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LAW, LITERATURE AND PHILOSOPHY

(By PROF. K. R. R. SASTRY,
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LAW stands to be illuminated by literature and philosophy. Law is the "concrete realization of philosophy" and law and philosophy are lit by literature. Law is the "synthesis of speculations of ages as to the rules of human conduct, imposed in order to protect, not merely society as an organisation, but the individual from evil."

Manu, a legal philosopher of great renown, draws the motive for desisting from crimes from a deep delving into human nature:

"The whole race of men is kept in order by punishment, for a guiltless man is hard to be found; through fear of punishment indeed this universe is enabled to enjoy its blessings."

Philosophy is "investigation and love of wisdom", and wisdom is an achievement. The wise person is beyond the dualism of hope and fear. The true philosopher is a "synthetic thinker and spiritual seer who by knowing Brahman realizes everything else and communicates his wisdom to others."

"The State," says Aristotle "comes into existence for the sake of life but it exists for the sake of the good life." (Pol. 1 2).

What are the things that make men happy as distinguished from pleasant? "To watch the corn grow or the blossoms set, to draw hard breath over plough-share or spade, to read to think to love, and to pay"—(Ruskin) these make men happy.

How literature serves a handmaid to philosophy?

"All that is really beautiful is offered to us as a gift from the Maker. We are allowed to see the sun arise and set, to watch the clouds sailing a'long the sky, to enjoy the forests and the fields and the glorious sea, all without spending even a copper-coin. The birds sing to us for nothing and we pick up wild flowers as we walk a'long the roadside. There is no entrance fee to the start' halls of the night. There is so much beauty all around that the thirst for it need never go unslaked or unsatisfied. A thing of beauty is a joy for ever."

Where Law and Philosophy Meet

In ancient Hindu theory the temporal sovereign was not the source of law. Man made law and revealed law were incompatible.

Where law is a revealed one, sanction is a religious and moral one. In ancient Hindu society where religions and secular elements were interwoven, and where civil and criminal sanctions were found in the state of non-separation, fear

of consequences in the other world was as much a reality as in the present existence. A certain dread of divine displeasure always acted upon the human mind.

The divine origin of law and the great antiquity of it going to a dim past produced in the mind a sympathetic attitude of willing compliance. Deference to authority and to a superior is a characteristic of all minds steeped in tradition. Conditional evil *a la* Austin is not the only force that secures obedience to law. Man finds it easier to acquiesce than to resist—(Bryce: *Studies in history and Jurisprudence* Vol II, p 41).

Democritus (460-360 B. C.) laid down, "The laws would not forbid each to live after his own liking so long as the one did not injure the other." The famous appeal of Antigone to the eternal unwritten laws is couched by Sophocles a great Greek tragic dramatist, in these words:

'Yea for these laws were not ordained of Zeus
And she, who sits enthroned
with gods below,
Justice enacted not these human laws,
Nor did I deem that thou, a mortal man
Couldst by a breath annul and override

The immutable unwritten Laws
of Heaven,
They were not born today nor yesterday:
They die not: and none knoweth
whence they sprang."

In Socrates, we find the identification of justice with obedience to the law. He associated with the idea of the unwritten law, the notion of the universally valid law which came from the gods.

"One of the most moving episodes in all literature is that which describes how Socrates in prison when urged by his friend Crito to escape, praises the laws of his fatherland as the basis of all social order and firmly refuses to depart from them, though he knows that obedience is death"—Max Hamburger: *The Awakening of Western Legal Thought* p. 111).

Plato laid strongest emphasis on the moral factor in relation to the idea of justice.

'Man is a social being,' says Aristotle, the faithful disciple of Plato. The distributive measuring rod is the principle of *Isotes*, equality before the law.

Law and Morality

Morality, has been a source of law, a supplement of law a prime test of its interpretation and an ultimate

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STUDY SANSKRIT

British Philosopher Appeals To English Students

A tribute to the achievements of India and Greece in the spheres of culture and civilisation was paid by Prof. Sir Ernest Barker, the well-known British philosopher at a meeting at Cambridge. He suggested that Sanskrit should be learnt by British students as a great classical language a'long with Latin and Greek and appealed for greater cultural understandings between the peoples of India and Britain.

The Chairman of the meeting Mr. Subrata Roy Chowdhury, said that the new India now emerging was destined to provide a solid spiritual foundation of which alone it was possible to build a world society. The role of the new India in bringing about peace and security of the world was unchallengeable.

RAMANATHAN STATUE

It is learned that the statue of Sir Ponnambalam Ramanathan will be unofficially unveiled on November 26.

JINNAH'S OUTBURST

HARPS ON HIS OLD THEME

Mr. M. A. Jinnah, President of the All-India Muslim League, in an interview to the representative of the *Christian Science Monitor* giving out the reasons which impelled the Muslim League to join the Interim Government said: "The Congress went into the Interim Government and manœuvred the British Government to ignore and by-pass the Muslim League and it would have been fatal to our interests if they had been left there in sole charge of the administration. We were there, forced to nominate five 'sentinels' to watch over and safeguard the Muslims' interests. The Muslim League has not agreed to the basis of the scheme for the Interim Government. It has been imposed by the decision of the Viceroy with the authority of His Majesty's Government. The Muslim League has decided to go into this arrangement in exercise of their right under the decision taken by the British Government, in order to safeguard their own interest in the day-to-day administration."

SCARE MONGERS' ANTICS

TAMIL CONGRESS AIM- POORANA SWARAJ

The Tamil Congress and its leaders are for responsive co-operation with all the progressive elements of Ceylon and it is an outright lie on the part of some scare mongering selfish men who prowl about to say that the Congress is against the Sinhalese. It was a slander by certain self interested Tamils. Thus declared Mr. V. S. Karthigesu, Secretary of the Jaffna Association in the course of a speech he delivered at the Vethakeroy Kandaswami Temple premises at Madduvil South under the auspices of the All Ceylon Tamil Congress.

Mr. Karthigesu said, "There must be unity among all communities for the purpose of running the Government successfully and for the attainment of Poorana Swarajyam within a short time for Ceylon."

"All have agreed that the Tamils must co-operate with the Sinhalese and the other communities in this island so that the Tamils might have equal opportunity to take part in the administrative and executive functions of the Government."

Leaders' Policy

"The policy enunciated by our illustrious leaders such as Sir P. Ramanathan, Sir P. Arunachalam and Sir Ambalavanar Kanagasabay was that the Tamils should first unite among themselves for the purpose of co-operation with other communities. This was the policy of our present Tamil leaders until the Soulbury Constitution was introduced.

"At present," Mr. Karthigesu said, "finding that more power" is

Jaffna Tamil's Success In England

Information has been received that Cadet M. Rajanathan of the Military College, Aldershot, England son of Mr. S. Mailvaganam, Retired Civil Servant Tanganyika (East Africa) and of Mrs. S. Mailvaganam, Nallur, Jaffna, has been granted the King's Commission with the rank of a full Lieutenant.

Lt. Rajanathan is an o'd boy of Trinity College, Kandy. He received the congratulations of the War Office for his outstanding performances in the final tests. He is expected here shortly on a visit to his parents.

More Municipalities

Preparations for the elevation of the Urban Councils of the Nuwara Eliya and Kurunegala to the status of Municipalities are nearing completion.

given to the hands of the people for the purpose of enjoying internal self-Government, some interested Tamil leaders are trying to divide the Tamils for their own self aggrandisement. The Tamils must unite among themselves and put forward a united demand and it is then and then only the other communities will respect the views of the Tamil leaders."



Hindu Organ

TUESDAY, NOVEMBER 19, 1946.

RACE AND CASTE

AT THE RECENT MEETING OF the U. N. O., speaking on the motion to incorporate South-West Africa in the South African Union, General Smuts sought to make a point by emphasising the caste and communal differences in India in reply to the Indian Delegates' condemnation of the motion. "Is there one country in the wide world", he asked, "where there is more racial discrimination between communities and classes than in Indian society? Has the delegate for India forgotten the fifty millions of depressed classes with all the social ostracism and humiliation they have to endure—a phenomenon unknown in South Africa and in the rest of the world?" It is obvious that General Smuts placed himself at the mercy of his opponent by indulging in this species of argument. Though there are communal differences in India, there is no communal or racial discrimination such as one finds in South Africa. With regard to his gibe at caste, he displayed equal ignorance of the actual conditions prevailing in India. On this point Sir Maharaj Singh, the Indian Delegate, observed: "General Smuts made an attack on the caste system of India and asked how we could criticise the Government of the Union of South Africa for a policy of racial discrimination. As regards the caste system and the depressed classes, it is clear from what General Smuts said that he has not the remotest idea of conditions prevailing in India. Every caste has the same legal, political, municipal and civic rights as any other. As an illustration, let me point to our own delegation which consists of twenty members belonging to three different creeds and many castes. And yet we enjoy absolutely equal rights in India. Let me also tell my fellow-delegates that at present in every Cabinet in India, including the Interim Central Government, there are one or more members of the so-called depressed classes working on absolutely equal terms with other Ministers and entrusted with important portfolios."

We wonder what made General Smuts rely on so weak an argument as that advanced by him. He had a very bad case, which fact perhaps explains the defects of his logic. If there is one part of the British Commonwealth which is disqualified for the office of trusteeship over less advanced races, it is the South African Union.

SCRAP BOOK

By DIARIST

The Super Dam Builder, Dr. Jack Savage, it was reported, will be in Ceylon in February next. Dr. Savage has more super dams to his credit than any other man. He is coming to Ceylon on the invitation of Mr. S. G. Taylor, the Director of Irrigation, to report on certain irrigation projects. Mr. Taylor is reported to have said that Dr. Savage will not be able to devote his attention to more than two such projects. It is said that the demand for his services are so great and pressing that he normally does not stay more than a week at a place. But with Ceylon's usual luck the authorities hope to persuade him to remain longer. The two projects which will engage Dr. Savage's attention are the Gal Oya Reservoir and the Walawe Reservoir Schemes—two of the largest earth dam projects in Ceylon. This reminds me of an important irrigation scheme proposed by a former Legislative Councillor. I think it was Mr. S. Rajaratnam who mooted the idea of damming the Mahaveli Ganga. I do not know for what reason his suggestion was shelved, but now it deserves some consideration. It is neither hard brained nor Utopian when compared to some of our Ministers' fantastic post war schemes.

It is quite evident now that Ceylon women are becoming more and more politically conscious and are evincing some interest in what is going on round them. A few days ago an interesting conversation took place between a lady and some others travelling in a coast line train. Their talk ranged from party politics to emancipation of women and the Darwinian theory of evolutions. The lady who by the way is an ex-*Inspectress of schools*, went into fits of laughter on seeing Collette's cartoon in the "Times of Ceylon" about the United Nationalist Pedigree Kennel. She could not, she confessed, help admiring the cartoonist's sense of humour and fair-play evident in his sketches—especially the half upturned, smiling and contemptuous upper lip of the bull-dog. From party politics she descended to free education. She

was loud in her condemnation of the way in which the scheme was being implemented. Her children, she said, were being educated in India where people were in the habit of asking her who her ancestors were, because the Indians, it appears, had read about such controversies in the papers. As for herself, she said, she was not worried in the least whether she was a descendant of Vijaya or not. She also added cryptically that the educated women of Ceylon would not be helpful in the emancipation of their sisters, because of their superiority complex which is not found in India.

Mr. George E. de Silva must be reading the papers with much care. He is much grieved that he is the subject of press criticism. He need not trouble himself much over it and whine for mercy, because most of the criticisms are levelled against his departments and not at him; he can safely take cover under that. Querulous Mr. de Silva says that he is being misrepresented by people who want to run him down. Who are they and what did they say? So far nobody, I think, has done more for Ceylon than our Minister for Health. He has built hospitals and hospitals, filled them with patients, and has as a crowning effort starved some of his charges at Madulsima. In fact George believes in death as the only solution to all the ills of the world, especially those of Ceylon. His intentions are good, but to be starved to death is a bit too nasty. There are quicker and less painful methods. George is also something uncommon. He has no squandermania as his colleagues have, and he never encourages it. When squandermania is the craze of the day it is something uncommon for one to be different. His hospitals did not cost any money. His magic wand did the trick. Well! We need plenty of Houses of observation.

An oracle from the Hill Country! Mr. A. F. Molamure, "the twentieth century edition of the fast declining" (Continued on page 5)

Sahib: Neither the *Christian Science Monitor* nor its readers are going to be deceived by this latest face-saving vituperations of Jinnah.

Bribery and Corruption

Some years ago, the Ceylon Government in a spirit of vindication of its honesty and incorruptibility, appointed a commission to go into the question of bribery. The Commission after an exhaustive inquiry issued a report: and, except the forced resignation of some of the State Council members, nothing came out of it. And no action has so far been taken to eradicate bribery and corruption in Government Departments. The vice of bribery has of late increased to a very alarming extent and we are told that some of the emergency Departments created since the War are the hotbeds of bribery and corruption. In fact, a state of affairs has been created by the powers that be whereby the public has come to think that offer and acceptance of bribery are not after all criminal and that anybody who wishes to have his or her matter favourably and expeditiously attended to, as a matter of course offers *santhosum* to the officer who does that particular work; and it is no wonder, in the circumstances, that the public have lost confidence in the honesty and integrity of the general administration of the country. This is deplorable and especially so at a time when the island is on the threshold of further advance in the path of self-government. Contrast this disgraceful state of affairs with that now prevailing in the Indian provinces administered by Congress Ministers. The Congress Ministries have opened up separate Departments to stamp out bribery and corruption and we are informed that the results are good. The Congress Governments in the Indian provinces are administered by men and women to whom positions of administrative power are only another vantage ground for their fight for freedom and for the emancipation of the masses. Here in Ceylon a clique of opportunists and political turncoats and renegades are at the helm of affairs, and it is no wonder that bribery and corruption are rampant in Government Departments. The Tamil maxim is explicit on the question:

"As the King so are his servants."

Bihar and the League

We are no advocates of violence. But we cannot help observing that Bihar has taught a lesson to the Leaguers which for all the world they cannot forget. Mr. Syed Masood Ahmed a prominent Leaguer in Bihar in a letter to his Fuehrer has asked him to do all in his power "to stop the lawlessness in Bengal if he has the least care for the protection of the Muslim community of the Bihar province." Mr. Ahmed points out that the happenings in East Bengal have brought reprisals in Bihar. "The East Bengal happenings should be checked immediately if the Muslim population is to be saved from complete destruction." Mr. Masood states. But we have our doubts whether Jinnah and his henchmen will be moved by such genuine appeals. On the contrary, we shall not be surprised if his attitude becomes stiffer. The Muslim masses are gradually coming to realise that *Pakistan* is an idle dream in the delirious brain of Jinnah. The terrible carnage just now over in Bihar and in Eastern Bengal may after all be a blessing in disguise and may portend everlasting Hindu-Muslim unity in Hindustan and to the downfall and the ultimate exit of Jinnah and all that he stands for.

Notes and Comments

Malaviyaji

Today the whole of Hindudom is mourning the loss of its noblest son in modern times. Pandit Madan Mohan Malaviya's work and life will live to remind the future generation of Hindus with what one man can achieve by his steadfast devotion to the cause he makes his own. Malaviyaji's services are too great and too many to be recounted here. Though we knew that he might not be with us long, the news of his death came as a shock to all of us. His last appeal to the Hindus, issued just a week before his death should serve to unite the Hindus as never before and make them fearless champions for serving and saving Hindustan. It is the duty of all Hindus, wherever they are, to act upon the last message of our revered leader and to rise and resist heroically every anti-Hindu aggression in whatever form it may come. Malaviyaji is no more with us in body. Yet his noble life dedicated to Hinduism and to Hindustan is a beacon light to lead us Hindus to freedom.

Jinnah's Antics

In an interview to the *Christian Science Monitor* Mohamed Ali Jinnah, the Muslim League Presi-

dent, is reported to have said that the "League was forced to nominate five sentinels" to watch over and safeguard Muslim interests, and he implied that the Leaguers in the Indian Interim Government were not bound to co-operate in the day-to-day administration of the country with the Congress or for that matter with the other members of the Government. This is a deliberate falsehood indulged in by Jinnah. If the League appointed its nominees to safeguard Muslim interests why on earth did it appoint a scheduled caste Hindu in the person of J. N. Madal in its quota? Contrast this statement of Jinnah with the statement of his principal lieutenant who is also the leader of the group in the Interim Government. Mr. Liaquat Ali Khan has on the eve of the assumption of office by him and his colleagues said publicly that they were going into the Government to cooperate, and nowhere has he said that they were going to "keep guard" over the actions of Nehru and his colleagues. The truth of the matter is that something is definitely wrong with Jinnah. Since of late the Quaide Azam has lost his mental equilibrium Perhaps the Bengal Carnage and its aftermath in Bihar has had a hand in these effusions. The world has now become used to these cheap vituperations of Jinnah

PUBLIC SERVICES AND MR. SENANAYAKE

EX-AUDIT CHIEF'S REVELATIONS

In the course of his speech at a largely attended meeting at Moolai on Sunday last convened under the auspices of the All-Ceylon Tamil Congress, Mr. K. Kanagaratnam, retired Acting Auditor General, referring to the recent statement of the Leader of the State Council reported in the press regarding the administration of the Public Services and their control and discipline said:

I have read with great interest the complaint of the Leader of the State Council regarding the administration of the Public Services and the indifference shown in recent times by the officers responsible for the administration which he felt was bound to result in a weakening of discipline. He further stated that he had lost faith in the administration of departments generally and in the ability of the Police Force to provide any measure of protection to the law-abiding public against acts of lawlessness. He therefore proposed to dissociate himself from the administration of the Public Services. In considering this matter let us remember that today the public services are almost entirely Ceylonised and it is impossible for any administration to create dissension in a Ceylonese Public Service except on some valid grounds. There is however no doubt that today there is great dissatisfaction, discontentment and general uneasiness among the members of the various Public Services and this should engage the serious consideration of the public, now that we are on the threshold of taking over the entire internal administration of the country under the new Constitution. What ever causes may have contributed to this state of affairs, it is an abject confession for the Leader of the House to make at this last hour after 15 years' rule under a Ministerial system that our seven good Ministers who had direct control over the departments in their charge had no time nor the simple common sense to understand the mind of the various heads of departments with whom they come in contact daily or of the large body of employees both in the higher and lower grades. I was associated with the Public Service for 36 years both when it was administered under the Colonial system and under the present Constitution under which the responsibility of public administration has been divided between the Governor and the Board of Ministers through the various Executive Committees and I can speak with some authority and intimate knowledge of the evolution of the Public Services during this period. By virtue of the nature of my duties as an Audit Officer, I had intimate connection with every department in the Public Service and at no stage of my service had I any reason to doubt its sense of loyalty and devotion to duty. I remember how in the dark days of 1915 when riots broke out, every public servant in Colombo, both high and low enrolled himself as a Town Guard and rendered loyal assistance to restore order and security to the public life of the country. This was the time when the services were under the control of one master viz. the Governor, through the Chief Secretary. When

the present Constitution came into being in 1931, this control was partly transferred to the Board of Ministers, the various Ministers and their Executive Committees being conceded the power to advise on the recommendations made by heads of departments to the Public Services Commission in regard to higher appointments, and the Ministers themselves were freely consulted in regard to selection and transfer of officers at the top of the services. The senior members of the Public Service were not quite clear of their position in this dual state, but nevertheless they accepted loyally the changed conditions in spite of the fact that the feeling was growing as the new Constitution was being worked that things were not as straight as when they were under one control under the previous administration. Well considered recommendations of Heads of Departments were brushed aside and subordinate officers worked up their cases over the Heads of Departments by canvassing among the members of the Executive Committees. This naturally brought conflict in Government Departments and a certain amount of disloyalty in the otherwise well ordered and well disciplined public services. In my opinion, reference to Executive Committees of recommendations of appointments in the higher services was not wholesome for an efficient public service independent of politics and I cannot understand how this came to be included in the Public Services regulations when the Donoughmore Constitution itself made no provision for such reference. During the actual working of the Constitution, various practices were adopted by the various Ministries and it is common knowledge that there were interferences in the matter of even ordinary appointments. I know of cases where Ministers on their own initiative selected or recommended men for certain posts or sat on Selection Boards although under the Constitution or under the Public Service regulations no Ministry can consider an appointment unless a recommendation was referred to it by the Public Services Commission. Consideration other than merit influenced in many cases the decisions and recommendation of Ministers and Executive Committees and Heads of Departments too were influenced to make recommendations which pleased these bodies. Yet, the Heads of Departments tried to accommodate the wishes of the Ministries in order to avoid friction. We know the fate that has fallen to Heads of Departments who tried to maintain the independence of the Public Services and resisted the unprovided and unjustified Ministerial interferences with the legitimate discharge of their public duties. They were even accused of obstruction and opposition to the further progress of the country and reported to the Governor. I am aware of good and efficient public servants who failed to please their political masters even after becoming so pliable as to be called servile and left the service in sorrow and disappointment. One of the distinguished

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Mammoth Meeting Supports Mr. Kanagaratnam

A large gathering representing over 10 villages in Valligamam West Division, Jaffna, assembled on Sunday last in the Temple Mandapam at Moolai to welcome Mr. G. G. Ponnambalam, the President of the All-Ceylon Tamil Congress and to support the Congress as the one and only authentic organisation to represent the Tamil cause at the forthcoming Parliamentary elections. Muhandiram M. Krishnar presided and referred in eulogistic terms to the selfless work of Mr. G. G. Ponnambalam to champion the cause of the Tamils. Mr. R. Thambiah, Dr. K. Cathiravaloo, Messrs S. J. V. Chelvanayagam, K. Kanagaratnam, A. Thillaiampalam and S. Narasingham explained the objects of the Congress and exhorted the audience to make it the effective organisation of the Tamils. Muhandiram Krishnar in his closing re-

Jaffna Schools Soccer

The final championship matches of the 1st and 2nd eleven competition in the Jaffna Schools Soccer will be played on Saturday the 23rd. The 1st team finalists are Jaffna Hindu and Paramesvara and the 2nd team finalists are Jaffna Hindu and St. John's College.

Jaffna Hindu has annexed 8 championships in the 1st team and 2nd team since won the 1st championship on neutral grounds in 1937. It is also noteworthy that since the inception of the 2nd team competition Jaffna Hindu College 2nd team has figured in the Final Championship matches.

marks asked the voters of the Vaddukoddai Division to pledge their unanimous support to Mr. Kanagaratnam who has shed lustre on the Public Service by his devoted and loyal work and independent and fearless criticisms and who has now come forward to serve the Tamils in his characteristic selfless way.

11 MILLION PALMYRAHS DESTROYED

IN 25 YEARS SAYS G. A.

(By the Hindu Organ Reporter)

OVER 11 million Palmyrah palms were cut down within the last 25 years and they should be replaced as quickly as possible declared Mr. C. Coomaraswamy, Government Agent, Northern Province in the course of his address while opening the Food Production and planting week on Tuesday last at the Drieberg's College, Chavakachcheri.

Farmers from all parts of Thenmaradchy were present at the meeting which was presided over by Mr. Coomaraswamy.

In the course of his address Mr. Coomaraswamy appealed to the farmers and others to have palmyrah grown as a national industry and bring all waste lands under palmyrah groves. Already thousands of seeds were planted during the last few months and with the enthusiasm created by the people, it will not be impossible to plant 11 million seeds. This will have a direct bearing on the water supply of the peninsula, soil erosion and solve to a great extent the fodder question of cattle and food for man. The Agricultural Department chemists had made it possible to have palmyrah juice made into jam and this will soon become a cottage industry of Jaffna, it is hoped.

Mr. Coomaraswamy urged the people to plant fruit trees and eat more fruits so that their health may be improved and an internal and foreign trade may be established.

Mr. N. Arunachalam on behalf of the Farmer's Union, Thenmaradchy complained to the G. A. that the farmers had lost heavily on food production work. He asserted that the assistance so far given by the Government was quite inadequate. The channels at Kilinochchi and Paranthan should be completed by the Irrigation Department before the people are given land for cultivation. The farmers should be given all amenities as given to the farmers in the South. They re-

quire wells sunk for them—and not paltry sums. At least 75% of the cost of constructing them according to the depth of well, and cost of building walls should be granted. He wanted the Government to build proper and good agricultural roads to those areas where good lands could be brought under cultivation.

Mr. Coomaraswamy in reply said that the grievances of the farmers were looked into sympathetically and some of the matters the Farmers' Union had represented had already received his attention and that of the Government and that all possible assistance would be given as the revenue of the country improves.

Mr. M. R. M. Jebaratnam of the Agricultural Department, and Secretary Food Production Committee (Tree Planting Campaign) then addressed the meeting. He said that, if only people could co-operate, organise and standardise production, many of the difficulties that the Farmers Union complained could be solved by applying Co-operative Principles. He said that the time had come when every citizen should help himself through organised bodies. Fruit cultivation and paddy cultivation should be a home industry by which he said, the cultivator, his sons and daughters will have some share to cut down the labour cost. As to the labour problem Mr. Jebaratnam said that the farmers were themselves to blame for the high cost of labour. They competed among themselves to get labour. He advocated that colleges and schools should be closed during harvesting and other seasons so that the long vacations may be advantageously used by students and teachers to help the farmers so that labour cost may be controlled they could become good agriculturists when they leave school.

The D. R. O. Thenmaradchy thanked the Government Agent and the other speakers.

TRADE AMBASSADORS

Ceylon Wants to Send to Foreign Lands

THE State Council will soon be asked to sanction a proposal for the appointment of trade representatives to propagandise Ceylon produce in some of the principal cities of the world.

Mr Rajah Hewavitarne, Minister of Labour, Industry and Commerce, told a Press Reporter that his Executive Committee favoured the early appointment of these trade representatives. Sir Oliver Goonetilleke, Financial Secretary, whom the Committee has consulted, also shares this view.

Mr. Hewavitarne said he hoped to send the first of these trade envoys to the United States of America. Trade representatives would also be sent to Australia, Europe (France), Middle East (Cairo or Port Said), Canada, South America and Russia.

THE LAW SOCIETY OF CEYLON

The November Meeting of the Council of the Law Society was held on Saturday the 9th inst. at Trinity Place, Hulftsdorp. The President Mr. Sam J. C. Kadirgamar, presided. Members of the Council from Kandy, Kurunegala, Hatton, Avisawella, Kalutara, Balapitiya, Galle and Colombo were present.

The President stated that he had received from the Legal Secretary a copy of the draft Bill to incorporate the Law Society and the consequential draft Bill to amend the Courts Ordinance and that as soon as the Financial implications are approved by the Board of Ministers the Bill can be introduced. Mr. Susanta de Fonseka, M. S. C., Panadura, has undertaken to introduce the Bill in the State Council. The matter had to be in abeyance pending the return of the Financial Secretary from abroad.

The Council gave a Ruling on the premium to be charged by Proctors taking non-proctor Notarial apprentices.

Among other matters the Council considered reports from Standing Committees and referred to the appropriate Standing Committee the question of Proctors acting as Secretaries of Limited Liability Companies.

The President informed the Council that satisfactory arrangements had been made with the Petrol Controller for issue of coupons to outstation members attending monthly meetings of the Council.

Drowned in Temple Tank

The body of one Sangarapillai Thambirajah of Nunavil was found floating in the Nallore Temple tank on Saturday last in rather a decomposed state. It is reported that the deceased went to bathe in the tank on Friday, and was drowned. The usual post-mortem inquiry was held and the body was removed by the relatives of the deceased.

Wants Legislation Against Political Bikkus

Brahmachariya Samaradivakara of Polonnaruwa, is fasting to death until the Government promises to legislate against bhikkus taking part in politics.

He started his fast on November 8.

A public meeting was held at Polonnaruwa on Wednesday last and a resolution was passed asking the Government to take action to prevent the bhikku's death.

"He who perceives one eternal substratum in all elements, the indivisible in the divided, acquired true salutary knowledge. The wise and the learned see equally the Brahmana, possessed of learning and discipline, the cow, the elephant, the dog and the degraded Chandala."

—Bhagavad Gita

NEWS IN BRIEF

Generalissimo Chiang-Kai Shek has issued a cease-fire order to his Nationalist troops

An outbreak of small pox has occurred at Bandarawela. The patients are recent arrivals from India.

The famous Subramania swamy Temple at Trichendur in South India was thrown open for worship by Harijans last week

The United Nations Organisation's General Assembly has admitted three more nations viz. Afghanistan, Iceland and Sweden as its members.

One Hundred thousand American fountain pens weighing four tons and valued at about Rs. 3,400,000 have arrived at Karaachi, by air. They are destined for Bombay Calcutta and Madras.

NOTICE

PAPER CONTROL Department

The Controller of Paper, No 47 Ward Place, will receive sealed tenders up to noon on Thursday November 28, 1946 for transporting paper between Jaffna Railway Station and the Paper Control Stores at Kankeanturai Road, Jaffna.

The Tenderer should quote on the basis of per cart load, single and double bullock carts separately and should include loading and unloading.

Tenders should be marked "Tenders for transporting paper-Jaffna" on the top left hand corner of the envelope.

A. C. RICHARDS,
Controller of Paper.

Colombo, November 19, 1946.
(G. 108. 19. 11.)

Nehru's Tributes to Departed Leader

The remains of Pandit Madan Mohan Malaviya were cremated at the Manikarnika Ghat on the bank of the Ganges. Almost the whole of Benares joined the funeral procession.

Benares observed a complete

VEDANTA MOOLA SARAM OR THE ESSENCE OF THE UPANISHADS

(By A Science Graduate)

(Continued from our issue of 12-11-46)

XXXVIII

XIII. THE CHANDOGYA UPANISHAD (Contd.)

First Adhyayam

Our Upanishad commences with the praises of the sacred Omkaram, that prime syllable or letter, the first product of creation, emblematic of God, of which we have already tried to give some idea to the reader in previous articles, particularly when dealing with the Atharva Sikha and Mandukya Upanishads, which are pre-eminently the Upanishads of the Omkaram. Starting with the praise of the Aum, it immediately proceeds to identify the Aum with the Udgitham, that portion of the Sama-Veda hymns (second chapter) which is chanted at the Soma sacrifice: Om! this letter, the Udgitham, should be adored, because people sing beginning with Om. Its explanation (is the following). The earth is the essence (source or support) of all substances, water is the essence of earth (pervades it) and plants the essence (or product) of water. Man is the essence of plants (lives on them as food) and speech the essence (highest faculty) of man. The Rik is the essence (best) of speech, the Saman of the Rik, and of the Saman the Udgitham (Aum) is the essence. The Udgitham is the quintessence of all these essences. It is the Supreme, the most adorable, the eighth (Khanda I, sruties 1 to 3).—As we have often stated, no Vedic Mantras are recited without commencing and ending them with the sacred Aum. All the Vedas are pervaded by this sacred letter and the Udgitham which forms an important part thereof is similarly pervaded. The text itself gives the reason for the identification, mentioning eight categories of what we see around us, each of which is said to be the essence of the preceding one, the last, the quintessence of all being the Udgitham or Aum. It may be noted here that the sacred Aum, generally known as Pranavam, the name assigned to it in the Rik-Vedam and other works, is called Udgitham in the Sama-Vedam.

Questions are then asked as to what the Rik, the Saman and the Udgitham are and the replies follow: Rik is speech, Saman is breath and Aum, this letter, is the Udgitham. Verily speech and breath, Rik and Saman, make a couple. The couple is joined together in the letter Aum... He verily becomes the gratifier of desires who, knowing it thus, meditates on this letter as the Udgitham (sruties 5 to 7).—Further praises of the syllable follow: Verily this is a word of acquiescence. Whatever is agreed to, Om is surely repeated. Hence this acquiescence is called gratification. He verily becomes the gratifier of desires who, knowing all this, meditates on this letter as the Udgitham (sruti 8).—The reference here is to the practice of using the word ॐ or ॐ (Aum) meaning 'yes' as an expression of assent and to the sense of gratification or pleasure felt by the first speaker when the second speaker assents to what the first says.

The first Khandam or section of the first Adhyayam concludes as follows: Both, those who are versed in the letter thus (explained) and those who are not, alike perform ceremonies through this letter. (But) knowledge and ignorance are unlike each other. That which is performed with knowledge (understanding) faith and devotion is (comparatively) more effectual. This verily is the explanation of this letter Aum (sruti 10).—Ceremonial worship then has its reward always, only the result is more effectual when it is performed with a clear grasp of its meaning.

The second Khandam or section of the first Adhyayam starts by mentioning a contest or struggle between the Devas and the Asuras in connection with the Udgitha ceremony. The words Devan and Asuran here evidently stand for the lustrous, bright or good nature of man and his dark side, respectively: They (the Devas) meditated upon the breath in the nose as the Udgitham. The Asuras contaminated it with evil; hence it smells both fetid and scented, being verily contaminated by evil (sruti 2).—Breath as we know can be put to good as well as bad use. In Yogic practices, for instance, its control (Pranayama, प्रणायाम) is one of the principal steps that leads to Samadhi (समाधि) or peaceful rest. The Devas used it well, meditated on it as the Udgitham or Aum. But the Asuras made quite a profane use of it. Further passages follow regarding speech (the mouth), vision (the eye), the mind (Manas), &c, the Devas meditating on them as the Udgitham and the Asuras contaminating them with evil. Then follows the Sruti: They (the Devas) meditated upon Pranam as the Udgitham. The Asuras approached it (with the evident intention of contaminating it also with evil), but were destroyed as (is an earthen ball hit) against a solid stone (7).—and the moral: Thus, as an earthen ball striking against a piece of solid stone is rent as under, so will one be destroyed who wishes evil to one who knows this as also one who persecutes him; for he is (like a) solid stone (sruti 8).—In other words, harm not the good and the virtuous either in thought, (word,) or deed. Further praises of the Udgitham follow, which should be meditated on as the Pranam, and the section concludes: He obtains all wishes by singing (the Udgitham) who, knowing this, meditates on the undecaying Udgitham. This with regard to the body (sruti 14).

(To be continued)

hartal in honour of the late Pandit. Schools and Colleges were closed for the day, while Benares Hindu University of which Pandit Malaviya was the founder observed a three-days hartal.

Tributes were paid in the Central Assembly to the memory of Pandit Madan Mohan Malaviya.

Pandit Jawaharlal Nehru, Leader of the House, referred to Pandit Malaviya as "a giant among men" and as "one of those who laid the foundation of modern Indian nationalism and, year by year, built up brick by brick and stone by stone, the noble edifice of Indian freedom."

Public Services And Mr. Senanayake

(Continued from page 3)

shed and efficient Ceylonese Civil Servants is under orders of retirement today because he tried to do his duty and maintain the independence of the Public Services. In the midst of these political interferences and over riding attitude of Ministers the Chief Secretary let loose the reins with the result that the Public Servants who looked up to him for protection, fair play and justice found the position helpless and hopeless and looked to other directions for advice and guidance. The Public Services League openly stated that it had no confidence in the Chief Secretary and the General Clerical Service which forms the brazen wheel of the Public Services shook the Treasury in its ill-prepared and ill-digested salary report which caused the latest trouble and gave the opportunity to the Leader to bitterly complain about the chaos created by those responsible for the government of the country. It is my considered view that the present sad and sorry plight in which the Public Services and the general public find themselves is due to the indifferent handling of the case of the Public servants by the Chief Secretary. He has been disowned by the General Clerical Service as its Head and what more proof you require of the lack of confidence in this senior Head of the Public Services?

The Leader of the House cannot however shirk his own responsibility and that of his colleagues in the Board of Ministers. The Chief Secretary was reduced to a nominal charge of the Public Services in the actual working of the Constitution and the Ministers and their Councillors were allowed to have complete control over the Departments. Beyond the powers vested in them under the Constitution, they interfered in many matters affecting transfers promotions and appointments vested in the Heads of Departments and Public Services were fully aware that their fate was in the hands of not one master but many. They seemed to think that merit did not always work and therefore resorted to other devices to secure their progress. Corruption crept into politics and gradually spread into the Public Services. I know that the corruption which was extensive in the Public Services during the emergency period was mainly brought about by corruption in some form or other in the political structure of the country. Why does the Leader of the Council weep over the maladministration of Government Departments when he himself defends fraud and dishonesty in the Public Services. He openly said in the State Council that people were falsely vilifying the Livestock Officer employed in one of his Departments when as a matter of fact I as Head of a Department after careful investigation made definite charges of fraud and misappropriation of Government money in the Department of which the officer was in charge and these charges are still under inquiry by the Financial Secretary.

I know the heights to which the various public services rose during the last emergency and the loyalty shown in undertaking all sort of duties to tide over the food difficulties. Only let there be no discriminator interference and intimidation under the new dispensation.

Law, Literature And Philosophy

(Continued from page 1)

mate limit to its sphere and degree of enforcement.

Conception of "Right"

When the claim of each is only limited by the power of each, we can have nothing of the nature of a right.—(J. Brown: *Underlying Principles of Modern Legislation*, p. 245). But when the claim of each is limited by reference to the claims of others we have rights.

Methods of Studying Jurisprudence

"Any constructive study of jurisprudence must be historical, it must be analytical, it must face the facts of our present social order, and to be productive of the highest result, it must be broad in its scope."—(Political Theories: Merriam, p. 176)

The purposes of criminal justice have deep advertance to its philosophical basis. Transgression of the Law which bound king as well as the subject had to be punished. The primary principles of punishment were for the protection of the people and restraining them in paths of virtue through fear of punishment. For, according to Manu, if the king were not without indolence to punish the guilty, the stronger would roast the weaker like fish in their elements.—(Manu, Chapter VII, 20).

It is not at all surprising that Jhering should consider punishment as no unmixed evil but having the effect of purifying the offender and reconciling him again with gods and men.

The Basis of Property

"Property is objectified will." This metaphysical theory of property is perhaps the nearest approach to the concept in a historical sense. The subjective will of man acquires for it an objective existence by appropriating the material objects and others. Such an exclusive acquisition and use of material objects that are scarce and desirable have been important factors in the life of man. "Such ownership or property has been desired and striven partly for pleasurable consumption, partly as means to further acquisition of consumable goods, but also for power over other human beings and for the prestige that attaches to ownership and power."—(J. A. Hobson *Property and Unproperty*, p. 13).

In such a complete grasp of juristic principles the names of a few legal philosophers emerge themselves out of the archives of time. Manu, the austere Hindu Law-giver, Yogi Yajnavalkya, Solon the Greek Law-giver, the noble Pagaman, who died a martyr for truth and justice, stand out as beacon lights for future generations. In the last century England produced one such in Sir Frederick Pollock. The science of law would become an arid track if it be not lit by philosophy and literature. This border-land was called the "penumbra of legal science." It is in such a deep and extensive study that the end of all social sciences can be realised. If the desires of men are always deserved that society would consist of happy individuals indeed

Thefts In Railway

Payments by Government on account of losses of goods entrusted to the Railway for transport increased from Rs. 11,759 in 1938-39 to Rs. 322,204 in 1944-45. The figure for the last financial year has not yet been disclosed but it must have exceeded Rs. 500,000, for it had reached Rs. 257,478 in six months.

OBITUARY

Mr. A. Canagaratnam

The death occurred on Sunday evening the 10th inst. of the late Mr. A. Canagaratnam, retired Deputy Shroff of the Hongkong and Shanghai Bank at his residence at "Mangalpathy," Oddumadam, Vannarpennai, and the remains were cremated at the Kombayanmanal Crematorium the following noon, in the presence of a large gathering. The late Mr. Canagaratnam was 76 years old. His wife predeceased him four years ago. The funeral pyre was set fire to by Mr. A. Abeythanandan a nephew of the deceased. The deceased was the eldest brother of the late Mr. A. Velupillai, Chief Shroff, Railway and of the late Mr. A. Paramanathan of the Bucks Hussars, who served with great distinction in World War No. 1. The deceased is survived by two sisters and leaves behind several nephews and nieces and a host of grandnephews and grandnieces to bemoan his loss.

WANTED

A Manager for the Vaddu East Co-op. Store Vaddukoddai. Salary Rs. 50 per month. Security Rs. 300 cash apply to the Hon Secretary. Applications close on 30-11-46.

A. KANDIAH,
Hony. Secretary,
Vaddu East
Co-op. Store.

(Mis. 235, 19)

WANTED

Wanted for the J/Kokuvil Hindu College from January, 1947 an Arts Graduate competent to teach English in the Senior forms. Apply to the Manager, Jaffna Hindu College and Affiliated Schools not later than November 25, 1946. V. Nagalingam, Principal.

(Mis. 229, 15, 19 & 22)

SCRAP BOOK

(Continued from page 2)

ing Kandyan aristocracy" knows who is, and will be, the leader of the Tamils of Ceylon. This belief and forecast were the result of Mr. G. G. Ponnambalam's attack in the State Council last Thursday on the Minister of Home Affairs for having called out the military during the strike. Mr. Molamure's reply to the criticism was in the shape of a forecast. In his estimation the Minister for Home Affairs is the acknowledged leader of the Ceylon Tamils. This is indeed a revelation. Knowing not where he himself stands, Mr. Molamure exhibits his lack of imagination in trying to assign the role of leadership to another. The soothsayer from the Hill Country was unable to predict his own trials and privations, but he professes to do it for others. Would he be kind enough to predict what is in store for the U. N. P? Mr. Natesan followed his new-found companion's attack with a reference to a "phoenix rising from the ashes of an abandoned creed." This pinchbeck exponent of principles must first be weighed. Pharisaic utterances will never pay in the long run. They are bound to show up sooner or later.

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[Mis. 248, 15-3-46 to 14-3-47.]

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[Mis. 190, 11-10-46-10-9-47]

THE VAVUNIYA-MULLAITIVU ELECTORATE

I announce my intention to come forward to contest the seat for the Vavuniya-Mullaitivu electorate in the general elections for the ensuing parliament of Ceylon. A manifesto will be issued shortly.

Mullaitivu C. VELUPILLAI
7-11-46.

(Mis 221, 12, 15 & 19)

ACKNOWLEDGMENT

Mr. V. Suppiah, J. P., Dr. V. Duraisamy, Messrs V. Rajaratnam, V. Rajasegaram, Rev. Fr. V. R. Tarcisius, and Mrs S. Mylvaganam, wish to thank all relations and friends who sent messages of condolence and attended the funeral of their mother V. Valliammaipillai.

Tondamannar,
Valvettitarai.

(Mis. 233, 19)

RICE BRAN

Rice bran is available for sale at the Forage Store, Bankshall Street, Jaffna at Rs. 7.50 per cwt. Applications for the bran should be addressed to the undersigned.

M. SRIKHANTA
A. G. A.

Jaffna, 8th November, 1946.
(G. 103, 12-11 to 11-12)

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA
(held at Point Pedro)

Testamentary Jurisdiction No. 325 PT

In the matter of the Last Will and Testament of Sinnathambypillai Nagalingapillai of Karaveddy North Deceased. Kathiravalapillai widow of Nagalingapillai of Karaveddy North Petitioner.

Minor I. Nagalingapillai Kailyanathan 2. Chinnathambiyambipillai of Karaveddy North Respondents.

This matter of the petition of the abovenamed petitioner coming on for disposal before M. M. I. Kariapper Additional District Judge, Jaffna on the 16th day of October 1946 in the presence of Messrs. Kandaiya and Mailvagaram Proctors on the part of the petitioner and the affidavit of the petitioner dated the 29th day of July 1946 having been read.

It is ordered that the 2nd respondent be and he is hereby appointed Guardian-ad-litem over the 1st minor respondent.

It is further ordered that the said Last Will be declared proved and the petitioner is the Executrix of the said Last Will and is entitled to have Probate issued to her unless respondents or any other person shall on or before the 29th day of November 1946 show cause to the satisfaction of this Court to the contrary.

This 16th day of October 1946.
Sgd. M. K. Mangarapillai,
Sgd. Addl. District Judge
(O. 94, 19 & 22)

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA
(held at Point Pedro)

Testamentary Jurisdiction No. 326 PT

In the matter of the Last Will and Testament of Kanther Karthigesar Variathamby of Alvai South Deceased.

Varithamby Vallipuram of Alvai South Petitioner.

1. Chinniah Bala-ingbam and
2. wife Maheswari of Alvai North Respondents.

This matter of the petition of the abovenamed petitioner coming on for disposal before M. M. I. Kariapper Esquire Additional District Judge, Jaffna on the 28th day of October 1946 in the presence of Messrs. Kandiah and Mailvagaram Proctors on the part of the petitioner and the affidavit of the petitioner dated 24th day of October 1946 having been read.

It is ordered that the said Last Will be declared proved and the petitioner is the Executor of the said Last Will and is entitled to have Probate issued to him unless the respondents or any other person shall on or before the 22nd day of November 1946 show cause to the satisfaction of this Court to the contrary.

This 28th day of October 1946
Sgd. M. M. I. Kariapper,
Addl. District Judge
(O. 95, 19 & 22)

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA
(Held at Point Pedro)

Testamentary Jurisdiction No. 324 P

In the matter of the estate of the late Menadchipillai widow of Nagalingam of Segamat Deceased.

Murugesu Thambirajah of Karaveddy North Petitioner.

Vs.

1. Murugesu Sinnatamby of Segamat,
2. Nagalingam Parameshwaran of do,
3. Nagalingam Puvaneswaran of do,
4. Sathidevi daughter of Nagalingam of do,
5. Nagalingam Jayarajah of do,
6. Nagalingam Chelvarajah of do,
7. Pooranam daughter of Nagalingam of do,
8. Nagalingam Mahalingam of do.

The 2 to 8 Respondents minors by their guardian-ad-litem the

1st Respondent Respondents.

This matter of the Petition of the abovenamed Petitioner praying that Letters of administration to the estate of the late Menadchipillai widow of Nagalingam of Segamat be issued to the Petitioner coming on for disposal before M. M. I. Kariapper Esquire Additional District Judge Jaffna on the 1st day of November 1946 in the presence of Mr. K. Subramaniam Proctor for Petitioner and on reading the Petition and affidavit of the Petitioner dated 22nd October 1946.

It is ordered that Letters of administration to the estate of the late Menadchipillai widow of Nagalingam of Segamat be issued to the Petitioner unless the respondents shall on or before the 22nd day of November 1946 show sufficient cause to the satisfaction of the Court to the contrary.

The 1st day of November 1946.

Sgd. M. M. I. Kariapper
Additional District Judge

(O 93, 15 & 19)

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(Mis. 204, 29-10 to 29-11-46.)

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(Mis. 209, 2-11 to 31-1-47)

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(Mis. 154, 3-12-45—30-11-46, 1)

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