

JUDGMENT.

(Continued from page 5.)

And then another voice interposed. "Is not this man Richard Foster?" All eyes were turned on the big man with the fleshy face and the cunning eyes. "That is so!" replied the judge coldly. "May I ask your name?" "Jacob Jole, my lord. Your lordship may remember we have met once before. On that occasion your lordship thought fit to accuse me of unprofessional conduct."

The sneer in the last words was unmistakable. "Jole? Ay, yes! Solicitor, I believe?" said the judge carelessly.

"Yes, my lord."

"You defended the man Foster at his trial?"

"That is so, my lord."

"You did it very badly. The prisoner was obviously not guilty of the crime of which he was accused. The conviction was a blunder."

"That is my opinion, my lord. But, if you remember, your lordship was indisposed at the trial, and perhaps not in a condition to say whether the prisoner was properly defended or not."

The judge shrugged his shoulders. "The point is that the man, although convicted, was innocent. Therefore, I feel justified in assisting him. You agree with me, Chase? Very well, there is nothing further to be said."

"Pardon me, my lord!" said Jacob Jole smoothly, and there was a note of vindictiveness in his voice. "But there is just one point I consider it my duty to raise."

"Well," snapped Sir John impatiently.

"Richard Foster, my late client, did not murder Lord Haverham. That is what your lordships asserts?"

"I am quite convinced of it," said the judge shortly.

"So am I, my lord. And yet, Lord Haverham was murdered."

The solicitor paused, and fixed his cunning eyes piercingly upon the other's face.

"That we know for a fact," he said significantly. "What we don't know is who committed the deed. As solicitor to the accused I am anxious to get at the truth. Perhaps your lordship can assist me."

(To be continued.)

Of Interest to Women.

UNTIDINESS II.

Can it be cured, and should it be cured? Tidiness can be carried to excess. People and nations that get their ideas too tidy are a trial to the rest of the world. Many will remember the struggles of "Three men on the Bummel," to get rid of a piece of paper in a German city, and many know, too, Rupert Brooke's lines of longing for his dear old untidy England.

"Here tulips bloom as they are told;
Unkempt about these hedges blows
An English unofficial rose;
And there the unregulated sun
Slopes down to rest when day is done,
And wakes a vague, unpunctual star,
A slithered Hesper."

Readers of "Elia," too, will recollect his dislike to the extreme tidiness of the "Caledonian mind."

"There is an order of imperfect intellects which in its constitution is essentially anti-Caledonian. The owners of the sort of faculties I allude to have minds rather suggestive than comprehensive. They have not pretence to much clearness or precision in their ideas, or in their manner of expressing them. Their intellectual wardrobe has few whole pieces in it. They are content with fragments and scattered pieces of truth. . . . The brain of a true Caledonian is constituted upon quite a different plan. His Minerva is born in panoply. . . . You never catch his mind in an undress."

And to come down to ourselves what about the woman who can't bear to see you put your sacrilegious feet on her polished floor, and who never uses her best room because it might be untidy?

But all the same, there is a medium. Truth and virtue both lie in the mean, and these people at least suffer (or their neighbours and relations do), from the excess of a good quality, not a bad one. What we want to follow is the example of Dame Nature who suffers irregularity enough,—indeed she will suffer no two things to be exactly alike and no one to be absolutely symmetrical—but never tolerates unsightliness. That she covers up and paints over and hides away as quickly as she can. A landslip, a lava-flow or a railway cutting, is a wound in Nature. Her ministers are soon busy trying to heal the wound and hide the scar. But in beauty there is ever some element of irregularity, or we come to Tennyson's "Faultily faultless, splendidly nil."

It is then that unsightly carelessness akin to and in league with destructiveness,

that we are out to hunt down and slay; and that negligent habit of mind which leaves in a person's wake a trail of litter for others to clear away.

As a people, I think here in Southland, we have had a patch to destroy before we could make homes and build up towns, that we have become hardened to the unsightliness of destruction, and have fallen into a habit of slovenliness. Nothing else can account for the state in which we are content to see our town and countryside. Perhaps we are still too busy with the heavy spade work to have begun the tidying up. But the time is at hand, and if we desire ever to have order and beauty around us, we must make strenuous efforts to train the young to appreciate order and beauty, and to form those habits which tend to their evolution.

Mr Hurst Seager in his lecture on town-planning last year, spoke of the child's tendency to pull flowers planted in streets and reserves, even to tear up the plants. He explained it on the theory that the child loves beauty and wants to possess it; and, being ignorant and unused to beautiful things clutches at and tears them. Is it on the same principle that grown-up children tear the beautiful starry clusters of the clematis out of the bush, and then leave them to wither by the road-side?

We all need to learn that if we would preserve and possess beautiful things, we must respect them, treat them with care and reverence. What priceless monuments of genius are lost to humanity because barbarian conquerors sacking a city were but ignorant children of a larger growth.

It is evident then that to teach tidiness, and to evolve beauty in our surroundings, we must begin with the children. As far as possible they must be accustomed to order and beauty about them, and trained to the understanding of and reverence for beauty and order in every form. We cannot, unfortunately, secure proper conditions in many homes (I would make it a punishable offence to have an untidy back-yard), but we ought certainly to take some steps to improve the grounds and buildings, and furniture of schools. Most school grounds—there are honourable exceptions—look like a chicken yard, or a neglected pigeon loft. It lies with the Education authorities and the Government to provide means of improvement; it lies with the teachers to use those means, and to make a primary concern of the inculcation, by example, and by persistent effort, of the duty of tidiness and of the love of order and beauty. If they are worth their salt they will see to it.

But the teachers are fighting often the evil influence of a slovenly home and a slovenly public. Let us all then try to help them by forming public opinion on this matter, by talking and preaching and practising tidiness.

Let us suppose that in a block of residences there is a majority (or even a minority) of tidy, well-kept homes, with fair gardens and trim gateways. There are also however, some untidy and slovenly people whose abodes are an eyesore. Why can't the influence of the tidy people be brought to bear on the untidy? They could at least remonstrate. I daresay they would be told to mind their own business and not interfere with the liberty of the subject—for "he that is filthy let him be filthy still."

PEACE ANNIVERSARY.

COMPLIMENTARY BALL TO RETURNED SOLDIERS.

With a very commendable spirit which must appeal to our Association, several citizens met in the War Funds office on Monday last to discuss the best way of celebrating the anniversary of peace.

His Worship the Mayor (J. Stead, Esq.) presided. The meeting was principally composed of ladies, but there were also representatives of the R.S.A. present.

It was unanimously decided that the most fitting manner by which the citizens could observe the event would be by tendering a complimentary ball to the returned soldiers, and sub-committees were set up to make enquiries regarding certain matters of detail.

Mr J. Stead was appointed chairman of committee, and Mr H. J. Farrant, hon. secretary.

Mesdames C. S. Longuet, J. Robertson, and G. Chewings were appointed to enquire and report re catering; Messrs N. McKenzie and W. Sutton re music; and the secretary re engagement of hall.

The secretary stated that in all probability there would be 500 couples present at the ball.

It was further decided to make arrangements for the function to be held on Friday, 30th July (subject to amendment), and the secretary was instructed to call a general meeting of everyone interested with the object of commencing a canvass for the necessary funds, this meeting to be held in the Council Chambers, on Monday evening, 12th inst.

The Nature Column.

(By "Student.")

("Student" will be pleased to receive notes on any branch of Natural History. Observations on birds, insects, plants, etc., will be equally welcome. If using a pen-name, will correspondents please enclose real name and address.)

Dear Student.—In a recent issue of "The Digger," you had some interesting notes on the Shining Cuckoo. I was rather surprised that Mr Matthews should suggest that this bird may not be migratory after all, but may retire for the winter into some unfrequented part of the country. Such a supposition is in the highest degree improbable. The only districts in which the cuckoo would be at all likely to find unobserved retreat are the unexplored portions of Fiordland in the South Island, and the Urewera Country in the North Island. In the case of Tuhoe Land, or Urewera, the Maoris would be sure to have noticed the bird's presence, but they have no knowledge of it as a winter resident. In the south the block of country referred to is mostly high and snow covered, a very unlikely retreat. Nor does it seem advisable, at this juncture to set aside New Guinea as the winter home of the species. Though the bird may be quite rare in the coastal districts it may be common in the almost unknown interior. Comparatively little of the island has yet been explored, and even in districts that have been traversed by expeditions the presence of the cuckoo may easily have been unnoticed if, as is probable, it only gives voice during the breeding season. I note that Mr Anderson, from whom you quote, says that the cuckoo ceases to sing in January. This may be so in northern districts, but near Invercargill I have heard the bird in the last week of February.—Yours etc.,

A. PHILPOTT,

Nelson, 26th June, 1920.

I am sure readers will be pleased to read the above. Mr Philpott is well known in Southland as a keen naturalist.

A close observer tells me that so far as he knows the Shining Cuckoo is not plentiful in Southland, though he had seen it in some localities. On the other hand, Mr R. Gibb in a note on this bird written some ten years ago mentioned that it was more plentiful than the long-tailed variety. It is however, more a bush bird, and does not usually frequent open spaces as does the Long-tail Cuckoo. This latter bird, with its strident cry is no doubt the more noticeable of the two birds.

If the Shining Cuckoos did not migrate, but retired to some isolated spot it would of course follow that the cuckoo population of such place would be very greatly increased and this factor would tend to betray their presence. People who go to isolated places called thither by a love of nature, or in pursuit of business, are as a rule much more observant than the man in the street. Such a congregation would scarcely escape notice. In Great Britain the old and young cuckoos depart at different times, and in New Zealand it may be that they arrive and depart in quite small flocks at different periods, during the hours when few people are able to observe them. Though generally considered a shy bird, these cuckoos have been taught by hand in the early part of the season. This seems to indicate a state of exhaustion, due probably to a long flight.

Altogether the little evidence we possess all points to the Shining Cuckoo as being migratory.

If several observers on the coasts all kept watch for land birds flying out to sea we might get evidence of migratory habits. The light-house keepers in the old land have rendered some service in this direction, and in this Dominion the same class of men could probably afford valuable help in the same way.

It might not be out of place here to point out to those who are not well acquainted with the cuckoo tribe that these birds are of world-wide distribution. While some are parasitic, others build nests of their own and rear young. The cuckoo family is distinguished by having a foot with two toes turned backwards and two forwards, a naked oil gland, and the after shafts to the body feathers wanting. The usual number of tail feathers is ten, one group, however has, only eight.

The true cuckoos are very hawk-like in colour, form, and mode of flight, and it is probably owing to this resemblance rather than to a knowledge of its parasitic habits, that the cuckoo is so often mobbed by the smaller birds as if it was really a hawk.

A famous Parisian teacher of singing forbids pupils to wear flowers of any kind, but particularly violets, which, she says, cause swelling of the vocal cords.

Passing Notes.

BY JACQUES.

Laugh where we must, be candid where we can.—Pope.

"Absence makes the heart grow fonder," so poetic fellows say;
And never yet was uttered truer sentiment than this.
My girl has been a month away, and, in her absence, day by day,
My heart is growing fonder—of another little miss.

That "hobgoblin of little minds, consistency," has no terrors for Dr Newman. Addressing a meeting recently at Taikorea he enthusiastically eulogised the anti-profiteering efforts of the Government, which, he said, had kept prices at a lower level here than in any other country in the world, and was carrying on the good work. "The Government," he concluded, "was really sincere in its desire to minimise the evil (the H.C.L.) as much as any Government could minimise it." So far, so good. But listen again. In the still more recent no-confidence debate the same gentleman averred that the Government's anti-profiteering measures were the scorn and derision of the people. "Nothing," he said, "had been done that was worth the while, or at all comparable to what had been effected in England and elsewhere and the result was that profiteering was insolently rampant, while the Government looked apathetically on." Surely, Dr Newman must have either a short memory, or a most elastic conscience.

One, R. McKenzie, contributing to the Sunday concerts' controversy, puts forward, inter alia, the astounding proposition that in this question "our choice lies between God and the bands"—the implication being of course, that bands (at least those that play on Sundays) are something in the nature of anti-Christ. Now, I do not know "R. McK." who in other respects may be a very estimable man; but I do know his type, and cannot confess to any admiration for it. It is a type which would force its own shibboleths, willy nilly, on others, and narrow all life down to its own particular groove. Its vision is so blurred that it cannot see that there may be—as in the song of the bird, the blue of the sky, the beauty and fragrance of the flower, the mellow-breath of the morning—greater spiritualising influences than can be found within its own gloomy fane. There are many thousands who have left the church, soul-hungry, and have found satisfaction elsewhere, and in other things. Speaking as one of these I may say that good band music has often raised me to heights that I could never have reached under the duller influences of platitudinous sermons, or unintelligible ceremonial. I have often left a Sunday band concert feeling, somehow, a better man than when I went in, and probably many thousands besides myself could tell of the same experience. Therefore, for "R. McK." to suggest that such things are anti-religious, or even irreligious would be childish—if it were not worse.

So our rates are to be again increased. We feel no surprise, however, though our language may be painful and free when the demand notices reach us. For years past the rates have been stepping heavenward with distressing regularity, and by this time we are as used to it as eels are used to skinning. Whether we are getting anything like value for our money is a debatable point, but one on which I do not wish to dilate here. But I do wish to lodge my humble but emphatic protest against the present system of rating. Theoretically, rating on unimproved values possesses many attractive features, but, like many other things beautiful in theory, it is damnable in practice. Under it the poorly paid labourer, struggling to secure a roof over the heads of his wife and weans, may be compelled to contribute as much towards our civic expenditure as his millionaire neighbour, and its operation may easily dispossess the widow of her home. By many rate time is looked forward to as a time of dread, and the yearly increase in the burden will make it still more dreadful to those who, even now, hardly know how to make both ends meet. I do not suggest that land

values should be freed of rates, but I do contend that it is most iniquitous to extract the whole of our civic revenue from them, when so many other sources are available and appropriate.

We are shortly to become a very model community. The Reverend Something Carlisle is going to see to that. The gentleman—who has "received a call" to Invercargill—seems to be something between a pussyfoot and a "chucker-out," if one may fairly judge him out of his own mouth. He is going to play the deuce when he gets here. First, he will "keep his eyes open for sly-grog shops, and if such are about, he will soon know it"—and have them "kicked out." (It does not seem to have occurred to this parsonical busybody that we have one or two policemen here already.) The liquor must be "kicked out"; gambling must be "kicked out," and picture shows must be "kicked out." Well, it looks as though the Reverend Carlisle has mapped out a very strenuous programme for himself, and we may expect to see much dust flying here when he comes. By the way, what does he want to "kick out" the picture shows for? That picture programmes may be greatly improved no one will question, but why not aim at improving them instead of banishing altogether a cheap and pleasant form of popular entertainment.

Once Plain Bill's war cry was "A Square Deal," and this lie shouted as loudly and frequently that we grew to believe him, and thanked Heaven for that rarest of all birds, an honest politician. But time has a nasty trick of disillusionment, and of late we have begun to suspect William's good faith, the more so as the old strident war cry has died away to "the faintest flittermouse squeak." Few, if any of the lavish promises have materialised, but the most glaring instance of failure to deliver the goods is shown in the shameless shelving of the promised electoral reform. We were assured that we should have "something better than the Second Ballot," but, though the Second Ballot was killed off to make room, its superior successor has not yet put in an appearance. Nor is it likely to while William recognises that his present proud position would be jeopardised by any other than the first past the post system. Democracy cannot find full or equitable expression except through proportional representation, and any other system of election than that makes a "square deal" impossible. William knows this, but he knows also that proportional representation is the very deuce for changing power. Therefore, on the principle of "place at any price," he hides this unpleasant thing away, and continues giving us a "deal" that has been sadly battered out of its promised rectangular shape.

"When the Labour party comes into power it will play up with Parliamentary procedure and upset most of its ceremonies."—N. J. Howard, Labour member for Christchurch South during the debate on the no-confidence motion.

At the annual conference of the New Zealand Timber Workers' Federation the following motion was put to the meeting by Mr E. Phelan, president:—"That the conference draw the attention of the Government to the increasing number of Hindus and Chinese that are arriving in the Dominion, and request it to amend the Immigration Act to stop without delay immigration of Hindus and Chinese, and further, that the conference affirm the principle of a 'White New Zealand.'" Mr Phelan stated that this question was assuming alarming proportions, and must be handled in an expeditious manner. These people were a menace to the community in many ways. There were certainly many good workmen amongst the Hindus, but their standard of living was on such a low basis that white men could not possibly compete with them. Mr T. O'Byrne seconded the motion, which was carried.