

The Hindu Organ

(THE CHEAPEST WEEKLY IN CEYLON)
PUBLISHED EVERY WEDNESDAY.

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NO. 10.

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"THE HINDU ORGAN"

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THE MANAGER.

IMPORTANT NOTICE.

TO OUR SUBSCRIBERS.

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THE MANAGER,

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THE MANAGER

NOTICE.

Is hereby given that it is proposed to buy and send from Jaffna specimens of gold and silver jewellery and brass work for the Paris Exhibition of 1900. Persons willing to dispose of such articles are requested to bring them to the Kachcheri on every Tuesday and Thursday at 2 P. M.

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J. H. LEAK
For Govt. Agent.

Jaffna Kachcheri
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The Hindu Organ.

JAFFNA, WEDNESDAY, SEPTEMBER 13, 1899

The Sequel to the Abduction Case.

Mr Henry Rasiah Solomon has again been acquitted by a Jury of his countrymen after six days' trial, as he had been acquitted in the abduction case after nine days' trial. As our readers are aware, the case of Abduction was brought by Miss Allagamma Niles, a daughter of the Rev. D. P. Niles of the Wesleyan Mission. It was tried at the second Criminal Sessions of the Supreme Court holden at Jaffna in September 1898 and ended in the acquittal of Mr. Solomon and all the other accused.

The Crown evidently feeling dissatisfied with the verdict pronounced in the abduction case launched, soon after the close of that case, the present prosecution against Mr. Solomon, charging him with giving false evidence and with dishonestly and fraudulently uttering a forged document. These charges were based upon a letter marked B which Mr. Solomon produced on 1st June 1898 during the magisterial inquiry into the abduction case as having been written to him by Miss Niles. She, however, while admitting that the letter was written by her, denied having written it to Mr. Solomon, and said that it was a letter which she wrote to her friend and class-mate Miss Nallamma Elaiyatamby. Not only she made the statement then and there, as soon as the letter was produced and she was confronted with it, but she produced on the very same day another letter marked C. which, she said, was written to her by Miss Elaiyatamby and to which letter B was a reply. Miss Elaiyatamby was also brought to Court from Uduvil, 5½ miles from Jaffna, the same afternoon. She identified letter B as one of the letters which she received from Miss Niles and kept with other letters in her box at the Wesleyan Girls' Boarding School, which could be opened with facility with other keys and to the room in which it was kept other girls, matrons, and servants of the school had access. Miss Elaiyatamby also identified letter C as having been written by her to Miss Niles two or three days before the receipt of letter B. Two lines in letter B were scored off with ink apparently quite different from what was used in writing the letter, which every body who has seen the letter will admit. Miss Niles and Miss Elaiyatamby not only read the scored passage as "Has Ratnam Paul attended school," but swore that it was not scored off by either of them and that the lines remained intact when the former wrote and sent the letter and when the latter received it. Mr. Solomon, in giving evidence on his own behalf before the Supreme Court on the 17th September 1898, stated on oath that letter B was one of the many love letters which Miss Niles wrote to him, that he had destroyed all other letters at her request, that he preserved letter B alone, and that he received the letter in the condition in which he produced it, that is, with the lines scored off. The case was instituted by the Crown so

its weary length before the Police Court of Jaffna till March last, when it was committed for trial at the second Criminal Sessions of the Supreme Court. In fairness to the accused it must be stated that the authorities responsible for the prosecution were guilty of undue delay in bringing the magisterial proceedings to a close. Though nearly four months had elapsed between the launching of the prosecution and the February sessions, the accused was not put on his trial in February last.

We publish elsewhere a report of the proceedings of the case, with the letter B, and leave our readers to say if the verdict was a just and proper one. We do not question the purity of the motives of the Jury in arriving at this verdict. Presumably they honestly believed that the accused was, on a consideration of all the circumstances, entitled to an acquittal at their hands. But we see no reason why they should have believed the evidence of the witnesses for the defence, composed as it was for the most part of that of horsekeepers, dismissed school-masters, and needy school girls, in preference to the evidence of Miss Niles and Miss Elaiyatamby, supported as it was by that of Messrs Carpenter and Cooke, Proctors, the Rev. Mr Niles, and Mr Hunt, Surveyor. If the oral evidence led for the prosecution was deemed insufficient or untrustworthy there was the real evidence afforded by letter B, which should have been, in our opinion, convincing.

The only issue in this case, as His Lordship the presiding Judge more than once remarked during its trial, was whether the letter B was written by Miss Niles to Miss Elaiyatamby or to Mr Solomon, the accused. We will, therefore confine our attention to this issue alone dismissing all other matters introduced into this case as irrelevant and intended solely to obscure this issue. There was nothing extraordinary in the letter—nothing that would make it a love letter. It contained no protestations of love nor swore eternal fidelity to the young man. It was a common place letter dealing with matters in which lovers would least interest themselves. Accused himself admitted in cross-examination that it was a letter which combined "business with love." In our opinion the intrinsic evidence afforded by the letter completely shattered the case for the defence, and the verdict was against the weight of evidence.

The Defence did not dispute that the reading of the scored portion to have been "Has Ratnam Paul attended school." The explanation given by the accused for the scoring of that portion was to the effect that there was a rumour that Miss Ratnam Paul was proposed in marriage to him, that Miss Niles through jealousy was in the habit of chaffing him by making references to Miss Paul, that Miss Niles must have intended in that letter also to chaff him, but on second thoughts must have scored those lines thinking that he might have been offended. Let our readers say if this explanation is at all satisfactory.

Going to the letter once more we find Miss Niles requesting the recipient of the letter to convey her salaams to those who sent their salaams to her. Compare this passage of the letter with the evidence of Mr. Solomon who stated on oath that the girl was corresponding with him under the seal of the greatest secrecy, against the wishes and consent of her parents, and that she would not even write his address on the envelope for fear of being found out. Miss Niles who was carrying on a correspondence with her lover, amorous and clandestine, so much so that she would not even deign to write his name on the envelope, asks her lover in letter B to give

her salaams and compliments to those who conveyed compliments to her!!

Several other letters were produced during the trial of the case purporting to have been written by Miss Niles and Miss Elaiyatamby to each other about the time the letter B was written. One could not have failed to observe that the style and sentiments of those letters corresponded exactly with those of Letter B.

The defence also wanted to make out that letter C was concocted on the 1st June 1898 just before it was produced in Court. If it was so, the concoction could have been easily detected in the Police Court, as only about three hours had intervened between the production of letter B and that of letter C. The ink would have been fresh and the haste with which it must have been concocted would have been apparent on the face of it.

It must also be observed that the Judge summed up for conviction in this case as Mr Justice Browne summed up even more strongly for conviction in the Abduction case, and it is also a singular coincidence that the verdict in the abduction case was by a majority of eight to one as that in the present case was by a majority of six to one.

We must say in justice to the jury and the accused that, though the public clamour has not been so noisy, demonstrative and sympathetic towards the accused as it was during the trial of the abduction case, the present verdict is justified by some people on the ground that Mr. Solomon should not have been prosecuted a second time and subjected to a prolonged mental agony and suffering, not to speak of the great pecuniary loss which he has sustained, after he had been once tried and acquitted in the abduction case. These persons little realize the fact that on both occasions Miss Niles also was as much on her trial as Mr. Solomon himself.

We need hardly say that our columns will be open to all legitimate discussions of the result of this case. Any communication to convince us of the justice of the verdict and in vindication of it will be heartily welcomed and published by us, with our comments, if necessary.

LOCAL & GENERAL.

THE WEATHER:—The rain still holds off. The heat is intense and vegetations look parched up. If rain does not fall within a week or so, dry sowing will have to be resorted to in most part of our fields.

THE NORTHERN RAILWAY:—Tenders have at last been called by the Crown Agents in London for the construction of this railway from Kunnagalla to Kankesanthurai, a distance of about 200 miles. It will thus be seen that this great line is not to be constructed in isolated sections as was once proposed, but as one work. The people of the North have every reason to congratulate themselves on this happy result and to thank His Excellency Sir J. West Ridgeway for securing this boon to them, which one of his predecessors only about ten years ago condemned to have been a "Tantalizing vision"—a predecessor who has up to this day done his best to thwart the sanction of the project by the Secretary of State.

THE JAFFNA COMMERCIAL CORPORATION:—The annual general meeting of this body was held in the Bank Hall on Friday the 8th Instant under the presidency of Alex. Toussaint. A large number of share holders were present. The annual report having been adopted and a resolution having been passed that a dividend of 15 per cent be paid to the share-holders, the Directors for the ensuing year were appointed. At a meeting of the Directors subsequently held the same day Mr. William Mather was re-elected Managing Director and Mr. S. T. Arnold Proctor Secretary of the Corporation. Cloth of the value of Rs 500 was on the same day, previous to these meetings, distributed among the poor of Jaffna. This sum was for this purpose allotted out of the profits of last year.

A MURDER—A cold blooded murder is reported from Pungudutive. The victim was a man of that place who had returned to his village last year after undergoing ten years penal servitude for burglary. We understand that the murderers have been arrested and are in custody.

MARRIAGES:—The marriage of Mr. Advocate Isaac Thambyah with-Miss Kumarkulasingha daughter of the late Kumarkulesingha Mudliar and sister of K. C. B. Kumarakulasingha Mudaliyar of the Colonial Secretary's Office was solemnized at the American Church at Tellepallai on Friday last. We offer our congratulations to Mr. and Mrs. Thambiah and wish them happiness and prosperity.

—We also have the pleasure to record the marriage of Mr. Catheravelu of Neervely with Miss. Nagamutta, the eldest daughter of Mr. Kasinader Arumugam of Vannarponnai. and niece of Mr. M. Sanmugam District Engineer, which took place in the house of the bride on the 7th Instant.

—Owing to a mistake we omitted to record the marriage of Mr. Muttuoomaru of the Postal and Telegraph Department with the second daughter of the late Mr. S. Nevinpillai B. A., B. L., which took place about a fortnight ago. The marriage was solemnized according to Catholic rites. We wish the married couple prosperity and long life.

—Mr. P. Francis, Clerk District Court Jaffna and brother of Mr. P. Nicholas of the Batticaloa Kachcheri was married to Miss Anne daughter of Mr. M. Vaitiampillai the well-known Odair of Achobuvely on Monday last.

Mullaitive District Road Committee:—We are glad to hear that Mr. A. Rajakariar Sub-inspector of Village Tanks, Vavonia, is appointed as a member of the District Road committee Mullaitive to represent the European community.

OBITUARIES:—We deeply regret to have to record the death of Mrs. Iregunather, wife of Mr. R. Iregunather of Vannarponnai and sister of the late Mr. Advocate Nagalingam which took place at her house at Vannarponnai on the 6th Instant. She was confined to bed for some months with consumption—the disease which brought her illustrious brother to an early grave two years ago. It was in her house Mr. Nagalingam was treated during the last stage of his illness and died. We tender our heartfelt condolences to her husband and brothers and other relations who bemoan her loss.

—We also much regret to chronicle the death of Mr. S. Valupillai, brother of Mr. Asaipillai, the well known coach contractor. The deceased was a leading cigar merchant and a very enterprising person. He died on the 7th of complicated disorders in the system as the result of malarial fever. He leaves behind a widow and several children to whom we offer our sympathies.

—Mr. T. Arumugam late Store-keeper of Messrs Bassangnet & Co who lately returned from Colombo for the benefit of his health died here on the 30th Ultimo. We express our sincere condolences with the bereaved family.

A RETIRED INDIAN OFFICER—Mr. Murugasapillai B.A. employed as Deputy Collector under the Madras Government has retired from Service and taken his residence at Chandiruppay his native place. Mr. Murugasapillai was held in the highest esteem both by officials and unofficials in India. We hope he will devote his well-earned leisure to the promotion of his countrymen's welfare.

OURSSELVES:—Owing to some unavoidable circumstances we were not able to issue our paper last week.

SUPREME COURT CRIMINAL SESSIONS, JAFFNA.

THE SEQUEL TO THE ABDUCTION CASE.

As the letter marked B, has formed the subject of the sensational case against Mr. Henry Rasiah Solomon which was tried for six days at the present sessions of the Supreme Court here and ended in his acquittal, we give it here below, without the scored portion, in its original form in Tamil, and its official translation. It must be remarked that the scored portion which was read as "செத்தினம் போல் பள்ளிக்குடத்துக்குவந்தது" (Has Ratnam Paul attended school) which is marked by asterisks was just at the end of the letter and before the words "I remain":—

13/8/1897.

My dearest Darling friend,

உம்முடைய பண்பான கடிதம் கிடைத்தது. மெத்த உபசாரம். Fanny Allagamma அவர்களிடம் என்னைப்பற்றி ஒன்றும் கேட்க வேண்டாம். அவர்கள் சலாம் சொல்லாமல் எனக்கு மெத்தக் கவலைவாயிருக்கிறது. அவர்கள் சொல்லாமல் என்னைப்பற்றி ஒன்றும் கேட்க வேண்டாம். நீர் எழுதின ஆட்சேப

த்தான் நான் எழுதினேன் அனுப்பினேன் என்று. நீர் கேட்டேழுதின சாரியம் உங்கேவந்துபார்ப்போம். இங்கே எழுதுகிறதற்குப் புதினம் ஒன்றுமில்லை. இதை ஒருவருக்கும் காட்டவேண்டாம். உடனே கிழிக்கவும். My love and kind regards to you. எனக்குச் சலாம் சொல்லி எழுதின எல்லாருக்கும் நான் சலாம் சொன்னேன் என்று சொல்லவும் * * * * *

I remain Your dearest darling friend Emily A. Niles.

(English Translation as filed of record in the case)

13/8/1897.

My dearest Darling friend,

Your affectionate letter was received. Many thanks. You must not ask anything about me from Fanny Allagamma. I am very sorry as they have not bid me salaams. It is good that they have not done so. They think that I will be afraid. You must not ask anything from them about me. It is of those people of whom you wrote that I wrote that they had cheated. I will come there and see about the thing you wrote for. No news here to write. Don't show this to anybody. Tear it at once.

My love and kind regards to you. Convey my salaams to all those who sent their salaams to me.***

I remain Your dearest darling friend Emily A. Niles.

In our last issue we gave a summary of the proceedings of this case on the 24th, 25th, 28th, 29th, and 30th ultimo. It resulted on the 31st in the acquittal of the accused Mr. Henry Rasiah Solomon. As it is a case which has excited considerable interest in Jaffna we publish a detailed report of the proceedings. This case was taken up as stated in our last issue on the 24th ultimo before the Hon'ble Joseph Grenier, Commissioner of Assize and a common Jury with Mr. S. Valupillai as foreman. The following gentlemen composed the Jury, viz. Messrs Sinnatamby Valupillai, Kathiravalu Arumugam, J. K. Namasivayam Pillai, Kathiritamby Mudaliyar Sivasampu, Kathiresa Mudaliyar Mailvaganam, Sinnatamby Ponnambalam, and Ambalavana Mudaliyar Sinnatamber.

Messrs de Kretser, I. Mudaliyar Tillainader, A. Krishnar, and R. C. Alexander were challenged by the prosecution; and Messrs Allan Abraham, Edwardpillai, Samuel Hensman and A. Sapapathy were challenged by the defence.

Mr. Aserappa conducted the prosecution instructed by Mr. Casippillai Proctor of the Supreme Court, and Advocates Allegakoen, Kanagasabai, Trunavukarasu and Sandresakara defended the accused.

The following was the indictment to which the accused pleaded "not guilty" and claimed to be tried viz.

(1) That you Henry Rasiah Solomon, on or about the 17th day of September 1898 at Jaffna, being a witness in your own behalf in a judicial proceeding in case No. 4 of thesecond sessions of the Supreme Court for the year 1898 holden at Jaffna before the Hon'ble D. F. Browne, Commissioner of Assize and being bound by an oath to state the truth did intentionally give false evidence by knowingly and falsely stating in substance and in effect as follows: "I received this letter (meaning a letter bearing date 13th August 1897 signed Emily A. Niles produced by you the said Henry Rasiah Solomon marked B and filed of record in the said case) "from her" (meaning Emily A. Niles) "who ordered me to tear it (meaning the aforesaid letter) "She" (meaning the said Emily A. Niles) "wrote me" (meaning you the said Henry Rasiah Solomon) "the letter" (meaning the aforesaid letter) "to shew her parents she was not unwilling" Whereas in truth and fact that you the said Henry Rasiah Solomon did not receive the said letter from the said Emily A. Niles and the said Henry Rasiah Solomon and that you have thereby committed an offence punishable under section 190 of the Ceylon Penal Code.

(2) That you at the time and place aforesaid did fraudulently and dishonestly use as genuine the aforesaid letter dated 13th August 1897 signed "Emily A. Niles" marked B and filed of record in the aforesaid case knowing or having reason to believe at the time you so used it that the said document was forged and thereby committed an offence punishable under sections 454 and 569 of the Ceylon Penal Code.

The first witness called by the prosecution was Mr. John Thambiraja Muttiah. He said:—I am Chief Mudaliyar of the Batticaloa Kachcheri. I was Chief Tamil Interpreter of the Supreme Court on 17th September 1898, and as such interpreted case No 4, on the calendar in the second Criminal Sessions of that year in which this accused with others were charged with abducting Miss Niles. During the trial of that case he gave evidence on his behalf in English. He then produced letter B. This is the letter (Letter B produced) (Objection having been raised by the Counsel for the accused that the letter was not formally produced Mr. Tampoe Police Magistrate, was called from the Police Court and he produced them as having been left with him by his predecessor Mr. Bartlet in a sealed envelope). Mr. Muttiah continuing said. I swear that B was the letter produced by the accused. This is letter C (produced). The accused said that B was one of the many

letters he had received from Miss Niles and he had destroyed all others at her request except this which he preserved in order to show her parents if any wrong happened. The accused further said that the letter was in the hand writing of Miss Niles and that the address "my dearest darling friend" was the usual form he was addressed by her, and that the scored portion was in the same state in which he received it.

Cross-examined by Mr. Kanagasabai—The examination of the accused by Mr. Rudra and his cross-examination by Mr. Chitty occupied about 12 hours, I cannot remember all the evidence he gave on that occasion. But I perfectly remember this part of the evidence and the letter B, as it was produced by the accused as a love letter written by Miss Niles.

In answer to His Lordship Mr. Muttiah said:—I could read the erased portion. I read it at the time with the help of a magnifying glass. It is "செத்தினம் போல் பள்ளிக்குடத்துக்கு வந்தது" (Has Ratnam Paul attended School).

The next witness was Mr. S. F. G. Carpenter. He said:—I am a Proctor of the District Court. I was present in the Police Court on 1st June 1898 when letter B. was produced by the accused. It was handed to Miss Niles and she denied having written it to accused but said that it was a letter which she wrote to Miss. Nallamma Eliatamby. It was between 11 and 12. A. M. She left Court at 12-30 A. M. Letter C was put into my hands by Mr. Chellappa Niles, brother of Miss. Niles. I appeared for the prosecution in the abduction case. Another letter also was given to me which I returned to Miss. Niles. I showed letter C to Mr. Constantine. Miss Niles was examined that day upon these two letters. She said she wrote B. in reply to C. This letter C. was put into my hand between 1 and 2 P. M. C did not seem to have been recently written. I did not examine the paper. It appeared to have been written long ago. B. had these lines scored off at the time it was produced. Miss Niles read the scored portion within ten minutes. The girl was in charge of the Interpreter when the Magistrate adjourned the court and left the bench. She read the portion "Ratnam Paul" before the Magistrate left the bench and the whole afterwards in the afternoon. C purports to be written by Nallamma Eliyatamby. I was present when it was placed in the hands of Nallamma who is a daughter of Rev. Eliyatamby. Miss Niles and Miss Eliyatamby did not come together. The letter came when the former was examined in the afternoon. B. was also put into the hands of Miss. Eliyatamby. I was also present in the Supreme Court when the accused was examined on letter B. Cross-examined by Mr. Allegakoen;—Mr. Casippillai and Mr. Cooke also appeared in the Police Court with me for the complainant in the abduction case. For the purpose of reading the erasure Miss. Niles took the letter near the window. Magistrate adjourned court at 12 A. M. and came back at 2 P. M. I know that Mr. Cooke was taking notes of the case and copied something from the letter B. I don't know whether it was a copy or extract. I said in the Police Court that Mr. Cooke took a copy. That may be correct. I don't know why this copy was taken. B was never in my hands. I am not related to Mr. Niles. I am connected with them by marriage. I take no more interest in this case than the interest any one should take to see justice done. I revised a Petition to His Excellency, which Mr. Niles sent complaining of what I consider perversion of justice in the abduction case.

Miss. Emily Allagamma Niles was then called. She said:—I was complainant in the abduction case. I remember a letter produced by the accused Rasiah during the inquiry into that case. B is the letter. I am quite sure. It was written by me to Miss. Nallamma Eliatamby. This letter is dated 13th August 1897. I wrote it because she was my friend. Nallamm's letter to me is dated 11th August 1897. It is marked C. (produced written in red ink.) My letter marked B. is reply to Nallamma's letter marked C. I see two lines scored off in letter B. I did not score it. I don't know who scored it. I read that scored portion as "Has Ratnam Paul attended School." Ratnam Paul was a schoolmate of mine at the Vermbadi Girls School. I remember the inquiry made by Mr. Constantine when the accused was arrested with me at Vasavilan. The accused then never spoke of any letter from me. He did not produce any letter when the inquiry first took place. I produced letter C. through my brother. I went and fetched it from my box at Vannarponnai. The accused produced letter B. on the 1st June 1898. I was asked the same day if it was written to accused. I said I wrote it to Nallamma. Then I was asked to read the scored portion. It took me about 10 minutes to read it. After the court was adjourned I went to Vannarpannai to fetch letter C. I looked for it and found it in my box. I returned to court at 1-30 P. M. My brother handed the letter to Mr. Carpenter at the Library. At about 2 P. M. the letter was shown to the Magistrate. I told the Magistrate when I was examined that B. was reply to C. I write letters both in red and black ink. I produced some other letters written to me by Miss. Eliatamby. She wrote me about 30 letters. This letter K was written to me by Miss. Rasamma Fredrick who is also a schoolmate of mine. It begins "My dearest darling friend" I address Nallamma also in that way. She is a special friend of mine. She also addressed her letters to me "My dearest darling friend." Letter J in English was written by me to Nallamma and her sister Pooranam dated 27th December 1897. It is addressed "My dearest and loving friend." Letter E was

written by me to Nallamma. It has no date and begins "Dear, darling friend" Letter F by me to Nallamma not dated begins "My dearest darling friend." Letter G. and H. by me to Nallamma have no date and begin "my dearest darling friend." Letter I. is one of the letters to me by Allagamma. It begins "My dearest darling friend." (All the letters were read to the jury by the Interpreter. They were with the exception of J, in Tamil, only the beginning "My dearest darling friend" &c and the concluding portions being in English.) In letter B. I refer to Ratanam Paul. I thought that the girl was not then at school. By school I meant boarding school. She had been a Boarder off and on. I had been in school for 8 years I was removed from it in July 1897. I was in my house for about two weeks. I returned to school in August. Letter B. was written by me one or two days before I returned to school. I swear I did not write this letter to the accused. I never had any correspondence with him. I never encouraged him to think that I was in love with him. I never promised to marry him. I never met him alone. Fanny referred to in the letter is Miss Fanny Walton, daughter of the Rev. Walton. I was on bad terms with her, because she one day brought a letter from the accused to me. I refused to accept it. She is a cousin of the accused. Accused was long absent from Jaffna and returned about 2 years ago. He is living with Mr. Alexander. I never met him at school. Nallamma kept her letters in a box in a room of the Boarding school. Sisters Nallamma and Pooranam used one box. The matron and others had access to the room in which the box was kept. I am not now in good terms with Rasamma Frederick. She is jealous because I am more intimate with Nallamma Elaiyatamby. I know Miss Chellamma Tillaiambalam. She used to come to my house. At times I used to send letters to my friends at school through her. She used to help us in cooking and stitching. Her father is a teacher at Vannarponnai. The court adjourned at 4 P.M. for the next day.

SECOND DAY.

On the re-assembling of court on the 25th Miss Allagamma Niles was again sworn and she continued:—The letters produced L M N and O. are letters written to me by my friends. Letter L dated 9-4-97 was written to me by Nallamma Eliyatamby. It begins "My dearest darling friend" and closes with "I remain dearest darling friend H N. Eliyatamby." Nallamma complains in this letter that she was not once addressed "My dearest darling friend" Letter M. is by Nallamma to me. It begins "My dearest darling friend" Nallamma asked me to tear this, but I did not do so, some I tear and some I preserve. Letter marked N. is dated 27th December 1897. This was written to me by sisters Nallamma and Pooranam acknowledging the receipt of Xmas Cards from me. It begins "My dearest darling friend" Letter O. was written to me by Nallamma and dated 27 3 98 It begins "My dearest darling friend" and closes with "My love and kisses to self"

Cross-examined by Mr. Kanagasabai—I was examined in the Police Court on two occasions. I did not produce these letters L M N. and O. on the first occasion. They were with me and left me after the institution of this case. This case was instituted in November last I gave them to my brother Wesley Thuraiappa one or two days before I was examined the first time in December. I kept those letters about 15 in all in a box. Besides those written by Nallamma there were 3 or 4 written to me by Miss Nallamma Tampoe. I handed all the letters, but the Magistrate selected these and returned the rest. I did receive letters from Nallamma Eliyatamby written in red ink besides letter O. I also wrote letters in red ink. We take to school black as well as red ink for drawing purposes. I cannot name those who take black as well as red ink. I don't know how Surveyor Hunt is related to me. He is brother-in-law of Miss Nallamma Eliyatamby. He has black as well as red ink.

The Judge (sarcastically)—Is no red ink to be had in Jaffna?

Mr. Kanagasabai—We want to show that Letter C. was concocted at Mr. Hunt's house.

The witness continued—The accused's mother is sister to my father. Miss Fanny Walton's mother also is sister to my father. My elder sister is married to accused's younger brother. She was not proposed to the accused. Accused was employed in the Ceylon Government Railway. He returned to Jaffna in April or May 1897. At that time we were living in the Town. My parents once took me for dinner to Mr. Alexander's when accused was then living. My parents never invited him to dinner. But he dined with us twice or thrice. He used to come to our house. I treated him in the same way as I would other relations. He used to talk to me in the presence of my parents. He never came to my house in the absence of my parents. When I was playing cards at Mr. Tampoe's house with cousins Miss Tampoe and Miss Waltons the accused also joined us. I also played cards with my other male cousins Gurusamy Tampoe and Alfred

Tampoe. I played cards with accused only on two or three occasions. I informed my father about the playing of cards with accused when I told him of the letter which accused sent me through Fanny Walton. When my mother heard that I played cards with the accused she told me never to do so as the accused was a bad man. I was generally taken home from Mr. Tampoe's. I was proposed in marriage to accused. I don't know when. I never played cards with him after I knew that he wanted to marry me. Mr. Williams told me that accused was getting some jewellery made for me. He never took measurement from me. He might have taken the measurement from a girl of my size. I refused letter from Fanny Walton on Saturday previous to my being taken from school. I refused the letter from Fanny because she told me that the accused requested her to deliver it secretly. I informed of it to my parents. I did not tell Chellamma Tillaiampalam that I was willing to marry accused but my parents were unwilling. On my return to school my friends asked me why I was taken home. I told Nallamma Eliyatamby why I was taken home. I did not say anything to Chellamma. One day the accused drove behind my carriage, although his horse was a fast going animal, I told Chellamma that the accused must have been mad. His business is to look and stare at young girls. He was pestering me with demonstrations of love after knowing that I was not willing to marry him. I say in Letter B. that "I will come and see about the thing you wrote for" What I meant was that I would come and talk with you. I don't know by school whether I meant Boarding school or day school. My father informed me that Rev. Mr. Trimmer had given evidence in the Police Court to the effect that Ratanam Paul attended school in August during the time I was at home. Then I thought I might have meant the boarding school.

The Judge at this stage called for all the letters produced and after a careful examination of them remarked that Letter B corresponded with other letters in the beginnings and terminations and asked Mr. Kanagasabai why the witness should have scored out the portion that read "Has Ratanam Paul come to school" Mr. Kanagasabai explained that Miss Niles having come to know that the accused was going to marry Miss Paul became jealous of her and wanted to chaff him by a reference to her. But feeling on second thought that the accused might be offended by it erased that portion.

The Judge—Why should she say "Has she attended school"?

Counsel—Because it was in school he met these girls.

The Judge—This is an explanation possible only in the North.

The witness continued—I heard Ratanam Paul was proposed to the accused. I learnt it in school two or three days after my return. Of all the letters produced only B and two others are dated. All the others are not dated. I saw the letter B. produced by the accused in the Police Court. He handed it to his advocate. He was in remand at the time. I saw Mr. Proctor Cooke taking a copy of the letter B. when the Magistrate was there. I don't know in whose hands it was then. Accused did not object to the copy being taken. I went to Vannarponne to fetch letter C. in my own carriage. Mylan was our horsekeeper. Marian Sinnatamby was our horsekeeper for about two weeks. I don't know when. I never sent any letters through him. I did not speak to Nallamma Eliyatamby before she gave evidence in the Police Court. Miss Fredrick is not in good terms with me. Miss Thillaiambalam's father was a sweeper in the church. My Cousin is married to Mr. Carpenter's daughter. He was present when accused was arrested at Vasavilan.

Re-examined by Mr. Aserappa—Letter C. is written in red ink. Out of the four letters one is in violet ink, one is blue and two in black ink. We keep inks of different colours.

Questioned by His Lordship—Letter C. is in Nallamma's handwriting I have no doubt about it. I went with my two brothers to Vannarponnai to fetch letter C. I did not meet Nallamma. I saw her in court after I fetched the letter. After the letter B was produced my parents went to Uduvil and brought Nallamma. The first time I saw her was in the court premises in a carriage with my father and mother.

Questioned by the Foreman—Ratanam Paul was not studying in my class. I was in the 5th standard, she in the Entrance class.

Miss Nallamma Eliyatamby was the only other witness called for the prosecution that day. She said—I am a daughter of the Rev. Mr. Eliyatamby of the American Mission. I was learning in the Wesleyan Girls Boarding School in 1897 and 1898. I know Allagamma

Niles. She was also learning there. She left School after the institution of the abduction case. She was also absent at times before that. Letter B was written by her to me when she was absent from School at Vannarponne and when I was in School. This letter is dated 13 8 1897. The scored lines were not in that condition at the time I received it. C. is my letter to Allagamma. This is dated 11th August 1897. I am sure I wrote that letter. I can swear to it. Letter B. is reply to letter C. Generally I send letters by my father or Allagamma's father, sometime I used to send them through horse keeper. Generally Allagamma addresses me "My dearest darling friend" The letters L M N. and O. were written by me to Allagamma, and letters E. F. G. H. and J. were written to me by Allagamma. I keep my letters in a box at school. I write in different ink. My sister Pooranam and I used the same box. Either of us kept the key. Letter B also was in that box. I don't know when it got out of that box. It was in the Police Court when it was shown to me that I knew that I missed it. The box was kept in a room to which others had access at all times. It was locked with an ordinary padlock which could be opened with keys or with a shake of the hand. I know Chellamma Tillaiampalam, and Rasamma Frederick. They were both school mates. I know also Fanny Walton and Ratanam Paul. The latter was off and on a boarder. I read the scored portion in the Police Court. I understood that. Allagamma inquired whether Ratanam Paul had become a boarder. I never scored that portion. I first saw the scoring in the Police Court. We call Boarding உட்பள்ளிக்கூடம் or 'பள்ளிக்கூடம், and dayschool திற்பள்ளிக்கூடம். At the time Miss Paul was a day scholar. After I gave evidence in the Police Court I gave all my letters to my brother-in-law Mr. Hunt for safe keeping. (The box was here produced. The padlock was opened with one of the keys of Mr. Registrar Stork) Letter C. was produced by Allagamma. I gave evidence in the Police Court on 1st June 1898. I cannot account how letter B. got out of my box, somebody might have taken it without my knowledge. I was in my house at Uduvil on 1st June 1898. Rev. Mr. Niles and Mrs. Niles came and fetched me. They said "there is a letter produced in court come and see." My father permitted me to accompany them and I came. I first saw letter C. in the Police Court. Nobody had informed me of it before. I am sure I did not write it that day. I saw Allagamma that day for the first time when she was being taken away to give evidence. I did not get down any where on my way to Court. I have known Allagamma for 5 years and we were very good friends. During my absence at Uduvil for a fortnight I left my box at school in charge of my sister. I heard from Allagamma that there was a proposal of marriage between her and the accused.

Cross-examined by Mr. Kanagasabai—By school we mean Boarding School. We use the word indiscriminately. I asked in Letter C why Fanny and her sister Allagamma deceived you. She wrote back to say that she will come and tell me. I understood by the word *புரிந்துரை* that she will come and tell me. In the Police Court I stated that the letter B was brought to me by the horsekeeper. No I did not say so. What I said was he might have brought it but I was not sure (on reference to the depositions in the police court it was found that the witness was correct in saying that she was not sure of it) I did not see a pencil copy of letter B that day. It took sometime for me to read the scored portion. I did not know that Allagamma had read that portion. I was examined after Allagamma was examined. I did not get down either at Niles's or Hunt's on my way from Uduvil. The carriage stopped opposite to Mr. Niles's till he called his servant and handed him a few mangoes which my father gave him. I can't identify the horsekeeper who took me from Uduvil. (A horsekeeper by the name of Baboo was here produced and witness said she could not identify him.) I am sure I did not speak to Allagamma before I gave evidence. I saw letters B and C. for the first time when I went to give evidence. After giving evidence I went to my sister's house and after staying a short time went home with Mr. Carpenter.

To the Foreman—Ratanam Paul is not a particular friend of mine. She is only a school mate. There was a talk that she was going to become a Boarder.

With the evidence of this witness the court was adjourned for Monday the 28th.

to be continued