



THE

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WHERE AND THERE.

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The Venezuelan Difficulty.

APPARENTLY the worst danger apprehended in connection with this subject has passed away and there now appears to be a chance of the difficulty being amicably surmounted by the adoption of arbitration—spelt in some other way. In England, suggestions are being made for the establishment of some regular and permanent system of arbitration for the settlement of differences existing between English-speaking races. Mr. W. T. Stead calls this “perfecting the peace-keeping arrangements between the United States and the United Kingdom.”

A Revival of Patriotism.

THE past month witnessed a remarkable revival of patriotism amongst Englishmen in every clime. For the time being politicians were content to drop the strife of factions. In distant Colonies and dependencies, England's danger became the paramount consideration. The enthusiasm even reached Ceylon where it operated beneficially in allaying the long-

cherished resentment existing locally regarding Military Contribution of this Island and led to patriotic speeches being delivered by the head members of the Planting community.

Teutonic Touchiness.

In last month's *Contemporary Review*, Mr. A. E. Evan's says:—The aspect of affairs in modern Germany is by no means exhilarating. It seems to me that it may be summed up in a few words: an enormous increase of power and influence abroad, but, at home less comfort, less liberty, less happiness. The cause of both American and German sensitiveness is the same:—“Such ebullitions of feeling are no doubt due to the virgin sensitiveness appropriate to youth. In another twenty-five or fifty years the German nation, with a deeper and more settled consciousness of her own dignity, will cease to fall on such slight provocation into political hysterics.” The same writer narrates instances which show that a most disgraceful system of police espionage is rife in the Fatherland in com-

parison with which Russia must be regarded as a land of ideal freedom!

An Historic Telegram. THE following is the text of the telegram despatched to "Oom Paul" by Kaiser Wilhelm:—"I

express to you my sincere congratulations that, without appealing to the help of friendly Powers, you and your people have succeeded in repelling with your own forces the armed bands which had broken into your country; and in maintaining the independence of your country against foreign aggression." In the *Nineteenth Century* a writer puts the charitable construction on the Emperor's telegram that Kaiser Wilhelm and his advisers temporally lost their heads by the apparent failure of their policy in Southern Africa and the Congo Free State.

European Employment in Madras. AN Anglo Indian resident at Coonoor, Nilgiris, Madras, sends a long letter home, which will be read with interest by those thinking of migrating to the "Shiny" in search of employment. There are, in his Presidency, he says, a good many Europeans looking for work, and many others not much better off, living chiefly on curry and rice. Natives are educated by the Government for nominally nothing. Madras so swarms with native legal practitioners, or pleaders and well-educated servants that it is absolutely impossible for an Englishman to make his living. He also warns the English people not to be deceived by the assertions of the loyalty of these natives. He has had twenty-two years' experience of them in all parts of India, and should Russia invade India and obtain first blood, my correspondent is confident the Indians will immediately rise up against us. England, he concludes, would then be glad of the help of the civil Europeans whom she now neglects.

Sir Joseph Barnby. A good story is told of the late Sir Joseph Barnby. As is known in his early days he composed a good deal of church music,

amongst which his "service in E" is in constant use. The composer used to be fond of narrating:—One day when I was staying with my brother in Westminster, Canon Kingsley was announced, and rushing into the room, he seized me warmly by the hand and explained, "Now I have kept my word. I always declared that one of the first things that I would do when I came to London would be to make the acquaintance of 'Barnby in E.'"—

The Isolation of England. IN the *Fortnightly Review*, Mr. Edward Dicey, discussing this subject, writes, "there is not a

single important Continental State which is not in one way or another frustrated in her ambitions, outraged in her vanity, and injured in her interests by the magnitude, wealth and power of the British Empire. A similar conclusion must, I fear, be arrived at with regard to the New World. The real cause of our national unpopularity is one incapable of removal. We are unpopular because, as a nation, we are richer, freer, and more successful than our neighbours. There is not a State in the civilised world to whose vanity the magnitude of our prosperity and grandeur is not a cause of constant offence. Isolated we are and isolated we must remain."

Ladies' Cycling Dress. AN article on "Woman and the Bicycle" appeared in a recent number of the *Former* from the pen of Dr. Henry J. Garrigues, who thus deals with the important and delicate question of dress. "How should women be dressed for bicycling? The usual long skirt is objectionable in every respect. It impedes the movements of the legs, pumps air up against the abdomen, and is in great danger of being caught by projecting parts of their own machines or those of other riders, as well as by other obstructions found on the road. To avoid these inconveniences many women have shortened their skirts and some have done away with them altogether, wearing so-called "bloomers," a wide bifurcated garment extending from

the waist to the knee. This garment, combined with a waist and leggings forms a neat, practical dress for a "woman." The doctor may be right in all he says, but we take exception to his statement as to neatness. In our own opinion, less befurcation and more pleatings as one sees everywhere in Paris is a preferential garment for our lady cyclists.

**The Dimbula
Valley Tea
Company.**

THE writer of the financial article in a popular up-to-date London journal writes somewhat disparagingly of the prospectus put forward by the Dimbula Valley (Ceylon) Tea Company, Limited. He says "if the directors and official- associated with the Company are a guarantee (and they should be) that the undertaking is a *bona fide* promotion, then the issue of the £150,000 should prove a very good investment indeed, but, notwithstanding the reputation of those who figure on the front page of the prospectus I cannot advise my followers to take shares on names alone, for this is practically what investors are asked to do. £145,200 (only £31,000 in shares) is undoubtedly a large sum of money to ask for 2,091 acres of tea plantations without any expert valuation put forward or any statistics set out of the yield of tea during, say, the last three years. Instead of basing the money on expectations alone, I would much prefer to also take into calculations the results of the past. In conclusion, the same writer expresses his opinion that the prospectus is unworthy of the business men he finds responsible for it. Such criticism as this will be read with some amusement in Ceylon and serves to accentuate the truth of the adage about the danger of a little knowledge. The writer must be somewhat hard up for subjects if he has to hit upon the Dimbula Valley, the richest tea-producing district in the Island, for a peg to hang his lamentations upon.

**A Curious
Anomaly.**

SUPPOSE Great Britain went to war with Germany what would be the position and relations of the Duke of Saxe-Coburg

with England. The Duke is a subject of the German Emperor and bound by solemn oath to obey the Kaiser's commands. The Duke is also an Admiral of the British Fleet and is in receipt of an annual allowance of £10,000, which comes out of the pockets of the British taxpayer. Would the Duke decline to obey the Kaiser's orders to take up arms against his mother, brothers, sisters and native country? If he carried out his oath we should be in the delightful position of paying a fellow Englishman to fight against us. Could not the Queen call upon him to take his place in a warship in virtue of his rank as a British Admiral? The whole business is farcical in the extreme.

The Late Rev. William Rogers.

Apropos the death of "Hang Theology" Rogers, a rather funny incident occurred at a certain dinner party at which many noble and eminent personages were assembled. The deceased was present and was carried in by attendants. The Chairman called upon him to say a blessing, addressing him as "Canon" Rogers. The Rev. William rose suddenly and said, "I am not a canon—for these and all other blessings the Lord make us truly thankful." The expression on the eminent Chairman's countenance was not easily forgotten by the guests assembled.

A Notable Kiss.

ACCORDING to an American paper Miss Olga Nethersole, now playing in a version of *Carmen*, has invented a new species of kiss, which is described as follows:—"When she kissed her play-lover the lights of the theatre flickered and grew dim, and a strange hissing sound was heard through the house like a hot blast coming from a furnace. The scenery shrivelled up like scorched paper, while the stage-lover's moustache crackled like burning grass in a prairie fire and the audience shifted uneasily like the groundswell of a heavy sea." This reads almost like a description from the *Ceylon Observer* and we wonder how nearly the "Willard" stage kiss approximates to the above potent osculation.

SOME DUTCH LEGISLATION,

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THE Dutch occupation of the Island, or rather of the maritime portions of the Island for they never extended their conquest inwards, lasted from 1656 to 1796 or for a period of one hundred and forty years. Immediately after their occupation they took pains to introduce such laws as they considered necessary and to publish elaborate regulations dealing with a variety of subjects. It need not be said that the forms of punishment were cruel, barbarous and brutal as brutal as the forms of punishment which prevailed in England about the same period. Sheep stealing in England was punishable with death. A similar punishment was meted out in Ceylon for theft of rice or cinnamon. There was something sharp and crisp about these Dutch proclamations and regulations and there was no mistaking their meaning. They prohibited the opening of shops on Sundays and holy days and imposed a penalty of 6 Rds. (Six-dollars) on the offending shop-keeper and 3 Rds. on the offending shop-goer. Gambling was prohibited on pain of punishment. Living in concubinage was made penal and the first attempts at Labour legislation may be traced to an ordinance which prohibited slaves or servants being turned out of service on account of sickness on pain of paying a fine of Rds. 50, and for the third offence corporal punishment. Christians were prohibited from idolatry on pain of being publicly whipped and put in chains for the space of one year. Think of that ye converts to the "Government religion" who have a BANA MADUA somewhere in your WALAUWA where the UN-ANSE officiates occasionally on the quiet! Perjury whether in civil or criminal cases was punishable with whipping, branding and hard labour in chains. Selling arrack after nine o'clock was prohibited and the big bell at Kayman's Gate, still standing there, gave warning of the time. In the first year of their occupation the Dutch issued standard measures and weights and not only was the use of false weights severely punished, but the mere possession of weights and measures unless given out by Government subjected the possessor to a heavy fine.

It is strange that the Dutch adopted such drastic measures against the Moors. They were prohibited from residing within the district of Galle, Matara and Weligamme. Their names and addresses were required to be registered. The natives were prohibited from selling lands to Moors and Hindoos. Slaves were not to be sold to Moors and Gentoos. Moors were not allowed to live or own property in the Fort and Pettah. Gradually these rules were relaxed but

the Moor was always under some disability. The reason for all this is not far to seek. During the time of the Portuguese the Moor had special privileges given him. He was of great use to the Portuguese—fought for them, traded for them, intrigued for them and lied for them. When the Dutch came they found the natives gradually parting with their lands to the wily and insinuating Moor. He was regarded in the same light as the Jew is now regarded in Russia or as the Jew was regarded in England in the 13th century. The policy of the Dutch was to protect the natives against these men, whose skill, cunning and capacity to drive a hard bargain were unique. For the like reason they prohibited absolutely the mortgaging or sale of Service Parvey lands and the sale of gardens and fields without the permission of the Landraad. The cutting down of fruit trees was strictly prohibited and it almost seems a pity that such a prohibition does not now exist. Anybody will tell you that it is impossible at the present day to find a full grown jack tree in a villager's garden within forty miles of Colombo. The value of a jack tree is great and the price paid usually high. But the money obtained is invariably squandered, and in days of death, famine or destruction of crops there is not the jack fruit to fall back on. There was, of course, no municipality or local board to regulate the conservancy of the town but there were certain stringent rules promulgated by Government which it was the duty of the town constable to see observed. All compounds were required to be kept clean as also that portion of the public street opposite each occupant's place of residence. No dirt was allowed to be thrown into the public street. In some respects these regulations were far in advance of anything promulgated by our municipality. So far back as 1676 all persons having houses in the town covered with cadjan were ordered to get them covered with tiles on pain of forfeiting the ground, and no permit to build a cadjan covered house was allowed.

It seems strange to read now that the Dutch prohibited the importation of any kind of woollen or silk of European manufacture except these of the United Provinces, also of gold and silver laces, buttons, hats, saddles, shoes, boots, beer, wines, brandy or other liquor unless imported in ships belonging to the Dutch East India Company. But this prohibition was not inconsistent with the spirit of the age. Mention ought also to be made of the THESAWALAMAI or the laws and customs of the Malabars of Jaffna promulgated by the Dutch Government in 1707. These laws were drawn up

by Claas Isaaksz, Dessave of Jaffnapatam, who, for thirty seven years was a resident in the Tamil speaking districts of the North at the instance of Governor Cornelis Joan Simons, Doctor of Laws. They were translated into Tamil by Jan Pirus, and referred to a committee of twelve Mudaliyars who unanimously approved of them. These regulations are still referred to in the adjudication of matters of inheritance, tenure of land, and so on. In addition to all these minor rules and regulations the Dutch introduced the Common Law of Holland into the island. The community of property as a consequence of

marriage lasted till the year 1873, when Sir Richard Cayley, the then Queen's Advocate, introduced the well-known Ordinance securing for the wife independent rights to immoveable property owned by her at the time of marriage or subsequently acquired. The common law of the land with regard to inheritance is the Dutch common Law. On the whole, it may safely be said, that when every vestige of the Dutch occupation of the island has passed away, her laws will remain and will continue to be administered.

❧ MEDICINE AND SUPERSTITION. ❧

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THE history of medicine is very ancient. Man in his primitive state doubtless had medical instincts, such as we see exhibited by the lower brute creation. Self-prevention must have been his first law, and we might reasonably suppose that he found for himself remedies against those ills to which he was naturally subject. After he had "eaten of the fruit" it is reasonable to believe that his ailments increased, medical science as it existed in its very infancy must thus have been added to, and the obstetric art was born. When man had increased and multiplied on the face of the earth, the necessity for public and private hygiene became more and more manifest, until in the communities in which he lived they reached that stage of rational principles such as we find manifested in the Mosaic books of the Scriptures, and in the code of moral and ceremonial law existing in the midst of other and profane nationalities. In different parts of the world these medical and hygiene codes attracted the attention of the most educated members of the respective communities, who were generally found in the priesthood of the various religions, and in this way, medicine and religion came to be almost inextricably blended and rendered inter-dependent; and in keeping with the superstitious spirit of the age, superstitious ideas and religious prejudices, deistic and denomiacial, infused themselves into the practice of the healing art. We are thus enabled now to look back upon the History of

Medicine as intimately interwoven with error and misbelief—on a vast monument of literature and knowledge which in our enlightenment and freedom from error seem to us a huge waste of energy, a silly conglomeration of the most ridiculous and a chaotic mass of exploded doctrines. "The debris of broken systems and exploded dogmas," says Dr. Oliver Wendal Holmes, "form a great mound, a Monte Testaccio, of the shards and remnants of old vessels which once held human beliefs." But superstition has outlived all this. Dispensations have come and gone, religious prejudices have lived and died, but superstition in Oriental and Occidental Medicine still remains, and the work of the modern rational practitioner, the scientist, the bacteriologist and the physiologist is but hardly complete in its crusade against error and misbelief in short against superstitious medicine. In perhaps no part of the history of the world did superstition and demonology struggle for the ascendancy with growing enlightenment and education than in the "dark ages." Many people object to the epithet "dark" as applied to the *middle ages*, but there can be no doubt of the propriety of the term which used to indicate the state of Western Europe from the 5th to the 11th century. But the era of medical history when Eastern Medicine received its first lessons in superstition is very much earlier, carrying us back to a period about 2,000 years, B.C., when the Veddas commenced to appear. The last of these the Atharva Vedda

(book of spells) appeared in B.C. 700. I merely refer to this to show, what a very strong hold upon human nature the system had, which flourished before the steady progress of clinical and scientific investigation eliminated the errors which prevailed, and made cause and effect more evident. It accounts for the very powerful position it occupies in the present day in our own country and in the adjoining continent.

Like every other system coming down from ancient times, that concerning the "ills that flesh is heir to" is intimately connected with superstition. Traces only now remain in Western Medicine and that too only among the less civilized, ignorant and uneducated classes. Civilization, the progress of rational science, and the utter disbelief in supernatural agencies that grew up in later periods, have served to eject from educated minds anything savouring of superstition. Although medical folk-lore still exists in European countries, it does not form such a recognized part of the system of medicine as it still does in the East, where medical literature and research have made no strides, and where medicine has ever been and continues to be an art, eminently conjectural, empirical and uncertain, where the bold and unblushing assertions of the quack on his never-failing remedies, and the resort to the supernatural as a means of impressing the mind with a powerful sense the mysterious, have full swing. One cannot exaggerate the great influence which the effrontery of the quack, who relies on the extraordinary potency of his charms, incantations or infallible drugs, has on the patient, and much of the success which attends the ministrations of such individuals, is clearly due to the influence of the mind over the functions of the body. In this country where the duties of the native "medical man" has drifted into the hands of illiterate practitioners, and where the operations of medicines administered on the purest empirical principles are often ineffective, it is but natural that recourse is had to the plea of the influence of the supernatural, and charms, incantations, propitiatory offices, and other devil ceremonies which appeal to the senses, are resorted to. The first step in this direction is reference to the horoscope, a formulary inscribed on an oia or dried palmyrah leaf in

which the planetary arrangements are depicted and their influence for good or evil by the conjunction of planets, reckoned. This astrological oracle forms not only a guide to the prognosis of a serious illness, but it helps to inform an apprehensive invalid of the term during which he may expect to remain under the control of dangerous and malignant planets. This indeed seemed to be the groundwork of medical knowledge in earlier centuries among Western physicians as well, for Sir George Ripley, in his "Compounds of Alchymie" tells us that :—

" A good phisyitian who so intended to be,
Our lower astronomy him needeth well to knowe;
And after that to lerne, well, urine in a glass
to see,
And if it neede to be chafed, the fyre to blowe,
Then wyttilly it by divers wayes to throwe,
And after the cause to make a medicine blive,
Truly telling the ynfirmities all on a rowe,
Who thus can do by his physicke is like to thrive."

In this country the computation is in the hands of a set of non-medical charlatans, who are first consulted on the fortunes of the sick ; and though a regular practitioner is not solely guided by the astrologer's decision, he is doubtless helped by it much in the gravity with which he views the case, advising if necessary the adoption of such steps as may be thought necessary to propitiate or appease the gods. The predominant feeling, one quite in keeping perhaps with that held by even the most degraded savages, is that man's inmost being is spirit and no body. How can merely physical agencies affect a spirit ? Why should a single blow on the head drive the soul from the body ? " If Plato were alive," writes Galen, " I should ask him why great losses of blood, a draught of hemlock, or a severe fever, should separate soul and body for, according to Plato, death takes place when the soul removes herself from the body." The ignorant in our midst explain this by a supernatural theory of disease. Even when the logic of facts has compelled the belief that violence can kill without the aid of sorcery, faith is the origin of disease still remained unaltered. These supernatural agencies have been divided into independent disease-demons,

human enemies acting by means of disease-demons with whom they are leagued and the spirits of departed men or animals. Disease demons may be appeased or angry gods propitiated, and in this laid the whole cream of the various superstitious beliefs that have for us a medico-historical interest. The demon-doctor directs his efforts either to make the body of the patient an unpleasant abode for the intruding spirit by the administration of physical violence to the patient; or providing for the demon a more appropriate dwelling place or by incantations. It is this function which placed the medical art in the hands of the priests, and which led to the belief in witchcraft, the universality and terrible results of which among uncivilized races is one of the saddest revelations of modern anthropology. It was first to the priests that application was made for the invocation of supernatural aid for the purpose of propitiating offended deities, and talismans, amulets, charms, sacred wells and

shrines became a part and parcel of the means adopted to secure the desired end of restoration to health. In process of time, the exclusive privilege of practising the healing art passed into lay hands, and the sacerdotal influence waned, while the ideas transmitted to the lay practitioners became added to and corrupted till in the hands of the "vederallas" of the present day, it has degenerated into senseless quackery and devil worship.

To be continued.

The Ferguson Clan.

THE following anecdote, narrated in a history of the Ferguson clan refers not to Mr. Munro-Ferguson of Raith and Novar, but to Parliamentary Ferguson of the time of Pitt. It is said that his only speech in the House was to move that a window behind where he sat should be mended; but it is also reported that on one occasion he rose, and the unexpected treat of a speech from one whose wit was well-known in precincts was greeted with loud shouts of "Hear, hear." He paused a moment, looked round, then said, "I'll be d—d if you do," and sat down.

SOME HEROINES OF OLD GREEK VERSE.

III.

CLYTAEMNESTRA AND ELECTRA.

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Part I.

IT would be difficult, if not impossible to write separately of these two women, cruel mother and revengful daughter; so closely is their story intertwined, a story which though repellent in its gruesomeness to most modern minds, seems to have possessed a powerful attraction for the great dramatists of Greece, for we find it either directly, or indirectly, the *motif* of the famous Trilogy of Æschylus, the Agamemnon, Chocphoræ, and Eumenides pronounced by Prof. Jebb to be "the crown of the poet's work," which was brought out in Athens, only two years before his death, of the Electras of Sophocles and Euripides, and of the latter's powerful drama of Orestes, which treats of the same subject as the Euminides, that is to say, the punishment of the unhappy son of Clytaemnestra, for the murder of his mother, to which he had been urged by his sister, Electra. These three

great poets treat the subject differently and with slight changes in the mode of action, but all tell the same sad tale, of the wrongs and sorrows and crimes of the members of the unhappy house of Atreus.

Clytaemnestra, "a high-spirited, artful, close, determined and dangerous woman," the daughter of Tyndarus and Leda, and sister of the "great twin-brethren" Castor and Pollux, and also of that "shining mischief," Helen, whose fatal beauty and lightness of character it was which caused the Trojan war wins the wife of Agamemnon, King of Argos and Mycæne, to whom she had borne three daughters, Iphigenia, Electra and Chrysothemus, and one son Orestes, apparently many years the junior of his sisters. Clytaemnestra would appear to have been dowered with at least some portion of her sister's charm, for during her husband's absence she won the affections of his cousin, Ægisthus, who was, however, probably by no means ob-

livious of the fact, that she was wealthy and powerful as well as being "fair to see." At any rate, they conducted themselves in a manner which caused them to be "talked about," scandalising the more decorous of the dwellers in Argos, especially the queen's daughter, Electra. Long before this, Iphigenia had been apparently sacrificed in Aulis, though through the good offices of Diana, who had put a hind in her place, she had been saved and had become a priestess to that goddess in her temple in Tauric Chersonese; Chrysothemus seems to have been of a disposition inclined to suit itself to circumstances, and was well aware evidently as to the side of her bread on which the butter lay, whilst Orestes was far away given, whilst he was still a child, by his sister—who evidently feared treachery—into the hands of a faithful adherent of the house, who had conveyed him to the friendly court of a neighbouring prince. After Troy was conquered—as most will remember by means of a stratagem—Agamemnon returned to Argos to be greeted with rapture by his professedly delighted wife, who expatiated on the loneliness and grief which is a weak woman's lot during her husband's absence and was so almost fulsome in her flattery to the conqueror of Ilium, that he was constrained to rebuke her, saying that such honors were only for the gods. But all this was only a cloak to mask her purpose no less than the murder of her husband, whom she stabbed when in the bath where his limbs were encumbered by a gorgeous and richly embroidered mantle. Thus the suzerain of all the states of Greece, the powerful commander of the troops arrayed against Troy, Homer's "King of men," slain ignominiously by a woman's hand, whilst the semichorus outside, consisting of senators hearing his cries, took no more active measures for his safety than a few feeble enquiries amongst themselves as to the expediency of rousing the citizens, or else rushing in to *prove* the deed: not to hinder it, though Agamemnon had called more than once for aid.

Clytaemnestra, whatever her faults appears at any rate to have been a woman

of high spirit and lofty daring, and though in a somewhat bitter discussion with the Argive senators she endeavoured to palliate her crime, alleging the facts of Agamemnon's supposed sacrifice of her much loved child, Iphigenia; of his having brought home with him the prophetess, Cassandra, daughter of Priam King of Troy, and of his not altogether spotless life during the siege, as an excuse yet she did not attempt to deny it, nay rather gloried in it, telling how often she, incensed with wrongs, had stood at the place where her husband fell, planning the deed, and she bade the senators do their worst, and if stronger than she to use their power as she would use hers if it were possible for her to do so. It is noticeable that she asserted later on that she was only the medium as it were of the Fury, who in revenge for "Thyestes' dreadful feast" was determined to bring ruin on the fated house of Pelops.

It is the old Bible doom, the sins of the fathers visited on their descendants even to the third and fourth degree. The sour grapes that the sires have eaten setting the children's teeth on edge; that curse which as we see every day is no vain threat, whilst the extravagance or sin of one generation leads to the poverty and disease of the next. And, indeed, seldom had the furies a more terrible crime to avenge than that which Atreus, king of Argos, whose son Agamemnon was, had committed against the offspring of his own brother Thyestes, for he had slain all but one of them and cutting off their hands and feet, had served their "undistinguished parts" in a dish set before their own father, who, unknowingly ate thereof, and later on finding out the nature of the banquet had cursed, as well he might the whole race of Pelops, uttering threats against it, root and branch. Out of all the children of Thyestes one alone survived in the very Ægisthus, through whose agency, though not by whose hand, Agamemnon fell, and who succeeded him as husband of Clytaemnestra, and King of Argos and Mycenæ.

(To be continued.)

VOLUNTEER MOVEMENT IN CEYLON.

A SKETCH OF ITS RISE AND PROGRESS WITH A RUNNING COMMENTARY ON MEN AND THINGS CONNECTED WITH THE CORPS SINCE ITS INITIATION.

(Part II.)

PATRONS OF THE CORPS.—Foremost, and at the head of the corps stands like a guiding star His Royal Highness the PRINCE OF WALES, who was graciously pleased to accept the office of Honorary Colonel and whose motto and plumes the regiment has adopted. H. R. H. has made himself personally acquainted with this island by his visit in 1875. His sons, the late Duke of Clarence and Prince George, came here in 1882, H. R. H. the Duke of Edinburgh in 1870 and lastly T. R. H. the Duke and Duchess of Connaught in March 1890, on which occasion the Ceylon Volunteers had the proud satisfaction of furnishing a guard-of-honour at Colombo, Kandy and Rambukkana.

The name of Sir JOHN DOUGLAS, Lt. Governor, who was temporarily administering the government then, will ever be inseparably connected with the organisation of the Volunteer corps for the deep interest he took in it, particularly in its embryonic stage when it most needed encouragement and sympathy. Sir John, some years later, offered a shooting prize to the Volunteers, and was personally present at the firing at the Hunupitiya range. Sir JAMES LONGDEN, Governor, who arrived shortly after the formation of the corps gave it every encouragement, and in opening the Legislative Council sessions of 1881, referred to the defence of the Colony in the following eugolistic terms :—

“It is with great pleasure that I bring under the notice of the Council the formation since our last sessions of a Regiment of Volunteers numbering over a thousand strong, in which Englishmen, Burghers, Sinhalese, Famics and Malays have all combined without distinction of race or creed, for the one thing which all hold equally dear—the defence of Ceylon. The movement will, I feel assured, commend itself to this Council as one of high importance, justifying the small expenditure which it has made necessary. The Regi-

ment will, I do not doubt, become with practice, as efficient as any of the Regiment of Volunteers who have lately been received, and will most assuredly be a very valuable auxiliary to the Regular forces in any invasion.”

Sir JAMES LONGDEN, as Governor, made his first inspection of the Volunteers on November 26th, 1881, on Galle Face, and expressed his pleasure at the progress then made.

On the arrival of Sir ARTHUR GORDON, now Lord Stanmore, as Governor of Ceylon, the Volunteers formed a guard-of-honour at Queen's House, and H. E. was pleased to inspect the guard and address the officers and men who formed it with words of encouragement. Sir Arthur was appointed, and still retains the office of Hon. Lieut.-Colonel of the corps. When executing an important function in the North-Central Province, on the occasion of the inauguration of the great irrigation work.—the Kalawewa tank, H. E. did the Volunteers the honour of appearing in the uniform of a Colonel of that corps. To him the Volunteers are indebted for the exemption from poll-tax, and for the annual capitation grant.

Sir ARTHUR HAVELOCK, G.C.M.G., will always be remembered as the “Volunteer's Friend.” It was during his tenure of office as Governor that the annual camp of exercise was organised—an institution which is eagerly looked forward to by every local defender for useful and profitable instruction, and by which the officers and men learn more of the real discipline and practical duties of a soldier in the short space of a week they are “under canvas” than they would in a twelve month in the drill hall or on the parade ground. Sir Arthur, himself a soldier by profession, has done more for the Volunteers than any of his illustrious predecessors, and signalized his appreciation of the corps by those memorable words which he gave expression to on the oc-

casion of the review in 1891 and repeated in succeeding years :—

“ I am proud of the Ceylon Volunteers.”

We sincerely trust that with the arrival of Sir WEST RIDGEWAY, who has already made known his views on the defence of the island and the important part which he expects the citizen soldiers to take therein, the Volunteer movement will advance more and more and become a power in the land.

In the Regulars the amateurs have found the staunchest supporters. Major-Generals W. WILBY, C.B., Sir JOHN MCLEOD, K.C.B., and LENNOX, V.C., gave valuable encouragement; and had each their meed of praise to bestow on our local defenders.

His Excellency Major-General DUNHAM MASSY increased the debt of gratitude we owed to the Regular Troops by permitting the Volunteers to be associated with them in ceremonial parades and in mobilization, outpost and other important movements, and lastly by allowing two Companies to be brigaded with the citizen soldiers in camp. The useful lessons learnt by this association with the admittedly superior arm of the forces, the Volunteers cannot be sufficiently thankful for. His Excellency Major-General CLIVE JUSTICE on assuming the command in the island received instructions that he would be held responsible for the efficiency of the Volunteers, and has personally acquainted himself with every company in the land by inspecting it in its own private parade ground, and his high estimation of them is certainly creditable to the Volunteers. Lieuts.-Col. BOYES of the gallant Gordons, GILDEA of the Argyll and Sutherland Highlanders, CHURCHILL and CORSE-SCOTT of the Royal Warwickshire Regiment were not only helpful to the Volunteers, but gave it as their disinterested opinion that the Ceylon Volunteers would be able to give a good account of themselves whenever the dogs of war are let loose.

Nor are the Volunteers without friends. Among the Civil authorities, WILLIAM HENRY RAVENSCROFT, Auditor-General of Ceylon, signed the proclamation sanctioning the formation of the corps in 1881 as Acting Colonial Secretary, and was one

of the staunchest supporters of the movement up to the date of his early demise. Mr. Ravenscroft, it must be remembered, accompanied Sir Garnet Wolseley to the Gold Coast in September, 1873, and served throughout the Ashanti war of 1873-4, including the battles of Amonpul and capture of Coomassie; mentioned in despatches; promoted, medal and clasp. Although unable to take a very active part, Mr. Ravenscroft gave his support towards the movement by being enrolled an honorary member. Successive Colonial Secretaries, last though not the least, Sir E. Noel Walker, himself an old Volunteer, have always encouraged the movement by their personal support and influence. In the list of honorary members who joined in early days we find the names of Sir JOHN GRINLINTON and Sir HARRY DIAS, whose interests remain unchanged. Against this array of patrons and friends, it would be idle to set a small and insignificant *coterie* of detractors, who, are never happy unless they level their misdirected shafts at the Volunteers.

TABLE OF EVENTS.

1881.—The proclamation sanctioning the formation of a corps was published in the *Gazette*, dated April 1st, 1881.

Appointment of Lieut.-Colonel.—On May 8th, a meeting of those interested in the movement was held under the presidency of Mr. (now Sir) Richard Cayley, Chief Justice, when Mr. EDWARD ELLIOTT (now Government Agent of the Southern Province) proposed and Justice CLARENCE seconded that Mr. JOHN SCOTT ARMITAGE be nominated to Government as “ a fit” and proper person to be appointed Officer Commanding the Volunteers. The appointment appeared in the *Gazette* of May 13th.

Committee to Draw up Rules.—The following gentlemen were elected a Committee to draw out the rules.—The Hon. W. H. Ravenscroft, Acting Colonial Secretary; the Hon. (now Sir) Bruce Burnside, the first Attorney-General and afterwards Chief Justice of Ceylon; Justice CLARENCE, Messrs. Richard A. Bosanquet, afterwards junior Major; W. J. S. Boake, Commissioner of Request, Colombo; F. J.

de Saram, Proctor; J. C. Collum, of Messrs. Whittall & Co., and afterwards Captain; F. M. Green, Accountant of the Breakwater Works and afterwards a Lieutenant; C. L. Ferdinands, Solicitor-General and afterwards District Judge of Colombo; and F. C. Loos, senior, Proctor. Death and various other causes have removed from us all save Messrs. de Saram and Loos, who will no doubt be surprised to find their names figuring among the pioneers of the Corps!

Appointment of Adjutant.—The *Gazette* of May 13th, contained the appointment of Capt. GEORGE LEIGH GWATKIN as Adjutant of the Ceylon Volunteers, and the issue of July 15th contained the names of the first batch of officers.

1881.—*The First Drill.*—The 11th of May, 1881, is memorable for the first meeting of Volunteers for drill at the Temporary Orderly Rooms in Baillie Street, Fort. Sergt.-Major Radford put the men through their preliminaries. Owing to the daily increase in the number present at drill, the muster took place on the green opposite to the P. W. D. Office. The hours were 6 a.m. and 5 p.m. To facilitate the work of the Sergt.-Major, a couple of Sergeants were kindly lent by Col. DUNCAN to help him, and a number of gentlemen, notably Messrs. E. CAVE-BROWNE J. C. COLLUM offered their services as drill instructors, a circumstance which materially helped towards putting the recruits through their awkward squad in a very short time. A steady advance in the numerical strength necessitated the distribution of the men into various companies, according to nationality, professions, etc., and before long the Europeans, the Burghers, the Malays, the legal profession, each had a company of their own.

Selection of Uniform.—On May 18th, at a meeting of the members who mustered nearly 500 strong, under the Chairmanship of Lieut.-Col. ARMITAGE, scarlet was adopted as the colour of the Regiment.

June 1st.—The orderly rooms was removed to the old Seamen's Hospital in Prince Street, Pettah, which afforded sufficient accommodation for the headquarters and which Government repaired at a cost of R1,000, providing a further

sum of R1,500 for arm-racks, magazines, &c.

Title of Corps.—The Secretary of State confirmed the title of the Regiment which was thereof to be known as "Ceylon Light Infantry Volunteers." Owing to the establishment of other branches of the service, the title was changed subsequently into "The Ceylon Volunteers."

First Guard-of-Honour.—Fifty picked Volunteers formed a guard-of-honour to His Excellency the Hon. JOHN DOUGLAS, C.M.G., Lieut.-Governor, at the Ceylon Medical College, on the occasion of the distribution of prizes on August 23rd.

Informal Inspection.—On September 23rd, the Hon. W. WILBY, C.B., Major-General, Commanding the Troops, paid the Volunteers a surprise visit, and after carefully observing the numerous movements, addressed them in a few words. He did not come there to inspect them that evening but only as a spectator. It was the first time he had been there on parade. He watched the manoeuvres closely and they were executed very fairly, and considering the short time they had been formed, he would say, very well. It showed great energy and attention on the part of the officers and men, and he assured them that he wished the movement very great success.

The First Volunteer Concert.—On October 13th, an entertainment was given at the Town Hall under the patronage of Lieut.-Col. Armitage and Officers of the Volunteers. The proceeds, after deducting expenses, were devoted to the Band Fund.

The programme deserves to be rescued from oblivion:—

PROGRAMME :

- Chorus, "God Save the Queen."*
1. Glee, "Life's a Wumber" ... *Wainwright,*
Lieut. Alston, Privates Unwin and Finlay.
 2. Song, "Billy Mavourneen" ... *Benedict.*
Private R. Siebel.
 3. Reading, "Charge of the Light Brigade" ... *Tennyson.*
Sergt.-Major Radford.
 5. Recitation, "The Execution of Montrose" ... *Ayloun.*
Private Bremner.
 6. Song, "Death of Nelson" ... *Brahan.*
Private Finlay.
 7. Reading, "Legend of St. Cuthbert" ... *Ingoldsby.*
(A tale relating the evil effects of swearing.)
Captain Armitage.
 8. Song, "The British Lion" ...
Private Modder.

9. Solo Piano, "Lehe bitte euch liebe Vogetein"
Miss Luschwitz.
10. Recitation, "The Death Ride" ... *Marston.*
(Version No. 2 of "The Charge of the Light Brigade.)
Lieut. Green.
11. Song, "Down by the River Side"
Private T. Siebel.
12. Part Song, "The Chafers" ... *Thurn.*
Lieuts. Thomson, Alston and Green and Private. Phillips.
National Anthem.

Recognition of Volunteer Services.—On October 23rd a fire took place at the Government Factory, causing considerable damage, a company of Volunteers under Sergt. Major Radford, immediately marched down to the spot and rendered prompt and valuable aid in arresting the progress of the fire and in saving Government property. The party was specially thanked for their services by the Director of Public Works.

Soiree Dansante.—A grand Volunteer dance in commemoration of the Prince of Wales' Birthday came off at the G. O. H. when over four hundred ladies and gentlemen were present. The Volunteers and the Military were well represented. The band of the 102nd R.D.F. was in attendance and the dance was an immense success.

Governor's Inspection.—His Excellency Sir James Longden, Governor, accompanied by the Hon. W. Wilby, Major-General, Commanding the Troops, inspected the Volunteers, who mustered over 500 strong, on November 26th, at Galle Face. H. E. expressed the greatest satisfaction at the manner in which the men acquitted themselves.

Adjutant, appointed A.-D.-C.—In December, the Governor, Sir James Longden, was pleased to appoint Captain and Adjutant Gwatkin additional A.-D.-C. to His Excellency.

1885.—*First Parade with Troops.*—Queen's Birthday of this year is a red letter day in the annals of Volunteer history, for it was on this memorable occasion that the Volunteers were, for the first time, brigaded with the Regulars—the gallant Gordon Highlanders. This co-operation of the amateurs with the regular forces, marked the commencement of that good feeling and spirit which pervade both branches of the service, and to the ready help which the

Regulars at all times are anxious to render to their brethren in arms is to be attributed the present high state of efficiency of the citizen soldiers. Brigadier Colonel Carey, R.A., Commanded and there were present 193 Volunteers.

Field Days.—On May 20th, a sham-fight took place in the Model Farm, and field days on June 29th, and November 9th at Kalutara and Kandy respectively, on each of which occasion there were over 200 Volunteers present. The work of the year rounded off with a regimental ball.

Inspection by Major-General Sir J. McLEOD on December 12th.

1882.—*Lecture on Musketry.*—Adjutant GWATKIN delivered his first lecture on musketry to 173 Volunteers on March 13th.

First Parade in Scarlet.—The first parade in scarlet took place on March 25th.

Major-General's Inspection.—H. E. Sir J. McLEOD, K.C.B., inspected the Volunteers, who mustered 409 strong on September 22nd, and expressed his surprise and pleasure at the steady drill. On September 28th, General McLEOD inspected the Kandy Volunteers.

1883.—*Ball Practice* at the Kandy range began on March 17th, on Badulla range on May 12th, and on Colombo range on June 9th, when the Rifle range at Hunupitiya was completed.

Guard-of-Honour to Governor Longden.—The Volunteers formed a guard-of-honour for Sir James Longden, Governor, on July 5th at the distribution of prizes at the Ceylon Medical School. His Excellency personally inspected the guard and praised the smartness of the men. Again on the July 9th, on the occasion of His Excellency's departure after the close of his administration in the island.

First Rifle Prize Meeting at the Hunupitiya range came off on October 20th and on October 30th, the prizes were distributed by Lady Douglas.

First Field Day came off on November 9th, Prince of Wales' Birthday, at Kalutara, an attack and defence scheme was practised, the fort being the centre of operations. The muster totalled 261.

Guard-of-Honour to Governor Gordon.

—The Volunteers furnished a guard-of-honour on the arrival of Sir ARTHUR GORDON, Governor, on December 3rd. His Excellency complimented the guard and thanked those who formed it. This was the beginning of the attention he paid to the citizen soldiers, which increased as he became more intimately connected with the corps.

Inspection by Major-General Sir J. McLeod took place on December 22nd, when 407 Volunteers paraded.

1884.—The Major-General inspected the Volunteers on November 10th, when there were 388 present.

Rifle Prize Meeting at Hunupitiya commenced on December 6th, and the prizes were distributed on the 8th by Lady McLeod in the presence of about 200 Volunteers and a large number of spectators.

1886.—*Queen's Birthday Parade.*—The Volunteers, numbering 133, brigaded with the 1st Argyll and Sutherland Highlanders on May 31st.

O. C.'s Parade.—The first parade of Col. CLARKE after his appointment as Officer Commanding the Volunteers came off on December 4th, when there were 199 present.

Inspection by Major-General Sir J. McLeod on December 18th, was attended by 307 Volunteers.

1887.—*Formation of Galle Company.*—Chiefly through the exertions of Capt. Prime, this company was formed on April 20th.

Jubilee Parade.—The parade in commemoration of Her Majesty's Jubilee, on June 28th, was attended in the morning by 257 Volunteers and in the afternoon by 211.

Field Day.—A one-day camping out took place at Peradeniya on November 9th, when over 300 Volunteers took part in the proceedings. H. E. Sir Arthur Gordon, Hon. Lieut.-Col. Commandant, was present on the occasion.

Regimental Inspection by Major-General LENNOX, v.c., on December 3rd was attended by 326 Volunteers.

1888.—*Artillery Volunteers.*—The Artillery Volunteers were enrolled on August

25th and Capt. Symons appointed to command.

Field Day.—On 7th and 8th November, there was a field day at Kalutara, 435 represented the number present. Various schemes were practised at Nagoda, and the regiment returned in the evening by train.

Inspection by Major-General Massy, C.B., on December 8th, was the occasion of some plain talking on the part of the Officer Commanding the Troops, who seemed to be generally dissatisfied with everything he had witnessed. The number present totalled 349.

1889.—*Appointment of Adjutant Bird,* the first Army officer, on October 25th, marked an epoch in Ceylon Volunteering. Steady progress and marked improvement in numbers and efficiency were the chief features in every branch of the service.

The Field Day on November 9th at Kalutara was attended by 460.

The General's Inspection on December 21st by 375, when Major-General Dunham Massy could not but be struck by the improvement which had taken place since his last review.

(To be continued.)

SPORTING GOSSIP.

The following are some instances of golf matches which have been played for high stakes:—A match for £3,000, to be decided over three holes between 10 p.m. and 10.30 p.m. the last putt deciding the destiny of £1,000! Nothing like this had been heard of before in the annals of golf. The famous match in which Old Tom and Allan Robertson defeated the Dunns after being 4 down and 8 to play, was for £400. The last of any note was between Fernie and A Kirkcaldy for £200. A Fife player, Wallace of Balgrummes, in response to the persistent appeal of another, played for £100 a round, till his winnings reached £800, when, out of pity, he refused to play any longer on these terms and built a handsome stone wall round his grounds as a monument to his friends' vanity.

A remarkable cycling feat was accomplished at Monaco last month by a young Englishman named French. He had made a bet of £100 that he would go down the descent from Monaco proper to the Condamine quarter on a unicycle. The path is very steep. It has three turnings, and in several places it is broken by steps. Mr. French got to the bottom of the hill without falling, and won his bet.

ORIGINAL POETRY.

ARMENIA.

Deaf art thou, England, to the piercing cries
Of fair Armenia weeping o'er her dead.
Still do'st thou wish to see her red blood shed,
As cowering at the proud Turk's feet she lies?
Where is the Lion's heart that knew no fear,
When Richard armed him for the Holy war,
And following still the light of Bethlehem's star,
The bold Crusaders came from far and near?
Stay not thy arm when still thy arm is strong,
And her weak voice grows fainter day by day;
Strike for the love of Christ—avenge the wrong,
And sweep the Tyranny of lust away.
Rise in the might that still is all thine own,
And reck not that thou goest forth alone. G.

:o:

TO MY LALAGE.

(BY "PHILETAS.")

Meam canto Lalagen

Dulce ridentem
Dulce loquentum.—Horace.

Shall poetasters rehearse their 'mere nothings' in
verse,

And my harp on the willow be hung;
Shall Lesbia's name be handed to fame,
And my Lalage's charms be unsung?
If to mortals is given a foretaste of heaven,
You'll find it on Lalage's lip;
Tho' one to me saith, 'tis labelled with Death,
I'll not shrink from that death-cup to sip.
What boots it to tell of the beauties that dwell,
In Lalage's heavenly eye?
Since Cupid has sought, there, a bowery resort,
From which he his arrows might ply.
And her web of gold hair is as subtle a snare,
As any wise fowler can lay;
It dangles so loose each thread is a noose,
Made ready to capture or slay!

:o:

ODE TO KANDY.

Seat of mysterious loveliness! fair spot
Enveiled in mists of history's romance—
Fairer than fancy painted—fairer far,
Than worded picture, which doth well enhance
The vividness of man's imagining,
Flinging a glamor o'er expected joy,
Which grim reality too oft denudes
Of fancied glory—which perchance, would cloy!
But thy transcendent loveliness lives well
Thro' sunshine and thro' storm—none e'er forgets
A sojourn (long or brief) 'mid thy delights,
Or leaves thy hill-girt plains without regrets.
Wondrously beautiful thy lake by day,
Kissed by the sunbeams in their radiance—
Wondrously beautiful at twilight hour,
When stillness broods so solemn, so intense!

Prettily motionless—just lightly stirr'd
When arching bamboos bend in quiv'ring love
To sweep its surface with ling'ring caress,
Or leaflets seek a burial from above!
Fair spot—where beauty seems to throw a ray
Of rare perfection over everything!
Proud hill-tops—whose grand heights in verdure
dressed,
O'er grassy plains long, wav'ring shadows fling;
While waters dashing down their rocky sides,
Wind in thin streams of silvery whiteness thro'
Those undulating plains, where green and grey
Of sun and shade a boundless surface strew;
When radiant blossoms in profusion grow,
Filling the air with fragrance richly sweet,
And pleasant phases of idyllic grace,
A watchful eye continually will greet!
Seat of mysterious loveliness! fair spot
Where memory's stakes are set full, fast and
strong,
Would that my pen could write the thoughts
which rise
In swift succession, like some tuneful song
Comes back to mem'ry when one note is struck;
Thy hills, thy lakes, thy stirring beautiouness,
All wake at memory's touch—and once again
I seem to dwell amid thy loveliness.

NELLY AUSTIN.

:o:

WISE AND OTHERWISE.

THE NEW WOMAN.

"Such a garment is one too many for me," said
a mermaid as she spied a pair of bloomers.

A FASTIDIOUS MISTAKE.

Wife.—Here take this and go down and see who
it is "*Husband (Weakly, through his chattering teeth)*"
"Good g-r-a-c-i-o-u-s. W-o-m-a-n! You—you don't
wish me to stain my hands with human blood?"
Wife (in disgust): "Bah, you coward! You are
frightened blind. Stain your hands with human
blood! Bah! this is a revolver, and not a bowie
knife or a stiletto."

GOLFING ON SUNDAYS.

Golfing recently printed the opinions of a number
of golfers on the question of Sunday golf, and very
appropriately gave first place to Tom Morris, who
thus tersely gave his opinion:—"If the golfer
doesn't require a rest on Sunday, the links does."

TRUTHFUL WILLIAM.

"Bah, bah, William! Have you any sense."
"No, sir; no, sir; I'm too dense.
Brag is my master, and bounce is my name,
And I'm always up to some idiotic game."

ENTERPRISE.

"Ello, Sal, 'ave yer set up on yer own? I thought
you was getting on so nice at the match factory?"
"Well, yes, 'Liza, so I was; but 'sooner reign in
'ell than serve in 'eaven' is my motto."

LITERARY GOSSIP.

Mr. Gladstone and Dr. Butler. placed the theological as well as the philosophical student under deep obligation by his publication of the works of Dr. Butler. The sometime Bishop of Durham was always one of Mr. Gladstone's first favourites, and it was long known that the late Premier was engaged in such a work, of which the literary world formed high anticipations. Nor have these anticipations failed of realization. Mr. Gladstone touches nothing which he does not adorn. After he retired from the leadership of the Liberal party, close on his eighty-sixth year he beguiled his hours by translating the odes of Horace. The transition from the love odes of Horace to Butler may seem to most minds abrupt, but such is the versatility of Mr. Gladstone's mind, such is his wide range of reading that the transition from Lydia and Chloe to the "Analogy" is perfectly natural. Mr. Gladstone has done much more than reproduce the works of Bishop Butler. He has made the text easy of reference, he has furnished a carefully prepared index, and above all he has placed before the reader some valuable matter of his own which he modestly terms, occasional notes. These notes are valuable for the student of Butler, but they have also a personal value as the thoughts of a man who has been one of the most commanding figures of the century both in the political as well as in the literary world. We see in these notes Mr. Gladstone as a theologian, and we all know how much of the theologian there is in the right honourable gentleman. He made a grand premier. What a grand primate he would have made! The present publication is to be followed up by a collection of essays dealing with the same subject.

England's Darling. THE new Poet Laureate has published his first book since his accession to his new honors. *England's Darling* is the title of his new piece and King Alfred is the hero. The play is good, readable and pretty, but it can bear no comparison with the least of the late laureate's poems. Mr. Austin believes in the greatness and the destiny of England and the life of Alfred makes a grand subject for a patriotic poet, but he must be a poet like the late Lord Tennyson. There are many who could write better lines than Jameson's Ride. There is none who could write anything equal to the charge of the Light Brigade. Mr. Austin's patriotism is undoubted, but it requires something more than patriotism to enable him to strike a chord like Lord Tennyson. We give some of the verses of Alfred's song in which the ancient metrical effect of rhythm and alliteration is well reproduced:—

ALFRED.

But onward and forward,
 In far days fairer,
 I see this England
 Made one and mighty
 Mighty and master
 Of all within it,
 Mighty and master
 Of men high seated
 Of free-necked labour
 Lowland and upland
 And corn and cattle
 And ploughland peaceful.
 Of happy homesteads,
 That warmly nestle
 In holt and hollow,
 This is the England
 In fair days forward
 I see and sing of
 Then mighty and master of all within her
 Of celt and Briton,
 Angle and Frisian,
 Saxon and Norseman
 Shall England plough like the whale and walrus
 The roaring ridges,
 Of foam necked water,
 With long oared warships
 And keels high beaked
 And never a foeman,
 Eastward or westward
 Shall dare to raven
 Her salt sea inlets,

Her grim grey nesses ;
 But swift at the sight of her scaring craoles
 Shall send and scatter,
 Like wild geese fleeing
 'Twixt wave and welkin,
 Away from the dread of the shrilling weapons
 Of foam-fenced England.

THE life of Cardinal
 Manning by Mr. Purcell
 in two volumes ought to
 find many readers. The

Cardinal Manning did not leave behind him a complete autobiography, but there was material sufficient to have enabled the biographer to weld it all into a lasting literary monument. Mr. Purcell has done his work well, but he is neither a Boswell nor a Lockhart. The Cardinal himself once said that to write his biography adequately he should want at least three biographers; "An Oxford man for the first period, a priest for dogmas and councils and diocesan business, and for the political and social questions of my later days a third, *in rebus vitæ publicæ ap-prime versatus*." Whatever may be our opinion of Manning's opinions and methods we should never forget that he was a most commanding figure of the times, a distinguished Englishman and an equally distinguished prince of the church, who laboured with unremitting zeal for the moral and material improvement of the people. English readers will hear with interest that when Pius IX. died, the sacred College for a moment thought of electing Manning his successor. Manning himself thus recorded the incident "Cardinal Bartolini proposed Cardinal Pecci's name in which we all concurred as the first name. He then said for the second there were Cardinal Franchi Bilio and Monaco. Monaco at once said that he was impossible, on account of youth. Bilio said, if elected, he would refuse and suggested myself. I then said that in my judgment the next Pontiff must be an Italian in blood and speech, and one who is known and loved by Italians; they pressed me that I had been so domesticated as not to be a foreigner."

THE following from the
 Mr. Petherick's London *Times* will be of
 Books. interest to Colonial
 readers :—Our colonies
 are to be congratulated on
 having acquired the most remarkable
 colonial library ever formed—namely,
 the well-known collection of books and
 pamphlets gathered together during the
 last 30 years by Mr. E. A. Petherick, F.L.S.,
 F.R.G.S. The library comprises about 7,000
 books, pamphlets, maps and manuscripts,
 and illustrates every conceivable phase of
 colonial literature, science, and art. The
 colonial troubles of 1892 involved Mr.
 Petherick in bankruptcy, and it was only
 after an appeal to his friends that the
 library was saved from sale. The Aus-tralian
 Governments have now jointly ac-
 cepted the collection. Its ultimate desti-
 nation is still unsettled.

A New Dramatic Phase.

A PLAY entitled *The Post Captain* has
 been written, with a hero "like
 Lord Charles Beresford." This
 is a new departure, and, providing
 Lord Charles himself does not object,
 will probably appeal to the public, and
 achieve a considerable amount of success.
 It is only natural to suppose in that case
 that other dramatists will draw their
 principal characters from real life. This
 being so, the following announcements
 may, perhaps, gaze down upon us from
 the hoardings in the future :—

The Commander-in-Chief.—A Stirring Military
 Melodrama, in which Mr. Macready Strand will
 appear as Lord Wolseley

The Premier.—A society play. Mr. Adelphi Smith
 as the Marquis of Salisbury. Every evening.

O Law!—This screaming musical farce is being
 performed nightly, the two principal characters
 representing Mr. C. F. Gill and Sir F. Lockwood.
 Roars of Laughter!

The Millionaire.—A Sensational Drama. Loth-
 bury by night! The Bank!! The Director's
 Meeting!!! The Poisoned Pewter!!!! The hero
 will appear during the evening disguised as several
 well-known Millionaires. Surprising Effects!

OUR ALMANAC.

FEBRUARY, 1896.

- Feb. 1.**—Maturatta and Hewahetta formation of Branch of the Planters' Association. Bogawantalawa. Tennis Tournament and "At Home" Kellebokke, Gymkhana Club Sports Association Football, C.A. F.C. beat Fort Club, 5 goals to one. Northern District Planters' Association Meeting, Colombo. Lieut. Col. Savage's Athletic Sports.
- " 3.—Dehiowitz Annual Meeting, Kelani Valley Planters' Association
- " 4.—Wedding Miss K. L. Bayley—Surg. Capt. Hallaran.
- " 5.—Weddings: Foenander Ludekens. Albrecht—Vanderstraaten. Samaraweera Jayasuriya. Pussellawa Planters' Association Annual Meeting.
- " 6.—Technical Institution address by Mr. C. I. Walker, Colombo. No. 2. Ceylon Company Royal Artillery Sports.
- " 7.—Colombo Hockey Club Annual Meeting. Darrawella Club Race Ball. Accident to Miss Agar.
- " 8.—Darrawella Races. Colombo, Death of Mr. C. Dickman Public Hall. The Willard No. 1. Star Company opened season. Association Football: Royal Artillery beat Ceylon Volunteer Artillery 3 goals to *nil*.
- " 10.—Arrival of His Excellency the Governor of Ceylon, the Right Hon. Sir Joseph West Ridgeway. Lady Ridgeway and Miss Kidgeway. Reception at the Jetty and presentation of addresses. The Swearing-in Ceremony.
Colombo Museum: Annual Meeting of the Ceylon branch of the Royal Asiatic Society.
Presentation to the Rev. W. F. Kelly.
- " 11.—Galle: Wedding. Mrs. L. Anthonisz—the Rev. M. J. Burrows.
- " 12.—Fashionable Sinhalese Wedding. Miss Asmadale—Mr. W. Chapman Dias.
- " 13.—Departure of the Governor and Lady Ridgeway to Kandy. Nuwara Eliya 1st day of Races
- " 14.—Nuwara Eliya: Ceylon Fishing Club meeting. Colombo Golf Club Annual Meeting.
- " 15.—Nuwara Eliya 2nd day of Races Wharf and Warehouse Company, half yearly meeting Great Jewel Robbery at Kandy.
- " 17.—Nuwara Eliya 3rd day of Races. Kandy Pavilion. Planters' Deputation to the Governor and presentation of address of welcome.
Annual Meeting of the Planters' Association of Ceylon. Mr. A. W. Stopford Sackville elected Chairman Queen's Hotel, Kandy: Old Colonist's Dinner, Chairman, the Hon. F. R. Saunders.
- " 18.—Farewell Concert to the Royal Warwickshire Regiment.
- " 19.—Galle Face Hotel; Shareholders' meeting. Death of Mr. Philip de Saram.
- " 20.—Funeral of Mr. P. de Saram.
- " 22.—Annual Meeting of the Ceylon Spinning and Weaving Company. Ceylon Cyclists Union: Successful Tournament.
- " 24.—Dimbula Hall: Planters' Association Meeting. Arrival of the Loyal North Lancashire Regiment.
- " 25.—Departure of the Royal Warwickshire Regiment.
- " 27.—Uva Gymkhana Sports. Mangalore (India) Wedding: Miss A. D. Noone—Mr. F. H. Layard.
- " 28.—Ceylon Christian Literature Society Meeting.
- " 29.—Association Football: the C. A. F. C. beat H. M. S. "Marathon" 4 goals to *nil*. Negombo Indignation Meeting against abolition of the Kachcheri.
Meetings of various Ceylon Tea Companies.

A LOCAL SUMMARY.

DARRAWELLA, Nuwara Eliya and Badulla races followed close upon Kelani Valley and Radella and each attracted a crowd of Europeans and natives. Unfortunately, the weather, which had been brilliantly fine for the Kelani Valley carnival and the other fixtures, somewhat interfered with the enjoyment of those who were attending the Nuwara Eliya festivities. Since the latter there has been an outbreak of epistolary measles, borrowing the expression from Mr. Harcourt Skrine's novel and extensive dictionary. This gentleman has, with more force than logic, pleaded for the abolition of district meetings and the amalgamation of the Nuwara Eliya Gymkhana Club with the Ceylon Turf Club with a revision of the tariff and so forth.

This newspaper epidemic, however, ran its course without inflicting much harm, but, at one time, it was feared dangerous complications may arise as from the parent issued certain vague indefinite charges practically impeached the honour of the stewards of the meeting. Mr. Harcourt Skrine has, in turn, been challenged to substantiate his innuendos, but up to the present there has been no response and, accordingly, sensible people are dismissing the matter as nothing worse than the ebullitions of a soured and discontented mind!

February a good month for sport, especially cricket and football. Then the agile and sinuous Sikh had his opportunity of the example of the rest of the Garrison and publicly displayed his prowess in all kinds of manly sports, whilst Lt.-Col. Savage, in a moment of pardonable anxiety to find out who was the *doyen* of the Garrison at sprinting, hurdle racing and the high jump arranged a novel series of sports in Colombo and discovered that he himself was the man. The C. A. F. C. have disported themselves worthily at football and, in order to prevent confusion arising from the multiplicity of Clubs, the Hockey Club and the two football Clubs (Association and Rugby) decided last month to form themselves into one Club.

Their example, many think, might be followed with advantage by other organisations with less excuse for units.

But last month is especially memorable for the activity apparent amongst the members of the Planters' community. In the light of subsequent events the universal expressions of valedictory felicitations poured upon the *régime* of the late Governor strike one as somewhat fulsome and unreal for despite the ripe millennial condition Ceylon was represented to be in, the advent of the new Governor has been marked by the bringing to light of an unexpected crop of grievances "white already to harvest!"

His Excellency Sir Joseph Ridgeway, who arrived on the 10th February and was accorded a reception befitting so auspicious an occasion, did not long remain in Colombo but moved his "court" to Kandy to enable him better to get into speedier touch with the representatives of the planting industry. The Planters, availing themselves of their presence in numbers in the Hill capital, arranged for the presentation of an address of welcome which duly took place. Sir Joseph Ridgeway's reply was fully sympathetic and it has had somewhat of an electrical effect wherever planters are gathered together in Ceylon.

The proceedings of the annual meeting of the Planters' Association of Ceylon was characterised by enthusiasm and unanimity. Mr. A. W. Stopford Sackville was elected Chairman in succession to Mr. A. Melville White and there is every reason to hope that Mr. Stopford Sackville's selection will result in the same energetic work and in the continuity of the same vigorous policy as distinguished the two year's chairmanship of his predecessor.

From Kandy His Excellency, Lady Ridgeway and suite removed to Nuwara Eliya where they were accorded another welcome similarly picturesquely characteristic.

Two important weddings took place in Ceylon last month, one at Galle, in the nuptials of the Rev. M. J. Burrows to Mrs. L. Anthonisz, and the other in Colombo, where his Lordship the Bishop united in holy matrimony Miss Armadale, niece of Mr. T. B. Panabokke, and Mr. W. Chapman Dias Bandaranaike, a son of the late Canon Dias.

The Royal Warwickshire Regiment left Ceylon last month and they have been succeeded by the Loyal North Lancashire Regi-

ment who are rapidly making themselves as popular as their predecessors and winning *kudos* by their prowess in athletic sports and martial games.

Death removed a notable figure in Mr. Philip de Saram, the late Police Magistrate of Avisawella, who occupied as unique position in the affections of all classes of the community in the Island and was highly popular amongst the Kelani Valley planters, a number of whom acted as pall-bearers at the obsequies.

DE INJURIIS.

JUDICIAL PRACTICE.

(Wassenaar Cap. XIX. Art. I.)

(Translated from the Dutch by F. H. de Vos, Advocate.)

AS actions are often brought for defamation and injuries, also for marriage and seduction, I shall shortly state the principal points which arise therein. And as regards injuries, if any one feels injured in his honour and reputation, by words or deeds, uttered or done in his presence or absence, privately or publicly and desires to bring an action to redress the wrong done to his honour, or otherwise, he must, as regards verbal injury, institute his action within one year, as otherwise, by a year's silence, the action will be prescribed *cod. 9. 35. 5.* as also by condonation, or if the party injured, afterwards, before he institutes his action, or pending the action, associates with his adversary, eats and drinks with him and treats him civilly when he meets him *Inst. 4. 4. § 12, cod. 7. 16. 31. Dig. 47. 10. 11. § 1. Harprecht disp. 18, Th. 14. lita. et ibi alleg* or if the offender makes amends to the injured by admitting that he has acted wrongly and injured him hastily and unjustly *Dig. 47. 10. 17. § 6.*

II. Therefore, having resolved to follow up, or institute, his action for injury, it must be borne in mind, and it is advisable, that the offender should be beforehand questioned, through a Court Officer

or Notary and witnesses, whether he will stand by what he has, at a certain time and place, spoken to the prejudice of the intended plaintiff, for if he thereupon answers that he is sorry for what he has done and does not adhere to what he has said, or otherwise declares on oath that he has not uttered the words to injure the party injured, and that he does not deserve such treatment, *l. hac lege 8. hic. l. jusjurandum 34. d. tit.* he has made amends.

III. If the offender will not give a satisfactory answer, the injured party can bring him into court to obtain redress for his injuries, by a public admission of guilt or by a request and prayer for forgiveness, also by damages in money at the discretion of the judge *Gror. lib. 3 par. 44 n. 3 LEEUW. parat. lib. 4. par. 3. c. 6 n. 1,* and for that purpose, he presents a plaint to the following effect "that he is a person sprung from respectable parents, who has always behaved honorably and as a good citizen, without ever having been guilty of any crime or anything dishonorable, and although, therefore, no one had thought fit to assail his reputation or lower it, yet, one N, living at O, had not refrained, on the 30th August, 1667, in the

presence of many people, from injuring him, that is to say, that he.....
 And, as the petitioner, considered that, thereby, he was greatly injured in his honour and reputation to the disgrace of himself, his kindred and descendants, so he had recalled the same to mind and taken it to heart and caused the said N to be questioned whether he stands by what he had said, and that he has not thought fit to give any answer, as indeed he ought to have, and therefore the petitioner has been obliged to seek, in due course of law, reparation for his honour and reputation, and he seeks therefore a decree, by reason of what the aforesaid N had done, and also that honourable amends be made for the aforesaid injuries and regret expressed for the same, by the defendant and that he do declare that he knows nothing dishonourable of the petitioner, and, in case of refusal, that he be summoned, at the instance of the Crown, before this Court, to answer such a charge and prayer for relief as the petitioner shall make on a day named, in an action for injury, for the cause of action aforesaid, and further to take such steps as are fit and appropriate in the premises, which being done, etc."

IV. Which citation being served on the defendant, and the plaintiff receiving no satisfaction, He, on the due date moves that it be decreed that he has been injured by the defendant and that the defendant do make *honourable* and *profitable* amends for the said injuries; *honourable*, by entering bareheaded the audience-hall of the court and declaring that he is sorry for the injuries caused to the petitioner, that he seeks forgiveness and that he knows nothing against the plaintiff, save what is honourable and virtuous: *profitable* by paying the sum of..... guilders to the poor, if the petitioner declares on oath that he would not suffer similar injuries for the said sum or any greater sum of money, subject nevertheless to the discretion of the Court, as to a less or greater sum, and that he the defendant be condemned in the costs of this action, and otherwise.....etc.

V. Whereupon the defendant has to answer, sometimes with a claim in recon-

vention, and proceed to a termination as shewn before in *Cap. 1.*; and, in these cases, the following are the chief points which have sometimes to be considered.

VI. First, the date when the injurious words were spoken, should be stated in the plaint, to obviate the defendant's plea or contention that he is not bound to answer the plaint unless and until the time when he uttered the injurious words is disclosed, in order to see whether the action is prescribed or not and to consider the truth of the same, although otherwise the action will stand as if no exception was taken thereto by the defendant. BERLICH. *pr. convl. par. 5. concl. 65. num. 16.* WURMS *lib. 1. tit. 9. obs. 2.* GAIL *1. obs. 64. num. 7.*

VII. And although an action for injury caused by words is prescribed after a year, yet it must be understood that prescription runs, not from the time the words were spoken, but from the time when the plaintiff came to know of their utterance. CHRIST. *ad cons. Mechl. tit. 2. art. 4. num. 4.* GAIL *2. obs. 105.* MYNS. *7. obs. 7. num. 7.* But real injuries are not prescribed in one year but are like other actions. NEOSTAD *Cur. Hol. dec. 13.* SANDE *lib. 5. tit. 8. def. 10* which are based on the actual damage done, MATH. *de Criminib. lib. 47. tit. 4. cap. 1. num. 21. et cap. 2. in fin.* as the person who has remitted the injuries done to him is not understood to have remitted the damage which he has suffered in consequence, unless he has, at the same time, remitted his action. MATH. *de. c. 1. num. 16.* CHRIST. *d. tit. 2. art. 31. num. 11.* MYNS. *4. obs. 10.* COVAR. *2. var. res. c. 10. num. 7.* GOMES. *3. res. 6. num. 13.* And those are real injuries which are done with the hand or by force, as also when anyone outrages the modesty of a maiden and seeks to seduce her, and also injuries done in very many other ways, as to which, see MATH. *d. c. 1. num. 1. et possum Dig. 47. 10. 1. 15. and 16.* in which action, honorable amends *ad palinodiam* (as it is called) have no place but only the measures of damages is considered. MATH. *d. c. 2. in fin. et. c. 4. pr.* RADEL. *decis. Ultraj. 121.* And injuries done by writings and *famosis libellis* (lampoons) are considered as done by words, so that in such

cases honorable and profitable amends can be sought, especially if that which is imputed is not a capital offence MATH. *d. cap. 4. n. 2, 4 post.* GOMEZ. 3 *res. 6. num. 2. et FARINAC qu. 105. num. 439. 440.* for as injuries, whether real or verbal, deserve punishment, so the injured party can demand that the offender be punished as the Magistrate thinks fit, without prejudice to his action and right to recover damages. SANDE. *lib. 5. tit 8. def. 5.* COLER. *dec. 161 num 26.* MATH. *d. cap. 4. num. 5,* and the judge may, of his own motion refuse honourable amends, and cause the Advocate-Fiscal to prosecute, although the injured party does not desire this. MATH. *d. n. 5. in fin. per l. practor 7. § 1. ff. de injur.* as before shown in Chapter I. *art. 46.*

VIII It remains to be considered also, whether an action is competent to the injured party if that which is imputed to or said of him, is true and can be proved? Many are of opinion that he has no action for honourable amends but an action for damages for the injury. FARINAC *d. qu. 105. num 74.* SANDE *d. lib. 5. tit 8. def 7* but, it is to be gathered from MATH. *d. e. 4 num 4.* that, if the injurious words relate to a natural defect or something due to misfortune and that the same were uttered simply out of ill-will, to prejudice the injured party, that the latter can, in such a case, sue for honourable and profitable amends: but if the words spoken constitute a charge of the commission of a criminal offence as to which the state is interested that the same should be brought to its notice, then the injured party has neither the one action nor the other *Dig. 47. 10. 18.* and this also, although the offender cannot prove it, if he can only show that he has heard the same from trustworthy people. GOTH. *d. l. eum qui. 18.* CARPZOV. *def. for. par. 4. const. 42. def. 5. num. 1. 2.* FAB. *C. h. tit. def. 5.*

IX. It has been discussed whether it is permissible to return injury for injury. It is certain that this may be done in defence of one's honour, if it is done in a legal and proper manner, viz. with words, if one is injured by words, provided that no injurious words are used in return, but if it is only said in return that the offender

has lied like a slanderer or such like GAIL 2. *obs. 100. num. 9. 10.* MYNS. 5. *obs. 17. num. 3.* SCHNEID. § *injuria num. 4. Inst. 4. 4,* and provided that this takes place at once, that is, as soon as it is brought to his knowledge that he has been injured and occasion given for the same: so that, in certain cases, it may happen after ten years: *Dig. 1. 1. 3.* And this retaliation is so far allowed, that, although the statute forbids to give the lie to each other. this is to be understood, if it is done, not in defence if one's honour upon injurious revilings. MEYER. *Coll. Argent. d. lib. 47. tit. 10. thes. 21. per d. l. 3 ff de just. et. l. jur 14 § 6. ff. de bon. libert:* besides this retaliation would also be allowed against the Magistrate who, out of private spite, has injured another with words *cod. 10. 1. 5. cod. 2. 13. 3. § 25. Dig 47. 10. 32. Dig. 9. 2. 29 § 7.*

X. Further, although many think that mutual injuries cannot be set off one against the other, it should nevertheless be understood that it is quite consistent with law, that, where an injured party has thought fit to return injury for injury, he should be excused, so that the reciprocal injurious are compensated one by the other as excellently laid down by MATH *d. loc. cap. 1. num 9. per l. vero atque uxore 31. ff. sol. matr. d. l. 14 § 6 et d. l. 25 de procur.* as it is difficult to at once suppress one's reasonable anger, and therefore the retaliatory words would seem to have been uttered more in defence, than with an injurious intent, and anything said injuriously, without the intent to injure, is not actionable as for an injury, since, unless the intention to defame is present, the *actio injuriarum* does not lie, and he is free from blame who does a thing, not with the intention of hurting another. but of protecting himself *Dig. 39. 3. 9 GAIL d. obs. 100 et MYNS 5. obs. 15 VAND. 1. qu. 29 et THOM 2. qu. 108. artic 1.*

XI. Wherefore, for certain reasons, no action lies against one for reproaching another and for saying of a witness that he is unworthy of credit, unless the defendant has no reasons or proof for reproaching him *Dig. 47. 10. 15. § 73. WES. par. ff. eod. num. 9. CHRISTIN. ad. ll. Mechl: tit. 2. art 4. num. 20. et.*

tit. 1 art. 28. n. 27 in addit. GRIVEL. *dec. 100. COSTAL ad l. 5. § qui pro. ff. satisd. cog.* So also no action for injury lies against a witness produced in Court, unless he had called himself and could not prove the delict alleged by him. CRAVET. *cons. 13. n. 3, circa med.* also against those of unsound mind or those who have no understanding necessary to commit injury, as idiots and fools *Dig. 47. 10. 3 § 1 children Dig. 47. 10. 3 § 1, and sleeping persons c. unic de. Homicid. in Clem. c. 3. & item quaeritur: de baptis. TRENTL. p. 2 disp. 30. th. 6. lit. nov. 1.* as also those who are quite drunk, for such people are not in possession of their senses *p. d. C. unic el. l. unic. C. si quis Imp. maled. l. 6 § 7. ff. de re milit.* especially if, having become sober, they do not stand by what they said *WESENB ff. de injur. n. 4. vid. tamen. GAIL 2. obs. 110. n. 27 et seqq.*

XII. Therefore no intention to injure is presumed in the case of a father or master who punishes his children or pupils. *Dig. 9. 2. 4. § 1. Cod. 9. 15. 1. l. 15 § 4. ff. locat. Cod. 8. 47. 3:* also in the case of a husband who punishes his wife. *Dig. 48. 5. 38 § 8 l. 8 § 2. in fin cum Auth seq. C. de repud. GAIL 2. obs. 106. n. 6. nov. 117, c. 14. et. ibi. Dd.* but if he chastise immoderately, he will be held to have committed injury *Dig. 47. 10. 7 § 2. 3, 11 § 7. cod. 9. 35. 6.* so also, although a teacher or clergyman is justified in censuring and punishing the immorality of men *Dig. 47. 10. 13 § 4 et arg. Esaiæ 58. vers. 1 Ezech. 33. vers. 7. 8 et 1 Timoth 5.* but, if he, led by his feelings, seeks to expose, not so much immorality, as certain specified persons, he should not be considered innocent of injury. *MATH d. tit. 4. c. 1. num. 7. per l. 15. § adjicitur ff. hic. l. 5. § ult. et l. seq. ff. ad l. Aquil. l. 16 § causa ff. de poen.*

XIII. For the same reason, an action for injury is not competent to any person for anything said in jest *Dig. 47. 10. 3 § 3 et ibi GOTH* and, in general, if any one has done or said anything with an evil intent to injure another, it should be noted that he is presumed to have done or said it with an injurious intent, if that which he has said is forbidden, unlawful and tends to the prejudice of another, so that the offender must prove that he acted without

malice or ill-will and without any intention to injure. *Cod. 9. 35. 5 per Alciat. in l. detestate 40 de V. S. num 20 et seqq* nor will the fact that he has protested not to have said or written it to injure the plaintiff, help him, or if he say or write anything "saving his (plaintiff's) honour or dignity." As this protestation or reservation is inconsistent with the act, it does not exculpate him. *l. cum plures § locator. ff. locat. c. gratum. de offic. de leg. SURD dec. 70 num. 8.* but it should be understood that he may purge himself by oath to the effect that he has not said or done anything to injure the plaintiff, he the plaintiff not meriting such injury, viz. if the oath is enjoined and imposed upon him by the judge or the adverse party *MATH. d. tit. 4. cap 1. num 10 per d. l. § 8 ff de injur. v. GAIL d. obs. 106 et WURF s. lib. 4. tit. 47. obs. 10* especially, if anyone denies having spoken the injuries, the plaintiff may tender the oath to the defendant as in a case of injury. *BERLICH. prac. concl. par. 1. concl. 29. num. 42. seqq.*

XIV. And as, if anyone had no intention or thought of committing injury he cannot be sued by the persons injured by him, so on the otherhand, if anyone had an intention to injure another, he is bound to redress the injury, not only as regards those whom he has injured but also the person indirectly injured thereby: as for instance, a father, can bring the action if his child is injured *Dig. 47. 10. 1 § 3 et 4., 3 § 6; lib. 18 § ult l. 30 § 1 ff. h. tit. MATH. d. c. 1. n. 11.* Although the offender did not know whose son it was, yet it is sufficient if he knew that the son had a father *Dig. 47. 10. 1. § 8., 18 § 4, 5 et ult.* although the son had condoned the slanders and had not taken the same to heart, so that the son himself cannot sue *Dig. 47. 10. 1. § 5, et 26,* but not if the son himself had instituted the action *Dig. 47. 10. 17 § 21:* so a grandfather may see if his nephew is injured *Dig. 47. 10. 17 § 10. 18. 20.* and, in the same manner, if the father is of bad character and repute and does not desire to sue for the injury, yet the son may institute the action *Dig. 47. 10. 17. § 12, 13. 14.*

XV. So also a husband can bring an action for injury to his wife, although the

defendant did not know whose wife she was *Dig. 47. 10. I § 3, 5. 8. 18 § 5, 30 § 1, Cod. 9. 35. 2. Inst. 4. 4. 2.* a bridegroom also for injuries done to his bride *Dig. 47. 10. 15. § 24:* a husband's father for injury done to his son's wife *Inst. 4. 4. § 2. Dig. 47. 10. I. § 3.* and also masters or lords for injury done to their servants so far as the former are affected thereby. *GROT. lib. 3. par. 34. num. 12 per d. § 2. 3. et d. l. 1. § 3. fac. et l. 2. C. cod. MATTH d. num. 11. per l. 15 § 45. et § 43 ff. cod.* It should also be noted, that although a husband can bring an action by reason of the defamation of his wife, no action is competent to a wife for injury to her husband, for wives should be protected and ruled by their husbands and not husbands by wives. *Dig. 47. 10. I § 9, 2, MATTH d. num. 11.* So also no widow can bring an action for injury to her deceased husband but the heirs of the husband can, each for the full amount of damages *SANDE lib 5 tit. 8. viz. if the action was instituted by the husband himself and there has been a litiscontestation. GROT. d. par. num. 11. et ibi GROENW. SANDE d. tit. 8. def. 4. per l. 13. in fin. et l. 28. ff. r. t.* but, on the other hand, the children who repudiate the inheritance of their father, cannot maintain this action. *v. BERLICH. dec. 188 num 9 et SURD. dec 89. num. 13.* and a bankrupt cannot continue an action for injury, previously instituted by him, the profit of which goes to the creditors *v. TEPAT. var. sent. lit. 28 l. cap. 5. verb. per cessionem. MART. ff. Nov. p. 2 tit. injuria. c. 21.*

XVI. And an action for injury lies not only against the person who has committed or spoken the injury (defamation) but also against the person who has deceitfully and maliciously induced another to commit it. *Dig. 47. 10. II § 5, 15 § 10* as for instance, against the person who has or-

dered the commission of the injury *Dig. 47. 10. II. sec. 3.* or hired another to do it *Dig. 47. 10 II § 4* and the person who has helped the offender to commit the same. *GOTH. d. § 3. 4.* and also, in particular, against the father, on whose orders, a son has committed an injury. *Dig. 47. 10. II. § 5. Dig. 47. 10. 36,* as also against a city, village or college, on the orders of which, an injury has been committed by another *Dig. 4. 2. 9. § 1. Cod. I. 3.* also against the Magistrate or Judge who does anything tending to disgrace or revile another *Dig. 47. 10. 23 et ibi GROENEWEG. l. 29 § 7. ff. ad. l. Aquil as,* on the other hand, a Judge to whom, as judge, an injury has been publicly done, may punish without any other proceedings *v. CLAR § sin. qu. 35. num. 26. GAIL I. obs. 35,* and, although according to the Ordinance of *Utrecht rub. 46. art. 2.* infamous and disreputable persons could not make honourable amends or reparation, yet the injured party was not prevented from bringing his action for profitable amends. *MATH d. tit. 4. cap. 4 num 6.*

XVII. And as every injury is understood as being that which is said or done to the prejudice and disgrace of another, being against reason and the laws of the land or place where it is committed, *MATH d. tit. 4. num. 1. 2. late* and as some matters and words in one place and country are taken to be more or less defamatory than in other places, so, in these cases, much must be left to the discretion of the Judge, who will give judgment, having regard to things and persons, places and times—decreeing whether the defamation, whether by words or deeds, should be taken to be injurious, and how far the defendant should be ordered to make honorable amends or not, *v. egregie MATH d. tit. 4. c. 2. num. 2. 3.*



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