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PACIFIC COMMERCIAL ADVERTISER, MAY 1, 1888.

|  | $\begin{gathered} \text { NUPTIALS. } \\ \text { Mr. J. M. Dowsett and Miss } \\ \text { w. Widemann United in } \\ \text { Marriage. } \\ \text { L } \end{gathered}$ | $1{ }^{2}=$ | 3 3uerritemmis | Sornsemats. |
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 The King vs. Lee Fook. Application for attachment against Lum Knm
Cheung, Ching Cheang Ping and H. M.
Whitney, publisher of the "Gazette" for Whitney, publisher of the "Gazette" for
contempt. contempt.
An opinion to the following effect was
given by Mr given by Mr. Justice Preston and ac
quiesced in by the Chief Justice, Associquiesced in by the Chief Justice, Associ-
ate Justices MeCulley and Bickerton :
On the 6th of January last Lee Fook On the 6th of January last Lee Fook
was committed for trial at the then nex
ensuing term on a charge oi perjury in ensuing term on a charge oi perjury in
swearing to the truth of certain state-
ments contained in a petition presented ments contained in a petition presente
by him to the Chief Justice for a writ of habeas corbus for the release of cer
tain Chinese women and girls alleged to tain Chinese women and girls alleged to
be unlawiully detained. On the 14th January Lum Kun
Cheung published in the "Hawaiian Cheung published in the "Hawaiian
Chinese News" of which he was editor
and manager, a proclamation purporting and manager, a proclamation purporting
to be issued by the United Chinese Society, reflecting upon the said Lee Fook
It was also published in English in the daily and weekly editions of the "Hawaiian Gazette" on the 18th and 24th or
January respectively. It was charged and admitted that H.M
Whitney, the publisher of the "Gazette," was instigated by one Ching Cheung Ping
to publish it. to publish it.
On the application of Lee Fook an or-
der was made by this Court on the 15 th der was made by this Court on the 15 t
February for the three persons named to
show cause why an attachment shoul not issue against them for contempt of
Court.
The article complained of, which was quoted, was headed "Chinese Female
Traffic. Important Proclamation by the
United United Chinese society." The procla-
mation related to the alleged kidnapping of girls and women in Canton, Hong-
kong and other places, for the purpose of being shipper to caifornia for immora purposes; to the sentence passed upon
Wong Hung in California in connection
with the traffic, and to some of the girls and women he was accused of kidnap ping being returned on the San Pablo
which touched at Honolulu. It went on to reflect upon Lee Fook for the action
he had taken in regard to these females. Upon argument it was contended that
the mere fact of Lee Fook having been the mere fact of Lee Fook having been
committed for trial did not make his committed for trial did not make the
case pending in this Court, and that the
publication was made in good faith and publication was made in good
without any intention to prejudice a fair trial of defendant.
The Court is of opinion that when a
person is committed for trial in this Court the case is at once pending in this Court. Otherwise it would be impossible for the Crown or thefendant to enforce
the attendance of witnesses until an inthe attendance of witnesses until an in-
dietment was found, which would in dictment was found, which would in
many cases prevent the defendant having his trial for some months.
The Court is also of opinion that the publication is unquestionably contempt of Court-according to decisions in other
cases, tending to prejudice the right of cases, tending to prejadice impartial de-
defendant to a just and imer cision of his case and to embarrass and obstruct the course of justice. The respondents having disclaimed any improper motives, and it appearing
that the defendant has been discharged by a demurrer to the indictmentallowed, the Court are not disposed to inflict any punishment. The respondents were ac-
cordingly discharged.

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