

been killed on the spot if this had not been prevented by those standing by. I cannot identify the prisoner before the Court; but I can state that the man who committed the deed was the man seized.

WILLIAM FRANCIS DRUMMOND JERVOIS.

THIS deposition was taken down in my presence and hearing, and under my personal direction and superintendence, and was read over to the witness in English, which he understood, and acknowledged by him to be correct.

D. M. STEWART, *Major-General,*
Offg. Supdt. of Port Blair and the Nicobars.

Deposition of Owen Tudor Burne, eighth witness for the prosecution; son of Reverend Henry Thomas Burne; tribe or nation, Englishman; in attendance on the Viceroy; occupation, Major in the Army and Private Secretary to Viceroy.

*On solemn affirmation, states—*After accompanying the Viceroy round Viper and Chatham Islands, Lord Mayo himself, as far as I can recollect, proposed visiting Mount Harriet. We immediately started for the pier at Hope Town; this was a little after 5 P. M. On reaching the land we walked up the hill about a mile and three-quarters to Mount Harriet. Nothing occurred on the way up; but, on reaching the top, we all felt a little tired, and sat down to enjoy the view and rest ourselves. This made us later than we intended; but after a quarter of an hour or so, we started on our return back down the hill. Believing that we had left what may be called the dangerous parts of the Settlement, we took no extra precautions, but, as a matter of fact, we all kept close together close to the Viceroy, the guard walking on either side and in rear. It got rapidly dark, so much so that torches were sent out by the Settlement authorities about 2 or 300 yards up the hill to light us down. Nothing occurred, except that the Viceroy told the torchers to keep well in front. When about 20 yards, as far as I recollect, from the boat, the Superintendent, seeing a line of European overseers, said he wished to fall out and give them some orders. At this particular moment the guards were close up to the Viceroy, a line of chuprassees in rear, but the actual party, more or less, a little straggling, hurrying on to the boats; I was walking in a line with the Viceroy, on the left hand side, about a yard from him. In a moment I heard a thud to my right, and saw a man on the Viceroy's back apparently thumping him. I saw no knife, as it was pitch dark. I rushed at the man, but found that two of the Native guards and, I think, Mr. Hawkins, had got hold of him. Finding that the Viceroy had fallen forward over the left of the pier into the water, I ran to his help and assisted him out. He merely said "Burne, they have hit me." I am prepared to swear that the man whom I saw on the Viceroy's back was the man on the ground held by the Native Police, although in the hurry and darkness I cannot swear to his actual face. We laid the Viceroy in a kind of cart, and did our best to stop the bleeding, and carried him to the boat. The Viceroy said nothing more as far as I am aware, except the words "lift up my head" as we were bearing him to the boat. He was quite unconscious in the boat. I may mention, as I mentioned in my evidence to Major Playfair, that not only had the Superintendent and myself been in communication as to proper precautionary measures, but that, on arriving on board the *Glasgow*, we talked them over, and the Viceroy was quite satisfied with what I was able to tell him.