

# The Hindu Organ

(THE CHEAPEST WEEKLY IN CEYLON)

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VOL XV.

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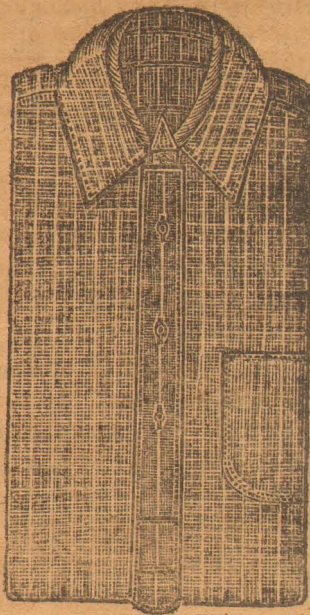
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## NOTICE.

IN THE DISTRICT COURT OF JAFFNA.

ORDER NISI

Testamentary } No. 1467  
Jurisdiction }  
Class II.

In the Matter of the Estate of the late Murugesar Suntarampillai of Vaddukkodai Deceased.

Swaminather Kathiravelu of Vaddukkodai West Petitioner

vs.

Murugesar Thamotharampillai of Vaddukkodai Respondent

This matter of the Petition of Swaminather Kathiravelu of Vaddukkodai West praying for Letters of Administration to the estate of the abovenamed deceased Murugesar Suntharampillai of Vaddukkodai West coming on for disposal before W. R. B. Sanders Esqr. District Judge, on the 9th day of February 1904 in the presence of Messrs. Casipillai & Cathiravelu Proctors on the part of the Petitioner and the affidavit of the Petitioner dated the 9th day of February 1904 having been read, it is declared that the Petitioner is the grand father of the heir of the said intestate and is entitled to have Letters of Administration to the estate of the said Intestate issued to him unless the Respondent or any other person shall on or, before the 1st day of March 1904 show sufficient cause to the satisfaction of this Court to the contrary.

Signed this 9th day of February 1904

Sgd. W. R. B. SANDERS

District Judge

IN THE DISTRICT COURT OF JAFFNA.

ORDER NISI

Testamentary } No. 1462  
Jurisdiction }

In the Matter of the Estate of the late Veluppillai Muttiah of Karadievoe East Deceased

Veluppillai Chelliah of Karadievoe East Petitioner

vs.

Teywanaipillai widow of Veluppillai Muttiah of Karadievoe West Respondent

This matter of the Petition of Veluppillai Chelliah of Karadievoe East praying for Letters of Administration to the estate of the abovenamed deceased Veluppillai Muttiah of Karadievoe East coming on for disposal before W. R. B. Sanders Esquire District Judge, on the 28th day of January 1904 in the presence of Mr. T. C. Changarapillai, Proctor on the part of the Petitioner, and the affidavit of the Petitioner dated the 28th day of January 1904 having been read, it is declared that the Petitioner as an heir of the said intestate and as such is entitled to have Letters of Administration to the estate of the said Intestate issued to him unless the Respondents or any other person shall on or, before the 7th day of March 1904 show sufficient cause to the satisfaction of this Court to the contrary.

Signed this 28th day of January 1904

Sgd. W. R. B. SANDERS.

District Judge.

## NOTICE.

SALE OF PEARL OYSTER SHELLS.

The Pearl Oyster shells now lying at Marichchukaddy will be sold by auction at the sale bungalow at Marichchukaddy on Tuesday March 1st at 3. p. m., by the Assistant Government Agent, Mannar. For any further information required, application should be made to the Assistant Government Agent Mannar.

W. A. Weeracoon  
for Government Agent  
N. P.

The Kachcheri  
Jaffna, 2nd February 1904.

ACKNOWLEDGMENT OF SUBSCRIPTIONS  
TO THE HINDU ORGAN.

Messrs.		Rs. C.
K. Arunachalam.	Tellippalai.	8-20.
S. Sabapathy.	K. Kuba.	10-00.
S. Visuvanather.	KualaLampur.	9 10
V. Appiah.	Punduloya.	5-50
V. Assaippillai.	KualaLampur.	6-37
T. Sinniah.	Vakaner.	7-50



## THE HINDU ORGAN.

JAFNA, WEDNESDAY, FEBRUARY 17, 1904.

PERSISTENT MISREPRESENTATION  
UNDER THE CLOAK  
OF CHRISTIANITY.

The *Morning Star* of the 4th Instant contains a rather abusive editorial comment on our leader on the Tinnevely Kidnapping and Perjury cases, which was called for by its own unnecessary and virulent attacks on the Indian Judges of the High Court of Madras. For some reason or other, perhaps owing to "an inner and spiritual working" of the conversion mania, which, of late, has not been much on evidence, a change for the worse has taken place in the attitude of the *Star* towards non-Christians and non-Whites. The language employed in speaking of them is not only insolent and venomous, but shows evident signs of chagrin and disappointment, which seems to have been caused by the firm stand made by the people of this country against their conversion to a spurious Christianity which preaches one thing and practises another. Hindus know and appreciate the teachings of Jesus Christ—a great moralist and a coloured man to boot (by the by, all the greatest religious teachers of the world were Asiatics and coloured men), but they do not take at their own valuation teachers of the stamp of those who penned the leaders in the *Star* of the 21st January and 4th February and who profess to teach the people of this country to "love their enemies, bless them that curse them", &c., but practise just the contrary Mosaic doctrine of "eye for an eye" and "tooth for a tooth". In the case in which the *Star* laments the acquittal of the accused, the Missionaries were the aggressors. It was not a case in which the Missionaries were punished, but one in which three shepherds whose child they wanted to take into their custody escaped the vindictive proceedings instituted by them. If the Missionaries were punished there might have been some ground for the *Star* losing its head, but are they true followers of the prophet of Nazareth who indulge in violent abuse because their enemies (whom they created) were not avenged, especially when there was nothing to show that the so-called enemies intended to injure them?

An occasional correspondent to this paper whose letter we do not publish for fear of wounding the susceptibilities of our Christian fellow-countrymen puts us the question—do the Missionaries keep the ten commandments of Moses if not the *Sermon in the Mount*. A comparison of the leader of the 21st January with that of 4th February will furnish a convincing answer to this question. The issues involved in the now notorious Tinnevely cases were of little or no moment to the general body of Missionaries or to the Hindus. Whether

the young girl of sixteen went to the Zenana Home of her own accord, or whether she was kidnapped by the ladies in charge of it or their underlings were matters which concerned only the girl and her relations on the one hand and the Zenana ladies on the other hand. The morality of Christianity is not to be judged by this isolated action of the ladies nor of Hinduism by that of the girl or her parents. Making due allowance for parental affection, there was nothing untoward in the action of the parents of the girl. The girl was found in the custody of the ladies, great secrecy was maintained about her movements, and the "working of the spirit of God" in her was not demonstrated to the "pagan" world by confronting her with her parents. She was a minor (the Missionaries themselves say she was seventeen), and the parents were not only her natural guardians, but were in law entitled to her custody. Their request to see her was refused, and they being unlettered people having no knowledge of the "working of the spirit of God" preferred in all good faith a charge of kidnapping against the authorities of the Zenana Home. We ourselves would have done so if a beloved child of ours was found in the custody of the authorities of the Training School at Tellippallai under circumstances similar to those disclosed in the Tinnevely Case. The law gives to the parents the guardianship of children who are under twenty-one because before that age their character cannot be said to be properly formed. The Zenana Mission people, instead of thanking their stars for having escaped the punishment due for kidnapping or abetting kidnapping or at least for wrongful confinement, chose to revenge on the girl's father and two of his relations by prosecuting them for having given false evidence knowing it to be false and with intent to injure them. The High Court without questioning the veracity or the honesty of the Zenana Missionaries held that there was no proof that the evidence given by the girl's parents was false to their knowledge or was intended to injure the alleged kidnappers. It is this decision of the High Court that has caused such a great flutter in the Missionary dovecote. The statement of the *Star* that the High Court "rejected the evidence of the Missionaries as absolutely false" is utterly false. It was either penned in utter ignorance of the first principles of law or to enlist the sympathies of Christians against the High Court. Either way, it is most discreditable to the Missionary from whom it proceeded.

If an American Missionary's daughter of seventeen is found in the custody of a Hindu priest what will be the feelings of the Missionary parents? If they prefer a charge against the priest for unlawful custody and it is dismissed, are they to be prosecuted for perjury and punished with rigorous imprisonment irrespective of their intention, and what is more, irrespective of the trouble and vexation they were put to by the temporary loss of their child? Ah! When will our "teachers" learn "to do unto others as they would that others should do unto them"! Indeed we make bold to say that if the High Court had affirmed the conviction in the Perjury case, there would have been a great miscarriage of justice, and British Justice would have stood utterly discredited. The Missionaries certainly are not able to see this because their judgment is warped by racial and religious prejudice. But the responsible rulers of the country and the High Courts, especially Lord Curzon's Government, have been generally alive to a sense of their obligations towards the subject races.

Coming to the attacks of the *Star* on

this paper, they are not only unprovoked, but violent so much so that one is tempted to ask that if "the spiritual workings of Christianity" have not produced any effect on the minds of the teachers, what effect they will have on the minds of the taught. The *Star* had spoken of Tamil Judge and Brahman Justices, accusing the latter with having been "outrageously partial and unjust". It was pointed out that the reference to nationality and caste was of purpose and intended to insinuate against the Judges. The *Star* now characterizes our "idea" as "amusing" in one place and explains itself in another place by saying that the meaning which it intended to convey was that the Brahman Justices who believe in a philosophy which takes no note of the "working of the spirit of God" in the heart of man, were incapable of judging the case aright. If the *Star* is sincere in this explanation, the reference to the Brahman Justices stands explained (though the charge of "outrageous partiality and injustice" gives the direct lie to this explanation), but what about the reference to the Tamil Judge who is said to have refused Police protection? Are Tamils incapable of knowing what police duties are? Further comment is unnecessary. Evidently the *Star* had in a moment of irresponsibility penned the words little knowing how the people of this country, Hindus and Christians unconnected with the Mission, would view them. When it discovered that they were wide enough to cover even Tamil Christians—its own flock—it had to go back on its statement and eat humble pie protesting its innocence, though the people here are quite able to see through its abrahamic protestations.

Again, the *Star* used words which led to the inference that in its opinion the testimony of Europeans ought to be preferred to that of other races. But when we pointed out that there are liars among white men also, the "Star" shows unmistakable signs of mental perturbation, eats its own words, and puts it in black and white that the value of one's testimony depends on one's character, or, in other words, that character is the basis for judging the truth or falsity of one's evidence, a proposition which nobody ever disputed. The "Star" also suggests, indirectly though, that the character of the white is superior to that of the black, dark, brown, yellow, and all others put together. But we do not proceed to quarrel with the "Star" on this point beyond saying that in the eye of the law all races are deemed equal. If the practice of the Westerners differs from their precepts, it is their own fault; they cannot certainly blame us for relying on their laws and acting in consonance with them.

## LOCAL &amp; GENERAL

Weather—There is no rain. The heat is intense. The farmers are reaping their harvest in right good earnest.

Health—Fever prevails to a great extent throughout the whole of Jaffna and the death rate is daily increasing.

Arson—We hear that a house at Neervely was set fire to on the night of the 12th Instant and most part of it was burnt down.

Obituary—We regret to chronicle the death of Master Samugam, the eldest son of Mr. S. Sapatippillai, brother of the late Mr. Advocate Nagalingam, which took place on the 10th Instant. The deceased was a promising young boy of about 11 years of age and we tender our heartfelt sympathy to the bereaved father and others who bemoan his loss.

Young Ceylon in England—Mr A. P. Savandaranayagam who proceeded to England some time ago has successfully passed the final Examination in law at the Inner Temple in the second class.

The Supreme Court Sessions—The Supreme Court sessions will begin tomorrow. The Chief Justice arrived here yesterday by land and the

Supreme Court Staff is expected to arrive this evening.

The District Judge—The District Judge Mr. W. R. B. Sanders will go home on leave about the first proximo. A farewell address will be read to him by the members of the local bar on the eve of his departure.

The Northern Railway—The work in this line is pushed on as rigorously as possible. Additional coolies have been imported but fever proves a sad hindrance in some localities. Rails have been laid for three miles beyond Maikulam and five miles this side of Annuradhapura. There are only fifty-two miles still remaining to be laid with rails. We hope this portion will be soon finished and the whole line will be ready for traffic before the end of this year.

Mrs. Besant at Poona—Mrs. Annie Besant addressed a large gathering of Europeans, Parsees, and Hindus in the Petit Hall at Poona on the evening of the 1st Instant. The gathering was a very large one, several thousands of people being present. She spoke for nearly an hour and half on topics relating to religious, moral, and social progress. The lecturer was listened to with rapt attention throughout.

A cobra eats its mate—One of the hooded cobras at the Zoological garden in the Bronx turned cannibal the other day and devoured the female cobra because she refused to relinquish the end of a mouse which both had begun to eat.

### BATTICALOA.

5th February 1904.

Weather—The days are very hot and nights are intolerably dewy. Fever still prevails.

Heavy flood in Batticaloa—Unusually heavy showers of rain fell throughout the whole district on the 26th and 27th Ultimo and caused great damage especially to the villagers. The paddy fields are all submerged, and the roads are under water. Many mud houses have come down and bridges have been washed away. The passengers who arrived at Kalkuda by the last trip of "Lady Gordon", on the 28th Ultimo, were prevented from reaching the town owing to the water on the roads, especially at "Thannamunai" which rose to the height of nearly 5 or 6 feet. Many had to cross Thannamunai by boats. The lake that bounds Puliyanivu has swollen to such an extent that it has caused considerable alarm to the townsmen here who attribute it to the burst of a tank at Ragama. They say that there was a similar flood in the year 1878 or so.

The Kallar Will case—This most sensational will case came on for trial before Mr. A. De. Senevratne, the District Judge, on Tuesday, the 2nd Instant. Your readers are aware that the late Mr. Sinnatamby, Vanniah of Kallar, died a few months ago leaving behind a will in which he bequeathed all his properties to his second (illegal) wife and children overlooking the claims of his legal wife, who retained Mr. Walter Pereira of the Metropolitan Bar, whereas the other party retained Mr. F. Dornhorst, K.C. to support the will. All the witnesses including Mr. Varunakulasingham, the Notary who attested the will, having been examined, the hearing of the case came to a close on Wednesday last, and the judgment was reserved for Tuesday.

Personal—We are glad to say that Mr. Pandit N. V. Kanagasapathy Ayer of Nellore who came here some months back is now busy preaching Hinduism in every nook and corner of this District. His labours in the propagation of religion, especially in a Tamil District like this, which is very much influenced by Western thoughts and ideas, are indeed very commendable. As a result of his endeavours we see a large number of Hindu schools have sprung up and many Hindus here are now alive to sense of their duties. Had Mr. Chit. Kailasapillai been here for some months more surely Batticaloa would have advanced a great deal in the path of spiritualism.

The Civil Service—We learn that our Government Agent, Mr. C. M. Lushington, will shortly proceed home on one year's leave of absence and Mr. Hopkins, Registrar-General, or Mr. White, Comptroller of Requests, Colombo, will act for him.

Exchange of Duties—Messrs. A. Visuvanathan, B.A., Clerk of the local Kachcheri, and Mr. Francis of the Colombo District Court have consented to exchange their duties which has been sanctioned by Government. Mr. Visuvanathan will shortly leave this for Jaffna and then proceed to Colombo to take up his new appointment.

The P.W.D.—Mr. G. S. Goodman, District Engineer, Kalmunai, will proceed home on furlough, and it has not yet transpired who his successor will be.

Personal—Mr. F. Dornhorst K. C. and Mr. Walter Pereira, who came here by the last trip of the "Lady Havelock," on special retainers in the

Kallar will case, left this for Colombo by land yesterday.

—Cor.

### PROVINCIAL ROAD COMMITTEE

Jaffna Feb. 15th 1904.  
at 2-30 P.M.

Present

The Chairman  
The Provincial Engineer  
C. Strantenbergh Esqr.  
S. Sabaratnam, Mudir and  
The Secretary.

Proceedings and Resolutions.

I. Read and approved proceedings of last meeting.  
II. Considered proposal to take charge of the Nursery Garden.

Resolved that the Nursery Garden be taken over by the P. R. C.

III. Laid on the table the following estimates submitted by the Superintendent Minor Works.

(1) Estimate for Rs 29- for alterations to Kaits resthouse.

Resolved that the same be sanctioned. Estimate for Rs. 103-65 for alterations to Pallai resthouse.

Resolved that the same be sanctioned subject to revision by the Provincial Engineer.

(2) Estimate for Rs 69-55 for improvements to Point Pedro resthouse (trellis work)

Resolved that an estimate for Rs. 57-20 be sanctioned.

(3) Estimate for Rs. 64-98 for alterations to Chavagacheri rest house.

Resolved that the Estimate be amended by addition of an extra wall from K to L in sketch and a door. The whole estimate to be subject to revision by the Provincial Engineer.

(4) Estimate for repair of kitchens &c of bungalows at Chavakacheri and Kangesanturai for Rs. 252-60.

Resolved that the estimate be sanctioned subject to revision by Provincial Engineer.

IV. Read letter no 12 of 8th February 1904 from the chairman D. R. C. Mullaitivu annexing estimate for Rs. 76- for repairing Irampaikulam rest house fence.

Resolved that the same be sanctioned and referred to the Provincial Engineer.

V. Laid on the table letter no 86 of 21st December 1903 from the chairman D. R. C. Mannar regarding the election of D. R. C. Members which had been circulated and approved by the Members of the P. R. C., N. P.

VI. Laid on the table letter no 1 of 4th January 1904 from the Chairman D. R. C. Mullaitivu regarding the election of D. R. C. Members which had been circulated and approved by the Members of P. R. C., N. P.

JOHN SCOTT  
Secretary D. R. C.

### RAMBLING NOTES FROM BORNEO.

Now is the wet part of the season. We have day and night rain. Many are under the impression that there will be a storm.

We regret the sudden departure of H. E. the Governor E. W. Birch, C. M. G., and Mrs. Birch. He has brought a change over Borneo. Many are praying that he should be back again. They say that he is the right man to develop the resources of this country. He has left his work only half finished. He was a great adviser, ruler, and justice dispenser in Borneo. The reforms he has effected are many. Had he been here for another five years he would have planted here the old name "New Ceylon". Our loss is our sister land's (the Malay Peninsula's) gain.

The works in the P. W. D. have been for the most part stopped since H. E.'s departure. There are no Engineers in the Department. The Senior officers in the service have been told to look after the works. Since our able Director of P. W. D. left Borneo, H. E. being an experienced gentleman conducted the work similar to the way in which it was done by our Engineer. Now, the Criminals are the P. W. D. coolies and the Mandore or warders are the Overseers. The Roads are unmetalled, they make the dhobies to earn money. Such are the Roads of Borneo.

We hear that H. E. has erected a small "paradise" in Borneo called Juselton. We may expect fruits there in, say, one or two years' time. If Borneo induces Indians and Ceylonese to come there, the country will be developed as early as possible. They are the hard working men at present here and the cheaper.

The first Jaffna girl who ever stepped into Borneo was one from North Araly. I believe that this will be the last and the first girl that stepped into Borneo. It is not advisable for any of my friends to allow to go far as Borneo their beloved children.—Cor.

### CORRESPONDENCE.

Sandakan B. N. Borneo  
13th January 1904

Dear Editor,

By way of supplementing your leader of 16th December last I beg to point out that unless the privileges of caste are upheld by

Government the number of criminal cases will be more than it is at present so that the Bar and the Government will benefit themselves by fees and fines. Which do you think will be the best course whether the upholding of the peace of the country or the breaking out of riots for trifles? If there is peace, there will be no advantage for the bar and the Government. If there be riots and unlawful assemblies the Bar, the Government, and the medical men are benefited.

Now turn to the other side and see if our Government is just in allowing the lower castes to move in the same way as the higher castes. The difference or distinction between low castes and high castes was not interfered with by our Government Agent Sir William Twynam. We cannot see what is the system or the custom to be abolished. There exists in every nation the distinction between high and low. In case a man by some means gets rich then it is not understood that he has a right to go and dine with a king or he must have the honours of a king. His independence shall be in his own house and in his own community. See for instance, how Europeans behave towards the coloured races. Certainly they do draw a distinction. Why should they do so as long as all are British subjects? In my experience in the Straits Settlements and Borneo I have seen Europeans hold themselves up as superior to the coloured people though they happen to be inferior in knowledge. If they find a smart coloured man they raise unnecessary quarrels and dismiss him. I am however digressing in dwelling on this matter. I turn round and ask why the distinction observed by Europeans should not be abolished. Is the English Government selfish? Certainly not. Do they do justice to the natives? They do.

Then why do they not do justice in this respect? We have heard and read of petitions after petitions being forwarded by, and the papers showering forth their heartfelt sympathy for, the people who were said to have been injured by the caste riots. Till now no redress has been given to those that sought this assistance though the Government still allows the lower classes to do as they please. It is quite evident that most members of the European community know the distinction. For thousands and thousands of years the system of caste has existed in our little peninsula. Why is it to be interfered with now? Is it by the influence and supremacy the lower classes have gained by the influence of the Missionaries working in the peninsula or on account of the riches they possess? While I was a student in St. John's College a regular strike was caused by a Nalava boy having been admitted into it. This fact can be ascertained from the old boys of the school and from the attendance book. No sooner he was sent out of the school than the strikers returned.

The Government may think that caste is a slavery, but it is not so when compared with the relations existing between the white and the black under the same Government, same law, &c.

The Velalas hold themselves up as they are a higher caste than the Pallas, Nalavas, &c., and to show this distinction they order the latter to add to their ancestral customs and habits but they do not stand in the way of their civilization.

The Government without considering the rights and privileges of the different castes allow them to adopt any fashion they choose and issue licenses and send guards (I mean in a village the headman of the place and in the Town a constable) and interferes with the caste system. Certainly the Government does not mean to abolish their Regulation No. 18 of 1806.

We hope that the Government will take notice of the caste system and treat each caste as it deserves.

Yours &c

H. M. S. Segarajah.

(We do not subscribe to everything contained in this letter. Parts of it, especially those relating to the distinction observed by Europeans, are very interesting and told in a naive and pungent style. Our correspondent has however marred his letter by sly insinuations against the Jaffna Bar. What will Jaffna be without its Bar? Outside the Bar, independent and public spirited men are not many. And intelligent men in the employ of Government cannot take up the public cause. Certainly riots are not committed for the benefit of the bar or the Government. The legal profession has come into existence because there are suitors and litigants who fee it. Just as Courts of law are established where the population is litigant or turbulent, the legal profession is brought into existence to meet the requirements of the public and the administration of Justice. Has our correspondent studied the origin of the Bar? Some people

think it is a grand feat to have a fling at the Bar. We are sorry that our correspondent is one of them. Ed. H. O.]

### TINNEVELLY CONVERSION CASE.

(From the *Indian Progress*)

All right-thinking men—men with minds unwarped by race feeling or sectarian prejudice—were glad when the shepherds were acquitted by Justices Subramanya Aiyar and Bashyam Iyengar. As Christians the Missionaries themselves ought to have rejoiced that the poor unlettered Hindus had escaped a long term of imprisonment. But from all that has appeared in print, we gather that Missionaries on the war path are very much like other men who, not being Missionaries, do not profess to have abandoned the eye for an eye, tooth for a tooth code of either in favour of that of the gentle Jesus who instructed his followers to return good for evil. The spirit of vindictiveness was very manifest in this case—and it seems to us that no uprightness of life, no reputation for ability and impartiality, are of any weight when scaled against race hatred and sectarian feeling. Granted that the Missionaries who have ventured to criticise and condemn the judgment of the Native Judges of the High Court really believed that a miscarriage of justice had occurred, it was open to them to discuss the question in a spirit of grievous fairmindedness and not to have attributed the error in judgment to race feeling. It is too late in the day we think to question the integrity and impartiality of the distinguished native gentlemen who preside and have presided at the High Court. In the last number of the *Christian College Magazine* among the notes of the month is a criticism which says the Police prosecution ignored essential facts of one thing, and for another ridicule the statement of the judges that it was "incredible" to suppose, "that a girl of 16 or 17 years should of her own accord go to Missionary ladies with the object of changing her religion". Nothing of course is impossible but other things being equal it is more than probable that some inducement was held out to the poor shepherd girl to go to the Missionary ladies and that even there she was not altogether allowed to be a free agent. Hindu girls are more conservative on the score of caste and religion than Hindu youths, and it certainly is staggering to believe that a young girl of 17 of the shepherd caste should voluntarily desire to change both her caste and her religion. Had she been a loose character, a servant in a Christian household, or a frequent visitor to the Mission House, we could understand it but as the case stands the Missionary relation of the occurrence transcends belief. The absurdity of such a thing becomes apparent the moment we substitute an English girl and enquire her leaving her pleasant home and walking off to a mosque to be converted to the faith of the Prophet. The latitude of conduct peculiar to English girls is more compatible with such a hairbrained proceeding than that a Hindu caste girl should voluntarily become possessed with the desire of losing caste and adopting a new creed in either a fit of caprice or under divine guidance. If caprice was at the bottom of the young woman's action the Missionaries should be relieved that so eccentric a character has escaped from the fold. If on the other hand divine guidance had anything to do with it, it is regrettable that the influence was not potent enough to restrain the young woman leaving the court hand in hand with her young husband. Sir V. Bashyam Iyengar displayed considerable moral courage in going into issue with his native colleague, courage which a smaller mind would not have exhibited. We are convinced that had Sir V. Bashyam Iyengar seen the smallest possibility of eradicating the Missionary story he would have found issue with Mr. Russell. To say that, essential evidence was not brought out in the prosecution is an attack against the Police and a charge of callousness against the judiciary which deserves no notice. We sincerely hope that the episode is one that the Missionaries will long remember and that the experience will deter them from attempting similar conversions, in future. If Mohamedan Mullas who make proselytes were in the place of the Missionaries and Anglo-Indians in the place of the shepherds what a potter would have occurred and how the Native Judges would have been landed for their upright judgments.

Since writing this we have read the comments of a paper called the *Harvest Field* presumably edited by a Christian gentleman. It is a grossly libellous and scurrilous attack on the two Brahmin Judges and as the writer transgresses ordinary rules of decency and fairness, we believe, we are right in treating his criticism with contempt. But in the interests of the dignity of our High Court we would draw the attention of the Honourable Judges to the article in the "*Harvest Field*".

### THE TINNEVELLY CONVERSION CASE.

CONTEMPT OF COURT.

Yesterday (9th February 1904) morning the First Appellate Court was the scene of great excitement, consequent on the announcement of the motion by Mr. Eardley Norton in connection with the articles in the *Harvest Field*, a Mysore Missionary Magazine, containing grave and serious imputations against the two Indian Judges of the High Court. The room was packed to its utmost, almost all members of the Bar, all the apprentices-at-law and a large number of visitors having assembled. The Full Bench which was constituted to hear this case

was composed of Sir James Davies, Messrs Benson, Boddam and Moore. It was nearly 12 o'clock, after an hour's anxious expectation on the part of those assembled the Judges after some preliminary consultation among themselves took their seats on the Bench. Mr. Norton addressed the Court for over an hour and a quarter. In the course of his address, he said that the present application was one which he had been asked to move on a petition signed by a practitioner in that Court which itself was founded on a resolution passed by the Vakils' Association upon the article appearing in a Missionary Magazine entitled "*The Harvest Field*," a copy of which was received by the Hon. Mr. C. Sankaran Nair. That gentleman handed over the said copy to the Counsel for the purpose of bringing it to their Lordships' notice. They did not profess to come forward as complainants, not that they desired to shirk the responsibilities that attached to their position. All that they desired to do was to bring that question to their Lordships' notice, believing as they did that it was an instance of gross contempt of this Court, and leaving it entirely in the hands of their Lordships to take such action that they considered fit to take in the matter.

After a lengthy argument on the law and facts of the case, Mr. Norton stated the sources on which their Lordships were invoked to take cognizance of that which they considered to be a contempt of Court.

He had nothing further to add, but at the same time he would add that it was not a pleasant thing for any member of the profession to come forward and ask for a rule of that sort to be sent against men of position. He would have them to believe that the members of the profession who read that article felt that regarding it from their standpoint, it was a very gross, grave, and improper attack not merely upon the two Native Judges, but upon all that lay behind them, upon the administration of justice, whether Civil or Criminal, of which they were the exponents. It was impossible to believe that they could have done anything otherwise than what they had done or they could have abstained from what they had done having regard to the concern they felt that the justice administered should not be stated by the public to be biased or partial, the effect of which would be to bring their Lordships' administration of justice into contempt. They had done that from a sense of duty absolutely unimpaired by any desire to injure or harass the gentlemen against whom they had applied. They had done their duty and nothing more was left for them to do, except to leave the matter entirely with their Lordships in whose hands the decision of the matter must necessarily rest.

Their Lordships thereupon reserved their order till 4 P.M. At 4 P.M. Mr. Justice Davies on behalf of the Bench delivered the following order.

#### ORDER

We have considered the articles in the *Harvest Field* which were brought to our notice by Mr. Norton. We have no hesitation in holding that they contained grossly scandalous and false imputations on the impartiality of the two learned Judges of this Court—one of whom is the Offg. Chief Justice and the other lately retired. We have no doubt the statements constitute a contempt of Court and the offenders are amenable to our jurisdiction. The power, however, to commit for contempt of Court is a weapon to be used sparingly and always with reference to the necessity of the administration of Justice laid down in 1 Privy Council Cases. Considering the comparative insignificance of the publication in which the aspersions appear, that it is printed and issued outside the limits of this Presidency, it is difficult to suppose that the reflection cast on the two learned Judges would have any appreciable injurious effect upon the administration of Justice of this Court. We have consulted the Officiating Chief Justice and he agrees with us in thinking that it is unnecessary to take any action in the matter.—The Hindu.

### THE MISSION TO THIBET.

The latest information about the progress of the Mission to Thibet is not such as would gladden the hearts either of the people of India or of the Government. The path has clearly not been strewn with roses but with thorns; and God alone knows what the total cost will be which India will have to pay for the undertaking. The Government of India themselves have information that the Thibetan delegates are unconciliatory,

while telegrams from Chumbi show beyond doubt that trouble is brewing, and may break out at any moment. The *Englishman's* correspondent says that the Lama Depon, in an interview with Colonel Younghusband, after asking him again to return to Yatung, said that there would be serious trouble if he did not, or if he attempted to advance with reinforcements. The attitude of the Thibetans is more threatening, and it is thought not unlikely that the Mission will be attacked when it leaves Tuna. The Lama Depon, whom Colonel Younghusband interviewed, is reported to have been most insolent and provocative. Thus, though the Mission was originally intended by Lord Curzon to be a peaceful one, it is on the point of meeting with the most strenuous opposition and resistance. It goes without saying that further reinforcements will have to be sent from India, and further military preparations will have to be made. All this should have been foreseen by those who devised the Mission which, if it was easy, would have been sent long before, and have accomplished its purpose. But the Government of India in the past refrained from the perilous enterprise from an intelligent apprehension of the dangers that lay ahead; and time has done nothing to render the task less arduous or perilous.

Thibetans are apparently collecting their forces, and may be expected to attack our troops. There is no use of blaming them. To use such words as "insolent" and "provocative" as regards their attitude is absurd. They are in their own country, and are naturally anxious to defend their hearths and homes, and what they cherish most, their independence. We are the aggressors, not they. It is true no doubt that the Government of India's aim is not to wantonly attack the independence of the Thibetans, but rather to keep out Russia from the Thibetan soil. But the Thibetans are hardly likely to realise the alternative of subjugation by Russia or to become reconciled to the British occupation of their country in anticipation of Russian aims. They will act as most other intelligent beings are bound to act. They will strive hard to maintain their independence so long as they can, and they will use every means in their power towards that end. It is a cruel irony to say that they are insolent and provocative because they act in the only way in which they can be naturally expected to act. Such words as these are the usual resort of jingoism; and jingoism is rampant in the Empire at present. We are glad that there are those who take a sober and dispassionate view of the expedition. Referring to the observation of the *Times* that "in distant inaccessible Thibet a peaceful Mission may at any movement have to defend itself by arms against some outbreak of prejudice or fanaticism," the *Pioneer* has the sense of justice and fairness to take exception to this language. Our contemporary remarks:—"Unfortunately circumstances have compelled us to invade the privacy of the Thibetans, a people who ask nothing more of the outer world than to be left alone. So strongly attached are they to their isolation, that it is known they are very likely to make such attempts as they can to expel an intruder. Ulterior considerations force us to disregard that risk, and confront the inoffending Thibetans with the alternative of fighting or giving us a welcome. The fault they have committed, like the Koreans, is that of inhabiting a territory which wretched as it is has come to possess an importance to two powerful neighbours. To talk of any hopeless attempt they may make, to defend their seclusion as 'prejudice and fanaticism' betrays a curious moral blindness. If the object were to avoid a collision, nothing would have been easier than for the 'peaceful Mission' to stay away. The only defence for interfering with the independence of the Thibetans is the sufficient one that other hands would soon deprive them of it if we left them alone."

The moral blindness of which the *Pioneer* speaks seems to be not uncommon in international politics at the present time, although there is no reason why we should not have a lively sense of moral obliquity even while political necessity compels us to an immoral course. That Russia will secure Thibet if we do not, may be a sufficient reason from our point of view for invading the privacy of the Thibetans; but this necessity need not blind our moral perception to the point of abusing them for their disapproval of our methods. Thibetans have a right to defend their country against intruders, however much it may be necessary for our purpose to bring them under our influence and control. What the people of India will be mostly concerned with is not the morality of the Mission, but the morality of throwing the cost of the expedition on them. They are not going to derive any benefit from it. It has been undertaken in pursuit of the imperial idea which exercises so overpowering an influence over the minds of a large number of the British people and which finds expression in a variety of ways. India is, therefore, bound to insist that the imperial treasury must bear the cost of the expedition. It was only last year that we were freed from the burden which Lord Dufferin threw upon us as the immediate result of his conquest of Burma; and if the expedition to Thibet should end as it threatens to do, the anticipated surplus will have disappeared, and India involved in another prolonged financial depression. Against such a calamity we have need to guard ourselves.

—The Hindu.