

The Epsom Advertiser **incorporating the Epsom Observer** **July 25, 1919.**

THE EPSOM RIOT.

SEVEN CANADIANS AT THE ASSIZES.

FIVE PRISONERS SENTENCED – TWO DISCHARGED.

JUDGE SPECIALLY COMMENDS INSPECTOR PAWLEY.

“A POSITION OF GREAT DIFFICULTY.”

Mr. Justice Darling sat specially at Guildford on Tuesday and Wednesday to hear the charge against the seven Canadian soldiers committed for trial in connection with the riot and attack on the Police Station at Epsom at about 11 o'clock on June 17th, when Station-Sergt. Green was so badly injured that he died the following day.

The accused men were Robert Alexandra MacAllan (45), Allan McMaster (30), Alphonse Masse (27), Frank Harold Wilkie (21), David Yerex (32), and Robert Todd (19), all of the Canadian Army. They were all charged with the manslaughter of Station-Sergt. Green and, with the exception of Todd, who was committed for trial on the Coroner's warrant, they were further charged with riotous assembling with others to disturb the peace with doing damage to property.

Sir Ernest Wild, KC., Mr. Cecil Whiteley and Mr. R. E. Otter prosecuted; Mr. Harold Benjamin defended Connors and McAllan, and Mr. Bernard Abinger defended the other prisoners, all of whom pleaded not guilty.

CASE OPENED.

Sir Ernest Wild, KC., in opening the case for the prosecution, told the jury that prisoners were charged with three offences, viz., 'manslaughter, riotous damage and rioting. The charge of manslaughter concerned Station-Sergt. Thomas Green, of the Metropolitan Police Force, who had been stationed at Epsom for eight years, was 51 years of age, and, therefore, in the prime of life. On the evening of the evening of June 17th the Epsom Police had occasion to arrest two Canadian soldiers. The practice was to detain such soldiers till a military escort arrived from the camp. A number of Canadian soldiers used threats against the police for not liberating their two comrades, but they were dispersed and returned to the camp and spread the news among their comrades. Shortly before 10 o'clock considerable noise was heard in the direction of the camp and Major Ross, coming

across a party of about 50, asked them what was the trouble and they replied, "Two of our pals have been detained by the civil police."

His Lordship asked if either of the prisoners were present when the statement was made.

Sir Ernest Wild replied in the negative, but that he was entitled to use it to show how the riot commenced.

His Lordship did not think so. Riot cases were like conspiracy cases - easy enough to go on with but difficult to commence.

Continuing, Sir Ernest said the result was that the bugle was sounded and nearly 300 men left the camp for the Police Station. There was considerable shouting and it was evident their object was to release the two men in custody. Inspector Pawley, who acted with considerable

COURAGE AND DISCRETION,

went out into the yard, held up his hand and told the men that an ambulance was on the way from the camp and the prisoners would be released. This did not satisfy the men, who armed themselves with sticks and fencing. The police had held them at bay for about a quarter of an hour and then the rails in front were torn down. Inspector Pawley withdrew his men to the station and locked the door, which was eventually forced. It was not till the station was in danger of falling absolutely into the hands of the rioters that Inspector Pawley ordered a baton charge. Although there were only 24 of them they managed to drive the soldiers back into the street. Inspector Pawley was struck on the head and one witness would tell them that Green was seen to be knocked down by a heavy post which at one stage of the assault was seen to be in the hands of the prisoner Connors. Meanwhile the door at one of the cells had been forced and a prisoner was released, and then Inspector Pawley took Major Ross, who had been doing all he could to prevent the riot, into the station and released the other prisoner. The bugle then sounded "the re-

treat," and the men marched back to camp. Some soldiers took Sergt. Green to the house of Mr. Polhill close by and did all they could for him. He was seen by a doctor and removed to the hospital, where he died the following day from the effects of a severe injury to the left eye and an extensive fracture of the skull. Counsel dealt with the evidence which would implicate each man in the dock, and submitted that the legal position was this: the prosecution said there was a riot and all the men took part in it. They had to prove five things:- (1) That there were not less than three men present and there were in fact about 300; (2) a common purpose must be clearly proved, it was the liberation of two soldiers; (3) that the common purpose was attempted or executed; (4) that men helped one another, by force if necessary, against anyone who opposed them in the execution of their common purpose; (5) that such force was used as to cause alarm to at least one person of reasonable firmness.

THE EVIDENCE.

P.-c. Thomas Moore produced plans of the Police Station and P.-c. McKenzie produced a plan of the district showing the camp and the Police Station. The distance between the station and Farm Camp Gate was 1 mile 544 yards.

P.-c. McBride put in a number of photographs showing the condition of the Police Station and the surrounding property after the riot.

Inspector Pawley said he was at Epsom Police Station about 9 o'clock on the evening of June 17th, when two private Canadian soldiers were brought in and charged with being drunk and disorderly. The camp authorities were communicated with so that an escort could be sent. About a dozen soldiers were outside and used threatening language, and after going towards the town they returned to the station and had to be moved off by force. A little later he heard cheering in the direction of the camp. The noise grew nearer and eventually a crowd of about 400 men appeared outside the station. They were practically all armed with sticks, palings, etc., and amidst the shouting he heard someone say, "We are going to get those soldiers out."

Mr. Abinger objected unless the prosecution proved first of all that his clients were actually present.

His Lordship said statements made by the mob were evidence of riot, though they did not necessarily implicate any particular individual.

Mr. Abinger remarked that he raised the point as his defence was that his clients were not present".

Mr. Benjamin said that would be his defence.

Continuing, witness said he went out and shouted to the men, "An ambulance is coming from the camp and on its arrival I shall release the two men."

Samples of palings, posts, bars, etc., used in the assault were then produced, and Inspector

Pawley went on to say that the police held the station for about one hour, and during the whole of the time the soldiers were trying to break in. Statements to the effect that they would

BURN THE PLACE DOWN

if they could get in were made by the soldiers, and the quantity of wood and paper thrown inside gave colour to the threat. The station was held for about one hour and then the panels of the front door gave way. He and Sergt. Green led the charge from the back of the station.

Did any police, from first to last, leave the precincts of the station? - No.

His Lordship - You mean they never left the station yard? - No, my lord.

Sir Ernest Wild - And they never went into the road? - No.

And any damage done by the police was done in the garden at the police station?

His Lordship - What you mean is this: If anyone was hit by the police he was hit while on the police premises? - That is so.

Proceeding witness said the truncheons were used pretty freely, and the soldiers fought with all kinds of weapons. Seeing that the police were overpowered he ordered his men back to the police station.

When did you last see Green? - Just before I was struck. After that I lost sight of him. After the riot had subsided I went to the house opposite and saw him in a unconscious condition. He was taken to the Infirmary and died the next day.

Answering further questions witness stated that the following morning he found several of the fences on the way to the camp pulled up. The police station was practically wrecked.

Cross-examined by Mr. Abinger - There could have been about 200 in the garden at the time of the assault, though as the door was shut he could not say how many there were.

Why didn't you succeed in getting hold of one or two of the Soldiers in the garden? It would have been easy to have opened the door and pulled one or two of them inside. - What, with a murderous attack on and 300 against 12. It would have been very foolish.

I suppose they had run amok? - They had murder in their hearts.

Mr. Abinger assured Inspector Pawley that his questions were not intended to cast any reflection on the courage shown by the police. He had the greatest admiration for their conduct right the way through.

Major Bird, of the Canadian Army, said he heard the bugle blown at the camp at about 10 o'clock and heard it being blown further down the road. Between 300 and 400 men left camp.

Mr. Abinger - Why were not the gates shut so as to keep the men in camp? - Because one side of the camp is absolutely open.

His Lordship - We are not holding an inquiry into the culpability of those in charge of the camp or as to how the camp is conducted.

Mr. Abinger - If the men heard the bugle sound the general assembly they would fall in? - It would be their duty to do so as quickly as possible.

Witness added that the camp had been disbanded as a result of the riot.

THE JUDGE AND MAJOR ROSS.

Major Ross, who was orderly officer at the camp on the night in question, deposed that on hearing the bugle sound he went to where the men were assembling and asked a party of about 50 what the trouble was about. Having received an answer he addressed them. He knew the prisoner Todd as bugler at the camp, and he was among them. Witness gave instructions that the bugle was not to be blown again and tried to persuade the men not to go to Epsom but without success. At the station he again addressed the men, and, seeing Mr. Pawley, agreed with him that the best course to adopt was to release the two prisoners. On going to one of the cells the door was found to have been wrenched open and the iron bars at the window pulled down. The other prisoner was handed over to him.

Before Major Ross left the witness box the Judge told him there was not the slightest suggestion that he did not behave extremely well and did other than his very best to stop the riot.

Regimental-Sergt.-Major Parsons said he was present when the police station was attacked and saw Connors and McAllen. He heard such remarks as "Let us get them out." He noticed Connor had no cap on.

Cross-examined by Mr. Benjamin - He was trying to stop the men and noticed Connors looking on as interested in the proceedings. Witness was positive McAllan was also there though he did not see him do anything. Missiles were flying in all directions, and it was possible for anyone to get hit.

Cross-examined by Mr. Abinger - He gave no orders to Bugler Todd to blow his bugle. Any non-commissioned officer could give orders for it to be blown, but he could not say who gave Todd the orders on the evening in question.

Re-examined - Neither Connors nor McAllen were doing anything to stop the rioting.

ATTEMPT TO FIRE THE STATION.

P.-c. Rose deposed that he took part in the baton charge and was close to Green. One soldier said, "Let's burn it down now," and the crowd answered, "Yes, that's it." A considerable quantity of wood and lighted paper was thrown through the window into the charge room, and it was then that Inspector Pawley decided to charge. Green was on his right and he saw him knocked on the head with a piece of wood resembling a post. On the following day he went to Woodcote Camp and saw a number of men paraded. He picked out Connors

as one who was armed with a wooden railing and close to witness and Sergt. Green. He would not say that Connors struck Green, though he was using his weapon to the best of his ability. Only four police officers succeeded in reaching the gate, all the others having been too badly injured to persist in the charge.

By Mr. Benjamin - There was a number of men trying to strike Sergt. Green. He was looking at Connors for about half a minute and was sure he was there. He also identified a man named Lloyd, whose explanation that he was somewhere else at the time was accepted by the prosecution.

Charles Polhill, butcher, living in Ashley-road, opposite the police station, stated that he was standing at his front garden gate about 11.15 on the evening in question and heard the bugle sound at the camp. Shortly afterwards about 500 Canadian soldiers came by. One of them said, "Here we are, boys." They immediately began to pull up the fence in front of the station and with the railings and bricks attacked the police station. At about a quarter to twelve there was a rush back and several of the soldiers jumped over his fence into his garden. A little later six Canadian soldiers brought Sergt. Green to the house.

Dr Thornley said he saw Green in the house of the last witness, where he was lying in the front hall in an unconscious condition. He died the next day and a post-mortem examination showed an extensive fracture of the skull, and it was that blow which caused death. The injury could have been caused by one of the pieces of wood produced.

P.-s. Kersey, Coroner's Officer, gave formal evidence of identification of the body of Green.

Sergt. Dowers of the Canadian Army in charge of Hut 83, said he could swear Connors was not in before 11 o'clock. Witness was woke up about 1.30 by Connors entering the hut. He appeared to be very excited, saying he lost his cap in the struggle down the town and that he threw a policeman over the hedge. The man also said he had some ribs broken. There was blood on his tunic, which he explained was the outcome of the struggle.

By Mr. Benjamin - It was a sort of a muddle up what he was saying, and witness did not take much notice.

"A LOT OF ROT."

You thought he was talking a lot of rot? - Yes.

By his Lordship- He certainly thought the stains on the tunic were blood stains. He was certain of the words he used.

Are you sure Connors did not say something about having hit a policeman over the head? - I took it that he said "over the hedge."

Corpl. Edwards deposed that McAllan was in the camp police and had no right to leave the camp. He had no bandage on his head at 11.30, but when witness saw him in the guard room at 12.30 there

was a bandage round his head and he said he did not feel like doing duty.

By Mr. Benjamin – It was some time after the bugle blew and the men had left the camp that McAllan reported for duty at 11.30.

By his Lordship – Witness knew there was something up, but he did not ask McAllan to account for the bandage round his head.

Why not? - It was not my business.

Corpl. Newman, who was in charge of the hut in which McMaster slept, said there was a roll call at 9.30 and McMaster was then present. He went to bed, but was missing next morning.

Sergt. Nunn said Massey was in his hut, but he did not see him on the night of the 17th of June. On the morning of the 18th he saw him and noticed a bandage round his head which was not there the previous day when witness saw him.

Capt. Mills, of the C.A.M.C., said he dressed Massey's wound in the morning and asked him what struck him. His reply was, "I don't know. I was knocked out" On being asked if he was sufficiently near the front to have been struck by a policeman he said he did not know.

Another Canadian soldier deposed to seeing Massey after the raid on the station and saw blood on his face and his handkerchief up to his forehead.

Pte. W. Rowe proved that Wilkie had a head wound on the morning of the 18th which he had not on the previous evening.

By Mr. Abinger - He heard the bugle sound the "Fall in."

Then why didn't you fall in? - Convalescents are not supposed to fall in at that time of the night.

His Lordship - You are confusing the "Fall in" with the "Turn in," Mr Abinger. (Laughter.)

Pte. Cowley gave similar evidence with regard to Wilkie and like the previous witness said he did not make any inquiries about the wounds and bandages. Wilkie was a brave soldier and well behaved.

His Lordship – Why didn't you ask him how it all happened? – Well I was only in charge of the hut.

But didn't you ask him how it was he became injured?-No, I thought perhaps he had hurt himself in a game.

What in the middle of the night? - No.

What did you think? – I thought he might, have hurt himself playing leap-frog or something.

Yes or marbles. (Laughter.)

Pte. Carroll spoke of Yerex "contracting" injuries during the night of June 17th, and on being asked why he did not go down to Epsom that evening replied, "I was asleep."

Further evidence was called to the effect that the accused men arrived back in camp in the early morning of the 18th ult. suffering from wounds in the head.

Detective Ferrier gave evidence of arrest and

produced the statements made by prisoners at the time they were taken into custody. So far as he could ascertain only nine men were wounded and six were in the dock.

By Mr. Abinger – So far as he could say there was no roll call at the camp that night, though one would have been very helpful.

His Lordship remarked that after the evidence of Major Rose he did not think a roll call would have served any useful purpose.

Mr. Abinger – thought if the men had been placed on their honour and asked if they were in the unlawful assembly the guilty ones would have said "Yes." He had known that done at Court Martials.

His Lordship - I have known people not only on their honour but on oath who have not told the truth.

Mr. Abinger- Yes, no doubt you would, sitting as a judge.

His Lordship - And you have been in court at the time, Mr. Abinger. (Laughter.)

This concluded the case for the prosecution.

Mr. Benjamin submitted there was no case against McAllan to go to the jury as it had been proved that he was in camp after the other men had left and reported to his corporal at 11.30.

His Lordship - If he joined in the assembly or mob that is sufficient. It is not necessary to prove that he joined it at the commencement. There are those, you know, who labour in the vineyard during the last hour and receive the same award as those who have toiled all day.

Mr. Benjamin - There is no evidence that he took part in the riot and there is only one witness who saw him near the police station.

Mr. Abinger also submitted there was no case against his clients to go before the jury. Not a single witness had sworn that either of them struck Station-Sergt. Green, and the only evidence before the court was that the men received injuries, and the Magistrate at Bow-street discharged two men who received injuries without going anywhere near the police station.

His Lordship said the law being what it was he would not be justified in withdrawing the case from the jury on either of the counts in the indictment.

The court then adjourned.

WEDNESDAY'S PROCEEDINGS.

PRISONERS GIVE EVIDENCE.

When the court resumed on Wednesday Mr. Benjamin immediately put Connors in the box. In reply to counsel he said he enlisted in the Canadian Army when he was 16 years of age - he was now 19 years - and. proceeded to France, where he was

wounded. On Tuesday, June 17th, he had leave till 11 p.m. and left the camp at 7.30, going to Epsom and commencing the return journey between 10.15 and 10.30. He was sitting on a bench by the Ladas Hotel smoking a cigarette when he heard cheering and then about 150 or 200 soldiers passed him. He followed the crowd for curiosity's sake and stopped outside the station for about 10 minutes, and during that time nothing particular happened, only a good deal of shouting. After that he went home. At no time during the evening did he handle a wooden post or use one, and he had no knowledge of the fact that two Canadian soldiers had been taken into custody.

Cross-examined - For about three-quarters of an hour - till 10 o'clock - he was with a girl who lived near Horton Asylum, and whom he only knew as "Lil" After leaving her he went back to the town, waited at a street corner for a few minutes, commenced the homeward journey, and it was while sitting on the bench near the Ladas Hotel that the soldiers passed him. On arriving at the police station he took up a position about 8 or 10 feet from the gate, and it was while he was there that he was seen by Sergt.-Major Parsons. He made no inquiries as to what the row was about.

WAS IT A PRAYER MEETING?

His Lordship - What did you think it was all about? - I could not say.

Did you think it was a prayer meeting? (Laughter.) What did you think all those men were there for? - A little jollification, I suppose.

In reply to further questions by Sir Ernest Wild, Connors denied saying he lost his cap in the struggle down the town or that P.-c. Rose saw him with a post in his hand.

McAllan gave evidence, saying he was attached to the Military Police and reported for duty at 11.30. He was not supposed to leave the camp, but thought he would go down the town to see what was the matter. When at the station he asked an officer what was the matter and the reply was, "There are two men in there and they are going to get them out." Thinking "this was no place for me" he went back to camp, and on the way was struck by a stone on the back of the head.

Cross-examined - He had his police badge on at the time and went down to the station in the execution of his duty. He saw no sticks being used and the crowd was fairly orderly. Just as he was turning from the station he was hit with a stone. He was not there more than two minutes.

MacMasters, who saw considerable service in France, said he went to bed at about 9.30 on the evening in question and got up again on hearing what he took to be the first part of the fire call. In company with about 15 other men he went down the town, but at no time was he near the police station where the officer was killed. He never armed himself at all, and neither saw nor struck a

policeman. On the way home he received a blow on the side of the head which rendered him insensible. It was an unprovoked assault.

Re-examined - To have been hit with a truncheon he must have been in the police garden and he had never been anywhere near the police station.

Massey said he had been to Dorking on June 17th and returned to camp, reporting at the guard room at about 11 o'clock. Just then a crowd of men were leaving the camp and he followed them to the police station. After being there a few minutes a considerable quantity of stones and bricks began to fly about, and saying to himself, " This is dangerous," he turned round to go home. Before he had gone far he was struck by a brick. The crowd was excited.

By his Lordship - He did not see any of the soldiers with sticks or posts, neither did he see Sergt. Green struck.

Wilkie's evidence was to the effect that he was asleep when the commotion started and the bugle sounded. He dressed and joined the procession, but had no idea of rescuing two Canadian soldiers from the custody of the police, and when he entered the police station yard it was only for the purpose of seeing what the other soldiers were going to do. He only saw one policeman, and he was talking to Major Ross. On his oath he never struck a police officer or had a weapon in his hand. The wound on the forehead was not caused by a truncheon.

Cross-examined - He did not know what the sticks and other things were for. Some of the men were excited, but he wasn't.

His Lordship - You have been in France and seen some fighting? - Yes.

When you saw guns and swords being brandished about what did you think they were for? - For fighting purposes.

And when you saw sticks, posts and iron bars being brandished what did you think those were for? - For breaking things up.

Sir Ernest Wild - For breaking up the police station? - I do not know about that.

Yerex stated that he was awakened by the disturbance in the camp and the sounding of the " Fall in" and dressed. On reaching a crowd of other men he could not obtain any explanation and was about to go back to bed when someone told him he had better stay with the boys. He did so and marched off, but his eyesight being so bad he could not see where he was going to and did not realise he was in Epsom close to the police station. He turned round to head for home when he received three blows on the back of the head.

Cross-examined - He did not know where the police station was.

Sir Ernest Wild - Did you see it? - No.

And although you have been in Epsom some time you do not know where the police station is?

His Lordship - A great many respectable people do not know where the police station is. (Laughter.)

THE BUGLER'S STORY.

Bugler Todd a diminutive soldier born in Dublin and an old Dr. Barnardo boy, who emigrated to Canada, said a threatening mob shouted to him to blow the bugle and he thought he had better blow it. He did not blow the bugle of his own free will. The men went round to the huts calling out the other soldiers, saying they were going down to the police station to rescue two comrades. Major Ross tried to quieten the men but failed, and then consented to go at the head of the men to see if he could get the two men handed over. On hearing that the Major Ross was going to Epsom he thought he would go and take his bugle in case he was wanted. After describing what took place at the police station he said the two men were released and he then heard others saying they were going to raid the town. On hearing that he found Major Ross who said, "For God's sake blow something on the bugle to head the men towards camp." He blew the "Fall in" twice and headed towards camp with a large mob behind him.

Sir Ernest Wild, in reviewing the evidence for the prosecution, said there was no doubt that Todd was bullied into blowing the bugle, and it might be added that he told more truth in the witness box than the other six men put together. Everyone must regret that men who had come over to help us in the cause of order and right for which we had been fighting for the past five years should now find themselves in the dock. There was a very grave danger if people took the law into their own hands at a time when lawlessness was rampant and direct action was being preached and his submission was that the men in the dock had taken the law into their own hands with the result that the death had occurred of one officer. If he had proved the facts to the satisfaction of the jury it would be their duty to return a verdict accordingly.

Mr. Benjamin addressed the jury on behalf of Connors and MacAllan, and said there was no evidence that they took any part in the rioting, and if they took no part in the rioting the charge of manslaughter against them could not be sustained.

Mr. Abinger, addressing the jury for the other prisoners, remarked that Sir Ernest Wild represented that rare and refreshing fruit in counsel for prosecutions, in that he was perfectly fair in the way he put the case. The suggestion that men must be convicted just because they had wounds was perfectly monstrous, and for this reason. It was urged that the prisoners must have been in the forefront of the riot because they were wounded but windows were broken at the Ladas Hotel, half a mile away, so anyone could have been hit by a stone without going to the station. The case for the prosecution broke down immediately Todd went

into the witness box, as he stated he was bullied into sounding the call - by whom? Not by the men in the dock, as they were in bed when the bugle sounded, but by those who were the real perpetrators of the riot. The jury could not convict the prisoners unless they found they were committed to a common purpose. Major Ross was outside the police station at the time of the assault, but he was never asked by the prosecution if he could identify any of the men now charged. The case had been presented in a chaotic condition and the proper steps had not been taken to discover the real miscreants.

JUDGE'S SUMMING UP.

The Judge, in summing up said it had to be proved that the defendants, either of them or all of them, were guilty of manslaughter. There was not the slightest evidence that either of them struck the blow which killed Sergt. Green, but if it was proved to the satisfaction of the jury that the prisoners or either of them were actively engaged in the unlawful riot in the course of which Green was killed then it was manslaughter against all those engaged in that unlawful riot in the direct execution of which Green came by his death. It might be a shock to them to know that it was legally possible for 400 men to be guilty of manslaughter. The men in the dock might not have seen Green and yet might be legally guilty as participators in the riotous assembly, but the jury would shrink from giving their verdict against them unless they were satisfied that the prosecution had thoroughly proved the case. The Canadian authorities were as anxious as anybody in the country that the guilty parties should be brought to justice, and the complaint of the counsel for the defence that the officer in charge of the camp had not been called to say there were no more wounded men in the camp must not be taken seriously. If, as Mr. Abinger had suggested, a roll call had been taken was it not too much to expect of human nature that a man who broke away from camp and took part in a riot would, when placed on his honour, come forward and say, "I killed Sergt. Green, and, in fact, I am such an honourable man that if you had not been in such a hurry I was just coming up to tell you about it"? (Laughter.) The jury must consider carefully the charge of manslaughter, whether any of the defendants were guilty of riotous conduct, and of riotously assembling together and injuring by force the police house at Epsom and attempting to secure the release of two persons in lawful custody. He strongly advised them to consider the case carefully against each prisoner and discriminate between them in any manner suggested by the evidence and the facts placed before the court.

VERDICT AND SENTENCE

The jury, having deliberated in private for over half an hour, found Todd and McAllan not guilty

on all the charges, the other five not guilty on the charge of manslaughter and guilty on the charges relating to rioting.

The foreman the jury said he had been asked to bring to his Lordship's notice the fact that the men were not used to our laws and, coming from abroad, were probably not aware of the offences they were committing.

His Lordship told McAllan and Todd they had been acquitted by the jury and were therefore discharged, but not of course into military custody. As to you others, proceeded the Judge, the jury have found you not guilty of the very serious offence of manslaughter, and for that I am very glad, because had they found you guilty it would have been my duty to sentence you to long terms of imprisonment, but they have taken a merciful view and acquitted you of the grave offence. They have, however, found you guilty on evidence which permitted of no possible doubt of having taken part in a riot for the purpose of releasing from legal custody two comrades who had been arrested for resisting the police in the execution of their duty. You formed part of a huge and dangerous mob of hundreds of soldiers assaulting a small body of men, at the first only 12 and never even at the last more than 24, and you assailed a small body of men like that with such violence, some more than others, and actually killed one policeman, who was merely doing his duty as a servant of the State. I shall treat you exactly as I should men who had been bred and born in this country in so far as the sentence I am about to impose on you is concerned. There is no distinction between the way in which you behaved and the way many people are behaving at this moment. Their conduct may in some respects be worse than yours and they may have been soldiers. The law must be observed, and if necessary, it must be enforced by punishment.

I regret more that I can tell you the position in which you now stand. You are men who have come over here, not as volunteers, but in obedience to the law passed in your own country, to fight for the same cause which was fought for by the whole of the British Empire. You have no real grievance, but you banded yourselves together with others to release two men who were very soon to have been handed over by the civil police had you not interfered to be punished, if they had deserved to be punished, by the officers commanding your own troops. I regret extremely that men who are not criminals in the ordinary sense, men who have never committed any criminal offence, should stand where you do convicted of a grave offence against society. I cannot help noticing that the result of your riot was that a considerable amount of damage to property was done, injury was inflicted on a number of men loyally serving the State, and one was killed against whom nothing

could have been alleged except that he did not give way to the violence of the mob. The attack on the police station was such that women and children were placed in grave danger, and there was an attempt to burn the place. You were accomplices in all this.

The jury has recommended me to take a lenient view of your offence, because you may not have realized how serious it was. I shall take into consideration the fact that you have been wounded or invalidated for the time, and excuse you the hard labour which would otherwise accompany the sentence. The sentence of the court is that you be imprisoned for 12 calendar months.

All the prisoners were charged on the Coroner's warrant with the manslaughter of Sergt. Green, and Sir Ernest Wild said in view of the finding of the jury he would not offer any evidence on that charge.

Acting on the Judge's instructions the jury formally returned a verdict of not guilty against the men.

Sir Ernest Wild referred to the fact that the Coroner's jury recommended Detective Ferrier - -

His Lordship - The man whose conduct and bravery I should specially commend is Inspector Pawley.

Sir Ernest Wild - He was mentioned as well my lord.

His Lordship - He was placed in a position of great difficulty, with very little assistance and an army of enemies.