

forgive me ! ”

She ceased ; and Roshan burst forth.

“ Shera, Shera, you are not going to die. He will not be so cruel. We have prayed to Him and will pray to Him to save you. We have been here often but the doctors were afraid our meeting would excite you. The doctors were wrong. I told father they were. O, my sister ! My sister ! My own dear dear sister ! Come what may I shall not leave you now. Father will also stay. See, here are Thriti and Jal.” She ran towards them, took them by the hand and drew them towards the bed. They were all weeping.

“ O, Thriti ! O, Jal ! Your pardon. O, cruel, cruel that I was ! Better for you Thriti that you cannot see me, better that your eyes cannot rest on me ; for I am not fit for you to see. My eyes will be of no more use to me now. I wish I could give them to you without their sin. I wish I could take with me there yours, blind but holy as they are. Come Thriti, embrace me. Jal, my own dear dear brother, come to me. I see Death’s pale signal advancing. Let my eyes look their last on you. Let my arms take their last embrace.”

It was the voice of the dying that had thus gone forth. The cousins embraced, embraced as they had never done before, embraced but once and for ever. There were to be no more embraces for them here below.

At that moment the doctors came in, followed by Meherbanoo and Erach. The doctors looked at the patient and examined her quietly. The patient was quiet and seemed to be gently passing away, passing away in the peace that was at last vouchsafed to her. It was the peace of coming death. They could not fail to perceive it and could not controvert it. The Doctor then beckoned to the mother and whispered to her.

The mother approached the daughter. Shera looked up and their eyes and hands met. There was another solemn silence, silence which is so cruel. With difficulty the daughter spoke.



"Hug me, mother," she managed to murmur, "hug me if you like for you will do it in this world no more. Say, if you will, that you pardon me; for myself I am sorry, aye, extremely sorry, if I offended you."

Her tones faltered more and more.

"Mother, I have a request to make. It is a death-bed request and you will grant it. It is an atonement for me and an atonement for you. Promise, Oh—Oh—I feel a strange gurgling at the throat.—I am going! Water! Water!"

Magdalene brought the feeding cup; but her hand shook so that Jamshed took it in his and applied it to Shera's lips. She opened her eyes, recognised her cousin who was her fiancé, and her hand struggled for his. He took it and kissed it. He then bent low and kissed her on the forehead. She looked greatly pleased. She had now regained just enough strength to speak.

"Promise me, mother, promise me on this sacred Avesta which has never left me since I took to this bed, that you will be a wife unto father and a mother unto sister as you should be. If you have ever loved me and like that I should look on you with pleasure from the heavens above, promise, that—that—henceforth you will live with them in peace and concord. Mother, promise."

The mother promised and the daughter died. There is no death in life. Death gives but wings to life: The real life is there. Shera had flown on those wings to live a holy life there, such life as was not vouchsafed to her here below.

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I have given you a little time, reader, to recover yourself and to let you imagine for yourself the feelings of the various parties that had gathered round Shera, Shera the dying, and who would perhaps never have gathered round Shera the living. It was but another irony of fate. It brought with it its concomitant and that was tears. Tears, the noble language of the eyes, which flow from the high and the humble alike; tears, that are women's



wealth and web ; tears, that are men's forte ; tears, that are children's pleasure and the sick man's pain. Tears may be silent or articulate. They are a luxury to the happy. They are but a worthless token of unreal grief. Love is said to be loveliest when embalmed in tears.

A few minutes more ; and there was a great deal of weeping, some beating of breasts and some striking of heads, both from those who were in the room and from those who were in another room at that time but who had rushed in when the Grim Visitor's presence in the house was announced. Each felt and each wept according to the nature and extent of his or her feeling. The feeling of Ardeshir and Roshan was too deep for grief or for tears. Their tears, instead of sliding out had slid in and dried up. They were too deep for an exhibition. The mother's grief and her tears were loudest in proportion. Their vehemence could only be equalled by that of the womenfolk in the other room who had rushed there to allay grief but who were only aggravating it. They knew that Meherbanoo would not be unfavourable to the breast-beat drum and they were not slow to sound it with their long tongue accompaniment. Every little act, good or bad, small or great, act of vice or of virtue, and every sin either of commission or of omission of the husband and wife, the dead and the alive and of their friends and foes, were ranged in martial array and mournfully paraded before the eyes of the other mourners. So much for those who had come to condole but had remained only to cater and to cavil. Each substance of the grief, in the words of the great poet, had twenty shadows for them which showed like the grief itself but were not so.

The eyes of Magdalene, Thrity and Jal, Dinbanoo, Chandan and Shirin glazed with blinding tears. Their grief, like that of the father and daughter, was silent but not small. The weeping blind, if she be a lovely woman, looks divine. Thrity was both. She therefore looked like a divine goddess, like Madonna in grief.



And what about Erach ? He stood by at a distance and wept tears of bitter woe. He had entirely forgotten the insult that Shera had offered him. He was like a man walking in a dream, a weary wight with hopes forlorn. He almost wished he was in Shera's place then. As regards the other men that had gathered there, the occasional application of kerchief to their eyes showed that their eyes were not unmoistened. They were affected and afflicted as all good men are in such affliction.

It was time for the obsequies. The males rose, bowed reverently to the dead and walked out. Seated in a corner was Magdalene, with Roshan locked in her arms on one side and Shirin nestling to her on the other. Dinbanoo and Chandan were helping Magdalene to comfort Roshan.

"Roshan dear," whispered Magdalene, "don't weep like that. It breaks my heart. I must now be going. I am not a Parsi, though I have long been one of you. They call us *Juddins*¹; with the dead body in the house I cannot stay here long. Your ceremonies will soon be adoin'g. Come, Roshan dear, kiss me; see, Silla is here. Here are Dinbanoo and Chandanbai. I can leave you in no better hands than theirs."

She then gently disengaged herself, kissed Roshan over and over again, embraced Shirin, Dinbanoo and Chandan; and tearing herself away from them walked to the door. Then, remembering something she came back to where Meherbanoo was. She was doubtful if she should shake hands with her or embrace her. Amongst the Parsis, the latter is the most effective mode of expressing grief or affection, even pleasure. She looked at Meherbanoo and her spirits failed. She saw at once that Meherbanoo was not prepared to return her advances which were only too sincere.

"With your leave, Meherbanoo, I shall now go. I would stay but I don't think it is allowable. Will you believe me when

¹ A term used by Parsis for all those who are not Parsi Zoroastrians.



I say how very sorry I am for what has occurred? There is now nothing for you but to trust in Him and— ”

“ Yes, Miss Macgregor, I don't think we need detain you any longer. Good-bye.” Meherbanoo would not shake hands and abruptly turned away.

Magdalene felt mystified, felt that she was grossly misjudged and as grossly ill-treated. All the same, she had done her duty and could do no more. She then left the room but not before she had heard the womenfolk whispering silly remarks about her. “ Who is that *Madamdi* ¹ ? ” asked one. “ Goodness knows who she is,” replied another. “ Whatairs she puts on, though she must be only a nurse ? ” remarked one. “ May be ; why waste words on her ? Don't these nurses abound now ? ” queried another. “ These Christian *pories* ² poke their heads everywhere nowadays ; they make themselves so cheap to our married men and marriageable men. They are at the root of the *Juddin* contest.” The tongues that so wagged were of those whom the *Juddin*-mania had touched to the quick. They were of those that were contaminated by the cant of *Juddin* chanters. It was the blindness of racial prejudices and unreligious and orthodox predispositions,—as unlike the Zoroastrian religion as an apple to an onion. Avaunt on such views ! Avaunt on the injustice which they in their gross ignorance did to model Magdalene. If they had looked into their hearts, looked into the truth, they could surely have felt how low down they sank in comparison.

¹ Corrupted form of ‘madam’ which is used to express contempt.

² A contemptuous term used for girls.



CHAPTER XLI

THE DECISION

"Where the fault springs, there let the judgment fall."

HERRICK.

THE day at last dawned which was to decide the fate of the brother and the sister. It was the day that was destined to conclude that highly interesting drama of life but it was powerless to drop the curtain over it for ever. For the drama was not only to be the topic of the day or the month alone but of several months to come. It was one out of the hundreds of days, which were big with the fate of France, big with the fate of Belgium, big with the fate of Servia, big with the fate of Europe and no less big with the fate of India itself and of the world. The interest that hung over the fate of Jal and Thriti had so much in common with the interest that then hung over the fate of the whole humanity. One would think that the cause of innocence and truth and the ends of justice would be vindicated in the case of Jal and Thriti as in the case of the entire European world. Let the reader read and see for himself.

There is no interest so great as that which hangs over the fate of injured innocence. Interest creates curiosity and curiosity no less than devotion makes pilgrims. So curious pilgrims mustered strong and flocked to the pilgrimage. Custom is the pillar round which opinion twines and interest is the tie that binds it. Here was custom and here was opinion. The spectators were the customers and they had already formed their opinion that the accused were innocent. If the Magistrate was going to pronounce



them guilty they would say that he did not know his business.

But whatever the opinion of the bar and the bench and the pilgrims, nature seemed to have decided the matter ; and as if to awake them all to a sense of its importance it gave them a warning shock. When the court had sat Mr. Khatkate rose and informed the Magistrate that the second complainant could not be present in the court as she was between life and death. She was seriously ill and the doctors had despaired of her life. The Magistrate would therefore kindly pass an order to dispense with her presence. If he required a medical certificate there it was. He, Mr. Khatkate, would beg that the Magistrate would also dispense with the presence of Bai Meherbanoo. She was the second complainant's mother and must be near her daughter. His Worship had the power to decide the case in the complainants' absence and Mr. Khatkate had no doubt he would exercise that power.

"Mr. Aga," said the Magistrate, "this is very unpleasant news. I am sure we are all very sorry to hear it. The second complainant cannot be present in the court. The first complainant must be if we wish it. I do not wish it and will dispense with her presence also unless you have anything to urge against it."

Mr. Aga said he had nothing to say against it.

The Magistrate then made an order dispensing with the presence of both the complainants. As defendants' counsel Mr. Aga then opened his peroration.

"Your Worship," he said, "this case is as gloomy and heart-stirring as it is singular. But with all that it is not the less bright and simple. It is gloomy because of the dark side of human nature that it discloses ; heart-stirring because of the grave issues involved in it ; singular because it is once in half a century that we have such a case before us. It is lucky for humanity that they are not many. Why is the case bright ? It is bright, I say, because of the vivid traces of the white side of human nature which it contains. It is simple, because it is so easy to decide. As the Counsel



of the accused, the court will think that I should be the last person to make the last observation. And why? Because the task of defence is not a bed of roses. It has many thorns and compared to the task of Counsel for the prosecution it is fraught with many and more serious difficulties.

“When I undertook to defend the accused—it goes to my heart to call them by that name—I knew the difficulties I would have to surmount. But I had a duty to perform. And I knew I could do it with a clear conscience. Right is on our side and I mean to prove that Right is Might in this case.

“Who are the accused in this case? Are they professional thieves, disreputable rogues, hardened criminals, house-breakers’ apprentices, or dangerous members of society? The answer to all this is, No—nothing of the kind. Have they ever seen the inside of a jail? No. Were they ever charged with theft and acquitted for first offence? No. Were they ever in court before? No. Then who are they and why are they here? The one is a young lad of about sixteen, hard-working, obedient, respectable and honest, one about whom the heads of his School and College always had and have the highest opinion. The other is his sister, a blind young lady, very industrious though blind, very well educated and very well brought up, very respectable, against whom there is not so much as a breath of scandal and against whom the finger of society has never been pointed. And yet it is these two young and innocent persons who have been charged with a heinous offence. Is this all that the dark side of humanity has wrought? No. For the accusation has been brought against these innocent hearts not by strangers, not by members of an alien community, not by foes but by their own kith and kin who have the audacity to call themselves their relatives and friends. The accusation has been brought not by males but by female members of the same race, calling themselves Zoroastrian Parsis.

“The first accused has been charged with knowingly removing

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from the possession of the complainants when on a visit to their quarters on the 3rd day of the current month certain valuables said to be of the aggregate value of Rs. 1,500, and with consigning them into the custody of the second accused, who has been charged with aiding and abetting in the offence and with receiving and retaining the said stolen property.

“ The complainants have failed to show in the slightest degree that the accused are anything but highly respectable. They have failed to show that there is anything in their previous conduct which could stigmatize them as disreputable or dishonest people. Besides the accused there are no less than six other families living in the same building. The accused have mixed freely with them and they with the accused. The complainants on the other hand never mixed with the accused. The complainants must be on good terms with their other tenants. They would not keep a tenant who disagreed with them and yet they have not been able to bring any of them forward to say anything against the conduct of the accused. It is true that the court found sufficient grounds to frame a charge against the accused but the court is known to do it not infrequently to give an opportunity to the accused to clear himself in a way as to leave the court unscathed and honourably. In the present case I doubt not but that Your Worship had the same intention.” (The Magistrate was solemnly silent.)

Proceeding further Mr. Aga said, “ it is true, Your Worship, that in cases of theft proof of previous intention to commit theft is not insisted upon as in cases of cheating or fraud. The complainants have however failed to show that the accused were so needy or so devoid of wherewithals that they must needs steal or that they were compelled to steal for the benefit of others dependent on them. Did Jal go to the complainants' house of his own accord ? Certainly not. The complainants have themselves stated that the invitation had to be pressed before he would consent to go. Admittting for the sake of argument that Jal did go into the private room, that his eye fell



on the cupboard of valuables which was unlocked and that he opened it and was tempted to steal : the question arises could the temptation be such, and was he so perverted, as to give rise to actual intention and to convert the intention into action? Supposing again for the sake of argument that Satan suddenly changed him from an innocent youth into a juvenile offender the question would arise, what was he going to do with the valuables? Had Satan or the force of the magic of sympathy converted Thrithi all at once from a highly respectable and innocent young lady into an aider and abettor? What would have been Jal's plight if Thrithi had refused to be the custodian of the stolen articles? Would he have then gone back and restored the articles to their owners? Would he have told the Magistrate that he had simply stolen the articles to cause mental distress or anxiety to the owners for a short while and prayed to the Magistrate to release him? If anybody could instigate Jal to take advantage of his visit to the complainants and commit a theft it must be Thrithi. But the complainants had not the temerity even to hint that she had done it. What were Jal and Thrithi going to do with the stolen articles? Were they going to pawn them? (Laughter.) Were they going to melt them? Was Thrithi going to sell them to the Bahadurshahs or to the Meheloojis? Was Mr. Ardeshir going to be so mean as the complainants wanted to show that he would buy his own wife's stolen articles? Or was Thrithi going to make a present of them for the benefit of wounded soldiers? (Loud laugh.)

"The court has subjected the accused to a close and searching examination and the complainants and their pleader did their level best to disparage their character and inveigle them into admissions. They wanted to prove unfriendliness and bias. They wanted to show that they were utterly void of all sense of decorum and decency. In short, they wanted to expose them to shame and ridicule. And what has been the result? The result is nothing more nor less than that they were exposed themselves.

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They have shown that all the bias and unfriendliness was on their side. The first complainant's husband proved convincingly that she has never made him a good wife, that she has proved herself to be a cruel mother, that she has victimized one of her daughters and patted, pampered and pleased another at her expense. The complainants' own evidence has disclosed that they were on undesirably familiar terms with one who is the betrothed of the first accused and who is such a coward as to raise his hand on a young and defenceless lady. The second complainant has made no secret of the fact that she hated her father and sister so much so that she could not bear to see her own name connected with that of her father. She has made no secret of the fact that she was in league with a man who was capable of bullying and beating her sister and of writing anonymous letters to ruin others, who was capable of sending false telephone messages, who was capable of openly insulting his betrothed at a Toddy party, who was capable of borrowing loans to save himself from scrapes. If Your Worship believe the evidence of Mr. Ardeshir Dalal, Your Worship will admit that a plot was actually hatched and carried out by the complainants against the accused,—a plot as inhuman as it was cruel and merciless. What motive could the complainants have in sending Roshan to school on her birthday? What motive had they to conceal Mr. Erach in the private apartment of a young lady all the while Jal was with them? What motive could they have in telling the court that he was not in their house at the time? What motive could they have in not taking Roshan to the Toddy party with them and not taking her with them on their return drive? What motive could they have in going to the cook-room leaving Jal alone and leaving a drunken servant to watch over him? Above all what motive had they in inviting Jal and Thrity to dine with them for the first time in their lives?—Dine with them without the host of the day, Roshan, and in the absence of the male head of the house? No other motive than to carry out an atrocious and deliberately laid out plot.



“Speaking of the witnesses for the complainants, I need hardly remind Your Worship of the lamentable exhibition of the long series of false statements and prevarications—I would go further and say ‘perjuries’ without dread of contradiction—which they made. Who is the greater sinner in that respect? Who is more fit to say the *patet pashe-i-mani*?—the poor illiterate, hand-to-mouth-live Hindu servant, who could be easily bribed to give false evidence, or the Parsi youth who calls himself educated and well-bred but who has not shown himself as above doing a mean action in return for a much more substantial bribe in the shape of a wife.

“Speaking of the evidence of the complainants themselves, Your Worship will admit that it was all broad-fire and bombast. It was devoid of even a particle of truth. The very idea that a fair sex especially one who calls herself or claims to be a lady should so far forget her delicacy as to perjure herself in open court is simply revolting. On the other hand the evidence of the young lady Roshan stands out in most favourable and glaring contrast with that of the complainants. To say that one does not believe her evidence would only be tantamount to saying that one does not believe in God or in His goodness. If the court believe Roshan’s evidence the court must believe that Sherbanoo did go into Thriti’s room with the previous intention of depositing the jewels in her cupboard and entrapping her and her brother into a trap of the complainants’ own making. It was a clever trap and one would wish to God that their ingenuity had been applied to a worthier cause, a cause which could have shown that weak women do not always stoop to follies.

“Now look at Huseinbi’s evidence. Not to believe her evidence just because she is poor would be to believe that the world is all bad and that we are all confirmed sinners. The word of the Prophet, Koran, by which she swore, is testimony enough of the truth of her word. For to take a false oath on it means to the mind of all true followers of the Prophet damning their souls

for ever.

“Just a word about Rama’s evidence. To believe that evidence would be like believing in Satan. He broke down so lamentably and was so entangled in a mesh of contradictions that he stood self-convicted.

“I now come to the crowning point of the case, which is a telling one. The complainants and their witnesses have stated that before Jal left their quarters their pious eyes had landed on the pocket of Jal’s coat and that it looked swollen and puffed. The took that as a proof that the jewel-box was concealed in the pocket. In so stating they laid a trap for themselves. They averred that the coat now in possession of the court is the same that Jal wore on his visit to them. The coat was produced in court and the jewel-box did not go into the pocket. The pocket is not big enough for it. This crowning stroke must break the camel’s back. Speaking of my learned friend there all I can say is, and he will pardon me for my impudence if impudence it be, that if I were he I should have thought twice before undertaking to espouse such a cause. I will not say I pity him but I would certainly say I sympathise with him. I would be an ingrate if I did not do so as a professional brother and an honourable opponent. My learned friend has however one consolation and that lies in the fact that no counsel on the face of the earth, however eminent, could have succeeded in winning the case for the complainants. My learned friend has yet to throw his last cards. Let us hope that he will not hoist his clients with their own petards.” (Vociferous laughter.)

The Advocate resumed his seat midst unchecked claps and cheers.

It was now our friend Mr. Khatkhate’s turn to stand on his legs and to speechify. Poor dear Mr. Khatkhate! The last words of the Advocate had shot him to the quick, shot him in the very centre of his head and his heart and yet he could not say that the Advocate was wrong. He doubted if he had any legs to stand upon or a



little flesh of a tongue to wag. He even doubted his own existence. His wits had gone a wool-gathering. A poke in the back and a mudge in the side roused him. Turning round, his eyes landed on Superintendent Macdermott. So it was the Police-officer that had rushed to his rescue. He wiped his eyes and his nose with his *ooperna* and rose instantly but rose like one in a daze.

The Magistrate seeing the sorry plight in which he was, thought it right to prop him up with a few encouraging words.

"Well, Mr. Khat-pat-e, I mean Mr. Khat-khat-e, I hope you will now give the court the benefit of your erudition. The court is quite prepared now to hear you."

So buoyed up Mr. Khatkhat began his *khatpat* with the usual preliminary of 'Yar Worrorsnip'.

"I aagree with my l-l-learned friend there thiat my task is fraat with difficulties, though I can-nat aagree with him thiat if he var in my place he would nat have stood up far the complainants. My maatto is thiat Counsels should nat take a caz to be biad until it is proved in carrut thiat it is biad. If no laayer takes up a caz far the simple reason thiat it is saaposed to be biad, who will? Siarly nat a layman."

The Magistrate :—And where will lawyers go? They cannot surely fast. (Convulsive laughter.)

The learned man proceeded to say, "Yar Worrorsnip, though only an humble limb of His Miajesty's La-Carruts I hope I have saalved to yar satisfaction the praablem which my learned friend over there could nat." (Mr. Macdermott was here seen slyly tapping the pleader's back and pulling the end of his *ooperna*.)

"Yar Worrorsnip, I have lain aawake in my bed and caagitated over this question far nights. (A voice from the auditorium, 'and vat is the result'?) And I have come to the caanclusion thiat the caz is nat so biad. I hope Yar Worrorsnip will see the same in the end."

The Magistrate :—If you convince me.

“Vat the carrut has to see is thiat the charge braat against the aacused is true or nat. The defence has put it thiat it is faalse. The carrut will keep out of its mind al thiat the defence has urged until it has heard me. The carrut must be entirely unbiassed. If the first aacused did nat steal the moveable praperty and move it out of the possession of the complainants someone ialse must have done it. It vas not an immoveable praperty and it could nat have moved out by itself. If the aacused did nat depaazit the praperty into his sister’s cupboard it could nat have gaan and depaazited itself there. Somebody ialse must have done it. So Yar Worrorsnip will see thiat I vas nat wraang when I said thiat I have not aaspoused a biad caz :

“Maative (motive), Yar Worrorsnip, is different fram intention. Iabsence of criminal intention does nat mean iabsence of maative. Maative might mean a power, a straang desire, thiat might move one at any time either far good or far biad iaction. Maative might be the creation of sudden impulse. Self-preservation is the first la of nature. Vat is there to show thiat to preserve themselves from penury which stared them in the face the aacused would not do a biad iaction ?

“Tiamptation, Yar Worrorsnip, in old or young, is a great thing. We al succumb to it in one shape or another at some period of our life.”

The Magistrate :—And so did you, Mr. Khatkhate. Lawyers do succumb to temptation, I know, when they rehearse their witnesses.

Mr. Khatkhate’s face fell a bit but he was not to be daunted now.

“Tiamptation, Yar Worrorsnip,” he went on unruffled, “is said to be the work of Satan. It ruined our first parents. But since Gaad has nat been pleased to remove it fram our souls Gaad siarly means thiat we should succumb to it and improve.”



The Magistrate :—So it is that that has improved lawyers so vastly. I hope you have already passed that stage, Mr. Khatkhate. (Roars of laughter.)

“ My learned friend has tried to plant my clients as hopelessly biased. If they were so, could they have said that they would not have proceeded further against the accused but for the fact that the police had control of the matter ? ”

The Magistrate :—But they could have asked for permission to withdraw the case at a particular stage. You know, Mr. Khatkhate, that your learned friend there was kind enough to give them a hint to that effect but they would not take it.

Mr. Khatkhate :—That very fact shows, Your Worship, that the complainants had no doubt about the guilt of the accused. If the complainants had withdrawn the case it would have reflected against them and it would have been said that they had not left the court with clean hands.

“ The evidence on both sides, Your Worship, has shown that for some reason the complainants and the accused were on very indifferent terms. Who was more unfriendly and who was not, is not the question. The question is, was there not bad blood between them ? The answer is, surely there was and plenty of it. And what was the case ? The case, Your Worship, was the intended joining of hands of two pairs of young people. The pair were ill-paired ; they wanted to be unpaired and as there were difficulties the unpairing was postponed *sine die*. (Laughter.) The evidence has shown conclusively that the second accused and the complainants' witness Mr. Erach did not like each other. It has also shown that the second complainant who is betrayed to my learned friend there did not like him and he did not like her. I would not insult my learned friend by observing that he has taken up the case of the accused for that reason. But I do venture to say that if I were he I should certainly not have stood for the accused. (Loud laugh ; even the Magistrate and Mr. Aga joined.)

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"Speaking of the Taady-party those who have been at such parties—Yar Worrorsnip must have been at them siavaral times—must have known vat its fumes impart. I will say thiat it muddles the most siansible of brains and makes even a Magistrate unfit to sit in judgment on the topers there. (Loud laugh again.) My learned friend vas there ; he says there var quaarels and insults, saards flew about in the air as it var and he could nat prevent it. I would nat say, I pity him, I would say thiat I sympathise with him. My learned friend will pardon my impudence if impudence it be." (Chuckle and titter.)

The Magistrate :—Mr. Khatkhate, I would exhort you to come to the point. You have amused the court long enough.

"Yar Worrorsnip, considering thiat my clients are ladies and had never faced legal brow-beating before, they stood their ground well. They did nat break down. Mr. Erach aalso did nat break down. The witness Rama gave his iavidence as such people usually do. It is so easy to frighten them. If Yar Worrorsnip had questioned him in yar private chiamber he would have aacquitted himself much better. These men can never be siar of details. They are easily flurried.

"Speaking of the iavidence of Huseinbi, she is aalso a servant. If you discredit Rama's iavidence why should you nat discredit her's?"

The Magistrate :—Because there are servants and servants just as there are lawyers and lawyers. (Laughter.)

Mr. Khatkhate :—But why should nat Huseinbi have told a lie? Sarvants are aaftern rebuked and have aalways old scores to clear aaff. She must be vaanting to leave the sarvice and must be on the look-out for a pretext to do so.

"I now come to the aacuseds' witnesses. Mr. Ardeshir and Miss Roshan var on notoriously biad terms with the complainants and their iavidence must therefore be taken at a discount. It vas clearly Mr. Ardeshir's duty if he thaat a plaat vas being hiatched



against the accused to take steps to break it down. He should not have secreted himself in the bathroom like a—to use my learned friend's words—like a coward. He should have come out of his hiding at once and taxed his wife and daughter openly with it. If he did not do it then he should have done it when he found that the plot was ripening. He should have separated from his wife and elder daughter if he thought they were bad company. He should not have waited like the parrot in the story until his beautiful plumes were pulled out by the crows. 'Bad company,' the parrot said, 'and sadly shook his wounded head.' (Vociferous laughter and another pull and pat by Mr. Macdermott.)

"Mr. Ardeshir according to his own saying had ample reasons to be irritated against his wife and elder daughter. And Mr. Worrship will admit that like Huseinbi he had old scores to clear up and therefore washed his dirty linen at the complainants' door. (Laughter.) We have now to look to Roshanbai's inadvertence. Some one seems to have taken very good care to see that she was properly coached. The some one must be complimented for it is not easy to coach girls. What is Miss Roshan's inadvertence based on? It is based on mere shadows. She said she was feverish and wanted a physic: and what better physic for a young lady than to sit down at little love-making and looking over picture-albums with a lovely little cousin, (huge laughter), without the knowledge and consent of her mother? When the cousin left her she felt lonely and by way of relaxation she indulged in looking through door-holes into other people's privacy. She wanted more shadows till Jal returned. Look for the devil and he is at your elbow. In comes a female figure and off goes the worthy Miss Roshan and resumes her seat at the album. She was bold enough to peep through door-holes and to take French leave from school but so very feverish and afraid that she failed to ascertain who was that shadow. She had not the slightest idea it was her sister. She had not the slightest idea as to what she had

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come there far. She saw a *bootti*-daated *sari* and sat thinking over the beauty of the *boottis* until Jal returned. Yar Worrorsnip will siarly nat believe the iavidence of a girrul who was so feverish and so frightened. There are so mianny such *saris* and so mianny such wearers. Yar Worrorsnip should nat aalso believe a girrul who preferred keeping vaach on her maadher and sister and preferred eavesdraaping to taking her tea. One would think thiat the first thing children do on their return from school is running after their tea and toast." (Laughter.)

The Magistrate :—Don't lawyers do it ? Do they run after money alone ? (Renewed laughter.)

"So much has been made, Yar Worrorsnip, of the jewel-box not going into the coat-paacket. I would nat pay a penny far thiat iavidence. Yar Worrorsnip will remember thiat my clients have said thiat so far as they remembered the coat kept in the carrut vas the same thiat Jal wore on thiat eventful day. They did not say it is the same coat. Besides vat is there to show thiat it is the same coat ? The defence has nat proved it.

"After al is said and everything is considered the naked fact stares us in the face thiat a thiaft vas really committed at the quarters of the complainants in the forenoon of the 3rd day of the current month by some one or mar persons unknown. Al praabilities paaaint at young Jal as the thief. I am viary sarry to cal him so, Yar Worrorsnip, and the presumption is thiat he vas. One presumption leads to another and as the stolen articles were found in Thritibai's cupboard it is further rightly presumed thiat she must be the aider and aabettor. If the carrut does nat believe these presumptions the carrut must find out the thief and the aider and aabettor. The complainants could nat have stolen their own praaperty ; it would be both ridiculous and unheard-of."

Mr. Khatkhate then sat down vastly content and with a self-satisfied air. He was pleased when his friend Mr. Macdermott whispered to him, "Bravo, Old Boy ! Well done !"



The court then rose for lunch but the spectators did not leave their seats. They stuck to them till the court re-assembled.

The Magistrate then read out his decision :—

The Decision.

“ This court has a very grave and sacred duty to perform to-day. It is a duty which is both pleasant and unpleasant. I am satisfied that I am about to discharge it according to the clearest dictates of my conscience and justice.

“ The issues involved in the case are somewhat intricate but the elucidation is not so difficult. The court need hardly say that it is thankful to the Counsels on both sides for the valuable help that they have given it from their own standpoints in forming its decision. I compliment them. I only wish for the sake of humanity, if not for the sake of this court, that it will not have such cases to decide in future. They are a shame to the civilized world and a shame to humanity to whom this case must prove a lesson.

“ In this case the accused have been charged under section 379 of the Indian Penal Code, the first accused for theft and the second for aiding and abetting in the same. The accused have entered their written statements and said that they are not guilty. The court had, however, to frame a charge against them, not so much because of a *prima facie* case having been made out against them but because it wanted to give them an opportunity of clearing themselves of the charge in a way as to enable them to leave the court unscathed and honourably.

“ The complainants are a mother and her daughter. They are members of the Parsi community and come of the renowned Zoroastrian race. The accused belong to the same community and profess the same religion. The complainants and the accused are close relatives, the first complainant being the maternal aunt and the second the cousin of the accused who are brother and sister. Both the accused and the complainants are fairly well



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educated. They live in the same house which belongs to the complainants. The accused had received a notice from the complainants to quit the house and would have done so ere long but for the untimely and unfortunate death of their only living parent, their mother. A little before the death of their mother the first accused had become blind. The complainants were fully aware of their distress and yet they did not abstain from dragging them to this court. Any one who calls himself a human being would think that a maternal aunt and a cousin would rather lose hundreds than drag such close and distressed relatives of theirs to a law court for a mere presumption of crime. The probability of it redounding on themselves does not seem to have occurred to them. But the court has nothing to do with such sentiments. It has only to go upon the evidence before it. From the evidence it is clear that the relations between the parties were very unfriendly. It has also been shown that the unfriendliness was all of the complainants own seeking and that the accused were forced into it.

“The complainants have said that on the 3rd day of the current month which was the birthday of the younger daughter of the senior complainant they had sent her to school. Furthermore as they wanted company and by way of proving their friendliness to the accused they invited them to share the birthday repast. It would have indeed been a fine action but for what followed. The complainants have said that it was usual for them to select and set aside early in the day such ornaments as they may have to wear in the evening. The ornaments are kept in a cupboard in one of their rooms. This room is inaccessible to all except to the complainants and a favoured servant Rama who is one of their witnesses. It was the same man that was sent to invite the accused to dine with the complainants. It was the first invitation of the kind that the accused had received from the complainants. Rama had returned with a message that the accused were sorry



they could not accept the invitation. The second complainant thereupon went to invite them personally. This is perhaps the most extraordinary point in the case. The behaviour of both the complainants in the court showed throughout that they are hot-headed and haughty and that they considered themselves to be far above the accused in social, moral and material matters. The court cannot therefore help holding that they must have some definite aim in view other than mere friendliness or courtesy in inviting the accused to dine with them for the first time in their lives.

“For evident reasons the first accused could not accept the invitation. The second was also very disinclined to do so and would not have gone but for the persuasions of his sister and a trusted old female servant. The diners were the complainants and the second accused who was said to be the only guest. The evidence has however shown it satisfactorily that there was another and a very favourite guest who for certain reasons best known to the complainants was concealed behind the scene. That second guest was the complainants' principal witness Erach Aspendiar Aga who is betrothed to the second accused. The evidence has also shown that the second complainant who is betrothed to the learned Counsel for the defence Mr. Jamshed Aga, had with the full knowledge of her mother concealed Erach in her own private apartment and kept him so concealed until after the second accused had left them. This is sworn to by one of the complainants' own servant Huseinbi. This witness appeared to the court to be a very right-minded and respectable person and the court has no reason whatever to discredit her evidence.

“The complainants have alleged that after the repast was over they had occasion to go to the kitchen. On their return to the dining room in about five minutes they found the second accused, Jal, up and ready to depart. They pressed him to stay longer but he would not. On looking at him they found one of his coat-pockets swollen and puffed. They then went into the room where

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the cupboard of valuables is kept and finding it unlocked they suddenly remembered that they had forgotten to close it that morning after selecting the ornaments for the evening wear. They opened it and found that those ornaments were missing. Their suspicions were aroused and they asked the witness Rama if anybody had entered the room during their absence. That worthy is said to have informed them that Jal had entered it. That was enough, they thought to incriminate Jal. They were supported in this presumption by the witness Erach. From thence to the police-station and from there to here was the next step.

"The court entirely discredits the evidence of the complainants' witnesses. There is not so much as a particle of truth in it. As the Advocate for the accused very aptly observed, the difficulty is to say, who is the greater perjurer—the illiterate and ignorant Hindu, who could be easily bribed, or the so-called educated Parsi who hoped to get a wife for his trouble? The court thinks the latter is the greater perjurer, though both broke down lamentably. If the court wished to be hard it could punish them severely. But the court desires to be merciful. All that the court would say is that the witness Erach leaves this court most dishonourably.

"The case for the complainants was, the court thinks, to put it in the mildest terms, a stupendous piece of folly and falsehood. The most strenuous effort of their pleader could not mitigate their offence or its seriousness; for his clients were equally strenuous in thickening the chain of their falsehoods. The pleader must have now seen that he had espoused a cause which was rotten at the very roots.

"Speaking of the cause of the accused, the court must say that Mr. Advocate Aga could not have espoused a better cause. His path was beset with difficulties. The court has no hesitation in pronouncing that Mr. Aga overcame each and every one of them tactfully and sagaciously. The statements of the accused are to the court's mind quite truthful and are borne out by all that has since transpired before it. Miss Roshan



Dalal deserves every praise that any court of law in Christendom can bestow on her. Her very face and behaviour testified to the truth of her words. She did not flinch or falter in the slightest detail. It must have required a mighty effort on her part to say things against her mother and sister which would implicate them seriously. And yet the way in which she acquitted herself to vindicate the ends of truth and justice is highly commendable. Her father Mr. Ardeshir is not less worthy of praise. His evidence was equally clear and conscientious. He seems to have suffered a great deal at the hands of the complainants and yet I am glad to say that he was here not for taking revenge. I compliment him for his straightforward evidence and congratulate him on his being the father of such a daughter as Miss Roshan. The possession is invaluable and entirely makes up for all his sufferings.

“The deductions that the court draws from their evidence, from the statements of the accused and from the evidence of the complainants and their witnesses are :—

- (1) That the first accused did not commit the theft :
- (2) That the second accused did not aid and abet him and did not knowingly keep possession of any stolen property :
- (3) That no theft was committed : and
- (4) That the case was a trumped up one.

“The court therefore finds both the charges to be entirely false and groundless and acquits the accused who leave this court quite unscathed and most honourably.” (Uncontrollable applause, some hurrahs and a great deal of waving of handkerchiefs : silence was enforced.)

“The court therefore directs that each of the complainants pay to each of the accused the maximum fine provided by the law for frivolous and vexatious accusations. The court regrets its inability to inflict a heavier penalty. The accused have how-

ever the option to prosecute the complainants for perjury and they have the court's permission to exercise it.

"In the absence of the complainants I direct their pleader to pay the fine. I also order the Police to restore the valuables to the complainants."

Mr. Aga said that he thanked His Worship heartily on his own behalf and on behalf of his clients for the very patient hearing and the close attention which he had paid to the case. He was pleased to say that his clients had decided to pay the whole amount of the fine to the Women's War Relief Fund. His clients were not revengeful and he was very glad to say that they had further decided not to prosecute the complainants for perjury.

The court-room was filled with acclamation. Friends and acquaintances vied with one another to congratulate the victors and their witnesses. There was unprecedented joy and tumult, such as is rarely witnessed in a law court. When, lo! news reached the court and spread like wildfire that the second complainant Sherbanoo was no more. It struck terror into every heart.

Jamshed Aga, Roshan and Ardeshir, Thrity and Jal, Mr. and Mrs. Mehelooji and the Bahadurshahs did not wait to enquire by whom the news was brought and if it was correct but rushed out and motored away to Meher Villa. When they reached there they found that Shera was still alive, and Jamshed Aga had the good fortune to look on her though for the last time on this earth.

In the court-room where, but a minute before all was joy and no sorrow, there, solemn silence now prevailed. Even the Magistrate was greatly moved. Not a man but felt that nature had vindicated itself, vindicated itself in such a way as to be a lasting lesson to the listeners of the news. Christians crossed themselves devoutly and murmured, 'Lord, Thy will be done!'; Mahomedans muttered, 'Allah, Allah! *Towbah! Towbah!*'; Hindus slapped their cheeks and said, 'Ram! Ram!'; Parsis bowed down their



heads in mute awe. They all felt that the hand of God was in it. They prayed devoutly that the lost daughter's living mother would benefit by the lesson and live a better life.

If a painter were present he would have transferred the scene to his canvas. If a photographer were present he would have immediately set up his camera. If Homer had come to life again he would have sung,

“Declare, O Muse, in what ill-fated hour
Sprung the fierce strife, from what offended power.
The unmotherly mother the ties of wedlock defied
And for the mother's offence the daughter died.”



CHAPTER XLII

MOTIDANA AND HER MUJRA

*"Come listen, O passer-by.
As you are now so once was I :
As I am now so you shall be :
Prepare yourself to follow me."*

IT is my business, reader, to lead and yours to follow. Leaving the court and the Parsis behind, I wish you to follow me to the house of a Mahomedan in 'Mahomedan Mohla.' Far be it from me to take you to a disreputable locality. 'Mahomedan Mohla' is mostly inhabited by the respectable middle class of Mahomedans. In that street, standing out somewhat prominently, was the house of the well-known singer Motidana. It was a modest-looking house without any pretensions to architecture. Anyone, however, looking at the exterior could say that it was a Mahomedan house and that the owner, whoever he was, had taken good care to see that the exterior should vie very favourably with the masonry compatriots that ran in irregular rows alongside and opposite.

Motidana was a very decent person. She liked to have a clean abode and clean surroundings. Her own apartments were on the second storey. They were pretty spacious, especially the *Jalsa* or concert room which opened on to the street. What has a *kanchani* to do with concerts, I imagine the curious reader inquiring. Is not a *kanchani* a paid singer, who gladdens people's hearts on occasions of marriage and other festivities? She is so and something more to boot. She is as important a personage within as without her own house. She is as much sought after and run after at home as abroad. Flattery follows her wherever she may be. The *kanchani* holds a concert or a musical entertainment once or



twice a week at her own house. The most important of these is the *Mujra*. Whereas in a concert two or more singers can take part, in a *mujra* the *prima donna* or the owner of the house is singer and dancer combined. The *mujra* usually follows the concert. It comes off in the quiet of midnight and continues till about four o'clock in the morning when the guests disperse. And who are the guests? They are mostly the go-ahead, devil-may-care, reckless men-about-town; the heir-apparents of rich parents; the busy-doing-nothings and the busy-doing-somethings; the cream and the curd of society,—mostly Mahomedans and Hindus and in the case of a well-known singer a few Parsis. In the *mujra* the *prima donna* is at her best. The quiet of midnight in a congested *mohla* is equally favourable for music as for merciless deeds. With the finest of music going on in one place, the vilest of miscreancies may be in operation in another. It is in the order of things as they happen in the name of civilisation. It is like seeing marriage and funeral side by side in one street, even in one house.

Motidana made it a point to see that peace and order prevailed at her *jalsas* and *mujras*. But even she was not always successful. Envy and jealousy did find their way into her house as in those of other *kanchanis*. The seekers of her favour were not a few. They vied with one another for supremacy; especially the Mahomedans, Kamalkhan, Yarkhan, Tore-i-bajkhan, Meherali, Sultanali and Moradali; the Hindus, Rangnath, Sunderrao, Morarirao and Khanderao and the Parsis, Dorabshaw, Cowasshaw and a few others among whom was our favourite Rustom. Rustom was the target of all the *tannajanni* or taunts, all the envy and all the wrath of his rivals for he was the one towards whom Motidana always turned for approbation and applause.

Unlike most names Motidana has a meaning and a very good meaning too: grains of pearls. And really the music that flowed from her lips fell like a string of pearls. Her songs were choice and well selected. She never wasted either her songs or her words. They were always to the purpose. On that particular night of

which I am now writing she was if anything more reserved. Her look seemed to say, look ye, ye may be great at your own homes but I will tolerate none of your nonsense here; keep at a safe distance from me if ye guard your honour of which, I trow, you have but little to boast of.

At about ten o'clock the self-invited guests of the day began to come in and by about ten-thirty the room was crowded. The concert was executed by two other female singers besides Motidana. In addition to Motidana's husband and the *tabalchi*, there was an extra *sarangiwalla* and an extra *tabalchi*. At 11-30 the concert was concluded and the two friendly singers rose to leave with their pockets pretty full. The interval between that and the *mujra* time was the interlude during which *tabucks* or small trays of *pan* and *supari* were handed round along with iced lemonade, soda, tea and coffee and *sherbet*. Remarks, alike gay, sprightly and flighty, jests and taunts, flew about freely. Wordy blows were given and received pretty vigorously. It was not uncommon to see a Hindu siding with a Mahomedan, a Mahomedan with a Hindu and occasionally a Parsi with either of the two. A Zoroastrian would not be a Zoroastrian if he did not run to the relief of the oppressed. It is one of the tenets of his faith.

Motidana, quiet, composed and imposing, though evidently busy with her own thoughts and the *pan-supari*, had her eyes here, there and everywhere. She thought it right on such occasions to be neutral and reserved. 'Brother Tore-i-bajkhan, your pardon, but you are mistaken.' 'Brother Rustom, you should not be angry; the world is such, so let it be—take it for what it is worth and all will be well.' 'Brother Yarkhan, remember what the Prophet has said: Revenge redounds on him who takes it; praise be to the Prophet: his word is law.' This was the way she went on pacifying and purifying here and there. This was the way she went on until the regulator struck the hour of twelve when all were alert and the *mujra* began.



You will turn up your nose, you men of the West, whose eyes may run through these pages. Pshaw ! I hear you say, is there anything like music in the East ? Do they really know how to sing or how to dance ? Have they the voice, have they the ear, have they the grace ? you ask. I say, yes. We have all this and more. We have a musical science of our own. Times were when the Parsis like yourselves did not know it but like themselves they were curious and keen and they do know it now. They have taken to Indian music now as familiarly as Hindus and Mahomedans. To an untrained and unfamiliar Indian ear Western music is as odious as Indian music to the untrained and unfamiliar ear of the men of the West. The beauty the Indian fails to see in the one the European fails to see in the other. Both are to blame. Both ought to try and know each other. Speaking of Indians, the Parsis are an exception. They have taken as familiarly to English music as to Indian music, aye, even more. The piano and the violin, the accordion and the organ are with many of us and we are quite at home with them. The Indian *sarangi* and the *sitar* vie with the violin and the mandolin and yet the men of the West know nothing of them. We have proved to you on common platform how grand an effect can be produced by the conglomeration and combination of Hindi and European music. We have toned many a song of ours to the tune of your music. Have you ever essayed to set any of yours to the tune of ours ? No ; because you are too proud and too vain to do it. Music is an art and art is no man's own property. You have as much a right to ours as we have to yours. A word before we let aside this. Indian music is charged with absence of harmony and want of martial music. Distinguished artists have proved that charge number one is incorrect. Charge number two is quite correct and incontrovertible. What the Indian music lack in this direction is made up by the grace and beauty of their variegated dances which are executed in different poses and different ways all as clever as artistic. They

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have a charm of their own.

The *mujra* now commenced.

Motidana rose to her feet and pronounced the words '*Subhan-Allah*,' Praise be to God. Great and Good is God. In His name we begin. According to custom, she had a white bandage put on her eyes. This was a signal for those present to get up and change their positions. The singer had to select a cap. She began at a certain point and took three distinct rounds amongst the circle of visitors. During the last round she stopped at a particular place and she put her right hand over a man's head. That man was Rustom. Without knowing who it was she removed the jaunty little cap from his head and put it on hers. The same minute she walked back to her place. The visitors could not doubt the efficacy of the bandage over her eyes. The selection was quite impartial. It was considered to be an unique honour and Rustom was its lucky recipient. There were low howls and suppressed growls. The singer seemed not to notice them for they were not unusual. She was not displeased that Rustom was the lucky recipient. She was a good woman, though a singer, loyal to the man she had married in the sight of God. Besides had not Rustom done him and her many a good turn? Did he not suffer for that at the hands of those who affected to admire her?

The next moment she let loose the plentiful knot of her long raven hair which flowed down her back almost to her knees. She was proud of it and took care to preserve it. Some of it glided over her face and made the beauty of her face more beauteous. There was applause and murmur of approbation.

When Motidana began there was a dead silence. The very first song captured the audience. They listened in breathless silence, the *sarangicalla* and the *tabalchi* playing away with might and main.

"I sing and you sigh ;
I dance and you're doomed ;
I laugh and you long ;



I spit and you swallow ;
I bend and you bow ;
I rise and you rave ;
I dream and you're dreaming ;
I wake and you're awake ;
I bait and you take ;
For all this is your fate,
And that you must face."

There were encore and uproar and cries of "once more—repeat ; yes, by all that is holy, repeat" which were soon drowned for Motidana stood firm as a rock. It was not her wont to repeat songs except only one or two of them at the conclusion of the *mujra* for frequent repetition meant certain death. There was a call then for a *bansli* dance. Lots were cast as usual amongst the audience for the presentation of a silk handkerchief to the singer for the purpose. As good or bad luck would have it, it was Rustom that won again. He produced from his pocket a rich silk handkerchief, went up to the *prima donna*, bent his knee and offered the kerchief to her, which she took with a slight bend and a bow. There was gnashing of teeth and some clenching of fists from Tore-i-baj-khan, Yarkhan and certain others. But they could say nothing for it was all above board. The singer folded up the handkerchief in the shape of a *bansli* or flute, accommodated one end of it between her teeth and held the other between the tapering fingers of her left hand, the glittering bangles on which and her red-coloured nails made a graceful contrast with the cream-laid kerchief. The *sarangi-walla* played the snake dance music with accompaniment of *bansli* and the dancer danced. The silver *Zanzris*¹ round her legs made a harmonious clink. The fingers of her right hand went up and down the kerchief playfully. It seemed as if the kerchief was 'banslified'. The dance over, there were other songs. It was a little past three when the crowning song of the night began. Moti-

¹ Strings of small tinkling bells worn round the ankles.



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dana put her soul into it and held the audience enthralled. It seemed as if it was her last song, in which Heaven was determined to help her. It seemed as if the angels wanted her to sing on their stage. They were all athirst for the heavenly singer had kept them waiting too long.

SONG.

“ On that beautiful morn I rise,
And prepare for the parting strife ;
It is my Lover I am going to see,
In silk and satin panoply—
The Lover who has always been
And will be a Lover unto me
In eternal bonds of peace and unity.

Light of my heart, look away from me not ;
For it is to Thee that I fly
In the fulness of love and pride.
Weep, O Motidana, weep,
Weep tears of joy and delight ;
For is it not to Him thou art going,
Him who is all goodness and light ?

Weep not for me, O friends, if friends you be ;
Weep only for my sins and wipe them away ;
The Prophet is great and will hold eternal sway.
Farewell, friends, farewell, until
From my place in high I shower on you
Blessings bright.”

The singer was affected no less than the listeners ; affected as she never was before. She wept and those round her wept too. The sojourn of singers divine they say is short. They appear on the purview of our horizon, twinkle brightly for a time and disappear like stars. True to her name, Motidana had strewn pearls and



woven strings of them for her admirers. She was now going, she thought, to Pearldom. Neither the singer nor the audience were in a mood for more songs. Some kind of awe had overtaken them. They rose, laid offerings of gold and silver coins according to wont in the silver tray that lay at Motidana's feet. Envy and jealousy seemed to enwrap them no more. Low *salaams* and bows in right oriental fashion followed and they made their exit. Rustom alone loitered behind. Motidana, unseen by others, had made a sign to him to stay. When all were gone, she asked the *tabalchi* to go down the stairs and lock the door after them.

When they were alone they could say nothing for some little time. The *saranginwalla* and the *tabalchi* stood there in mute and respectful silence. Motidana at last spoke :

“Rustomji Sheth, *salaam*.” She held out her hand which Rustom took mechanically. She then continued, “Rusi Sheth, I don't know what has come over me to-day. It is something which I can divine but cannot define. Methinks Allah wants me in the place we have all to go to, some earlier, some later. Though an alien, you have been, Shethji, to us, I mean to this humble servant of yours, and to that husband and that friend of mine there, true as ever a kinsman was. You cared not for those cankers ; you cared not for what the world and your people would say ; you helped us when help was most wanted. May Allah and the Prophet, on whom be praise, reward you for it. All I can do will be to pray for you and shower blessings on you from my place in the high. I am a frail mortal and have no right to advise you ; and yet I must warn you, Rustom Sheth, not to make friends with any singer or visit any of their haunts after I am gone. All our class is not good. It is but few that can withstand its sins and temptations. There are hundreds bad ; and only one or two good. A word more of warning, Mr. Rustom, with your permission. I see that your community runs after everything that is English. They have taken to dancing and tableaux and not the least to race-betting. Your ladies espe-

cially are mad over these. Dancing plain and simple means 'Nautch' but English 'Nautch' is worse than ours. Our ladies do not dance arm in arm and breast to breast with males, aye strangers. For a girl in sweet sixteen, however highly placed, the first step in dancing composition is to throw herself practically into the arms of a stranger. The music, the wine, the whirling round and round with a tight corset or a tighter shoe and the consequent giddiness complete what the touch and contact may have left uneffected. A married man allows his wife to dance with his friend or foe simply because of the pleasure of dancing with that friend or foe's wife. It's an ill wind, Rusi, that blows nobody any good. That ill wind is now blowing amongst your people in all its fury. It's blowing in the clubs and gymkhanas, in pavilions and palaces and at conversazione and concerts. This beautiful city boasts of being the pioneer of this as of many other family-breaking mischiefs. Its example will, of course, be followed by your clubs and gymkhanas in other parts. I am told, Rusi Seth, that one of your oldest English-teaching girls' schools is at the bottom of this mischief. The promoters thought that dancing is a *sine qua non* for completing a young lady's accomplishments. The dancing teacher, an English girl of course, wanted to improve her prospects and what did she do? She left the school only to open a dancing class on a larger scale. I am told that the eyes of the organizers were then opened and they raised the danger signal before the eyes of Parsi parents in one of their annual reports. Was it not like closing the door of the stable after the horse had run away? The Parsi press was wonderfully silent over it. English vices unlike English virtues are catching and contagious. It is not the children but the parents and guardians that are to blame. Take my word for it, Mr. Rustom, your community will rue the day when they succumb to this society canker. Where is the husband that is more happy than he who can feel that his wife has never touched any flesh but his own? Who more happy than the wife who can feel that her husband has



never been tender to any other woman but she? In tableaux your girls ripening into maturity are forced to tort and twist their shapely limbs into all sorts of unnatural poses and contortions. It's most unseemly and unladylike.

"As with dancing so with racing your males first and then your females are going to rack and ruin with it.

"Those on the verge of the grave can prophesy. I prophesy, Rustomji Sheth, that you are destined to be great. Resolve to be great as you are good; for one must work for glory. It does not come unasked or unsought. Work is worth and worth is work. When great, continue to be kind to this husband and that adopted brother of mine. See, I place their hands in yours. Brother Rustom, come, lock your hands in mine once and for ever by way of final parting and promise."

The three males present wept like females. Rustom at last managed to speak.

"Motidana, I swear by this *kushti* and *sudreh* of mine and promise that I will do your bidding. But—but—Motidana, you surely don't mean to say that—"

"Yes, Rusi, I surely mean to say that I shall be a denizen of this world no more. I am going to be gathered to His great mercy. I have left you a little, a very little, in my will. Give it away in charity, if you like, but do not refuse to accept it. It will help you on the onward path to glory which you should now steadily begin to tread if you want to be a true follower of your Prophet. Methinks there will be some trouble for you after I am gone. Your enemies are intent on your ruin. This photo and the inscription on its back will be your salvation. Preserve it, if not for ever, until such time as it has discharged its function. It will save your reputation and level all calumny."

The following was written in Urdu at the back of the photo. The handwriting was Motidana's own, neat, bold and full. The letters appeared like *moti danas*, pearl gems :



"I present this photo on the eve of my departure to heaven to our friend and helper, Rustom Delaver, as an humble token of the ungrudging help and advice which he always gave us. It was real *del-avrie*.¹ A dying person does not tell an untruth. He was very dear to us as a friend. Vile and abominable tongues ascribed motives to his goodness. But he is pure and never transgressed the limits of pure friendship. Let the foul tongue of calumny cease and touch him no more except on pain of eternal penalty.—*Motidana*."

Tears rose to Rustom's eyes. He could not suppress his feelings and he gave free vent to them.

"O, *Motidana*, you talk like one in a dream. Surely you do not mean to desert us. Death does not betake one for the mere asking. What shall I do without your instructions? What will become of my singing? Who will complete my lessons? *Motidana*, you say you have left me a gift. I don't deserve it for the little that I gave you, you always forced back on me at the proper time like a true friend in need. However, I promise that I will do your bidding. If I spend your money it will be well spent."

There was another and a somewhat long silence. The moment for parting had come and there must be a farewell. It was at last bidden.

"*Salaam*, *Motidana*, *salaam*. I shall call early to-morrow and hope to see your spirits revived and you hale and hearty."

"*Rustomji Sheth*," said the *sarangiwalla*, "it is so late. Where will you go now? If it be not too much trouble for you, you can sleep here. I shall lay myself down by your side on the ground."

Motidana said nothing but the *tabalchi* pressed the invitation and Rustom consented. The *salaams* were repeated, *Motidana* saying, "God be your protector, farewell." She rose gently and

¹ Bravery.



as gently and slowly withdrew to her room. Rustom followed the *sarangiwalla* and entered one of the back rooms at the end, removed his boots and threw himself on a bedstead in a corner without taking off his dress. He was too bewildered and too far confused to think of doing anything else. The *sarangiwalla* made a *pathari*¹ by his side and begged of Rustom to excuse him for a few minutes. He was an old man he said, life was so uncertain and he always made it a point to make ablutions and to say a short prayer before going to bed. Rustom nodded assent and was soon alone in the room.

¹ Bed made on the ground.



CHAPTER XLIII

RUSTOM ON THE RUGGED ROAD

*"Life is a waste of wearisome hours,
Which seldom the rose of enjoyment adorns;
And the heart that is soonest awake to the flowers
Is always the first to be touch'd by the thorns,"*

MOORE'S *Irish Melodies*.

RUSTOM rose and walked up and down with his hands folded on his breast and his head bent low. His thoughts ran riot within him. It was the first time he had stayed to sleep at that house. There were moments when he felt that he would put on his boots again and fly from the house. But something, something unfathomable held him spell-bound to the spot. He was not superstitious but he felt sure something serious was about to happen and that he was soon to be engulfed in trouble. He racked his brains and racked them in vain. He could not fathom either the nature or the extent of the impending evil. How long he might have continued in this reverie we cannot say. He was at it for about half an hour when the *sarangiwalla* returned. This roused him and he lay prostrate on the bed again.

Rustom tried to go to sleep but that soft nurse of nature was obdurate and refused to engulf him in her sweet embrace. He could only think and go on thinking as before. The *sarangiwalla* appeared to sleep but his sleep was unsound. He occasionally muttered something that sounded harsh and incoherent. Rustom could comprehend only a few words here and a few words there :—
“That is impossible. I will not do it. It is absurd. Aye, it is a sin. God save me from it.”



It was five-thirty in the morning but still dark. The *sarangi-walla* was buried in deep lethargy under the influence of opium to which he was not a stranger. But for this it is doubtful if his plight had not been the same as Rustom's. Rustom's impatience was increasing. His brains were on fire. He felt hot all over. He could restrain himself no more. Motidana had told him she was an early riser and early risers do not rise late even when they go late to bed. He must go and find out for himself if Motidana were alive. He put on his boots and unlatched the door. This door opened on to a long and narrow corridor leading to the *mujra*-room which as the reader will remember looked on to the street. Motidana's room adjoined the *mujra*-room. Traversing the corridor, Rustom came to it. The door was wide open. A glance told him that Motidana was not there. He rushed into the *mujra*-room. The front windows were all open. He made for one of the windows to see if Motidana had thrown herself out of it, when his foot came into contact with something heavy that lay on the floor. It was so heavy and he was in such haste that he fell flat over it. He raised himself quickly, holding by the rail of an old-fashioned iron rocking chair, and oh, what was it that he beheld? There was Motidana lying face downwards and at full length on the ground. She was still in *mujra*-dress, the same that she had worn that night. Her long and flowing hair was dishevelled. Some of it was besmeared in blood. A sort of faintness came over Rustom. The sight was a torture. He closed his eyes with his right hand to escape it. Had he not done so he would have noticed that there was a shining knife sticking in Motidana's back. He would have fallen but at that moment there were loud and piercing cries, cries of murder, murder, police, police. Rustom opened his eyes and saw an old crone standing by him, wringing her hands and beating her breast. It was Motidana's servant Murtuja. Cries like these are soon taken up and travel like wild-

fire. It is as unaccountable as true. In a moment the whole house was in an uproar. If Rustom had looked out he would have seen that large crowds had formed in the street and were still thronging there. Murder ! Murder ! Police, Police ! was all that could be heard. Doors and windows were thrown open as if by magic and were soon replete with living heads and humanity. It seemed as if the ethereal abodes had hurled down their superfluous burdens. It was a telling sight, so sudden and therefore so surprising, so ominous and therefore so awe-inspiring. It is scenes like this that at once appeal and allure. The teeming masses that filled the doors and windows, nooks and corners, and towered high above the roofs and terraces, were shabby, dishevelled and semi-dressed. Their countenances were weird and withered. They had not yet slept off the fumes of Morpheus.

Rustom's first impulse was to run away. But something kept him transfixed to the spot. A minute more and the *mujra*-room was packed like sardine. The street crowd had rushed in. There were cries of '*pukroo*,' '*pukroo*,' (seize him, seize him), he is the murderer, don't let him escape. Rustom thought many of the voices were familiar to him. But just then he could not recognize them.

It being a Mahomedan locality there were police *pahras* or watches at both ends of the street. The Pydhonie Police Station was not far off. Telephones were soon in operation and the cries of murder, murder, soon gave way to those of 'move aside, move aside, make way for the white police.' The police peons who raise these cries know how to use their hands and bludgeons as well as their tongues. The stunted staffs of authority were simultaneously at work ; a poke here and a poke there, nasty nudging and crafty elbowing. The motley crowd could not resist this uncereemonious process which continued until the white police had reached the door of the *mujra*-room and were actually in it. There were a Superintendent and a constable, two detectives, a Jamadar, a Naik



and four or five *pili-pughriwallas*. At the sight of the police, four men rushed forward, two Mahomedans and two Hindus. The Mahomedans were Tore-i-bajkhan and Yarkhan, the Hindus were Balvantrao and Rangnath. Tore-i-bajkhan took the lead.

"Superintendent, sir, apprehend that Parsi. He is the murderer."

Rustom tried to speak. But his articulating organs refused to move. What he could not do for himself was done by others. Two of these were Parsis. They were Rustom's chums, Dorabshaw and Cowasshaw.

"Who says so? Who saw it?" they exclaimed.

"We say it; we have seen it." This was said almost in one breath by the self-same four men who had laid the accusation against Rustom.

The challengers were for replying but the police put them down. Superintendent Anderson and Constable Underwood looked at Rustom. There were spots of blood on his clothes. He was bareheaded. This was enough to rouse suspicion.

"Mr. Rustom," said Mr. Anderson in an undertone, "we are sorry to see you in this plight—immensely sorry for we have known you long. Your guilt appears to be on your dress. We won't ask you now to say if you are guilty or not. Time enough for that. But we would advise you to be quiet and to obey orders if you don't want us to be unpleasant."

Rustom nodded assent.

The Superintendent then ordered the *mujra*-room to be cleared of all except the accusers and the accused. Motidana's servant Murtuja, who asserted that she was an eye-witness, was allowed to be there also. The room being thus cleared the police were about to commence the preliminary investigations, when the Deputy Commissioner of Police was announced. He looked from the one to the other, the alive to the dead and from the dead to the alive, as if quietly taking in the whole situation. He then walked



from one end of the room to the other, followed by the white police and the detectives, the black standing behind at a respectable distance. He then came up to Rustom and stood staring at him for a minute. Innocent as he was, Rustom boldly and steadily met his gaze. His measure having thus been taken, the Deputy Commissioner turned to the accusers and tried to look into their eyes, which immediately dropped.

"Old birds?" inquired the Deputy of the Superintendent in an undertone.

"Yes, all."

"Been inside how many times? Hard or simple?"

"Two of them once, two twice, hard; old associates, always under eye," answered the Superintendent.

"And that scarecrow of the woman there?" asked the Deputy.

"Nothing known yet about her. But we will soon find it out."

The Deputy Commissioner smiled, rubbed his hands knowingly and exchanged satisfied glances with the Superintendent. They then approached the dead and the preliminary investigations began. A Cawnpori carpet covered the full breadth of the room. Motidana's person lay over it, face forward and the head touching the iron chair. There was a deep wound in the left side of the forehead, which appeared to have been caused by contact with some hard substance during a sudden fall. There was a pool of blood on the left side of the body, the side on which the wound was. Some of Motidana's long-flowing hair was submerged in it, as also part of her dress on that side. The blood looked black but it was not yet quite dry. There were the hands and the legs, outstretched, stiff and stark. Above all there was the knife, sharp, piercing and new, which was rooted down deep on the right side above the waist. There was very little blood, if any at all, on the apparel on that side where the knife had penetrated; and none on the carpet on that side. This was an occasion for



the superior police to exchange glances with one another once more. There were no other marks of injury and no ornaments on the body, though the girl was still in *mujra* dress. Besides two or three letters and a few silver coins nothing else was found in her pockets. The police took charge of these. A rich velvet Mogul cap, evidently a man's, and a big silk handkerchief, also a man's, were found in the blood pool. The handkerchief bore the initials R. D. which were worked into it in red thread. The inside of the cap disclosed a light and showy brass rim with the words Rustom Delaver imprinted on it.

The police officers then rose to their feet and began another search. The room was carefully circumnavigated. The detectives and the police peons went down flat on the ground and looked out for any little thing that could be discovered. There were two or three cupboards and tables with drawers, which were carefully ransacked. But nothing was found except some marks of footsteps on the carpet. The police cut out these. The carpet was then slowly rolled up, the body being carefully lifted up and placed on a sofa. When the carpet was half rolled Detective Mahomedkhan, who was kneeling and helping to roll it, started, so much so that he almost fell back. His eyes twinkled and rolled and looked intently at something white that was crumpled up and concealed underneath. It was on the side near one of the walls as far as the hands could reach. It was light and white. The Deputy Commissioner ordered a police peon to take up the thing and unfold it. There were two long muslin *peherans*, such as are worn by Mahomedans. They were soft and moist with blood. There were also two big black-coloured cotton handkerchiefs, such as are used by Mahomedans and low-class Indians. Spots of blood and snuff stood on them. The police took charge of all these. The eyes of the police officers travelled to the accusers. They were standing pale and trembling. The rolling-up was then proceeded with until it was finished. But nothing else was discovered. The police then

turned to the windows and looked out into the street and over the parapet. They then approached the door and went down the stairs to the outer gate. The stairs showed footprints of bare feet and heavy *jodas*. The police compared them with those on the cut-out portions of the carpet and took notes of the same. The footprints continued upto the outer gate and then disappeared. The rest of the house was then overhauled but nothing of importance was found, except the *sarangiwalla* who was still asleep and snoring loudly in his *pathari*. They shook him and he opened his eyes drowsily.

"Where am I, O Allah, where am I?" he murmured. "Am I dreaming or am I awake? Sure enough, the room is the same but why am I lying on the ground?"

Mr. Anderson took him by the hand and forced him to rise.

"Now tell us, my man, why you lay yourself down on the ground when this bed is by," asked he in Urdu, with which he was quite at home.

"Yes, yes, I remember," said the man so addressed. "I remember it now. Alas for me! Remember it all but too vividly. I did not use this bed for Rustomji Sheth had to sleep in it."

"But how have you been sleeping so long?" inquired the Deputy. "Did you not hear the noise, the uproar? Did you not hear of the murder?"

"Murder?" vociferated the man. "Whose murder?"

"The murder of Motidana," said the Commissioner.

If anything was wanted to lift the man out of his lethargy it was this. He wailed and whimpered, whimpered and wailed and beat his breast like a woman until the police stopped him.

"Then you know nothing of the murder?"

The man hesitated and looked dubious. At last he replied.

"No; I did not know it was committed," said he.

"But you knew it was about to be committed?"

"No."

"Then you knew about something else? Probably about an



intended robbery or an assault?"

"Allah, Allah! I wish I was not drugged. I wish I had not taken the *ganja* they gave me. But I am on oath; by Allah, I am on oath; I must not and will not tell it."

"Well, my man, we will not force you to do it now. But a murder has been committed. We want information from you and you will have to go with us to the Police Station."

"But by whom has the murder been committed? Who are the witnesses and the accusers?" inquired the *sarangiwalla*.

"We cannot tell you that now. We will do that when you break your oath, which you are not bound to keep now, and tell us all that you have sworn to keep secret. It's your wife that has been killed and for her sake you must make a clean breast of it."

"*Tobah! Tobah! Avaunt! Avaunt!*"; said the man. "I wish I were killed instead. Kill me now, O Sir, for mercy's sake, and be done with a sinner."

"The court will do that if you don't tell the truth. They will brand you or hang you."

The party then returned to the *mujra*-room. The dead body was placed on a stretcher and conveyed to the morgue in Kamati-pura. The police had orders not to touch or remove the knife but to let it remain until the Police Surgeon had examined the body.

Mr. Anderson then informed Rustom that as he was charged with murder he must be detained in custody. His clothes were then searched. There were a small penknife, a money purse and a cotton handkerchief in one pocket; there was a water silk *topee* or cap in another. Rustom had forgotten all about this *topee*. As he was bareheaded he asked permission to put it on, which was accorded. The police continued the search and found nothing more. They asked Rustom if he had concealed anything. Rustom hesitated but only for a moment. He dipped his hand down the *sudreh* and brought out something which looked like a card. It was Moti-

dana's photo.

"O, Sir," he begged, "you will not force it from me. This photo will be the saving of me, I trow."

The Superintendent took the photo and showed it to the Deputy. They read it and conversed in an undertone.

"Mr. Rustom," said the Deputy, "we must keep the photo. But we will give it to your man of law if he wants it. You must now go with the Superintendent. We will not handcuff you for we feel sure you will not try to escape. As we don't want you to kill yourself we will take charge of this little penknife, this handkerchief and this purse. If you are innocent don't do anything rash ; for instance don't strike your head against the wall. For innocence is sure to be saved. I knew your father. I know the Meheloojis and I have known you long enough. I cannot therefore help advising you."

Mr. Anderson then led Rustom out and put him in police van in which three of the policemen were already sitting. Mr. Underwood got in after them and the van drove off. What must be Rustom's condition and the state of his mind? They were anything but enviable.

It has been rightly observed that life differs from the play only in this :--it has no plot. All is vague, desultory, unconnected till the curtain drops with the mystery unsolved.

Life is a comedy to him who thinks and a tragedy to him who feels. Life is a festival only to the wise. Seen from the nook and chimney-side of prudence, it wears a rugged and dangerous front.



CHAPTER XLIV

HER BIRTH AND HER WORTH

*"The whole world, without art and dress,
Would be but one great wilderness,
And mankind but a savage herd,
For all that nature has conferr'd."*

BUTLER'S *The Lady's Answer to Hudibras*.

IT is said that ill news comes apace. It is further said that it has wings and with the wind doth go. So it was in this case. The news of Motidana's death did travel apace. Though a singer she was not unknown to name and fame. Rough men and rude men, wise men and wiseacres, idle men and industrious, carried the news from mouth to mouth until it was sown broadcast. Newspapers and news-mongers were not slow to follow. Like birds of prey they are always perching aloft. The evening newspapers dressed up for the masquerade and were out earlier than usual that day. The headings were as big as they were boisterous. They loomed large over leading lore. They played to the taste of the populace. 'The Murder of Motidana; Monstrous Murder in Mahomedan Mohla; Death of the Famous Singer; Mysterious Demise of a Mahomedan Dancer; Arrest of Mr. Rustom Delaver; Coroner's Inquest; The Prisoner before the Magistrate; Overwhelming Evidence against the Accused; Serious Loss to the Singing World; Parsis, look up, if you don't desire to be down; What are they coming to?' The accounts of the murder were not less variegated or less varnished. Some said Rustom was caught red-handed; some gave description of a serious struggle between him and his victim. Some went on to say that Motidana was alive,



when the police arrived, and that she pointed to Rustom as her murderer. One of the papers, which had decried against and laid its pen-foot heavily on singers and dancers and warned their patrons against the viles of these sirens, was the loudest in Motidana's praise and lifted her up to the ninth sky before the eyes of the reading public. Some of them gave photos of Motidana which were taken during different periods of her upward progress. The press is but a huge masquerade and he whose wisdom is to pay it court, masks his own unpopular penetration and seems to think its severe meanings real. This is but too true in the case of the Parsi community and of their newspapers. The law lays down that no man shall be adjudged a culprit until he is proved to be so. Some of the orthodox Parsi papers who are notorious for neglecting even truth, justice and law, defied the law and described Rustom as a human horror. They pointed their pen of denunciation at the reform party and its papers, said they were at the root of all evil and that but for their cursed progress the community would not have come to that sad pass.

Motidana, though no more, was the woman of the moment. After a good deal of rigmarole there came a description of Motidana's birth, parentage and professional career. Whilst in life, she was reviled; whilst in death, she was sanctified. She was the daughter of an Englishman, a Colonel in the Indian Cavalry. The Colonel was a bachelor and was alike popular with his own people and the public. He was fond of Indian music and had fallen in love with a famous singer. He married her according to Mahomedan rites; for Mahaboob¹ which was the name of the singer, would not yield to his persuasions otherwise. There was a *nikah*,² which did not however bind them for ever. The Colonel could have given a

¹ Mahaboob though a name, has also a meaning. It means sweetheart.

² A marriage according to Mahomedan rites performed by a *Kazi* or Mahomedan priest.



*talak*¹ to his wife, as their marriage was performed according to Mahomedan rites. In this he would have acted as so many educated Mahomedans have done in the case of their innocent English wives under the very nose of Englishmen at their home and hearth. The Colonel was, however, too honourable to do that; and to do justice to Mahaboob, she never gave cause for it. Motidana was the offspring of that union. Upto the age of twelve, she attended a Mission School in the Punjab. She could speak and write English well enough though her Mahomedan mother had drawn her mind and energies more towards Urdu and Arabic, which formed her principal study. The Colonel was for baptizing her and for taking her to England but the mother opposed. For some time the girl belonged to no religion. When she was only twelve, the Colonel had a mishap. He had a fall from horseback when *shikarring* and he was carried home dead. Mahaboob was in despair. She adored the Colonel and his death was a serious blow from which she could never recover. She pined and pined until she passed away. That was two years after the Colonel's death. With the death of her mother, Motidana's education came to a dead stop. The Colonel died almost poor. He was long a bachelor which is another name for a spendthrift. He had, however, left a little money behind. He had willed it away to Mahaboob and after her death to Motidana. This was a bait for bubblers. Mahaboob's brother who was a *gavaiya* had great hopes in Motidana. Mahaboob had left him her guardian. He overruled Motidana who wanted to continue her studies, made her a Mahomedan and commenced to give her lesson in Indian music in which she afterwards became an adept. It was this guardian's son, the *sarangiwalla*, that she afterwards married according to Mahomedan rites. The couple subsequently came down and settled in Bombay, where Motidana soon rose to fame and fortune. She looked every inch an English girl and had taken for

¹ Mahomedan divorce which consist of tying a rupee at the end of the wife's *sari* and implies that the marriage is void. The Mahomedan law accepts this.

some time to stage acting. She was tired of its temptation however and as she liked her independence she became a singer and dancer. Stage singing was not to her taste and talents. Though never in love with her husband she was never disloyal. She lived a virtuous life and her end was virtuous.

This was what the papers said and a great deal more, with which we will not tire the reader. Evidences of her English parentage were but too evident in her house. It was furnished in mixed English and Mahomedan style, except the *mujra*-room which was strictly for Hindus and Mahomedans.



CHAPTER XLV

THE INQUEST

*"The jury, passing on the prisoner's life,
May, in the sworn twelve, have a thief or two
Guiltier than him they try: what's open made to justice
That Justice seizes."*

SHAKESPEARE'S *Measure for Measure*.

POOR dear Rustom ! How misguided and yet how innocent ! Innocence is however an armed heel against accusation, though sometimes it is the reverse. His cup of trouble and bitterness was now complete. It was twelve when the Police Station was reached. The police enquiries had swallowed time wonderfully. He had not washed or broken his fast ; not so much as a drop of water had crossed his lips. He could have stood it at ordinary times but just then he could stand it no more. He was about to ask for a draught of cold water, when Mehelooji, Bahadurshah and Aga arrived. They talked to Mr. Anderson and some rations were produced from an Irani's restaurant but Rustom would not touch them. He took only a cup of tea. It was time for the jury now. The police vans were at the door and Rustom and his accusers were hurried to the morgue.

The Coroner like all coroners was unavoidably an Englishman. He was one Mr. Puffkin, a solicitor in somewhat sorry practice. He puffed and blowed, blowed and puffed, until he could puff no more. He was so very puffy. He looked at his watch now and again, looked at the police and looked at the jurors, and looked as if he would punish Father Time for flying so quickly. He had so much to do, so much to read, so much to write in his own office. He thought of the clients who must be waiting for him. His eyes looked at the delicate cane-stick which was his constant companion. His fingers

itched and he rubbed his hands slyly as much as to say, if I were one of your village pedagogues I would have caned you, my men, all round, aye, given you a taste of it for keeping me here so long. The police noticed his impatience. Silence was proclaimed and the proceedings began. Mr. Aga appeared to watch them on behalf of the accused.

Aye ! aye ! We are forgetting the jury. The great jury on which so much depends ! It consists of twelve men. It is not a standing body nor a body of men known to the public. It is picked up by the police from the streets at their sweet will and pleasure for the police like the Coroner have so much to do and so much to unravel. After the jury comes the Magistrate and then the Judge. The Judge will have a better constituted jury. Why then bother the Coroner with a clever jury ? A clever jury would but be a curse as it would take up the time of the Coroner with its nasty cant. The Coroner's jury has been stigmatized and scandalised. Government have heard of the scandal and corked their ears. Why ? Because the people are so foolish. They have asked for a full-time Coroner but have not asked for a revision of the jury constitution. Perhaps they think that wretches must hang that the jurymen may dine.

The foreman was a poor Parsi clerk who had outgrown his coat and trousers and looked as if he was foredoomed. He had never before been on a jury, much less in a law court. His knowledge of English was very indifferent. His lips were constantly moving. He was repeating *Yetha* and *Ashem* and praying to God to carry him through this valley of the shadow of death as quickly as possible. The holiday from the office did not count for it would be for the day only and his work would accumulate. Amongst the other jurors there was a Marwari usurer, a big and burly specimen of his species, with a dirty *bundi*, a dirtier *dhoti* and a still dirtier *ooperna* rolled up and belted tight under the armpit. He was going to a client to get his *vyaj* (interest) when the police laid siege to him. He swore to visit the sin



of the police on his victim. There was a Hindu carpenter who seemed to have given himself up to sheer despair for the law was not going to compensate him for the loss of his wages. He and the Marwari were as innocent of English as unborn babes. Next in order came a *tatya saheb*¹ with a smattering of English, which he was anxious and proud to parade. He paraded it unceasingly. He had not yet slept off the overnight spree. He was not a prize for the police and what juror at such inquest is? The police repented their choice in this case but it was too late to replace it. There was a Luhana, a *Kapadia* by profession, with bundles of clothware on one of his shoulders. He was thinking how best to move the commiseration of his brethren on the jury and persuade them to buy his wares. The fear lest the *pili-pughriwallas* should charm some of it away haunted him. The one however that formed the centre of attraction was a Hindu boy actor, one of those who are known as *bhavaiyas* and who though males act the part of females. His raiments were peculiar. They were neither male nor female. Those belonging to his masters he had left at the theatre but his personal property still adorned his person. It consisted of a tight-fitting lady's under-garment, pointed French made shoes and silk stockings and gaiters. He breathed defiance at the police and quietly indulged in a doze. Sitting by him was a Chinai *bungdiwalla* who traded in glass bangles. He was thinking if he could convert some of them into iron shackles for the Coroner and the police, who had dared to detain him. He was carelessly consulting his neighbour, a Mahomedan *kanmaelwalla*² who was the half-brother of our worshipful friend Tore-i-bajkhan. His instruments of skill which consisted of cotton-topped *kandeeds*³ and tiny silver scoops were safely cornered behind his ears. We will not surfeit the reader with a description of the other jurors; it would be too overpowering and we have the reader's feelings to consult, and above

¹ A term jocularly used for Deccani or Maratha Hindus.

² Cleaner of ears.

³ Thin sticks.



all to respect and honour those of the powers that be.

The preliminaries having been gone through, the Police Surgeon's written statement was laid before the Coroner. He began by saying that it was a very mysterious case. It might be murder or it might be natural death, though he was more inclined towards the latter. It was the cause of death that baffled his long experience and luminous skill. There was a deep wound in the back in the right side. A suicide could not have selected the back for the stab. It must be another person's hand that inflicted it, very likely a man's heavy hand. The action he thought must have been premeditated. There could not have been a struggle for the wound was deep and straight. The curious point about it was that there was very little blood from the wound. Considering the constitution of the deceased and the nature of the wound there ought to have been much more, he should say, a regular flow. The medical examination did not show it and the police had also failed to find it. Coming to the examination of the other parts of the body, he mentioned the wound on the head. He was sure it was the result of sudden fall and severe contact with some hard substance, which must be the iron chair. There must have been a copious flow of blood from that wound for the hair was clogged and the face and dress on the side of the wound were besmeared. A further examination of the body, especially the chest, inclined him to the belief that there must have been heart convulsions or cramps. But for the wound on the back he could have at once fixed on these as the cause of death. Convulsions like this cause a fall and death often follows immediately. The wound in the head might have stunned but could not have killed. It was in too safe a position to do that. There were no injuries in any other part of the body. They were untouched and healthy. Altogether he would say that the cause of death was neither suicide nor accident; it might be natural or forced. He was not inclined to the latter view. It might be that the intending murderer thinking life was not quite extinct wanted to make assurance doubly sure, to say more clearly, to cause



or accelerate death. A dead body keeps warm sometimes for a couple of hours, which misleads laymen. He had read of such cases though they were very rare. Thus concluded the surgical report, which was explained to the jurors under the Coroner's orders.

The accusers were then deposed. Murtuja said that the knife she saw in the body she could recognize. It was the same that was purchased in the cutlery mart by her *Baisaheb* only four days ago for kitchen purposes. She had looked for it in the morning and missed it. She had seen Rustom going to the kitchen at about five in the morning and then going in the direction of the *mujra*-room. Her curiosity was roused and she had followed him unperceived. She had not looked at the clock for she did not know how to read it. But she could say it must have been about half-past five. The juror sitting next to the foreman told him he was looking like a dummy; if he the juror had been the foreman he would have stultified the court of enquiry by his questions. The foreman thought the juror was not wrong. He would ask a question. He repeated *Yetha* and *Ashem* and ventured forth.

"Was it Standard Time or Bombay Time? The Railway clocks keep Standard Time; and so does the Rajabai Tower Clock. But our Municipal clocks always show Bombay Time. I am a Municipal servant, Sir."

"Hang your Municipality," observed Mr. Puffkin. "It is always slow. We don't want Municipal servants to blab here; we have enough of that in that den of theirs, which they call Council Hall."

The foreman thus snubbed crouched back into his chair. He wished he were dead. He would go and tell his Municipal masters what the Coroner had said and await their decision. Two or three jurors had intended to ask questions before the foreman did it. But now they congratulated themselves they had not done so. The juror who had put up the foreman was our friend the Marwari. He did not know what the Coroner had said in English but he gathered from that



functionary's looks that it was a sharp rebuke. He was jolly glad as the Parsis miss no opportunity of teasing and mortifying the Marwadi Jews.

The old crone then proceeded to say that when she approached the door of the *mujra*-room, which was the door facing the corridor, Motidana had entered that room by the inner door which intervened her own bedroom and the *mujra*-room. Rustom had then concealed himself in a corner. There was a flickering light in the room ; it was a cocoanut-oil light or *buttie*. She did not know why her *Baisaheb* had entered that room. It might have been to get something she may have wanted. When Motidana was fairly in the middle of the room Rustom issued out of his hiding and thrust the knife into her back. She tottered and fell face forward. She, the witness, was frightened to death. She did not remember if her *Baisaheb* shrieked. But speaking for herself she shrieked vehemently. The shrieks brought the four male accusers to the spot. They caught Rustom almost red-handed. Rustom wanted to run away but the accusers were too many for him. She blessed them ; for what could she, a frail weak woman, have done ? She was a poor lonely widow and quite supportless now that her mistress was dead. The *saheb*, meaning the Coroner, should have pity on her and she hoped he would let her go.

"Dash the woman and her tongue !" said the *sahebly* spirit so invoked. "It is very long." It was a signal for the police to remove the witness.

The male accusers' statements went to support that of the one who preceded them. The *tabalehi's* went a little further. He said that the accusers were at the *mujra* last night and that he had followed them down the stairs with the other visitors when the *mujra* was over. They offered to stay behind and spend the rest of the night in his room. He saw no objection to the proposal and acceded to it. At five-thirty in the morning they heard loud shrieks which seemed to issue from the *mujra*-room. The four men



went to that room and he, the witness, ran for the police. He did that as a strange fear of something serious had come over him. The police were soon on the spot and they saw everything.

Rustom was then asked what he had to say. Mr. Aga said that he was there for him and that he had advised him to reserve his defence.

The Coroner then summed up. He said the case was a curious one, the evidence weighed heavily against the accused. The case would have been simple enough but for the opinion of the Police Surgeon. That Officer could not decide on the cause of death. If he had pronounced that the wound caused by the knife was surely the cause, then the jury's course would have been quite clear. They could have safely said that Motidana was murdered, without pronouncing who the murderer was. But as matters stood the cause of death was a sealed book to them. He, the Coroner, thought the verdict should be based on the opinion of Mr. Peter Pet, the Police Surgeon, whose skill and experience were beyond doubt. The verdict should be, he thought, that Motidana had died either a natural death, death by accident, or death caused by mortal hand through the medium of the knife.

The summing-up was then translated to the jury by the Coroner's clerk and they were asked to consult. The jurymen looked at one another. It was all moonshine to them. They were quite at sea. Mr. Anderson, seeing their difficulty, asked them to retire to the next room. He followed them and advised them at their request. The foreman at last managed to scrawl the opinion of the jury on a piece of paper. It was to the effect that Motidana had died either by natural death, accident, or by a deadly wound inflicted by some person unknown. The jury could not decide upon the actual cause. But considering the depositions of Murtnja, Tore-i-bajkhan and others, they were of opinion that it was for the police to shift the whole thing to the bottom and to proceed further against the suspected offender or offenders. The jury was unanimous. They then

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returned to the inquest room and the foreman read out the verdict. The Coroner agreed with the verdict and discharged the jury.

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From the morgue Rustom was removed to the Mazagaon Police Court to be placed before the Magistrate. The accusers were also taken there. When Rustom was placed before the Magistrate Mr. Anderson explained the circumstances under which he was apprehended and read out the verdict of the Coroner's jury. The police knew the accused. He belonged to a very respectable family and so far as they were aware he was up to the day of Motidana's death on good terms with her. The police could not say the same of the accusers. They knew but little of Murtuja. She had said she was an eye-witness to the crime. But such statements have often been found to be false. The police knew the male accusers and knew their character, which was far from being good. Under these circumstances the police must have time to investigate the matter thoroughly and to gather information before it could charge Mr. Rustom Delaver with murder. The Magistrate thereupon adjourned the proceedings for a fortnight, during which time Rustom was remanded to jail. At Mr. Anderson's request the Magistrate also directed that the accusers, the *sarangiwalla* and the *tabalchi* be kept in safe custody until further orders, as such a course was necessary for the purpose of the police investigations.