



# The Ceylon Times

WITH WHICH IS INCORPORATED

## THE KANDY HERALD.

VOL. 31.

COLOMBO:—FRIDAY, OCTOBER 28th, 1870.

No. 86

### SHIPPING ANNOUNCEMENTS.

#### SERVICES

Messageries Maritimes.—  
PAQUEBOTS POSTE FRANCAIS

STEAMERS will leave Point de Galle on or about the following days:

	July.	August.	September.	October.	November.	December.
For Calcutta, Mauritius and Mediterranean.	1, 15, 29	12, 26	10, 24	18, 31	1, 15	29
Cochin China, China, and Japan.	4, 18, 31	11, 25	9, 23	17, 30	1, 14	28
Pondicherry, Madras and Calcutta.	6, 20, 3	13, 27	11, 25	19, 31	2, 16	30

Passengers for London can obtain at Marseilles Railway tickets direct, either via Calais, Boulogne, or via Dieppe and Newhaven at the following rates:  
Via Calais or Boulogne Fr. 175. .... £6 12 0  
Dieppe and Newhaven.....134.15.....£5 15 4  
These tickets are available for one month.  
For freight or passage apply in Galle at the Office of the Company, and in Colombo at the Office of Messrs. ARMITAGE BROTHERS.

H. AUBER, Agent.

### PENINSULAR AND ORIENTAL Steam Navigation Company.

STEAMERS will leave Point de Galle on or about the following dates:

For	July.	August.	September.	October.	November.	December.
Marseilles and Southampton.	11, 25	22, 5	3, 17	16, 29	14, 27	11, 24
Bombay.	10, 24	7, 21	4, 18	15, 28	13, 26	10, 23
Madras and Calcutta.	26, 9	23, 6	20, 3	17, 30	15, 28	12, 25
Straits and China.	27, 31	24, 27	21, 24	18, 21	15, 18	12, 15
Australia.	13, 27	10, 24	7, 21	4, 18	1, 14	28

Rates of Passage Money.		King George's Sound	£30
To Suez	£65	Malbourne or Sydney	40
Southampton	80	Penang	20
Marseilles	75	Singapore	30
Bombay	16	Hong Kong	54
Madras	10	Shanghai	74
Calcutta	24		

\* Transit through Egypt £3 extra.  
Children above 3 and under 10 years, half of first class rates.  
One child under 3 years. (If with Parent) free.

To Marseilles. To Southampton  
2nd Class Passengers. £48. £50  
European Servants. 48. 50  
Native do. 24. 25  
\* Transit through Egypt £2 extra

Return Fares.  
Passengers embarking within six months of their arrival from Europe or Suez, and within three months of arrival from all ports Eastward of Suez and vice versa will be allowed a reduction of 20 per cent. on the return passage money.

THE COMPANY reserve the option of forwarding all Goods, shipped by their Steamers for Europe through Egypt, either by Rail or by Canal in their own Steamers, or in vessels employed for the purpose, they also book goods on through Bill of Lading to Trieste, Venice, Genoa, Barcelona, Marseilles or Havre.  
For rates of freight and further particulars, Apply to  
F. BAYLEY, Agent.  
Point de Galle.

### THE MESSAGERIES MARITIMES.

THE FOLLOWING reduced scale of charges from Galle to Marseilles is now adopted by this Company:—

FIRST CLASS (ordinary cabin).	£75 0 0
SECOND CLASS.	£50 0 0
THIRD CLASS.	£35 0 0
DECK PASSAGE.	£23 0 0

For further particulars apply in Galle at the Office of the Company, and in Colombo at the Office of Messrs. ARMITAGE BROTHERS.

H. AUBER, Agent.

### British India Steam Navigation Company (LIMITED).

ONE OF THE COMPANY'S STEAMERS WILL LEAVE COLOMBO

FOR CALCUTTA—Calling at Galle, 13rd 17th and 21st Nov., Negapatam, Madras, 31st Oct. 14th Nov., Cochin, Vizagapatam, 28th Nov., Mangalore and Carwar, 12th and 26th Dec. on or about.

FOR BOMBAY—Calling at Tuticorin, Cochin, Calicut, 4th and 18th Nov., Beypore, Cannanore, 31st Oct. 15th Nov., Mangalore and Carwar, 13th and 27th Dec. on or about.

ALSTONS, SCOTT & Co., Agents.

### SALES BY AUCTION.

#### GENERAL AUCTION SALE.

THE UNDERSIGNED will sell by public auction, on Saturday, October 29th, at 12 o'clock, at his Rooms, adjoining the Oriental Hotel,

A QUANTITY OF  
HOUSEHOLD FURNITURE,  
MUSIC BOOKS, &c.

30 Doz. CHAMPAGNE in quarts.  
25 do do in pints.  
40 do SHERRY.  
20 do PORT WINE.

To close consignments.

AND  
Some Horses and Carriages.

W. ARCEBOLD.  
Kandy, October 22nd, 1870.

### AUCTION SALE IN LONDON

OF THE

#### GALLEMUDUNE ESTATE

AND

FOREST LAND ADJOINING IN AMBEGAMOA

Messrs. FULLER, HORSEY, SON & CO.

will shortly put up to auction in London,

The Galle mudune Estate

together with the Forest Land adjoining,

called

PELLEGALETTE, consisting in all of 1,792 acres,

of which 280 acres are planted with Coffee. The

estimated Crop this Season is Cwts. 1,100;—a large

extent of the Forest Land is suitable for Coffee.

The estate is situated about 10 miles from

Navalpetta to which town it is expected the

Railway extension will be carried immediately.

For further particulars, Apply to

CARSON & Co. AGENTS

### MERCANTILE ANNOUNCEMENTS.

37, Chatham Street.

MARTELL'S

LA GRANDE MARQUE } BRANDIES

in one dozen Cases.

FINEST SPARKLING MOSELE

@ 60s. per dozen.

from A. Jordan, Coblenz.

J. P. GREEN & Co.

### E. J. BRAND & CO'S WINES

CROWN SHERRY, Pale and Dry, n quarter Cases

Do. MADEIRA

Do. CLARET, Superior

Do. PORT, fine old

Do. VERMOUTH

Do. CURACAO

Do. CROWN WHISKY

J. P. GREEN & Co.

### La Grande Marque Cognac.

THE UNDERSIGNED having been appointed

Agents for the Sale of the above Cognac, in the

Island of Ceylon, are prepared to supply it in

large or small quantities. Orders from out-stations

must be accompanied by a reference.

J. P. GREEN & Co.

Colombo, 19th May, 1870.

### Barclay Perkin's BROWN STOUT PORTER

£6 10s. per Hhd.

J. P. GREEN & Co.

### ALLSOPPS PALE ALE

IN HHDS.

Price £7 10s. Cash.

ALSO IN KILDERKINS, £3 5s. CASH.

Price £6 15s. CASH.

Full to the Bung.

ALLSOPPS C. B. ALE

9s. 6d. per doz. Cash.

REID & CO'S C. B. PORTER

9s. 6d. per doz. Cash.

ALLSOPPS E. B. BEER

in 4 dozen Barrels. £2 2s. Cash.

REID & CO'S E. B. PORTER

in 4 dozen Barrels. £2 2s. Cash.

GUINNESS' DUBLIN STOUT

4 dozen Cases. £2 2s. Cash.

CARGILL & Co.

Colombo, 3rd August, 1870.

### FOR SALE

At the Godowns of the Undersigned.

A Fresh Supply of the

FINEST AUSTRALIAN FLOUR

in 50lb tins, at 16s 6d.

LEE, HEDGES & Co.,

Trincomalee Street, Kandy, 19th November, 1869.

### FOR SALE

At the Godowns of the Undersigned:

BEST STAFFORDSHIRE HOOP IRON

1 1/2 inch, 1 1/4 inch and 1 1/8 inch:

Just landed ex "A. O. A." from London.

LEECHMAN & Co.

Colombo, 18th July, 1870.

### VIA SUEZ CANAL.

JUST OPENED

EX S. S. "EVORA."

GENT'S SHOOTING, Emperor and Blucher

do do

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### FOR SALE.

THE GODOWNS OF THE UNDERSIGNED

THE FOLLOWING EXCELLENT SHERRIES

in one dozen cases.

White Seal at 48s. per Dozen

Yellow Seal at 42s. "

Red Seal at 36s. "

Green Seal at 30s. "

ALSO EX "BRITOMART,"

SHERRY in Quarter Cases and Hogsheads

HOOP IRON 1 1/2 in, 1 1/4 in, and 1 1/8 in.

KEPPEL JONES & Co.

Colombo, Feb. 10, 1870.

### WHYTE & Co.

HAVE received via Suez Canal,

"HYMNS ANCIENT AND MODERN"

as used in the English Church,

with and without Appendix, with and without Music

and Appendix only,

in a variety of type and binding.

Family Prayers as sanctioned by G.A.

CHURCH OF SCOTLAND.

Hole's "Book about Roses."

BAKER'S "ALBERT NYANZA"

ALSO

WINDOW TATS, HAYANNAH CIGARS,

Bacon in Fitches.

Apothecaries' Hall, Kandy.

### WHYTE & Co.

HAVE RECEIVED BY LAST OVERLAND

SEEDS

FLOWER AND VEGETABLE.

Apothecaries' Hall, Kandy.

22nd July, 1870.

### WHYTE & Co.

HAVE received Ex "GAMBIA," a new

assortment of

CROCKERY

sets and half sets of

Breakfast and Dinner-ware

of choice and elegant patterns and low priced.

SETS CHAMBER WARE,

CHILDREN'S MUGS,

SPARE PLATES, CUPS AND SAUCERS,

MILK JUGS, &c. &c.

Apothecaries' Hall, Kandy.

### COOLY COATS.

BEST BLUE TUNICS.

WHYTE & Co.

Apothecaries' Hall, Kandy.

### STATIONERY.

A WELL SELECTED ASSORTMENT.

WHYTE & Co.

Apothecaries' Hall, Kandy.

### TAXIDERMISTS' INSTRUMENTS.

A AND REQUISITES OF ALL SORTS.

WHYTE & Co.

Apothecaries' Hall, Kandy.

### Manures and Chemicals.

JOHN BENNET LAWES, F. R. S.,

59, Mark Lane, London,

has ready for delivery—

Superphosphate of Lime,

Dissolved Bones,

Cane Manure,

Coffee Manure,

Sulphate of Ammonia,

Nitrate of Soda,

Peruvian Guano,

and all Chemical Manures of Value.

Manures can be prepared and shipped in small or

large quantities for experiments, if required, also

Tartaric, Citric and Sulphuric Acids.

### ENGLISH GOODS.

(Via SUEZ CANAL.)

AT CHEAPEST RATES.

D. NICHOLSON & CO.

SILK, WOOLLEN AND MANCHESTER

WAREHOUSEMEN

(Wholesale and Retail)

India, Colonial and Foreign Outfitters

50 to 52, ST. PAUL'S CHURCHYARD,

(CORNER OF CHEAPSIDE), LONDON.

Established 1843,

Invite the attention of OFFICERS of both

Services, and FAMILIES residing in India and

China, to their Illustrated 120 page Catalogue,

containing full particulars as to Woollen, Silk and

Cotton Goods of every description.

Ladies' Clothing, Linens, Hosiery,

Gloves, Ribbons, Haberdashery,

Jewellery, &c.

Contractors for Military and Police Clothing and

Accessories.

Household Furniture

Musical Instruments.

Fire-arms

Preserved Provisions.

Agricultural Imple-

ments

Cutlery

Carriages

Saddlery & Harness.

SHIPPED AT LOWEST EXPORT PRICES.

Sole Agents for the "Vander" and the "Bri-

tannia" Sewing Machines for the City of London.

Foreign Produce Disposed of for a Commission

of 2 1/2 per cent.

Price list can be had of Messrs. WHEATLEY & Co.

Bombay.

### D. NICHOLSON & CO.

50, 51, & 52, St. Paul's Churchyard, London.

Terms.—Not less than 50 per cent. to accompa-

ny Indents and Balance against Bills of Lading.

### GENERAL NOTICES.

#### MUNIANDI.

NEW ADVERTISEMENTS.

**FISCAL'S SALE.**  
No. 56,372.  
IN THE DISTRICT COURT OF COLOMBO.  
Balapuwaduge Mannechulleesia Selestino Mendis Appahami.....Plaintiff.  
Vs.  
Balapuwaduge Alexander Mendis Senanayake Appahami.....Defendant.  
NOTICE is hereby given, that on the 26th day of November next, at 11 o'clock in the forenoon, will be sold at the premises, the following property of the said Defendant, to wit:  
A land Maringawatte, Cotowawatte, Adarawatte, Maringawatte and Wattiwawatte, adjoining each other, situated at Rawatawatta in Morottoo, containing in extent 1 acre 1 rood and 35, 5-100 perches, with the Buildings standing thereon, and a portion of 1 rood and 21-100 perches extent of Cotowawatte, situated at Laksepetta.

A. YOUNG ADAMS, Fiscal.  
Fiscal's Office, Colombo, 27th October, 1870.

**AUCTION SALE OF HOUSEHOLD FURNITURE.**

MESSRS. VENN & Co. are instructed by Wm. CAREY LEBERMAN, Esq., to sell on Saturday, 12th November, at his residence, 299 Colpetty, the whole of his well-kept Furniture and Effects, Catalogue of which will duly be published.

**EUROPEAN BAKERY.**

Bread may now be procured from THOMAS & Co., Kandy, LAFREN & Co., Rakwana, J. A. SOUTHER, Kurunegala, Co-operative Company Limited, Colombo, and from W. M. YOUNG & Co., Colombo.

**AUCTION SALE.**

ON SATURDAY, the 29th instant, at 12 o'clock, at the Rooms of the undersigned:-  
68 SINGLE BARRELLED GUNS,  
5 DOZ. FELLING AXES,  
30 KEGS PAINT,  
40 PIECES FINE SPOTTED LAWNS, for Dresses,  
19 PIECES WHITE MUSLIN,  
400 REAMS FOOLSCAP,  
50,000 ENVELOPES, without reserve.

**TWO HANDSOME PICTURES**

IN OIL FRAMES, subjects "Sea side View" and a Photograph. A DAY AND NIGHT TELESCOPE in perfect order.

**HOUSEHOLD FURNITURE.**

A few pieces of Household-Furniture. J. AUWARDT.

**FINEST BREAKFAST-TEA.**

JUST received per steamer, direct from China, in boxes of 5 lb. each, for 15s. Cash. J. AUWARDT.

**ON COMMISSION SALE.**

At the Rooms of the undersigned:  
GENTLEMEN'S LARGE SIZE-BEST FLANNEL SHIRTS @ 10s. 6d. each Cash.  
Do Colored, Brown, and White, Cotton Socks @ 12s. per dozen.  
FANCY DAMASK TABLE COVERS VERY LARGE SIZE @ 18s. each. J. AUWARDT.

**AUCTION SALE OF PIPES AND FANCY GOODS.**

AT THE ROOMS, TO-MORROW, AT 12 o'clock:  
consisting of  
BEST MEERSCHAUM, BRIAR ROOT-AND Carved Clay Pipes,  
Cigar Holders, Tobacco Pouches, Portemonnaies with gilt frames, Albums, Brooches,  
Plated Watches,  
Reticules, Small Harmonicas, India Rubber Combs, Marine Glasses, &c. &c. J. AUWARDT.

**ESTATE SUPPLIES FOR SALE.**

PORTLAND CEMENT, GLASS TILES, ELWELL'S AXLES and CATTIES, PLANTING BARS, CART AXLES AND BUSHES, GALVANIZED IRON, ROOFING TILES, CORRUGATED SHEETS, and RIDGE CAPS AND GUTTERS, GALVANIZED FENCING WIRE in Coils of 600, 1000, and 2000 feet, GALVANIZED STEEL WIRE in Coils of 1000 feet guaranteed to carry 120 lbs. and of 2000 feet guaranteed to carry 80 lbs. HOOP IRON 1 1/2 to 2 in. PURE PAINTS Blue, Red and Green, COAL TAR, CALCUTTA BAGS 2 and 3 Bushels, DUNDEE COOTY SACKS. A 16 feet Water Wheel, SULPHATE OF AMMONIA, BOLIVIAN GUANO, GEORGE WALL & Co.

**FINEST EDINBURGH ALE,**

and EXPORT STOUT in Hogsheads, GUINNESS' STOUT in Barrels of 8 dozen Pints, H. & R. BRANDY, in Wood and Bottles, VINE GROWERS' BRANDY in one dozen cases, FERGUSON'S SHERRIES New Shipments, Green, Blue and White Seal, FINE OLD PORT in bottle, BURGUNDY AND CLARET, Volnay Rouge, Pomard Rouge, and ST. EMILION in one dozen cases, HOWARD'S QUININE, GEORGE WALL & Co.

**AUCTION SALE OF JAPAN CURIOS AND PICTURES.**

Dinner Services, Glass, Champagne, JAPAN CURIOS AND PICTURES. MESSRS. VENN & Co. will sell on Saturday next, 29th instant, at their Rooms, select lots of the above, to close sale.

**RESERVED SALE OF FURNITURE.**

MILCH BUFFALOES AND CALVES, belonging to the REV. DR. BOAKE. ON SATURDAY, the 29th instant, at noon, at the Rooms of the undersigned. H. D. GABRIEL. Colombo, 26th October, 1870.

**MUNICIPALITY OF KANDY.**

**TENDERS** WILL BE RECEIVED at the Municipal Office, up to noon on the 30th November next, for supplying the Council from 1st January to 31st December, 1870.

**WITH THE FOLLOWING MATERIALS AND TOOLS,**

on the conditions mentioned below:  
SLOP BRICKS, of best and second quality, 9 x 4 x 3 inches. One sample to be sent with the Tender at per 1000.  
CHUNAM to be delivered at any place within the Municipality at per bushel.

The following to be delivered at the Municipal Store:-  
PITCH at per Cwt.  
COAL TAR " "  
OKUM " "  
5 inch BOLTS, SCREWS and NUTS per Cwt. 6  
1 inch JACKWOOD PLANK per square foot

13 CAST STEEL HAND HAMMERS per lb. " SLEDGE " " " HALF SLEDGE " " " PAXES " " " GALV. IRON BUCKETS each " " " BILL-HOOKS and CATTIES per doz. " " " SORW AUGERS " " " BLASTING POWDER per 25 lb. Keg " " " FUSE " " " Coil " " " COAL per Cwt. " " " IRON " " " BLISTER STEEL per Cwt. " " " COIR STRING " " " CAST STEEL FOR JUMPERS per lb. " " " W. S. LE FEUVRE, Secretary of M. C.

**FOR SALE.**

INDE COOPE & Co.'s PALE ALE in 4 dozen Cases. RONALDSON'S PORT and SHERRY in 1 do Quarter Cases. CARSON & Co.

**CHARLES ASHBY & CO'S INDIA PALE ALE.**

FOR SALE IN HDSD. @ 26 15s. CARSON & Co.

**SUN FIRE OFFICE, LONDON, ESTABLISHED 1716.**

INSURANCES effected upon Dwelling Houses, Warehouses, Shops, Coffee Works, Estate Buildings, and their contents, at the Current Rates of premiums. Claims arranged by the Local Agents, and paid with promptitude and liberality.

FRYER, SCHULTZ & Co., Agents, Colombo. KEIR, DUNDAS & Co., Agents, Kandy.

**NEW ADVERTISEMENT.**

**XMAS GOODS.** Arrivals per Steamer "Athol" and "Ocean Beauty." A CHOICE AND EXCELLENT INVOICE OF MILLINERY, &c. &c. WILL BE OPENED FOR SALE

ON TUESDAY, the 1st proximo, at his Shop, near the Belfry No. 87, 4th Cross Street, Pettah: MILLINERY

COMPRISING OF Richly Trimmed and Untrimmed Hats of all descriptions, Bridal Bonnets, Wreaths, Veiled Robes, Flowers, Flowered and Plain Satins, Silks, and Sarisets of all colours, Costly and rich Broche Morie Gold Tissues, Ladies' Dresses, and do. with Jackets made up.

**BELT RIBBONS,**

Gimps, Trimmings, Fringes, Insertions and Edgings, Silk and Kid Gloves, Gent's and Youths' Colors, Scarfs, Ties and Shirt Fronts with frills, Black and Blue, Black Superfine Cloth, Fancy Cashmere's, French Merino and Alpaca, Gent's Black Oxonian Soft felt Hats, &c. &c. &c.

**Umbrellas and Parasols.**

LADIES FANCY GOODS SUITED TO THE SEASON, Miscellaneous Goods in great varieties.

**BOOTS AND SHOES,**

And a great variety of other articles, too numerous for insertion. PACKER BAWA & SON, Colombo, 28th October, 1870.

**SALE OF CROWN LANDS.**

AT COLOMBO KACHCHERI. On the 1st November, 1870.

Hapitigam Korle, -24 lots from 1 to 2 acres each situated in Battalya of Yatikhapattu. Aukuru Korle, -20 lots from 1 to 14 acres each situated in Dagonna and Katuvellegama of Dunagahapattu.

On the 15th November, 1870.

Municipality of Colombo, -1 lot of 2 roads situated in Dematagoda Ward No. 7 adjoining the road from Maradana to North and South Base line road.

AT KANDY KACHCHERI. On the 30th October, 1870.

Lower Hewaheta, -8 lots from 1 to 19 acres each situated in Atulgama and Nahamawula of Gandahay Korale.

Yatiwara District, -6 lots from 9 perches to 14 acres each situated in Kandangama of Kandu-palata, about 1/2 mile North of the 63rd mile post on the road from Colombo to Kandy.

Tumpuna District, -1 lot of 14 acres situated in Alagalla of Pallapalata adjoining Alagalla Estate.

AT RATNAPURA KACHCHERI. On the 7th November, 1870.

Sabaragamuwa District, -11 lots of Gem land from 1/2 to 2 acres each situated in Rakwana, of Medapattu in Atakalan Korle.

On the 24th November, 1870.

Sabaragamuwa District, -80 lots from 1/2 to 13 acres each situated in Kenchegama, Imbupe, Alutuwara, Ratmalawewa, Botumbe, Walaboda and Mututtuwajama of Kadawata Korale.

On the 26th November, 1870.

Sabaragamuwa District, -1 lot of 71 acres situated in Teppanawa of Kuruwita Korale.

Do, -48 lots from 1 to 227 acres each situated in Naluwala, Alutuwara, Denagama, Boltumbe, Atakwala, Galagama, and Hatarabage of Uduwakama and Talpitigam Pattus in Kadawata Korale.

Do, -14 lots from 1 to 40 acres each situated in Balangoda, Lankabaranagama, Aldura, Massana, and Madakanda of Meda Korle.

AT MATARA KACHCHERI. On the 10th November, 1870.

Matara District, -1 lot of 4 acres situated within the graves of Matara.

Further particulars respecting the land may be obtained at the Surveyor General's Office and respecting the conditions of sale at the Offices of the Government Agents.

J. G. JERVOIS, Acting Surveyor General, Colombo, 18th October, 1870.

**AUCTION SALE OF A VALUABLE COLLECTION OF Second-hand Books.**

AT THE ROOMS OF THE UNDERSIGNED, on Saturday, the 29th instant, at 1 p.m. H. D. GABRIEL. Colombo, 28th October, 1870.

**NOTICE.**

ALL PARTIES who do not within a fortnight pay and settle the amount due by them to the Insolvent Estate of MESSRS. LEWIS & Co. will be put in Court without any further notice. FRANCIS SCHULTZ, Assignee. Colombo, 26th October, 1870.

**The Ceylon Times.**

COLOMBO, FRIDAY, OCTOBER 28th, 1870.

**THE WAR.**

REUTERS TELEGRAMS. FOR THE CEYLON TIMES.

London, 27th October, 1.13 a.m. (By British Indian Cable.)

General Werer reports that the fighting on the 22nd resulted in the French army of the East being driven back on Besancon.

The Prussians in Saarbruck have ordered provisions to be ready for Metz after capitulation.

M. Thiers had left Tours and gone to Paris, afterwards to Versailles.

It is reported that Government is determined not to subscribe to conditions involving a cession of Territory.

London, 25th October, 1870.

The new French Loan is quoted at three premium.

London, 24th October, (Afternoon)

The Homeward bound Calcutta mail arrived at Suez on the 20th.

25th October (Afternoon.)

The Coffee market closed steady.

Plantation Ceylon middling 62s.

Native good ordinary 47s. 6d.

Total Stock 29,000 tons.

Arrived from Ceylon—"Marion Moore," "William Ritson."

**MR. PILKINGTON'S CASE.**

The elaborate judgment of the District Court of Colombo which pronounced Mr. J. B. Pilkington a dangerous lunatic and adds yet a new terror to the most terrible earthly affliction, will be found in another column. From the importance of the question at issue and the wide-spread interest that has been felt in the case, it is sure to be read by almost every English-speaking person in the Colony, and we venture to think that nine out of every ten will rise from the perusal impressed with the labor and research which Mr. Berwick displays, but at the same time utterly puzzled to account for the conclusions at which he arrives—a difficulty which is rather increased than diminished by a careful investigation of the evidence led in the case. We might perhaps conclude that this would be accounted for by a layman's natural ignorance of the intricacies of law, but then the lawyers seem to be equally at a loss—as witness the *Examiner's* article of Wednesday. We understand however, that an appeal will be taken to the Supreme Court, and the legal points will then come up for argument again. We do not therefore propose to touch upon them now, save incidentally, but to deal in a general way with the facts of this extraordinary case.

In our last issue a correspondent gave a brief history of the case, but left some important gaps which we shall endeavour to fill in. The matter was first brought before the District Court on the 15th instant upon a certificate of Dr. VanDort's (the date of which has been altered since it was first written) to the effect that Mr. Pilkington was insane and "might if set at liberty prove dangerous to the lives of Her Majesty's subjects," he therefore recommended that he should be kept under restraint. It would appear that this certificate was a necessary preliminary to any action by the District Court, and that the Court alone had power to order restraint.

The first question which suggests itself then is "why was not this taken earlier?" Mr. Pilkington had then actually been in custody for a fortnight against his own wish and without the slightest legal authority. On the 10th instant he wrote to the Fiscal of Colombo stating that he feared his reason would forsake him if he were much longer detained in illegal confinement, and asking him to apply to one of the Puisne Judges for a writ of Habeas Corpus; but as this letter was produced in Court by Dr. Charsley it was doubtless retained by Mr. Pilkington's jailers, and not allowed to reach its address. On the 11th instant Mr. Pilkington intimated in writing his intention of swearing an affidavit against Sir Hercules Robinson, Mr. Campbell, Dr. Charsley and three of his subordinates and two Constables, for conspiracy, and false imprisonment. This paper was also produced by Dr. Charsley at his examination. We do not for a moment attribute improper motives to those who thus kept Mr. Pilkington in unauthorised confinement, but at the same time we have no doubt that had he been able to carry out his threat of an action for false imprisonment, he would have obtained a verdict and exemplary damages. This point is important because it forms a material link in the chain of evidence which to Mr. Pilkington's mind demonstrated so clearly a conspiracy against him on the part of the Government officials, the climax of that long series of persecutions to which he fancied he had been subjected; and it is noteworthy moreover, because it shews that to a certain extent Dr. Charsley, Mr. Campbell and others who were responsible for Mr. Pilkington's detention, were upon their trial also.

We do not of course share in Mr. Pilkington's "delusion" as to the Governor's injustice and animosity towards him, nor in his belief that government officials were conspiring to drive him mad; on the contrary we are quite prepared to admit that Dr. Charsley and Mr. Campbell acted from the kindest motives; but we cannot help coming to the conclusion that they erred most grievously in judgment and gave Mr. Pilkington plausible ground for apprehension. Both Dr. Charsley and Mr. Campbell give evidence shewing that he was nonsense on the 30th September and the way down to Galle, on the 1st October, Mr. Campbell represents him as being greatly excited and raving against the Governor, yet he humoured the delusions of his own ignorance, took him to a crowded hotel where he had access to champagne and sherry which were so much fuel to the fire, and then when excitement or delirium increased so much as to cause annoyance to the other inmates, he had him held down and gagged repeatedly! We do not mean that these severe measures were not necessary for the comfort of those sleeping in the immediate neighbourhood of Mr. Pilkington's room but we suppose there is no doubt that they had the worst possible effect upon the patient himself, and

we say that it was a grievous mistake for Mr. Campbell to place him in a situation where such severe restraint could become necessary. Had he been taken to some quiet house and a judicious regimen enforced, we might probably never have heard anything of this painful case but Mr. Pilkington would by this time have been with his friends in England. There it was scarcely considerable or kind to inveigle his sick friend into the Coach by misrepresentation and then send him away on a long night's journey with rough policemen for his companions and a lunatic asylum (and such an asylum) for his destination. Of his treatment under Dr. Vandort's care a correspondent in our last issue dealt very fully and fairly and we are utterly at a loss to understand how with the evidence before him the District Judge could come to the conclusion that "there is not the slightest shadow of ground for any rational belief that \*\* the Doctors and other officials ever treated him otherwise than with the greatest consideration and humanity." It may be that the learned District Judge uses these latter terms in some "non-natural" sense, for surely the following evidence, which we take from his own notes, is scarcely consistent with their ordinary meaning.

The Police Constable Kurth after giving particulars of the invasion of Mr. Pilkington's room on the night of the 15th, as mentioned by the correspondent in our last issue, goes on to state:—

"I have been in attendance on Mr. Pilkington since Wednesday the 5th October. Until the last few days he has not had proper meals, such as a gentleman is accustomed to. His food has been sometimes deficient in quantity, sometimes in quality and sometimes both. There is a cook in the house, but he had no proper cooking utensils and did not cook at the house. Yesterday (15th) Mr. P. had a good breakfast but no dinner except a small piece of fish. He was greatly fatigued having been in Court till late, and required rest. I am quite sure that if he had been left alone and no one had come to disturb him, he would have slept sound all night. He did not sleep well even after the Constables left his room. He complains of the want of his sponge and tooth brush, and his clothes. Since this day week he has not had any fancy or delusion or exhibited any indication of aberration of mind. He is still under apprehension of being drugged in order to induce apparent insanity. He is under the belief that the officials are trying to make him insane and to drive him to by confinement and other ways."

Dr. Vandort gives the following testimony:—"The (Mr. Pilkington) complained frequently of the food at the jail. My reply was generally that it was the fault of the contractor. He had fish for breakfast, and on another occasion chicken and bacon also for breakfast, but these did not arrive till 6 in the evening, the arrangements were so very defective. These defective arrangements I may have attributed to the contractor. My orders were invariably carried out. His dinner was ill-served. He always acted as a gentleman. I do not think he was treated as he ought to have been nor put under such severe restraint. He was not violent at any time, nor did he shew any tendency to be violent. With reference to my opinion regarding the possible continuance of the delusions under which he has been suffering, I was influenced by his admission that he had shaken his fist in the Governor's face. My information in this respect, antecedents were Dr. Charsley and Mr. Ferguson of the *Observer* who mentioned a few facts about him."

In another part of his judgment Mr. Berwick attributes, these "defective arrangements" to the "want of tact or judgment on the part of some perfectly subordinate persons," which we take to be about equivalent to saying that the Governor and the heads of the Medical and Police departments gave no positive orders for Mr. Pilkington to be badly fed, disturbed at night and deprived of his clothes and toilet requisites; but surely those who began by wrongfully depriving him of his liberty are not only morally but legally responsible for the after acts of their subordinates. If however the certificate which the Judge has thus given to all the superior Government servants concerned mean anything, it means that in Ceylon a highly educated English gentleman may be taken into custody of the police without a shadow of legal authority, lodged in a lunatic asylum or detained in a private house, subjected to severe hardships, and treated in a manner which (*vide* Dr. Vandort) is calculated to aggravate his malady, and the only persons to blame are Silva the contractor, and Missin Packee the constable! These things, we say, puzzle us,—without going into more intricate questions,—and we shall be surprised, if the home Government take the same good easy view of official non-responsibility.

**READING IN THE LIBRARY.**—We remind our readers that the "Reading" on behalf of the sufferers from the War is to take place this evening in the Unit-Service Library.

**THE WEATHER.**—Yesterday morning the weather moderated, and we were again able to look at serene skies and light fleecy clouds. No rain fell all day, but several showers passed over during the night. To-day again it is fine, with clear skies and a warm sun. The water about Colombo has subsided three feet, and there is every prospect of a decided change for the better.

**CONCERT.**—We understand that it is in contemplation to give a Concert very shortly, in aid of the fund for the sick, wounded and starving in France and Germany.

**THE RAILWAY.**—The passenger trains yesterday afternoon, were delayed for about two hours by an accident to the down goods train which left Kandy at noon, causing four of the trucks to go off the rails at Paradeniya. It was strange that this accident was not telegraphed to Kandy: the 2 p.m. down train consequently left at the usual hour, and was delayed until past 4 on the Kandy side of the Paradeniya Station.

**SALE OF CROWN PROPERTY IN THE PORT OF COLOMBO.**—We hear that 3 lots of land in Ward No. 1 within the Municipality of Colombo will shortly be sold at the Government Agents' office at the following upset prices.

Description	Extent	Upset price.
House & ground	a. r. p.	£2,000
do	" " 0.50	1,500
do	" " 36.50	1,500
do	" " 11.25	1,600

The above lots situated at the corner of Queen Street and Chatham Street will be put up for sale in January next.

**THE MUNICIPALITY OF COLOMBO.**—A correspondent writes:—"From the report of the proceedings of the Municipal Council of Thursday last, in connection with Mr. Gabriel's motion for a reduction of the Assessment Tax, I am glad to find that Messrs. Gabriel and Alwis not only vindicated the Head Clerk, but that they shewed to the Chairman the folly of arrogating to himself any authority over his colleagues in the Corporation. Any member of that Council is at liberty to have information and access to the Books, as well as the Chairman, in matters where the interest of Tax payers are concerned. Mr. Gabriel's motion was avowedly with the object of allaying the clamour now raised by the public against the Municipality."

I see nothing to justify the morbid anxiety on the part of the Chairman, why he should exercise such an authority in an Institution where it is expected that the members should work in common to preserve that feeling of harmony which is essentially required to guide its deliberations. In the present case, Mr. Gabriel got the information from the Return party. The Secretary knew too well that the Return in question was applied for by Mr. Gabriel, and they, the Head Clerk and the Secretary, as the Servants of the Council, were appointed by the Corporation were certainly bound to afford the information to a member who sought it, inasmuch as that information was to be brought before that very Council for discussion, at a time when a member of the Legislative Council called for the same, and the confidential adviser of the Government agreed to supply it."

**INSOLVENCY.**—Amongst the names of Insolvents recently declared in the Colombo Court, is that of Mr. Geo. John, Produce Broker of Colombo.

**THE LEGISLATIVE COUNCIL.**

Wednesday, October 26th, 1870.

All the members present with the exception of Messrs. Harrison and Dehigame.

The previous minutes having been read. Mr. Oomara Sumanayake moved "that this Council be furnished with a report by the scientific officers of the Public Works Department as to the adaptability of a line of Railway of 3 feet 6 in. gauge for the proposed extension from Peradeniya to Nawalapitiya." The honorable gentleman quoted opinions on the narrow gauge and pointed out how desirable it had that information on the point should be had.

The Colonial Secretary had no objection to allow the motion, and said that a report had been received from the engineer of the railway department as to the adaptability of the 3 ft. 6 in. gauge to the extension of the line from Peradeniya to Gampola and Nawalapitiya. This report would in due course be laid before the Council, but it was considered best that the whole of the papers should be first collected, and should be laid before the Council together, rather than separately. At any rate before any money could be voted for the work, the matter must come before the Council, and the Council would then have the opportunity of discussing it.

Mr. Wilson concurred in the necessity for the fullest information that can be obtained, and alluded to the diversity of opinion at home and in India as to gauges.

The Ordinance (to amend of 1848), extending the provisions of the bill to the Municipal limits of Colombo, Kandy and Galle, was read a third time and passed.

The Queen's Advocate then rose to move the first reading of the Insolvency Ordinance. We find it impossible to do justice to the able and exhaustive speech of the learned gentleman on this subject, owing to the pressure on our columns, but we proceed to notice the leading features of the measure.

The acts of insolvency are the same as in the Ordinance of 1853, and in the English Bill. The debtors' summons is omitted. Where the proceeding is by an adverse creditor, the debtor will make the oath which the English act requires. Where he is favourable to the proceeding he may himself petition for insolvency. The provision that a creditor may petition is continued in the Bill, although omitted in the English Act. If it appear that his Estate cannot pay ten shillings in the pound, the Court has power summarily to dismiss the application. Under the Ordinance of 1853, a man adjudicated insolvent is allowed an opportunity if he be in the Colony, to show cause to surrender; and if he fails to do so, or show insufficient cause, the adjudication is pronounced, and two public sittings are appointed, at which he is again required to surrender and conform; the meetings are adjourned from time to time, and then comes the last examination and after that and after 21 days' notice a meeting for the granting of the certificate of conformity. All this is unnecessary under the present measure. There will be one meeting for the proof of debts, the choice of assignees, the examination of the insolvent and others if need be, with power to the Court to adjourn if necessary. Three months are allowed in the case of creditors who are absent from the country for taking steps to annul the adjudication which is ample time, for there is no case in which, where important interests are at stake, the creditor is not fully represented in the island. Notices are to be given as necessary, but there is no reason why small estates should not be wound up within three or four months or less (if the debtor be present) and large estates within six or eight months.

Under the Ordinance of 1853, and even under the new English Bill, an affidavit is necessary for the proof of every debt, adding considerably to the expenses of winding up an estate. This bill enacts that every debtor applying must at the time, and every debtor made an insolvent, must, immediately after adjudication, furnish the Court with a list of his debts and credits. Whatever debts are admitted in those lists, need not be proved—power being given to the assignee and to the creditors to dispute any debt though the same be admitted by his debtor. The provision that insolvents must pay at least 10s in the pound, will reduce the applications for insolvency, but, in addition thereto, the Court is empowered, where creditors take no interest and no assignee can be obtained to cause the assets to be realised by the Fiscal and deposited in Court until creditors apply. The Ordinance of 1853, prohibited Proctors or persons "related to the insolvent by consanguinity or affinity" within the fourth degree, from acting as Assignees. Professional men are often the best to be employed in such cases, and in England there is a large number who devote themselves to such work. To encourage a like state of things a provision from the English Bill allows professional men to contract with creditors to be paid a certain sum by way of per centage, or otherwise as remuneration for their services as assignees, including all professional services. Certainly there is no reason to keep up the unnecessary restriction preventing relations to the fourth degree being assignees.

It is proposed to drop all these restrictions the right of appeal in everything to the District Court, being a sufficient protection: provision is made for the appointment of an official assignee, should the Governor think it desirable. The provision as to settlements, taken from the English Bill, involve very serious alterations of the existing law. They are now good unless the person making them was, at the time, insolvent, a fact which it is almost impossible for creditors, after the lapse of years, to prove. By the proposed bill such settlements if made within two years shall be absolutely void unless the persons claiming under the settlement shall prove that the settler was able to pay all his debts at the time he paid the settlement.

Covenants for settlement in consideration of marriage are also declared void unless the property or money settled had been actually transferred or paid pursuant to the covenant. When the whole property of the insolvent has been realized or so much as can be realized without needlessly protracting the insolvency, such insolvency shall be deemed to have been closed and the insolvent may apply for an order of discharge. The English Act makes the payment of a dividend of not less than ten shillings in the pound necessary for the discharge of an insolvent unless the creditors should certify that his insolvency or failure to pay ten shillings in the pound has, in their opinion, arisen from circumstances for which the insolvent cannot justly be held responsible, and that they desire that an order of discharge should be granted to him. This provision is inserted in the Ordinance with the proviso that the insolvent if he be not a trader, should also prove that he has no salary, pension or income from any source from which he can pay his debts in full. If he has any salary, pension or income the Court may attach any portion thereof which it considers reasonable for the payment of his debts. The Court is also empowered to fuse an insolvent his certificate or to suspend the same under certain circumstances if the insolvent shall have tampered with his books or accounts with intent to defraud his creditors, if he shall have concealed any part of his property, if he shall be privy to the proof or admission of a false claim, if he shall have incurred debts without reasonable prospect of paying the same, if his losses shall have arisen from reckless extravagance or from gambling, or if he shall have made fraudulent sales or gifts of his property.

The Court will also have the power to refuse an insolvent his discharge or to suspend the same under certain circumstances. Whether a man who is not a trader should gain a discharge on any ground short of paying to shillings in a pound, is a point which will have to be carefully considered. If a man does not pay ten shillings in the pound the English Act allows him three years to pay up any balance sufficient to pay ten shillings. A similar provision is introduced in this bill, the abolition of imprisonment for debt is another point in which we follow the English law. At present the state of the law is that a demand for imprisonment for 21 days can demand his discharge, although the assets of the estate may be nil, unless there is any act of fraud. The Court will give him his discharge and if he gets his discharge he is free altogether, so that frequently the period of imprisonment is only for three months, or if he is charged with fraud for six months. The question with regard to imprisonment for debt is now a simple one of time, for we shall have no doubt that there is a considerable feeling against such a course amongst creditors: in 1853 it was proposed to abolish imprisonment for debt in all cases where the liability was under £10, but there was a strong feeling against it, especially with respect to cherties and others, who can easily leave the country and who have not property here. It is proposed therefore to give creditors protection against these. The arrest in mesne process is reserved and it is extended to cases of foreigners having no property here, whereas at present it can only be obtained where there is contemplation of flight is sworn to—and this is often difficult to do. The Court is empowered to detain the man against whom judgment is pronounced until

Having recorded these findings in the necessary discharge of a very painful and delicate duty, I wish Mr. Pilkington to understand that, unless he can get an early date in accordance with the last finding, procures a friend to give the necessary guarantee, and will willingly assent to such a result, he may as well be proposed and approved of by the Court, as he will have to take such *alternative* steps as the nature of the case may seem to it to require.

(Signed) T. BRAWICK.

25th October, 1870.

Delivery of this judgment was postponed yesterday, at the request of Mr. Pilkington's counsel, and the time for the proposed application which has since passed.

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