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NO. 8.

LAWYERS IN ANCIENT INDIA

By Prof. K. S. Srikantan, M. A.

WHETHER there were lawyers in Ancient India or not is a question which remains still unanswered. The elaborate rules of procedure given in the Dharma Sastras and the opportunities given to the accused for appeal however make it clear that lawyers must have existed in Ancient India, for without them people could not have taken full advantage of the numerous amenities provided in the Dharma Sastras for reaching the ends of justice. As a matter of fact in certain respects the ancient Indian Penal Code and Law of Evidence were far more complicated than their modern counterparts and even the very Law-givers often differed from one another in the interpretation of the texts. Lawyers consequently must have had a good harvest.

Earliest reference to lawyers however cannot be carried to a period earlier than the 2nd century B. C., for even Kautilya, in spite of his elaborate description of the Courts and rules of procedure, does not make any reference to lawyers as such. Almost the very first mention of lawyers is in that famous Buddhist document of the 2nd century B. C., called *Milinda Prasna*. In this, while describing the city of Sagala and its people the author refers to a set of men called *dharmapanikas* and *dharmarakshakas*. These expressions must be taken to refer to lawyers, for Judges are referred to as *rupa dakshas*. The expression *dharmapanikas*, though not very complimentary to lawyers, is very significant. It means *sellers of law* and makes it clear that lawyers were charging fees for their work. The expression *dharmarakshakas* is of course more complimentary, for it means *keepers of law*. There is no doubt that both these expressions stand

for lawyers—the former a contemptuous term standing probably for mercenary lawyers and the latter for really able men.

The Burmese Code which is by the way based on the Laws of Manu not only refers to lawyers, but compares a lawyer to a physician especially when the former defended the prisoner in matters of life and death. Katyayana is certainly thinking of a lawyer when he observes, "A relation or a duly appointed person may undertake the plea or answer for persons who are weak of intellect or insane or old or women or minors or diseased." Again Narada speaks of authorised persons who can argue a case. Says he, "One who has not been authorised must not speak on any account at the trial. But authorised persons must deliver their opinion in an unbiased spirit." Again Pitamaha makes a reference to a body of people called the *sabhyas* who must have functioned as lawyers for, he says that these *sabhyas* had the right of carrying appeals from the lower courts to the chief court and from there to the King himself on behalf of the litigant parties. A most direct reference to lawyers however occurs in the *Sukra-Niti*. Says Sukra, "Representatives have to be appointed by the plaintiff and defendant who do not know the legal procedure or who are busy with other affairs, or who are not good speakers, who are foolish, mad and old, females, children and the diseased." Sukra provides even punishment for those other than pleaders and close relations speaking on behalf of a litigant. "If some body is neither a brother, nor the father nor son nor a pleader, but speaks on others' interests, he should be punished." Thus it is clear that the profession of lawyers was recognised by the Ancient Hindu Dharma Sastras.

Compared to modern lawyers, the part played by lawyers in Ancient India must have been inconsiderable, for many were the cases which could not be

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TEXTILE INDUSTRY IN ANCIENT INDIA

IV. Calico-Printing

By S. R. Muttukumar

(Continued from our issue of 1-5-39.)

ANOTHER department of Textile Industry, in which the ancient Hindus were paramount, was Calico-printing. Their painted or pencilled chintzes called *Calmandar*, that is to say made with a brush, were famous throughout the whole civilized world of their times. Masalia, the *Maisolia* of Ptolemy, and according to Mr. Crindle the Sanscrit *Mausala* which survives in *Machhalipat na* the modern Musalipatam, was especially noted for these chintzes (1) Tavernier contrasts these fine hand-painted fabrics with the coarse printed goods from Bengal, and observes that the supply was not equal to the demand. (2) Pliny gives an account of this art as far as it was known in ancient times. It is precisely the same as that now practised in calico-printing. (3)

Tavernier also says that cotton cloths to be dyed red, blue or black were taken uncoloured to Agra and Ahmadabad, because these two towns were near the place where the indigo used in dyeing was made. (4)

Colours

The ancient Hindus were so far advanced in their knowledge of Applied Chemistry, that they were able to produce many beautiful and fast colours. Two of their great discoveries, to which India owed her capture of the world market were (1) the production of fast dyes for textile fabrics by the treatment of natural dyes like *mangishtha* with alum and other chemicals, and (2) the extraction of indigotin from the indigo plant by a process which however crude was essentially an anticipation of modern chemical methods (5) Varaha Mihira, who lived

about the 6th century A. D. alludes in his *Brihat Sambuta* to the professional experts in the composition of dyes and cosmetics.

The Romans knew that India produced many colours and plants yielding a variety of colours. Strabo says that India produced a variety of substances which dye the most admirable colours. From the earliest period of European intercourse with India, the country was distinguished for the number and excellence of the substances for dyeing various colours with which it abounded.

Indigo, of all the colours manufactured by the ancient Hindus, indigo stands pre-eminent. From the colour of the cakes, the form in which it was then transported to the West, some authors have designated it as *Atramentum indicum* and *Indicum nigrum*. That this *Indicum*, which produced the beautiful blue colour, was the same as the indigo of the moderns, may be concluded not only from their resemblance and the similarity of the effects, but from the description given by Pliny. The colour of the modern indigo, when undiluted, resembles that of the ancient *Indicum*, which was so intensely coloured as to appear black.

Wilkinson in his *Ancient Egyptians* (II. 237) says that indigo has been detected in the tombs of Egypt, and Lassen also has pointed out that the Egyptians dyed cloth with indigo and wrapped their mummies in Indian muslin (6)

Pliny knew that indigo was a vegetable substance though he was ill informed both concerning the plant itself, and the process by which it was fitted for use. He writes: "We have indicum, a substance imported from India, with the composition of which I am unacquainted. When broken small, it is of a black appearance, but when diluted

(Continued on page 7)

(1) Schoff's *Periplus* p. 252.

(2) a. *Travels in India*, II. xii. 4.

b. *Imperial Gazetteer* Brooke's ed. xvii. 215.

(3) *Natural History*, xxxv. II: 42.

(4) *Travels in India*, II. xii. 5 Brooke's ed

(5) Mookerji's *Indian Shipping*, p. 181.

(6) Mookerji's *Indian Shipping* p. 91.

"He Comes From Jaffna" at Jaffna

Gold Medal for "Prime Comedian"

THE two comedies "He Comes from Jaffna" and "Well, Mudaliyar!" were performed before crowded and appreciative houses by the Y. M. C. A. players at St. John's College on May 1 and 2.

"He Comes From Jaffna" was played to even larger houses than "Well Mudaliyar!" In fact the people of Jaffna were present in larger numbers to see "He Comes From Jaffna" and were thoroughly appreciative of its rich humour and clever characterisation. Salvoes of applause and loud rounds of laughter were heard in uninterrupted succession through the two performances of "He Comes From Jaffna."

Medal And Cup Presented

At the conclusion of the second performance of "He Comes From Jaffna" a very pleasant ceremony took place on the stage. A gold medal was presented to Mr. Thambugala by Mr. S. D. Tampoe, the veteran Jaffna Advocate and talented amateur actor, on behalf of the public of Jaffna.

A silver cup to Mr. E. C. B. Wijeyesinghe and presents to the other actors and actresses were also presented by Mr. R. R. Nalliah, Crown Proctor of Jaffna.

In calling upon Messrs. Tampoe and Nalliah to make the presentations, Mr. R. R. Crossette Thambiah said that that pleasant ceremony would be a landmark in the story of Jaffna and in the wider story of good fellowship and comradeship between all the peoples whom destiny had placed in their fair Island of Ceylon. (Applause). He (the speaker) was most anxious that the play "He Comes From Jaffna" should go to Jaffna because it was a challenge to Jaffna and he as a son of Jaffna felt it in his bones that Jaffna would meet that challenge in a manner worthy of Jaffna.

"Captured the Heart of Jaffna"

His anticipations had been more than justified. He was also anxious that Jaffna should see his old friend, Mr. Thambugala, whom he had known more than twenty years. Mr. Thambugala was a genius in his own line of drama. (Applause.)

He also extended a special welcome to Mr. Wijeyesinghe, who was one of the greatest actors in Ceylon, and to Mrs. Oorloff who had given a masterly rendering of a difficult part. (Applause).

Before concluding Mr. Crossette-Thambiah said that Mr. Tampoe represented the acme of literary and dramatic talent in Jaffna. It was therefore most fitting that Mr. Duraiswamy Tampoe should extend the hand of greeting to Mr. Duraiswamy Thambugala (laughter and cheers) of Colombo.

"Prince of Comedians"

Mr. Tampoe then rose amidst loud applause and delivered a brilliant oration in praise of the actors of Colombo. He said that Mr. Thambu-

A MEETING AT VADDUKODDAI

Mr. G. G. Ponnambalam's Address

A representative group of the inhabitants of Vadducottai Parish met at the Tirugnana Sambandar Vidyalayam Hall on Saturday 29th April 1939 at 5 P. M. to discuss and formulate plans to form a Society.

Mr. V. C. Kathiravelu, the Chairman of the Village Committee, Vadducottai, occupied the chair,

Pandit A. Thillainathar, Proctor V. Nagalingam, Mr. J. V. Chelliah M. A., J. P., Mr. S. Annamalai, Mr. Swamy Kandiah, Malayan Pensioners and Advocate S. R. Kanaganayagam addressed the assembly on the urgent need to form a society and on its aims and objects. They all stressed that a Society was necessary to study the economic, social and political needs of the people of the Parish and the Society was to devise ways and means to better the social and economic life of specially the poor inhabitants of Vadducottai Kovil Pattu. The primary object of the new Society was to study the community and its existing institutions, its hygiene, its educational, social and political services and thus acquire a coordinate knowledge of facts and statistics of life in Vadducottai Parish, so that it might form the basis for schemes of socio economic reconstruction of rural life in that division.

Mr. A. C. Sundrampillay B. Sc. proposed and Mr. T. Venayaga-

gala's initials "P. C." stood for Prime Comedian. He said that there was no need for bridge-building if only gentlemen like Mr. Thambugala would shed their lustre on Jaffna. He (the speaker) did not see one iota of venom or malice throughout the play, "He Comes From Jaffna."

It was a great privilege to him (the speaker) to meet that galaxy of actors and actresses. He hoped that they would come again to Jaffna. (Loud applause).

Before concluding, Mr. Tampoe said that Jaffna was obliged to Mr. Crossette-Thambiah for that opportunity. The initials "R. R." stood for "Racial Reconciler."

Mr. Tampoe then pinned the medal on Mr. Thambugala, which bore the following inscription: "Presented to Mr. P. C. Thambugala by Jaffna 2-5-39."

The reverse of the medal depicted a palmyrah palm.

Mr. Thambugala replied on behalf of the actors. He said that he and his companions would be the last persons to agree to play on the stage any piece which was intended to humiliate a people—much less the great people of Jaffna. They had come to give of their best and they were glad that the public of Jaffna appreciated their efforts.

The party were entertained on Tuesday evening to tea at their residence by Mr. and Mrs. R. R. Nalliah. On Wednesday they motored to Kayts, where they were the guests at lunch of Dr. and Mrs. Charles Ratnesar.

The party left for Colombo on Wednesday.

moorthy seconded that those assembled to appoint Messrs. V. Nagalingam, S. R. Kanaganayagam and A. W. Nedarajah as conveners and do authorise them to draft a constitution for the proposed new Society and to convene shortly all the inhabitants of Vadducottai Kovil Pattu for the inaugural meeting of the said Society.

This resolution was unanimously passed by the assembly.

At the end of the meeting, Mr. G. G. Ponnambalam, who was present on invitation, was called upon to speak on the present political situation arising out of the contemplated Reform of the Constitution.

Mr. G. G. Ponnambalam, while thanking the Chairman for giving him an opportunity to address the leaders of thought in the Parish of Vadducottai, said that he wished to have an informal talk rather than deliver a set speech.

The speaker briefly outlined the position and power enjoyed by the Tamil Community since 1837 till 1931 under British Rule and pointed out that with the ushering-in of the Donoughmore era, a new state of things had come to exist. He condemned the Boycott of the Council as a foolish and fatal step and said that year by year the position of the Tamils had worsened and that they were now at the crossroads. A state of communal tension, fear and distrust had been brought about by the arrogant Sinhalese nationalist coterie in power. It was futile for people here to talk loosely of democracy and swaraj and such like copy books maxims without realising the ruthless realities of racial nationalism which is sweeping over Europe and Asia. This quarter of the 21st century would go down to History as a period during which the very existence of small communities was threatened by an aggressive nationalism based on race and religion.

What did they find in Ceylon? Were they prepared to sacrifice their self-respect and be satisfied with any crumbs that might fall from their brown Master's table. Were they prepared to be ruled by a less enlightened and less impartial body of men than their present rulers?

Or did they want their rights as minority communities to be statutorily safeguarded. The speaker went on to explain the principles of balanced representation and weightage and pointed out how in the interests of minorities the principle had been incorporated in other constitutions in the World. The speaker gave those present first hand information of the various attempts made by him and Mr. A. Mahadeva and other leaders of the minority communities to arrive at an agreed settlement. All attempts had proved fruitless on account of the impossibility to find a common basis for negotiations.

It was therefore necessary for them to fight for balanced representation.

Questions were asked by Messrs. J. V. Chelliah, S. Annamalai Venayagamoorthy and others to which Mr. Ponnambalam gave suitable and satisfactory replies.

Mr. J. V. Chelliah proposed a vote of thanks to the speaker which was carried with acclamation.

(Cor.)

Textile Industry in Ancient India

(Continued from page 1)

it exhibits a wondrous combination of purple and deep azure. There is another kind of it which floats in the caldrons in the purple dye-house, and is the scum of the purple dye. (7)

Marco Polo gives a graphic account of the preparation of the indigo dye. He writes:—"It is made of a certain herb which is gathered, and (after the roots have been removed) is put into great vessels upon which they pour water and leave it until the whole of the plant is decomposed. They then put this liquid in the sun, which is tremendously hot there, so that it boils and coagulates, and becomes such as we see it. They then divide it into pieces of four ounces each, and in that form it is exported to our ports." (8)

In later times, the supply of indigo was greatly augmented by the discovery in the Circar of Rajamundry of a new species of indigo known as the *Free Indigo* which as it grew wild and in great abundance, proved to be a discovery of considerable use.

Gum Lac. Another of the beautiful colours was the red known as Gum lac. This valuable substance of such extensive utility in painting, dyeing and in the manufacture of sealing wax, is the production of a very minute hemipterous insect living on the plant juices sucked up by a proboscis. The insect is native in India, to which it is still practically confined.

According to Sir G. Watt, these insects yield two distinct species of produce, a dye and a resin (9). They fix themselves upon succulent extremities of the branches of certain trees, and are soon glued to the place on which they settle by a thick pellucid liquid which exudes from their bodies. The gradual accumulation of this fluid forms a complete cell for each insect, which becomes the tomb of the parent and the birthplace of the offspring. This glutinous substance, with which the branches of trees are entirely covered, is the resin known in the commercial world as shellac. (10) The dye is taken from the bodies of the females which assume a bright red colour during the process of reproduction. (11)

The dye competed on favourable terms with the Mexican

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(7) *Natural History*, XXXV. 25-27.

(8) *Travels* iii. xxii.

(9) *Commercial Products of India* pp. 1053 ff.

(10) Dr. Robertson's *Disquisitions Concerning Ancient India*, Note, LXV.

(11) Schöff's *Periplus*, p. 71.

NORTHERN PROVINCE TEACHERS' ASSOCIATION

Amendment to Education Code

PROTEST MEETING

[Speech of Rev. J. T. Arulanantham, President, Northern Province Teachers' Association, at the Special General Meeting, held at the Jaffna Central College on 6th May, to protest against the proposed amendment to the code for assisted Schools.]

WE are gathered here today to express our opinions about certain retrenchment measures recommended by the Retrenchment Commission for the purpose of cutting down the grant to Assisted Schools. The Commission was appointed to appease public agitation against the the appallingly high cost of Government establishments in Ceylon. The salaries, allowances, equipment charges, and pensions of public servants amount to nearly 70 millions out of a public expenditure of nearly 120 millions. The Commission consists of the Auditor General (Chairman) Mr. C. E. Jones the Acting Deputy Financial Secretary and other officers who are all familiar with the inner workings of Government Departments. They have suggested certain retrenchment measures for the various Departments in consultation with the respective Heads of Departments, and only such measures as have been approved by the Heads of Departments have been put into effect. We are told that the Chairman of the Commission was once a teacher, for a short time at the very beginning of his career. He is not the only man who has used the teaching profession as a stepping stone for more lucrative posts under the Government. Except for this short experience of the Auditor General the Commission is not familiar with the inner workings of a school. At a time when the permanent Head of the Department is away on leave we are being rushed through a scheme which is of far reaching consequences. The amendments to the Code were brought before the Board of Education on the 25th of March. The main features of the amendments are:—

1. A large increase in the attendance quota per teacher.
2. Grading of all teachers into five classes while preserving the A, B, C Scales of Salaries.
3. The placing of the primary classes in all Schools in the C Scale.

The Commission urged the immediate acceptance of the Scheme by the Board. As the Board wanted more time the meeting was adjourned for a week. The Secretary of the N.P.T.A. was informed of this by telegram on the 25th of March. On the 29th we received a copy of the proposed amendments and we were asked to send a representative to the meeting of teachers which had been arranged to meet the Retrenchment Commission on the 31st inst. On Thursday the 30th March the Committee of the N.P.T.A. met in St. John's College to consider the objectionable features of the amendments. The same evening I left for Colombo.

The following day I was present at the meeting of the teachers with the Retrenchment Commission.

The Commission seemed to be determined to put their scheme through, and all arguments put forward by the teachers fell on deaf ears. The same evening the Commission met the committees of the Head Masters' Conference and the Head Mistresses' Conference. The following day the Board of Education considered the proposals. Again and after a lengthy discussion rejected the scheme. Then the Director and the Chairman of the Commission stated that unless a scheme like that was passed it would cause great hardship, as there were a number of schools with buildings waiting to be registered for grant, and a number of teachers wanting to be registered and employed. The members were asked to state their objections to the scheme clause by clause. It is reported that after certain minor amendments were made, the Board gave its assent to the proposals. But we understand that the Scheme as a whole has not yet been passed and the Board is meeting on the 12th inst. to consider the scheme again. The N. P. T. A. Committee met again on the 5th of April to consider the proposals and to take steps to meet the situation. A sub-committee was appointed to draw up a criticism of the scheme. The members of the Committee were sent to Colombo to attend the meeting of the A. C. U. T. Working Committee on the 15th April. The criticisms drawn up by the N.P.T.A. were accepted by the A.C.U.T. and they are before you with slight modifications. The two members who attended the A. C. U. T. meeting later visited some important centres in Ceylon partly for the purpose of meeting teachers and talking to them on the subject. That is briefly a summary of our activities in connection with the new amendments.

Now coming to the scheme it is urged in some quarters that as the cost of education is excessive the Retrenchment Commission is within its limits in suggesting such drastic measures. The Head Masters' Conference and the A. C. U. T. fully recognise the fact that something ought to be done to arrest the rising cost of education. But we believe that only a body of experts can put forward a scheme which will not only solve our financial problems but also be educationally sound. We want an Education Commission not only to examine our educational problems but also our financial problems. It is necessary and desirable to have an examination of our problems publicly. In any more for retrenchment Headmasters and Managers, who own and administer assisted schools, and the teachers whose prospects are vitally involved, have a right to be heard. It is not playing the

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WHY CONSCRIPTION

Historical Arguments Surveyed

By G. G. Coulton

I write as a lifelong Liberal who has always agreed with J. S. Mill that the citizen owes certain services to the State which must be exacted if they are not freely offered, and that national defence is one of these. The Franco-German War strengthened his conviction on this point, and he foresaw something like the present crisis. He wrote (Letters II, 291, 303):

Our turn must come. Therefore, our people ought to arm at once... I do not think it safe to trust entirely to voluntary enlistment for the large defensive force which this and every other country now requires... It will be an uphill fight to get a really national defensive force; but it may be a question of life and death to this country not only to have it but to have it soon.

When exceptions which are easily explicable, though I have no space to deal with them here, democracies have flourished under compulsory service and decayed under the mercenary system. Republican Rome called out all her citizens; Imperial Rome introduced the thin end of the voluntarist wedge and gradually drove it home. At the end of two centuries of peace the Roman army was purely voluntary and increasingly inefficient. Not only had the quality of recruits been reduced by successive steps, as we are reducing it now, but Imperial totalitarian Rome, like modern Britain, found it impossible even so to maintain the required numbers. The natural result was that when the tough, half-civilised tribes attacked, among whom all men marched shoulder to shoulder, Rome went down like a house of cards, and St. Jerome wrote from his retreat in Bethlehem: "No doubt all things born are doomed to die, but who would have believed that Rome, victorious so oft over universe, would at length crumble to pieces?"

Middle Ages

Pass on to the Middle Ages. All nations then called nominally upon all their manhood, but there was none which relied upon it with such businesslike regularity as England. Many of the victors of Crecy were conscripts, while France relied mainly upon her professional armies. We emerged from the Hundred Years' War as one of the freest communities in the world; the French by that time were bound to the double tyranny of irresponsible taxation and mercenary armies down to, 1789.

So, again, with those little semi-republics in the great trading cities of Europe—Northern Italy and the Low Countries. In their great democratic days they had conscription; under the tyrants of the fifteenth century the professional soldier was either preponderant or, as in Italy, supreme and irresistible.

Without the trained lands, a branch of our own compulsory militia, the Parliament would never have won against the Stuarts. That compulsory militia supplied thousands of the men who fought Napoleon. Meanwhile France revived the prehistoric system of manhood service in its strictest form. The Revolution, mighty and inspiring as it was, produced far fewer volunteers than is commonly imagined; it was the compulsory levies which finally

saved France. In 1794, after two years of war, the German Emperor proposed to meet the French (now invaders in their turn) with a similar manhood levy. This was definitely negated by the King of Prussia, who gave as his main motive that to arm all his subjects would be "infinitely dangerous" for his divine monarchy. Therefore, in 1806, these democratic armies made short work of those mercenaries, and Prussia's revival was carried out only on the basis of universal conscription. Great as were the restrictions on the liberty of the subject in the Prussia of from 1806 to 1926, they were far less barbarous than in the old days under Frederick the Great's mercenaries.

Democratic Army

It is not merely a jingling phrase but a common-sense truth that a democracy needs for defence a democratic army. As the late Albert Thomas, French Socialist Minister and Labour Secretary at Geneva, said to me a dozen years ago in this connection: "No democracy can afford to leave its armed forces to the immediate control of the Executive."

Will any historian, or anybody who has frequent intercourse with Continental democrats at the present day, deny any of these statements? If not, let your readers each ask himself, "Why have these things not been taught to the British people? Are they not as unfamiliar to my friends as they are to myself?" The answer, I fear, is plain, though unflattering. The truth is that politicians on both sides have fooled the public to the top of their bent. As one of the most conspicuous—a very beacon-light of the League of Nations—has said to me, "It would be political suicide to advocate conscription." There are hundreds who knew these things, yet dare not to proclaim them from the housetops. The Labour party, which would stand to gain far the most in the long run by such a truly democratic system as Switzerland has and as we might have, is even more complacently ignorant and more blindly timorous on this subject than the Government is. Extolling voluntarism, they know perfectly well that it is not really meeting this crisis. Here at Cambridge, where we are perhaps a little above the average, the Mayor and A. R. P. authorities have just sent out an S. O. S. The deficiency of air raid wardens is 645, of special constables 218, of auxiliary fire service men 120. There is no more moral courage among the professional critics of Munich than there was at Munich itself: we are between the Devil and the deep sea.

This warning comes from one who is driven to the increasing conviction that we are repeating at this moment the worst mistakes of 1914. I can claim a belief in democracy as unshakable as that of "Voluntarius" himself. But if democracy is to succeed it must seriously face the things that make for success; and complacent ignorance at this moment may cost the country such years of suffering as Prussia endured for her refusal of this "infinitely dangerous" system of spreading the blood tax as far as possible over the whole population.

(Manchester Guardian)

Broadcasting

**AKASH-VANI,
MYSORE****This Week's Programme**

Wavelength: 70.2 Meters. Frequency: 4265 Kc/S.

CALL SIGN: V. U. 7. M. C.

Monday, the 8th May, 1939

6 p.m. Hindusthani Light Music
6-15 p.m. News and Announcements
6-30 p.m. Bharatha Readings by Srimathi Lalithamma
7-15 to 8-30 p.m. Violin Recital by Vidwan A. Gopalakrishna-Char & Party

Tuesday, the 9th May 1939

6 p.m. Orchestral Music
6-15 p.m. News and Announcements
6-30 to 8-30 p.m. Vocal Music Performance by Vidwan B. Seshappa accompanied by Vidwan Subramanyam (Violin) and Vidwan Ramiah (mridangam)

Wednesday, the 10th May 1939

6 p.m. Lavani Recital
6-15 p.m. News and Announcements
6-30 to 8-45 p.m. Flute Recitation Palladam Master P. V. Nagarajan, accompanied by Asthana Vidwan Venkataraniyah (Violin) and Vidwan Ramiah (Mridangam)

Thursday, the 11th May 1939

6 p.m. Karnatic Vocal Music
6-15 p.m. News & Announcements
6-30 to 7 p.m. Children's Hour conducted by Mr. D. Krishna Murthy
7 to 7-20 p.m. Popular Science: "Technicolour Film by B. M. Sivaramiah, Esq."
7-45 p.m. Kannada Drama: "Bhishma Prathigne"

Friday, the 12th May 1939

6 p.m. Karnatic Instrumental Music
6-15 p.m. News and Announcements
7 p.m. Hindusthani Music
7-30 p.m. "Qirat"
8 p.m. Urdu Drama: "Mustafa-Kamal-Pasha"

Saturday, the 13th May 1939

6 p.m. Nadaswaram
6-15 p.m. News and Announcements
6-30 to 8-30 p.m. Vocal Music Performance by Sri V. Muthuswami, accompanied by Vidwan Subramanyam (Violin) and Vidwan Ramiah

Sunday, the 14th May 1939

No Broadcast.

THE MANAGER

**THE MERCANTILE
BANK OF INDIA LTD
COLOMBO**

ANNOUNCES

that a

Branch of the Bank will be
Opened in Hospital Road,
JAFFNA
on the 5th of June next.

Ordinary Banking Business will be transacted on terms similar to those obtaining at present in Colombo.

(Mis. 32, 8-5-29-5-39.)

DENTAL NOTICE

S. Imai, (Japanese Dentist)
Colombo,

will be at Jaffna at Tiruchelvam Buildings, Main Street, Jaffna, from 7th to 16th May 1939.
(Mis. 33, 8-5-39)

WANTED

A graduate or London Inter-Arts capable of teaching English and History up to the J. S. C. class. Teacher with experience preferred. Apply before the 10th inst. to the Head Master, Hindu Mixed English School, Tondamanar.

(Mis. 24, 1 & 8-5-39)

JAFFNA COLLEGE

Jaffna College will reopen on Monday 15th. New Post Matriculation and Intermediate Classes will be formed on the 1st of July. All students wishing to enter the Intermediate class normally must pass our Intermediate Entrance Examination, the syllabus for which may be had upon application to the Principal.

(Mis. 29 8-5-39)

JAFFNA HINDU COLLEGE

- 1 Post Matriculation
- 2 Inter Arts
- 3 Inter Science

July 1940

Classes Commence on
June 1st 1939

STUDENTS WHO WISH TO JOIN
should

Apply to the Principal

on or before the 25th of May.

Mis. 23, 1-5-15-5-39.)

**Hindu Organ.**

MONDAY, MAY 8, 1939

POLAND'S FIRM STAND.

THE EAGERLY-AWAITED speech of Colonel Beck, Poland's Foreign Minister, is an unequivocal and emphatic statement of his country's aims and desires. While his speech is firm and clear, it has none of the bluff and bluster associated with the utterances of Herr Hitler. He naturally reared to the recent events in Europe which had shaken the confidence of Poland in Germany's peaceful intentions. He has rightly condemned Hitler's denunciation of the Polish-German Agreement on the pretext that Poland had entered into an alliance with Britain without consulting Germany. He repudiated in emphatic terms any suggestions of aggressive intentions on the part of Britain or Poland. But Colonel Beck has, however, pointed out that "they are determined to defend certain basic principles in international life." His statement is a justification of the Anglo-Polish

Agreement in that it is a purely defensive alliance with no aggressive intentions in regard to any other European nation.

Colonel Beck's reference to Danzig which today is the key to the peace of Europe, deserves the serious consideration of the German Government. While admitting that the population of Danzig is predominantly German, he was uncompromising in regard to it on the grounds of Polish rights of overseas trade and maritime policy. As to the Corridor he was prepared to concede an extension of the present facilities, but would not under any circumstances accept any scheme tending to curtail her sovereignty over it. Colonel Beck has left the door open for negotiation.

Colonel Beck's speech has been interpreted differently in different quarters. In London, the speech has been received with lively satisfaction on the ground that it has clarified the position of the Polish Government in clear, but moderate terms. The German Official view seems to construe the speech as a "climb down". This interpretation serves as an index to the Nazi mentality which can never appreciate moderation in anything. Such an interpretation on the part of official Germany lends colour to the belief that Germany hopes to annex Danzig without the firing of a shot. Herr Hitler and his advisers would do well to pause and weigh the consequences of any attempt to snatch Danzig by force. If such reckless action is contemplated by Nazi Germany, there can be no doubt whatever that it will result in a war, in which she will have to fight against mighty odds. It is to be hoped that better Counsels will prevail in the interest of international peace.

Why Conscription is Necessary

London, Saturday.

Sir John Simon in a speech at Great Yermouth, stated that the reasons for conscription were to be found in the speed at which events were taking place nowadays.

There was no time under modern conditions to recruit to the army as Lord Kitchener did in 1914.

Personal

Mr. R. R. Nalliah a former Chairman of the Jaffna Urban District Council and one of the Senior Proctors of the local Bar, has been appointed as Crown Proctor Jaffna as from May 1st, 1939 in place of Mr. K. Kanagasabai, who retires.

**TWO FATALLY
STABBED IN AFFRAY**

Jaffna Friday.

After recording at the spot this morning the statements of two alleged eyewitnesses with regard to a stabbing affray at Mavittapuram, which resulted in the deaths of two of the men concerned. Mr. R. Ramacnandran, the Malakam Magistrate, ordered a warrant on a man named Somasundaram, the alleged assailant, who is said to be absconding.

Yesterday at the village of Mavittapuram, ten miles from Jaffna town, two men, Sinnathurai and Somasundaram are said have chased along the road a man named Nalliah and attacked him. Sattianathan of the same village, who went up and intervened, was stabbed.

Then Sinnathurai, Somasundaram and Nalliah are alleged to have used their knives freely on each other. Nalliah and Sinnathurai sustained severe knife injuries and were removed to the Civil Hospital, Jaffna, where they succumbed to the injuries. Sattianathan is lying in the Hospital.

Mr. P. R. Krishnaratne, Assistant Superintendent of Police, motored to the spot this morning and led evidence before the Magistrate.

Further inquiry was fixed for May 9.

**Haul of Illicit Beedi
Tobacco**

Pt. Pedro, Wednesday.

Mr. E. P. Albrecht, Preventive officer, Point Pedro, with his Customs staff and the help of the Jaffna Police detected this morning 11 bags of Beedi Tobacco worth Rs. 2000 in the house of one K. Chuamugam, at Kokuvil a place 4 miles from Jaffna. All the bags were removed to the Jaffna Customs by the Preventive officer as it is imported without paying Customs duty. (Cor.)

**Electrical Supdt.
Acquitted**

Pt. Pedro, Wednesday.

The Point Pedro Magistrate Mr. W. R. de Silva acquitted Mr. W. Vythilingam Electrical Superintendent, who was accused with criminal Breach of trust or criminal misappropriation of Rs. 8-00 and Rs. 12-00.

Mr. J. W. L. Attygalle, Inspector of Police prosecuted. While Mr. Julius Philips instructed by Messrs. C. Thanabalasingam and M. Esurapatham defended the accused.

After the prosecution was over the Magistrate acquitted the accused. (Cor.)

POLAND MAKES HER POSITION CLEAR

Colonel Beck's Reply To Germany

ANGLO—POLISH AGREEMENT JUSTIFIED

Warsaw, Friday.

COLONEL BECK, in his speech which the whole world was waiting to hear, declared that the results of the weakening of collective international institutions in recent months had reached the borders of Poland.

"Very serious events," he declared, "have taken place. I refer in the first place to Poland's agreement with Britain.

"Neither Britain nor Poland has any aggressive intentions, but they are determined to defend certain basic principles in international life.

"The Anglo-Polish agreement has been used by Herr Hitler as a pretext for the unilateral denunciation of the Polish German non-aggression agreement. Since there have been tendencies to interpret this pact as a limit to the freedom of our policy or as grounds for one-sided demands or concessions, it appears that the pact has lost its real character."

The Reich, Col. Beck went on had decided to denounce the Polish-German pact without consulting either Britain or Poland. Although he invited the Reich Ambassador to visit him when he (Col. Beck) returned from London, the Reich envoy had not availed himself of that offer until today. If the Reich interpreted the Polish-German pact as one meant to isolate Poland, Poland would always have rejected this interpretation.

As regards Danzig the population is predominantly German, but its livelihood and prosperity depend on Poland.

"We stand firmly on the grounds of our rights of overseas trade and maritime policy in Danzig," he declared.

"As to the Corridor, we have suggested an extension of the present facilities to road transport, but we have no grounds for restricting our sovereignty over our own territory. The Reich seems to be demanding one-sided concessions in these matters.

Colonel Beck declared that Poland was ready to negotiate with Germany if Germany displayed peaceful intentions and methods of action and was ready to recognise the following principles:—

(1) Poland stands firmly by the rights and interests of her overseas trade and maritime policy in Danzig;

(2) Poland will not let herself be barred from the Baltic,

(3) Poland is willing to extend the railway facilities in the Corridor to road transport, but

"has no grounds" for restricting her sovereignty there,

(4) Although the population of Danzig is predominantly German, its livelihood and prosperity depend on the economic potentialities of Poland.

Col. Beck went on to say: "When I hear demands for the return of Danzig to the third Reich and note the various forms of agitation in which Germany indulges; when I get no reply to my proposals of March 26th and when, finally, I learn that these have been rejected. I ask what is the real aim of it all?"

Colonel Beck said that the German demands were one-sided; there was no reciprocity. He spoke of the recognition and the acceptance of the existing frontier with Germany and said that the suggestions for a 25-year guarantee of the frontier were not put forward in any definite form.

"Peace is valuable and desirable, but peace has its price and that price is high.

"We in Poland do not want peace at any price."

MATRIMONIAL

KAILASAPILLAI—
NALLAINAYAGY

The marriage of Mr. K. Kailasapillai, Chairman Allaipiddi Village Committee, with Miss Nallanayagy the eldest daughter of Mr. P. Thampu, Teacher, Jaffna Hindu College, was solemnised last Monday, at 11-30 A. M. at the bride's residence at Yannarponnai. A large and distinguished gathering of friends and relations was present at the function. Our best wishes to the new couple.

RATNARAJAH—
SIVAGAMASUNDARY

The marriage took place on Thursday the 4th inst. at 11 P. M. of Mr. S. Ratnarajah, Cashier, Kotte U. D. C., the eldest son of Mr. S. Saravanamuttu, Retired Apothecary with Miss, Sivagamasundary, youngest daughter of the late Mr. T. Kailasapillai of Nallur at the Brides residence.

There was large gathering of friends and relatives at the residence of the bridegroom of Chetty street Nallur and later at the bride's.

MUTHUKKUMARU—
VETHANAYAGY

The marriage of Kandiah Muthukkumar son of Muthukkumar Kandiah of Maravanpulo with Miss Vethanayagy daughter of Kanapathippillai Sangarapillai of Sarasalai and sister of S. Ponnusamy of the Railway Accountant's Office Kuala Lumpur and a sister-in-law of S. Kanapathippillai of Sarasalai took place on the 1st May 1939 at 12-45 P. M. according to Hindu

Northern Province. Teachers' Association

Continued from Page 3)

game to push forward any scheme without giving a fair hearing to those who have a right to express an opinion on this matter. What excuse can there be for delaying the long overdue Education Commission. We fail to understand the haste with which the matter is being pushed through. The new Education Ordinance has passed its second readings. The entire machinery of Educational administration is going to be recast. The Board of Education will cease to exist before long. We fail to understand the hurry with which proposals of such far reaching consequences are being rushed through. One can understand this if any immediate saving is going to be effected by this scheme; but as the Retrenchment Commission has clearly stated this measure will take 10 years or more to show any saving. With regard to the registration of new schools and the employment of new teachers certain provisional measures might have been passed for a limited period. It is unfair for the Headmasters Conference and the Teachers' Associations to demand that such vital amendments to the Code should not be passed without opportunity being given for criticism and suggestion. In this connection we would like to know what has happened to the scheme prepared by the Board of Education some time back at much public expense. The Director has assured this association on more than one occasion that the Board of Education was preparing a scheme that will prevent the rising cost of education and at the same time not jeopardise education or the interest of teachers.

It should be pointed out that the retrenchment proposals will cause greater hardships to Assisted English Schools than to Vernacular and Bilingual Schools. The grant to Assisted English Schools is less than 3 million rupees. The grant to Vernacular and Bilingual schools is nearly 12 million rupees. We fail to understand why the greater cut should be made in the smaller vote. Again in 1939 when a new Salary Scale which involved 16 2/3% cut was introduced the salaries of the Vernacular teachers were left intact. At that time, just before 1935 elections, the Vernacular teachers were a factor to be reckoned with. Even now the proposed Salary Scale and the quota amendments suggested are far more drastic for English Schools than for the Vernacular Schools, though the work in the English Schools presents far greater problems than that in the Vernacular schools on account of the foreign tongue being the medium of instruction.

I want to make some observations on the two main features of the amendments. You have before you a fairly exhaustive criticism of

(Continued on Page 6)

rites at bride's residence Kalvalavu at Sarasalai. Prammarsi N. Ponnusamykkurukkal of Sarasalai officiated. The bride was given away by Mr. and Mrs. S. T. Sampantner of Kaltura. A magnificent pandal was erected and guests were received by Mr. and Mrs. S. Kanapathippillai. The ceremony being over the guests departed after wishing the new couple. At 5 p.m. the new couple left for the bridegroom's residence at Maravanpulo.

THEIR MAJESTIES' CANADIAN TOUR

London's "Godspeed"

London, Saturday.

THE Empress of Australia sailed for Canada with their Majesties at 3 p.m.

A huge crowd gave Their Majesties a tremendous ovation as they left Buckingham Palace at 12.18 p.m. in an open carriage, drawn by four greys. The Princesses sat opposite their parents.

The roar of cheering was quickly taken up along the whole length of the crowded Mall. The King, attired in naval uniform, saluted again and again in acknowledgment of the cheers. The Queen was dressed in her favourite colour, pale blue, and her daughters were similarly attired.

The Palace Detachment of the King's Guard, in scarlet uniforms and bearskins, presented arms as the carriage passed through the forecourt, and when it went through the wrought iron gates, the Royal Standard high above the Palace was lowered, not to be seen for many weeks more.

Following the royal carriage were other open carriages conveying the royal suite. At Waterloo Station the royal procession proceeded at a slow pace, giving the people who had waited for hours a fine view of Their Majesties, who entrained for Portsmouth soon afterwards.

Auction Sale

No. 13350

Arulanandam Rasiah of Manipay now of Kankasanturai Plaintiff.

Vs.

Murugesar Eliathamby of Elalai

PROPERTY

1. A piece of land situated at Elalai called Moodollai in extent 5 Lms. V. C. with well cultivated and spontaneous plants and coconut trees and bounded on the East by the land of Nagamuttu wife of Chelliah, North by the land of Sellamuttu daughter of Velauther, West by the land of Ledchumy wife of Karthigesu and South by the land of Pasupathy wife Rasa inclusive of the right of using the lane leading from the bye-lane on the West running on the Southern boundary land.

2. A piece of land situated at Elalai called "Unthuduvai" in extent 12 Lms. V. C. with houses, old and young palmyras cultivated and spontaneous plants is bounded on the East by the land of Annapillai wife of Sianiah, North by lane West by the land of Sellamma wife of Eliathamby and South by the land of Sianamma wife of Eliathamby inclusive of the share out of the well and Thoorvai standing on the Southern boundary land the right of way and watercourse and the three coconut trees standing on the Thoorvai.

3. An undivided 1/8 share out of an undivided 1/2 share out of a piece of land situated at Elalai called "Manianseema" in extent 11 Lms. V. C. with palmyras and bounded on the East by lane North by the land of Sithamparam wife of Valu and others, West by the land of Kanapathy Sinnathamby, Valu Ramu and that of Sinnathamby Murugar and South by the land of Kanapathy Murugar and Arumugam Sundaram.

In terms of the commission issued to me by the District Court of Jaffna in Case No. 13350 D. C. J. I shall sell the above properties by public auction on Saturday the 27th May 1939 at about 3 p.m. at the respective spots.

N. KANDIAH,
Commissioner,
Van; West.

(Mis. 31. 8-5-39.)

LETTER TO THE EDITOR

Jaffna's Ambitious
Youth

Sir,—In the course of his remarks at the last Congress Mr. Parinpanayagam remarked that the chief justification for the revival of the Jaffna Youth Congress, if justification at all was needed, was the growing canker of communalism, which he said was destroying what hopes yet remained for the political future of Jaffna. We all felt that what was needed most was a bold and determined leadership which would gather together within a common fold the scattered and discordant elements of the community, which were now dissipating their energies in fruitless petty dissensions and make it possible for all sections to cooperate in working out a common programme which would have as its goal the removal of political and social inequalities. Those of us who looked for that leadership since, have had to be content with the pitiable spectacle of Mr. Parinpanayagam merely indulging in that delightful pastime of speech-making, inspired by the adulations of his own charmed circle of those like the Chairman of the Reception Committee and encouraged by the back-patting of the Sinhalese politicians and the fan-fire and publicity the Sinhalese Press accords him. One has had merely got to read the address of the Chairman of the Reception Committee, that ambitious politician, Mr. Kumarasingham, to get some idea of the atmosphere in which the deliberations of this body of mock revolutionaries are conducted. If, Sir, in their wisdom, they conceive it to be political foresight or sagacity or a demonstration of good will to pass over without question the hopelessly unfair distribution of seats in the present State Council, where the Sinhalese with two-thirds of the population have 80% of the elected seats, we can only pray that we spared these deliverers. On a population basis even, which is never the true basis of democracy in a heterogeneous society, something like a sixty-forty ratio is legitimately due. But to these advanced politicians, who have yet to learn the rudimentary principles of democratic government, the claim for more seats, made in the name of fairplay and justice, can mean only a narrow, selfish sectionalism. Those who would readily stigmatise as rank communalists any who would put forward that just and legitimate claim, are not merely steeped in ignorance as to democratic government, but have really taken leave of their wits, for after all, Sir, there are limits to human stupidity. It is only such, who find refuge in what ideology of drift and vagueness which Mr. Parinpanayagam euphemistically calls idealism. Typical of his slapdash indulgence in generalities is his denunciation of all political alliance of the Tamils with any section of the Indian population in Ceylon. If Mr. Parinpanayagam had only realised that since the grant of universal franchise, the only section of the Indian community which matters in Ceylon politics was the labouring classes, which by its own nature is potentially the most

NORTHERN PROVINCE TEACHERS' ASSOCIATION

(Continued from page 5)

the scheme. You will have others to speak on these criticisms. My remarks will therefore be very general. First of all with regard to the quota this is not the first time the quota has been raised. The last time it was raised, was, I think, in 1930. Then too it was urged that schools in England had large classes. The same reason is put forward today. It was mentioned that in Scotland there were schools which had classes of 50 boys. Instead of trotting out this argument from time to time in order to raise the quota of average attendance for teachers the Government should appoint a Commission of experts to thrash out the question and determine once and for all the quota for Ceylon considering the conditions in Ceylon. Schools in England can only be compared to Vernacular Schools in Ceylon, because in our English schools the medium of instruction is a foreign tongue. According to the quota suggested the number of boys in each class will be between 45 and 50. It will be impossible to manage such a class. There is an increase of about 100% in the quota proposed for the Primary classes. George Chippfield President of the N.U.T. in England has asked for 30 limits sign boards to be hung in front of every class room. The Secondary School regulation No. 5 of 1935 in England reads thus:—"The number of pupils taught together at one time must not exceed 30 without the concurrence of the Board and must never exceed 35." This regulation is supported by the report of the Spens Committee issued recently. In Ceylon too the Department has insisted on a 32 limit rule, but now the Auditor-General brings proposals which will compel us to have classes of 45 to 50 boys. This is a question which concerns the parents and the public

revolutionary section in this country he would have rather emphasised the essential solidarity of the masses of this country with the Indian labourers and not made those superfluous remarks about Ceylonese unemployment. But Mr. Parinpanayagam prides himself being what he calls himself—an idealist, a visionary dreaming idle dreams with no idea as to what should be done in the urgent present.

To press for more seats and thereby sow the seeds of dissension among the two major communities in this country is, in his opinion, to take a short-sighted view of things. There is the more important task of Swaraj, to which we must devote all our efforts and forget the present disabilities. They would disappear as the generations pass. If Mr. Parinpanayagam has any sense of historical perspective he would see more urgently than he now does the need for an early solution of our minority problems, if ever there is going to be movement for independence in this country which will come up to anything like the Indian National Congress. The Youth Congress serves no useful purpose. It only creates dissension among the Jaffna people even in this last desperate struggle for self-preservation.

Yours sincerely,
A young Jaffna Tamil.

more than the teachers. The teacher will do his work in the best way he can under the circumstances. It will be the boys who will suffer. They will not receive the individual attention they would get in a small class. The result will be that parents will have to spend more money on private tuition. I feel very strongly that not only Headmasters and teachers but even the parents and the general public have a right to express their opinion on a subject of this nature. The parents and the public have a right to demand that they be given an opportunity to express their views before such measures are accepted by the Government.

Next we come to the subject of grading. The plea advanced for grading is that there is no check on the appointment of too many highly qualified teachers. It must be pointed out that there is already a system of grading. Out of 329 English Schools in the Island nearly 150 are Junior Secondary and primary schools working on the C Scale. Of the rest all the Girls' Schools and the Senior Secondary Boys' Schools in Jaffna are working on the B Scale of salaries. So there are already 3 grades of teachers, and the proposed grading of teachers into 5 classes will result in 15 classes of teachers which I think is most undesirable. Now let us consider whether there are too many qualified teachers in our schools. The impression which the Retrenchment Commission have tried to give to the country is that our schools are flooded with too many graduates and trained teachers. Let us examine the fact. Out of a total of 3716 teachers 474 are graduates and 726 trained teachers. This works out to 13% graduates and 20% trained teachers. It means that 33% of our teachers belong to the class of teachers who are considered to be highly paid. Is 33% too high? In Scotland we are told that the authorities make a special attempt to employ as far as possible only Honours graduates for Secondary Schools. In the London County Council Secondary Schools only graduates are employed. With regard to the princely salaries which these graduates and trained teachers in Ceylon are supposed to enjoy will any one say that they are getting more than their due share compared to the salaries of other public servants in Ceylon. All that we are asking for is a living wage according to the standard of living in Ceylon. The salaries of teachers must be sufficient to attract the best qualified men and women into the profession. We have often complained that even the existing scale has not attracted the best men into the profession. It is interesting to note that out of 444 graduates who have graduated from the University College between the years 1921 and 1937 only 70 cared to enter the teaching profession. 70 out of 444 i.e. only 16% entered the teaching profession. The new entrant salary scale has already driven many people out of the profession. We were hoping that the New Entrant Scale would be removed in time, but now we are threatened with the introduction of a scale that would keep the graduates entirely out of the profession. A feature of the Proposed Salary

CO-OPERATIVE SOCIETY'S SPLENDID GIFT

Free Library for
Myliddy Parish

A new building to house a free public-library for the people of Myliddy-Parish has been gifted to that parish by the Myliddy-centre co-operative society.

The opening ceremony in connection with library building which is housed on the ground of the Palar-Gnanothaya-Sauga-Vithiasalai Myliddy South, was performed by Dr. S. Subramaniam, J.P., Retired Provincial Surgeon.

The function was preceded by a public meeting in the Vithiasalai hall presided over by Mr. S. Swaminathan, B.A., Principal Saiva Training School, Tirunelveli, Jaffna.

The chairman in the course of his address stressed the importance of a free library for the parish and said that their thanks were due to the Myliddy centre Co-operative Society for having gifted a building for that purpose.

Mr. T. Sevadurai, Secretary of the Library Committee read an interesting report re the efforts of that Committee to further the objects for which it was appointed.

Mr. M. Kirishnar, Chairman V. C. Changanai, then addressed the meeting.

At the conclusion of the meeting those assembled moved on to the portico of the new building where they received Dr. S. Subramaniam with oriental music.

Dr. S. Subramaniam expressed his pleasure at being invited to declare open that building. He stressed the importance of establishing free Libraries in each parish and congratulated the Co-operative Society on its splendid gift to the people of that parish.

The Library is to be known as "Siri Ganesa Library."

Scale is that in any school those who draw the graduates salary will be as rare as the present Special Post holders. We contend that the salaries are ridiculously small when compared to others in public service. I hope that the proposed salary scale will never be accepted by the Government, but the fact that this has even been suggested should make us think of our position in the country.

In conclusion I should like to make it clear to the public and the Government that in opposing these proposals of the Retrenchment Commission we have the interest of the country at heart. We are not prompted by any selfish motive. In fact the Government has assured us that the men who are already in the profession will not be affected by these changes. But we feel very strongly that the education of the country will suffer if these proposals are accepted.

Lawyers in Ancient India

(Continued from page 1)

defended by a lawyer. According to Katyayana, "In prosecutions for killing a Brahmana, drinking liquor, theft, adultery with the preceptor's wife, killing a man, touching another's wife and also eating forbidden food, seduction and defilement of a virgin, violent language and actions, fraud and also treason, no *prativadi* shall be given; the doer of the act shall plead the cause himself." While Sukra observes, "In cause of murder, thieving, adultery, taking forbidden food, abduction, harshness, forgery, sedition and robbery, there are to be no lawyers as representatives. The perpetrators are to answer personally." This limitation on the scope of the lawyers was probably due to the anxiety of the Law-gives to see that the guilty never escaped punishment. Intelligent lawyers would have certainly succeeded in making good the escape of several offenders as their representatives do to-day. Thus the lawyers must have played a more prominent part in civil cases than in criminal cases.

They must have been specialists in Law. Only the man who knew the Law and the Dharma could be appointed as a pleader. There are several references to cross examination of witnesses. In *Milinda Prasna* the writer

describes the lawyers as those "who according to the spirit and according to the letter, according to justice and according to reason, according to Logic and by illustrations explain and re-explain; argue and re-argue." There is a reference to cross examination in *Apastambo* (II, 5 11, 3). It must have been rather severe, for it is referred to as a fortune. Even the accused was subjected to a meticulous cross examination. The Burmese Code of Manu gives a curious story of the origin of the cross examination. It was accidentally discovered. According to it in the time of Manu when some boys were playing, one of them arrived at the truth by constant questionings. A study of Sudraka's *Mrichchhakatika* reveals the extent and depth of knowledge that the lawyers had in those days.

The lawyers were entitled to remuneration from their clients. The rate of fees depended upon the amount involved if it was a criminal case. The Burmese version of the Law of Manu better known as 'Eharmathat' states, "Any good pleader, though the statement of his case may have not been taken down, if he has only just sat down or put up the sleeve of his jacket, shall have a right to his pay." About the scale of fees Sukra gives an elaborate account, "The lawyer's fee is 1/16 of the interests involved, for the fee is 1/20 or 1/40 or 1/80 or 1/160 portion as the amount of value or interest under trial increases. If there are many men who are appointed as pleaders in

combination, they are to be paid according to some other way."

A high sense of professional etiquette was insisted upon. They were prevented from charging very heavy fees. In fact, Sukra says, "The King should punish the pleader who charges excessive fees, i.e., fees over and above the limit prescribed." According to the Burmese version of the Laws of Manu, fee was to be paid by the client in certain cases only at the end of the litigation. This was perhaps to prevent the lawyers from swallowing clients' money. While the clients were thus protected from bad lawyers, the lawyers themselves were protected from bad clients who wanted to deceive them. No client was allowed to engage another lawyer without the knowledge of the one already engaged and even if such a one was engaged, the client was expected to pay both according to rules provided in the Dharma Sastras. If fee had been paid wrongly, it could not be recovered after seven months. According to the Burmese Code of the Law of Manu, an advocate was looked upon as a surety for the client. But according to Narada a lawyer was not responsible for the failure of a case. Says Narada, "If one deputed by the claimant or chosen as his representative by the defendant speaks for his client in Court, the victory or defeat concerns the party and not the representative."

It is clear from the foregoing paragraphs that lawyers existed in Ancient India; that they played a prominent part in promoting the ends of justice. Often lawyers spoke in the Court although they were not paid by any client, for, according to Narada and Sukra, the lawyers present in the Court were often consulted by the Judges. Even if they were not asked, they had the right of making suggestions and offering opinions. "Whether unauthorised, or authorised one acquainted with Law shall give his opinion" (Narada). This right however was denied to those who were not recognised lawyers.

(Prabuddha Bharata)

LANDS FOR SALE

Land called 'Piddimandan Malladiyakadu' described as Lot No. 4 in Preliminary Plan No. 5090 appearing in Title Plan No. 335773 situated in the village called Thampalai in Atchuveley Parish, Valigamam East Division of the Jaffna District containing in extent 24 acres, 1 rood, 27 perches, bounded on the East by land bearing Lot No. 5 in Preliminary Plan No. 5090, North by Point Pedro-Kankesanturai Road, West by lane and South by lowland belonging to the Crown. The whole of this.

This land was purchased from the Crown and is quite suitable for planting coconut, plantains, fodder grass, fruit trees etc. Good water at a depth of 6 or 7 feet is available. The land lies about half-a-mile to the South West of Tondaman-Aar Bridge.

2. A coconut estate being the divided southern share of a land composed of "Thalaiyadi-Thalaimadai" and "Thalaiyadi-thetku" situated in the village of Valalai in Atchuveley parish aforesaid containing in extent 167 lachchams and 11 1/4 kulies, bounded on the East by low lands subject to floods and the village-limit of Thampalai, North by coconut estate belonging to Veeragathiar Chelliah, Government pensioner, West by sea

The Minister's Views on Municipality for Jaffna

"It is heartening news that the Jaffna Urban Council has decided in favour of a Municipal Constitution, even by a narrow margin", said Mr. S. W. R. D. Bandaranaike, Minister of Local Govt, "It should be borne in mind that the Executive Committee of Local Administration decided some time ago to order Jaffna to introduce a Municipal Council.

"At that time I opposed this proposal, because I felt that there might be imaginary grievances levelled against me, due to the fact that I am a Sinhalese Minister.

"I might have been open to the ridiculous criticism that the new measure was proposed with the intention of causing unnecessary hardship to the citizens of Jaffna.

"In spite of the decision of the Executive Committee, I held up the matter until the views of the people of the place could be obtained. I first asked the Urban Council to come to a decision on the question.

"I have had no official communication, but I understand through the newspaper that the Council has decided in favour by a majority of one vote.

"I also consulted the members representing the Jaffna constituencies in the State Council. From what I could gather they are generally in favour, though they do not wish to commit themselves to that view openly.

"They told me that they would be only too ready to agree to the decision of the Urban Council.

"Now I shall have to bring up the matter before my Executive Committee again, and unless there is going to be very strong reason against it, Jaffna, as I have said, will have a Municipal Council."

(The Times)

The Oriental Bank of Malaya Ltd.

"Mr. B. P. Nicholas, Managing Director of The Oriental Bank of Malaya Ltd., arrived here by the "Felix Roussel" on his annual inspection of the Jaffna Branch where he will stay for over a fortnight. He has been accompanied by Mrs. Nicholas and his son-in-law Mr. D. S. Pedropillai.

shore and South by estates belonging to Arumugam Thampar and others. The whole of this.

Title covered by certificate of quiet possession from Government. The land is cooler than the adjoining ones and lies close to the first land mentioned above.

Intending purchasers are kindly solicited to send their offers to me before the 15th of June next.

K. S. Chandrasegarampillai
Fiscal's Office,
Batticaloa,
20-4-39

(Mis. 13. 24-4-39—8-5-39.) (M)

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Textile Industry in Ancient India

(Continued from page 2)

cochineal until both were replaced by manufactured analine.

Lycium. A third one was the juice called "lycium" (the modern rhuzot or housis) used by the Romans to provide a yellow colour. The general importance of this juice is shown by the numerous lycium pots found in the ruins of Herculaneum and Pompeii.

It was produced from the roots, stems and berries of several species of Raisin Barberry growing for the most part high up among the Himalayas. Hence we find that it was exported to the western countries from Barbaricon and Barygaza, two ancient sea-ports near Bombay on the north-western coast of India. (12)

Pliny says that it was sent

(12) Warmingtons' *Commerce Between Rome & India* p. 205.

by the Indians in the skins of camels, and rhinoceroses, (13)

Mordants

The mordants (காரம்) used by the ancient Hindus in the dyeing and printing of calico was mostly of five kinds, namely, (1) சவுக்காரம் (Savukkaram), a kind of alkaline salt; (2) சினக்காரம் (Sinakkaram) alum; (3) பொரிகாரம் (Porikaram) another kind of alum; (4) வெண்காரம் (Venkaram), borax; and (5) கடிக்காரம் (Kadikkaram) lunar caustic.

Conclusion

In conclusion, it may be stated that the colours mentioned above with their combinations were beautiful and fast, and the varieties of pattern and the number of colours which the ancient Indians knew how to mix on different parts of the cloth, gave to their painted and printed calicos a beauty and value of no ordinary kind. (14)

The art of Calico-printing subsequently made its way into Egypt and the surrounding countries, as is evident from a passage in Pliny's *Natural History* (xxxv. 42). In the seventeenth century A.D. it was introduced into Europe through Holland by the Dutch East India Company.

(To be continued.)

(13) *Natural History* XXVI 72.

(14) *Ency. Brit. Art: Calico*.

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