

AN OPEN LETTER.

To T. HOPE-LEWIS, M.R.C.S., G. T. H. DE OLIVE-LOWE L.R.O.P., L.R.C.S., and P. A. VAILE, Barrister and Solicitor.

GENTLEMEN,—Happily it is a rare occurrence to find members of the professions of which you are such distinguished ornaments acting in the manner you have during the visit of a lady called "The Georgia Magnet" to Auckland. The spectacle of a middle-aged physician, a rising young medico, and a solicitor hitherto regarded as a "chamber lawyer," suddenly breaking loose and indulging in a "fly-round" has not been at all edifying to your friends or your professional brethren, though your caprice has been particularly amusing to an interested public. So far, no one has publicly remonstrated with you for your wild plunge into the vortex of disorder, but I have no doubt that privately you have had your wool combed for your breaches of good taste and decorum. That you ought to be publicly criticised is the reason of my addressing these few remarks to you. Let me set out the facts of the case, and then I will proceed with my critical castigation.

At the Opera House we had an American lady giving an entertainment, for which the public had to pay for admission. By the way, I believe a good many doctors and lawyers were invited guests. Did you not receive invitations? That entertainment was certainly skilful; it was worth the money, and it "attracted" good houses. The "Georgia Magnet" amused a good many people, interested a great many, puzzled a good many, and consequently set the town a-talking. The gentlemen forming Miss Abbott's first committee, wisely or unwisely, signed a testimonial, which set out in rather flowery language the merits of the lady's performance. I do not think they were hypnotised, nor can I suppose they were "led by the nose." The latter supposition is advanced by Mr Bartholomew Kent, who devoted two whole days to the endeavor to solve the mystery of the Magnet! He finally came to the conclusion that the performance was a combination of physical force and hypnotism. The gentlemen on the committee were men pretty well known, and the only comment on the testimonial was a characteristic remark from Professor Talbot Tubbs, who thought he "ought not to sign a document written in such bad English." However, Dr. Haines overcame the Professor's grammatical scruples, without any trouble. The signatures evidently caused you to worry a little, for you had a *Bearson's Magazine* up your sleeve, and with the Barton-Wright bumble-bee in your bonnet you straight away formed a mild "conspiracy" to "bust the show." "Doubting Thomas" was the first to show up. He made his initial appearance on the Wednesday night, but the show did not "bust." The next day the Tail of the conspiracy wagged a little, and a letter appeared in the evening paper offering to gamble with the "Magnet." Excitement ran pretty high in the streets, and I believe one wordy warfare resulted in a few blows being struck. Friday dawned, and rumours of a very big "bust" filled the air. Night came, and lo! the conspirators were all present. "Doubting Thomas" was there, "The Auckland Magnetia" was there for the first time, and the "gambling" "mechanical" lawyer was there. A very gentlemanly accessory after the fact was present, in the person of Dr Makgill—an authority on *bacteria* and Rugby football. Doubtless he was the necessary "force" in case of a scrimmage. The three doctors came upon the stage and the "mechanical" lawyer remained in the stalls. The foregoing is, I believe, a plain statement of the facts, so far as you are concerned, up to the time of the commencement of the performance on Friday evening.

To you "Doubting Thomas" I will first address a few words. You are known to possess the habit of "pooh-bah-ing" any argument which does not agree with your own view of things in general, and now you have shown that you have none of the Welshman's wonted sense of chivalry for a woman. Your conduct upon Miss Abbott's stage was most distressing to your friends, for you not only implied that the "Magnet" was a trickster, but you acted most discourteously to the father of the medical profession in Auckland—Dr Purchas. You have with a Dutch—not a Welsh—courage waited until Mr Abbey has left Auckland before writing to the papers to say that you were "attacked" by that gentleman. Attacked, forsooth! Why, your melodramatic "I've got you now," when Miss Abbott's temperature was taken, showed where the attacking party was! And, now, George de Olive Lowe, doctor, playwright, poet, composer, ventriloquist, conjurer, and "Auckland Magnetia," a word with you. You are young. I expect you are in love, and therefore within measurable distance of matrimony; so that just at present, publicity is, next to the darling of your heart the apple of your eye. Advertising means business, but to "bust" another person's show is a very questionable method of advancing oneself in the world, even though the yearning after notoriety be the salt of one's life. Your anxiety to "bust up" the "Georgia Magnet's" show is perfectly inexplicable, and I honestly believe that at the present time you are sincerely sorry you ever expressed any such intention. The lady never did you any harm. She paid for the Opera House and gave the public full value for their money. Simply because you read an article in *Bearson's Magazine* you thought you would "expose" Miss Abbott, and gain much *kudos* for yourself. Misguided young man! That task was impossible. Your common sense ought to have told you that the "Magnet's" show built upon a world-wide reputation and a ten years experience could not be blown to smithereens at the will of two or three Auckland doctors and an obscure lawyer. You believe and assert that you can accomplish all the "Magnet's" tests. Well the proprietors of this journal gave you a rare opportunity of displaying your ability. A performance at the Opera House before the public you so love

was offered you free of cost. Why hide your light under a bushel basket? A little judicious—and genuine—advertising could have been done, and as the "Auckland Magnetia" you would have boomed—that is if you had successfully come through the ordeal. You should have taken the tide at the flood, now alas! the opportunity to make fame and fortune has gone by, and we all wail with Vaile over the "what might have been." And you are variable too. At the Opera House on Friday night you wanted to be allowed to do the "tricks," I believe. Why would not this week serve as well? You positively assert that you will "bust up" a woman's show, that you were at the Opera House with that intention, you want to do all the Magnet's feats, and then when you are offered the opportunity to show your skill and dexterity you get out of the difficulty by saying your patients would not like it! Ahem! What did your patients say about your "busting up the show?" Where and oh where are the "two or three hundred friends" who asked you to do the "busting?" Let me point out what your instinct as a gentleman should have prompted you to do when you found your scepticism pretty nearly "busting" you. You should have gone to Mr Abbey, told him your doubts, and you would have been granted a ready permission to bring a sackful of committee men and you could have worried the affair out in a plain-sailing, gentlemanly, and satisfactory manner. Instead of doing what you ought to have done you went round the town singing—

Oh! it's Georgia here and Magnet there
And Abbey mind your eye,
For there ain't no bloomin' Magnet
When Lowe begins to try.

"Lard sakes," as the Magnet would say, what a rollicking chorus you, "Doubting Thomas," and

LAYING TOTE ODDS.

Our Wellington correspondent writes:—A decision was given by Mr Justice Edwards last week which quashes the conviction of Solomon Lewis in the Lower Court for laying tote odds here a while back. Lewis appealed against the magistrate's decision. The facts of the case, as stated by Mr Meyers, who opposed the appeal, were that the appellant was convicted under Section 4 of the Gaming and Lotteries Amendment Act, 1894, which provides that any person making or entering into a bet the result of which was dependent on the working of the totalisator should be deemed to be guilty of an offence, and liable to three months' imprisonment or a fine not exceeding £20. Defendant was sentenced to two months imprisonment. The proceedings against a number of persons, including the appellant, arose out of the agitation regarding an alleged public nuisance created in Willis Street by a certain class of betting men. On March 17 last Probationary Constables Kidd and McCarthy were sent out to obtain evidence against some men suspected of committing offences under the particular section of the Act referred to. It was admitted that the defendant was a bookmaker, but it was denied that the bets which he made were dependent on the working of the totalisator. Lewis said that his transactions were on the principle of what were known as "straight-out odds." Both the constables named made bets of 5s with accused on a particular race, Kidd betting on the horse Rosella running at Hastings. At the time the bet was made nothing was said about the odds, but it was submitted by counsel for the prosecution that there could only be one inference—that the bet was on totalisator odds. Rosella won,

A WELL-KNOWN JOCKEY IN DANGER.

For some time past (states the *Sportsman* of August 22) there have been serious differences between Jerry Heffernan, the owner of Laird of Kilrie, Flint, and other well-known horses, and James Hayes, the well-known rider. On two or three occasions when they have met the two have fought, and each time Hayes has had the worst of it.

The quarrel culminated late on Saturday night. Heffernan, while in town, had heard certain remarks attributed to Hayes that reflected seriously on his (Heffernan's) domestic affairs. When he reached home, at Malvern, he was, according to Mrs Heffernan, in a terribly excited state. Deaf to all remonstrances, he took down a double-barrelled gun and went out.

Heffernan is next heard of at Hayes' residence. Here he walked on to the verandah, and called to Hayes to come out and "surrender." Hayes declining to accept this invitation, Heffernan, it is alleged, commenced a brisk fusillade. He fired no less than seven cartridges through the windows, narrowly escaping shooting a boy who was asleep in one of the rooms. Then Heffernan is alleged to have gone to the stables, at the rear of Hayes' house, and wrenched the lock off. Later on, he fired at a young filly, who bears the marks of shot.

Heffernan then returned home, and, later on, was arrested and lodged in the Malvern locked-up. Yesterday he was brought up at the local police court on two charges—one of attempted murder, and the other of maliciously wounding a racehorse, the property of James Hayes, of Caul-

TAURANGA FOOTBALL REPRESENTATIVE TEAM.



Photo by F. W. Edwards, Auckland.

BACK ROW—S. Daraugh, A. King, A. Mathias, D. Brown, G. Brown, Taika'o.
MIDDLE ROW—C. Hulme (Hon. Sec.), A. Matheson, J. Jordan, I. Vercoe, D. Thom, J. Cook, W. Daraugh.
FRONT ROW—H. Asher, J. Peter, Kauku, R. Hoyte.

the Tail of the conspiracy must have made of it! And now, Doctor, as a final word, let me suggest to you that it is scarcely fair to "go for" a woman as you have done, and that it is very impolitic to go "bald-headed" for an American showman, for you are bound to get the worst of it in an encounter of that sort. That you offered Miss Abbott your apologies for any harm you might have done her by your ill-advised efforts at "exposure" is a point in your favour. Your eleventh hour repentance and request for forgiveness evidence the fact that you are not without the finer feelings; and Miss Abbott's gracious acceptance of your apology, and the subsequent hand-shaking, gave a very pretty finishing touch to an affair which never ought to have taken place.

Fiaily, my gentle, theatrical, and advertising "conspirators," may I offer you a few words of friendly advice? For the future try and avoid such departures from all the canons of good taste, confine yourselves to the practice of the profession your ability or your luck has put you in, and, above all, do not rush up and down a road where angels fear to tread. The will-o'-the-wisp of notoriety has brought many a good man to grief ere this. The "Georgia Magnet" has proved your *ignis fatuus*, for your attempts to "chase" her on the stage of the Auckland Opera House have led you whence you never should have travelled. Gentlemen, adieu!

I am,
Your obedient servant,
PETRONEL.

At first its wind and then its rain,
Its cold, then hot, then cold again,
Such trying climates brings on chills,
And must increase the doctors' bills;
But what is that which saves expense,
Which we can buy for eight pence,
Which drives away all colds for sure!
Why, Wm. E. Woods' Great Peppermint Cure.

paying a dividend of £4 2s, so that Constable Kidd ought to have got a fourth as his proportion on the bet he had made. When the constables again met the accused, he offered Kidd £1 5s instead of £1 0s 6d, and said he was not laying tote odds, and was not paying out tote odds. That was the contention of the defence—that it had not been shown that tote odds were laid.

Mr Wilford contended that the magistrate's decision was not consistent with the evidence. The evidence of the police was not conclusive, and there was nothing more against his client than the inference that he had been laying tote odds. He denied that he had offered tote odds, and had declined to pay the odds.

His Honor, in giving judgment, said the evidence of the constables showed that it had not been specifically stated or agreed that the bets they laid with the accused were totalisator odds. The evidence of Mr H. M. Lyon (called as an expert) was that the mere fact of laying the wager might lead him to infer that accused was laying tote odds, yet it did not necessarily follow that it was so. Under such circumstances, and seeing that it was a criminal offence, His Honor did not think a man ought to be sent to prison upon such evidence. Though in all probability the inference of fact had been correctly drawn by the magistrate, it did not follow that such inference should be acted upon in convicting, because it was quite probable the inference was incorrect. The offence ought to be clearly proved, and in His Honor's opinion it had not been sufficiently proved in this case. To him it was plain that no man ought to be sent to prison upon an inference drawn from the evidence of witnesses who admitted that a contrary might also have been drawn. The appeal was therefore allowed, but costs were disallowed, His Honor stating that "he had not the least sympathy in the world" with such cases.

field. Mr Field Barrett, who appeared for Heffernan, asked for a remand until next Friday. This was granted. In addition, despite the objection of the police, bail was granted—accused in £250, and two sureties of £250 each. Mr Wenkel, Post Office Club Hotel, Elizabeth Street, and Mr Edward Fitzgerald, warehouseman, North Melbourne, offered themselves as bondsmen and were accepted.

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AT HENNING'S CYCLING SCHOOL,
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And save pounds in repairs to your own machine.
Fee, Ten Shillings.

READ THIS.

SIR,—Having suffered very severely with Rheumatic Gout for more than three months (three weeks of which time I was unable to move hand or foot), and trying all manner of prescriptions, I was induced to try HITCHENS' BLOOD RESTORER. I am proud to say that in seven days I was enabled to resume my profession, and though exposed to all kinds of weather for the last five months, I have not felt the slightest symptoms of a return of it. I shall be very happy to give all information I can to any sufferer, and shall most certainly recommend your most valuable medicine.—I am, etc.,

E. D. HALSFORD,
Veterinary Surgeon, Auckland.

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