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NO. 78.

Brotherhood In Hinduism

DR. M. HAFIZ SYED
Ph. D.; D. Litt

in Free India

[T] is the common and wellknown truth that is generally ignored and passed by and it is the obvious, the patent, and almost indisputable verity of life that is not kept in view and so the brotherhood of man, although intellectually recognised by all just and thoughtful people, is yet one of those subjects that are hopelessly ignored in ordinary life. There are many people existing in this world to whom the idea of the brotherhood of man has no meaning and foundation. Some of the leading men of the world with all their culture and enlightenment, have done incalculable harm to and brought untold suffering on their fellow beings by acting in a thoughtless manner and deciding the fate of the people under their charge in a way that has completely disregarded this deeply significant yet simple fact of our being. Religious dissensions and racial rivalries being the order of the day, some people still doubt whether the brotherhood of man has any basis in reality. On the other hand, there are some who believe that the brotherhood of man is a fact in nature and in all human relations, be they social, political, economic or religious. This fact should never be lost sight of, if we wish to make steady progress and live in concord and harmony. It is necessary that such an all-important proposition should be carefully examined and its merits ascertained.

Unessential Features

The cry, 'I am an Englishman first and Christian afterwards' or 'I am an Indian first and Hindu afterwards' is not unoften heard; but it is rare to hear man declare that he is a human being first and everything else afterwards; with all our advanced scientific ideas, we are fond of laying greater stress on the unessential features of our lives than on the essential and fundamental ones.

The brotherhood of man has a deep spiritual basis. Its practical realisation constitutes the first and last words on the paths of spiritual enlightenment. We may go to any highly advanced man of any faith or creed and we shall find him tolerant, loving and saturated with sympathy and goodwill for all. Brotherliness for all is a *sine qua non* of spiritual development according to both ancient and modern mystics.

Unity of Religions

All religions without any exception believe in the fatherhood of God as the creator and source of all beings. If that be so the only logical conclusion that we can draw from

this faith, is that all men are equal in the sight of God. As Sri Krishna says, 'The same am I to all beings; there is none hateful to me nor dear, they who worship me with devotion are in me and I am in them.'

The religions of the world aim at purifying the human heart and bringing it nearer to God; but people, in their indifference do not study their own faiths. This is why they act against them. I dare say, there is no religion in the world which has preached against the brotherhood of man and as a proof of this statement, which might perhaps be doubted by some sceptics, I take the liberty of quoting from the various scriptures of the Hindus and Muslims.

The oldest of the known religions of the world is Hinduism. All the sacred scriptures of this ancient faith contain clear and unmistakable references to the brotherhood of man. In the sixth chapter of the Bhagwad Gita we read the following striking verses: "He who regards impartially lovers, friends, and foes,—strangers, neutrals, foreigners and relatives,—also the righteous, and the unrighteous—he excelleth." In the third chapter, we read the following: "Having an eye to the welfare of the world also, thou shouldst perform action." "I, O conqueror of sleep, am the Self seated in the heart of all beings." There are many other such Slokas

Who is Brahman?

In the *Manu-Smriti*, we read the following: "He who befriendeth all creatures his name is Brahman." "He who thus seeth the Self in all beings, by his own self he realises the equality of all, and attaineth to the supreme state of Brahman."

In the *Katha Upanishad* (V 1'), we come across the following: "Thus one universal inner Self of all beings becometh one separate individual self for each form."

Again in the *Isha Upanishad*, we read, "He who seeth all beings in the Self and the Self in all beings—he hateth no more."

In the *Shanti-parva* of the *Mahabharata* the following verse is most significant: "He who is the friend of all beings, he who is intent on the welfare of all in act and thought and speech—he only knoweth religion."

And in the *Vis'nu Purana*: "Knowing the Supreme to be in all being, the wise extend love to all creatures undeviatingly."

Teaching of Islam

The Holy Koran teaches: 'To your parents show kindness and to kindred orphans and the poor and

(Continued on page 5)

A "Novel Procedure"

Can Ex-I. G. P. Visit Police Stations?

The policy of allowing Lieut. Col. R. R. M. Bacon, former Inspector-General of Police and Messrs. J. L. Waldron and P. E. Brodie, two Senior Officers of the Police, whose contracts were terminated at the beginning of this month, to continue in service for the purpose of writing the Administration Report for 1946 is not favoured by Mr. D. S. Senanayake, Leader of the State Council.

The Leader has informed the Board of Ministers that the procedure adopted is novel and that he finds it difficult to agree to this, particularly in view of the circumstances that led to the termination of the services of these three officers.

Mr. Senanayake has also questioned the propriety of allowing the three Officers to visit Police stations which they perforce would be doing in the course of gathering material for writing the Administration Report.

Mr. Senanayake has also asked whether it is proper that these officers should be attended by Police orderlies, and whether they should be permitted to use Police cars.

It is understood the Leader has demanded a clarification of these points and some other matters connected with the Police.

The Chief Secretary, it is understood, has requested the Minister for Home Affairs to inquire into the issues involved.

SIR P. ARUNACHALAM

Architect Of Ceylon's Political Renaissance

"We should read the comprehensive and stirring political speeches of the late Sir Ponnambalam Arunachalam by day and ponder over them by night" said Mr. T. B. Jayah at a public meeting, held at the Srivamangayar Vidiyalayam, Welawatte in connection with "Arunachalam Day" celebrations.

The celebrations were held under the auspices of the Colombo South National Congress Association and took the form of a public meeting.

Dr. A. Ratnapala presided.

Mr. Jayah recalled how, after a brilliant and outstanding career in the Civil Service the late Sir Ponnambalam Arunachalam had asso-

V. C's in Jaffna

G. A. Testifies to Their Orderly Functioning

A suggestion that voting in Village Committee elections should be made compulsory was made by the President of the Jaffna District Village Committees' Association at the Conference of Village Committees held at the Jaffna Town Hall on Sunday last.

Mr. C. Thiagarajah, the President of the Jaffna District Village Committees Association, in welcoming the Commissioner of Local Government, Mr. E. W. Kannangara, made the suggestion that voting in V. C. elections should be made compulsory.

Mr. Thiagarajah paid a tribute to the retiring Government Agent, Mr. C. Coomaraswamy, for his ungrudging support of the local Village Committees.

Mr. Kannangara described the retiring Government Agent as "the most outstanding figure in the Ceylon Civil Service." He hoped that his services would continue to be available to the public.

Continuing, Mr. Kannangara emphasised that there would be no self Government for Ceylon, if self Government was not fostered in the local bodies.

He announced that the Central Government would attend to 95 per cent of their needs.

Mr. C. Coomaraswamy said that in his opinion, the Village Committees in Jaffna were functioning very satisfactorily.

Mr. C. Suriya Kumaran, Assistant Commissioner of Local Government also addressed the conference.

Among the resolutions adopted at the conference was one requesting that a representative of the Village Committee in the Island be nominated to the Senate.

ciated himself with that great movement for the political renaissance of the country.

Founder of Congress

At a time when the people of the country were afraid to use the word 'Congress' because of its sinister associations in the neighbouring continent, Sir Ponnambalam Arunachalam had by founding the National Congress struck a blow for the generations that were to follow.

Mr. Jayah recalled the ambitious schemes and tireless efforts Sir Ponnambalam had made to extirpate communalism and to present a united Ceylon in the great struggle for independence.

Tributes to the memory of Sir Ponnambalam were also paid by Dr. T. Nallainathan, Mr. Gilbert Perera and Dr. A. Ratnapala.

WANTED

A manager for the Saivaprakasa Press, the Hindu Organ and the Inthusathanam. Salary according to qualifications. Experience in journalism, Press and Office management together with qualification or experience in accounting will be taken into consideration. Apply with copies of testimonials to the Secretary Saivaparipalana Sabha on or before 5-2-47.

ACKNOWLEDGMENT

Mr. & Mrs. Albert A. Nicholas of the Oriental Bank of Malaya Ltd., Kuala Lumpur, presently of the 'Bankhouse', Chapel Street, Jaffna, cordially thank all those who attended their wedding, sent them presents and congratulatory messages. Owing to early departure to Malaya they regret their inability to thank every one individually. (Mis. 302 17)

CEYLON SAVINGS BANK

Rate of Interest

It is hereby notified by the Directors of the Ceylon Savings Bank, that the rate of interest to be paid to depositors under rule 3 for the year 1947 be 2 per cent.

LESLIE V. COORAY,
Secretary.

January 4, 1947.

(G. 130, 17 & 21)



Hindu Organ

FRIDAY, JANUARY 17, 1946.

THE UNIVERSITY OF CEYLON

THE INTRODUCTION OF FREE Education as from October 1, 1945 is a great achievement, of which the Hon. Mr. Kananangara may feel legitimately proud. Very few countries in the world can boast of having made similar provision. The Hon. the Minister of Education proclaims that "today, in Ceylon, education is free from the kindergarten to the university". To what extent is this statement true? In the last decade of the nineteenth century and in the first decade of the twentieth century, at least three colleges in Jaffna prepared students for the Madras Matriculation or Calcutta University entrance examination and also for the First-in Arts examination of the Madras and Calcutta Universities. From about 1910 the highest forms in these colleges appeared to have been the Cambridge Senior and the London Matriculation classes. In Colombo, however, there were colleges preparing students for the London Inter-Arts or Inter-Science examinations. Any Ceylonese desirous of graduating had to leave Ceylon and join some University or had to prepare for the final examination as an external student and the only assistance that one could hope to get was the

Correspondence College Course. This state of affairs was to some extent remedied when the Ceylon University College was founded in 1921 where students were prepared for the London B. A. or B. Sc. examinations. The leading colleges in Jaffna also introduced classes preparing for the London Inter-Arts or the Inter Science examinations. On 1st July 1942, the University of Ceylon was founded and established and with the introduction of free education in 1945 the highest forms in these colleges are the H.S.C. classes. We are of opinion that this is definitely a set-back: accommodation in the University of Ceylon, even after the University is shifted to the new site at Peradeniya can only be limited, and the university cannot cater for all who want to graduate in Ceylon. The present system of admitting to the University only students who pass the University entrance examination which is a competitive examination—and it is the only thing the Vice-Chancellor can do under the existing conditions—cannot be satisfactory. We find a great number of students who want to do higher education unable to find admission to the University of Ceylon. These students are compelled to leave the island if they want to proceed with their studies. It is not every one who can afford an education outside Ceylon. In the Madras Presidency, there are the Madras University and the Annamalai University besides the Andhra University. There are a number of Colleges in Madras and other important towns in the Presidency like Madura and Trichinopoly preparing students for the degree. While we realise the importance of a Residential University like Cambridge or Oxford which will certainly give a training of which one may feel proud we are of the view that the University of Ceylon is in an extremely helpless position and unable to cater for the whole island. There must be provision for colleges preparing for the final examinations of either the University of Ceylon or the London University. We see no reason why Jaffna should lag behind in this direction. It is for educational bodies like the Board of Directors of the Jaffna Hindu College or the Hindu Board of Education to devise ways and means for providing facilities for higher education in Jaffna. Similar bodies must take similar action in other provinces, and Government should not grudge the necessary support to such institutions in the matter of providing facilities for higher education. The aid given by the Madras Government to the Christian College in finding a suitable site of about 100 acres for housing the college is enviable. Will our Government render similar assistance?

Notes and Comments

Mr. Senanayake At Knayesmere

In a spirit of self-emulation, Mr. Senanayake at Kegalle is reported to have referred to the "attempts made by Indians in Ceylon to prevent this country from getting internal self-government till the Indian Franchise question was settled." We are no advocates for the Ceylon Indians or for the Ceylon Indian Congress which claims to speak for the lakhs of Indians resident in Ceylon. But, we cannot, in fairness to justice and and Truth, allow such statements from responsible leaders, to go unchallenged. As a responsible leader and as a politician, Mr. Senanayake should know that it was the Ceylon Indian Congress which demanded complete independence for the country, long before the caucus which rules Ceylon today, had the strength to pray humbly for the grant of Dominion Status to Ceylon; and hence, it is a travesty of truth, on the part of Mr. Senanayake to accuse the Indians in Ceylon as being an impediment in the way of Ceylon's political progress. What the Indians demanded and continue to demand of the Ceylon Government are nothing but ordinary human rights in this land which they have made their own. Mr. Senanayake does not want to accede to these just demands; nor does he wish to begin talks on this question with the Indian Government, though the latter has repeatedly conveyed its anxiety for an early settlement of this vexed question. According to Mr. Senanayake, the present Government in Ceylon cannot and should not commit the country in any way to this question and that it should be dealt with by the new Parliament elected under the Soulbury Constitution. This is an eyewash, and Mr. Senanayake will be only fooling himself if he thinks that he can deceive others by such evasive talk. If the present Board of Ministers could negotiate and sell this island to the British imperialists for a mere mess of pottage, how on earth could it be incompetent to negotiate with the Indian Government which now, fortunately, is having truly nationalists at its helm, to solve the Indo-Ceylon problems to the satisfaction of both parties.

A Right Move

We congratulate the Minister of Local Administration on his decision to relieve the terrible congestion in the Karaiyoor area. This place, situated in the heart of the second largest town in Ceylon, has been for rather a long period, a terrible eye sore, and we hope that this blot will be removed at the earliest opportunity. We are told that a supplementary estimate of Rs. 2,406,000 is to be moved by the Minister of Local Administration for the Scheme shortly in the State Council. We are sure there will be none in the Council who would oppose this motion. It is a notorious fact that Karaiyoor is one of the worst slums in the island, and that steps should be taken at the earliest opportunity to give relief to the residents in this area.

Irony of Fate

M. Moulet, the French Colonial Minister who went to Indo-China to study at first hand, the situation there has returned to France without achieving any settlement with the revolting Viet Nam authorities. In the meantime fighting has not abated in Indo-China, and re-inforcements are being rushed into the country from France. It is an irony of fate that France which only three years ago was overrun and subdued into serfdom with an iron hand by a ruthless invader should now turn the same weapons of brutal force

and wilful destruction against one of its former colonies, the only fault of which appears to be its demand for independence—its birthright. Perhaps, France, now dominated by the die-hard M.R.P. and the financial magnates with vested interests in Indo-China, aided by the war lords who have now found out an outlet to show their prowess, thinks that she could once more build an empire to satisfy the cravings of her capitalist exploiters. It is not late even now for France to retrieve from the dangerous situation she has dragged herself into. It is a fact that she is already impoverished and she is now making an attempt by utilising all her financial resources to enslave twenty millions of Asiatics who are, however, determined to be free. It has been estimated that up to September last year France has squandered 200 million dollars in the Indo-Chinese operations; and it is assumed that more millions of dollars must have been expended in the present intensified struggle. It was France that first raised the banner of Equality, Liberty and Fraternity by its Great Revolution. The present colonial war should stop at least to save the fair name of France.

What Next?

The All-India Congress Committee, as its Delhi debate and the resolution adopted show, has gone its furthest limit in order to gain the friendship, goodwill and cooperation of the Muslim League, consistent with its cherished principles. What next? Will Mr. M. A. Jinnah now advise his League to enter the Constituent Assembly and allow it to participate in its deliberations? The Quade Azam is deliberately keeping mum, and there are prophets who foresee in this silence of the Oracle of Mount Pleasant, signs of League entry. But, we have our doubts. The League Fuehrer is not likely to be influenced one way or other by the A.I.C.C. decision, unless some of his followers are vociferous enough to show signs of revolt. Then and then only Mohamed Ali Jinnah will climb down from the lofty pedestal he has assiduously built for himself with the help and connivance of British Imperialists and credulous Muslim fanatics, and see things as they actually are. Even if Mr. Jinnah allows his followers to enter the Constituent Assembly we doubt whether he will work for its success. As the London *New Statesman and Nation* correctly pointed out, Jinnah "may wish to delay any settlement in the hope of Mr. Winston Churchill's return to power." Indian Nationalism is already impatient. The labour imperialists are playing with fire by their continuous placating of the League and its Fuehrer. If the Muslim League is not out for compromise, the British Government should immediately reshape its policy and as Major Woodrow Wyatt said, "having given a due date and due warning, should march out." If Indians cannot agree among themselves, the Britishers should quit leaving the Indians to settle their differences themselves. This is precisely what Nationalist India wants.

FOR SALE

Renault 12 H. P. car Z 2082 Engine perfect, four new tyres and battery. Owner buying new car. Rs. 3000/-. Inspection weekdays 9—12 noon Kachcheri, Jaffna

Mc. Heyzor.

(Mis. 300, 17 & 21)

Ananda Kumaraswamy at Boston

Severe Indictment of White Man's Policy

A formal inquiry into the heritage and responsibility of the English-speaking peoples got under way at Kenyon College with a blaze of verbal fireworks in which an Indian scholar accused both Great Britain and the United States of nothing less than hypocrisy in their treatment of "backward" nations, states the New York Times. The paper continues

Ananda Coomaraswamy, research fellow of the Boston Museum of Fine Arts, espoused a bitter indictment of the United Kingdom and the United States for their educational, political and religious treatment of other countries notably India.

He was the only speaker on the provocative three-day programme who is not from an English speaking country.

"Many of us are not yet, or no longer, blinded by ambition to be in any sense your rivals." Mr. Coomaraswamy told the gathering of several hundred educators and public and political leaders.

"Our hope is only that your world may come to its own senses and return to that inheritance of truth that must be the birthright of all mankind."

Macaulay's Policy Assumed

"It is beyond question," Mr. Coomaraswamy said, "that England has assumed not only political but cultural responsibilities in India, and amongst others, those involved in the control of education, the patronage of the arts, and the direct or indirect attempt to make Christians of Hindus and Moslems."

To Englishmen, these responsibilities, the first officially and the others unofficially assumed, seemed to be accidentally connected, but from the Indian point of view, these responsibilities are inseparable factors of a single policy, "that policy which was enunciated in its crudest form by Lord Macaulay by whose advice it was proposed in 1834 to form a class of persons, Indian in blood and colour, but English in tastes, in opinions, in morals, and in intellect. It would be a matter for laughter, were it not one for tears."

Mr. Coomaraswamy said that Rudyard Kipling, more than any other person, had distorted the true picture of India, adding:

"How can we think of you as grown up men, for so long as you play only with such toys as Kipling gave you, and only babble of green fields—the playing fields of Eton? It is high time that the Hollywood picture of India was forgotten."

He assailed modern education as being "in every sense of the word" isolationist.

Indian Ambassador in China

Mr. K. P. S. Menon of the Indian Political Service has been appointed as His Majesty's Ambassador for India in China.

It will be recalled that Mr. Menon was the Agent of the Government of India in Ceylon from 1930-33.

THE JAFFNA HINDU MAHA SABHAI

At a consultative meeting of the Religious Branch of the above Sabha, held at the Lanka College of Commerce on the 14 inst., with the president Mr. C. Nagiah in the chair, the secretary read out the names of the twelve benefactors who met the expenses of the twelve Gurupoojas during 1946.

The chairman recommended the same procedure that was followed last year in restricting the expenses to Rs. 5/- per Gurupooja and the time to one hour from 7 to 8 p. m. to be adopted this year also.

The chairman observed that they were cut to organise a Saiva Society having religious life as a 'summon bonum' and therefore he requested the Benefactors at least to have the Gurupooja days sacred in their houses also.

All the suggestions were unanimously accepted by the house and the 12 benefactors were selected and the names of the respective Nayanmars were given to each of them.

That No Confidence Motion

The Board of Ministers has informed the Speaker of the State Council that they have no objection to Mr. W. Dahanayake's motion of non-confidence on the Board being taken up if the Speaker feels disposed to give precedent to it, when the State Council meets next week.

Mr. Dahanayake's motion amounts to a vote of censure on the Board as it had not taken adequate steps to tackle the unemployment problem.

Next Wednesday, being the private members' day in the State Council Mr. Dahanayake is to move the suspension of the Standing Orders which would enable him to introduce the motion.

Rs. 165,000 for Speaker's Residence

The Speaker of the State Council is to be provided with an official residence by the State.

The Board of Ministers has approved a sum of Rs. 165,000 for the purchase of a suitable residence.

A supplementary estimate for this amount is to be moved by the Chief Secretary when the State Council meets next week.

WANTED

Wanted for the Jaffna Hindu College two teachers capable of teaching English and History or Tamil or Geography in the upper forms. Graduates preferred. Applications close on the 25th of January. Manager.

(Mis. 298. 10, 17, 21, 24 & 28.)

WANTED

Wanted for the J/Vadukkoddai Hindu English School a teacher to teach one or more of the following subjects: English, History, and Geography. Apply to Manager, Jaffna Hindu College & Branch Schools before 25-1-47.

(Mis. 297. 10, 17, 21, 24 & 28.)

Fell into Well While Cycling

A student of St. Peter's College, Colombo, while cycle along a lane at Urumpirai, Jaffna, last Thursday, fell into a well, and was drowned.

The boy, Kandiah Tharumalingam, aged 16, returned with his parents a few months ago from Malaya.

On Thursday evening he was riding home from his aunt's house along a by-lane. But an ancient unused wall covered half the width of the lane. As the boy approached the well, he saw a woman coming the opposite way along the narrowest part of the lane, and as there were some trees on the other side, he got on to the well side.

Losing his balance, he struck against a large stone and he and the cycle were thrown into the well.

The woman raised cries. People rushed to the scene, and stretched long poles and strings to give the boy some support inside.

After some time the body was taken out and artificial respiration rendered, without success.

The funeral took place at the residence of the boy's father, Mr. Sivaguru Kandiah in Urumpirai.

MAYOR OF COLOBO

Mr. R. F. S. de Mel was elected Mayor of Colombo on Wednesday last.

NOTICE OF APPEAL

IN THE DISTRICT COURT OF JAFFNA

No. 1105

1. Visaladchy alias Thangammah widow of Subramaniam and
2. Muttusamy Subramaniam both of Averangal. Plaintiffs.

Vs.

1. Kandar Chinniah Kanagasabai and wife
2. Pooranam both of Vannarponnai east
3. Thamotherampillai Sivagurunathan and wife
4. Savuntharipillai
5. Kandiah Nadarajah and wife
6. Saraswathipillai all of Karanavai north
7. Sinnatamby Sangarapillai and wife
8. Sinnammah both of Puttur west Defendants.

1. Chinniah Vallipuram of Colombo
2. Chinniah Snppiah of Anuradhapura
3. Arumugam Appiah and wife
4. Sinnammah
5. Ponnammah widow of Vallipuram all of Vannarponnai
6. Nagalingam Navaratnam
7. Nagalingam Kandiah
8. Sabapathy Subramaniam & wife
9. Annaratnam all of Anchananthalvu, Jaffna
10. Kanagasabai Sabaratnam of Veyangoda
11. Chellappah Rasiah and wife
12. Ratnam both of Kokuvil east
13. Karthikesu Nadarajah and wife
14. Rasammah both of Kokuvil east
15. Kanagasabai Thiyagarajah of do
16. Pooranam widow of Kanagasabai

of Vannarponnai east, Jaffna (same as 2nd deft)

Substituted-Defendants in place of the deceased 1st defendant.

To

The abovenamed 1st to 16th substituted-Defendants-Respts in place of the deceased 1st Defendant.

You are hereby required to take notice that the petition of appeal of the plaintiffs from the judgment of this court dated the 6th day of December 1946 having been received and the security tendered by them for your costs of appeal having been accepted and a sufficient sum of money to cover the expenses of serving this notice on you having been deposited in court the petition of appeal of the said plaintiffs-appellants, copy of which is hereto annexed will be forwarded to the Supreme Court from this Court for hearing in due course.

Both returnable 11-2-47.

This 6/8th day of January 1947.

By Order,

Sgd. Chief Clerk.

IN THE DISTRICT COURT OF JAFFNA

No. 1105.

1. Visaladchy alias Thangammah widow of Subramaniam and
2. Muttusamy Subramaniam both of Averangal Plaintiffs.

Vs.

1. Kandar Chinniah Kanagasabai and wife

(Continued on page 4)

2300 Polling Stations

Arrangements For General Elections

A census of public servants in all parts of the Island who are qualified to preside or do clerical duty at a polling station is to be taken immediately in view of the forthcoming General Election to Parliament.

It is learned that His Excellency the Officer Administering the Government has directed that the services of all officers of the Government, both of Civil List and non-Civil List status, should be made available when called upon for duty at polling stations or at the counting of votes. The only exceptions which would be permitted would be in the case of officers who are directly engaged in such essential services as cannot be even temporarily suspended during the polling.

As there are to be about 2,300 polling stations and as it is desirable that the elections throughout the Island should be completed within the shortest possible period every available officer's services will be required.

It is not proposed to declare the polling days as public holidays but non-essential services in Government offices will be temporarily suspended.

The Chief Secretary has informed Government departments that His Excellency has every confidence that heads of Departments and all employees of the Government will give their whole-hearted co-operation in this important work and that in cases where it is necessary for them to assist in parts of the Island outside their own district they would accept any inconvenience or unavoidable discomfort in the spirit of public service.

Notice of Appeal

(Continued from page 3)

2. Pooranam both of Vannarponnai east
3. Thamotherampillai Sivagurunathan and wife
4. Savuntharipillai
5. Kandiah Nadarajah & wife
6. Saraswathipillai all of Karanavai north
7. Sinnatamby Sangarapillai and wife
8. Sinnammah both of Puttur west

Defendants.

1. Chinniah Vallipuram of Colombo
2. Chinniah Suppiah of Anuradhapura
3. Arumugam Appiah and wife
4. Sinnammah
5. Ponnammah widow of Vallipuram all of Vannarponnai
6. Nagalingam Navaratnam
7. Nagalingam Kandiah
8. Sabapathy Subramaniam & wife
9. Annaratnam all of Anchanthalvu, Jaffna
10. Kanagasabai Sabaratnam of Veyangoda
11. Chellappah Rasiah and wife
12. Ratnam both of Kokuvil east
13. Karthikesu Nadarajah and wife
14. Rasammah both of Kokuvil east
15. Kanagasabai Thiyagarajah of Kokuvil east
16. Pooranam widow of Kanagasabai of Vannarponnai east, Jaffna (same as 2nd defendant)

Substituted-Defendants in place of the deceased 1st defendant.

IN THE SUPREME COURT OF THE ISLAND OF CEYLON

1. Visaladehy alias Thangammah widow of Subramaniam and
2. Muttusamy Subramaniam both of Averalgal

Vs. Plaintiffs-Appellants.

- dead.
1. Kandar Chinniah Kanagasabai and wife
 2. Pooranam both of Vannarponnai east
 3. Thamotherampillai Sivagurunathan and wife
 4. Savuntharipillai
 5. Kandiah Nadarajah & wife
 6. Saraswathipillai all of Karanavai north
 7. Sinnatamby Sangarapillai and wife
 8. Sinnammah both of Puttur west

Defendants-Respondents.

1. Chinniah Vallipuram of Colombo
2. Chinniah Suppiah of Anuradhapura
3. Arumugam Appiah and wife
4. Sinnammah
5. Ponnammah widow of Vallipuram all of Vannarponnai
6. Nagalingam Navaratnam
7. Nagalingam Kandiah
8. Sabapathy Subramaniam and wife
9. Annaratnam all of Anchanthalvu, Jaffna.
10. Kanagasabai Sabaratnam of Veyangoda.
11. Chellappah Rasiah and wife
12. Ratnam both of Kokuvil east
13. Karthikesu Nadarajah and wife
14. Rasammah both of Kokuvil east
15. Kanagasabai Thiyagarajah of Kokuvil east
16. Pooranam widow of Kanagasabai of Vannarponnai east Jaffna. (same as 2nd deft)

Substituted-Defendants-Respondents

To,

The Hon'ble the Chief Justice and other Judges of the Hon'ble the Supreme Court of the Island of Ceylon,

On this 16th day of December, 1946. The petition of appeal of the plaintiffs-Appellants above-named appearing by Mr. S. C. Cathiravelu their Proctor states as follows:—

1. The plaintiffs-appellants who

are the owners of an undivided half share of the lands referred to in the plaint, instituted the above styled action on the 20th day of December 1943 against the abovenamed 1st to 8th defendants-respondents for the pre-emption of an undivided half share of the lands described in the plaint and to set aside deeds Nos. 7053 of 22nd November 1943 attested by C. T. Kumaraswamy Notary Public, and 22nd of 21st November 1943 and attested by P. Kanapathipillai Notary Public. The plaintiffs-appellants stated in their plaint that the 1st and 2nd defendants executed deed No. 7053 and the 3rd to 6th defendants deed No. 22 each claiming to be entitled to an undivided half share of the said land, in favour of the 8th defendant.

2. The said defendants filed their answers in three sets denying that the plaintiffs were entitled to any share of the said lands and prayed for the dismissal of the plaintiffs' action.

3. During the pendency of the said action, the 1st defendant died and the 1st to 16th substituted-defendants-respondents were substituted in place of the 1st defendant.

4. After several postponements the case went to trial on the 4th day of December, 1946 on the following issues:—

1. Did the lands which are the subject matter of this action devolve on the death of Nallapillai on Arunasalam only to the exclusion of Mailvaganam's children viz, the 4th and 5th defendants?

2. Was deed No. 441 of 8-9-26 and attested by K. Aiyadurai executed for valuable consideration?

3. Was the said deed duly registered?

4. Does deed No. 441 of 8-9-26 prevail over deed No. 440 of 8-9-28 by virtue of due and prior registration?

5. Have the plaintiffs acquired a prescriptive right and title in terms of section 3 of the prescription ordinance to the share conveyed by deed No. 441 referred to above?

6. Were the plaintiffs the owners of an undivided half share of the said lands at the dates when deeds Nos. 7053 of 22-11-43 and 22 of 21-11-43 were executed in favour of the 8th defendant?

7. Did the 8th defendant and his vendors give notice of the said sale to the plaintiffs?

8. If not, are the said sales liable to be set aside and the plaintiffs declared entitled to pre-empt an undivided half share?

9. What was the market value of the half shares of these lands when deeds Nos. 7053 and 22 referred to above were executed?

10. Is there a misjoinder of parties and causes of action?

11. Were the plaintiffs aware of the sale by the 1st and 2nd defendants to the 8th defendant?

12. Can the plaintiffs maintain an action for pre-emption in view of the allegations contained in their plaint denying the title of the 1st and 2nd defendants and also of the 4th and 6th defendants?

13. Should their remedy be to first obtain a declaration of title in an action rei vindicatio before they institute an action for pre-emption?

14. If issue No. 10 is answered in the affirmative is the plaintiffs' action liable to be dismissed?

15. Were the plaintiffs aware of the intended sale by the 3rd to 6th defendants of the half share conveyed on deed No. 22 of 21-11-43 and did the plaintiffs fail to purchase

the shares sold by the 4th and 6th defendants at the market value?

16. If not, can the plaintiffs maintain this action?

17. Are the plaintiffs bound by the orders made in testamentary proceedings No. 5579 of this court from denying that a half share of these lands devolved on the 4th and 6th defendants on the death of Nallapillai?

18. Were the shares dealt with by deeds Nos. 440 and 441 of 8-9-26 two separate shares?

19. If so, are the plaintiffs entitled to claim the benefit, if any, of the prior registration of deed No. 441?

20. Can the plaintiffs who had no immediate right of possession at the dates of the execution of deeds Nos. 7053 and 22 have a right to pre-emption under the Tesawalamai?

21. In any case should not Arunasalam and Manganayagam at the date of sale entitled to life interest been joined as plaintiffs?

22. Is the 8th defendant entitled to the entirety of the lands described in the schedule to the plaint by prescription?

23. If so, can the plaintiffs maintain this action?

24. Have the plaintiffs denied the 1st and 2nd defendants' title to the half share sought to be pre-empted?

On the application of the Counsel for the 3rd to 6th defendants-respondents the learned District Judge proceeded to try issues Nos. 10, 12, 13 and 14 as preliminary issues and after hearing counsel for the parties reserved his judgment and by his order dated 6th December 1946 dismissed the plaintiffs' action with costs.

5. Being aggrieved with the said judgment and decree the plaintiffs-appellants beg to appeal therefrom to Your Lordships' Court on the following among other grounds that may be urged by counsel at the hearing of the appeal:—

- (a) The said judgement and decree is contrary to law and the circumstances of this case.

- (b) The learned District Judge was in error in dismissing the plaintiffs' action on the ground that there is a misjoinder of causes of action and parties. The provision of section 14 of the Civil Procedure Code, are wide enough to justify the plaintiffs' action and the plaintiffs are legitimately entitled to join all the three sets of defendants in respect of the same cause of action, namely, selling the other undivided half share of the lands described in the plaint to the 8th defendant, a stranger, without giving notice of the said sale to the plaintiffs who are co-owners.

- (c) The plaintiffs-appellants respectfully submit that there is only one cause of action against the defendants namely, the wrong committed by the owners of the other undivided half share by selling same without notice to the plaintiffs who are co-owners, which ever of the defendants be the owner of the said other half share of the said lands, and that all the defendants are joined in respect of the said other half share. The learned District Judge has erred in holding that there is a misjoinder of causes of action whereas in point of fact and on the pleadings there is only one cause of action.

- (d) The issues Nos. 10, 12, 13 and 14 which were treated as preliminary issues, were argued on the footing that the plaintiffs were entitled to an undivided half share of the said lands even though the defendants have denied the plaintiffs title to same in their answers. The learned District Judge in order to decide issue No. 10, namely, misjoinder of parties and causes of action, in his judgment wrongly assumes for the sake of argument that the 2nd defendant on the one hand and the 3rd to 6th defendants on the other are each entitled to an undivided half share of the said lands perhaps forgetting

the assumption on which the said issues were argued, namely, that the plaintiffs were entitled to an undivided half share of the said lands, and arrived at the conclusion that the cause of action against the 1st and 2nd defendants is different from the one against the 3rd to 6th defendants. The plaintiffs-appellants respectfully submit that the cause of action is one and the same against the defendants-respondents and not "similar" as the learned District Judge observes.

- (e) There is no foundation whatever for the learned District Judge's finding that there is a misjoinder of parties-plaintiffs. Paragraphs 5 and 6 of the plaint state in clear terms among other things that the plaintiffs were the owners of an undivided half share of the said lands at all times material to this action and they bought the said share from certain P. S. A. Sunderampillai. There is nothing either in the deed referred to in paragraph 5 of plaint or anywhere in the plaint, to show that each of the plaintiffs was entitled to an undivided $\frac{1}{2}$ share of the said lands. On the other hand it is clear that the plaintiffs bought the said undivided half share jointly. Section II of the Civil Procedure Code warrants the plaintiffs joining in one and the same action since the plaintiffs' interest are joint.

- (f) The plaintiffs-appellants further submit that the plaint does not bear out the learned District Judge's finding that the plaintiffs have denied the title of the 1st and 2nd defendants or the title of the 3rd to 6th defendants though the plaintiffs do not admit the title to the other half share in both sets of defendants. Paragraph 8 of the plaint and the documents 8D1 and 8D2 marked by the counsel for the 8th defendant are quite clear on this point. In effect what the plaintiffs claimed was that the remaining half share of the said land is severally claimed by the 1st and 2nd defendants on the one hand and the 3rd to 6th defendants on the other and was disposed of by them on deeds Nos. 7053 and 32, and as there is only one other half share left beside the half share belonging to the plaintiffs, it follows that the relief claimed by the plaintiffs is against either the 1st, 2nd, 7th and the 8th defendants or in the alternative against the 3rd, 4th, 5th, 6th, 7th and the 8th defendants.

- (g) The appellants further submit that the question of title of the parties to a pre-emption action is always incidental to the main action whenever it arises and should be decided without referring the parties to a separate action.

- (h) To meet the ends of justice, the learned District Judge should have at least permitted the plaintiffs to elect to prosecute the case against either the 1st, 2nd, 7th and 8th defendants or against the 3rd, 4th, 5th, 6th, 7th and 8th defendants. The plaintiffs-appellants submit that misjoinder of parties and causes of action will not defeat an action and that the learned District Judge was in error in dismissing the plaintiffs' action.

Wherefore the plaintiffs-appellants pray that Your Lordships' Court be pleased to set aside the said judgment and decree and to order the case to proceed and the real issues between all the parties be determined, or in the event of Your Lordships' Court finding it not possible to grant the said relief Your Lordships' Court be pleased to allow the plaintiffs-appellants to elect to prosecute the case against either the 1st, 2nd, 7th and 8th defendants or against the 3rd, 4th, 5th, 6th, 7th and 8th defendants, and for costs and for such other and further relief as to Your Lordships' Court shall seem meet.

Sgd. S. C. CATHIRAVELU,
Proctor for Plaintiffs-Appellants,
(Mis. 299, 17-1-47.)

Brotherhood In Hinduism

(Continued from page 1)

the neighbour who is a kin and the neighbour who is a stranger and the companion who is strange and the son of the road and what your right hand possesses (slaves). As for the orphan, oppress him not; and as for the beggar, drive him not away."

"O you who believe, let not one people or nation scoff or laugh at another people or nation; perchance, they may be better (in the eyes of God, i. e., possess greater potentialities of doing good) than the scoffers."

"And do not find fault with your own people nor call one another by nick-names; evil is a bad name after you have joined the brotherhood of Islam."

And the Prophet Mohammed said: 'No man is a true believer unless he deserveth for his brother that which he deserveth for himself.' "He who is not affectionate to God's creatures and to his own children—God will not be affectionate to him." "Who is the most favoured of God? He from whom the greatest good cometh to His creature."

"The best of men is he from whom good cometh to humanity. All God's creatures are his family and he is the most beloved of God who trieth to do most good to God's creatures." "Feed the hungry and visit the sick and free the captive if he be unjustly confined. Assist any person oppressed, whether he be Muslim or non-Muslim. God enjoins you to treat women well, for they are your mothers, daughters and aunts."

"Do you love your Creator? Love your fellowmen first"

All are Brothers

And when on His last pilgrimage, He said: 'Remember you are all brothers. All men are equal in the eyes of God. And your lives and your properties are all sacred; in no case should you attack each other's life and property. Today I trample under my feet all distinctions of caste colour and nationality. All men are sons of Adam; and Adam was of dust.'

The great Khalifa Omar renewed his charter in the following words: 'I will make no inviolous distinction between the red and the black, between Arabs and non-Arabs, and will follow the footsteps of the Holy Prophet.'

From these quotations it is abundantly clear that none of the great religions of India ever taught anything anti-humanitarian or encouraged intolerance or persecution

THE NEW MAYOR OF KANDY

Mr. Fred de Silva has been elected Mayor of Kandy. A son of Mr. George E. de Silva, Minister of Health, Mr. Fred de Silva is 36 years of age and practises as a proctor in Kandy.

Another Civil Servant

The appointment of another Officer from the Civil Service to the Police Department to function as Deputy Commissioner (Administrative) is, it is learned among the recommendations of the Police Commission. He is to be an officer of proved administrative ability and experience who is to relieve the Commissioner of Police of an appreciable amount of work in the internal administration of the Police Department.

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 612

In the matter of the Estate of the late Marimuttu Ramalingam of Vannarponnai East Deceased

Moctatamby Marimuttu of Vannarponnai East Petitioner

Vs.

1. Ponnaschoy wife of Marimuttu
2. Marimuttu Sellarburai both of Vannarponnai East

Respondents

This matter coming on for determination before R. R. Selvadurai, Esqr District Judge, Jaffna on the 24th day of September 1946 in the presence of Mr. V. K. Subramaniam Proctor on the part of the petitioner and the petitioner's affidavit and petition having been read:

It is ordered that Letters of Administration be and the same is hereby granted to the petitioner as one of the heirs and father of the deceased above named unless the Respondents or any other person or persons interested in the subject matter shall appear before this Court on the 14th day of November 1946 and show sufficient cause to the satisfaction of this Court to the contrary.

The 24th day of September 1946

Sgd. R. R. Selvadurai

District Judge.

Time to show cause is extended to 20-1-47

Intld. R. R. S.

D. J.

(O. 126, 10 & 17)

SUPPLY OF CADJANS

The G. A. N. P. will receive sealed tenders up to 12 noon on Friday the 17th January 1947 for the supply of 3000 or more double cadjans at Kilinochchi at each of the following place:-

1. New State Farm at Kilinochchi-9 C and D 10
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3. old Colony Kilinochchi

2. Tenders should be made on forms obtainable on application from the G. A. N. P. from whom all particulars on the subject can be obtained.

3. A cash deposit of Rs. 50/- should be made at the Jaffna Kachcheri to the credit of the G. A. N. P. and a Kachcheri receipt produced before any tender form can be received.

M. Srikhanta
for G. A. N. P.

The Kachcheri,
Jaffna, 30-12-46
(G. 131, 17, 1-4k.)

NOTICE

Tenders will be received by the Secretary D. C. Jaffna or by me on or before 28th inst. for the leasing of the land situated at Changanai near the market called Netchanai in extent Four Lms. V. C. which belongs to S. Chidambaramanathan minor in case No. 286/G. D. C. Jaffna. The property will be leased on the following terms, apart from the rent the lessee will pay. Lessee to put up a shop building work over Rs. 5000/- and such building to accrue to the land after a certain period. State monthly rent and the period for which such land will be leased. Particulars of lease are available from the above case No. 286/G. D. C. Jaffna.

T. SANGARAPILLAI,

Proctor for Guardian in

Case No. 286/G. D. C. Jaffna.

Chulipuram,
15-1-47.

(Mis. 303, 17 & 21)

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA
[Held at Point Pedro]

Testamentary Jurisdiction
No. 329 P. T.

In the Matter of the Intestate Estate and effects of the late Ponnar Vannichchiar widow of Ramalingam Demoderampillai of Karanavai North. Deceased, B. Demoderampillai My'vaganam of Karanavai North. Petitioner.

Vs.

1. Demoderampillai Subramaniam,
2. Demoderampillai Sen thirajah,
3. Balumbikai daughter of Demoderampillai,
4. Puvanswary daughter of Demoderampillai, all of Karanavai north.

The 3rd and 4th Respondents are minors appearing by their Guardian-Ad-Litem the 1st Respondent.

Respondents.

This matter coming on for disposal before M. M. Kariapper Esquire, Additional District Judge, Jaffna on the 22nd day of November, 1946 in the presence of Mr. K. Ramalingam Proctor on the part of the Petitioner and the Affidavit of the said Petitioner dated 21st November, 1946 having been read:

It is ordered that the Petitioner is the son and heir of the said estate and is entitled to have Letters of Administration to the estate of the said deceased and that Letters of Administration be issued to him accordingly unless the Respondents above named or any other person or persons interested shall on or before the 19th day of December, 1946 show sufficient Cause to the satisfaction of this Court to the contrary.

This 22nd day of November, 1946.

Sgd. M. M. Kariapper.

Addl District Judge.

19-12-46

Extended to show Cause for 21-1-47

Sgd. M. M. Kariapper

A. D. J.

Drawn by,

K. Ramalingam

Proctor for Petitioner,

(O. 126, 17, & 21.)

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 619

In the matter of the Last Will and Testament of the late Kandaswamy Somasundaram of Maniray Deceased.

Murugesu C. nagaratnam of Nallore South in Jaffna Petitioner.

Vs.

Thangammah widow of Kandaswamy Somasundaram of Nallore South Jaffna Respondent.

This matter coming on for determination before R. R. Selvadurai, Esqr District Judge, Jaffna on the 10th day of September 1946 in the presence of Mr. V. K. Subramaniam Proctor on the part of the Petitioner and the affidavit and petition and the affidavit of the Notary who attested the Last Will and the witnesses thereto having been read:

It is ordered that the Last Will and Testament of the deceased bearing No. 20254 dated 27th February 1946 and attested by K. Arumugam Notary Public, the original of which is now deposited in Court, be and the same is hereby declared proved and the petitioner as the Executor named in the said Will is entitled to have Probate thereof, unless the Respondent or any other person or persons interested in the subject matter shall appear before this Court on the 26th day of November 1946 and show sufficient cause to the satisfaction of this Court to the contrary.

The 30th day of September 1946

Sgd. R. R. Selvadurai,

District Judge.

Time to show cause is extended for 21-1-47.

Intld. R. R. S.

(O. 127, 10 & 17) District Judge.

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(Mis. 267, 13-12 to 12-6-47)

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(Mis. 304, 17-1-47, to 31-12-47.)

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Agent

[Mis 137 2-8 to 21-47]

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA
No 599 (Testamentary)

In the matter of the intestate estate of the late Sivarathnam Kurukulasigamany of Uduvil, Jaffna, late of Sentul, Kuala Lumpur

Aitammah wife of Sivarathnam Kurukulasigamany of Uduvil

Vs Petitioner

1. Thambu Sornalingam and wife, 2. Pavaneswari both of Uduvil, 3. Kurukulasigamany Gangaderan 4. Saraswathy daughter of Kurukulasigamany, 5. Kurukulasigamany Mahendran all of Uduvil 6. Sabapathy Ramam of Uduvil of P. W. D. Wattawela

This matter coming on for disposal before R. R. Selvadurai Esquire, District Judge, Jaffna on the 25th day of September 1946 in the presence of S. Nadarajah, Proctor for Petitioner and the affidavit and petition of the petitioner having been read

It is ordered that the abovesaid 6th respondent be appointed guardian-*ad-litem* over the 2, 4 and 5th respondents for the purpose of watching their interests in these administration proceedings and that Letters of Administration of the estate of the said deceased be granted to the petitioner as his lawful widow unless the said respondent or any other person shall appear before this Court on the 19th day of November 1946 and show sufficient cause to the contrary to the satisfaction of the Court.

On this 25th day of September 1946
Sgd. R. R. Selvadurai
District Judge.

Time to show cause extended to 15-12-1946

Sgd. R. R. S.
D. J.

This case will be called on 21-1-1947

Sgd. R. R. S.

(125, 10 & 17)

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA

Testamentary jurisdiction No. 581

In the matter of the intestate estate of the late Kathirgamer Chelliah Police Sergeant No. 2719, Police Station, Kottawa Deceased.

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

as Nallammah of Earlalai North Chunnakam widow of the late K. Chelliah Vs Petitioner.
1. S. Kathirgamer and wife
2. K. Nagasuttu both of Earlalai Chunnakam Respondents.

This matter coming on for disposal before R. R. Selvadurai Esquire, District Judge, Jaffna on the 13th day of September 1946 in the presence of Mr. S. Nadarajah, Proctor for the petitioner and the affidavit and the petition of the petitioner having been read

It is ordered that Letters of Administration in respect of the estate of the said deceased be issued to the petitioner as his lawful widow unless the said respondents or any other person shall appear before this Court on the 18th day of October 1946 and show sufficient cause to the satisfaction of this Court to the contrary.

This 13th day of September 1946.
Sgd. R. R. Selvadurai
District Judge.

Time to show cause extended to 15-11-46

Sgd. R. R. S.

This case will be called on 17-1-47

Sgd. R. R. S.

(O. 124, 10 & 17)

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[Mis. 209- 1-11 to 31-1-47]

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(Mis. 258- 3-12 to 28-2-47)

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

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