

# The Hindu Organ.

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HAS THE WIDEST CIRCULATION

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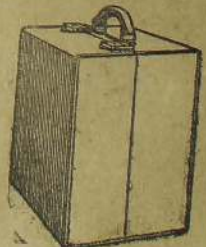
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H. 61.



# The Hindu Organ.

JAFFNA, THURSDAY, MARCH 29, 1928.

## ALLEVIATION OF SUFFERING.

IN SOME OF THE LEADING COUNTRIES of the world, the people in the slums are not only comfortably housed and cared for but are also being provided with amusements to recreate themselves during their leisure hours. In recent times, the social instinct has been manifesting in several ways and, though at times it is carried to such an excess as to produce shocking results, yet, on the whole, it can be emphatically asserted that the West is at the present day, far ahead of the East in the matter of "caring for one's neighbour." We know that at least as far as Ceylon is concerned, the poor are totally neglected and uncared for. Ceylon appears to be a place only for the holiday maker or the tourist. Easy access by sea, fine scenery and European methods of catering for the comforts of visitors have made Ceylon very popular as a resort, but the fact remains that, in the under-world of Ceylon, thousands of miserable specimens of humanity are struggling for existence. The struggle of the latter is not merely to keep hunger out of door. They are in the eternal grip of pain and suffering, of disease and misery. The instance of a pauper dying of tuberculosis in a Police cell instead of in the pauper ward of a hospital is only one of thousands. Numerous such instances occur daily but their stories never appear in newspapers. They live in a world of their own. The more respectable among them try to hide their sufferings out of a sense of self respect. Even those who get out on the streets are soon taught how to keep up their self-respect and dignity. None cares for them. Silently they suffer and silently they pass away. If ever they attract notice, it is only after their ignominious retreat from this world.

Our leaders are trying to transfer part of the responsibility of Government on to their own shoulders but we wonder whether they care so much for the responsibility that is burden so much as for the responsibility that is power. There is nothing under the sun which the people of Ceylon will not expect Government to do for them. In fact, everything in Ceylon is being done or are expected to be done by Government. Government are to feed the people of Ceylon by starting colonisation schemes, irrigation schemes and agricultural schemes. Government are to clothe them by encouraging local growing of all fibre and starting spinning and weaving schools. Government are to educate them by giving grants to schools, pensions for teachers and by establishing universities. Government are to initiate industries and find work for the unemployed. Government are to encourage commerce by advertising Ceylon goods abroad. Government are to provide hospitals and free medical aid. Government are to look after health and sanitation. Government are to subsidise charitable institutions and even to take them over and run them when they collapse. Indeed when we take into consideration all that is left to the state of Government, we shall find that there is nothing for the people to do. No wonder then that the Ceylonese are becoming a race devoid of any moral responsibility. Not being allowed to care for others and practise their national virtues they cease even to care for themselves. The result is slow but certain national degeneration. It is a pity but it is nevertheless true that, in a Buddhist country like Ceylon, the institutions that have been brought into existence for the alleviation of human suffering by spontaneous national activity are very few, if at all, and, therefore, they are not worth mentioning. Then why should we make a fuss about a pauper dying of tuberculosis? It matters little whether he dies in a Police cell or in a hospital ward, so long as there is none to care for him. What is wanted is the human touch and not mere hospital.

## EDITORIAL NOTE.

**PUBLIC CONSCIENCE.**—Recently a Tamil was fined Rs. 2-50 in a court of law for besmearing a letter-box in a public place with the lime left over after a chew of betel. If the law were enforced not only ordinary men and women but even respectable gentlemen and ladies may be charged for similar offences. Perhaps these offences are not committed knowingly but we can say for certain that they are committed thoughtlessly. In this connection, we wish to point out the necessity for a Publicity Bureau to undertake the educating of the people with regard to these matters. Much can be done in this direction by urban bodies and public schools as well.

## LOCAL & GENERAL.

**WEATHER.**—There were light drizzles yesterday and today. A refreshing shower is much needed, although it may be detrimental to certain kinds of plantations.

**WIRELESS PROGRESS.**—Wireless broadcasting is progressing by leaps and bounds. It is reported that the Broadcasting authorities in Colombo and their interested listeners were able to hear faintly the chimes of the giant tower clock, "Big Ben," in London.

**A NEW PROCTOR.**—Mr. Sagarapillai Velumuru took his oath as a Proctor of the Supreme Court on Tuesday, the 27th instant, before Justices Sothar, Garvin and Dalton. Togr Lordships congratulated and wished him success. Mr. Velumuru is the son-in-law of Mr. V. Ramaswamy, Proctor, Auradhapura and brother-in-law of Mr. S. N. Sittampalam. He intends practising in Anuradhapura.

**PERSONAL.**—Mr. and Mrs. Francis of British North Borneo gave an entertainment on the 22nd in honour of Mr. S. W. Roselle, the Government Printer, and Mrs. Roselle, who are shortly proceeding on leave to Ceylon.—Cor.

**CASUALTIES SECURE TO RAMZAN ALMS DISTRIBUTION.**—As a result of Ramzan alms distribution, nine persons were killed in George Town, Madras.

**AFGHAN ROYALTIES VISIT TO ENGLAND.**—Great political effects are expected from the present visit of the Afghan King to England.

**DOMINION NEUTRALITY IN TIME OF WAR.**—General Hertzog in the Union Assembly claimed the right of a Dominion to remain neutral in case Britain went to war.

**TURKEY TO PARTAKE IN GENEVA CONFERENCE.**—Russia has suggested that Turkey also should be invited to attend the Disarmament Preparatory Conference at Geneva.

**ENGLAND'S BUDGET BEFORE THE COMMONS.**—In the Commons the Premier, announced that the Budget would be taken on the 24th April.

**DISCOVERY OF OIL FIELDS IN AFRICA.**—The Administration of Orange Free State hinted at a possible discovery of vast oil fields in the State, on the eve of a great oil discovery there.

**CONGRESS MEMBERS "WALK OUT."**—After a heated discussion in the Assembly, the Finance Bill was put to vote and it was carried by 61 against 41, whereon the Congress Members walked out of the house in a body.

**MAHATMA'S PROBABLE VISIT TO VIENNA.**—Information is received from Ahmedabad that Mahatma Gandhi has practically accepted the invitation to attend the forthcoming Youth Conference at Vienna, and will shortly leave for Europe.

**COST OF THE STATUTORY COMMISSION.**—In the Commons, replying to questions, Earl Winterton told Mr. Marry Jones that Government did not intend to contribute more than £20,000 towards the expenses of the Statutory Commission. The remainder would be defrayed from Indian revenues by the exercise of the Government of India's special powers.

**VICEROY NOT LIKELY TO VISIT ENGLAND.**—The "Sunday Times," is of opinion that it is unlikely that His Excellency the Viceroy will visit England in 1928. It thinks that what is more likely to happen is that after the Statutory Commission have concluded their labours in India and return to England to prepare their report, then the Viceroy may consider it desirable to return to England simultaneously with the Commission.

**U. S. A. WARSHIP PROGRAM.**—By 237 votes to 57, the United States House of Representatives has approved of the warship construction program costing 274 million dollars.—"Malabar Herald."

**HUSBAND AND WIFE AS M. P.'s.**—The victory of Mrs. Ramanathan at St Ives has an element of novelty, in that she is the first woman to be elected to the House of Commons while her husband is a member. Lady Astor, Mrs. Wintington, Mrs. Phillips and Lady Iveagh came to because their husbands no longer were available to sit in the elected House. Mrs. Ramanathan thus establishes a new record. Whether Mrs. Ramanathan having won the seat will make way for her husband at the General Election remains to be seen.—Colled from the Local Letter of the "C. M. L."

## Inter-Collegiate D.

### ON INDO CEYLON FEDERATION.

#### OPPOSITION CARRIED BY BIG MARGIN.

The Inter-Collegiate Debate, mention of which was made in these columns on the 22nd inst. between Parameshwara and Jaffna Hindu College came off on Monday the 26th inst. at about 6 p. m. in the main Hall of the former. Before the appointed time both students and leading people of Jaffna flocked in numbers from the various parts. The Hall was tastefully decorated for the occasion. The judges were Dr. Isaac Thambiiah, Mr. M. A. Arulanandam, Addl. District Judge and Gate Mudaliyar M. S. Ramalingam. Mudaliyar O. Ramanayagam presided over the function. At about 6.30 p. m. the veteran Knight, Sir Ponnampalam Ramanathan arrived.

The subject of discussion was "Is it beneficial to federate Ceylon with India?" Parameshwara College led the proposition and Jaffna Hindu College opposed it.

After a few introductory remarks by the Chairman he called upon Master Rameshwara to open the debate. He impressed the audience a great deal by his eloquence. Then the leader of opposition Master M. Kathiraveloo was called upon to lead the opposition side. He spoke with fiery enthusiasm and baffled the arguments of his opponent. Master Sathanathan seconded the proposal. His accent and intonation were worthy of recognition by all those who heard his speech. The seconder of the opposition, Master Thiagarajah, spoke clearly and distinctly criticising the existing forms of Government in India and Ceylon. The supporter of the proposition, Master K. Bejartnam though slightly inaudible yet spoke sensibly. Last but not the least speaker, Master Abdul Azeed, who with illustrative historical facts explained the federation of Ceylon with India was meaningless, unnecessary, impracticable and detrimental to the welfare of "Sweet Lanka" where bounteous nature smiles with honourable glory where seldom famine frequents, plague and cholera are unknown (except for cases imported from India in spite of quarantine regulations). Then the leader of the proposition was called upon to reply. The Chairman then called upon the Judges to give their decision which was anxiously and restlessly awaited for by the audience. Amidst deafening applause Dr. Isaac Thambiiah pronounced "We judges are unanimously agreed that Hindu College carries the day by a big margin." Then he criticised the various speakers more on their demerits than on their merits. Further he commended that some of finest phrases in the English Language were used by the speakers of the Hindu College.

The Chairman requested Sir Ponnampalam Ramanathan to speak a few words. Amidst great ovation Sir Ponnampalam Ramanathan spoke for few minutes on the necessity of training our students on the art of public speaking. With a vote of thanks to the Chairman and the Judges the proceedings terminated.

### Ten Health Commandments.

1. Eat Wisely: Much milk, green stuffs, fruit and whole grain bread; little ..... and sugar; avoid alcohol and stimulants.
  2. Exercise freely: Stand and sit erect.
  3. Use your lungs: Breathe fresh air day and night. Stay in the sunlight a part of every fair day.
  4. Be Clean: Wash your hands before you eat; bathe often; clean your teeth morning and night.
  5. Feel Well: Don't get overtired—rest is your best friend. A thirty-minute nap in midday is not laziness, but good sense.
  6. Be Regular: Don't break your appointments with yourself for meals, sleep and bowel movement.
  7. Keep Your Balance: Hurry and worry serve no man. Play a little every day.
  8. Keep Safe: Fight shy of the careless sneezer, spitter, the common drinking cup, and the home with open well or open toilet.
  9. Don't Be Too Smart: When you are sick go to bed and call a doctor. Few who do this promptly die of pneumonia or flu.
  10. Be Thrifty: Invest in an examination by a doctor and dentist on your birthday every year; it will pay dividends.
- "Medical Women's Journal."

### Jaffna Hindu College.

Will the Old Boys please help to bring the list up-to-date by sending me their present addresses?

M. SABARATNASINGHE,  
Acting Principal.

Hindu College,  
Jaffna,

March 22, 1928.  
Misc. 1142.

## MATRIMONIAL.

### NADARAJAH—BAGAVATHIAR.

A pretty wedding took place on the morning of Saturday, the 23rd inst. the contracting parties being Mr. Appapillai Nadarajah, brother of Mr. A. Ponnampalam, Sheriff, Kalkudai and Miss K. Bagavathi, sister of Mr. K. C. Nathan, Proctor, SO Katanapura. The bridegroom is a nephew of Mudaliyar K. V. Marcandam of Sangavelly and as the parties were well known, the wedding was very largely attended by friends and relatives from all parts of Jaffna. The celebrations lasted for four days. We wish the married couple all happiness and prosperity.—Cor.

### Crops Fajlure in the North.

#### CULTIVATORS UNDERGO HEAVY LOSS

The Northern Districts would appear to have been singled out for severe treatment by the operation of abnormal conditions in February. The drought and distress which prevailed in the opening month of the year have shown no signs of abatement. On the contrary the distress had been accentuated by the repeated failure of paddy crops causing heavy losses to cultivators. In Jaffna particularly the crops failed and stunted and withered plants were reaped for straw—by no means a substitute for the customary harvest to which the poor peasant looked forward with earnest expectation to provide the means of his subsistence.

Paddy was not Jaffna's only disappointment. Dry grains were poor, worse than normal. Although coconut crops were fair, the tanks had all gone dry and the fisheries were poor. Much of the abnormal conditions prevalent in Jaffna could be applied with more or less equal gravity to Mullaitivu, where the paddy crop had been very unsatisfactory. Kappukan cultivation in most areas being a failure, while there was little prospect of a satisfactory Idappokam cultivation. Here, again, the Kurakkan census were seriously affected by the drought. As in Jaffna, the coconut crop in the southern neighbour was prospective of a fair yield but the tanks mostly were empty and water in a few tanks was sufficient for small Idappokam ..... "C. M. L."

### What is the trouble with C. G. R.?

The Railway regulations which govern the safe working of the train service and formed one of the subjects that was considered at the magisterial inquiry into the train collision at Katukuranda in the Coast Line are now said to be revised.

The Railway authorities are making arrangements to have in readiness all the information likely to be called for by the Committee of Inquiry, appointed by the Governor, into the above collision.

Persons who suffered loss of property are claiming compensation. A woman is claiming compensation on behalf of her dead husband who was the source of maintenance for herself and her children.

Several persons have of their own accord expressed their willingness to give evidence before the Committee. Among these are numerous Railway Guards and Drivers. (But none of the category of Station-masters or Officers in-charge.)

All the above-mentioned are amends for a past Rail way disaster. It is reported that a Rail Motor the mechanism of which went out of control dashed against the Railway gate at Kolonnawa on last Tuesday morning. People who were close by miraculously escaped injury. Fortunately there were no passengers inside the vehicle, which was considerably damaged.

A serious rail derailment is said to have occurred on the Unapussellawa Railway the same evening. The axle of a goods wagon gave way and, as a result, three wagons jumped off the line. The train was brought to a standstill about 15 yards from the scene of the derailment. The passengers got out from their wagon which was resting at a slant and fled from the scene.

The northern portion of the Railway Bridge over the Panadure River is reported to have suffered a severe crack in the concrete embankment.

**RECORD DASH BY CAR.**—It is reported that a 1916 H. P. 1928 Model Whippet Overland car reached Bombay from Calcutta by road within 48 hours covering a distance of 1524 miles. The car left Calcutta at 10.30 p.m. on Monday and reached Bombay at 9.54 a.m. on the following Wednesday. Allowing for the 48 hours spent in stoppages, on the way an average speed of 31.9 miles was maintained the actual running speed being 35.6 miles an hour. No engine trouble was experienced at all on the journey, the only mishap being four punctures which were rapidly repaired.



ITS SPECIAL FEATURES

By K. R. Ramasubba Sastry

According to the Hindu Scriptures, there are four phases of the Jiva and Baswara, of which one belongs to non-manifestation while the other three belong to manifestation. In non-manifestation, Jiva and Baswara are one and the Universe is non-existent. In the face of manifestation Baswara is found to be an unknowable factor. Kena Upanishad, Second Section says, 'The Jiva who says that he knows God, does not know Him as all. The wise man understands he cannot know but can only realize God in himself. It is only the ignorant that say they know God. The Jiva who says he cannot know God but can only attempt to realize him in life (by purity of desire, thought and action) has started in his enquiry to reach God.' The portion of the Jiva that survives after death and the knowledge (Vidya) by which death is conquered or overcome, these alone we can hope to solve. In Sanskrit sacred literature Avidya means not as is commonly supposed non-knowledge but right action. Vidya means knowledge. That this is the right meaning can be seen from the passage in Baso Vasya Upanishads which say:—

By right action you transcend death in the plane of manifestation and by right knowledge you attain immortality or union with Godhead. Manifestation means the commencement of the phase of duality.

DHARMA AND KARMA TO ACHIEVE ARTHA.

A right understanding of Dharma and Karma will enable the Jiva to achieve Artha the acquisition of wealth and objects of desire by which the gratification of desires (Kama) can be had without prejudice to our ultimate salvation. These are only the roads that led to goals, right knowledge which alone can achieve salvation. Goals from the microcosmic and macrocosmic standpoint is taught in the Yoga Sutra and Brahma Sutras. These appertain to the highest plane or the plane of knowledge. The Sannyas and the Manama are taught in the middle class to explain individual rights, duties, or right action according to the command of the Vedas or the revelations of God. The Dharma or the Nysya Sutras and the Tarika or Logia are taught in the lowest class to teach the elementary golden precept of action that we should do unto others as we should be done by and that we belong to the common brotherhood of humanity.

FINAL GOAL IS "BRAHMA".

There is no doubt that intuition and intelligence must work hand in hand if we are to attain the highest purpose in life and attain the highest happiness. Intuition belongs to the province of meditation while intelligence belongs to the province of cognition. The Hindu Scriptures say that the highest happiness is attained when the personality forgoes the act of meditation and gets merged in the object of meditation. Peace of mind and tranquillity by which we can view with perfect equanimity the buffets of fortune are only interim stages leading to the final goal. Bhuma highest happiness when the above triad (ego, meditation and God) become one or get fused. In meditation and consciousness we have to recognize, when the microcosmic and macrocosmic standpoints are considered, that the personality and the object meditated upon, the cognizer and the object of cognition get fused. Deussen in his Elements of Metaphysics says "The mind is (virtually) the external world giving rise to pleasure and pain. In perception, it is the same mind that while remaining as the subject becomes simultaneously the object of perception. Otherwise the problem of external perception is insoluble. Hence we see that a man first creates the objective world, then chooses certain portions of it, to engage his attention upon and then identifies their interest with his own, feeling pleasure and pain as their conditions change, though such changes should properly not affect him. Mind is impure when mind with desires and passions and pure when free from them. Therefore it is only the sense of knowledge when attached to objects and released when there is no attachment to objects."

Gods of the Trinity.

Among the Gods of the Trinity two represent non-personality in the macrocosmic aspect, while Brahma the creator alone has personality. Brahma alone has limitations of Time and Space. He is the first Jiva and represents the energy of the Cosmic mind. He divided the perceptible portion of the mind into the organs of perception and the objects of perception. As our friend, the mystic would put it, we hear of God through our ears, visualize him in our minds, and feel him with our eyes and then cling by our

OF MIND AND MATTER

with our tongues in His praise. This is the allegory of Brahma in Hindu Mythology before the creation of matter itself, and when matter was supposed to be pliable for being moulded in any form according to the power of the mind. The learned Pandits would hereafter tell us that there are two distinct periods in creation, the Manasa period and the mechanical period. The Pandit has not begun to deal with the Manasa period even in creation and hence I do not want to anticipate him at present. Life in manifestation is simply the action of Personality in matter through the mind and the reaction of matter on Personality. Mind according to Hindu Sastras is only refined or etherised matter and represents the energy of Nature. The cosmic mind or the energy of nature represents eight departments, three of the mind, perception, cognition (or intellect) and personality (will) and five of matter viz, space, ether, fire, water and earth. Cognition includes intuition, intellect and instinct. The higher mind attained by desire in the period of Manasa creation acts for creating bodies on the first three units of matter, space, ether and fire, while the lower mind tained by desire functions for creation of bodies or vehicles of activity in water and earth also. The Soul while remaining immutable and immovable itself (Ratastha) lends energy by which the evolution of the eight departments of Nature (Personality, Intelligence, Perception and the five units of matter) goes on apace.

HINDU SANATHANA DHARMA.

It is said that the Hindu Adwaitish Religion by its attaching too much importance to knowledge has obliterated action and that ideals of service and melioration are absent in the Hindu Religion. I think the Sanathana Dharma of the Hindu Religion and ethics will stand comparison with the code of ethics of any religion. Melioration and service are no doubt very good ideas if they can work harmoniously with a strong faith in God and faith in the Ultimate benevolent destiny of the Universe. But without such faith, it is very often a cloak for insincerity, hypocrisy and time serving platitudes. Life's impulse is to be selfish. The majority of human beings everywhere are selfish. Selfishness is also up to certain limits a virtue for otherwise, one cannot cultivate self respect and strength of will and character. It is only by the expansion of the intelligence to being within the area of self, the whole Universe, that selfishness can vanish and merge into selflessness.

TRIPLE TEMPTATIONS.

The Hindu Religion and Ethics have divided the personal soul into three classes, (i) the main soul (I) Gannathma (relative soul) and (ii) the false soul. Most of us believe the soul or personality is mainly attached to the body and that our souls mentally and physically need be confined to the horizon of the body. To such primitive souls of the lowest class, the Pranopasti or discipline by which a healthy mind can be kept in a healthy body is taught. It is practically a science of eugenics by which we can tread our way in the Universe abounding with the triple temptations of Wine, Women and Wealth and in pursuit of the three P's, Pomp, Pleasure and Power.

Belief in a Future World.

Most of the average middle class stick to some ideals and believe in a future world. To them the worship of God in any form and the continuation of such worship in the family by a son is the highest ideal. To the Hindu, it is the son that breathes the Taraka mantra into the ears of the dying parent and by the proper performance of funeral rites and aradhanas ensures the salvation of his parents. The parent is saved not only by his own acts but also those of his son. By the mere act of giving a daughter in marriage, the three immediate ancestors of the donor get saved. A saint saves seven and sometimes even twentyone ancestors. The son and the parent have therefore, ties of debt and gratitude intense as per Hindu Scriptures. Marriage itself though in one sense, the indulgence of an animal desire becomes sacred because of the religious value attached to the son. The son is therefore the Gannathma. Every one of us dislike being eclipsed and outshined in good thoughts and noble achievements by others. But it is the greatest boon for a good parent to be told, that his son would eclipse him in all respects. To rear a son in the faith and worship of God is the highest aim of the Hindu. The Hindu Scriptures say that the desire for and love towards a son, is laudable and can be made subservient only to the desire for salvation. The Madhu Upani and the worship of any of the Gods in the Hindu Pantheon, in the belief that such worship is tantamount to the worship of the Supreme God Kesava has been enjoined for the legitimate gratification of any desire.

To the Students of Wisdom or Knowledge, the worship of the Immanent God in one's own heart is enjoined. He that realises the God in his own heart realises the whole Universe as such God and Himself.

I would therefore sum up my answer to the second question by saying that Time, Space and Law alone form the absolute Nirguna Brahman of Upanishads. The concrete God is the creation of each mind, according to the faith, clarity and understanding capacity of such mind. —"The Kalpaka." (To be Continued)

Letter To The Editor

KHADDAR IN CEYLON.

Sir, It is hoped that every one of your readers will give his earnest consideration to the appeal of V. E. M. which appeared in your issue of the 19th inst.

He who wears Khaddar helps to feed the starving millions of India. Khaddar thus binds us with our poor brethren of India by a tie of service. Three-fourths of her population depend upon agriculture, which gives them work only for three months in the year, and as much as 90% of her people live in villages.

The following figures will show what real India is, how her salvation is inseparably bound up with the welfare of the villages, and how pathetic and pitiable is the present plight of her masses, compared with other countries in the world.

Table with 2 columns: REAL INDIA, and 2 columns of statistics: No. of towns: 2316, No. of villages: 685,665, Population in Towns: 32,475,276 (10%), Population in villages: 266,476,205 (90%)

Table with 2 columns: WORLD WAGES, and 3 columns: Average Per For, Per Head. Year. Month. Day. Includes data for America, Australia, Great Britain, Canada, India.

Of all the great religions of the world, Hinduism is the one which is absolutely impersonal. To worship personalities and ignore the principles, which they all lived and embodied, has today, unfortunately, become the fashion of a good many of the followers of this great religion. We have literally worshipped Mahatma Gandhi's feet and showered gold and gems upon him, when he came here a few months ago, but I wonder how many of us have cared to raise our little finger for the principles he would die for. It is only natural for man to pay his external respects where such purity, love and reunciation are manifested, but it is the supreme duty of every one, who admires Gandhi and has faith in his program of work for the liberation of his countrymen, to do his best and live his ideals in every day life. A start in this direction can be made only when one understands and appreciates the Khaddar spirit.

Nawalapitiya, 26-3-28. Yours etc, K. Ramasubandra.

Hindu Mahasabha at Jabbalpor

IMPORTANT RESOLUTIONS FRAMED.

CALCUTTA HINDU MISSION ACTIVITIES.

The Secretary of the Hindu Mission, Calcutta, informs us that the Mission has decided to move the following resolutions in the forthcoming Hindu Mahasabha to be held at Jabbalpor, North India:—

- (i) Resolved that considering the vital importance of Hindu culture as a supreme heritage for India and for humanity as a whole, steps should be taken as vigorously as possible for the preservation of that culture and for its dissemination by education, social service and intensive preaching of Hindu ideals in religion and in life; and for the realisation of this Hindu mission should be organised and actively run all over the country from which Hindu cultural and religious preachers should go out systematically and regularly in order to revivify this great culture and religion in the life and hearts of the Indian masses. This Mahasabha urges upon every Hindu, individually and communally the extreme necessity of this sort of missionary work and recommends all Hindus to support this work in every way as a first charge upon their time and purse.
(ii) Considering that the aboriginal tribes, the so-called Animists are really within the pale of the great Hindu Community and considering that they are a constant object of cultural and religious exploitation by non-Hindus on account of their intellectual backwardness, this Mahasabha thinks it just and proper that every effort should be made to give these our aboriginal Hindu brethren their rightful place and designation in the country as well as in official statistics.
(iii) Whereas the strength of a chain is that of its weakest link, whereas Hindu Bengal is the weakest link numerically amongst Indian provinces, whereas Bengal is also one of the greatest Hindu provinces in India, cultural and in other ways, be it resolved that Suddhi and Sangathan work be carried on vigorously in Bengal sparing no energy or money to make it once more a great and powerful Hindu province. For this purpose this Mahasabha recommends the Bengal Hindu Mission as specially deserving all India support and sympathy.

OBITUARY.

Mrs. V. PONNUSWAMY.

We regret to record the sad and untimely death of our beloved friend and sister, Mrs. V. Ponnuswamy of the Police Office, Jaffna and sister of Mr. M. S. Balasubramanian, Pioneer B. O., & N. P., who on Tuesday last at her brother's residence in Vannarantal East. The deceased lady who was 23 years of age at the time of her death contracted an attack of puerperal fever after her recent confinement to which she succumbed in spite of the best medical aid and careful nursing. The funeral took place the same evening and was largely attended the remains being cremated at the Kombarayansal crematorium. She leaves behind to besom her loss besides her husband and her brother, her sister, her mother, 2 children (daughter and son) and a host of friends and relations. We extend our heartfelt and sincere condolence to the members of the bereaved family.

Noted Hindu Hours and Days.

DURING THE MONTH OF APRIL, 1928. (FROM THE 20TH DAY OF PUNGI or Pirapava TO THE 18TH DAY OF CHITHIRAI or Vipava.) Kalkiyatham, 15023-80.

Table with 2 columns: Day and Time, and 2 columns: ABU KALAM. Lists dates for various festivals like Perathosam, Vandanai, Ponguni, etc.

THE MAILS.

(G P O Colombo.) DESPATCHES.

London Mails per a P & O Steamer leaving from Bombay will close on Tuesday, April 3 and per the R. L. "Sibajak" on Wednesday, April 4.

Straits and China Mails per the P & O "Kashgar" will close on Sunday, April 1 and per the N. Y. K. "Hakusan Maru" on Tuesday, April 3.

RECEIPTS.

London Mails per the P & O "Naldara" will arrive on Sunday, April 1, per a P & O Steamer reaching Bombay will arrive on Monday, April 9 and per the P & O "Malwa" on Saturday, April 14.

Straits and China Mails per the S.M.N. "Jan Pieter Coen" will arrive today (Thursday); per the N. Y. K. "Tokushima Maru" on Monday, April 2 and per the N. Y. K. "Kashima Maru" on Wednesday, April 4.

Order Nisi

IN THE DISTRICT COURT OF JAFFNA. Testamentary Jurisdiction No. 6679. In the Matter of the Estate of the late Annalochumyamma wife of Vairamuttu Visavalingam of Point Pedro

- Deceased. Vairamuttu Visavalingam of Point Pedro. Petitioner. Vs. 1. Mutterstam daughter of Visuvalingam 2. Kalyanasapillai daughter of Visuvalingam 3. Thackarattam daughter of Visuvalingam 4. Visuvalingam Vairamuttu 5. Kadiratnayal widow of Sairasegarai, all of Point Pedro Respondents.

This matter coming on for disposal before J. C. W. Cook Esquire, District Judge, Jaffna, on February 9, 1928, in the presence of Mr. N. Madhavan Kesavanthar, Proctor, on the part of the Petitioner and I the Petitioner and affidavits of the Petitioner having been read: It is hereby ordered that the 5th Respondent be appointed Guardian ad litem over the moneys left with the Respondents and that the Petitioner be declared entitled to take out Letters of Administration to the above estate as the husband of the deceased and that Letters of Administration be issued to him accordingly unless the Respondents do so before or on or before April 3, 1928. J. C. W. Cook, District Judge, 9th February 1928, O. 1489.



Jury System in Ceylon

DEVELOPMENT UNDER BRITISH RULE

The following is the continuation of the article under the heading "Trial by Jury in Ceylon Under British Rule" contributed to the "Ceylon Law Students' Magazine" by Mr. James T. Rutnam of Colombo and which appeared in our issue of 20 2 28:-

An account of the introduction of Trial by Jury to Ceylon, I hear, is given by J. H. C. (presumably Revd. James Croft) in an article to the "Saturday Magazine," March 21, 1835, page 10. But unfortunately I have failed so far to get at it. In the collected works of Jeremy Bentham, a letter of Sir Alexander Johnston addressed to Bentham on Trial by Jury in Ceylon is included (4) Bentham was one of the foremost thinkers of his age. The other intellectuals of the time used to gather round Bentham and discuss various matters. Very likely Johnston must have talked and corresponded often with Bentham on the system of Trial by Jury that had just then been introduced to Ceylon.

In the Colombo Museum, there is a copy of a painting depicting the Supreme Court of Judicature in the island of Ceylon in Session. It was done by one J. Stephancif in honour of Sir Alexander Johnston. There is a letterpress which accompanies the original picture which states, "This engraving is meant to commemorate, first the grant made by His present Majesty while Prince Regent to the natives of the right to sit upon Juries, the only instance of such a grant being made by Government to the natives of Asia. Secondly the abolition of Domestic Slavery in Ceylon. To Sir Alexander Johnston, late Chief Justice of Ceylon and President of His Majesty's Council on that Island, for the enlightened and benevolent views which he entertained upon these subjects, by whose exertions and according to whose plan of elevating the character of the Natives of Ceylon the above measures were successfully carried into effect, this Plate is dedicated as a mark of respect by his most obedient and humble servant J. Stephancif." The picture is meant to be a representation of the scene in Court on the opening day of the Sessions when the first Jury was empanelled in Ceylon. The Chief Justice presides in the picture. He is of course Sir Alexander Johnston. The Puisne Judge by him is William Coke. The picture is altogether a very fine one and a copy of it should find a prominent place in the Law College Library.

QUALIFICATIONS OF A JUROR.

The details of the system of Trial by Jury that was established in 1811 are not mentioned in the Charter. A manuscript copy of a letter (6) of Sir Alexander Johnston dated 26th May, 1825, gives us an idea of the system then prevailing. What we call the 'Jury' in Ceylon is nothing but a sort of 'petty' jury. In Ceylon we have no grand jury. The scheme was originally prepared by Sir Alexander to meet local requirements. It described the qualification necessary then to be a juror—"Every native of Ceylon provided he be a freeman who has attained the age of 21 and is a permanent resident in the Island is qualified to sit on Juries." Those responsible were advised when summoning Jurors to pay due consideration to manufacturing and agricultural pursuits and religious ceremonies. It also stated, "No man whose character for honesty or veracity is impeached can be enrolled on the list of jurymen." The accused had a right to challenge five peremptorily and any member for cause. Under the able guidance of Sir Alexander Johnston this novel system of Trial by Jury worked very successfully. It even enabled the authorities "to find among the jurymen some of the most efficient native Magistrates in the country," says Johnston.

A JURY'S INTELLIGENCE.

It is worth recording here an incident related by Sir Alexander Johnston to Archbishop Whately. In 1856 Whately published an edition of Bacon's "Essays" with copious annotations and he relates this incident told him by Sir Alexander in illustrating Bacon's statement that "there is no store or impediment in the wit, but may be wrought out by fit studies." It appears that the "Chief was trying in a prisoner for robbery and murder and the evidence was so conclusive that he was about to charge the jurors, who were Sinhalese, to find a verdict of guilty. One juror, however, obtained permission to examine the witness himself, and he did this so ably that it was proved that the witnesses were themselves the perpetrators of the crime. Sir Alexander was so struck by the intelligence shown by this juror that he afterwards asked him what his studies had been. The man replied that he had but one book, and this he delighted to study in his leisure hours. The book turned out to be a Sinhalese translation of a large portion of Aristotle's "Organon," and to the study of this the Sinhalese juror attributed any intelligence and culture he possessed." (6) Whately is however not correct when he says that Sir Alexander Johnston acted as Governor of Ceylon.

THE KANDYAN CONVENTION.

The political changes which occurred in 1815 resulted in a change in the whole system of judicial administration in the country. The Kandyan territory was ceded to the British King by the Convention of March 2nd, 1815. The representatives of His Majesty undertook to govern the Kandyan people "according to the laws, institutions and customs established and in force amongst them." The Proclamation of 21st November, 1818, reaffirms it by stating that the people will be "only subject to the laws which will be administered according to the ancient and established usage of the country." As this was a time of transition, there was great confusion as to the administration of justice in the Kandyan provinces. The laws established by the British in the maritime provinces, as those which refer to Trial by Jury, could not be enforced in the Kandyan provinces.

ROYAL COMMISSION OF 1829.

About this time a Royal Commission came to Ceylon to inquire into the Executive, Legislative and Judicial Administration of Ceylon. It consisted of Lord Col. Colebrooke and Mr. C. A. Cameron. Both were very liberal minded men, who have had considerable experience in India. It is pointed out that they, at least Mr. Cameron, had come under the influence of the great thinker

and legal philosopher Bentham. This Commission was appointed probably on the recommendation of Sir Alexander Johnston, who, though in retirement, was keenly interested in the development of the Island. This Commission arrived in Ceylon in 1829 and their reports are dated 24th, December, 1831 and 21st January, 1832. They are published in the issues of the "Colombo Journal" of 1832. (7) On the report of Mr. Cameron who dealt with the Judicial Establishments and Procedure in Ceylon, a Royal Charter of Justice (1833), the last charter ever granted, was issued in order as the preferable system, "to make more general and more efficient provision for the administration of Justice." It was meant to coordinate the judicial administration of the Island. The Jury system was therefore completely established in the Kandyan provinces only in 1833, 338 cases that criminal cases are to be tried before a judge and jury of 13 men. This charter also established an assessorial system—"And that every such district court shall be held by and before one judge to be called the district judge and 8 assessors" (Section 20) This has since been modified but even to-day there is provision for assessors to sit with the judge in our district courts.

AN INVALUABLE INSTITUTION.

Recommending the jury system and its kindred assessorial system, Commissioner Cameron says in his report: "A jury considered as the organ of judicial decision, is an institution which it would be very difficult to defend. But considered as a portion of the public placed in an official station, which accords to it the respect of the judge, armed with power to interrogate the judge and the witnesses and thus acquire a complete knowledge of the case, compelled by penalties to be present in Court and compelled to attend to the proceedings by the necessity of pronouncing a public judgment upon them, it is invaluable. It is invaluable, I think, everywhere, but in our Indian possessions it is when coupled with the effective appeal which I shall hereafter recommend, the only check and the only stimulus, which can be applied to a judge placed in a situation remote from an European public and necessarily almost insensible to the opinion of the native public with whom he does not associate."

PANELS ACCORDING TO CASTE AND RACE.

The panels of jurors as devised by Sir Alexander Johnston were according to caste and race. Naturally Sir Alexander realised that as the distinctions of caste were very much observed by the people at that time, it would be dangerous to divide the people otherwise. The Charter of 1833 did not amend this form of creating panels. In Sir Alexander Johnston's time there were also an English Jury and a Special Jury composed of respectable Dutch residents.

THE ORDINANCE FOR CREATING PANELS.

Difficulties however began to show themselves in course of time. It was discovered that even among the Vellalas there were subdivisions of high and low status. The 'highest high' class Vellalas wanted to segregate further and clamoured for a separate panel to be distinguished from low class Vellalas. Chief Justice Otley is reported to have spoken in his answers to the Royal Commission of 1829 of the inability of the Supreme Court to override strong objections of higher castes to sit with the lower. The Government in order to overcome this separatist agitation, introduced an Ordinance in 1836 to amend the existing law of creating panels. It proposed to overlook distinctions of caste altogether in making panels. The High-class Vellalas were infuriated. They put up a very strong opposition. They petitioned and prayed that they be represented by counsel at the debate at the Legislative Council. It was an unprecedented request, but it was allowed and for the first time counsel forged their way into the so far exclusive arena of legislators. Mr. James Stewart appeared for the Vellalas, Mr. Richard Morgan, Proctor, then a beardless youth of twenty two, who was destined to be Queen's Advocate (Attorney-General) and Acting Chief Justice of Ceylon, made his "debut" by appearing "contra." The Legislative Council was crowded when the debate was held on Thursday, 21st September, 1836. Young Richard Morgan made a great speech. In an eloquent peroration he said that he opposed it, "because, Sir, it strikes me that the toleration of caste is perfectly incompatible with the enjoyment of free institutions; it is opposed to the fundamental principle of the British Constitution which declares that all men are equal, and as long as in practice we disagreed with this principle, so long as we totally unite for the privileges of Trial by Jury, say, of any free institution." Richard Morgan triumphed and the Government's motion was carried. Ordinance No. 19 of 1834, was framed as a result of this debate. It abolished distinctions of caste in the making of panels and invited both English-speaking Sinhalese speaking and Tamil speaking panels which we have up to the present day. It originally allowed "all intelligent and respectable men who speak either English, Sinhalese or Tamil" to be included in these panels, but a subsequent Proclamation required also the ability to read and write one of these languages.

FROM 13 TO 9 AND THEN TO 7.

Sir Alexander Johnston established originally a jury of 13 men. A bare majority verdict was then sufficient. This continued for a long time till the number was reduced to nine in the time of Chief Justice, Sir Edward Crossay, Sir Richard Morgan was concerned in this also. Just a few years before his death, he was occupied in the amendment of the Ordinances and the publication of the number of the jury to be reduced to nine. Sir Richard Morgan was opposed to it. When the new Ordinances were published after the demise of Sir Richard Morgan, the number was changed to nine. It was later still reduced to seven and it stands so now. But a bare majority verdict is not accepted now. A majority of two is insisted upon by the judges. Ordinance No. 20 of 1871 provides for the summoning of special juries to try criminal cases before the Supreme Court. There is a great popular agitation against special juries as now prevalent in Ceylon.

An admirable summary of the laws relating to jurors as found in our Ordinances is given in Appendix C to Mr. M. H. Kantawala's "Ceylon Police Court Law." The Coroner's Court of to-day in Ceylon also includes a jury.

MODEL VILLAGE - ANAHEIM. Ordinance No. 26 of 1871, was an attempt made to revive the ancient Gansabawas which fell into disuse owing to the change of administration (8). This Ordinance has been subsequently amended. A hollow apology for a jury is found in the village tribunals as constituted by these Ordinances. There is a President and associated with him are 3 Councillors. The President is given the discretionary power to override the verdict of the Councillors. Unfortunately this discretionary power is exercised too often and many decisions of the Presidents have been reversed in appeal. There was a case recently from a village tribunal in Matara. It was heard on February 11, this year, before Justices Dalton and Lysal Grant. His Lordship Justice Dalton says in his judgment:—"He (referring to plaintiff) was convicted by the President of the tribunal contrary to the unanimous opinion of the 3 Councillors sitting with him. He is not bound of course by their opinion, but it seems to me that here the opinion of the Councillors was in accord with strong common sense." If the Gansabawas should be restored, they ought to be restored in their pristine purity. Our present village tribunals are neither "fish, fowl, nor red herring." Commissioner Colebrooke after seeing a "Gansabawa" meeting in the Kandyan provinces about the year 1830 stated in a note to his report, "I attended one of those assemblies in Kandy and was gratified in observing the regularity of its proceedings. The land owners of the village were assembled and the witness duly examined. The case in question relating to boundary lands had been decided by the Judicial Commissioner's Court and having come before the Governor in appeal was referred back for further evidence and for the verdict of the jury of the village in which the lands were situated."

TRUTH WILL PREVAIL OVER FALSHOOD.

Before we conclude we should refer to a case which will always hold an important place in the history and development of Jury Trial in Ceylon. Mr. James d'Alwis in his "Introduction to the 'Atanagalo Vansa'" refers to it as "the most triumphant vindication of Trial by Jury in Ceylon." It is the case prosecuted in 1832 (9). Three Sinhalese were tried before the Supreme Court at Kandy and charged with High Treason upon eleven Overt Acts. The Judge was Sir William Norris. Of the 13 jurors, six were Europeans and the rest native Sinhalese. Thirty-six witnesses for the Crown were examined and about half that for the defence. The trial lasted for 11 days. But when the verdict was requisitioned, it was found that there was a sharp division between the European and Sinhalese Jurors, the latter holding that the accused were not guilty. The accused were acquitted owing to the majority being in favour of them. But the Judge, the newspapers and the European historians for a long time doubted the honesty of the Sinhalese Jurors. After some time however, the Government became thoroughly convinced of the justice of the verdict. "The Maha Nilame was given the highest office that could be given to him. Dunville was appointed Superintendent of Police over the very district in which he was charged with having attempted rebellion. Lastly the Colonial Secretary in giving evidence before the House of Commons declared that the case in which he had prosecuted was false!" Indeed a triumphant vindication of Trial by Jury in Ceylon! The European Jurors cannot however be wholly blamed for this. They had no local knowledge. The habits, prejudices and mentality of the people were foreign to them and thus their verdict. This only emphasises a point which is sometimes overlooked by foreigners. They often think that so long as the standards of Justice remain the same, they can stand in judgment over anybody. This is wrong: One of the first objects of the jury system is to remedy this wrong. Trial by Jury seeks to enable an accused person to be tried by his own peers. They are the best fitted to try him and nobody will gain say this. Trial by Jury in Ceylon was somewhat bitterly assailed in certain quarters just after the Tewson Murder Case. But the popular faith in Jury Trials did not diminish and the agitation fell through.

KANDY AND JAFFNA JURIES.

Sir St. John Branch, our late Chief Justice, before his departure to England stated: "One thing that has forcibly struck me—and it is true both of Kandy and of Jaffna—(those being the two places in which I have held Assize Courts) is this: the jurors invariably have taken the greatest interest and patience in the trials and the utmost impartiality has been displayed by them irrespective of any question whatever of nationality or position. I have found that the juries have dealt with the accused in this Court and in the Jaffna Court, which is the only other one I have seen, with even-handed justice and with the greatest impartiality. I have the strongest belief in jury trials as not only is the educated influenced of assisting in the administration of justice, but a jury's knowledge of the local conditions supply what would be a grave defect if the Court were without their aid. It is not every country which makes a success of the jury system. My experience is that Ceylon has made a solid and abiding success" (10), and why has Ceylon made such a success of the jury system? Sir St. John Branch's is not the only testimony that can be cited. Chief Justice Alexander Johnston's report contained the success of his own benevolent recommendation. It is not to be understood that Ceylon was no barbarous state into which the system of Trial by Jury was suddenly thrust. As we noticed, free institutions have flourished in the Island since the dawn of its history. The growth of a political and civic sense among the people had not been persistently stifled, as some imagine, by a unbridled anarchy on the part of the rulers. Though we do not have great works on the Constitutional history of Ceylon, yet it is evident that the Constitution of Ceylon has been a highly advanced and ingenious mechanism of its kind. It educated the people to exercise great democratic privileges like the Gansabawas. The efficient working of an institution like the Gansabawa depended on the political wisdom of the community, so a free institution like a system of Trial by Jury was not foreign to the inherited genius and temperament of the people. Therefore it triumphed. We can do no better than quote Mr. James d'Alwis in conclusion: "Indeed it cannot be wondered that an ordeal so much adapted to the ancient institutions of the Sinhalese, so much in accordance with their feelings and so much calculated to promote justice and vindicate truth has worked well in this Island."

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