

*Plea*—Not guilty.

The Court proceeds to try the case, taking all the evidence that is forthcoming.

A kitchen knife is placed before the Court.

The examination of the accused before the Magistrate is here received and given in evidence as directed in Section 366 of the Code of Criminal Procedure.

*Deposition of George William Allen, 1st witness for the prosecution; aged 40; son of James; tribe or nation, Englishman; residing as a passenger on board the Dacca; occupation, merchant.*

*On solemn affirmation states*—I walked down the hill chiefly with Mr. Hawkins, generally about eight or ten feet from the late Viceroy behind. When within about 80 or 100 yards from the head of the pier where His Excellency was to embark, I dropped behind about, as nearly as I can recollect, 30 or 40 feet. In a moment I heard a great noise, and saw a considerable crowd of Natives belabouring some person upon the ground. The next instant I saw the Viceroy in the water on the left bank of the pier, just at the moment when he was rising to his feet, apparently endeavouring to collect himself from the effect of a fall, and brushing the hair out of his eyes. I observed a hand, I believe it was Major Burne's, stretched out to help His Excellency up the bank; at the same moment I saw that Lord Mayo's shoulder was very much stained with blood in front; the next thing I recollect was seeing His Excellency sitting against the edge of a truck, bleeding profusely, and then several of the party present assisted in placing him bodily on the truck in a sitting position; from this position he fell flat upon his back, apparently in great pain; he tried to say something, but I confess I was unable to catch the words; it sounded something like "my head." He was lifted into an upright position again, and there appeared to be a considerable difference of opinion as to what should be done, but not so long as to make any unnecessary delay; it was only a matter of a few minutes. It was determined that Lord Mayo should be put on board the launch and taken to the *Glasgow*. When in the launch steps were taken to keep up circulation by rubbing the feet, hands, and legs, and every endeavour was made to staunch the wound.

The man that was on the ground, immediately after the blow was struck, was the prisoner before the Court.

*To prisoner.*—I did not see the prisoner strike the blow.

GEORGE WILLIAM ALLEN.

THIS deposition was taken down in my presence and hearing, and under my personal direction and superintendence, and was read over to the witness in English, which he understands, and acknowledged by him to be correct.

D. M. STEWART, *Major-General,*  
*Offg. Supdt. of Port Blair and the Nicobars.*

*Deposition of Henry Lockwood, second witness for the prosecution; aged 31; son of John; tribe or nation Englishman; in attendance on the Viceroy; occupation, Aide-de-Camp on the Viceroy's Staff.*

*On solemn affirmation, states*—Yesterday evening, about 7 o'clock, I was sitting on the stone causeway at Hope Town, waiting for the Viceroy, who was returning from Mount Harriet. When the Viceroy and party were about 25 yards off, I heard shouts and saw an unusual disturbance in the crowd; I also noticed that the majority of the torches went out. I immediately ran to the

spot and saw the Viceroy standing in the water below the causeway apparently unhurt. He said something to the effect that it was all right. I at the same time saw a crowd of Natives, a dozen or so, holding down and striking a man on the ground, whom I recognize as the prisoner.

I pulled two or three of the men off him, and told them to stop hitting him and tie him up tight. I then turned and saw the Viceroy supported by Mr. Hawkins and others on a truck standing on the side of the pier, and on going to him found him bleeding profusely from a wound on the left shoulder near the neck. I put my handkerchief on the wound and, with the rest of those present, did my best to stop the bleeding. We tied the wound up as best we could, and the Viceroy was then carried to the launch. While he was being carried there, I went back with one of the sailors of the launch and told him to pick up the prisoner and bring him with us. While so doing, I took from the hand of a Native present that knife before the Court. I looked at it and saw that it was bloody at the point, and gave it back to the man, who handed it to Mr. Allen.

HENRY LOCKWOOD.

THIS deposition was taken down in my presence and hearing, and under my personal direction and superintendence, and was read over to the witness in English, which he understood, and acknowledged by him to be correct.

D. M. STEWART, *Major-General,*  
*Offg. Supdt. of Port Blair and the Nicobars.*

*Deposition of Ernest Count Waldstein, third witness for the prosecution; aged 23; son of Ernest; tribe or nation Austrian; residing as a passenger in the Dacca; occupation, an officer in the Austrian Army.*

*On solemn affirmation, states—*Yesterday evening, towards 7 o'clock, I was waiting with Captain Lockwood on the wharf near Hope Town. When the Viceroy's party was just coming down the road from Mount Harriet, we watched the torches accompanying him coming down the hill side. After they reached the wharf, we heard a noise and saw people running around. We started at once towards that spot and came up just in time to see the Viceroy standing in the water at the side of the wharf. The next moment he (the Viceroy) came up on the wharf. I saw several of the Police sepoy holding down a man whom I believe to be the prisoner. The Viceroy went to a cart standing near and fell down backwards. We took him afterwards to the launch, and I believe he died before we could reach the launch.

*To Court—*I could not distinguish the Viceroy; the torches were between us and the crowd; but I saw the crowd indistinctly without being able to distinguish any individual. I am unable to say that there was any Native on the pier. I saw them near the village; there were a few, not a great many.

E. WALDSTEIN.

THIS deposition was taken down in my presence and hearing, and under my personal direction and superintendence, and was read over to the witness in English, which he understood, and acknowledged by him to be correct.

D. M. STEWART, *Major-General,*  
*Offg. Supdt. of Port Blair and the Nicobars.*