

The Hindu Organ.

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THE ONLY NEWSPAPER IN CEYLON FOR THE HINDUS

HAS THE WIDEST CIRCULATION

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H. 61.

JAFFNA, THURSDAY, NOVEMBER 10, 1927

INDIAN STATUTORY COMMISSION.

THE LONG EXPECTED ANNOUNCEMENT of the personnel of the Indian Statutory Commission and its terms of reference was simultaneously made both in India and in England on Tuesday the 8th instant.

The appointment of the Commission is long over-due. The failure of the Government of India Act of 1919 to satisfy Indian opinion was made evident within an year of the working of the new Constitution.

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In the matter of the composition of the Commission Indian opinion has been entirely ignored. Among the seven members of the Commission not one is an Indian.

EDITORIAL NOTE.

"CATHOLIC GUARDIAN" AND THE P. R. C.—The "Catholic Guardian" has now discovered that the Inspector of Works of the P. R. C. has some knowledge of surveying and levelling.

LOCAL & GENERAL.

SECOND INTERPRETER, JAFFNA KACHCHERI.—We understand that Mr N Velupillai, Kachcheri Mudaliyar, Mullaitivu, has been appointed Second Interpreter of Jaffna Kachcheri with effect from 14th November, 1927.

LONDON MATRICULATION EXAMINATION.—Last Friday's Gazette publishes for general information certain amendments to the Regulations for the above examination published previously in July 15, 1927.

LAND SALES IN THE MANNAR DISTRICT.—The same Gazette notifies that the Assistant Government Agent, Mannar, will on Friday, January 13, 1928, at 3 p.m. put to auction for sale etc. at the Government Vernacular School at Palanippidi, thirty-five allotments of land situated in the Mantal division of the Mannar District.

TEACHERS' CERTIFICATE EXAMINATIONS.—The same Gazette publishes the details regarding the Vernacular Teachers' Examination of April 1927 and those of the British Teachers' Examination of August 1927.

ORIENTAL MEDICAL SCIENCE FUND.—The same Gazette publishes the Assets and Liabilities of the above Fund for the period ending July 31, 1927. There is a balance amount of Rs 2187 0/1 to its credit, being excess of income over expenditure.

VERNACULAR TRAINING SCHOOLS EXAMINATIONS, AUGUST, 1927.—In the supplementary list of passes published recently by the Director of Education the following are among the successful candidates:—First Year (Ramanathan College—Ponnaler) Sravevasi, T., Thillaiyandam, K., Ayyilayappillai, M., Sethupillai A., Chinnappillai V., Mankeyakarasai M., Lakshminamma A. and Paruvathi V.

RAILWAY GUIDE BOOK.—The work in connection with the Guide Book for the Ceylon Railways which has been entrusted to Mr. St. Nihal Singh by the Ceylon Government, is said to be making good progress.

GERMAN PROFESSOR OF INDIAN PHILOLOGY.—Dr. Heinrich Lüders, Professor of Indian Philology in the University of Berlin, Member of the High Academy of Sciences in Berlin, and other of many works on Indian philology arrived in Colombo on Friday last accompanied by his wife.

DR. DE SILVA'S RETURN TO CEYLON.—The Hon. Dr. W. A. de Silva and Mrs. de Silva returned to the Island on Saturday morning after an extensive tour of Europe and America.

JAFFNA U. D. C. BYE ELECTION.—The Hon. Mr. A. Casagratnam, Chairman, U. D. C., Jaffna having resigned owing to pressure of Legislative Council work, his membership of the Council, in which he represented Ward No. 4, Nomination papers of candidates for the vacant seat were received by the Government Agent, N. P. Jaffna on last Saturday.

VELAHAI—PANGUDUTIVU FERRY.—In our advertisement columns appears a notice calling for tenders for the lease of the ferry between Velahai and Pangudutivu.

SUPPLEMENTARY CASE OF PLAGUE AT POINT PEDRO.—A Tamil trader at the Kandy market, who had been residing in Colombo since, Kandy, where there is a prevalence of plague and who is now at Point Pedro, is suspected to be suffering from plague.

DEATH OF MR. AYURVEDIA I. D. H.—At a meeting of the Kandy Ayurvedia Sabha held last Saturday, Mr. N. D. A. Sivaranyaka, Veda Arathi, proposed that in view of the authority vested by Government on this Sabha for the treatment of plague patients according to ayurvedia methods, the Municipal Council of Kandy be requested to make arrangements without delay for such treatment of plague patients, and that the Kandy Municipal Council be further requested to build an ayurvedia infectious diseases hospital. The resolution was carried unanimously.

Indian Statutory Commission.

NOT ONE INDIAN INCLUDED

The personnel and terms of reference of the Indian Statutory Commission has been announced by the Government of India. The Commission will consist of:—

Sir John Simon (Chairman), (Liberal). Two Conservatives: M. P.'s—The Hon. E. C. G. Cadogan and Col. the Rt. Hon. George Lane Fox.

Two Labour M.P.'s—Mr. Stephen Walsh and Major C. R. Attlee. Two Members of the Lords—Lord Brougham and Lord Strathcona.

The Commission is charged with enquiring into the working of the system of Government, the growth of education and the development of representative institutions in British India and matters connected therewith; and the Commission shall report as to whether and to what extent it is desirable to establish the principle of Responsible Government or to extend, modify or restrict the degree of Responsible Government then existing therein, including the question whether the establishment of Second Chambers of Local Legislatures is or is not desirable.

Viceroy's Prologue

The Viceroy recalls the attempts made by Indians during recent years to have the enquiry earlier than the Statutory time and points out that so long as unwise courses of political non-operation prevailed the conditions requisite for the appreciation of complicated constitutional problems were lacking.

Why Date Was Advanced

It might be argued that the enquiry might be delayed because of the present communal antagonism and tension; but it seemed not impossible that the uncertainty of constitutional changes might serve to sharpen communal antagonism.

The Commission will proceed to India early in the new year for a short visit, returning to India in October for the performance of their main task.

Composition of Commission

The composition of the Commission is such because it would be unbiased and competent to present an accurate picture of facts and one on whose recommendations the Parliament should be willing to take appropriate action.

Select Committees of Legislatures

Balancing these considerations the Government have while appointing the Commission, decided upon following the procedure that the Central Legislature would be invited to appoint a Joint Select Committee from its elected and nominated members to draw up proposals for examination by the Commission.

When Report is Ready

When the Commission's Report has been examined by the Government of India and His Majesty's Government, the latter will present the proposal to Parliament; but the Parliament will not be asked to adopt these without first giving full opportunity for Indian opinion of the different schools to contribute its views.

To Those Who Condemn

The Viceroy emphasizes that the quickest and easiest path of the one who desire Indian progress is by persuasion of Parliament and if those who speak for India have confidence in the case they advance on India's behalf they should welcome such an opportunity of the case being heard by those who can command the unquestioned confidence of Parliament.

Appeal from Co-Operation

The Viceroy asks those who would condemn the scheme of procedure whether disagreement of the particular machinery to effect the end is sufficient ground for any man to stand aside and decline to lend his weight.

Letters To The Editor

TAMIL MUSIC.

Sir,

The importance of the Tamil Music as a subject for study in the Elementary schools in the Island has been recognized by the Education Department, thanks to the wisdom and sympathetic attitude of the present Director of Education. It is remarkable that any good suggestion coming from an official public in respect of improving the educational ideal should be accepted by the Director with such a grace as would faithfully thoroughly the conventional impression about the official red tapism; and on this score the Director has earned the good will and gratitude of the Tamil Community in general and music lovers in particular.

Now that the concession has been granted, it is also impressive that the requisite facilities for the efficient working of the syllabus with the active co-operation of a supervising Board of Experts should be provided in as much as the subject being new here and for lack of sufficient hands equipped for the work, which is apt to present formidable practical difficulties in actual execution.

For one thing, the preparation of a curriculum in Tamil Music is a very complicated task, and any hasty attempt to reproduce indiscriminately what has been practically failures even in South India, should be discountenanced here in the best interests of Music studies.

Yours etc. Music-lover.

A DEFENCE.

By Mr N SELVADURAI B. A. J. P.

Sir,

In the "Star" of the 28th October Mr. Selvadurai touches upon 1. The Chavakachcheri Toddy meeting, 2. The interpretations of the Protest Meeting notice, 3. His association with the Ridgeway Hall meeting.

The notice clearly stated that those only were to attend the meeting who were interested in the protest against separate Christian representation.

With regard to the Ridgeway Hall meeting, was he not aware that "the rollers of the deep, the drawers of toddy and the rollers of charcoal" were brought in multitude to disturb the meeting?

Yours etc. FRAC.

Matrimonial.

KANAGASOORIAM—PONNAMMA.

A pretty wedding according to Hindoo rites took place a few days back at "Sunshara Villa", Trincomalee, the contracting parties being Mr. C. Kanagasooriam and the E. M. S. Rillways, Kus's Lascar and Miss. Ponniah Ponnammah, daughter of the late Mr. P. Ponniah Town Uliyar and Registrar of Marriage, Trincomalee, and sister of Mr. P. U. Dissanayakam, Expense Store Accountant, R. A. S. O. Baken, Malé, Singapore.

Poet Tagore on Indonesia.

INFLUENCE OF HINDU CULTURE

In a special interview given to the Associated Press, Dr. R. Subramaniam Tagore expressed his deep satisfaction that one of the journeys he had long intended to take in order to explore the cultural developments of India in the Farther East had been now accomplished.

When asked if his recent tour had come up to his expectations, he said that what he had anticipated had even been surpassed. A cultural work had been begun which needed closely following up; for it disclosed an unexplored world of intimate inner relationship between India and the South Eastern Asia. These new experiences might be distinguished between Java on the one hand and Siam on the other.

Java and Bali were full of interest to him and his companions, Dr. Sonit Chatterjee and Mr. Surenraiah Kar, because they still represented not only in their architectural ruins, but also in the common life of the people, the artistic genius of India transplanted to another soil. It was true that to day the cultural foundation in Java was overlaid and in ruins. The monumental ruins of Borobudur and Prambanan had been covered over with weeds during the lapse of centuries and needed the patient exploration of the Dutch archaeologists before their true value could be known.

INFLUENCE OF MAHABARATA AND RAMAYANA.

"Nowhere," the poet said, "have I seen the artistic expression of Indian thought and idea so much in evidence as in these two islands, especially in Bali. One discovery was this, that the Mahabharata and Ramayana are the universal background against which the whole drama of life is carried on. Even the words in everyday use are taken from these two great epics. They are the dominating and determining factors more powerful than the current phases of religion. Even in India itself these epics have not so exclusively left their impression upon the life of the people as in Java and Bali. A stream of influence continually flows from them. Thus India is still in the ascendancy, not so much through her philosophy, as through her poetry. This vital growth, which has been buffeted by a thousand years of storm and change, reveals the eternal freshness of these epics and makes them a living heritage of mankind."

When asked about the Buddhist influence which was so all powerful at Borobudur, the poet answered that in Java Buddhism had been quickly overcome by resurgent Hinduism. Buddhism was as it were, a sudden intrusion into the two islands, having a great beginning, but no completion. Its temperament was possibly too coldly philosophical. But the islands were essentially artistic. Art was their great gift to mankind.

HINDUISM AND BUDDHISM.

They found in the Hindu revival a warmth of aesthetic emotion that did not reach them through Buddhism. Borobudur was the work of a monarch. But the Hindu ruins of Prambanan, close at hand, represented the religion of the people and as such had a more profound artistic appeal.

"Borobudur" said the poet "is isolated solitary, massive. It is a kind of transcendence in idealism, having a beauty of its own, especially in the sculptured galleries, wondrously preserved. But as an external object Borobudur is disappointing. Even when viewed more closely, the multiplication of one single form of the Buddha, without any variation, shows exclusively the overwhelming power of a single idea which fails to sustain variety. On the other hand, the Hindu temple of Prambanan has all the beauty of unity in multiplicity."

The poet went on to add with enthusiasm that to him he met with those who truly represented Buddhist culture in a living manner. He saw the Bishops, Monks, Novices, monks, the Buddhist learning in Siam was not an isolated fragment, but built up into the very life of the people.

"The Siamese people" said Dr. Tagore "are a people fortunate enough to be homogeneous in race, language and religion. There is therefore a simplicity about them, which has given them both flexibility and strength. What attracted them to the Buddhist faith was its high moral character. Buddhism, as seen in Siam, has not that indulgence in emotionalism nor riot which has too often left its mark upon Faran Hindun. I hope that this noble form of Buddhism, still preserved in its scriptures, will not be lost. The Siamese nation is even now engaged in publishing the Tripitaka in nearly 50 volumes in Pali written in Siamese characters, as a national memorial. This great work is being helped forward by the gifts of the poor people as well as by the royal house. Some of those whom I met belonging to the royal house had been educated in Oxford but had kept their independence of thought and self expression and were the real leaders of the Siamese nation."

AN ENCOMIUM FOR SIR HUGH CLIFFORD.

One of the most interesting facts which the poet disclosed was the use of the Mahabharata and Ramayana (especially the Ramayana) in Siam as well as Java as a living part of the people's art and literature. The Siamese had gained an immense popularity because of its characters and incidents of an engaging moral character. The poet had found very important differences in the story of the epics. There were not corrections, but rather different versions. Merchants had come from different parts of India with manuscripts of the epic representing a variety of texts. It was of very great importance that some true friend of India, such as Mr. Bids, should send out scholars to collaborate with the great Dutch servants. Only in that way could the treasures be recovered. The poet mentioned the high appreciation he had for Mr. H. Clifford, the Governor of Siam, for his humanity and deep respect for the indigenous people whom he governed. He was also deeply touched by the genuine note of friendliness on the part of Mr. Oraby, the British Consul General at Batavia, who had admired the poet's own work. The Chinese community had everywhere given him the warmest welcome of all. He had never made it a pleasure to welcome of all. He had most kindly help from the Dutch Government in his efforts to promote a better cultural understanding. The door had now been opened for a new era of cordiality between India and the countries of the Farther East. This door should never again become closed owing to carelessness or neglect.

Continued up.

INDIAN & FOREIGN.

MADRAS UNIVERSITY ACT.—The Bill to amend the Madras University Act 1923 has been referred to a Select Committee.

KHADI FUND TAMIL NADU COLLECTION.—Mahatma Gandhi's tour in Tamil Nadu, Kerala and Canara for the Khadi Fund has resulted in a total collection of Rs. 1,68,905 5 9.

ELECTION AND NOMINATION OF WOMEN COUNSELLORS.—The United Provinces Government is urged to remove disqualification for women in regard to the election and nomination to the Legislative Council.

ABOLITION OF COMMUNAL ELECTIONS.—The U. P. Christian Conference resolved that separate communal electorates must be abolished as they are responsible for the present ill will and distrust between sister communities.

EXCLUSION OF INDIANS FROM THE STATUTORY COMMISSION.—It transpires that the Government of India have themselves concurred in the decision of the British Cabinet, to exclude Indians from the Statutory Commission and to appoint a purely Parliamentary Commission.

INDIAN DEFENCE LEAGUE.—An organisation in England of Indians and friends of India, called the Indian Defence League, has been started to take steps to prevent, if possible, and to correct wherever necessary any misrepresentation about India in England.

HUSBAND RESPONDENT AS WIFE'S LAWYER.—An Oklahoma woman has engaged her own husband who, he says, is a very good lawyer, to file a petition for divorce for her against him. The husband, who has accepted the brief and filed the petition, states in his wife's petition, among other things that he is quarrelsome.

CYCLONE IN INDIA.—Owing to cyclone all communications are interrupted on the Madras Calcutta Line between Pedaparyia, 75 miles from Madras, and Tangaturu, 169 miles from Madras. Through running of passengers is interrupted and the position on the interrupted length is not known. The running of Calcutta Mail from Madras has been cancelled.

"ASIATIC BOYCOTT ORGANISATION".—An "Asiatic Boycott Organisation" has been started in South Africa. It undertakes to boycott the Asiatic as much as possible and "not to carry on any trade or business directly or indirectly with any Asiatic and also to persuade their employees to act similarly." It argues that the existence of an Asiatic "danger" "is threatening the European population with ruin."

ARMISTICE DAY CELEBRATION BY WIRELESS.—On Armistice Day this year, it is proposed that all parts of the British Empire shall be enabled by wireless telephony to join in one great celebration. The most important feature, however, will be the address by the Prince of Wales. Some 450 millions of British throughout the Empire and on ships at sea will be able, atmospherics permitting to hear, the spoken message of the Prince. It promises to be an historic event.

ALL INDIA STATES' SUBJECTS CONFERENCE.—The All India States' Subjects' Conference will be held in Madras in the Congress Week.

A MAGISTRATE WAYLAIN.—An interesting case has arisen in Trichur, South India. The Magistrate there has complained to the Police that he was waylaid and a valuable security was extorted out of him. Some of the accused have been arrested. "Malabar Herald."

ITALIAN AVIATOR'S WORLD RECORD.—Major di Bernardi, a Schneider Cup competitor, flying in a seaplane, in the presence of British, French and American Air Attaches, over a three kilometre course at Venice, reached an average speed of 236.9 miles per hour. This is claimed to be a world record.

DISCOURAGING RESPONSE TO VICEROY'S OVERTURES.—The Viceroy of India has granted several more interviews to prominent leaders of public opinion. It is understood that the main question discussed related to the Statutory Commission. It is believed that the response was discouraging.

IMPARTIAL ENQUIRY ON ANTI HINDU CONSPIRACY DEMANDED.—The Arya Samaj Congress, which is holding a session at Dalmi, has passed a resolution condemning the assassinations of Swami Shradhanand and the successive murders of Hindu leaders and assassins on other Hindu workers. Judging by the conduct of a section of Muslims, Congress expressed the belief that the murders and assaults were the result of a conspiracy with brains and money behind it. The meeting called on Hindu members of the Legislatures to demand the appointment of an impartial commission of enquiry.

LADY DOCTOR AND HER TRAINER FINED.—The woman doctor, Dorothy Logan, pleaded guilty before the Lord Mayor of London to having made a false affidavit declaring that she had swum the English Channel. She was fined £100 and 10 guineas costs. Her trainer, Horace Carey, who pleaded guilty to a similar charge, was fined £50 and 5 guineas costs.

Continued.

FOLLOW UP OF THE FORTNER WORK.

In conclusion, the poet emphasised once more the generous consideration which had been shown to his whole mission by the royal house of Siam. A large collection of books had been offered to the Vivabharati Library. Links of intellectual friendship had been forged which might be expected to lead to important results. The one thing now needed was to follow up the pioneer work which had been so auspiciously begun.

Mahatma Gandhi's Visit.

News has been received from Mahatmaji that he is arriving in Colombo on Thursday the 13th instant. He will be in Jaffna about the 20th. All those who have subscribed or are expecting to subscribe towards the Khadi Fund are earnestly requested to pay in their subscriptions as once. Will all collectors in different centres kindly speed up the collection work and remit all amounts to the Treasurer, Mr. S. Cumarasoorier, Proctor, S. G., Jaffna before Tuesday the 15th?

M. S. RASARATNAM, S. H. PERINPANYAKAM, Joint Secretaries.

Mahatmaji's Reception Committee. Vaddukoddi, 9th Nov. 1927. Mr. 1087.

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA. Testamentary Jurisdiction No 6301.

In the Matter of the Estate of the late Vallipuram Kanapathippillai of Puloi East

Deceased.

- 1. Sinnabambiar Nagallogam and wife Pakkiam of Point Pedro Petitioners.

Vs.

- 1. Chellammah widow of Kanapathippillai of Puloi East Respondents. 2. Subapathippillai Thuraiappah and 3. wife Vallippillai of Point Pedro Respondents.

This matter of the Petition of the abovesaid Petitioners praying for grant of Letters of Administration to the estate of the abovesaid deceased coming on for disposal before G. W. Woodhouse Esquire, District Judge, Jaffna, on November 8, 1926, in the presence of Mr. N. Modir Krishanpillai, Proctor, for Petitioners, and the affidavit of the Petitioners dated October 9, 1926 having been read.

It is declared that the Petitioners are brother in law and sister of the abovesaid deceased and are entitled to have Letters of Administration to the estate of the abovesaid deceased issued to them accordingly unless the abovesaid Respondents or any other shall on or before November 16 1926, show sufficient cause to the satisfaction of this Court to the contrary.

G. W. Woodhouse, District Judge.

Time to show cause is extended till the 15th day of November 1927.

31.10.27. G. W. Woodhouse, D. J. O. 1851.

Two New Proctors.

Messrs M. S. Balasubramaniam and K. V. Rastiah appeared on Friday last before the Chief Justice and Mr. Justice Disberg and took their oaths and were admitted as Proctors of the Supreme Court.

The Chief Justice congratulated the new Proctors and wished them success in the profession.

Mr. Balasubramaniam is the only son of the late Mr. M. Sabapathy, for a long time an assistant master at the Jaffna Hindu College. He had a brilliant school career at the same school. He intends to practice his profession in Jaffna.

Mr. K. V. Rastiah is the son-in-law of Mr. W. Wijayaratham of Clock Tower Road, Jaffna and a nephew of the Hon. Mr. W. Duraiswamy. He is also an old boy of the Jaffna Hindu College. He intends to practice his profession in Jaffna.

COLOMBO HARBOUR NOT TO BE DEEPENED.—Deepening Colombo Harbour beyond 36 feet to permit the berthing of bigger ships is not favoured by the Imperial Shipping Committee, who hold that the resultant increase in harbour dues would drive away from the port vessels fitted with internal combustion engines capable of a wide radius of action. They recommend that the question be reconsidered at the end of four or five years, which would afford ample time to prepare for the possibility of vessels with a draught exceeding 33 feet being built for the Eastern and Australian trades.

REGISTRATION OF A VERNACULAR SCHOOL.—The Kopay North (Saravasthavanatha) Vernacular M.A. School which is under the management of the Hon. Mr. W. Duraiswamy, President, Hindu Board of Education, has been registered as a grant in-aid school with effect from February 1, 1927.

FATHER'S WISERS FOR HIS SON.—Mr. James Ganner Hiral, engineer, of East avenue, Keighley, who left £5,705, added a clause to his Will in which he said: "The many provisions made regarding my dear son are all dictated by my great love for him and designed by me for his benefit and future welfare. All my love and affection is centred on him, and I pray that when he reads this his thoughts will ever be of his father who, during his life, I ved only for him so that he may be respectable in life, useful to mankind, an honourable citizen, and an ornament to his profession or business in life."

MINISTERIAL CONFERENCE IN DELHI.—There is to be a Conference of Ministers in Delhi at which the question of Recruitment to the Provincial Services will be discussed.

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA. Testamentary Jurisdiction No. 6569.

In the matter of the estate of the late Tsangamama wife of Kandar Kanapathippillai of Ucumpiray

Deceased.

Kandar Kanapathippillai of Ucumpiray Petitioner.

Vs.

- 1. Kanapathippillai Ariyaratnam of D. Minor. 2. Kanapathippillai Alagaratnam of D. Respondents.

This matter of the Petition of the abovesaid Petitioner praying that the abovesaid 1st Respondent be appointed Guardian ad litem over the minor the 2nd Respondent and also Letters of Administration to the estate of the said intestate be issued to the petitioner coming on for disposal before G. W. Woodhouse Esquire, District Judge Jaffna, on September 23, 1927, in the presence of Mr. K. Agratara Proctor, on the part of the Petitioner and the affidavit of the Petitioner dated September 23, 1927, having been read: It is ordered that the abovesaid 1st Respondent be appointed Guardian ad litem over the minor the 2nd Respondent for the purpose of protecting his interest and of representing him in this case and that the Petitioner be declared entitled to have Letters of Administration to the estate of the said intestate as her lawful husband unless the Respondents or any other persons interested shall appear before this Court on November 15, 1927, and state objection or show cause to the contrary.

G. W. Woodhouse, District Judge.

October 1, 1927. O. 1850.

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA. Testamentary Jurisdiction No. 6451.

In the matter of the Estate of the late Ponnamma alias Ponsoocary wife of Chellappa of Sandi uppuy

Deceased.

Sankantaby Chellappa of Sandiruppuy Petitioner.

Vs.

- (1) Chellappa Chellaraai (2) Chellappa Ponniah (3) Chellappa Thaisampalam—all of Sandiruppuy Respondents.

This matter of the abovesaid Petitioner praying for Letters of Administration to the estate of the abovesaid deceased, coming on for disposal before G. W. Woodhouse Esquire, District Judge, on June 16, 1927, in the presence of Mr. M. Vythilingam Proctor on the part of the Petitioner and the affidavit of the Petitioner, having been read, it is declared that the Petitioner is the lawful husband of the said intestate and is entitled to have Letters of Administration to the estate of the said intestate issued to him unless the Respondents or any other person shall, on or before November 17, 1927, show sufficient cause to the satisfaction of this Court to the contrary.

G. W. Woodhouse, District Judge.

June 16, 1927. O. 1852.

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA. Testamentary Jurisdiction No. 6473.

In the Matter of the Estate of the Late Ariyaayagmani wife of Ambalavanar Ramasubban of Manjipay

Deceased.

Subramaniam Valramanitu of Manjipay Petitioner.

Vs.

- 1. Pathmavathy daughter of Ramasathan and 2. Maruthappan Arampu of Manjipay Respondents.

This matter of the Petition of the abovesaid Petitioner praying for Letters of Administration to the estate of the abovesaid deceased coming on for disposal before G. W. Woodhouse, Esquire, District Judge, on June 16, 1927, in the presence of Mr. M. Vythilingam Proctor on the part of the Petitioner and the affidavit of the Petitioner dated May 26, 1927, having been read, it is declared that the Petitioner is the lawful heir of the said intestate and is entitled to have Letters of Administration to the estate of the said intestate issued to him unless the Respondents or any other person shall on or before November 17, 1927, show sufficient cause to the satisfaction of this Court to the contrary.

G. W. Woodhouse, District Judge.

June 16, 1927. O. 1853

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA. Testamentary Jurisdiction No. 6319.

In the Matter of the Estate of the late Vijayalathamma wife of Veerasingam of Sandiruppuy

Deceased.

Moostambay Theevarasalingam of Sandiruppuy Petitioner.

Vs.

- 1. Theevarasalingam Pannu and 2. Theevarasalingam Ramalingam both of Sandiruppuy Respondents.

This matter of the Petition of the abovesaid Petitioner praying for Letters of Administration to the estate of the abovesaid deceased coming on for disposal before G. W. Woodhouse Esquire, District Judge, on August 11, 1927 in the presence of Mr. M. Vythilingam Proctor, on the part of the Petitioner and the affidavit of the Petitioner having been read, it is declared that the Petitioner is the lawful husband of the said intestate and is entitled to have Letters of Administration to the estate of the said intestate issued to him unless the Respondents or any other person shall, on or before November 15, 1927 show sufficient cause to the satisfaction of this Court to the contrary.

G. W. Woodhouse, District Judge.

11th August 1927. O. 1854.

The following are extracts from the First Report of Committee appointed by His Excellency the Governor to consider the advisability of bringing the Public Trustee Ordinance into operation and of entrusting to the Public Trustee in addition to his duties under the Public Trustee Ordinance the duty of Administering the Bankruptcy Law and also of Administering Intestate Estates instead of Secretaries of District Courts under Section 520 of the Civil Procedure Code, and to advise whether any Amendments of the law and the Draft Bankruptcy Ordinance should be made for that purpose—

MEMBERS OF THE COMMITTEE.

The Hon. the Attorney General (Chairman), the Hon. Mr. K. Balasingam, Mr. H. E. Beyer, Mr. H. H. Bartholomew, Mr. Sydney Jellus, and Mr. C. T. Kandallaya.

As several members of the Committee have an intimate knowledge of the conditions governing the administration of trusts and the estates of deceased persons in Ceylon, we did not consider it necessary to examine witnesses.

The Public Trustee Ordinance, No. 1, of 1922, has not yet been brought into force, the latest order of the Government on the subject (dated July 1, 1924) being that "the Ordinance should not be proclaimed until there is a clearly pronounced public demand for it."

CLASS OF TRUSTS

The class of trusts which may be undertaken by the Public Trustee are limited to acting as:— (a) An ordinary trustee or executor or administrator; (b) A collector of estates under an order to collect and (c) A custodian trustee.

ADVANTAGES TO THE BENEFICIARIES

The advantages to the beneficiaries of the Common Fund are:—(a) Security against depreciation of capital, (b) Security of interest, both as to amount and punctual payment, (c) Interest accrues from the moment when the capital money is lodged with the Public Trustee and continues until the capital is paid over to the persons entitled and (d) Delay in distribution of the capital is avoided, no realisation or division of investments being necessary.

SUMMARY OF RECOMMENDATIONS.

A Public Trustee should be appointed. He should be a Civil Servant of Class I, Grade II, and before his appointment should visit and study the work of the Department of the Indian Administrator-General.

2. The Public Trustee should be appointed official receiver in bankruptcy.

3. The activities of the Public Trustee should be enlarged in manner indicated below, but decision on these points should be deferred until the Public Trustee has studied the working of other Public Trustee offices:—(a) He should be able to accept charitable and public trusts. (b) Courts should have power to appoint the Public Trustee in the place of a trustee, executor, or administrator who is guilty of misconduct or mismanagement of the estate. (c) Courts should have power to appoint the Public Trustee to be curator of the property of minors and lunatics. (d) The Public Trustee should be empowered to accept the transfer of the administration of an estate under Rs. 5,000 at the request of the executor or administrator if he is satisfied that the transfer will be in the interests of the beneficiaries. An order of court should not be necessary. (e) The Public Trustee should be empowered to undertake the administration of an intestate estate of any value if all the heirs agree. The provision to apply to wills when the executor and beneficiaries all agree. (f) Courts should be empowered to issue letters of administration to the Public Trustee in preference to all other persons where it is made to appear to the court that the estate can be more satisfactorily administered by the Public Trustee. (g) The Public Trustee should be empowered on the application of the executor or the person entitled to a grant of administration to undertake the administration of an estate under Rs. 5,000 without probate or letters of administration and to settle all disputes between the heirs, and to partition land and movables comprised in the estate. (h) The courts should appoint the Public Trustee instead of their Secretaries under section 523 of the Civil Procedure Code. (i) The Public Trustee should be empowered to accept the custody of the wills of living persons. (j) An intending intestate should be able to nominate the Public Trustee as his administrator, who should then be entitled to administration in priority to all others. (k) The courts should have power to entrust the administration of the property of persons sentenced to more than three years' imprisonment to the Public Trustee. (l) A court should be able to appoint the Public Trustee to be a guardian *ad litem*, the costs of the Public Trustee being a charge on all the minor's or lunatic's property. (m) The Public Trustee should be able to undertake the audit and investigation of the accounts of private trustees, executors, and administrators. (n) A court should be able to order the accounts in a judicial settlement (Civil Procedure Code, Chapters LV and LVI) to be taken by the Public Trustee (paragraph 24). (o) The Public Trustee should be able to act as attorney for the receipt or payment of money for a person absent from the Island. (p) A "Common Fund" should be created into which, unless forbidden by the trust, all capital money received by the Public Trustee should be paid, the return of the capital and the payment of interest at a rate to be fixed by the Governor in Executive Council being guaranteed by Government (paragraph 25 to 28). Investments of the Common Fund should be effected by the Loan Board. (q) If a State Mortgage Bank is created, investment of the Common Fund should be entrusted to the Bank, the principal and interest being guaranteed by the Government.

Estimate of Staff required for the Public Trustee Office at the inception and of cost thereof of amount per annum to Rs. 71,484.00.

In addition to the above it may be necessary to appoint Local Agents of the Public Trustee for work in their areas. The remuneration to Local Agents may be by way of allowance or on a percentage basis.

Advertisement and propaganda will be necessary to make the work of the Public Trustee known, for this purpose a special grant to Rs. 5,000 per annum should be made for the first two years.

Ferry Rent.

Lease of Velankal ferry between Velankal and Punguliduv will be sold by tender on 23rd November 1927. Tenders should reach the office of the Chairman, D. R. C. Jaffna not later than 12 noon on the 23rd instant. For further particulars vide notice posted up at the Jaffna Katchery or apply to the Chairman, D. R. C. Jaffna, District Road Committee's Office, Jaffna, 7th November 1927.

L. A. Northeroffs, for Chairman.

G 841

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA.

Testamentary Jurisdiction No. 6598

In the Matter of the Estate of the late Valiammal widow of Sellaipah Sannungampillai of Vaddukkodai West Deceased.

Sinnathamby Nagesu of Vaddukkodai East Petitioner.

Vs.

1. Nagesu Kanasabapathy and wife
2. Nagesammal both of Vaddukkodai East Respondents.

This matter of the Petition of the abovenamed Petitioner praying for grant of Letters of Administration to the estate of the abovenamed deceased coming on for disposal before G. W. Woodhouse Esquire, District Judge, Jaffna, on October 20, 1927, in the presence of Mr. A. K. Navaratnam, Proctor for Petitioner and the affidavit of the Petitioner dated October 20, 1927 having been read: It is declared that the Petitioner is a brother in law of the deceased and is entitled to have Letters of Administration to the estate of the abovenamed deceased issued to him unless the Respondents or any others shall on or before November 22, 1927 show sufficient cause to the satisfaction of this Court to the contrary.

G. W. Woodhouse, District Judge.

October 20, 1927, O. 1845.

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA.

Testamentary Jurisdiction No. 6588

In the Matter of the Estate of the late Veeragatty Nagesu of Changanai Deceased.

Visavar Kandiah of Changanai Petitioner.

Vs.

1. Marimulla wife of Visavar Kandiah of Changanai and
2. Parupathy widow of Veeragatty Nagesu of Karaitive East Respondents.

This matter of the Petition of the abovenamed Petitioner praying for the grant of Letters of Administration to the estate of the abovenamed deceased coming on for disposal before G. W. Woodhouse Esquire, District Judge, Jaffna, on October 18, 1927, in the presence of Mr. P. Ganapathypillai Proctor, on the part of the Petitioner and the affidavit of the Petitioner dated October 8, 1927, having been read: It is ordered that the Petitioner is the brother in law of the deceased abovenamed and is entitled to have Letters of Administration to the estate of the abovenamed deceased issued to him accordingly unless the Respondents shall on or before November 17, 1927 show sufficient cause to the satisfaction of this Court to the contrary.

G. W. Woodhouse, District Judge.

October 18, 1927, O. 1840.

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA.

Testamentary Jurisdiction No. 6240.

In the Matter of the estate of the late Murugesu Kailasapillai of Vaddukkodai East Deceased.

Alamelammah widow of Murugesu Kailasapillai of Vaddukkodai East Petitioner.

Vs.

1. C. Perumal Pillai Proctor S. C. and wife
2. Pagewalthammal of Jaffna
3. Dr. C. Sivasubramaniam D.M.O. of Kurunegala and wife
4. Thirupurasundarammal do
5. Tharalappah Thiruchittampalam
6. Ranthambai daughter of Tharalappah
7. Tharalappah Thamothersampillai
8. Rethampal daughter of Tharalappah and
9. S. Tharalappah all of do Respondents.

This matter of the Petition of the abovenamed Petitioner praying that the 9th Respondent be appointed Guardian *ad litem* over the minors the 5th, 6th, 7th and 8th Respondents and that Letters of Administration to the estate of the said intestate be issued to the Petitioner coming on for disposal before G. W. Woodhouse Esquire, District Judge, Jaffna on December 21, 1926, in the presence of Mr. N. Salvadurai Proctor, on the part of the Petitioner and the affidavit of the Petitioner having been read.

It is ordered that the abovenamed 9th Respondent be appointed Guardian *ad litem* over the minors the 5th, 6th, 7th and 8th Respondents and the Petitioner be declared entitled to have Letters of Administration to the estate of the said intestate issued to her unless the Respondents or any other persons interested shall appear before this Court on November 10, 1927, and show cause to the contrary.

G. W. Woodhouse, District Judge.

October 18, 1927, O. 1840.

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Q 92.

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Order Nisi.

IN THE DISTRICT COURT OF MANNAR.

Testamentary Jurisdiction No. 886.

In the Matter of the Estate of the late Neimamohamed Saado Ibrahim of Tharakundu Deceased.

Saado Ibrahim Ahamed Saado of Tharakundu Petitioner.

Vs.

1. Kapparachchie widow of Saado Ibrahim of Tharakundu
2. Pattamma wife of Kappamarsaiker of do Respondents.

This matter of the Petition of Saado Ibrahim Ahamed Saado praying for Letters of Administration to the estate of the abovenamed deceased Neimamohamed Saado Ibrahim coming on for disposal before P. O. Fernando Esquire, Addl. District Judge, on October 31, 1927, in the presence of Mr. S. Muralidhar Anantham Proctor, on the part of the Petitioner and the affidavit of the Petitioner dated October 31, 1927, having been read, it is declared that the Petitioner is one of the heirs of the said intestate and is entitled to have Letters of Administration to the estate of the said intestate issued to him unless the Respondents or any other person shall on or before November 22, 1927 show sufficient cause to the satisfaction of this Court to the contrary.

P. O. Fernando, Addl. District Judge.

October 31, 1927, O. 1947.

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Q 90.

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H. 53.

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H. 57.

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Q. 87.

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