

SUPREME COURT,  
Hongkong, 26th May, 1879.

Summary of cases tried at the Supreme Court at the Special Criminal Sessions which commenced on the 30th day of April, 1879.

1. Fung A-yau of P'un-ü, aged 36 years, compradore to the firm of Messrs. Nursey Kessowjee & Co., was found guilty of embezzling various sums of money amounting in the whole to \$8,083.68 which he had received on behalf of his employers and had not accounted for to them. The prisoner was charged with embezzling these sums of money while acting as a servant to his employers Nursey Kessowjee & Co. The prisoner's counsel argued at the trial that a compradore was not a servant but an agent and that therefore Fung A-yau could not be charged with embezzling the money as a servant of Nursey Kessowjee & Co., but the Chief Justice said that all Chinese compradores are servants of their employers and not agents and are bound as servants to account with their employers for all monies received by them on their behalf, and if any compradore made default in accounting for and paying to his master all monies he had received as compradore he was liable to imprisonment even for 14 years.

The prisoner when brought up for sentence put in an affidavit in mitigation of punishment, and his employers at the same time recommended him, as the Jury had done before, to the mercy of the Court. The Chief Justice said that the prisoner had omitted from his affidavit the only thing which might entitle him to consideration, namely, an explanation of what had become of the money, and had not even shewn that he was unable to pay the amount then. He would, however, give what effect he could to the recommendation to mercy, and he sentenced Fung A-yau to imprisonment with hard labour for one year and six months.

2. Kwan A-fong of Nám-hoi, cook, aged 23 years, was found guilty of stealing a box of clothes from the steam ship *Ichang*, and of having returned from deportation. He was sentenced to 3 years' penal servitude and to serve out the residue of his previous sentence as if he had never received a pardon.

3. Li A-tak of San-üi, aged 22 years, a discharged servant, was found guilty of stealing goods from an Umbrella Shop on the Queen's Road, and was sentenced to 3 years' penal servitude.

4. Alli, *alias* Allie; Assan, *alias* Bin, *alias* Hassan; Kitchel, *alias* John, *alias* Kechil, seamen on board the British ship *Kate Waters*, were found guilty of the murder, on board the said ship while on the high seas, of Wm. Frederick Geise, master, and Christopher Bowen and Henry Hayden, officers of the said ship. Kitchel was also found guilty of the murder of a Chinaman named A-sing and of another Chinaman, name unknown, while on an uninhabited island. The three prisoners were sentenced to be hanged.

香港按  
察使司  
衙門於  
己卯年  
閏三月  
初十日  
起特決  
案情選  
錄於左

馮亞有番禺人卅六歲在辣詩記修治公司職充買辦被控虧空銀兩數項合共虧空銀八千零八十三大元六毫八仙按馮有代該公司收到該項而未登記數簿該公司控他私自擅用該項以其時為辣詩記修治公司使喚人也堂訊時被告延請狀師駁謂據稱買辦者原非使喚人實代理人耳故辣詩記修治不得以使喚人私用公項控馮有而臬憲云按凡有華人充買辦者實為該公司使喚人並非代理人故應與公司會計隨時將代收各項登記數簿而買辦與厥主人會計應將辦房代收各項照交倘有虧空則可控伊斷罰監禁最久者是十四年案將定時被告具有供詞懇憲從輕議減而當時原告在陪審人員之前似有酌量原情懇憲憐憫形狀惟臬憲云該犯供詞句語並無有可原情憐憫之處據訴欠負該項虧空若何亦未嘗立有不克賠償確據故照伊供詞懇請原情辭語可行多寡盡力而為即斷馮有

關亞芳南海人 李亞德  
操廚子業現年 新會人  
二十三歲因在 歲向為  
宜昌輪船偷去 人役現  
衣服一箱及前 因在星  
經解回原藉不 后大道  
准到港而擅自 某洋遮  
逃回故斷罰作 店偷取  
奴工三載並照 貨物斷  
前定監禁而未 罰監禁  
完滿之期如數 三年並  
補足監禁 作奴工

亞理又名亞蘆帶新又名  
邊別號夏辛傑之又名珍  
別號茄之三人因在英國  
帆船奇地和他殺害人命  
斷以縲首之刑審得該船  
在海面時該犯殺害舟師  
斐的佳士及舟中管駕官  
二員一名寶仁一名奚典  
又傑之另在某洲島殺害  
華人二命一名亞星及不  
知名姓者一名故三犯均  
被斷以縲首之刑

5. Mák Loi-hi, a widow, aged 52 years, of San-on was found guilty of enticing away a child named Ng A-lo, aged 9 years, with intent to deprive Ng A-hing, the father of the said child, of its possession. The prisoner took the child off the Queen's Road and then, accompanied by two women named Tsang A-kwai and Lam A-chan, took the child to a woman named Léung A-luk in Wing-wá Lane and agreed to sell it to her for \$53. They left the child with Léung A-luk and the next day went and received from her the \$53. The Chief Justice sentenced Mák Loi-hi to 2 years' imprisonment with hard labour. Before he did so he directed the three women Tsang A-kwai, Lam A-chan, and Léung A-luk to be brought before him and severely reprimanded them for the encouragement they had given to the prisoner to commit the crime and said that were it not for the money they had at their command, the prisoner's poverty, and the inducements they had held out to her, the prisoner would not then be where she was. His Lordship added that he was not at all sure that these three women would not be tried themselves for the part they had taken in the matter.

6. Li A-pò of Héung-shán, hawker, aged 19 years, was found guilty of feloniously assaulting a man named P'ún A-lung and stealing from him the sum of five dollars. The prisoner was sentenced to two years' imprisonment with hard labour.

7. T'ong A-fu of P'ún-ü, boatman, aged 31 years, Wong A-kan of San-üi, coolie, aged 27 years, and Lam A-i of Tung-kún, coolie, aged 28 years, were found guilty of having committed a robbery with violence on board fishing boat No. 430 at T'ai-tám Bay on the night of 13th March. The prisoners were each sentenced to five years' penal servitude.

8. Tang A-pò of Sám-shui, hawker, aged 30 years; Tang A-kwong of Sám-shui, coolie, aged 30 years; Léung A-ping of Sám-shui, coolie, aged 28 years; Lo A-lung of Nám-hoi, shop coolie, aged 26 years; Léung A-shü of Sám-shui opium boiler, aged 35 years,

were convicted of having attacked one Ch'an A-fú and beaten him with iron bars and robbed him of 25 dollars. It was said Ch'an A-fú was a gambler and had cheated men. Whether true or false it was equally wrong to beat and rob him. Tang A-pò, Tang A-kwong, Léung A-ping, Lo A-lung and Léung A-shü were sent to penal servitude for five years. Léung A-ping resisted and struck the man who tried to arrest him and was sent to prison for one year more.

9. Ch'an A-yau was convicted of larceny. He had been five times previously convicted and punished at the Police Court. He was sentenced to four years' penal servitude.

10. T'ong A-chik was found guilty of burglary. He was one of a gang who went about breaking into houses. He was sentenced to five years' penal servitude. Chau A-fuk of San-üi, coolie, aged 28 years, and Li A-him of San-üi, coolie, aged 18

麥來喜新安人寡婦也年方五十二歲斷以拐帶人口之罪蓋吳亞與有子名亞羅年方九歲來喜遇之於大道遂誘而擄之憑二婦人一名曾桂一名林珍者牽該童吳亞羅至榮華里入婦人梁亞六家沽之定值五十三大元臬憲決斷罰麥來喜監禁苦工二年但先傳曾桂林珍梁六三人到案當堂嚴加申飭以該犯拐罪良由伊三人激助而成臬憲云該犯若非貧困而三人又非誘以白命則該犯或不至如是而行終成拐案也臬憲又云或傳伊三人堂訊科罰因此案伊等亦有關涉未定

李保香山 人十九歲 小販為生 因為奸詐 毆打潘龍 及盜銀五 大元現被 定罪監禁 苦工二年

唐亞富番禺人 三十一歲操舟 子業黃根新會 人二十七歲劉 二東莞人二十 八歲均挑夫也 因於二月念一 夜在大潭灣奸 詐強劫第四百 三十號拖魚船 現被定罪每人 罰作奴工五載

鄧保鄧光均三水人均三十歲均挑夫 也梁炳三水人二十八歲羅龍南海人 二十六歲俱管店也梁樹三水人三十 五歲煮洋煙為業五人共犯打架之罪 用鐵尺毆傷周富奪銀二十五圓據稱 周富有賭癖兼精設騙局以欺人者 但此事或假或真伊等斷不應毆其人 而奪其金故臬憲斷案罰伊五人每罰 作奴工五年但梁炳因抗官差另增罰 一年

陳亞有東 莞人薙髮 匠也年方 十八因犯 偷盜之案 前在巡理 府經被定 罪五次故 現被罰作 奴工四載

唐植新會 人二十六 歲挑夫也 因犯行劫 案審得他 屬來往行 切黨羽現 被定罪監 禁奴工五 載陳福二 十八歲李 謙十八歲 俱新會人