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পদকম্পতক ।

সম্পূর্ণ হইয়াছে
মূল্য আ. টাকা।
পরিশিষ্ট বস্ত্র।

অমৃতবাজার পত্রিকা আফিসে প্রাপ্য।

অনুরাগবলী ।

শ্রীমদেব দাস প্রণীত।

এই বানি উপদেশ বৈষ্ণব গ্রন্থ। চই শত
বৎসর পূর্বে লিখিত।

মূল্য ছয় আনা। ডাঃ মাঃ অক্ষ আনা।
অমৃতবাজার পত্রিকা আফিসে প্রাপ্য।

শ্রীঅদ্বৈত-প্রকাশ ।

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শ্রীমদেব দাস প্রণীত।

উপদেশ শ্রীমদেবদাস লীলা সঙ্গীত অনেক
নতুন কথা আছে, এবং শ্রীঅদ্বৈতপ্রভুর সমস্ত
শাস্তি বিশদরূপে বর্ণিত হইয়াছে।

মূল্য বার আনা। ডাঃ মাঃ এক আনা
অমৃতবাজার পত্রিকা আফিসে প্রাপ্য।

শ্রীত্রিবিষ্ণুপ্রিয়া পত্রিকা ।

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মাসিক পত্রিকা। বার্ষিক মূল্য ২০ ডাঃ মাঃ ১০

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অনেকে প্রথম হইতে শ্রীত্রিবিষ্ণুপ্রিয়া পত্রিকা
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একেবারে নিঃশেষিত হওয়ার, আমরা তাঁহাদের
পত্রিকা পূরণ করিতে পারি না। সেই জন্য
আমরা উক্ত নিঃশেষিত সংখ্যাগুলি পুনঃপ্রতি
করিতে মনস্ত করিয়াছি। বাহ্যিক উৎস হইতে
বর্ষের সমগ্র পত্রিকা, কিংবা উহার কোন বর্ষের
পত্রিকা চাহেন, তাঁহারা কৃপা করিয়া অবিলম্বে
আমাদের কাছে জানাইবেন। বাহ্যিক পূর্বে গ্রাহক
হইবেন, তাঁহারা প্রতি বর্ষের পত্রিকা দেখে
চাকার পাইবেন। শ্রীকেশব লাল দাস, প্রকাশক
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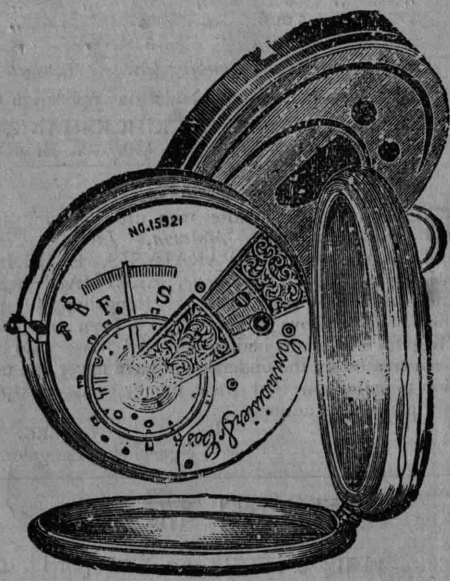
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In the Probate and Divorce Division on June
16th, before Mr. Justice Barnes and a Common
Jury, Mr. Hubert Pitt, a turncock and waste
inspector, in the service of the Vauxhall
Waterworks Company, sought a divorce by reason
of the adultery of his wife with the co-respondent,
Dr. Edward Walter Longden, in practice at
Peckham. There was a claim for damages. Answers
were filed denying the charge, and the respon-
dent alleged connivance and conduct conducive
to the adultery (if any), which petitioner denied.

Mr. Warburton, who appeared for the petitioner,
said that the marriage took place on the 23rd
January, 1893, at St. Mary's Church, Lambeth,
and there were two children, one of whom had
since died. About sixteen months ago Mr. and
Mrs. Pitt made the acquaintance of the co-
respondent, who was then in practice in Lambeth,
and Dr. Longden became on very friendly terms
with the respondent. On one occasion he met the
husband and wife outside the Oxford Music Hall,
and they all went home together in a cab. Mrs.
Pitt had fainting fits on the way home, and she
and her husband stayed for the night at Dr. Long-
den's house. At a later date, when passing the
house, Mr. Pitt saw Dr. Longden kissing his
wife. On that occasion there was a violent quarrel,
the petitioner struck Dr. Longden a violent blow in
the face, whereupon the co-respondent went upstairs,
got a revolver, and pointed it at the petitioner.
The following day the respondent went out and
remained away from home all night. Subsequently
she was found with Dr. Longden, who tried to hide
in a cupboard.

In his evidence the petitioner denied that he con-
vinced at his wife's adultery, or in any way con-
ducted to it. Dr. Longden was living at 81, Peckham-
road.

Cross-examined: Twice Dr. Longden had met
him and his wife outside music-halls. He paid for
his share of handsome cabs. He was earning 30s.
a week. She did not sit on the doctor's knee
during a part of the journey. The doctor might have
paid for the admission to the Canterbury Music
Hall and after they left they went to the corres-
pondent's house to supper. After he saw
the kissing he struck Dr. Longden as hard as
he could, but afterwards left the house with
his wife. He did not tell her on the way home
that she might go to the doctor's. When she re-
turned home after being out all night he refused
to let her in. She wanted her boxes, but he
would not let her have them, as they were label-
led for the doctor's residence.

John Williams, who was at 81, Peckham-road on
the occasion of the assault, said Mr. Pitt rushed into
the room, called Dr. Longden "a scoundrel," and
struck him. The doctor got a revolver and point-
ed it at the petitioner, and witness took it away
from him. He had since seen the respondent at
Dr. Longden's house.

Matilda Cannon said that in April, 1897, she
received a letter from Mrs. Pitt and called
on her at 81, Peckham-road. The respondent
was in her dressing gown, and she told witness
that Dr. Longden was the only man she ever loved.

The defence was that the petitioner did not exer-
cise proper care over his wife, and allowed her to
be upon close terms of friendship with Dr. Longden.

Mrs. Rosaline Louisa Agnes Pitt, the respondent,
said that shortly after the marriage her husband told
her they were unsuited for each other. When
they went home in aansom she partly sat
on Dr. Longden's knee. It was not true that
the co-respondent kissed her in the upstairs
room of his residence. Dr. Longden denied it
at the time, and her husband said he had made
a mistake, and he apologised. When they drove
to the Canterbury Music Hall she sat on the
doctor's knees. At a later date her husband said
to her it was evident she liked the doctor better
than himself, and that she had better go to him.
Several times he told her to go to the doctor's,
and he helped her in the packing of her boxes.
She alleged that her husband ultimately turned
her out of the house, and, having no money,
she went to 81, Peckham-road.

By Mr. Warburton: Before her marriage she
was a barmaid.

Dr. Longden, the co-respondent, who said he
was 29 years of age, stated that on the occasion
of the visit to the Canterbury Music Hall he paid
all the expenses. It was not true he kissed Mrs. Pitt
on the occasion referred to. Petitioner said he was
very sorry he had made a mistake, and afterwards they
all went together to a public-house, at which time
Mr. Pitt was quite friendly. Respondent told
him that she and her husband were unsuited to each
other, and that he was always taunting her about
witness, and telling her to go and live with him.

Cross-examined: The revolver was not loaded.
Prior to witness fetching it Mr. Pitt struck him a
blow in the face with his clenched fist.

Why did you get the revolver? I did not think
I ought to be struck in my house.

Why did you fetch it? To frighten the petitioner,
who had falsely accused me of kissing his wife.

Cross-examination continued: He had written one
letter to her in the name of "Miss Clarke" at a post
office. Out of "pure philanthropy" she was now
living in his house until she could get a situation.

In the result the jury found that the respondent
and co-respondent had committed adultery, that the
petitioner had not connived at or conducted to it, and
they assessed the damages at 500l.

Mr. Justice Barnes granted a decree nisi with
costs, and custody of the child, and directed that the
money should be paid into Court in a fortnight.

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CALCUTTA, JULY 17, 1898.

THE SAMASTIPORE SHOOTING
CASE.

BEFORE we enter into the merits of this case, we shall make some preliminary remarks. It will be seen from the Judgment, which we could not see, by infinite toil, that seven men were shot down by Mr. Macintyre, one having died and three being grievously hurt. But yet no one moved to prefer a complaint. Even when the Sub-divisional Officer came to investigate the case, the aggrieved shrank from him. The explanation is that people always prefer to avoid a European, even when he is aggressive. It is, indeed, often a dangerous game to meddle with a European, a culprit though he be. At least, that is the general impression. The Magistrate says that the people declined to take any steps against Mr. Macintyre, because as soon as the incident occurred, they "declared the whole affair to have been accidental." But he himself finds that it was not an accident, but a rash and negligent act. So, if the men really declared that it was an accidental affair, they did not mean what they said. Would they have declared it to be an accidental affair, if they were killed and grievously hurt by some natives when they were holding a wedding-party? We don't know; we only offer a suggestion.

But the Magistrate did more. Because they alleged that the affair was accidental, therefore he rejected all their subsequent evidence. It is quite true that there were discrepancies and exaggerations in what they said; but, we think, it was going too far to say that there was absolutely no truth in their statements. The Magistrate himself acknowledges in one place that "the men may not in this respect be speaking a deliberate falsehood." Why then reject their evidence *in toto*? If the Magistrate had not done it, he would have been then obliged to find Mr. Macintyre guilty of a far graver offence.

What is still more striking is that he treated the statements of Mr. Macintyre on a different principle. He says that "the circumstances go to show that Mr. Macintyre has given a substantially accurate account of what took place." But yet he disbelieves his statement that he did not use his gun rashly and negligently. So he believed one portion of the accused's statement and disbelieved the other; but, he disbelieved the entire evidence of the native witnesses because he could not believe a part of it!

We shall now deal with the facts of the case as stated by the Magistrate. About 10 p.m. on April 30th, a wedding-party, consisting of some 12 persons, with three musicians, arrived at the house of the bride. The house was situated on a spot which did not belong to Mr. Macintyre, though it was opposite his bungalow. As is the custom in this country, the arrival of the party at the bride's house was announced with the beat of drums which accompanied the procession. Mr. Macintyre was just then going to sleep. Besides, it is alleged, that his wife was ill, though the nature of her illness, or whether she was examined by a Doctor, is not mentioned in the Judgment. The noise of the music disturbed the accused, and he sent two chapsris to stop it. Of course, no mere Indian would have ventured to adopt this course.

The chapsris did not return immediately, and Mr. Macintyre would not brook delay. He, therefore, seized his double-barrelled gun, and went out apparently with the object of punishing the impertinent natives. That the accused was at this time in a disturbed state of mind, is evident from the remarks of the Magistrate. Says he: "It is proved that he (Mr. Macintyre) himself at the time loaded both barrels of the gun with cartridges containing large shot known as B. B." There is thus no question about the fact that having deliberately loaded both barrels of the gun, he came out to use them for the purpose of teaching the wedding-party a lesson.

Here let us remark parenthetically that apparently Mr. Macintyre had no right to send his chapsris, or to come out himself to stop a wedding-festival, which was being held in his neighbourhood. It was no excuse that because his wife was ill and that his sleep was disturbed, therefore, he should use force and stop a sacred ceremony which was a nuisance to him. It is extremely unreasonable, that others should go without music so necessary in a marriage ceremony, because Mr. Macintyre did not like it.

As stated above, Mr. Macintyre was not satisfied with sending his chapsris. He himself followed them with a two-barrelled gun, having deliberately loaded it with deadly cartridges. What happened immediately after is a gruesome affair. Mr. Macintyre says that he had no intention of firing upon the wedding-party. What he meant to do was to fire in the air. As a matter of fact, says he, he fired off one barrel in the air, with a view to frighten the persons who were disturbing him. As regards the other barrel, well, says he, he walked hastily over rough uneven ground, his foot slipped, there was a discharge and the men were hit. That is to say, seven men were shot, one of whom died and three were grievously hurt. The Magistrate accepted this version of the accused.

There are, however, some difficulties in accepting the above version, which the Magistrate should have removed before he had accepted it as conclusive. If Mr. Macintyre's object was simply to fire in the air, why did he then deliberately load his guns with deadly shots? Nay, he did more. We shall here let the Magistrate speak for us: "He (Mr. Macintyre) keeps and uses a gun. He must be assumed to understand the mechanism of that weapon and the possible effects of a charge of heavy shot fired from that gun. In my opinion, it is a rash act to fire off a gun, loaded with what are practically bullets, at random on a dark night. What justification is there for accused to go up to a crowd of merry-makers with a loaded gun with the intention of making them cease from playing music and moving off? He approaches them in the dark over rough ground with his gun pointed towards them, and with the trigger at full cock."

It will thus be seen that he came out not only with a gun loaded with bullets, but with the gun pointed towards the wedding-party and the trigger at full cock; and we are asked to believe that his intention was only to fire off in the air!

As regards his statement that he fired one shot in the air, this is totally denied by the members of the wedding-party. They say that both the barrels were fired upon them, and the injuries were severely caused by each of the two shots. The Magistrate, referring to this point, says that "the men in this respect may not be speaking a deliberate falsehood. They may, indeed, themselves believe that they were struck by both shots." The Magistrate might have done better by arguing that the men, who were so much without prejudice and malice as to have remained quiet, under the deadly wrong done to them, had no motive to speak a lie when they said that both barrels were fired at them. Besides, one barrel striking seven men does not seem to be likely, but in this matter our knowledge is imperfect.

The chief argument used by the Magistrate against the supposition that the accused did not fire wantonly, is that his servants were at the time talking to the party, and that he would have killed his own men if he had fired in that direction. This argument would have been conclusive if the Magistrate had not failed to take note of one or two important points. It is quite true that Mr. Macintyre was passing through a dark path, but was there light where the wedding-party sat? The presumption is that there was light, as light is essential in a marriage festivity. And if there was light, Mr. Macintyre could have easily distinguished his servants from the members of the wedding-party, and thus fired without injuring his own men. Secondly, is the Magistrate absolutely sure that the servants were talking to the party when the gun was fired? There is nothing in the Judgment to show that evidence on this point was taken or not.

The following sentence occurs in the Judgment:—
All the wounded were hit on back, so they were probably hastening away in compliance with the chapsris' order. The delay was occasioned by their having to pick up their food and clothes.

So, if Mr. Macintyre had delayed a few seconds to come out, the wedding-party would have ceased all noise and allowed him and his wife to sleep comfortably. What a pity that he did not come a few seconds late, — only a few seconds!

Says the Magistrate: "The defence goes so far as to urge that he was entitled to go out and fire off the loaded gun in the air to frighten off the party." There was thus no compunction on the part of Mr. Macintyre for having wounded so many innocent men, who had done him absolutely no harm. If he really wounded these men by an accident, why did he not come to them immediately, apologise to them, and do all he could to mitigate the injury that he had done to them?

Mr. Macintyre has been let off with a fine of Rs. 800, which, of course, means very little to a man of his position; but the result of his act was the death of one man, and grievous hurt to three, who had been confined to hospital for upwards of three weeks! Here is a case for the Government to take note of.

A FEW WORDS MORE ABOUT THE
SAMASTIPORE CASE.

WHEN we consider that Mr. Macintyre is an Englishman of education, the higher product of the latter part of the nineteenth century, we feel that he has no excuse whatever for the mischief that his hot temper and impatience led him to commit. And the mischief is not only irreparable, but as serious as a human being can commit. If British soldiers, now and then, shoot natives down, they are ignorant men. Dr. Laing had this excuse that he lost his head in panic. But what excuse Mr. Macintyre had to lose his? There was one; and in justice to him, it ought to be mentioned. There are animals which become ferocious when rearing their offspring. There are husbands who are devoted to their wives. Perhaps Mrs. Macintyre had a headache; perhaps she enquired on him to save her from the nuisance. The request of the wife possibly led him to lose his temper. But is this sufficient excuse for what was done?

They were going through a marriage ceremony — were they doing anything wrong? They were having some music; that is also

not an offence. Did they prove impertinent? It is in proof that they made every preparation to obey the unreasonable and unwarrantable request of the educated English gentleman. Indeed, they were leaving the place to please him, when the contents of a barrel or both barrels struck them on their backs. This is what the Magistrate says in his Judgment:—

It is proved that he himself (Mr. Macintyre) at the time, loaded both barrels of the gun with cartridges containing large shot known as B. B. About 60 of these go to make up a charge, and about 75 per cent. of the contents of one cartridge lodged in the bodies of the wounded men.

What justification is there for accused to go up to a crowd of merry-makers with a loaded gun with the intention of making them cease from playing music and moving off? He approaches them in the dark over rough ground with his gun pointed towards them and with the trigger at full cock.

The shots followed each other in quick succession. As soon as some were hit, confusion and terror must have reigned supreme. It is hardly to be expected that any of them can accurately remember exactly what took place. Suddenly in the midst of their festivities, from the darkness an unseen hand discharges a gun which lays low seven of their companions.

All the wounded were hit on back, so they were probably hastening away in compliance with the chapsris' order. The delay was occasioned by their having to pick up their food and clothes. The musicians had probably moved off to a short distance, and so were not hit.

The *Pioneer* is bold enough to meddle with a subject which Anglo-Indian papers try always to avoid. It is the cause of the present discontent. And the *Pioneer* solves the problem by offering the following suggestion:—

A corrupt *amla* in the law courts, a dishonest police and generally a grasping set of subordinates in every branch of the administration constitute a potent factor in creating discontent against our rule, and these unfortunately are the people with whom the masses come into immediate contact.

What is the good of meddling with a question which our contemporaries have no sincere desire to do justice to? The native subordinates may be bad; but they are, after all, obedient tools in the hands of their European masters. The corruption of the native subordinate only shows the incapacity of his European master. What European master is there who cannot make his native subordinates do their duty properly if he will but make the attempt sincerely?

We fear, the real reason for this unpopularity is to be found in the want of sympathy, oftentimes displayed now-a-days by a good many men in ruling position. Moved by sympathy for the dependent millions of Indians, Europeans can manage the gentle races who inhabit this continent very successfully.

As regards this Samastipore case, one thing is certain. The seven men, who suffered, of whom one was shot to death, had done nothing wrong. No one can show that they failed in a single particular. When asked by the chapsris to stop music, even then they did not resent, but agreed to comply with the selfish and unwarrantable request of Mr. Macintyre. And above all, after receiving the greatest injury from Mr. Macintyre, whom they had done no harm, they refused even to move in the matter!

So, you see, comparing the half-civilized Hindu with the highest product of the nineteenth century, the latter does not show himself to much advantage.

The trying Magistrate suggests, no doubt, in extenuation of the offence, that the deceased would have not died if proper care had been taken of the man. He says:—

It is proved that the lungs and liver of the deceased Gupi were injured by the shot and that these injuries were fatal. There is nothing to controvert this evidence, although the Railway Hospital Assistant, who had no means of knowing what the internal injuries were, says the man might have lived if the injuries had been dressed at once. So as far the evidence goes, Gupi died from the injuries caused by a gun-shot wound, and that gun was fired by Mr. Macintyre.

We cannot agree that the suggestion helps the accused in any way. On the other hand it proves that if immediate and proper care had been taken, the man might have been saved. Now who was to take this care? There was at least one person there whose imperative duty it was to take care of the man. He is an educated Englishman and he was standing there. All this happened before his eyes; and true to the instincts of his race, his education and position, he ought to have run to the spot and taken all care, not only to save the life of the most vitally-injured man, but also to see that all were safely carried to hospital. That Englishman was Mr. Macintyre himself; but, it appears he did not move.

Add to the above the fact that it was he who was the author of all this mischief. He says that it was an accident; be it so. But he alone was responsible for the so-called accident. And when he saw so many innocent merry-makers, his fellow-beings, suddenly laid low by his own action, why did he not run there to offer his help? If he had done it, the people of India would have excused him much, and that also would have proved his good intention. What he did, after he had committed the mischief, we know not. The Magistrate is silent on the point, and his defence shows that he was not at all in a

mood of penitence for what had been done. On the other hand, his defence indicates that he seemed to think that he was more the injured party than otherwise. Says the Magistrate:—

In fact, the defence goes so far as to urge that he was entitled to go out and fire off the loaded gun in the air with a view to frighten off the persons who were disturbing him.

So he was not even sorry for what he had committed. He forgot, however, that something more than frightening was effected. And how is it that the Magistrate has not a few strong words to condemn the heartlessness shown by Mr. Macintyre in leaving the almost dead and wounded to their fate?

THE ALLEGED "BULL" OF THE
CHIEF JUSTICE.

The *Pioneer* observes:—
The *Spektor* is at present publishing all the "bulls" it can get hold of. We can add one to our contemporary's stock. The Chief Justice of Calcutta, in animadverting on the conduct of a Magistrate (in the case of Babu Ratneswary Pershad Narain Singh), is reported by the Calcutta press to have said: "It almost looks as if he wilfully shut his eyes so as to avoid hearing what this Court had done."

"Bulls" are always welcome, specially when they proceed from unexpected quarters. But the matter which gave rise to the one, ferreted out by the *Alahabad* paper, is a serious one. We commented on the irregularities of Mr. Assistant Magistrate Adie of Murshidabad. They showed that he was a quite useless young man without experience. But the acts of the Magistrate which furnished the Lord Chief Justice materials for the subject of his bull are serious ones. The acts showed no want of experience, and no guilelessness of youth. It showed, on the other hand, consummate astuteness.

The Magistrate, referred to, is Mr. Lister, Joint Magistrate and Sub-divisional Officer of Sevan, in Sarun. The charges brought against him by Babu Ratneswary Pershad and Brijnandan were many, — some of them being of a serious character. For instance, though these Zemindars were next in rank in their district to the Maharajah of Hutwa, they alleged, in a sworn petition, that they were made to walk on foot and stand in the sun for a considerable time! And the Hon'ble Chief Justice thus remarked on the conduct of Mr. Lister:—

"I do not propose to go into the facts in any detail; but allowing the exaggerations in the story told by them and taking that story with the comments upon it made by the Joint Magistrate himself, I am not very favourably impressed with the manner in which the petitioners have been treated. I cannot but feel that to some extent the zeal of the executive officer has outstripped the judicial impartiality of the Magistrate and that he has displayed, at least, some bias, adverse to the present applicants."

In days gone by, stories implicating Zemindars and indigo-planters, making recalcitrant ryots stand on their legs in mid-day sun, were told to prejudice the above two classes of very respectable people. We think, His Honour the Lieutenant-Governor should make an inquiry about this statement. If it be true, the Joint Magistrate should be told that there is no law empowering him to punish the accused before him in the way he was alleged to have done.

Thus, in the opinion of the Chief Justice, the Joint Magistrate was biased against the accused; but, yet both he and the District Magistrate were determined that the case should not be transferred elsewhere. Some of our executive officers do not see the absurdity of their *vid* in such matters. Their acts betray that they are not fit to sit in judgment; yet, they will move heaven and earth to try the accused, though the latter has no faith in them. Just see that though the Chief Justice thought that the Joint Magistrate was not competent to deal with the case fairly, yet the District Magistrate, in his explanation to the High Court, gave the following certificate to his subordinate:—

The Sub-divisional Magistrate before whom the enquiry is proceeding, is an officer of exceptional qualification so far as regards judicial abilities, temper and patience; and there can be no question as to the accused persons being treated with absolute fairness.

So the Joint Magistrate was not, a child like the Assistant Magistrate of Berhampore. He was an exceptionally able man according to the Magistrate of the District. But though a man of such mature judgment, yet he made respectable men stand in the sun before they had been proved guilty. Here are the main facts of the case.

Some servants of the Zemindars were implicated in a riot case in which a man was grievously hurt, and of which he subsequently died. According to the sworn affidavit of the Zemindars, Mr. Lister came to their place for inquiring into this matter and charged one of them with having concealed himself after killing a man. He then put them to various indignities by making them walk some distance and stand in the sun, utterly disregarding the position they held in society. Having treated them in this fashion, the Magistrate issued warrants against them to answer charges of culpable homicide.

They necessarily got alarmed, and objected to be tried by him. They, therefore, applied to him for an adjournment to move the High Court; but, to the surprise of all, the application was refused, and the Magistrate proceeded with the case. Now, may we enquire why was the Magistrate so anxious to try the case himself when the accused, rightly or wrongly, fancied that they would obtain no absolute justice from him,

and when they had prayed for time to petition for transfer? But the subsequent conduct of the Joint Magistrate was simply astounding.

On the 10th of May, the petitioners succeeded in moving the High Court and obtaining a rule. Their Vakils immediately telegraphed to the Muktear of the petitioners in Mr. Lister's court to inform the Magistrate that the High Court had ordered further proceedings to be stayed, pending the hearing of the rule. On the 11th May, the Muktear telegraphed to Calcutta to say that the Magistrate had declined to see the telegram at all!

Mr. P. L. Roy, Counsel for the petitioners, who had obtained the rule, had now no alternative but to telegraph himself; and on the 12th idem, an application, based on the second telegram, was made to the Magistrate for the postponement of the case.

The Magistrate had now no option left him, but to grant the postponement; but before he had done it, he had nearly finished the examination of all the prosecution witnesses. The Magistrate's court was at that time sitting in the morning from 6 o'clock to 11 o'clock, but, curiously enough, on the 11th May, after he had declined to see the first telegram, he held two courts, — one as usual in the morning, and the other in the afternoon from 1 p.m. to 5.30 p.m. This enabled him to examine eleven witnesses for the prosecution on the 11th. On the 12th also before he had granted postponement, he managed to examine five witnesses and thus enabled the prosecution to nearly finish their case. And when the rule for the transfer of the case came to be argued before the High Court, the fact that almost all the prosecution witnesses had been examined, was made most of by the Crown Counsel at the instance of the District Magistrate, to oppose the transfer which meant the opening of the case *de novo*!

But to the discomfort of the District Magistrate, this very fact that his Joint had shown extraordinary haste in finishing the case, for the prosecution, greatly influenced their Lordships in granting the rule. But we shall let the Hon'ble Chief Justice to speak on this phase of the Magistrate's conduct:—

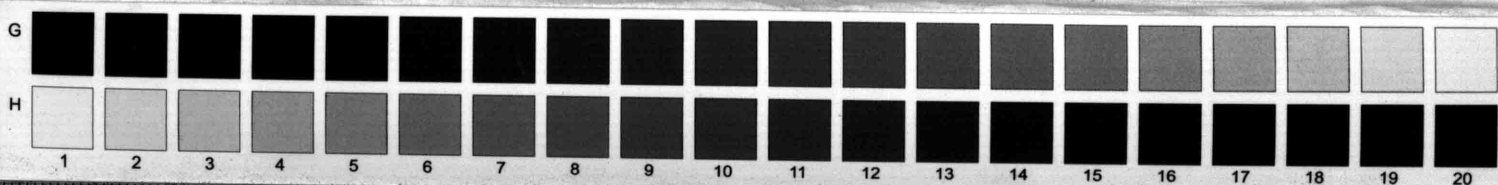
The rule was granted by this Court on the 10th May, and on that day, a telegram was sent by the Vakils in the case here to the Muktear acting for the defence, to the effect that the rule had been granted. That rule directed further proceedings to be stayed, pending the hearing of the rule. The 11th of May had been fixed by the Magistrate for the resumption of the case. On that day the Muktear mentioned to the Magistrate that he had received the above telegram, and asked him not to proceed with the case. The Magistrate refused to look at the telegram, and went on with the case. He would appear to have been very anxious to get the evidence taken; for he virtually on that day compressed the sittings of two days into one. On the 12th May, the hearing was again resumed, and on that day a formal petition was presented, asking for the adjournment of the case on the ground of the rule having been granted, a further telegram from the Counsel, who had obtained the rule, having been received by the Muktear of the accused in the meantime; but the Magistrate went on steadily, and refused to adjourn the case so as to act upon the telegrams. The facts are deposed to in the affidavit which has been handed up to us and which must be filed.

In acting as he did, in forcing on the case as he obviously has, I think, the Magistrate acted very injudiciously. He ought to have listened to the telegrams which, upon their face, bore the stamp of genuineness; and if he had any reason to doubt, could readily have been satisfied by a telegram to the Registrar of this Court. It almost looks as if he will fully shut his eyes so as to avoid learning what this Court had done. This haste to press the enquiry on, coupled with his action in the earlier investigation of the case, does at least suggest that his mind is not free from some bias in the matter, and that he does not approach the case with that judicial impartiality which is so essential to the true administration of justice.

So, the Chief Justice suggests that the Joint Magistrate "wilfully shut his eyes so as to avoid learning what this Court had done", and that he showed haste to press the enquiry on. From this part of the Judgment, the *Pioneer* ekes out the so-called "bull". The "bull", however, is a wicked creation of the *Pioneer*; for, instead of "hearing," the Chief Justice used the expression "learning," as will be seen from the extract quoted above. His Lordship further repeats by way of emphasis that Mr. Lister's mind "is not free from some bias in the matter, and that he does not approach the case with that judicial impartiality which is so essential to the true administration of justice." We cannot conceive of a greater censure upon the conduct of an executive officer, invested with judicial powers, than the one noted above. But His Lordship did not stop there; he went on to say in still stronger language:—

I desire to state that it is of the most absolute importance as regards the administration of justice in this province, that Magistrates should act with every loyalty towards the orders of the High Court; and if they are told that an order has been made by this Court staying proceedings, they ought then and there to hold their hands unless they have good ground for believing that the information given to them is false. I have no desire to say more upon this part of the case, but I am certainly not inclined, under these circumstances, to adopt the view of the Crown that inasmuch as the enquiry has virtually terminated, no case for a transfer exists. On the contrary I think the case should be transferred and transferred to the Joint-Magistrate of the Sulder Station.

The Magistrate, it seems, according to the Lord Chief Justice, was too astute by half. He was in a hurry to finish the case for the



prosecution, so as to render a transfer impracticable. The Chief Justice, however, transferred the case on the very ground upon which it was opposed by the Crown.

PRESIDENT Mackinley is said to be a sagacious ruler. But, if in addition to his present duties, he is entrusted with the task of administering the affairs of India, he will surely fail to discharge his these additional duties; for, his heart is with America. To be able to rule a country, the latter must possess the entire heart of the administrator. When making herself over to her husband, a heiress says that her husband is free to do whatever he likes with her wealth, but the only return she demands is an undivided heart. We want a ruler who loves India, is ready to protect this country, not only from the aggressions of France and Russia, but of his own country. The ruler of India ought to be fully aware of the responsibilities of his position. He is an Englishman, but he must think like an Indian. Without such a sense of responsibility controlling him, no Englishman, however able, will be able to govern India well. Of course, it is very hard for an Englishman to side with an Indian against his countrymen, simply because the former has justice on his side. But, then, Englishmen have taken a very difficult task in their hands, of governing an alien country on righteous principles under an adulterated despotism. The problem before England is to govern a foreign country, India, on despotic principles. The other condition is to govern India with righteousness. To be able to accomplish such a task, the English rulers ought to be above passion, prejudice, and racial feelings. The Secretary of State, who is unwilling to disclose the fact that the wretches who are charged with having murdered Dr. Suresh Chunder Sarkar were European soldiers, is not in a condition of mind to be able to govern this country well.

SIR HENRY FOWLER sought to undervalue the tribute paid by India to England. Besides the payment in hard cash, India is made to pay tribute in many other ways. Thus, for instance, the soldiers, charged with the murder of Dr. Suresh Chunder Sarkar, were allowed to sit on the dock. Would a native of India, under the circumstance, be allowed the privilege? Then, the British soldier has the privilege of being tried by a jury, at least half of whom are Europeans. This expression "at least," in our criminal laws, is a source of infinite merriment in India. By the value of these two words, the European accused always succeed in securing for them a convenient jury—a jury composed of members who are either entirely or mostly Europeans. By this arrangement, our readers are already aware, the accused, charged with the murder of Dr. Suresh Chunder Sarkar, have secured for them a European jury, pure and simple. They do not grudge this arrangement; we only wish this rule were applied in the case of the Indian prisoners.

The Thorburn incident at Simla has brought an important point to the front. There is a distinct ruling to the effect that officials cannot talk, or take part in, politics in public. The Government is so strict in this respect that if any Indian official is found in the Congress camp, he at once becomes an object of dire displeasure. It is in this way that the Congress was sought to be vitally injured by a certain class of Indian authorities. The other day, two Mussalman officials happened to be present at a meeting, held at Madras, to protest against the nomination of a representative to the local Legislative Council; and they were taken severely to task for their conduct. Mind, they took no part in the proceedings, but simply sat as mute spectators at the meeting. We see, however, a strange phenomenon in the Simla agast affair: Mr. Thorburn was not only allowed to condemn the forward policy of Government in very strong language, but to do it in the presence of the very Viceroy who is mainly responsible for the carrying out of the policy. He was not stopped when he commenced criticising the actions of the Government, by the Chairman of the meeting who was no other than Sir Edwin Collen himself, but, on the other hand, vociferously cheered by the majority of the audience. The question now is: Did Mr. Thorburn transgress the ruling? There is no doubt, he did; for, the ruling in this respect is very clear. How is it then that no notice of his conduct has been taken? No doubt, there is a rumour to the effect that the matter has been reported to the Secretary of State; but our Simla correspondent assures us that there is no foundation for it. Referring to this rumour the Simla correspondent of the *Englishman* says:—

Whether the Secretary of State and the Viceroy will or will not take action in the matter, is now the question most men are asking. If action is taken, it seems certain that there will be a demonstration of popular feeling in favour of Mr. Thorburn, and some of the most competent judges here think Government will be extremely ill advised if they do not allow the matter to drop.

Yes, Government will not venture to take any action against Mr. Thorburn; for, it means a revolt not only amongst the unofficial Anglo-Indian public but also amongst a section of the official class. It then comes to this: There is a ruling, prohibiting officials from meddling with politics. When the natives break it, they

are visited with condign punishment. But when the Europeans violate it, even in an outrageous manner, they are not to be touched. We are afraid, the arrangement will not proclaim the strict impartiality of the Government in its dealings with its native servants. Of course, we are quite at one with the European public in this matter, namely, Government should take no notice of the conduct of Mr. Thorburn. Indeed, if the Government punishes Mr. Thorburn, it is bound to punish Sir James Westland also, for, he too is a similar offender; and to punish Sir James Westland is to punish the Government itself. It is thus safe to drop the matter altogether; but, what we fear is that this generosity on the part of the Government may lead Indian officials to forget their own position and follow in the wake of Mr. Thorburn. To prevent this Government should deal with the matter in a separate Resolution, and give a distinct warning to the effect that, if high European officials like Mr. Thorburn were excused, that is no reason why the terms of the ruling should not be rigorously enforced in the case of the Indians, however high posts they may hold. We believe, however, no sensible Indian official will need such an assurance for his guidance.

We learn from the *Indian Daily News* that Misses Chick and Campbell, two European nurses, who have recently arrived from England, are specially deputed to do plague work on a nine-months' engagement. They have been appointed to the Manicktollah Hospital. As there are no patients at present in this hospital, the services of the two nurses, Mrs. Booth and Mrs. Tobin, who have been working there since the opening of the hospital, have been dispensed with. We do not understand the ethics of this arrangement. There is no work at the Manicktollah hospital; and the services of the two nurses, Mrs. Booth and Mrs. Tobin, have been very properly dispensed with. But, how is it they have been replaced by two others, Misses Chick and Campbell, when there is no patient to attend to? We do not know the nature of the contract entered into with them. But surely, it cannot be that they will do no work and yet draw their pay. Like the Manicktollah Hospital, all the Ward Hospitals are without a single patient. They are, however, proving a terrible burden to the rate-payers. The question is one for the serious consideration of the Plague authorities, whether or not the time for the abolition of these hospitals has arrived when home segregation has been extensively allowed, and when the Government and the semi-Government hospitals in the town, like the Medical College, the Campbell, the Mayo and the Chandney Hospitals have got ample room for the few sporadic cases that are occurring just now.

It may be in the memory of our readers that the editor of the *Mahratta* had written a letter to Mr. Lamb, District Magistrate of Poona, asking for certain information with regard to the Piper case. In his letter, the editor had put the following four questions:—
1. Whether Piper, who caused the death of Arjuna, in the Poona District, while the former was out on a shooting expedition, was punished departmentally; if so, what was the punishment given to him?
2. What, if any, compensation was given to the family of the deceased Arjuna, by Government?
3. What steps were Government going to take to minimise regrettable accidents like these, caused by soldiers going on shikar with fire-arms?
4. Whether Government would be pleased to place before public the report of Mr. Bonus, the District Magistrate of Poona, made with regard to the inquiry into Piper's case?

Though the letter was submitted, towards the end of May last, it was not after a lapse of more than five weeks that the editor was favoured with a final reply. In the meantime, the editor was informed that the letter had been sent to Government for reply. So the reply obtained, which we give below, must be considered as having come from the hands of Government. Here is the reply:—
Poona, 31st July, 1898.

Memo
In continuation of this office No. 5391, dated 31st May, 1898, it is intimated to the Editor of the *Kesari* and *Mahratta* that the information which can be communicated on the points numbered 1 to 4 in his letter dated 30th idem, is as follows:—
(1) The punishment was inflicted departmentally by the Military authorities; the particulars of punishments so inflicted are not made public.

(2) The question is still under the consideration of Government. It is understood that immediately after the occurrence, a sum of money was paid to the deceased's widow as an act of compassion by the officers of the battery to which Piper belonged.

(3) Attention is drawn to the orders recently published by the Commander-in-Chief.

(4) No exception can be made in this case to the standing orders, regarding official correspondence.

R. A. LAMB,
Collector of Poona.

We wish the answers were as straight as the questions. What harm there was in disclosing the nature of the punishment inflicted? And why was not the amount of money paid to deceased's widow mentioned? These evasive answers do no good but only create distrust and suspicion.

HERE is a remarkable coincidence. Dr. Suresh Chander Sarkar was murdered on the 30th of April by some British soldiers.

The members of the wedding-party at Samastipore were also shot at and wounded, one having died, by Mr. Macintyre on the same day. Again, the tragedy at Barrackpore occurred at 10 P.M., and the tragedy at Samastipore also happened at the same hour! The evening of the 30th April at 10 P.M. thus proved fatal to a number of natives in two different parts of the country, who committed no wrong or offence, simply because, but we do not know what led these Europeans to commit these dreadful acts.

As "PATIENCE" rhymes with "conscience," a good versifier ought to be able to compose a couplet enjoining on the Europeans and Indians in this country, to live in amity. Thus the versifier can say that for the purposes of peace the Indians should have "an inexhaustible fund of patience" and the Europeans "an unalloyed and sensitive conscience." In the Samastipore case, the natives shewed an exemplary quantity of patience; for, though wounded by a gun shot without any provocation, they did not bring any charge at all against Mr. Macintyre. Thus the Indians did their part of the duty, but did the Anglo-Indian papers do theirs? They ignored the case altogether; nay, now that we have published the Judgment, with the honourable exception of the *Indian Daily News*, no Anglo-Indian paper has taken any notice of it. The Anglo-Indian papers can do much good by taking notice of such cases. There is a strange coincidence of the Samastipore and Barrackpore cases occurring not only on the same evening of the 30th April, but also at the same hour, viz. at about 10 P.M. The moon shone brightly at that moment at Barrackpore, if we are to believe the witnesses cited by the State in the Barrackpore case. The Magistrate says, however, that it was "dark" in Samastipore. How that can be, we cannot account for; for, the weather, it seems, was not foul at the time. This being so, the argument of the Magistrate that Mr. Macintyre did not fire deliberately because, the night being dark, he might have hurt his own chaprasis who were talking to the members of the wedding-party, is not quite sound. If the moon shone with brightness at Barrackpore, it is to be presumed that it did the same at Samastipore; and thus apparently Mr. Macintyre might have distinguished his men from the disturbers of his peace. By the way, the *Englishman* is publishing the proceedings of the Barrackpore case under the heading of "The Barrackpore alleged murder case." This is all right; our contemporary has a right to doubt the murder. Nothing is to be accepted as true, nor found so by a judicial trial. It was only on that principle we had asked for a trial of Dr. Laing. No, it was not from race-prejudice. Race-prejudice the Indians have very little—certainly not so strong as the Europeans have. If they raise a hue and cry when a European culprit is allowed to escape unpunished or inadequately punished, it is for their own protection. If European culprits are not properly punished for injuring the Indians, the former are encouraged to be lawless. That is the main object of the hue and cry raised by Indian papers when European offenders are let out cheaply. An American phrenologist, after examining the skull of a Hindu, observed that "his inferior faculties were not as developed as in those of the European, and that accounted for his subject condition."

THERE cannot be much love lost between Lord Elgin, who is a Liberal, and Mr. Maclean, M. P., who is a Conservative. The latter has, therefore, a fling at the former. In the course of his speech on the Indian Loans Bill, Mr. Maclean said: "Although the Government of India was always put forward as an independent one, it really was not so; it was a mere instrument in the hands of the Secretary of State in Council, and in the case of Lord Elgin, he believed, that the noble Viceroy did not dare to sit down to dinner without telegraphing to the Secretary of State to know if he wanted him any more." Mr. Maclean is rather hard upon Lord Elgin. It is quite true that he declared in open Council that the Viceroy was only a mandate-obeying subordinate of the Secretary of State; but that only showed that His Lordship was more frank and simple than his predecessors. They have been all mandate-obeying Viceroy, excepting two or three who had, however, to resign for asserting their independence. Mr. Maclean is, however, mistaken to suppose that it is the Secretary of State who rules supreme in India. It is the officials who govern the Empire. They form a compact family; and if they obey implicitly the mandates of their superiors, they are also protected by the latter through good and evil. It is the half-dozen Ministers of the Secretary of State who control the affairs of India. And who are they? They are recruited from the ranks of the Anglo-Indian officials. The Secretary of State is thus as much helpless in the hands of these representatives of the Indian officials in the India Council as the Viceroy. There is no harm in this arrangement; but, then, these Ministers represent only one interest and that is official; and there is not one man in the India Council to represent the three hundred millions of India, or even the tens of thousands of non-official Europeans who reside in this country.

THE Barrackpore murder case was again taken up at the usual time on Friday. Before proceeding with ordinary business, the Chief Justice, at the request of the foreman of the jury, recalled two witnesses—Raman and Gobinda Chander Bose—one after the other. The accused were made to change their seats in the dock and put on their helmets with the chin straps down. The witnesses were then asked to point out the soldier who had kicked the deceased. After this the accused took off their helmets and resumed their original seats. The following witnesses were then examined, cross-examined and re-examined: Alexander Joseph Mathew, Mill Inspector of Police at Barrackpore; Sergeant Wyatt, Sergeant of the 48th Battery; Surgeon-Major Alfred Keogh, in charge of the Barrackpore Station Hospital; Captain White, in command of the 48th Royal Artillery; Nator Chat a former servant in the house of Babu Hara Kristo Sircar; Nakool Chunder Guha, keeper of a sweetmeat and lemonade shop at the Barrackpore Station; Nibaran Chunder Shaw, a keeper of rice and dal shop; and G. Whye, a photographer.

DR. SIMS, Director of Public Instruction, Punjab, has obtained privilege leave for three months, Mr. W. Bell, Senior Inspector of Schools, officiates for him.

MR. HARVEY, Accountant-General, has been appointed to act as Municipal Commissioner for the City of Bombay during the absence of Mr. P. C. H. Snow.

We understand that the Collector and Guardian of Vizianagaram has appointed Mr. Durel as tutor to the young Maharajah of Vizianagaram. So, the old story again.

SEVEN Europeans and two Indians have passed the examination for admission to the Engineering Department of the Thomason Civil Engineering College, Roorkee.

DURANT's application to the Bombay High Court for the removal of the contempt of court order, has been admitted. Durant and Williams were admitted to bail. The former found proper sureties; but the latter, being unable to do so, remains in jail.

ENGLAND has declared its unwillingness to adopt a reciprocal penny postage with any of the Colonies or India that will do the same. It is said that Canada and South Africa have joined; Australia is holding off, and no decision has yet been arrived at by the Government of India.

THE Chief Commissioner of Assam, in a Resolution, reviewing the Assam Police Report, gives it as his opinion that it is now desirable to reduce some of the frontier outposts in the Cachar District and Naga Hills, on the ground that a Lushai raid into Cachar is no more within the sphere of probability than a Naga raid into Sibsagar.

THE proposals for the Singhaia-Madhapur-Chandpur extension of the Bengal Central Railway having been disapproved by the Secretary of State, the Committee of the Bengal Chamber of Commerce have drawn the attention of the Government to the advantages to be derived from the opening up of a navigable channel across the Bhil between the Madhumati and the Kumar rivers.

An additional Police Force, comprising thirty-two men under a European Inspector, has been posted at Sinar in the Nasik District, where a fatal plague riot broke out in the cold weather, and made chargeable to such section of the inhabitants as is at present liable to pay house-tax, and by a special rate upon landholders within the revenue limits of Sinar village.

THE *London Star* brings to light two facts relating to the Vaccination Bill in England; first, that every Liberal on the Vaccination Committee voted against compulsion; the majority in favour of compulsion being composed wholly of Tories; and secondly, that Mr. Chaplin has admitted that one-third of all the children born are now escaping vaccination, and that the forces of the anti-vaccinists are rapidly growing.

REPORT has reached of Mr. F. S. Wilde, Executive Engineer of the Eleventh Division, North Cachar Hills, having been murdered on Tuesday morning. The foul deed is attributed to some Pathans of the place, three of whom have been arrested. It is said that the murderers lay in wait for Mr. Wilde on the road, and fell upon him with axes. An inquiry is being held by the Sub-divisional Officer.

DR. HALFKINE in his report to the Government on inoculation amongst the Khojas, says, the results show a difference of 80.7 per cent in the number of deaths from plague in favour of the inoculated part of the community, and a difference of 73.3 per cent in the number of deaths from what have been returned as "other causes" in favour of the same part of the community.

ARRANGEMENTS have been made to keep the Political Resident at Bushire acquainted with the movements of ships proceeding towards the Persian Gulf with cargoes of arms and ammunition, with a view to action being taken to prevent the importation of arms into place within the Persian Gulf.

A CORRESPONDENT of the *Times of India* passing through Paris the other day had an interview with Dr. Roux, the successor of M. Pasteur in the Directorship of the Pasteur Institute. It is Dr. Roux's conviction that the plague epidemic will remain in Bombay for a long time, and that it will be several years before the people will see the last of it. Dr. Roux recognised to the full the social and political difficulties which stand in the way of thorough-going measures of isolation and wholesale segregation, in which he remarks, in the beginning of the plague, perhaps too absolute faith was placed. A high importance was attached to Dr. Haffkine's prophylactic inoculation; and Dr. Simon's curative serum was spoken of very hopefully. Dr. Roux assigns a foremost place to rats as media for distribution of plague, and is most emphatic on the point that the destruction of rats in infected and threatened places is one of the most important of all prophylactic measures. He believes that it would be easy by toxic inoculation to sufficiently infect rats with a destroying disease, to get rid of them.

Calcutta and Provincial.

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BY

W. S. Caine

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JUNGLEBASHI MURDER CASE.—In this case three of the jurors bringing in the verdict of "guilty" and two of "not guilty," the Sessions Judge of Mymensingh has referred to the High Court, recommending the acquittal of the accused.

LUNAR RAINBOW.—A correspondent writes to the *Englishman* from Behar:—On the 3rd instant, a lunar rainbow was clearly visible at Begum Serai. It was a very weird and wonderful sight and one I fancy not often seen.

H. H.'S RIVER TOUR.—It has now been definitely arranged that His Honour, the Lieutenant-Governor will leave Calcutta on his proposed river tour after the Council Meeting on the 23rd instant. His Honour will be accompanied by Mr. Gayer, Private Secretary, and the Secretaries to Government.

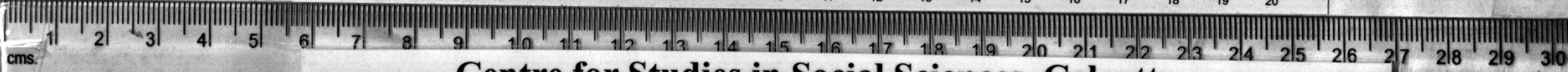
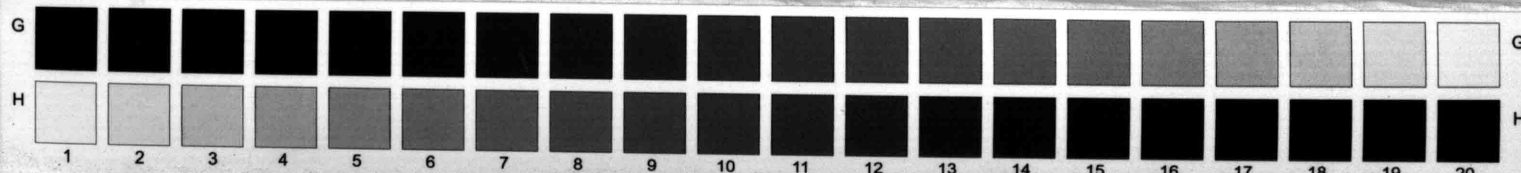
A STRANGE PHENOMENON.—"N. J. P." writes to the *Indian Daily News*, under date the 12th instant: At about 7-10 P.M. last evening the planet Venus appeared to be in a state of combustion, and sent off a fire-ball, somewhat like a meteor, towards the North-West, with this difference, that the fiery serpent-like track in the sky lasted fully 20 to 30 minutes after the said ball was ejected from that star. Can any of your correspondents or scientists explain this strange phenomenon and at this season?

SHARK FINS.—There is a considerable export of dried shark fins from the Coromandel coast to the Straits Settlements. The fins which have an evil odour, but are notwithstanding a favourite article of diet with the Straits Chinese, are prepared for food by being first thoroughly soaked in fresh water; the bones are then extracted, and boiled to a condition of pulp in milk when they are eaten with avidity. The glutinous flesh, which surrounds the bones, detached after the soaking of the fins in water, is used for making glue or gum. The Chinese regard shark fins as very nutritious and wholesome food.

ANOTHER STRANGE PHENOMENON.—"P. N. Banerjee" writes, under date the 15th, from Issur Mills Lane:—Would any one of your numerous readers account for the miraculous appearance of a certain luminous heavenly body which shone forth last evening and lasted for a minute or so. The upper heavens were in a blaze for the moment being, and we too, the creatures of this earth, felt a luminous shock, as it were, of the unprecedented light. According to the believers of Jesus Christ a star appeared just before His birth, so I ask the Christ-believers, through the medium of your paper, if they can answer for this light of yesterday.

WEDNESDAY'S STRANGE PHENOMENON.—With reference to the meteoric phenomenon noticed by us on Thursday, we have received the following over the signature "Mutual Friend":—As you have expressed a sincere wish to know the opinion of the *Indian Mirror*, as to the cause of the light of unusual brilliancy seen yesterday in the N. N. E. part of heaven, I may as well tell you the secret, namely, that an *Apsara* was passing in that direction at about the time you mention to join a bridal party, when remembering suddenly some gruesome stories she had heard about the Calcutta plague, while she was at her father-in-law's place, she for once, raised her veil to have a peep at the infected place. This was, sir, the true cause of the unusual light seen and admired by thousands of mortals. Be assured, sir, the light will have a beneficial effect in checking plague.

HON. C. B. Bush, president of the Gilmer County (W. Va.) Court, says that he has had three cases of flux in his family, during the past summer, which he cured in less than a week with Chamberlain's Colic, Cholera and Diarrhoea Remedy. Mr. Bush also states, that in some instances, there were twenty hemorrhages a day.—Glenville, W. Va., *Patriker*. This remedy has been used in nine epidemics of flux and one of cholera, with perfect success. It can always be depended upon for bowel complaint, even in its most severe forms. Every family should keep it at hand.



THE PLAGUE IN CALCUTTA.

WEDNESDAY'S OFFICIAL RETURNS.

On Wednesday there were five suspected cases, one in each of the Wards 5, 6, 9 and 10, (the address of the fifth is unknown). There were two deaths—one in Ward No. 5 (the address of the other is unknown). The total number of true cases up to date was 176, and of deaths, 140. The total of deaths in the city from all causes was 34, as against 45, the average of previous five years.

THURSDAY'S OFFICIAL RETURNS.

On Thursday, there were two suspected cases, in Ward No. 7. There were five deaths—one in each of the Wards 6, 9 and 10, and two in Ward No. 7. The total number of true cases up to date was 177, and of deaths, 145. Total number of deaths in the city from all causes was 33.

FRIDAY'S RETURNS.

Up to 6 P. M. Friday two cases were reported to the Health Office by the Medical College authorities; one from Mechoo Bazar Street and the whereabouts of the other is not known. The former died. Two patients were discharged from among the old cases.

MEDICAL COLLEGE REPORT.

Up to 6 P. M. Friday, there was no admission in the Medical College Hospital. There were two deaths. They had been removed to the hospital from the Machoo Bazar Street.

EUROPEAN NURSES FOR PLAGUE WORK.

Two European nurses, Miss Chick and Miss Campbell, who have recently arrived from England for plague duty on an engagement of nine months certain, have been appointed to the Manicktollah Hospital. In consequence of there being no patients in this hospital at present, the services of the two nurses, Mrs. Booth and Mrs. Tobin, who have been working there since the hospital was opened, have been dispensed with.

PEOPLE RETURNING FROM CHANDERNAGORE.

The *Marwaris* and other people, who had gone to Chandernagore, owing to the plague scare, are now daily returning to Calcutta. The reason of their coming back so soon, is said to be scarcity of water.

THURSDAY'S returns in Bombay give 8 cases and 6 deaths.

THE returns in Karachi for Thursday show one case and one death.

THE Plague Commissioner reports to cases at Hubli on the 10th and 13 cases on the 11th.

DR. GIBSON has come to Karachi re the rat question, and determined efforts are being made to exterminate rats.

FALSE rumours are current at Mozafferpore that plague vans are being made and the plague inoculators have already come up from Calcutta, only they are hiding themselves now.

AMONG the Doctors appointed by the Government of Bengal in May last was Dr. Banerjee, who was brought from Madras to the plague duties in the Lower Provinces and districts.

THE Madras Government has ruled that all native passengers arriving by sea from a plague-infected port within ten days prescribed as period for plague quarantine, will be removed to the segregation camp and detained there till allotted period elapses.

THERE was a recrudescence of plague at Pharala, a village in the Nawabshahr tehsil of the Jullundur District, on the 10th instant, and the village area was re-cordoned. The cordon had been removed only some four days before. There has been only one case so far.

THE services of Captain Cunningham, Bombay Grenadiers, Secretary to the Karachi Plague Committee, and all the plague establishment, with the exception of one soldier-clerk, will be dispensed with from the 1st August. Dr. Gibson has gone to Karachi re the rat question. Determined efforts are being made to exterminate rats.

ACTING according to the orders issued by the Municipality last month, the people of Minthi quarters cleared all the rubbish out of their houses and put it up in a big pile for the Municipality to cart away. The extraordinary sweepings of over twenty days have not yet been removed, and the people complain of the smell arising therefrom. They say that there is more danger to be feared from the heap which the conservancy carts will not take away than from the rubbish, that lay before neglected in their houses.—*Mandalay Herald*.

THE returns for the Bombay Presidency for the week ending July 6 give the following results:—Satara District—599 cases, 33 deaths; total 632 cases, 4654 deaths. Thana District—83 cases, 70 deaths; total 5974 cases, 4780 deaths. Satara District—47 cases, 35 deaths; total 15,196 cases, 11,871 deaths. Belgaum District—190 cases, 122 deaths; total 2,194 cases, 1,750 deaths. Dharwar District—57 cases, 49 deaths; total 250 cases, 219 deaths. Kathiwar—16 cases, 18 deaths; total 355 cases, 242 deaths. Baroda territory—9 cases, 5 deaths; total 3,597 cases, 2,820 deaths. Kurrahee District—22 cases, 14 deaths; total 7,385 cases, 5,893 deaths. Kholapore and Southern Mahratta Country—66 cases, 50 deaths; total 1,956 cases, 1,506 deaths. Sachin State—60 cases, 27 deaths; total 345 cases, 224 deaths. Bhor State—5 cases, 5 deaths; total 106 cases, 72 deaths. Cutch State—28 cases, 18 deaths; total 7,326 cases, 6,226 deaths.

THE latest reports from the frontier state that the mad fakir has resigned all attempts to create a disturbance in the Swat Valley, and there is now no reason to expect any trouble in that direction.

OUR customers say you manufacture three of the best remedies on earth," said the merchant firm of Hays, Harris, Brim & McLain of Dawson, Ga., in a recent letter to the Chamberlain Medicine Co. This is the universal verdict Chamberlain's Pain Balm is the finest preparation in the world for rheumatism, neuralgia, lame back, quincy, sore throat, cuts, bruises, burns, colds, pains and swellings. A bottle of this liniment in the house, will save a great deal of suffering. Buy it at any drug store.

THE BIGGEST COAL DEPOT IN THE WORLD.

The enormous new London coal depot of the Midland Railway Company in Somers-town covers six acres of ground—a huge slice out of the once densely populated working class neighbourhood in which it is situated and whole streets of houses have been swept away at an expenditure of many thousands, especially for compensation, to make room for it. It lies immediately behind the great goods depot of the Midland in the Euston road. It has been built at a cost of £180,000, the contract for the foundations and brick work being £80,000, and for the iron and steel work, 100,000. The depot consists of a vast roofed in space, of great length and breadth, without any sub-divisions. At certain intervals are placed 132 iron pillars, each 18 feet high. These support 189 main girders, each weighing close upon 14 tons, and a number of cross girders. The loaded coal trucks at they come up from the collieries will branch from the main line, and be lowered by means of hydraulic lifts to the floor of the depot, where, by means of patent hydraulic capstans, each easily worked by one man merely pressing his foot on a button.

RUSSIA AND CHINA.

THE latest matter of dispute between Russia and China, or perhaps it would be more correct to say the latest ground for aggression assumed by the Russian representative at Peking, is in reality a question of control and influence. The Tsung-li-Yamen has concluded a preliminary contract with the Hongkong and Shanghai Bank for a loan of sixteen million on terms—something over four millions sterling—for the extension of the existing line between Peking and Shan-hai-kwan along the coast to Niu-chwang at the head of the Gulf of Lia-tung. This arrangement Russia greatly resents, and has officially protested against it on the ground that, by a convention with China the latter is debarring from raising any foreign loan on the security of railways north of Peking except from Russia. Over and above this the arrangement is regarded as a side move of the British to weaken the position of Russia at Port Arthur, inasmuch as the terminus at the treaty port of Niu-chwang would greatly damage the trade of Talienwan. The projected Russian line from Mukden down the peninsula to Port Arthur is carefully designed to avoid Niu-chwang, which as a treaty port Russia regards with jealousy, and hopes to ruin by making her own new port of Talienwan absorb the trade of the gulf. A further cause for dissatisfaction on the part of the Russians is that the provisional contract with the Hongkong and Shanghai Bank stipulates that, pending the completion of the loan, the European staff of the existing railway and of the proposed extension—mostly British subjects—shall be retained, thus effectually checking any attempt to control and exploit the line when completed. The strong dissatisfaction of Russia and her desire to suppress this daring effort of the Tsung-li-Yamen to assert their right of dealing with their own affairs in the border districts is evidenced by the threat of her representative to occupy Kuldja. Now Kuldja stands for the one great triumph of Chinese diplomacy against Western aggression, the visible memorial of check to Russian designs. It is a district in Chinese Turkestan which was occupied and administered by the Russians during the rebellion in that province, pending the restoration of order; and it was reluctantly restored to the Chinese in 1881 after a forcible demand. Its re-occupation would humble Chinese pride to the dust. Therefore unless we are prepared to listen to the appeal which covertly or undisguisedly the Tsung-li-Yamen are sure to make to us to bring every diplomatic effort to bear in defending our joint interests in this railway question, there is not much doubt that China, if compelled to face the alternative, will abandon the contract rather than risk the loss of Kuldja.—*Pioneer*.

"FREE LOVE" LITERATURE.

AN EDITOR COMMITTED FOR TRIAL.

MR. GEO. BEDBOROUGH, Secretary to the Legation League, editor of the *Aduli*, and free love propagandist, appeared at Bow-street, charged with publishing an obscene libel in a book called "Sexual Inversion," with the object of corrupting the morals of Her Majesty's subjects.

Mr. Danckwerts prosecuted on behalf of the police, and Mr. Horace Avory defended. There was the usual muster of "advanced" people in court, as well as Mr. Havelock Ellis, the author of the book, and a number of well-dressed females.

Mr. Danckwerts said he would prove that the book was of an extremely suggestive and impure nature. He quoted the definition of indecency laid down by Lord Chief Justice Cockburn in the case of "The Confessional Unmasked," and said he would now read passages from "Sexual Inversion," in proof of his case.

Sir John Bridge (addressing the well-dressed females in court): Things are now going to be read which no woman ought to hear. Every decent woman ought to leave the court. If they like to stay they can, but no decent woman will remain for one moment.

Every one's attention was now turned on the women, but the only movement they made was to lean further forward in their seats in order to hear more distinctly what prosecuting counsel was about to read.

Sir John Bridge said he wished to have this inquiry conducted in such a way that the morals of no one would be corrupted. He thought if the women in court had been of ordinary intelligence they would have gone out.

Mr. Danckwerts proceeded to read extracts from the book, and contended that they were of an impure character.

Detective Sweeney said that when he purchased (for 10s.) a copy of "Sexual Inversion" from the prisoner, the latter told him it was slow work getting the public to take an interest in the Free Love movement.

Mr. Danckwerts said that among the articles in the *Aduli*, to which he took exception were "The Mutability of the Sex Love," "Dress in its Relation to the Sex," and "How can Free Lovers be Happy though Married?"

The case for the prosecution having closed, Mr. Avory addressed the magistrate for the defence, contending that the book complained of was a scientific publication, as was shown by its high price and method of publication. The practices it dealt with were not advocated by the author.

Sir John Bridge committed the prisoner for trial granting bail in two sureties of 500 each.

THE MANGO FESTIVAL AT KARIKKAL.

THIS is a famous Hindu festival held in an important Siva temple at Karikkal during the Mango season every year and hence the name given to it. At the joint co-operation of the leading Hindu merchants and others at Karikkal this festival came off at Karikkal on Sunday last with much pomp and *elal*. A very large concourse of pilgrims, devotees and sightseers are reported to have assembled at this little French town access to which has been made easy by the new railway. The good in the guise of *Bhikshavadhar* or the "begging deity," was taken round the town, a large crowd of people following. During the procession a pair of young and fair dancing girls dressed like *fakirs* or mendicants went in front of the deity,

singing and dancing, with bowls in their hands and beads around their necks and heads and their whole bodies besmeared with ashes. Tons of mangoes were purchased by the townspeople and distributed with cooked rice and vegetables among "paradesies" or mendicants who flocked to the town all day. This is customarily done in commemoration of a local legend which runs as follows: Karikkadu is the paramita name for Karikkal and Karikkadu-Ammyar was the name of a very pious Siva Sudra lady who lived in that station in the early part of the present century. She was a devoted wife far famed for her virtue and chastity. One day her husband, a chettiar, sent home a mango with a message that she should serve it to him at dinner. But before the good man came home, Siva in the guise of a hungry old mendicant came to the wife and with a view to test the genuineness of her faith begged for food. The lady, as was her precious wont, dealt out rice to the mendicant who requiring some fruit to finish his repast with, requested his fair host to give him that mango which her husband had sent home. Her love of charity getting the better of her devotion to her husband, she gave the fruit to the mendicant, who ate it of course, and went his way. Shortly after the husband came home and at dinner asked for the mango he had sent home. The wife perplexed at this trying request invoked divine help and to her surprise found another mango which she joyfully (sic) brought and gave her husband. The man ate it and finding it exceedingly sweet on account of its divine virtues asked her if it was the same fruit he sent her. The lady replying in the negative said it was "a godsend." The husband, thereupon asked the wife to fetch him another, and the wife, suspecting her fidelity deserted her and went away to some distant country and there got herself married to some other woman and carried on his trade. Karikkadu-Ammyar lived a solitary life for some time, but finding no chance of her husband turning up and hearing of his new wife went in search of him. But her husband, feeling veneration but no love for his wife prostrated himself at her feet calling her a sage and an incarnation of the divine. Ammyar grew dejected and weary of life, which from that moment became a burden to her, led a hermit's life eventually obtaining salvation. It is in commemoration of this Siva legend that this festival is held at Karikkal every year.—*S. I. Post*.

Money Market and Trade.

Calcutta, July 14th 1889.

Government Loans.

3 per cent 88 nominal 100

3 1/2 per cent Loans 88 nominal 100

Small sums 88 nominal 100

Calcutta Port Trust Debentures.

4 1/2 per cent 1881-1883 Rs. 105 1/2

5 1/2 per cent 1883-1885 Rs. 105 1/2

5 per cent 1885-1887 Rs. 105 1/2

5 per cent 1887-1889 Rs. 105 1/2

5 per cent 1889-1891 Rs. 105 1/2

4 1/2 per cent 1891-1893 Rs. 105 1/2

4 1/2 per cent 1893-1895 Rs. 105 1/2

3 1/2 per cent 1895-1897 Rs. 105 1/2

3 1/2 per cent 1897-1899 Rs. 105 1/2

The following transactions were reported to-day:—

Hovrah (Ordinary) 126 1/2

Budge Budge 133 1/4

Port Glost 133 1/4

Do New Issue 17 1/8

Baranagar 67 1/8

Kankarab 115 1/8

English Quotations.

London, 12th May 1889.

Consols 2 3/4 per cent 110 1/4

Silver in London 27 1/4

Rentes 3 per cent 103 1/4

Enfaced Rupee paper 62 3/16

3 1/2 per cent Loan 62 3/16

Silver in America 59 1/4

TOOLSY DAS ROY AND BROTHERS.

DEFECTIVE DRAINAGE OF CALCUTTA.

TO THE EDITOR.

SIR—The Corporation of Calcutta, instead of pursuing its good money and energies in the pursuit of a chimera, should devote its whole and exclusive attention to the drainage system of the city, the faulty construction of which has alone to account for the dire diseases and epidemics that have been decimating the city for the last two decades. When the Corporation first proposed to carry out the underground system of drainage, Dr. Monatt was the first to raise his strong protest against it and asserted in a calm deliberate and convincing manner, but with a prophetic vein, that in case the underground system of drainage be introduced, the metropolis would be desolated by cholera, fever, small-pox and a host of other diseases having a malarious origin. When the scheme became an accomplished fact, its very originator, Mr. Clark himself, on witnessing the inequality in the level of the sewers, predicted that they would prove in time a prolific source of epidemics and other scourges. The epidemic of small-pox of 1895 was but a partial fulfilment of the prediction of those renowned gentlemen, and who knows what is in store for the citizens in the near or far future? In the beginning of the year 1898, the city has been convulsed with the bugbear of plague, and seizure of suspicious cases of so-called plague is going on without let or hindrance. But what is passing under the name of plague, is *defacto* cases of malarious fever of a mild or malignant type, with or without glandular

NOTE.—Specific for ASTHMA gives immediate relief. Cure certain or the price (Rs. 5) refunded. Many obstinate cases successfully cured. SPEEDY CURE FOR DIABETES. Price Rs. 3 per bottle is successful when others fail. Try not only. Apply to MANAGER, V.C. Works, Rahanaga. (Bengal).

Telegrams.

[INDIAN TELEGRAMS.]

SIMLA, JULY 14.

The *Simla News* has an excellent editorial on the subject of the assault committed upon the peon of Messrs. Watts and Co., and sums up, saying that "whatever pity we may feel for a fellow-countryman, betrayed, by his temper, into committing an act of which we may be sure, he is now bitterly repenting at leisure. Every lover of equity will hope that he will receive a lesson." The article will have a very good effect, as the *Simla News* is well circulated in England.

Sir Trevor Plowden is still undecided as to the date when he will take leave; but probably he will leave Hyderabad at the end of this month.

The Government of Siam has asked for the loan of the services of an Accountant-General from the Government of India.

His Highness the Nizam of Hyderabad has settled the mining claim of Messrs. Eldstein and Brown for Rs. 20,000.

SIMLA, JULY 15.

At a meeting of the Viceroy's Legislative Council held this morning, the Bill to amend the Indian Currency Act of 1898 was passed. The Hon'ble Mr. Rivaz then introduced a Bill to make better provisions for the regulation of the importation of live stock in this country. He explained briefly that it was necessary to prevent animals, suffering from infectious diseases, being imported, and that necessary regulations for customs officers would shortly be published. It is understood that the Local Governments have been consulted on the subject and that the existing customs machinery will be utilised as far as possible. The next meeting of the Council will be held on the 12th August.

A letter was issued under yesterday's date from the Home Secretary to the Director General, Medical Service, placing on record the Governor-General's Council's high approbation of the eminent services rendered by Dr. Cunningham to the State. The letter enumerates his researches of Etiology, of cholera fungus disease in India, leprosy in India; his work as Professor of Physiology in the Medical College; his work regarding Dr. Koch's comma bacillus and lastly of snake-bite. He also represented the Government of India at the International Medical Congress held at Rome and twice received thanks of the Government of India.

Prince Faridkot obtained permission from the Government of India to visit England next March.

The Viceroy's cold weather tour is not detailed yet. It will possibly include some portions of the Punjab and Madras and thence to Burma.

THE GAZETTE OF INDIA.

The Services of Surgeon Lieutenant Colonel Muir are placed temporarily at the disposal of the Government of Bengal for employment as the officiating Inspector General of Jails. The services of Mr. Behari Lal Gupta are replaced at the disposal of the Government of Bengal from the 1st July Mr. A. Elliott, Sessions Judge of the Hyderabad Assigned Districts, on return from leave, will be appointed to officiate as Judicial Commissioner of the Hyderabad Assigned Districts. Mr. W. H. Dobbie is appointed as Accountant-General, Punjab, vice Mr. Gamble, who has been granted leave for 2 months and 14 days. Mr. Ray is appointed to officiate as Deputy Comptroller General, Punjab. Mr. U. L. Mazumdar is posted at Burma as Assistant Accountant-General. Mr. Chuni Lal is posted temporarily as Assistant Comptroller, India Treasures.

[FOREIGN TELEGRAMS.]

LONDON, JULY 13.

A further truce has been arranged at Santiago till noon on Thursday, while General Toral, the Spanish Commander, communicates with Madrid.

The outbreak of yellow fever in the American lines is causing anxiety at Washington. The troops are also suffering from the rains which prevent them getting the siege guns to the front.

LONDON, JULY 13.

The Prefect of Wuhan reports that fifteen hundred Imperial Chinese troops were killed in the engagement with the rebels, and he must surrender unless reinforcements reach him by Friday. The rebels are now within thirty miles of Wuhan.

LONDON, JULY 14.

The Spanish Cabinet remains in office for the present.

The South Wales coal-owners have refused to recognise the conciliator appointed by the Board of Trade.

General Miles has assumed the command of the American forces in Cuba.

LONDON, JULY 14.

Santiago has surrendered after a conference between Generals Toral and Shafter, at which it was agreed that the following conditions should form the basis of capitulation:—The surrender of Santiago with the whole of Eastern Cuba from Aceradores in the south to Sagua in the north. The Americans agree to transport General Toral's troops to Spain in American ships, the Spanish officers retaining their swords.

Commissioners have been appointed to arrange the necessary details.

LONDON, JULY 14.

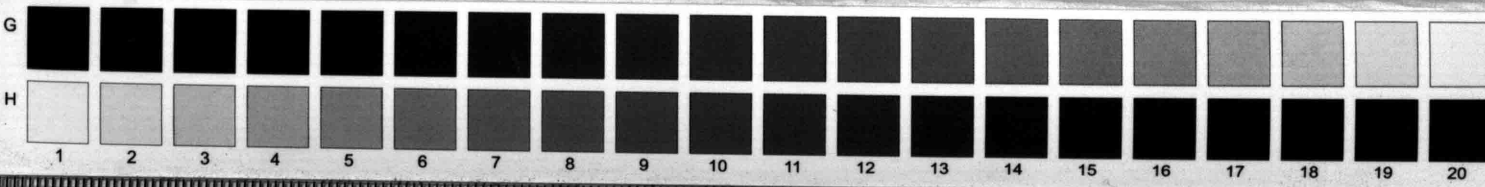
It is reported at Canton that Dr. Sunyatsen is a prominent leader of the rebellion. There is much sympathy for the rebels in Canton, but it is stated that the rebels will not advance beyond Shuching above Samshui, fearing foreign complications if Canton is attacked.

LONDON, JULY 15.

General Shafter reports that by the surrender of Santiago his prisoners will number between twelve and fifteen thousand.

The Sud Sabha of Lahore had unanimously resolved to excommunicate those who should marry again during the life time of the first wife.

The *Madras Mail* learns from Ootacamund that Mr. Lewis Moore, District Judge, Bellary, has been appointed to act as a High Court Judge to fill the vacancy caused by the Chief Justice's absence.



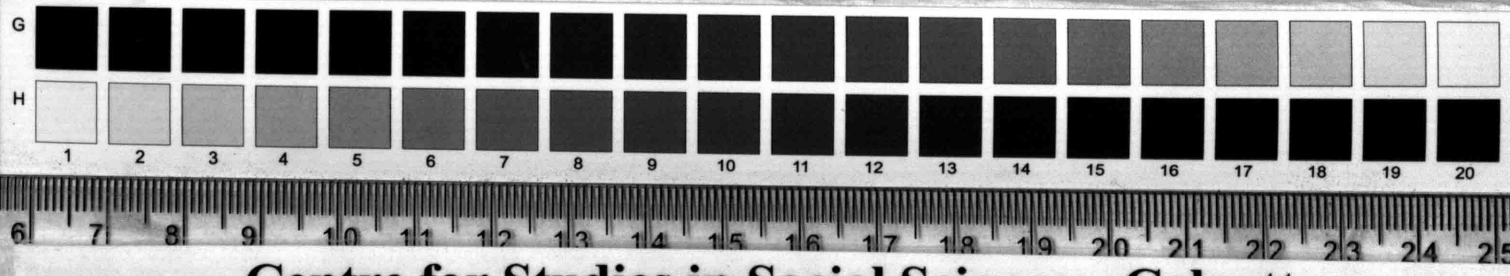
(Before the Chief Justice and a Special Jury.)

FOURTH DAY.

Centre for

For Studies in Social Science

ences, Calcutta



THE BOMBAY UNIVERSITY AND THE VERNACULARS.

At a recent meeting of the Faculty of Arts of the University of Bombay presided over by Mr. Giles, the proposal of the Hon. Mr. Justice Ranade to ascertain the feasibility of including the study of the vernaculars and to submit it to the Syndicate for favourable recommendation to the Senate, was considered. Over forty members of the faculty were present.

Dr. Mackichan moved an amendment to the effect that the vernaculars might be made an optional subject in the M.A. Examination only, and he laid much stress on the desirability of encouraging the study of the vernaculars in schools.

Father Bohm seconded the amendment. Mr. Tripathi spoke in favour of Mr. Ranade's proposition.

The Hon. Mr. Justice Budruddin explained that although he was one of the fifty-four signatories of the requisition made by his friend, Mr. Ranade, he now knew that there hardly existed a vernacular literature worthy of the name or of classical recognition. Under the circumstances it was far better, in his opinion, to adhere to the classics, and, with that end in view, he would not support even Dr. Mackichan's amendment. The classics had been the source of culture all the world over and could never be equalled, much less bettered, by any other literature which, at best, was composed of either translations or adaptations.

Professor Naigunwala wondered whether a literature required to be encouraged at all. If it was literature worthy the name it would grow of itself and create its reputation without any extraneous assistance. It was believed that about 800 works in Marathi already existed without having received an assistance from the University.

Professor Muller spoke in the strain of the Hon. Mr. Budruddin, and made out a strong case in favour of adhering to the classics.

Professor Velinkar supported Dr. Mackichan's amendment.

Mr. Jamsetjee Kapadia expressed himself in favour of the vernaculars. He said it was right enough in the beginning of the University to go through the Western mode of culture, and it was proper that the classics should have been introduced, and their study made imperative. But after a lapse of thirty years a place might be found for the vernaculars in the University curriculum. If that was denied, what was the use of occidental literature in this country? The progress made in that literature would be held to have been fruitless, and the endeavours of those who wanted to utilise their education by permeating through the vernaculars, Western ways, culture, and thought, would be debarrd from obtaining a legitimate satisfaction. Were such satisfaction allowed, it would be a great benefit and blessing conferred on the people of India. The conquering Arabs gave a literature to Europe which, rendered in Latin, became the cause of the renaissance in Europe. In England the literature grew by itself; but as regarded the vernaculars, if no helping hand was given by the University, the masses would remain ignorant of European modes of culture and thought.

Some other speakers having also expressed their opinions, Mr. Ranade replied on the discussion. He said it was high time that after allowing vernacular literature to grow for so long a time, something was done for the encouragement of the study of that literature. The Missionaries had done valuable service to the vernacular by their excellent translations, many of which, however, were in language that would not be understood by, or appeal to, the populace. Moreover, there would be no fear of deteriorating the standard of English by admitting the vernaculars to a just and due share of recognition. The answers to the question would be given in English; but were it otherwise, namely, that answers to questions on vernacular subjects should be given in the vernacular, his object would have been doubly attained.

The amendment was then put to the vote. There being 17 votes for and 19 against, and it was lost. Mr. Ranade's proposition was then voted upon. There being 19 votes for and 19 against it, a tie was declared. The President then gave his casting vote against the proposition which was thereupon announced to be lost.

It is possible Lord Elgin may yet pay a visit to Burma before he proceeds home.

SIR WILLIAM LOCKHART, according to present plans, arrives in India in the *Caledonia* on the 5th of November.

It is settled that Colonel Wolfe Murray succeeds Colonel More Molynaux as head of the Intelligence Department.

A TELEGRAM from Agra states that Mrs. Barrett, who had been charged with aiding and abetting in the abduction of Miss Smith, of Gwalior, has been acquitted. She intends prosecuting some prosecution witnesses for perjury.

THE case against Dr. Sheppard, the pseudo-Russian General, was concluded on Wednesday before the Deputy Commissioner of Darjeeling. Dr. Sheppard was convicted on three charges of cheating, and sentenced to twelve months' rigorous imprisonment.

THE Government of India has disarmed the Afridis, they say. But what is the fact? Ninety per cent. of the arms, surrendered by the Afridis and other tribesmen, are unserviceable breach-loaders. Was it with these arms that the tribesmen "fought like men," as Sir William Lockhart said?

ON Tuesday, owing to heavy rain, the North-Western Railway line was breached at Paskhel. On the Kundianmari section all traffic had to be stopped. Another breach occurred at Taraki, a station near Jhelum, the Quarry siding being washed away and seven trucks submerged. A third breach also occurred between Daudkhal and Mari, the line being completely washed away.

No changes of any importance will be made this year in the present programme being carried out by Survey parties, except in the case of Captain Burn's party which was recently working in Mekran. This will now move to complete the triangulation connection via Manipur between India and Burma, and will be under the charge of Captain Fraser, R. E. During the late disturbance in Mekran, one valuable 12-inch theodolite was completely destroyed, and another had to be sent home for repairs.

SAMASTIPUR SHOOTING CASE.

EMPRESS VERSUS J. T. MACINTYRE.

Judgment. S. 304 A, 338, I. P. C.

THE accused is charged with having caused the death of Gupi Dass and grievous hurt to three other persons by the rash and negligent use of a gun. The facts of the case are briefly these. A new line of railway is under construction and the accused is a Resident Engineer, living at a place known as Madoodabad. Just opposite his house, earthwork has been thrown up, although the embankment is in an incomplete state; it is much used by foot-passengers. About 10 P. M. on April 30th, a wedding-party, consisting of some 12 persons, with three musicians, came along the line with the bride-groom. The bride's house happened to be situated on the north of the line just opposite Mr. Macintyre's bungalow. The party sat on the north of the embankment and began to make a great noise to announce their arrival. Mr. Macintyre had just retired to bed, and his wife was ill at the time. He sent two chaprasis to stop the noise and to make the procession move on. As their remonstrances proved ineffectual, he went out himself with a gun. Two shots were fired and seven men were wounded. One died three days later. A police officer arrived at the spot within a few hours. The persons concerned declared the whole affair to have been accidental, and declined to take any steps against Mr. Macintyre. The Sub-divisional Magistrate arrived on the scene next evening, and no complaint was made to him. He sent the wounded to the hospital at Samastipur for proper treatment; and after the death of Gupi Dass, on May 3rd, he formally examined such of the parties concerned as could throw any light on what actually occurred. The members of the wedding-party then alleged that the injuries were severely caused by each of the two shots, thus contradicting the assertions of Mr. Macintyre, upon which the theory of accident had been based. Before this court they have adhered to this statement with sundry amplification. They now allege that they were not even making any noise, and some go so far as to say that they saw the accused taking deliberate aim and shooting them down like so many birds. The motive for this change of front is obscure. They have evidently fully discussed the occurrence with a view to ultimate profit; and some of the younger witnesses have assiduously practised their version of the affair. In the earlier stages it is certain that none of them thought of charging Mr. Macintyre with murder. It is proved that the Head Constable actually recorded their statements. I do not think it probable that he was biased in Mr. Macintyre's favour, and intentionally omitted to record anything which would tend to show that a cognisable offence had been committed. The leader of the procession, Raman Tanti, admits that he said at first that the occurrence was accidental because every one else said so. He now, however, wishes to demonstrate it to have been intentional. As these witnesses have shown themselves untrustworthy on the main point, it is manifest that no reliance can be placed on their statements as to matters of detail. Mr. Macintyre's allegation is that he fired and shot in the air, to frighten them; and as they paid no heed, he proceeded to cross the embankment towards them. His foot sank into the soft earth on the top and his gun went off. The charge struck several persons in the crowd. The evidence on the record supports his assertion that no one was struck by the first shot. The men may not in this respect be speaking a deliberate falsehood. They may indeed themselves believe that they were struck by both shots. They were all busy with their food and their clothes, and the musicians were devoting all their energies to making a noise. The shots followed each other in quick succession. As soon as some were hit, confusion and terror must have reigned supreme. It is hardly to be expected that any of them can accurately remember exactly what took place. Suddenly in the midst of their festivities from the darkness an unseen hand discharges a gun which lays low seven of their companions. Even the boldest might be excused if he gave way to sudden panic, and was unable afterwards to give a succinct narrative of his own actions. I think, the circumstances go to show that Mr. Macintyre has given a substantially accurate account of what took place. His own servants were standing, talking to the party; so he would not have fired in that direction wantonly. All the wounded were hit on back; so they were probably hastening away in compliance with the chaprasis' order. The delay was occasioned by their having to pick up their food and clothes. The musicians had probably moved off to a short distance, and so were not hit. I am prepared to accept the theory that the gun was not intentionally discharged in their direction. So I have not charged the accused with an offence under section 304, I. P. C. It remains to be seen whether he has committed an offence under section 304A. It is proved that the lungs and liver of the deceased Gupi were injured by the shot and that these injuries were fatal. There is nothing to controvert this evidence, although the Railway Hospital Assistant who had no means of knowing what the internal injuries were, says the man might have lived if the injuries had been dressed at once. So far as the evidence goes, Gupi Dass died from the injuries caused by a gun-shot wound and that gun was fired by Mr. Macintyre. It is proved that he himself at the time loaded both barrels of the gun with cartridges, containing large shot known as B. B. About 60 of these go to make up a charge, and about 75 per cent. of the contents of one cartridge lodged in the bodies of the wounded men. It is suggested by the defence that the whole occurrence is nothing more than an unfortunate and regrettable accident. It is admitted that the conduct of accused was foolish; but in extenuation it is urged that his wife was ill and he was just going to sleep. His gun was standing against the wall and he picked it up in a moment of irritation without considering the possible results. He walked hastily over rough uneven ground, his foot slipped and this unavoidable accident resulted. The accident was a matter wholly beyond his power of control. In fact, the defence goes so far as to urge that he was entitled to go out and fire off the loaded gun in the air, with a view to frighten off the persons who were disturbing him. It is said, supposing he had been facing the other way and slipped and shot his own

bearer, what offence would have been committed? It is urged that the involuntary causing of death without rashness or negligence, ought not to be punished; and in this view I cordially concur. But the existence of rashness or negligence in this case is just what we have to discuss. We have to see whether there was a gross culpable failure to exercise that reasonable and proper care and precaution to guard against injury to the public or any particular person which we have a right to expect from a person holding the position of the accused. He keeps and uses a gun. He must be assumed to understand the mechanism of that weapon and the possible effects of a charge of heavy shot, fired from that gun. In my opinion, it is a rash act to fire off a gun, loaded with what are practically bullets, at random on a dark night. What justification is there for accused to go up to a crowd of merry-makers with a loaded gun with the intention of making them cease from playing music and moving off? He approaches them in the dark over rough ground with his gun pointed towards them and with the trigger at full cock. Is this proper care and precaution? The carrying of the loaded gun may not have been in itself an offence, but if done without due care to guard against dangerous consequences, then the act becomes an offence. It is under this view of the circumstances that I come to the conclusion that offences, as charged, have been committed. The Madras ruling which defines culpable negligence to be the acting without consciousness of possible mischievous effect, but in circumstances which show that the actor has not exercised the caution incumbent upon him, appears to me to apply with peculiar force to this case. There was an entire absence of any caution whatsoever; and the education and position of accused are such that he ought to have been fully aware of the responsibility he incurred in taking out a loaded gun wherewith to frighten a party of harmless wedding-guests who were merely behaving according to the custom of this country and had no knowledge that they were disturbing or annoying any one. Besides the deceased, three others, Joga, Behari and Sabbia, were in the hospital for over 20 days, unable to follow their ordinary avocations.

FINDING AND SENTENCE.

The Court finds that John Turnbull Macintyre caused the death of Gupi Dass by the rash and negligent use of a gun, such acts not amounting to culpable homicide. The Court also finds that he caused grievous hurt to Joga, Behari and Sabbia in similar manner.

The Court sentences the accused to pay a fine of Rupees five hundred under section 304A of the Indian Penal Code, in default, to undergo one month's simple imprisonment.

The Court sentences the accused to pay a fine of Rupees three hundred under section 338, Indian Penal Code, which amount, when realized, will be distributed among the injured persons as compensation, in default, one month's further simple imprisonment.

(Sd) E. GEAKE,
Magistrate.

At a meeting of the Directors of the Bank of Madras held on Monday evening, the rate of interest was reduced one per cent. The present rate is 7 per cent.

A NAWAB of Hyderabad who was living with a Begum in one of the Hotels in Lucknow, has been arrested and sent to Hyderabad under the orders of the Government of the Nizam. The Lucknow Police had received information that the Begum was enticed away.

THE sentences of five years' and one year's rigorous imprisonment passed respectively on Sita Ram Ras oyi of Bhairo Pershad Chedi Lal, shop-keepers, Aminabad, and a subordinate employee of the Local Paper Mills, by the Sessions Judge, Lucknow, in connection with the defalcation case, have been confirmed by the Judicial Commissioner of Oudh.

OUR Benares correspondent writes under date the 10th instant:—I see that everybody has his own story regarding the case of Mouli Mohamed Fazil, an influential Pleader and Municipal Commissioner. You may depend upon it that the following description of his case is true and cannot be challenged. A girl, named, Kundan, aged about 12 years, made a statement to the effect that she had been purchased by one Nuran, a prostitute, and had been raped by Mouli Fazil. She stated that when she was brought to the house of the Mouli, the Kotwal was also present, but the latter went away soon after, and the Mouli committed rape upon her. It also transpired that she had contracted a disease by this intercourse with the Mouli. Upon this the Joint Magistrate, whose name is Mr. Berthad (and not Birthwood as has been stated in the "Advocate") issued a warrant for the arrest of the Mouli. His house was besieged; but, fortunately for the Mouli, he was away from his house at the time, and when he came to hear of what was going on, he escaped to the house of Mirza Rahmat Ulla Beg and remained concealed there at night. Next morning some friends of his approached the District Magistrate, Mr. Porter, and succeeded in enlisting his sympathy. It was very probably at Mr. Porter's verbal instruction that Mr. Berthad enlarged the Mouli on bail of six thousand rupees next morning when he appeared in Court. The case was then proceeded with, and at the last stage, Mr. Aston, of the Allahabad Bar, was also engaged by the defence. The prosecution was, of course, conducted by the Police, the pri.e mover being Lala Sheonarin Lal, Sub-Inspector of Kal Bhaito Thana. The Civil Surgeon, Dr. McLaren, deposed to this girl (the complainant) suffering from the disease; but he certified the Mouli to be healthy and free from the disease. The Kotwal admitted friendship with the Mouli, but denied being present at the time when the girl says she was brought. The case, therefore, became very weak and the Joint Magistrate had to discharge the Mouli. He was, however, decidedly of opinion that the girl had made a voluntary statement and was not tutored. He further suspected that the Mouli may have been cured of the disease that was attributed to him, for the case was instituted after the lapse of one month from the date of the alleged rape. These he has said in his judgment. This is the long and short of the whole thing; and I do not know why your contemporary of the "Advocate," presumably at the instance of some interested persons, should urge on the Local Government the importance of the case.

COFFEE DRUNKARDS.

COFFEE drunkenness threatens to become an evil, second only to alcoholism. In many respects the two are alike. So great is the resemblance that physicians have often diagnosed coffee poisoning to be what is called alcoholic disturbance. Almost every one drinks coffee. Years ago the beverage was generally a forbidden one to children. Now-a-days, however, boys and girls drink it in almost as great proportion as their elders. Insomnia, nausea, lack of appetite, often afflict young and old from a cause doctors have been unable to explain. All sorts of reasons have been given, but at last the true one was revealed. It is coffee-drinking. Coffee is the root of the evil. Coffee caused the sleepless nights, the loss of appetite and the disordered stomach that nothing seemed to remedy. And this is not the worst of it. An effort on the part of the confirmed coffee-drinker to become a total abstainer is almost similar in result to that which follows the abandonment of alcoholic liquors. For the time the nervous system is wrecked. An inebriate asylum never contained more pitiable suffering than that of the "reforming" coffee-drinker who has indulged in his favourite beverage to excess.

Every person who has indulged in liquor not wisely, and in too great amount, knows that nothing will woo back the fleeing senses like a cup of strong coffee. It is because of that old medical theory that one poison is an antidote for another. Dr. Gilles de Tourette, in a recent paper, read before the Society des Hopitaux, of Paris, urges the necessity of warning the public of the danger. Dr. Mendel, of Berlin, has just published a clinical study of the effects of coffee-drinking, which is the most thorough yet made, as he had a community of coffee drinkers under his constant observation, the working women in and about Essen. He found many of these women consumed over a pound of coffee a week. The leading symptoms of the ills that afflicted them, were profound depression of spirits and frequent headaches, with insomnia. A strong dose of coffee would relieve them for a time, but the ailment would return. The muscles became weak and trembling, and the hand trembled when at rest.

An increasing aversion to labour and any steady work was noticeable. These symptoms constantly grew worse and were only relieved by the administration of large quantities of coffee. Thus the victims found it as difficult to give up coffee as the confirmed drinker does to give up alcohol, and became coffee drunkards.

AN ALLEGED MIRACLE.

"THE FEATURES OF CHRIST."

THE London papers have the following telegram, dated Rome, June 14th:—

The "Osservatore Romano," the organ of the Vatican, announces the occurrence of a remarkable prodigy at Turin, by which, after eighteen centuries, an authentic likeness of Jesus Christ has been obtained.

Among the relics of the House of Savoy is the winding-sheet in which, it is reported, the dead Saviour was wrapped by Joseph of Arimathea. On the sheet are almost imperceptible bloodstains, which faintly outline the contour of the body which it had swathed.

Recently the relic was publicly exposed in the cathedral in Turin, and an amateur photographer, named Scondo Pia, obtained the King's permission to photograph it.

On the negative being developed, the bloodstains were reproduced with such clearness that the face, hands, and limbs of the Saviour are accurately shown. So life-like is the portrait that, according to the "Osservatore," it seems to have been taken directly from Christ Himself.

A great sensation has been caused by this prodigy in Turin, and crowds of pious pilgrims are flocking to Pia's house.

The *Daily Mail* set its own correspondent to make independent inquiries, and its own correspondent telegraphed as follows the next day:—

I have interviewed Cardinal Parochi, the Pope's Vicar-General, with respect to the bloodstains outlining the body of Jesus Christ on the winding-sheet in which the Saviour's body is said to have been wrapped. The Cardinal states that the Turin ecclesiastical authorities have been instructed to open an inquiry regarding the alleged advised miracle, and meanwhile the people have been advised to abstain from demonstrations.

Such a manifestation, he adds, is not to be wondered at, as during unjust or unreasonable wars and disturbances divine manifestations are not uncommon. For example, during the French Revolution, prodigious occurrences were witnessed in connection with several pictures of the Madonna in Rome.

The Canon of Turin wires me:—"I have seen the photograph of the winding-sheet. The elements of the body of the Saviour are distinct. The face is long and emaciated, while the hands are very thin and delicate."

The editor of *La Stampa*, the chief newspaper in Turin, has undertaken to investigate the matter thoroughly.

THE Vienna correspondent of the "Morning Post," who is generally well-informed, relates a most extraordinary story which comes from Sofia. The Russians decided to erect a monument in the Shipka Pass, to the memory of their slain during the Russo-Turkish War, and for years collections have been made in Russia for this purpose. The monument was to take the form of a monastery, and the site selected was on the border dividing Bulgaria from East Roumelia. The most remarkable rumours were, however, heard from time to time concerning the cloister, and it is now declared that the so-called monastery is nothing less than a fortification in the best position for commanding the entire district. Such a fortification would, in fact, be the key to East Roumelia. The designs of the Russians are said to have been just discovered, on its becoming known that an immense transport of war material had left the Artillery Depot of Kazanlik for the Monastery.

THE cause of the change of colour in the chameleon has always been rather obscure. Milne Edwards, the French physiologist, discovered that it depends on two differently-coloured layers of pigment in the skin, generally yellow and blue, and the change depended probably on volition to some extent. A German naturalist has now come to the conclusion that the colour is due to a secretion in certain glands, which are called into action by the impression of the eye. When the human eye is suddenly affected by a bright light, it shuts; and so the vision of a green light surrounding him, causes the chameleon to fill the epidermis with the colouring liquid. The naturalist, in order to prove his theories, blinded several chameleons, and now has the satisfaction of finding that blind chameleons do not change colour at all. It was, however, known long ago that the colour is due to volition, in some way; so blinding them did not advance our knowledge of chameleons any further. Whether they inflate the lower layers of the epidermis with a colouring liquid, is another matter; but it is, perhaps, hardly worth while torturing chameleons to find out.

NEW POSTAL RULES IN INDIA.

IN exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), and in continuation of so much of the Notification of the Government of India in the Department of Finance and Commerce, No. 2832—S. R., dated the 24th June, 1898, as relates to the Value-Payable Post, the Governor-General in Council is pleased to make the following rules:—

1. Railway receipt-notes for goods may be transmitted by post open as value-payable postal articles, provided that they comply with the following conditions:—

(i) The goods to which the railway receipt-note relates shall not exceed Rs. 1,000 in value.

(ii) The railway receipt-note shall show on its face that the goods to which it relates have been consigned to the sender himself. It shall be endorsed to the person to whom the goods or parcel are to be delivered and signed by the sender.

2. The open railway receipt-note shall be presented at the Post Office with the printed form prescribed by the Director-General for registered value-payable postal articles, in which the sender shall specify the sum to be recovered from the addressee, fill in the required entries and sign the declaration that the article is sent in execution of a bona fide order.

3. A fee of two annas shall be paid on each railway receipt-note presented for transmission by post open. The fee shall be paid in postage stamps, which shall be affixed by the sender to the receipt-note.

4. The Post Office will transmit the open railway receipt-note to the Post Office of destination, and will deliver it to the person to whom it was endorsed by the sender, on his paying the amount specified for recovery in the manner in which the Director-General may from time to time appoint for the delivery of registered value-payable postal articles.

5. The amount when recovered will be remitted to the sender in accordance with the rules for the time being in force relating to registered value payable postal articles.

6. Railway receipt-notes for goods may be transmitted by post open under the foregoing rules, without complying with the conditions laid down in clause (ii) of rule 1:—

Provided that (1) the receipt-note relates to goods sent—(a) between stations on such railways as are for the time being specified in this behalf by the Director-General in the Indian Postal Guide, or (b) between offices on the Kalka-Simla Government Bullock Train line or between such offices and stations on the North-Western State Railway; and (2) the receipt note shows on its face that the goods so sent have been declared at the booking office as being sent under the value-payable system.

7. These rules apply also to receipt-notes for goods conveyed by steam within the limits of British India.

8. Nothing in these rules shall be construed to prevent the transmission by post of receipt-note under the rules for the time being in force relating to the value-payable post generally.

COMFORT FOR THE OLD FOLKS.

SUPPOSE the wheels of time could suddenly be reversed, and we could, in an instant, go back to the year 1814. Why, man, you wouldn't recognise England. You wouldn't know how to speak, what to do, or how to understand the things around you. You would be as completely lost as though you were whisked away and dropped on the planet Jupiter. You would find no railways in England, no telegraphs, no running water in the City houses, and mighty few of the houses themselves that are standing now. Between 1814 and 1894 the difference is as great as between 1814 and 1600. Yes; and greater.

Yet a lady who was born in 1814 writes us the following letter. She says:—"In the early part of 1884 I commenced to feel weak and ailing. My appetite was bad, and after meals I had an aching pain in the chest and a most uncomfortable feeling in the stomach. My mouth tasted badly, and I spat up a sour, sickening fluid. I was much troubled with wind, belching it up frequently. It was about all I could do to get around her and there in the house."

"A woman that I knew told me of a medicine that she said had done her a great deal of good; she called it Mother Seigel's Curative Syrup. She said it would no doubt do as much for me. On hearing this I sent and got a bottle from Mr. F. Daniell's, grocer and draper, in Linton, and began to take it. I am glad to say that in a very short time I felt much better. The bad symptoms I have spoken of went away, and soon I was as strong and hearty as I had been before the trouble came on me."

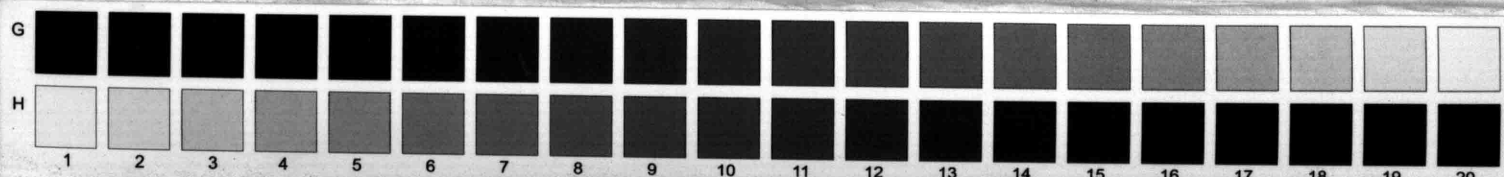
"I am 80 years of age, and can do almost any kind of work easily and with comfort. I owe it to Mother Seigel's Syrup, and by taking an occasional dose when I feel ailing it has kept me in good health for ten years. I recommend the Syrup to all my friends, and if by printing my letter in the papers you think other persons—especially those who are advanced in life—may come to hear of the Syrup and use it, I shall be very pleased to have you do so. (Signed) Mrs. Ann Woollett, Wheeler's Lane, Linton, near Maidstone, Jan. 16, 1894."

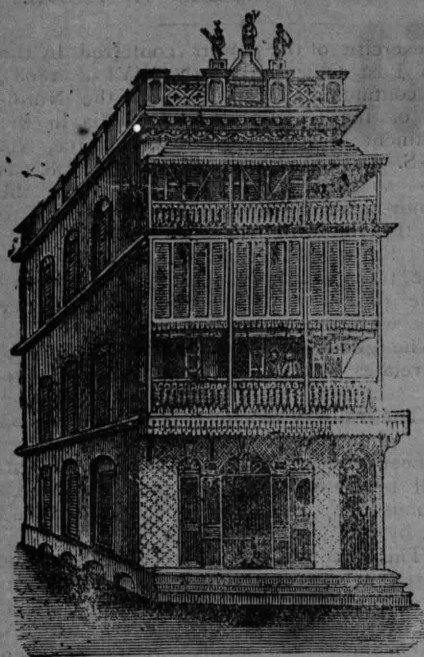
We do think Mrs. Woollett's letter will do good and so you find printed here. Now, there are a great many old people in this country, some of them perhaps even older than she. And they need a gentle and good medicine like Mother Seigel's Syrup. Old age is a time when life is apt to seem a heavy thing to bear, particularly if there is more or less pain and illness. And this is sure to be the case. The stomach gives out. Old people can't digest as they once did. Their food sours and ferments in the stomach, and makes all those bad feelings that Mrs. Woollett herself had. And when they cannot eat and digest their food, of course they get weak and feeble, and have to lie in bed or sit in the corner, unable to take the air and go about for necessary exercise. Then they get to thinking they are in the way, and grow downhearted and low-spirited. Besides, they are likely to be troubled with rheumatism, which is a complaint peculiarly common to old people, and comes from a bad digestion.

Now, for curing and mitigating the ailments of old people, there is nothing in the world so good as Mother Seigel's Syrup. It doesn't sicken them and tear them all to pieces as some harsh medicines do. It operates gently and thoroughly; it doesn't make them worse before it makes them better. For indigestion, dyspepsia, rheumatism, and all the aches, pains, and discomforts of age, it is just right.

Mother Seigel, who discovered it, knew what her elderly friends needed—nobody better.

Well, we can't go back to 1814, and we don't want to. In spite of all the growlers and grumblers we are bet'er off where we are. In 1814 Mother Seigel's Syrup was never heard of; it didn't exist. But everybody knows it in 1894. It is one of the great and good things of this end of the "nineteenth century."





AYURVEDIC PHARMACY, CALCUTTA.

Novelty in Ayurvedic Medicine.

KAVIRAJ NOGENDRA NATH SEN'S
Ayurvedic Pharmacy,
18-1, Lower Chitpore Road, Tarti Bazar, CALCUTTA.

Telegraphic Address, "KAVIRAJ" CALCUTTA.

KAVIRAJ NOGENDRA NATH SEN, Physician. Surgeon, Accouchen, Member, Paris Chemical Society, Surgical Aid Society, (London), Society of Chemical Industry (London), Indian Medical Association, and Calcutta Medical Society, &c., &c., practises the Ayurvedic System of Medicine after having learnt the principles of Western Medical Science, and obtained with credit a Diploma from one of the Government Medical Institutions of the country.

KARNA ROGANTAKA TAILA.

OR
EAR DROPS.

It cures otorrhoea, otitis, tympanitis, inflammation and all other diseases of the ear. Deafness, if not of long standing, is sure to be cured by its use.
Price per phial Rs. 12
[Packing and postage 6.]

CHYAVANA PRASA,

OR

Our Own Health-Restorer.

This medicine not only allays all local irritation but improves the digestion and strengthens the constitution. Hence, it is used with the most signal success in Asthma, Bronchitis, Cough, Consumption, Influenza, and all affections of the Throat and the Chest.

It diminishes the secretion of mucus in the bronchial tubes and lessens the irritation of the respiratory centre. It increases longevity and renders the organs strong. It sharpens the memory and intelligence and gives vitality to the old and debilitated tissues. It restores the body to beauty and the bloom of early youth and supplies physical strength and power or endurance to it. It stimulates the appetite and induces activity in the flow of the secretions. It is of great service to the young, old, and the weak. It is infinitely better than Codliver Oil. For proving its superiority to Codliver Oil, one need only use it for a short while. The tradition is that it was with this medicine that the Aswines, the celestial physicians, restored the Rishi Chyavana, emaciated and weak with age and penances, to the bloom and beauty of youth.

Prices for 7 doses Rs. 2 0
[Packing and postage 0 4]

Specific for Diabetes.—The regular use of the above medicine is sure to cure Diabetes. It entirely removes general debility, burning of the palms and soles, weakness of the brain, excessive thirst, seminal debility, resulting from excessive urination of discharge of saccharine matter with the urine, and acid eructations, aching pains in the limbs, slight &c. command the legs, drowsiness, lowness of spirit.

Price for two boxes of medicine with a phial of oil Rs. 5 0
[Packing and postage 0 4]

Ring-worm Powder cures all sorts of Ring-worm, 8 annas per phial. Postage Annas 4 only.

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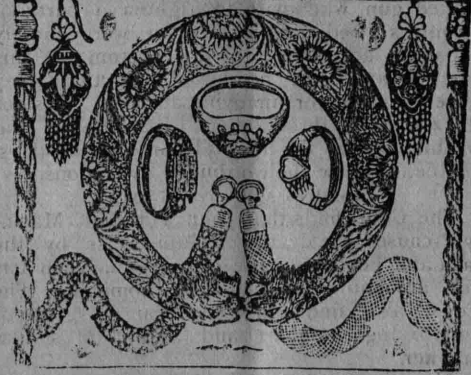
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