

THE CEYLON PATRIOT.

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Wes. Mis. House. J. KILNER.

Jaffna, December 26, 1863.

BREAD FRUIT PLANT.

A large number of Bread Fruit Plants can now be purchased at the Kutchery gardens by applying to Cangany in charge.

Jaffna, January, 1st. 1864.

ADVERTISEMENT

Oriental Bank Corporation.

An Agency of this Bank will be opened at Jaffna in the course of next month.

By order of the Court of Directors.

GEORGE DUFF.

Manager.

The Ceylon Patriot.

NEW YEAR.

Christmas day, with its usual festivities has passed away, as quietly as we expected, in Jaffna, and as we have just launched upon another year, we feel we should be sadly wanting both in courtesy and gratitude to our numerous readers, were we to allow this opportunity to pass away, without tendering to them our most sincere and hearty thanks for the kind support and encouragement which our maiden efforts have received—an amount of encouragement much greater than we had any right either to anticipate or respect.

To our past labors we most confidently appeal. We have had numerous difficulties to contend with at the commencement of our undertaking, which happily have now been removed and we beg to assure our readers, that while we are resolved to redouble our own exertions, we feel, we cannot be without soliciting from the reading public, a larger amount of support and encouragement.

Our warmest thanks are also due to the conductors of the three Colonial papers, who have cheered our efforts by an amount of unsolicited commendation.

And as on this day, with all its rich developments and all its unread morals before us, we wish our readers, one and all, *A happy new year.*

CHRISTIAN BAPTISMS.

We are glad to hear that on Christmas day there was quite a number of baptisms in Chundiculy Nellore and the Wesleyan Chapel, of Hindu adults and children. The number of Candidates as stated to us is as follows, Nellore, 30. Chundiculy, 24. Wesleyan Chapel, 6. The services at all these places are said to have been most interesting, and we look upon them as the earnest of a large measure of success with which we hope the labors of Christian Missions in our Province will ere long be crowned. We understand that a brother of the Kondavil Odear who was also baptized by Mr. McArthur has on account of his renouncing Hinduism had to bear the wrath of his brother and other relatives who have commenced a series of petty persecutions against the lad.

FORTNIGHT RETROSPECT.

The weather though at the commencement of the fortnight rather drouthy has since undergone a favorable change. Several very copious showers of rain have fallen which have gone a long way in relieving the minds of our farmers of the serious

apprehensions entertained of a failure in the coming crop owing to the want of rain. The public health continues good, although the dew has been unusually severe.

The famous New Marriage Bill has passed the council. The excitement it has caused in Jaffna continues unabated nevertheless. The Catholics and Hindus have convened large meetings to memorialize his grace the Secretary of state for the colonies for the disallowance of the bill. This of course will be their *dernier resort* and we venture not to surmise what the probable results may be legal. The devourers of Law Intelligence must have found the food lately supplied them by the Ceylon Journals a rich treat indeed, what with the simultaneous prosecution of the "Times" Editor in Colombo and the Editor of the Freeman in Jaffna, with other present or ex Editors retained for or against them, what with turtle killing cases and the like, we fear there must have been serious cases of indigestion every where irrespective of Christmas dinners etc. The Judgment in the case of Libel against the Editor of the Freeman we publish to-day. Being the first of its kind that ever came into our Courts it had caused a good deal of sensation in the Province. It goes an appeal, as we hear the case against the Editor of the Times does. Mr. Campbell's judgment in the case of the fishwoman charged with torturing a turtle though like "decapitation" "easy and simple" we think has given much satisfaction the mode of killing turtles in Jaffna is certainly most revolting and cruel. The arrival is so tenacious of life that we certainly do not think it can part with it till a considerable time even after its head is cut off. Yet no one can doubt that this is by far the better way of killing it.

In looking over the names of the gentlemen appointed as Land Registrar throughout the Island we find the choice most judiciously made. The list contains some very able and *staid* men who cannot fail to give universal satisfaction. We do not find Mr. Vaytilingam's name in the Gazette, but we think there is no doubt of his appointment as Registrar for Jaffna.

Missionary.—We are glad to see that the Rev. Mr. Buswell was one of the six persons admitted to priest's orders in Colombo. For the benefit of our local contemporary we must repeat the information paradoxical though it may appear to him that Mr. Buswell was present at the local examination on the same Monday he left for Colombo.

Elsewhere we publish the continuation of the interesting report of the Wannarponne Religious Discussion Society. We regret that the want of space prevented it appearing entire in our last issue. It will be seen that one of the Hindu Representatives has lacked out very gracefully indeed because "he feels himself quite unfit for the task imposed upon him" and that not one of the other learned Hindus would undertake to supply his place. So the remaining representative will have to bear the brunt of the battle alone, having imposed upon himself the task of producing a paper at the next meeting showing the authority of the standard works of the Sivites with the assistance of the Pundit.

The Metropolitan the most important event of the fortnight has been the arrival of the Metropolitan of India in the capital of our island. Dr. Cotton delivered his charge to the clergy of the Diocese of Colombo on Tuesday the 23rd instant, preached on Christmas day and has had other opportunities of seeing and addressing the good folks of Colombo. The Observer states, that the Bishop's departure will take place about the 5th January by the Steamer Pearl.

Christmas.—Our Christmas has passed off with the quiet happiness that usually characterize this sacred season here in Jaffna. Not the least interesting feature of which was the admission of several Hindu converts into the Church, the getting up of a dinner to the poor Christians of this town at the Mission House Chundiculy and a similar entertainment to the Christians and school children at Nellore by the Rev. C. McArthur. At Chundiculy we hear there were about 60 persons who sat down to dinner after which the resident Clergyman and a much respected European Layman addressed them a few appropriate words of exhortation. The Nellore Christians seemed to have heartily enjoyed Mr. McArthur's good cheer

We would hail the frequent recurrence of these occasions as tending not only to remove the thousand and one prejudices which fetter the mind in Jaffna but to produce greater Christian fellowship and union.

Appointments.—In connection with this subject we had lately to welcome to our Province Mr. Sarem and Lieut. Hunter, both of whom have assumed the duties of their respective posts and bid fair to be as useful as their predecessors.

BANK AGENCY IN JAFFNA.

From an advertisement in our columns today it will appear that the directors of the Oriental Bank have most gracefully met the request of the people of Jaffna to establish a branch of their establishment here. The advantages such an agency will afford to all classes especially our traders, who are now being fairly fleeced by our money lending Chetties, are very great indeed and we hope they will be duly appreciated.

H. M. STEAMER "PEARL"

This steamer left Jaffna on Saturday last for Colombo. It was certainly no mean honor for Jaffna to have so costly a Pearl grieving our Christmas. We are not aware of her next movement. But it is whispered the Pearl returns to its native bed at Arippoo.

REGISTRATION ORDINANCE.

Mr. S. Vyttingam Proctor of the Supreme Court has been appointed Deputy registrar of lands for Jaffna.

Staff Assistant Surgeon Hungerford having completed his Examination for promotion will repair to Jaffna without delay to take Medical charge of that station.

PARSEE GENEROSITY.

The Parsees are proverbially the most generous and liberal hearted men in India. Elsewhere is an extract from one of our Indian contemporaries announcing that one, Rustorjee Jamsetjee Jejeebhoy has devoted 150,000 Rupees to support five natives to qualify themselves for the Bar in England. Such princely munificence, has seldom been heard of except among Bombay Parsees. But have we no merchant princes in Ceylon who can well imitate his noble generosity. How many of our educated natives who thanks to the liberality of English and American Xians are now in the possession of wealth and influence might make themselves similarly useful if they will only give as freely as they have received. How many poor boys now going about in vain from door to door with petitions praying that they may be supported in some petty schools might then be properly provided for!

THE PETTAH PROPRIETARY BOY'S SCHOOL.

The examination of this School which commenced last week and continued through several days was closed on Wednesday night but when the distribution of prizes took place in the Hall of the Dispensary which was most tastefully decorated with ever greens &c. and filled by the *elite* of our littletown. Among the visitors present were, Mr. and Mrs. Campbell, Captain and Mrs. Trydel, Mr. Selby Dr. Keytand the parents of the lads. Mr. Campbell who had superintended the examination from its commencement, was on the motion of Dr. Wambbeck seconded by the Rev. Mr. Labrooy, called to the chair after which Mr. Selby examined the 1st Class in Euclid and reading, the other subjects, having been taken up during the previous days, when the boys were examined in Scripture Chronology, History, Latin, Geography, Grammar Arithmetic, Dictation, by Messrs Pole, Campbell Leembruggen and Schoorman in which subjects the children acquitted themselves very creditably indeed. The recitation of several select pieces of Poetry by the little fellows at the close of the examination was very much admired.

Mr. Campbell who deserves much praise for the warm interest he took in the examination and the trouble and inconvenience he entailed on himself to be present every day to superintend it, then rose and made some very appropriate remarks on the subject of education called on Arthur Wambbeck and Clement LaBrooy who had been adjud-

ged as entitled to a silver Medal each and with a portrait which he said was merely a representation of the medals which were shortly expected for them from England. One of them happening to be a likeness of Mr. C. Lorenz, the Chairman paid a whole marked eulogy to that gentleman and expressed his hope that the lads present will endeavor to imitate his example. Several other valuable prizes were then awarded to the others. The chairman expressed himself highly delighted with what he had seen that night and on the previous days from which he said he was quite sure that the children evinced a very fair acquaintance with of what they had learned during the brief period the school had been in existence. We had long thought of saying something with reference to offering rewards in schools. We know a good deal has been written on the pros and cons of the subject, which we disclaim all sympathy with those who cry down the practice almost as another 'root of all evil,' we fear that it is quite possible for emulation to be carried too far where jealousy and illwill are sure to take the place of generous rivalry. In connection with the distribution of prizes at this examination we were glad to find it was regulated on a principle recommended by one of the best writers on education, namely that of giving rewards to all for 'the dull of apprehension are not to be punished for being so, neither do the more gifted deserve praise for what they have received from the hand of God and on the whole the safest way is to dispense with rewards altogether when they cannot be equally offered to all.'

FOREIGN NEWS.

AMERICA.

FIGHTING ON THE RAPPAHANNOCK.

News is published this morning from New York to the 9th instant. The report of Meade's advance is confirmed. On the 7th instant, his arm reached the Rappahannock, and attacked the Confederate out-posts at Rappahannock station, Kelly's Fords. After a short but desperate conflict the Confederates, being overwhelmingly outnumbered, were driven across the river, leaving in the hands of the Federals 1,800 prisoners and several cannon. The Federals admit a loss of upwards of 800 killed and wounded. The Federals crossed the river on the 8th, and the Confederates fell back towards Culpepper, in which directions heavy firing is reported to have been heard on the morning of the 9th. General Lee's force is said to be diminished to 30,000 men; and the Federal Government are reported to have been urging Meade to move forward; but the *New York World*, not a very trustworthy authority, asserts that he is moving to occupy a new base, in order to go into winter quarters, where he will be less annoyed by guerillas.

From Chattanooga the news is that although the Confederates kept up their fire from Look-out Mountain, they did very little harm; and the Federals were able to bring their supplies in the town without difficulty. It was reported that Bragg's army in front of the place, had been very much weakened for some purpose, and that a strong force had been thrown by him across the Tennessee. The latest despatches from General Grant announce that the Confederates had attacked two of Burnside's advanced positions and captured portions of two Federal regiments; no details are given. The Confederates had been repulsed at Colliersville, on the Memphis and Charleston Railway, and the General in command of them, with his staff, had been captured. General Loring, with 8,000 Confederates, is at Canton, Mississippi, in the rear of Vicksburg, defending the Southern railways. In Arkansas the Confederates had been repulsed, and it was said that General Price had retreated beyond the Red River.

A circumstantial report had been published of the capture of Fort Sumter, and its occupation by a Pennsylvania regiment, but this rumour is contradicted by the last Federal advices and Confederate telegram to the 5th from Charleston, which state that the bombardment of the fort still continued furiously. No casualties were reported. President Davis had visited Charleston and inspected the defences. He is said to have expressed an opinion that Charleston could never be taken.

In Maryland the elections had resulted in three out of five of the Administration candidates being returned. Some protests had been made against the presence of military at the polling booths.

The currency question is attracting much attention in the South. The Richmond papers complain of the scarcity of food, and the prisoners arriving from Richmond were starving. The *Philadelphia Enquirer* contains a doubtful rumour that the Confederates are evacuating Richmond, and that President Davis has left permanently for the South. President Davis had made a speech at Mobile reminding the troops that they were not common soldiers but the best population of the country

poured into the army, and he appealed to them from other incentives than military discipline. Self must be entirely forgotten in present times, and those who were hoarding up wealth were hoarding up infamy, the mark of which they and their posterity, who shall have grown rich by war, must bear.

Mr. Seward had made a speech, asserting there could be no peace until Mr. Lincoln was President of the whole United States. He anticipated the early submission of the insurgents, "when there would be peace, and the angels in heaven a peace." There was no State that had been made stronger, and citizen that had not been made richer, by the war.

VANNARPONNE RELIGIOUS DISCUSSION SOCIETY.

(Continued from page 186.)

October 1st, 1863.

Rev. J. Kilner in the chair.

The Minutes of the last meeting were read and confirmed. Resolved and carried by a unanimous vote that Mess. Brown and Wytlingam be Vice-Presidents of the society. Mr. Bushnell according to the announcement made in the last meeting introduced his subject, viz, that 'creation is eternal' and attempted to establish his proposition by the following arguments.

1. 'The eternally creative nature of God.'
2. 'The immutability of God' 'if he be a creator now, he always was.'
3. 'The eternity of God to whom the whole eternity is so small, that past and future cannot be applied to him.'

The arguments adduced in support of the proposition were objected to by several members as unsound and insufficient to warrant the conclusion that *creation is eternal*.

October 22, 1863

Rev. J. Kilner in the chair.

The minutes of the last meeting were read and adopted after some amendments were made. "The eternity of creation" the subject of discussion in the previous meeting was resumed and Mr. Suppiah stated additional arguments in support of the proposition, viz.

1. 'God's power and good will.'
2. 'The relation of cause and effect.'
3. 'The fact that activity is essential to being.'

Members were divided as to the mode of procedure in the investigation of such a subject; and finding that the last appeal must be to the revealed will of God. It was resolved to consider in the next meeting the subject; 'What standard the Christians and the Hindus recognize respectively as of authority in matters of religion' and the meeting was then closed.

November 5, 1863.

Rev. J. Kilner in the chair.

The minutes of the last meeting were read and adopted. According to the resolution passed in the last meeting the question as to 'What are the standards of authority in religion recognized respectively by the Hindus and the Christians' was taken up for consideration.

The Rev. Mr. McArthur at the request of the chairman to state what is the Christians' standard, said that 'the question was simple and the Christian's standard was the Bible and the Bible alone.' Mr. McArthur's statement was supported by a unanimous agreement of the Christians present that they regard the Bible alone as of authority in matter of Religion.

Next came up the question of the standard of Sivaism or rather the Siva-sitanti system. Mr. Mielowaganum representing the Sivites stated that unlike the Christians he had to refer to a long catalogue of books as the Sivite's standard and they were as follows. The four Vedes, 28 Agamas, 18 Puranas, 18 smirthies Angams, Catpasutras, 207 Upagamas Pragramas, Tavarum, Tirowasagum and 14 Sitantams. Then the question of proving the authority of the respective standards was lengthily discussed and as a step toward this the subject of discussion agreed upon for the next meeting was the genuineness of several standards. There was a little reluctance in the part of some Sivite members to enter into an investigation of the genuineness &c. of the respective stands, but however, after some consideration it was agreed that in the next meeting before the discussion of the subject papers proving the genuineness of the respective books be laid first on the table.

November 19, 1863.

Rev. J. Kilner in the chair.

The minutes of the last meeting were read and adopted. But Mr. Bushnell contended for an amendment in the minutes stating that the reluctance of the Sivites to enter into an investigation of the genuineness of the respective standard books was simply a reluctance to investigation by external evidence alone. The amendment was accordingly adopted and a letter from Mr. Mielowaganum was read stating that in consequence of some pressing business he could not attend the meeting that evening November 19 and requesting a postponement.

In consideration of the failure of the Sivites to produce their paper and the request of Mr. Mielowaganum for a postponement it was proposed and carried that the further consideration of the subject be deferred to the next meeting.

December, 3 1863.

Rev. J. Kilner in the chair.

The secretary being absent it was moved and unanimously agreed that Mr. Winslow act as secretary for the time being. No paper containing the arguments on the side of the Sivites was produced. It was proposed by Mr. Mylwaganam that the course of discussion and the mode of proving the sivite's standard books be altered &c.

After a lengthy discussion Mr. Mylwaganum said that he is 'not ready with the required paper now, but

he may or may not produce it here after.' After some further discussion it was expressed by Mr. Mylwaganam that 'he feels himself quite unfit for the task imposed upon him' and suggests that able hands such as Pundits &c. may be called in to give what is wanted viz, the proof of the authoritativeness of the Sivites standard books. Mr. Bushnell filed a paper containing some objections to the mode of proving the authoritativeness of the respective standard religious books.

The chairman offered to give some statement of the genuineness &c. of the Sivite standard but it was declined by the Sivites saying that 'it was not right to get a sword from the enemy.' Every one of the Sivites declined to take upon himself the office of the representative of the Sivites. Mr. P. proposed that 'two members one a Sivite and the other a christian do wait upon the most learned Pundits in Jaffna and respectfully request them either to be present in the next meeting to prove or to give a paper proving the genuineness authenticity and inspiration or the authority of the standard books already quoted by the Sivites in one of the meetings. The Maniagar of Jaffna seconded the motion and it was carried unanimously. Mr. R. Newton for the Christians and Mr. Morogaso for the sivites were selected to form a deputation for the purpose referred to in the motion.

December 17, 1863.

Rev. J. Kilner in the chair.

The minutes of the last meeting were read and adopted. A paper from the deputation was also read stating that they have had interviews with Mess. Aroomoganawaler, Sangaranamachivayer and Summantier, and their reply was that they must be furnished with the proceedings of the several meetings after which they would give an answer to the request made from the society.

Moved by Mr. Suppiah and seconded by Mr. Wood that the report of the deputation, be adopted. Moved by Mr. Suppiah and seconded by Mr. P. that the proceedings of this society be sent to the local papers for circulation and that Mess. Lyman and Winslow form a committee to furnish a true copy of the proceedings to the Editors. It was also resolved that a copy of these proceedings when printed be supplied to the gentlemen referred to in the report of the deputation with a view of getting an answer from them. Mr. Suppiah volunteered to produce a paper at the next meeting shewing the authority of the standard works of the Sivites with the assistance of the Pundits. Agreeably to the request of the chairman it was resolved to have the next meeting on the 14th of the next month.

A. Lyman, Secy.
Sub Committee. H. Winslow

JUDGEMENT.

(Continued from page, 187.)

The Plff in this case is an Overseer employed in the Road Department by the Civil Engineer of the Province, and the 1st Deft. was the proprietor of a public News Paper called the "Jaffna Freeman" on the 29th Dec. 1862, when a certain letter dated from Kockoo-vile 22nd Dec. 1862 and signed 'S. A.' 'authenticated' was addressed to the 2nd Deft. to the said proprietor of the said Freeman was published by the said 1st Deft. on the said 29th Dec. 1862. This is all admitted.

The Plff. in his Libel complains that his character as a Public officer and a private individual has been by the writing and publishing of the said letter by the Defs. defamed, by the false, scandalous, malicious and defamatory matter contained in the said letter, which he has been greatly injured in his good name, fame and credit, and that he has also suffered pecuniary damage.

It will be seen by the 1st Defts. answer that he admits as the Editor of the said public News Paper (meaning the Jaffna Freeman) that he did publish the letter (extracts from which are given in the Libel) but he pleads he did so *bonafide*, believing same to be true, he pleads also that the said letter was authenticated at the time of publication. He denies that the Plff. sustained any damage whatever and all other allegations of Plff. except those specially admitted in his answer.

The 2nd Deft. in his answer admits himself to be the author of the said letter published in the "Jaffna Freeman" dated 29th Dec. 1862. referred to in the Libel and repeats the substance of the libelous matter set forth in the libel and contained in the said letter but denies that he wrote it and caused to be published from malice but with a view of inducing the authorities to make enquiry into the conduct of the Plff and other Overseers and for the purpose of preventing extortion and checking oppression in his village; alleges that he himself suffered by the malpractices of the Plff. that he, Plff. received a bribe of £2 for accommodating a Brahmin at the expense and inconvenience of the said 2nd Deft.; that Plff. received ear-rings from a man called Supper Pandary for removing the line from his land and other charges of bribery.

The reply of the Plff. is merely a repetition of his grievances.

Having briefly shown by the pleadings what the nature of the case is, the next step is to observe that the 2nd Deft. in his examination not only admits every thing contained in the said letter of the 22nd December and published on the 29th Dec. 1862 but justifies the publication of it on the ground of the truth of the charge therein contained and express his readiness to prove them to be such.

It seems to be the duty of the Court in the first to decide whether the matter contained in the said letter of the 29th Dec. 1862. is libelous or not. Although the Plff. was a public servant, and every person has a right to comment openly and strongly on his conduct, yet it must be done *bona fide* and without imputing to

him any corrupt motives or dishonest acts. No one can read the letter of the 29th Dec. 1862. without at once pronouncing it to contain the grossest charges of dishonesty and corruption and immorality. The Court has no hesitation than in pronouncing the said letter to be a libelous production. It not only commented strongly on the conduct of the Plff. but charged him directly most corrupt, dishonest and immoral conduct. Every wilful and unauthorized publication injurious to the character of another is a *Libel*.

The next question to be decided is whether in the case of the 1st Deft., the Editor of the News Paper the publication of such a letter can be termed a *privileged publication*—as the 1st Deft's Proctor has urged that point on the consideration of the Court it must remark that the general rule is that the proprietor of News Paper is answerable for the publication of a Libel though he has nothing to do with the publication and the whole be conducted by his servants. The proprietor of a News Paper is *prima facie* answerable for what appears in it. Where the writer of a libelous letter is acting in the due course of his duty legal or moral towards the person to whom he writes, or where he has by his situation to protect the interest of that person under such circumstances it is a *privileged communication*. In the case of the 2nd Deft. a *private individual* writes to the 1st Deft.—the Editor of a News Paper—it cannot then be said that the 2nd Deft. had such relations with the 1st Deft. nor that the 1st Deft. in publishing such a letter was under any duty moral or legal to make it known; besides on the very face of the letter itself it was not a confidential communication, but directed to the Editor the 1st Deft. in his public character.

Having decided that the letter of the 22nd Dec. 1862 published in the Freeman of the 29th Dec. 1862. is of a libelous character and having also decided that it was not a *privileged publication* the next step is to consider the evidence adduced by the Defts. in justification of the publication of the said letter. The 1st Deft. calls no witnesses but seems to rely on the evidence of the 2nd Deft. The said letter charges the Plff. with two other Overseers with the following instances of direct dishonesty and immorality. 1st, that the head Overseer had traced out the line of channel alluded to on such parts of the lands which would be most injurious to the owners with the design of getting bribes. 2ndly, that he caused great loss to the Government. 3rdly, an injury to the public, 4thly; that on the 29th Nov. last they, meaning the Plff. and the two other Overseers caused Paylists to be prepared charging 4 week's pay as due to some coolies who had worked only a week or two: 5thly, that 25 persons' wages were charged who had never worked in the channel. That 15 belonged to the said Overseers and 10 to the Odear; 6th, that he had been supplied by the Odear, with Arrack, Toddy and Harlots; and the 2nd Deft. in his answer, as I have said, repeats these charges and some other libelous matter. To prove the truth of the several allegations isolated evidence had been called in every instance except in the allegation of a bribe given by the Brahmans of £2 and their evidences 4th and 5th witnesses go to prove a different transaction altogether that what is alleged in the answer, namely that several planks were given of the value of 10s. 6d. to the Plff. instead of a sum of £2 in money. The evidence of the other witnesses is quite insufficient to uphold the several allegations of bribery or corruption or misconduct of any kind. The Court in truth does not consider it worthy of credit and it is confirmed most strongly in that view of it by the evidence adduced by the Plff. His 1st witness Mr. Folkard the Civil Engineer gives the Plff. a high character and states distinctly the work in question was done under his eye. That alterations in the line of channel were made on one or two occasions after he first set it out by his order and that on these occasions Plff. acted under his directions altogether. Mr. Folkard's evidence seems to clear thoroughly. No complaint was made to him. And further though a petition went to the Govt. Agent respecting some earth which had been left in the lane across which the channel ran no complaint was made against the Plff. of corrupt practices.

The evidence of the Plff. as to the manner and mode of paying the coolies employed on the channel is most satisfactory and rebuts in toto the allegation of the 2nd Deft. as to the fraud committed by others on these occasions in combination with the Plff. No such things as alleged by the 2nd Deft. in his letter of the 22nd Dec. 1862. could have occurred (The Plff. cannot be expected neither is it necessary (the Court disbelieving the story of 4 or 5 witnesses about the planks) to bring evidence to rebut it because there is no such allegation to be found in the answer.

The next consideration (as the Court does not believe the 2nd Deft's witnesses and if credible, considers it insufficient to prove the truth of any one of the instances of bribery, corruption and misconduct) is has the letter been written by the 2nd Deft. *bonafide* that is believing the facts therein to be true or was it written maliciously with intent to injure the Plff. The whole complexion and tenor of the letter is such as to point out that it was written maliciously and with the intention of injuring the Plff. There is no other way of understanding the letter. The Court considers it expressly malicious in the case of the 2nd Deft. and though no express malice nor collusion on the part of the 1st Deft. has been sufficiently proved, yet in such a case as this, the Court is of opinion that both malice and collusion is in law to be implied in the fact of an unauthorized publication of a letter so full of libelous matter being inserted in a public Newspaper.

The Plff. has also proved actual damages by the Civil Engineer Mr. Folkard in not having received promotion last year when he would have been promoted had it not been for the publication of the said letter.

It is therefore adjudged and decreed that the Defts. pay to the Plff. a damage sum of £20 and all the costs of this suit.
(Signed,) H. POLE.
Act. District Judge.

LIGHT UPON MARRIAGE CEREMONIES.

Just now that all classes and creeds are discussing the merits of the New Marriage Ordinance the readers of the Ceylon Patriot may perhaps be pleased if you favor them with the accompanying remarks:—It is a curious thing to see how day-light is breaking in upon the darkness of old superstitious and how the spirit of the age is seeking to expose all shams. The Roman church has a war to wage to keep itself from crumbling to pieces under the test of *history* and *common sense*; and some Protestants too will find it needful to bridle in their steeds or they may over-ride the plainest lessons of history and the simplest teachings of the Bible.

1. The state has ever claimed the right of regulating the laws of marriage.

2. The necessity of religious exercises in marriage was not recognized by the Civil Law until the *ninth century*, though the church had required religious rites from the second century.

3. For the first *five centuries*, the church had no power over marriage beyond that of censure and excommunication.

4. In the middle ages, the church's influence preponderated, but did not even then amount to exclusive jurisdiction as to marriage.

5. Mixed marriages between Christians and idolaters were denounced by the early fathers and the decrees of several councils.

6. A heathen marriage was not annulled on the conversion of either party to Christianity.

7. The early church decided whether a marriage among Christians was in accordance with Christian principles.

8. Second marriages were strongly opposed by the early Christians, under the idea that marriage was a spiritual union, and was intended to be renewed beyond the grave.

9. It was customary to celebrate the nuptials by processions—songs;—feasts;—and scattering money among the poor.

10. The following things were deemed necessary to the validity of a marriage:—(1) A mutual contract; 2) The confirmation of this contract by *gifts; a ring; a kiss; and a dowry*:—It was also needful that all these should be attested by a sufficient number of witnesses.

11. Polygamy and fornication were condemned by the primeval institution, which joined *one man to one woman*: see Gen. 1. 27—28.

12. The Jewish *parents* selected wives for their sons and husbands for their daughters.

13. The Jewish marriage ceremony does not appear to have been the work of the *Priest*: but to have been simply a covenant made between the *Father* and the *brothers of the bride* on the one hand, and the *father of the bridegroom* on the other. This was attested by witnesses, sometimes by writing; and sometimes with an oath.

14. Sometimes the father of the bride received a dowry varying from 30 to 50 shekels.

15. Rarely was the *bride* the recipient of a dowry from *her father*.

16. A blessing was implored on the married couple.

17. Another ceremony practiced in later Jewish times was for the *father of the bride* to place the right hand of his daughter into the right hand of the *bridegroom*.

18. Is it not strange that we no where read in the Old and the New Testaments?

1. Of the Jewish priest *ex-officio* performing the ceremony of marriage? Nor,

2. That Jewish marriages were performed in the *tabernacle* whilst it stood, and in the *temple* after the tabernacle was super-eded? Nor,

3. That Jesus even once performed the ceremony? Nor,

4. That the great law giver left laws for the guidance of his disciples respecting marriage ceremonies? Nor,

5. That any one of the apostles ever performed this ceremony for the early Christians? Nor,

6. That they have any where intimated that it is a part of the Pastoral or Ministerial office to perform the marriage ceremony?

The Christian church of this land should ponder these facts, or otherwise it may impose on itself burdens which it has no scriptural obligation to bear.

BENEDICT.

SIVITE.

The Nellore Reformation meeting.

It appears that prior to the Christian era both boys and girls were prostituted to the most vile purposes, as a part of the Religious service offered to the heathen gods.

Whilst Greek and Roman Philosophers refused to oppose this terrible profligacy, Moses the Jewish Legislator enacted.

1. That among the Israelites no prostitute male or female, should be tolerated and if the daughter of a priest especially guilty of whoredom, she should be stoned and her body should be burnt.—Lev: xxi, 9.

Further in order that Priests of unclean minds

should not in imitation of other nations make crimes of this kind a part of the Divine worship be enacted.

2. That the price of whoredom, though presented in return for a vow should not be received at the sanctuary.—Deut. xxiii, 18. Notwithstanding the severity of these and similar enactments, prostitutes of both sexes were set apart in the time of kings for the service of idols. See, Prov. II: 16,—19. Do. V: 3,—6. Do. VII 5,—27. Amos. II: 7. Jerem. III: 2. Do. V: 7. Kings XIV: 24. Do. XV: 12.

We hail with great thankfulness the movement being made by our Sivite friends at Nellore to remove the vilest and most unhalloved appendage to their religion that ever corruption itself brought forth, viz, the dancing girls—alias common prostitutes, we wish the priests at Nellore every success in their initiative efforts and hope it will lead to greater reforms until they shall know and serve the only living and true God and Jesus Christ whom he has sent.
Amicus.

MISSING LETTERS.

Dear Sir,
It has fallen to my lot to communicate the following and to ask you earnestly to give it insertion in one of the earliest issues of your impartial Journal. It was only but the other day I had the luck of holding a conversation with a friend of mine who was absent all the time in Colombo and Kandy. In the course of our conversation having talked of several things I was questioned by my friend to assign reasons for not having written in reply to what he had written on a certain date. I was started by his query and having been puzzled for a while prevailed upon him to speak the truth; further an intelligent friend who sat by us, said it is not an uncommon case missing letters in this manner. Well having given no heed to his words I still insisted in a stubborn way to get hold of the fact. Immediately my friend stepped in and produced a memorandum in which the dates of the posting of the letters are kept. Doubtless that strengthened his assertion a great deal more. Sir, this is not the first occasion I heard or met persons complaining about the Misfortune of losing urgent and important letters. The letters being inanimate objects in themselves; who is in the fault? Certainly it cannot but be the fault of those who are engaged in the post office by the Government. There is hardly any reason to believe otherwise than that this happens purely by carelessness and gross neglect and perhaps through the want of proper means to distribute the letters carefully to the respective parties. I deem it to be the duty of every patriot to make a loud cry about this great evil and for the good of the public to arouse the attention of the superior officers to be little more strict as to this affair. A few remarks from your able pen will not prove useless on the point.
One who missed a letter.

FROM THE MADRAS OBSERVER.

"A remarkable instance of Parsee generosity has lately been made public. One RUSTOMJEE JAMSETJEE JEJEEBHOY has determined to devote a lakh and a half of Rupees (150,000) to enable five Natives of India to qualify themselves in England for practice at the Bar in India. The Benefits of this proposal are (according to his own memorandum) to be open to one parsee, one Hindu and one Portuguese, in Bombay; one Mahomedan, and one Hindu or East Indian, from Calcutta or Madras; all of good family connections, occupying a respectable position in Society. No candidate, whatever his abilities may be, is to be selected who cannot produce undoubted proof of his good moral conduct. The proposal is to be kept open for one year. The scale upon which the expenditure is calculated is exceedingly liberal, viz., to each successful candidate:—

"Passage-money to England and back	£220.	Rs. 2,200
Fees Book, &c., during the 3 years residence in England, say	£730.	7,300
Expence of living in England for 3 years say	£350 per annum	10,500
Sum to be presented to each candidate on his return to India, who has successfully passed as a Barrister, and can also produce Certificates of his good moral conduct during his residence in England	£1,000.	10,000
"Total expense incurred on account of each successful candidate.		Rs. 30,000

"If any of those who may be selected should fail to qualify themselves after 3 years or at the most 3½ years residence in England, or if any of them are unable to produce a certificate of good moral conduct during their residence in England, for such candidates the present of (Rupees 10,000) ten thousand rupees, on their return to India is to be withheld.

"Candidates will be required after the expiration of each year's residence in England, to produce a certificate of the progress made by them from the proper authorities in England, and also respecting their moral conduct. Should these certificates be unsatisfactory, the allowance will be discontinued."

"This is indeed a most munificent proposal, and we hope that it may be productive of good to the natives of India."

