Q. They would come under - what? Police General Orders? A. That is so.

30 Q. Would you explain to His Lordship why you entered this room? A. To ensure security, my Lord.

Q. That is the room where Dr. Cheng was? A. That is so.

In the High Court in Singapore

No.59

Tan Eng Bock (recalled)

13th October 1965

Re-examination (contd.)

His Lordship: I take it that your two detectives did not enter?  
A. No, my Lord. They were outside.

Q. This is a new Order - or some time ago? A. No, it has been in force for some time.

Q. Quite some time? A. At least about 10 years.

His Lordship: I know there was some case where some person was brought there, and then they said, "You can't come in". The prisoner bolted. That is why I am wondering whether these are new instructions. These are not new instructions. Yes, detectives don't enter.

10

Q. Now, are you involved in this case?  
A. No, my Lord.

His Lordship: What do you mean by "involved"? "Did you take part in this investigation", you mean?

20

Cr. Counsel: Yes.

A. No, my Lord.

Q. This is not your case? A. No, my Lord.

Q. Which would follow - that this is the only instance when you were asked to assist?  
A. That is so.

Q. Up to the moment when you were asked to assist in escorting the accused No. 1 to the General Hospital, did you know what had gone on before? A. No.

30

Q. In this case regarding Accused No. 1, what had happened? A. No, my Lord.

His Lordship: Thank you, Inspector.  
(Witness stands down)

Cr. Counsel: My Lord, may I get a short witness?

His Lordship: You have a short witness; very well.

Cr. Counsel: Perhaps we could take his evidence in chief, and then my learned friend could defer his cross-examination till tomorrow.

In the High Court in Singapore

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Tan Eng Bock  
(recalled)  
13th October  
1965

Re-examination  
(contd.)

NO.60

S.S. SUNDRAM

No.60

S.S.Sundram  
13th October  
1965  
Examination

10 S.S.SUNDRAM (Examination-in-chief)  
(By Crown Counsel) (Affirmed in English)

Q. Your name is S.S. Sundram? A. That is correct, my Lord.

Q. Inspector of Police attached to the C.I.D? A. Yes, my Lord.

Q. On the 13th of March this year at about 6.15 p.m. did you bring one Harun bin Said, alias Tahir, to the General Hospital for medical examination? A. I did, my Lord.

20 Q. He is the second accused? A. That is correct, my Lord.

Q. Where he was examined by P.W.41, that is Dr. Cheng? A. I did, my Lord.

Q. And after Dr. Cheng had examined Accused No. 2 you brought him to the Fourth Magistrate's Court? A. I did, my Lord.

Q. Where you left him with the Interpreter, Ishak bin Haji Nawawi? A. I did, my Lord.

Q. He is the one waiting outside? A. Yes.

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S.S. Sundram

13th October  
1965  
Examination  
(contd)

Q. And at about 7.35 p.m. you left the Fourth Magistrate's Court for the General Hospital with Accused No. 2? A. I did, my Lord.

Q. Who was examined by the same doctor? A. Yes, my Lord.

Q. After which you brought Accused No. 2 back to the C.I.D? A. I did my Lord.

Q. Now, do you know whether Accused No. 2 made any statement to the 4th Magistrate at the time? A. I do not know.

10

His Lordship: Mr. Kamil, we will adjourn now.

(Court adjourns at 12.55 p.m., 13/10/65).

14th October  
1965

His Lordship: Mr. Kamil, yesterday when I was reading through my notes, I found that you have not cross-examined P.W.40, that is Inspector Tan Eng Bok, on the identification parade held by him. I am just wondering whether you have overlooked it, because if you want to cross-examine him, I think he will have to be recalled. He is not here today.

20

Crown Counsel: He can be got, my Lord.

His Lordship: Do you want to cross-examine this witness? If you wish to recall this Inspector, arrangements can be made.

Mr. Kamil: I would like to cross-examine him.

30

His Lordship: Could you see that he is called?

Crown Counsel: Yes, my Lord.

—  
His Lordship: We will have the other Inspector.

INSPECTOR S.S. SUNDRAM (On former oath)  
(Cross-examination by Mr. Kamil)

In the High  
Court in  
Singapore

His Lordship: You are on your former  
oath?

—  
No.60

Witness: Yes, my Lord.

S.S. Sundram  
14th October  
1965

Cross-  
examination

- Q. Mr. Sundram, you brought the second  
accused to the Doctor? A. I did, my Lord.
- Q. From which place did you bring him?  
A. From the CID.
- 10 Q. What time was it? A. 6.15 p.m. my Lord.
- Q. You are attached to? A. CID.
- Q. Is it your duty to bring the accused to  
the Doctor? A. I was instructed to take the  
accused for medical examination, and I did,  
my Lord.
- Q. Were you in uniform? A. No, my Lord.
- Q. Apart from you and the accused, was there  
anyone else with you? A. I was accompanied  
by two other detectives.
- 20 Q. Who were these detectives - Malays, or  
Chinese, or Indians? A. Two Chinese  
detectives, my Lord.
- Q. And you also brought him to the Magistrate?  
A. I did, my Lord.
- Q. You brought him in what kind of car? Is  
it a Police car? A. In a private car, my  
Lord.
- Q. Your own car? A. No, my Lord, it belongs  
to a detective.
- 30 Q. Where were you when this person was  
introduced to the Doctor - I mean the  
accused person was introduced to the Doctor?

His Lordship: When he was being examined?

Mr. Kamil: Yes.

In the High  
Court in  
Singapore

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No.60

S.S. Sundram

14th October  
1965

Cross-  
examination  
(contd.)

A. I was standing at the passageway in front of the examination room.

Q. You were not in the room? A. Not inside the room.

Q. And can be seen? A. Yes, can be seen from the room.

His Lordship: Q. You can be seen?

A. I could not see inside the room, my Lord.

His Lordship: Q. And I take it that the second accused can also see you?

A. Yes, my Lord.

10

Q. Where were you when this person was interviewed by the Magistrate? Was he interviewed by the Magistrate? A. He went into the chambers. I was out.

Mr. Kamil: That is all.

Re-  
examination

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(Re-examination by Crown Counsel)

Q. Inspector Sundram, Dr. Chen has told us that he examined the accused person in two stages, one inside the room and then later on he brought him for examination behind the curtain? A. Yes.

20

Q. And you say you could see inside the room and the accused could also see you when the accused was being examined behind the curtain? A. When he was examined behind the curtain I could not see them.

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(Witness stands down)



ON APPEAL FROM THE FEDERAL COURT  
OF MALAYSIA HOLDEN IN SINGAPORE  
(APPELLATE JURISDICTION)

B E T W E E N :

(1) OSMAN BIN HAJI MOHAMED ALI

and

(2) HARUN BIN SAID alias TAHIR Appellants

- and -

THE PUBLIC PROSECUTOR Respondent

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RECORD OF PROCEEDINGS

VOLUME I

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