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THE HINDU ORGAN.

JAFFNA, WEDNESDAY, NOVEMBER 2, 1904.

THE GRIEVANCES OF CLERKS OF THE FOURTH CLASS.

The condition and prospects of officers of all classes and grades in Ceylon have, within the last few years, been improved, and there are reports of further increase being before long made to the salaries of those holding high Government appointments. But the Clerks belonging to the fourth class have long been uncared for

and their case deserves the serious consideration of Government. When the clerical service was, a few years ago, re-organized the fourth class was left entirely in the lurch, for reasons best known to the authorities. The members of this class are the poorest paid among servants of Government, although they are a most useful body and consist of a large number of persons who are as able, efficient and trustworthy as public servants ought to be. Yet the highest pay a clerk in this class could draw is Rs 500 per annum, and there are hundreds who draw considerably less. How can men with large families live on Rs 15 and Rs 20 per mensem, at a time when house rent and price of necessaries of life have all greatly increased during the last few years? Even coolies earn now more than the miserable pittance allowed by Government to respectable and educated men in Government employ belonging to the fourth class of the clerical service. If for no other reason, to make office under Government a noble and respectable calling, the salaries, in our humble opinion, of these minor clerks should be increased.

True these clerks could better their prospects by passing the Clerical Examination, and thus getting themselves admitted into the higher classes of the service. But the vast majority of these clerks are men who have grown grey in the service and who, however competent they may be to perform the duties entrusted to them, are not able to pass the Examination competed for, even among themselves, by younger men comparatively fresh from schools and colleges. A large number, therefore, begin their official career in the fourth class and end it in that class. Surely the fourth class of the Clerical service is very badly in need of their salaries being increased; and we earnestly hope that His Excellency Sir Henry Blake will redress the long-standing grievances of these clerks.

THE ROAD TAX.

It will be seen from the proceedings of the Provincial Road Committee published in another column that the information contained in our last issue in regard to the raising of this tax in the Jaffna District from Re. 1 to Re. 1-25 has been officially confirmed. This measure would undoubtedly be very distasteful to the people in general, as the vast majority of them are very poor and as the present rate of Re. 1 per head is paid with the greatest difficulty by many of them. The augmentation of a tax is not relished or favoured by the public in any part of the world unless under the direst necessity, more especially in Eastern countries and if the tax so raised is a direct one as the road tax is.

The arguments of those who have brought about this increase are that the wages of labourers on the roads have almost doubled during the last few years, that without an increase in the funds of the Committee the existing roads cannot be maintained in a state of efficiency nor any

new roads or works could be undertaken, and that it is an anomaly that while the people of the Districts of Mullaitivu and Mannar in the Northern Province are paying more than Re. 1. as Road Tax, the Jaffna District alone should continue to enjoy the privilege of paying the lowest rate in the whole Island. These reasons are apparently cogent and unanswerable. But the fact remains that till quarter of a century ago when the proceeds of this tax in this District were less than they are now, not only were the existing roads kept in a state of greater efficiency but also new roads were almost every year opened. During the last two decades, although there are places in Jaffna which are in urgent need of roads, very few roads have been newly opened. If the present increase of the tax would result in the improvement of the existing roads in the District and in the opening of new ones in places where they are necessary, the public, we have no doubt, will be greatly benefitted by the measure and would not grudge the increase. If, however, the increased fund would go to swell the cost of establishments, and the incurring of unchecked and unnecessary expenditure the people of Jaffna would have no reason to thank the Provincial Road Committee for the increase of the tax which they have proposed to saddle upon them. It is a well-known fact that the affairs of the Provincial and District Road Committees have been, during the last quarter of a century or so, mismanaged, their expenditure being without proper check or control. It is, however, right to say that Mr. Lewis is doing everything in his power to reform the abuses that have been rampant in this Department for a long time past, and let us hope that the District will be benefitted by the proposed increase of the Road Tax.

THE LATE MR. S. SAPATHYPILLAI.

It is with the deepest regret we have to record the death of this gentleman which took place at his residence in Vannarponnai on the night of the 30th ultimo, after a lingering illness of a few months duration. He was the second son of the late Mr. A. Sinnatamby who was Crown Proctor of Jaffna, and a brother of the late Mr. Advocate Nagalingam. Mr. Sapathypillai was a gentleman of ample means but led a quiet and unostentatious life, looking after his extensive property. It was a few weeks before his death he donated to the Jaffna Hindu College a room of his godown in the Grand Bazaar valued at Rs 2000, as his father had previously donated to the same institution Rs 1000 in cash, to found a Mathematical Scholarship—an Institution of which his brother Mr. Nagalingam was the chief founder. He leaves behind a widow and three children—two sons and a daughter,—to whom and his other relations who bemoan his loss we tender our heartfelt condolence. Of his four brothers Mr. Ramalingam of the Jaffna Customs and Mr. Nagalingam had predeceased him; and Mr. Thurraipappa of the Jaffna Kachcheri and Mr. Veluppillai survive him. Of his five sisters only Mrs T. Chellappa Pillai, widow of the Chief Justice of Travancore is living. He was, we believe, 52 years of age at the time of his death.

LOCAL & GENERAL

The Weather—After heavy showers of rain that fell in all parts of the District, the weather has been clear for the

last five days. The fields have been sown everywhere, and the paddy plants are coming up very well.

Rowdyism at Kokuvil—On Saturday night last a Brahmin of Kokuvil by the name of Nadarasa Iyer, who is a Teacher and a Tamil Scholar, was waylaid on the Road and brutally assaulted and his shawl taken away at about 10 P. M. by some ruffians. The cries of the Brahmin brought several people on the scene, but the assailant or assailants had made good their escape. It is said that the Brahmin also in self defence inflicted some blows on one of his assailants with the walking stick which he had in his hand, probably leaving some marks on him. We earnestly hope that the authorities will order the Headmen to find out the perpetrators of this dastardly act and bring them to justice. Unless they are brought to justice, it would give a premium to the perpetrators of similar acts, and respectable persons should be at the mercy of rowdies.

Our New Lieutenant-Governor—We have to extend a hearty welcome to the Hon'ble Mr. A. M. Ashmore, our new Lieutenant Governor and Colonial Secretary who arrived in Colombo with Mrs. Ashmore and family on the 23rd ultimo and assumed duties on the following day. He was a former member of the Ceylon Civil Service and left it about twelve years ago, when he was in the receipt of a salary of Rs 7200 per annum. He now returns to the Colony as its Lieutenant-Governor with a salary of Rs 24000. We have no doubt that the Ceylonese will receive just and sympathetic treatment at his hands.

Cricket—A very interesting Cricket match was played on the 1st Instant between the Jaffna Police club and the Winners Team at the Esplanade opposite the Police Station. The match was played both in the morning and in the evening. The Police C. C. batted first and made a poor show by knocking up only 40 runs. The Winners Team followed and made the respectable total of 104 runs in one hour and 30 minutes. Play was resumed in the evening at 3-30 when the Police C. C. made only 51 runs. Thus at 4-15 p. m., the Winners were left winners of the Match by one innings and 13 runs. Those who entered into double figures in the first innings were G. M. Sebastian (26) B. Mailvaganam (21), D. DeNeise (11), S. Kathiresu (13), C. Candiah (16), all of the Winners Team, and Mr. H. A. Bell of the Police club who scored 27 runs (not out). In the 2nd innings Mr. H. L. Dowbiggin and A. R. Ousen of the Police club entered into double figures scoring 11 and 13 runs respectively. Well done Winners.—Cor.

The Agricultural Board—The Agricultural Board for Ceylon was established on the 28th ultimo at a meeting held in the Council Chamber, Colombo, under the presidency of His Excellency the Governor. The Members for the Northern Province, besides the Government Agent, are Sir William Twynam, Mr. V. Casipillai, Proctor, and Mr. Vraspillai Adigar, Mannar, gentlemen who are well qualified to represent this Province.

The Hon'ble Mr. J. Ferguson—This gentleman has returned to the Colony, the scene of his life long labours after a trip to America and the Mother Country and has resumed duties as chief Editor of the "Ceylon Observer." As a journalist Mr. Ferguson has done yeoman service to the land of his adoption; and now that he is also a Member of the Legislative Council the Ceylonese hope to profit immensely by his varied knowledge and vast experience being brought to bear in the deliberations of the Legislature. It would be a crowning triumph of his useful life, if he will bring about the reform and expansion of the Legislative Council on which he has already set his heart.

BATTICALOA.

24th October 1904.

The Weather—We are now having good showers of rain. The land which was parched up by the prolonged drought now looks verdant. The farmers who were eagerly looking for rain are now very busy in ploughing their fields and sowing paddy. Dysentery, sore eye and chicken-pox which prevailed to some extent in some parts owing to scarcity of water have now left us entirely.

Native Rank—Rumour has it that Mr. E. Crowther, President V. T. Batticaloa North, who is to retire from public Service next month, will be invested with the Rank of Mudaliyar—an honour which he fully deserves in recognition of his long and faithful services under Government. He is a capable, honest and an impartial officer, who is held in high esteem both by the public and the Government. He is a pious Hindu and a lover of Vedanta. We hope he will most usefully spend his retired days in diffusing knowledge of our religion among the people by making them understand the beauties of Hindu philosophy in his capacity as the President of the Managing Committee of the Batticaloa Sivite School.

Murder—A very daring and brutal murder was committed at Navatcoda on Wednesday the 19th Instant. A man who is said to be the bully of the place was stabbed to death by two others of the same place. Stabbing, shooting, arson and other villainous acts are not uncommon things now a days in this District.

Shipping—The steamers have now commenced to call at the Port of Kalcuta, a distance of nearly 21 miles from the Town. Merchants and passengers who go to and return from Kalcuta must keep a vigilant eye while they pass through Eravur, a village which has of late gained a notoriety for daring high way robbery. It is a pity that though the attention of the Government has been called on various occasions by the Press yet they have turned a deaf ear and have not taken any steps towards its suppression.

Judicial—The last Government Gazette contains the appointment of Mr. Tisaveerasinghe, the leader of the Bar, as acting District Judge of Batticaloa during the absence of M. A. De Seneveratna who proceeds to Colombo on two weeks leave of absence.—Cor.

DISTRICT COURT CRIMINAL SESSIONS HELD ON THE 19th 20th, AND 21st OCTOBER 1904.

There were 5 cases on the Calendar. Crown Proctor, Mr. T. C. Changarapillai J.P. prosecuted.

1. Case against the Post Master of Manipay, T. C. Hanibalez. Charge is criminal breach of trust. According to the cash book kept and signed by the Post Master, a sum of Rs 2300 and odd, was due to the Government on the 20th August 1904. Mr. Macnamara, an officer empowered by the Governor to verify the accounts and books in the Post Office, went into the Post Office for verifying the accounts. But the Post Master was absent from the office and would not appear until the following day. The Post Master had with him the key of the iron safe, and on being asked to open the safe and to produce the money according to the cash book, he said he was unable to produce the money; and he himself discovered the deficit a day or two before. The law requires that he should pay up the money forthwith, when called upon. Messrs. Tambyah and Sandrasekara, Advocates, appeared for the accused and defended him. But the case for the prosecution being clear, the learned District Judge, after a careful and patient hearing, found him guilty and sentenced him to undergo six months' rigorous imprisonment.

2. The accused is one Suppiramanier Murgasue of Valanai, in Kayts division, an astrologer. Charge is robbery. The accused is the complainant's own husband. The case having been probably compromised, the complainant petitioned the District Judge to recommend to the Attorney-General, withdrawal of the case. In view of the relationship of the parties, the Judge granted the petition, and postponed the case to the 2nd proximo, pending reply from the Attorney-General.

3. The accused are (1) Mootan Sinnavan, and (2) Vary Vyrawan of Karavetty in Point Pedro division. Charge—grievous hurt, in breaking the arm of the complainant. Mr. Advocate Kanakasabai, senior, instructed by Mr. Proctor Cooke defended the prisoners. The 1st accused was found guilty and sentenced to 12 months' rigorous imprisonment, and the 2nd accused acquitted.

4. Swaminatar Nagalingam and 4 others of Tannaly, in Point Pedro division, were indicted for robbery and grievous hurt.

The evidence led for the prosecution having been found unsatisfactory, all the five accused were acquitted and discharged. It transpired in the evidence that the complainant and the accused were very close relations. This case shared the same fate as the last case from the same village, tried a month ago, in which poisoning a horse was the subject of inquiry.

5. Stabbing a headman of Vallaveddi in the Point Pedro division. This case was heard partly and then postponed to the 26th Ultimo for want of time. The accused are Katirkamar Eliatamby, and Eliatamby Sabapathy who are father and son. This case resulted on the 26th Ultimo in Eliyatamby Sapathy being convicted and sentenced to six months rigorous imprisonment.—Cor.

THE REPORT OF THE NORTHERN PROVINCE BY MR. J. P. LEWIS.

(continued from our last issue.)

XV—NORTHERN RAILWAY.

As the railway was not opened to Chavakachcheri until March and to Pallai until September, 1902, it is possible to compare only the receipts for the last quarter of the year with those of 1902. They show an increase of Rs. 889-74, which so far is satisfactory. There was a falling off in the passenger traffic in November and December, which is attributed to the fever which prevailed during those months, and which was much more widespread in 1903 than in 1902.

During the Maviddapuram festival five trains were run on the chief day, and the railway receipts from this source were, I understand, nearly Rs. 300 more in 1903 than in the previous year. This sum is of course not included in the Rs. 899 mentioned above.

By the end of the year the ballast train ran as far as Panikkankulam, 32 miles from Pallai. The railway should be extended as far as the Grand Bazaar, and an estimate for this extension is to be prepared. The extension, with stoppages of the train at the Grand Bazaar and at the Customs, would probably much improve the traffic.

XVI—HORSE ESTABLISHMENT, DELFT.

In Delft there were on 31st December—

Stallions	3
Brood mares	43
Stud fillies	8
Foals	9

and in Iranativu—

Brood mares	8
Fillies	14
Colts under four years old	24
Foals	8

There were twenty-three births during the year, of which nine died, chiefly of weakness and indigestion of milk. One died of convulsions and two were dead foals.

In March Dr. Sturgess castrated six colts, and they were removed to Iranativu in the following May. Also seven foals were removed with their dams to Iranativu, owing to their poor condition, due to insufficient pasture in Delft. Soon after their removal a few deaths of mares and foals occurred in Iranativu owing to some unknown cause. They were in the kraal with the whole herd, and must have got kicked and hustled.

In February the Arab stallion Raeburn was badly kicked by the young stallion. The Stock Inspector was summoned at once, and he attended to the animal, which soon recovered. It had to be stabled for a month. Again in September Raeburn was bitten by a mare on the back. The wound dragged on for weeks, and three operations had to be performed. He finally recovered. He had to be stabled for over three months. The present Arab and Indian stallions are race-worn and old animals. The stock, I think, would be greatly improved if a half-wild, sturdy, young Australian could be got for stud purposes.

During the year five ponies were sold, and realized a sum of Rs. 800. These were the last breed of the old stock that was in the island, and they did not fetch a high price. But the cross of the Delft with the Arab has produced a very much improved young stock, and there are about eight or ten ponies that will be put up for sale next year. They are sure to find a good market. They are all over 14 hands, plump and hardy. In a climate like that of North Ceylon the Australians do not fare well, and cannot endure much labour; but these animals born and bred in the place are very useful, and can stand any amount of it.

During the early part of the year pasture was scanty, and the mares in foal were fed with ground paddy and ulunta, with some difficulty, for they had to be trained to eat this fare. Latterly, however, there was rain, and a good supply of grass and drinking water.

The expenditure on account of the maintenance of the horses and of the staff and other incidental expenses amounted to Rs. 803-31, as against Rs. 1,059-50 in 1902.

The poverty of appearance of the young foals is due to their being pestered with ticks as are also the mares. A mixture prepared from tobacco juice and salt water has been regularly applied to the young foals, and proved most effective in destroying ticks. But hand-rubbing almost weekly is an arduous process, especially when there is a large number to be

dealt with. There is a dip constructed for the purpose of driving the horses through a medicated solution in the manner practised in Australia; and Mr. Ievers, on his recent visit to Australia, has, I understand, been acquainting himself with the details of the method practised in that country for dipping the horses. At his request I have asked for the construction of a very big iron tank to prepare the medicated solution. The "dip" will be improved next year, and the horses "dipped" in the solution instead of having the tedious process of hand-rubbing applied to them. The mares are, besides, molested a good deal by cattle flies, and also by a kind of small fly which causes sores on the neck, especially during the north-east monsoon. Cattle, too, suffer from these flies; and the dip when improved will be useful, not only in destroying ticks, but also in driving off or killing flies.

The excessive mortality among horses on the island of Iranativu was attributed to the existence of a seaweed known as "makkara-pasi" in Tamil, which the horses ate. Dr. Willey, Director of the Museum, visited the island in September, and by experimenting on an old mare with the seaweed in question discovered that forty-eight hours after it had been assimilated it caused symptoms of sickness, which would no doubt have ended in the death of the animal. It proved, however, amenable to treatment by castor oil, and the mare recovered in two days. This seaweed makes its appearance in August-September, and it will be necessary to take steps to prevent the horses from going down to the seashore during this period. The seaweed was identified by Mr. J. B. Carruthers as a filamentous alga of the confireoid order, the generic name of which is *Choetomorpha*.

(to be continued.)

PROVINCIAL ROAD COMMITTEE.

Jaffna October 15, 1904. at 2. P. M.

Present.

The Chairman.
The Provincial Engineer N. P.
T. M. Tampoe Esqr.
C. Strantenbergh Esqr.
S. Sabaraenam Mudaliyar and
The Secretary.

Proceedings and Resolutions

I. Read and approved proceedings of last meeting.
II. Proposed by Mr. T. M. Tampoe Seconded by Mr. C. Strantenbergh and carried unanimously.

That the rate of commutation in the Jaffna District from 1905 be raised from Re. 1 to Re 1-25, and that the arrangement be submitted for the sanction of Government and for the necessary proclamation in the Gazette.

III. Considered Mr. De-Niese's (The Committee Surveyor's) application that the hire of Chainmen & be given to him as a commuted allowance.

Proposed by the Provincial Engineer
Seconded by Mr. T. M. Tampoe and carried
That the limit entitling him to draw allowance be reduced to 7 miles and the rate be raised to Rs. 3. a day.

IV. Proposed by the Chairman and
Seconded by the Provincial Engineer
That the P. R. C. express their willingness to take over and maintain the Madams at Colombuturai and Pannai

V. Resolved that a pension of Rs. 5. a month be granted to Charles Isaacz, late Rest House keeper Punaraee from the 1st Instant.

VI. Read Proceedings of a meeting of the D. R. C. Mannar held on the 10th August 1904 received with Chairman's covering letter No. 65 of 12-8-04.

Resolved that same be approved.

VII. Read Proceedings of a meeting of the D. R. C. Mullattivu held on the 3rd October 1904. received with Chairman's covering letter No. 72 of 8 October 1904.

Resolved that the same be approved.

VIII. Considered the question of repairs to Silavaturai Rest House.

Resolved that the Chairman D. R. C. Mannar be asked to state what necessity there is for maintaining this Rest House while there is a Government Bungalow at Arippu, also to send an account showing the number of visitors for the last 5 years and amount realised annually during that period, the opinion of the meeting being that the Rest House is not required and that a Madam should be built half way between Arippu and Maricanukatti.

IX. Resolved that resolution III. of the meeting held on the 25th July 1904. do apply to the acting Secretary of the D. R. C. whoever he may be during the absence of Mr. Scott.

Sigud. John Scott.
Secretary P. R. C.

THE WAR.

London, October 22—Reuter, wiring from the Russian headquarters on the 22nd, says both Armies are comparatively inactive, and are replenishing their ammunition. There are indications of an early renewal of battle. The Russians intend again to take the offensive.

A Ukase has been issued at St. Petersburg calling out immediate active service the reserves in 120 military districts hitherto untouched.

General Kurapatkin reports that the Japanese have abandoned precipitately Sha-hopua village on the South bank of the Sha-ho leaving a quantity of arms and ammunition.

The Supreme Prize Court at St. Petersburg has annulled the judgment given by the Vladivostok Court regarding the Allanton, and has ordered the immediate release of the vessel and cargo.

Bombay, October 23—The Japanese Consul has received the following; Oyama reports there is no change in the situation at the front on Eriday. The Russian guns so far captured by the left army are 43, whereof 27 were taken by the left column, and 16 by the right column. A scort found on Thursday night 300 Russian dead near Changliang Pas. Investigation, completed up to the 22nd regarding the Russian losses in Shaho battle show about 500 prisoners and 10,550 Russian corpses. The booty in guns is 35, shells 69,135, rifles 54,074, ammunition 78,000. The enemy's corpses were all buried with military honours. The Russian total casualties are estimated at 60,000. Further investigation are proceeding.

London, October 23—A fleet of trawlers arrived at Hull and reports that the Russian Baltic Fleet on Friday night in the North Sea attacked the trawlers sinking two, killing two fishermen and wounding many.

The Baltic Fleet passed Dover this afternoon going westwards. It is rumoured they ran down and sank two Hull fishing smacks in the North Sea drowning eighteen fishermen.

London, October 24—The solicitors for the owners of fifty Hull trawlers have notified the Foreign Office and Admiralty of the attack made by the Baltic Squadron on their trawlers. They state that the first portion of the Baltic fleet passed the fishing ground at midnight on Friday and the remainder turned search lights on the British trawlers for some time and then opened fire. The trawler Crane was sunk. The decapitated bodies of the skipper and mate have been brought to Hull. The boats-wain and others were wounded and are now on board the Mission ship. The trawlers Moulmein and Mino arrived at Hull seriously damaged. The latter had sixteen shot holes in her. It is feared another trawler was sunk with all on board.

The Baltic squadron stopped a steamer off the Isle of Wight on Sunday afternoon.

London, October 23 General Sakharoff reports there was no serious fighting yesterday, and apparently the offensive movement against the Japanese right is not yet sufficiently developed to lead to an encounter on a large scale. The cold is most severe and the Russians are suffering greatly. There tents are inadequate.

Reuter, with General Oku, says the casualties in the left army until the 14th inst, were only 5,000 of which most were slightly wounded. Casualties among the Russians opposed to Oku, it is estimated, are equivalent to an army corps. Russian casualties are estimated by Marshall Oyama at 60,000.

Reuter wires from Tokio that the official announcement states the Russians are massing against the Japanese right, and that 200 cavalry have crossed the Taitseho east of Pensihu and are advancing westward.

The Russian Military Attache at Berlin has been attached to the person of the Kaiser and the German Attache at St. Petersburg attached to the person of the Tsar as in the days of Alexander II. and William I. This renewal of old arrangements is regarded as indicating a close personal and political bond between the two Governments and complete confidence of the Russian military authorities in the friendliness of Germany.

Bombay, October 25—The Japanese Consul received the following telegram today:—Marshal Oyama reports further investigation shows the number of Russian prisoners is 709 and corpses 13,333, whereof on the right there were 5,300, on the left 5,603 and in the centre 2,530.

London October 24—Marshall Oyama reports the total Russian dead discovered after the battle of Shaho was 13,333, and prisoners were 700.

London, October 25—Lord Lansdowne has demanded due apologies and compensation for the sufferers in the recent North Sea incident, a prompt enquiry and punishment of those responsible.

The Russian papers are disposed to be apologetic, but think the trawlers must some how have been at fault.

The Tsar has telegraphed to the King expressing his deep regret and condolence with the families of victims.

Lord Lansdowne and Count Benckendorff had a long interview today.

The Japanese total casualties in the battle of shaho were 15,871.

London October 27—The Daily Mail understands that Great Britain requires acquiescence in her demands for the punishment of the culprits and security against a recurrence by this afternoon. Otherwise the Channel Fleet is instructed to ask the Baltic Fleet to return.

London, October 26—Count Benckendorff handed Lord Lansdowne a preliminary reply expressing the fullest regrets and promising complete reparation when the official reports arrive. A strong feeling prevails that no reply will be satisfactory which does not promise the punishment of the culprits.

The Tsar, in his telegram to the King, said he had received no news from admiral Rozhdestvensky, and could only attribute the incident to a very regrettable misunderstanding. He would take steps to afford complete satisfaction to the sufferers as soon as the circumstances were cleared up.

London, October 27—The feeling is distinctly angrier especially owing to the silence of Admiral Rozhdestvensky and is likely to be further inflamed by Russian newspapers which, today while regretting the loss of life, say the British fleet would have done the same. The squadron had enormous responsibilities and corresponding rights and trawlers ought to have been warned.

London October 26—Admiral Rozhdestvensky with the arrivals at Vigo were immediately notified they would not be allowed to coal or take in stores at Vigo. The Admiral replied that the ships were damaged and that is why they left the rest of the fleet.

—The Ceylon Observer.

THE JAFFNA "OBSCENE" CASE.

CONVICTION AFFIRMED.

Mr. Justice Wendt delivered judgment, yesterday, in the case in which one Kantar Valupillai of Jaffna was convicted and sentenced to pay a fine of Rs 150 for printing and publishing an obscene pamphlet.

His Lordship says: "The appellant, who is the proprietor and publisher at Jaffna of a newspaper in the Tamil language called the 'Native Public Opinion,' has been convicted on the first count, of the charge of having printed for sale an obscene pamphlet in the Tamil language styled 'Secret Science,' in breach of section 285 of the Penal Code and on the 2nd count of having in his possession the said pamphlet for the purpose of sale, in breach of section 286. The sentences on the two counts are respectively a fine of Rs 100 or 3 months' rigorous imprisonment, and a fine of Rs 50 or 2 months' rigorous imprisonment. The Magistrate has ordered the destruction of all copies of the pamphlet produced in court or to be found on the premises of accused. The only question argued in appeal was whether the pamphlet was obscene, and to the consideration of that question I have devoted a great deal of anxious care. The book professes to be a compilation from a number of other works, and in the court below several books published in England, America, and in India were produced, with the object of showing that the appellant's pamphlet contained nothing more objectionable which it was said, had never been made the subject of prosecution. But the fact that the publishers of these other works were not proceeded against, does not prove that such works were not obscene. One knows

THE VERY REAL DANGER

that exists in England at all events, of giving to a pernicious book by making it the subject of such a charge, a very wider advertisement than it would otherwise receive, and so rendering the evil more wide-spread by the very endeavour to suppress it. It might perhaps have assisted, the appellant if he had produced some publication similar to the one in question which had been judicially declared to be unobjectionable on the score of obscenity, but he has not. Without that assistance, we have to determine whether this book was obnoxious to sections 285 and 286 of the Penal Code.

Before proceeding further, I may say that the appellant did, in fact, sell the pamphlet to the public in general, and that the price was only 25 cents. He also advertised it for sale in his newspaper. The preface describes it as intended to be a "guide to youths, and to those who have embraced the married state." What then is an obscene book? "I think," said Cockburn, C. J., in the *Queen v. Hicklin*, L. R. 8 Q. B. p371 "the test of obscenity is this, whether the tendency of the matter charged as obscene is to deprave and corrupt those whose minds are open to such immoral influences and into whose hands a publication of this sort may fall." The Police Magistrate, quoting these words, is decidedly of opinion that the book in question has that tendency, and he is further of opinion, in the words of the learned Judge, that it "would suggest to the minds of the young of either sex or even to persons of more advanced years, thoughts of a most impure and libidinous character. Whether the publication in question is or is not obscene is a question of fact upon which due weight must be given to the Magistrate's opinion. The character and scope of the book may be judged from the following titles of the 15 heads with which its subject is divided." (Here follow the titles described.) His Lordship goes on to say: "I have read carefully through the work and have arrived at the decided conclusion that as a book sold to the public at large, at a small price its contents are clearly calculated to deprave and corrupt those whose minds are open to such immoral influences. It is impossible to deny that the writer enters into a wealth of detail which cannot, but prove pernicious even granting the propriety of disseminating knowledge on the subject generally. The ostensible object of preventing abuse of the sexual organs could quite as well have been served without the purient particulars to be found in various parts of the book." His Lordship concludes by saying "For the reasons I have given, I think the Magistrate was right, and that the conviction should be affirmed.

—The Ceylon Independent.

USE OF TOBACCO BY YOUTHS.

As the habit of tobacco smoking is increasing

account of their ignorance of the manifold harms resulting from its use, I wish to please before the readers of your esteemed journal the opinions of many able doctors, and also some careful statistics, proving the baneful effects of tobacco on the human body, especially on that of a growing youth.

From the measurements of 187 men in the classes of 1891, at Yale college, Dr. J. W. Seaver found that the non-users of tobacco gained in weight during the College Course 10.4 more than the regular users, 6.6 per cent. more than the occasional users. In height the non-users increased 24 p. c. more than the regular users, and 12 p. c. more than the occasional users. In increase of chest girth the non-users had an advantage of 26.7 p. c. and 22 p. c.; and an increase of lung capacity of 77.5 and 49 p. c. respectively. These facts in regard to the dwarfing effects of tobacco are corroborated by the observations on the classes of 1891, Amherst, made by Dr. Hitchcock. He found that in weight non-smokers increased during their course 24 p. c. more than the smokers; in increase in height they surpassed them 37 p. c.; in gain of chest 42 p. c. and in gain of lung capacity 75 p. c. In Yale only 22 p. c. of those reaching the highest grade in scholarship were users of tobacco, while 85 p. c. of the lowest grade used it.

The statements that are here given are simply facts from scientific sources, and may be relied upon as correct. They prove conclusively that tobacco is in the highest degree injurious to growth and development, not only of the body, but also of the mind. But the facts are by no means all in, nor the range of injurious effects of tobacco covered by, the evidence which has been given.

Dr. Francis L. Dawling, in a paper read recently shows, as the result of careful investigations by himself and others that impaired vision is one of the common results of the habitual use of tobacco, and that the colour sense is so reduced that neither red nor green are discernible. In some cases green and red colour perceptions are lost before sufficient dimness of sight comes on to attract the attention of the victim, thus making it extremely dangerous for such persons to hold responsible positions in the service of the Railway and steam transportation companies. There is no doubt many of the disastrous wrecks in the Railway services are the result of the loss of colour perception produced by the tobacco habit in employees holding responsible positions. Danger signals on railways, water courses, and on the high seas are red and green lights. If pilots and engineers cannot distinguish them disaster is often inevitable.

The injurious effects of tobacco on the heart are well known. It is a common experience for the physician in examining candidates for Life Insurance, to come unexpectedly, in an otherwise apparently healthy person, upon the peculiar, nervous pulse, and quick, jerky, heart-beat rapidly mounting up, under the slight exertion or excitement of the examination to 100 or 120 beats per minute, sometimes intermitting, and sometimes presenting a slight valvular murmur, which denotes an excessive use of the weed and which is known as "tobacco heart." In its slighter degrees, a cure is readily effected by abstinence from tobacco. Dr. William T. Cathell declares that tobacco smoking makes a delicate person's lips and face lose their natural healthy hue in a very short time.

It is often claimed that there are many strong and vigorous persons who can use tobacco without injury. As a proof of this, instances are pointed out of many habitual users of tobacco who have attained a hale and hearty old age, some of whom even believe that their lives have been lengthened by its use. From these cases it is argued that the use of tobacco is not necessarily harmful.

The answer to this argument is twofold. In the first place, the safer mode of testing the effects of a drug is by watching the results of its use, not by the strong and vigorous, who can endure much and are not easily influenced, but by the young, the weak and delicate, upon whom any influence, whether beneficial or injurious, is easily manifested. If tobacco is essentially beneficial in its nature it will benefit this class as well as the strong and robust. And if it is injurious to the Weak and frail, the inference is a safe one, that it is essentially of a harmful nature and to all alike.

In the second, in order to determine with any claim to scientific accuracy, the nature and effect of tobacco upon the human systems, it is necessary to observe its action, not only upon the individual user, but also upon his descendants. Tested in this manner, the statement may be safely made that among those strong and vigorous men who have used tobacco habitually and constantly for many years without apparent injury, in not a single instance will their children, especially those born after the habit had been long indulged in, possess an equal degree of vigour and endurance, and particularly in not a single instance can they indulge in the habitual use of tobacco without experiencing those injurious effects which their fathers escaped. But whatever may be the verdict with reference to the use of tobacco by healthy adults there exists no difference of opinion among physicians and scientific men as to its effects upon young and growing boys. All agree that none of these ought, for the sake of their own development, physical, mental, and moral, to use tobacco in any form. It is its effects upon this class which constitute the essential reason why the tobacco habit is properly regarded as a menace to civilization.

—Benares Central College Magazine.

NOTICE.

In accordance with the requirements of section 15 of the Opium Ordinance, No 5 of 1899, I hereby give notice that the license for the sale by retail of opium within the limits of the Local Board of Trincomalee for year commencing January 1st 1905, will be one in number.

The said license will be put up to sale by public auction at this Office on Monday the 28 November 1904 at 1 P. M and it will be issued in accordance with the provisions of the aforesaid Ordinance and under the following conditions:—

Conditions

1. That the place licensed will be subject to inspection, and that no riotous or disorderly conduct shall be allowed to occur therein.

2. That the license shall cause to be painted or affixed in some conspicuous part of his shop, his name, the number of the shop, and the words "Licensed to Sell Opium by Retail"

3. That no person other than the licensee shall sell or expose for sale under his license either as agent or servant of such licensee unless the name of such agent or servant be registered in the Office of the Local Board with the sanction of the chairman.

4. Wholesale licenses will be issued only to retail dealers

5. No opium shall be sold between the hours of 8 at night and 6 in the morning.

6. The quantity to be sold at any one time to any individual, except to a licensed retail vendor, shall not exceed 180 grains.

7. Opium shall not be consumed on the premises.

8. Opium offered for sale shall not be adulterated or deteriorated in any way.

9. Opium shall not be sold to any individual, apparently under the age of 15 years.

10. Wearing apparel or any goods shall not be received in barter for opium.

11. Daily accounts shall be kept in a form to be prescribed by the proper authority of the quantities of opium received, sold, and remaining on hand at the end of each day.

12. The highest bidder on being declared the purchaser shall forthwith pay down the whole amount of his bid.

13. The place licensed shall be restricted to the sale of opium and cigars only and shall be closed at 8 A. M.

14. That in the event of the license being revoked during the year, the proper authority will resell the license for the unexpired portion of the year at the original licensee's risk.

W. L. Kindersley.

Chairman. L. B.

Local Board Office.

Trincomalee, October 22nd, 1904.

NOTICE.

Sealed tenders will be received at this Office until 12 o'clock noon on Monday the 28th November 1904, for scavenging and sweeping the Town of Trincomalee with a staff of not less than ten coolies and a Kangany and five double bullock carts with drivers for two years commencing from 1st January 1905.

The lowest offer if approved by the Board will be accepted. Satisfactory security will be required for the due performance of the work. Further particulars may be ascertained on application at this Office.

W. L. Kindersley.

Chairman L. B.

Local Board Office

Trinco 25th October 1904.

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