

# ASTONISHING PROPOSITION IN THE POISON CONSPIRACY CASE

Riza, the Indian Barrister, Counsel for the  
Wheeldons, Suggested "Trial by Ordeal"  
---One Form Described.

(Philadelphia Bulletin.)

The most amazing incident which has occurred in an English court in many years happened in the trial of the conspirators charged with having plotted to murder the Prime Minister and Mr. Arthur Henderson, a member of the British War Council, by the use of strychnine and the tropical arrow poison known as curare or woorara, says the New York Sun.

Three of the defendants—two women and one man—were convicted and sentenced to various terms of penal servitude; the fourth, a young woman, was acquitted.

The defendants were represented by a barrister of East Indian birth named Riza. Toward the close of the case, when it appeared that the prosecution was not to call a certain witness, Mr. Riza addressed the court, and to the surprise of all present, demanded that should be accorded to the defendants a trial by ordeal.

Judge Was Puzzled.

In the account of the proceedings, we are told that the presiding judge was puzzled—and no wonder. He suggested that trial by ordeal had been abolished and asked Mr. Riza whether he seriously proposed that the accused ladies should walk over hot ploughshares in order to prove their innocence. "I do," responded the counsel for the defendants.

The trial judge thereupon told him that it was useless to submit such a suggestion and intimated that it could not be proposed seriously; but the Indian barrister insisted that he was serious.

It would be difficult to find any support for the astonishing proposition thus put forward. The principal authorities on the history of the criminal law of England all agree that trial by ordeal was abolished some time in the thirteenth century. Of course there is no doubt that it existed and was of-

ten practiced both before and after the Norman conquest; but it fell into disfavor with the Church and was gradually abandoned even before it was formally abolished in the year 1219.

"There is no doubt," said Mr. Luke Owen Pike in his "History of Crime in England," "that to the clergy is due the credit of putting an end to this particular form of barbarism."

Sir James Fitzjames Stephen also says: "It appears probable that ordeals fell into disuse in the course of the thirteenth century, probably in consequence of the decrees of the Lateran Council of 1216."

In the poison conspiracy case it is evident that the Judge thought counsel had in mind the ordeal which consisted in walking barefoot over red-hot ploughshares. The more common form, however, was the ordeal of hot water.

The Ordeal of Hot Water.

Detailed accounts of the manner in which this ceremony was conducted have come down to us. They are summarized by Mr. Pike as follows:

"When the test was to be applied the prisoner was conducted into the church. The spectators were divided into two lines, in which the numbers were equal. One line was ranged on one side of the church and the other on the other side, one representing nominally the friends of the accused, the other the friends of the accuser. Between them, in the centre of the church, blazed the fire which was to purge or to blacken. All who were present were expected to be fasting and in a state of chastity. The priest passed up and down, sprinkling each with holy water, giving each holy water to taste. To each he offered the Book of the Word and the Holy Rood to kiss.

Meanwhile the vessel of ordeal, filled with water, had been set over the fire. Four arbiters, two chosen from

## SITUATION IN FINLAND IS PEACEFUL

London, March 19.—Home Rule for Finland is the policy of the new Russian government, according to a Reuter correspondent writing from Tammerfors, Finland's greatest manufacturing city. The correspondent says that the Finnish diet will be convened shortly and asked to establish a government possessing the full confidence of the people.

General Zein, governor of Finland, under the old regime, has been sent to Petrograd as a prisoner. People all through the country are jubilant over the change, and the situation everywhere is peaceful.

## GERMAN MUNITIONS BLOW UP. Large Plant at Cologne Lost with Several Hundred Workmen.

Copenhagen, March 18, via London, March 19.—A large munition plant at Cologne blew up on Tuesday, according to information received from German sources by a newspaper at Kolding, near the frontier. Several hundred workmen are reported to have perished.

either side, pronounced in due time that the water boiled, that the hour was come. The rest of the congregation, who had hitherto preserved a solemn silence, now joined in praying to almighty God that He would make known His will in the issue. The accused advanced to the place of trial, his arm and hand, swathed in fold upon fold of cloth or linen. At the bottom of the vessel, at elbow depth, was a stone. This he had to snatch away unscathed himself, if he could, when perhaps he was half-blinded by the smoke from the burning wood, by the steam from the seething cauldron and by the fears which must have oppressed him, whether innocent or guilty."

No Savagery Now.

Three days later the bandages were removed from the hand and arm. If the flesh was unharmed the accused was acquitted, but any trace of the scald doomed him to punishment, and that was usually death.

As late as the sixteenth century, poisoners in England were liable to be boiled to death; and if the public prosecutor in the case tried in London last week had suggested that this punishment be inflicted upon the defendants, it would have been just as sensible as was the contention of their counsel that they were entitled to a trial by ordeal. In 1530 a cook employed in the palace of the Bishop of Rochester threw some poison into a porridge which killed two of the household and injured many others; and the offender is said to have been publicly boiled to death at Smithfield.

The English law of the present day is devoid of the savagery and superstition of the past; and the trial to which we have referred illustrates how fairly and impartially justice is administered in that country even in the midst of an all-absorbing war.

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## CREMATED REMAINS INTERRED YESTERDAY

London, March 19.—The ashes of the Duchess of Connaught, whose remains were cremated, were interred today in the crypt of the Albert Memorial Chapel at Windsor, in the presence of members of the Royal Family. Simultaneously a memorial service was held in Westminster Abbey. It was attended by officials and diplomats.



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## ROLL OF HONOR

Several thousand officers and employees of the Canadian Pacific Railway Company enlisted for active military duty with the Canadian Expeditionary Forces, and the majority of them are now in Europe, bravely battling for Canada and the Empire. As particulars of Army Reservists are not available, these lists of those who have given up their lives for their country or been wounded in action are necessarily incomplete, and do not therefore indicate fully the extent to which the Company's officers and employees have participated in the great struggle.

### IN COMPANY'S SERVICE

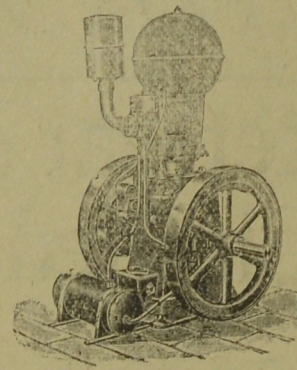
NAME	As	At	NATURE OF CASUALTY
Brown, James Ernest	Trainman	Brit. Colum. Divn.	Wounded
Clark, Albert Edward	Call Boy	Winnipeg	Wounded
Clarke, And. Walker	Asphaltman	Lambton	Wounded and missing
Deacon, John Clinton	Coach Carpenter	Angus	Wounded
Donworth, William	Clerk	Montreal	Wounded
Edgar, J. Hamilton	Loco. Inspector	Montreal	Wounded
England, Stanley L.	Clerk	Montreal	Wounded
Flyn, Charles Angus	Ditch Rider	Lethbridge	Died of wounds
Gibbertson, Magnus	Draftsman	Brooks	Killed in action
Haskell, Charles S.	Checker	Saskatoon	Wounded
Hicks, Stephen Chas.	Staty. Fireman	Ignace	Wounded
Jaffray, Matthew	Trucker	Toronto	Wounded
Johnson, Jas. Albert	Porter	Fort William	Wounded
Johnstone, Sidney G.	Brakeman	Brit. Colum. Divn.	Killed in action
McLean, James	Loco. Engineer	Calgary	Wounded
McLeod, William	Station Cleaner	Vancouver	Gassed
Malcolm, John E.	Instrumentman	Ducks	Wounded
Maughan, Herbert	Tapeman	Calgary	Wounded
Miller, Ralph	Fitter's Helper	Glen Yard	Wounded
Miller, Thomas J.	Storeman	Winnipeg	Wounded
Moroney, William J.	Wiper	Wynyard	Wounded
Nelson, Thomas A.	Clerk	Winnipeg	Wounded
Nelson, Arthur W.	Brakeman	Brit. Colum. Divn.	Wounded
Payne, Albert	Operator	Portage la Prairie	Wounded
Richards, Joseph V.	Operator	Calgary	Killed in action
Roberts, Wilfred	Clerk	Angus	Wounded
Robinson, John	Tender Truck		
	Repairer	Ogden Shops	Wounded
Fogers, Ronald	Supply Car Man	Winnipeg	Wounded
Russell, Douglas	Clerk	Winnipeg	Wounded
Russell, Edward	Clerk	Montreal	Wounded
Scotland, Thomas H.	Clerk	Calgary	Wounded
Selwood, Albert P.	Freight Clerk	SS. "Sicamous"	Wounded
Spence, Charles	Boilermaker	Angus	Wounded
Still, Geoffrey	Loco. Fireman	Brit. Colum. Divn.	Wounded
Stitt, Fred	Labourer	Lambton	Wounded
Stubbins, Joseph W.	Loco. Fireman	Souris	Wounded
Thomson, Gordon M.	Clerk	Winnipeg	Wounded
Tilt, Frederick G.	Clerk	Angus	Wounded
Tong, Harry	Wiper	Brandon	Suffering from shock
Turner, John	Car Repairer	Toronto	Wounded
Wedge, P. Hammond	Trimmer	Cartier	Wounded
West, John William	Deckhand	Steamer "Minto"	Wounded
Will, James	Boilermaker	Angus	Wounded
Williams, Ivor S.	Machinist's Hlpr.	Ogden Shops	Wounded
Wyatt, William Geo.	Walter	Montreal	Killed in action

MONTREAL, September 25th, 1916 (List No. 11).

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