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JAFFNA, THURSDAY, JULY 19, 1928

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Q. 105

NOTICE.

Tenders will be received by the Chairman, Tender Board, Office of the Controller of Revenue, Colombo, not later than midday on Tuesday, July 31, 1928 for the transport of 900 logs (more or less) from Alutawa Depot to Talawa Depot in the North Central Division.

For further particulars please see notice dated 8.7.28 appearing in Government Gazette No. 7652 of July 6, 1928.

J. D. SARGENT,

Conservator of Forests.

Office of the Conservator of Forests,
Kandy, 11th July, 1928.

G. 931.

NOTICE.

The undermentioned Government timber lying at the Jaffna Depot will be sold by public auction on the spot by the Divisional Forest Officer, Northern Division, Jaffna, on Thursday, August 2, 1928, at 9.15 a.m.:

- | | |
|-----------|----------------------|
| Lot I. | 175 Palo logs. |
| Lot II. | 17 Batin logs. |
| Lot III. | 8 Surlyamara logs. |
| Lot IV. | 5 Palo Posts. |
| Lot V. | 3 Margosa posts. |
| Lot VI. | 31 Teak poles. |
| Lot VII. | 60 Rejected posts. |
| Lot VIII. | 60 Rejected Vallals. |
| Lot IX. | 6 Tons Batin pieces. |

For further particulars, please see notice appearing in Government Gazette No. 7654 of July 13, 1928

J. D. SARGENT,
Conservator of Forests.

Office of the Conservator of Forests,
Kandy, July 7, 1928.
G. 929.

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SPECIAL COMMISSION'S REPORT

I

THE REPORT OF THE SPECIAL Commission published in Ceylon on the 17th instant is a valuable and an important contribution to the solution of the many constitutional problems with which the Island is now faced. However much one may differ with some of the recommendations contained therein and in the appreciation of the facts on which they are based it cannot be denied that the Commissioners have brought to bear on the performance of the difficult task entrusted to them a broad sympathy, clear vision and independence of judgment. The constitution which they have framed is entirely of a novel character the like of which has never been adopted or experimented in any other country before. The feeling of astonishment which it may engender in the hearts of many should not be allowed to blind them to the realities and implications of the new constitution in some of its important aspects.

The most important portion of the Report is the one which deals with the relation of the Executive to the Legislature. The Commission rightly observes that a constitution such as that of Ceylon is a *reductio absurdum* when judged by the accepted standard of parliamentary practice. It practically has given power to the Legislative Council without the corresponding degree of responsibility. The crux of the problem is to find out an effective solution by which this unnatural situation could be removed without in any way diminishing the existing powers of the Legislative Council. The responsible public organisations in the Island suggested that the only effective solution is the grant of full responsibility to the Legislative Council. But this request of the public bodies, after some examination, is rejected by the Commission on grounds which cannot be considered as satisfactory.

As against the grant of full responsible government a scheme for the devolution of responsibility to the State Council is suggested by the Commissioners. The forty odd Government Departments are divided into ten groups of which seven will be in charge of Ministers elected by the Council. Committees assigned to each group, while the other three groups will be under the Officers of the State as defined in the Report. A Board consisting of the Ministers and the three Officers of the State takes the place of the Executive Council which will be abolished under the scheme. The devolution of responsibility is apparent rather than real. The freedom of the Minister is hemmed in on all sides by the extensive reserve powers possessed by the Governor both in the field of legislation and executive administration. The minutes of the Council Committees and every executive act have to be submitted to the Governor and await his approval. Under certain contingencies the Governor himself can legislate ignoring the existence of the Council and carry on executive duties without even consulting the Minister or his standing Committee. No doubt in the case of every difference between the Governor and the State Council or between him and the Minister, it is the duty of the Governor to report the matter to the Secretary of State for Colonies whose decision shall be final. But in the face of such definite powers given to the Governor the scope for action and initiative of the Minister will be altogether curtailed and he will be reduced to the position of a figure-head. Under the scheme the Governor is elevated to the dignity of Olympian almighty who from the heights of his detached glory issues forth his old fiat, that this shall be and that shall not be. In our opinion, if the establishment of responsible Government is impracticable under existing conditions and if the constitution is to be worked with the good will and co-operation of all the reserve powers given to the Governor should be curtailed and he should occupy the position of a constitutional Governor.

LOCAL & GENERAL.

A BOON TO KATHIRGAMA PILGRIMS:—Mr. S. Subramaniam, J. P., U. P. M., Proctor, S. C., Point Pedro writes:— Foundation is to be laid for building a Madam at Bogahapessu midway between Tissamaharama and Kathirgama on the 27th inst. This Madam is intended for the benefit of the Kathirgama pilgrims and is to be put up by the Jalampantha Society. A well has already been sunk at this place for the benefit of the pilgrims.

TEACHER'S PENSIONS:—At last Thursday's meeting of the Legislative Council, the Hon. Mr. T. B. Jayah gave notice of the following motion:—"In view of the fact that the present standard of education in the country is largely due to the self-sacrificing labours of teachers who worked for years without the benefit of the present Salary Scheme, this Council recommends that each teacher whether they retired before the Pension rules were passed or whether they are likely to retire in the near future, be allowed to count their past services, as contributory service for the purpose of calculating pensions."

THE NORTHERN ASSIZES:—The first case taken up for trial on Monday the 16th inst. before Mr. Justice Allan Driberg and an English speaking Jury with Mr. I. Antonipillai as foreman is one of murder from the District of Mannar in which three Sinhalese Weerasinghe Kruppa Hingra Appa, Bernard Perera and James Weerasinghe stood charged the first with the murder of a Moorman named Methar Noor Mohammed and the 2nd and 3rd accused with aiding and abetting the 1st accused in committing the crime. Mr. R. R. Crossen Thambiah is conducting the prosecution while Mr. S. D. Tampoe is defending all the accused. The trial is proceeding.

PERSONAL:—Mr. K. Vettivah, Head Officer, Kuala Selangor, F. M. S., is coming over to Jaffna shortly on long leave and will be staying at his residence in Arady North—Oor.

THE JAFFNA MODEL SCHOOL:—This school established by the Jaffna Urban Education District Committee, will be opened on the 30th inst. by H. E. the Gov. or who has kindly accepted the invitation of the Committee for the purpose. This is the first Government School of this type in this Town, and the Committee and the Divisional Inspector of Schools, Jaffna, are, we understand, making good endeavours to place it on a very efficient basis. The course will be bilingual, with provision for the learning of Sinhalese in the higher classes and will lead up to the E. S. L. O. Examination. A notice advertising to this school appears elsewhere.

JAFFNA POLICE MAGISTRATE'S LATE HOUR SITTING:—Considerable dissatisfaction is said to be prevailing among the Lawyers practicing in the Jaffna Police Court and the snafos on account of the extraordinary procedure adopted by the Police Magistrate in prolonging the sitting of his Court till about 7 p. m., on Thursday last.

Voting Areas for Taverns.

WITHIN U. D. O. LIMITS.

The following is the list of the areas assigned to the taverns (Toddy, Arrack and Foreign Liquor) within the Jaffna Urban District Council limits as recommended by the Excise Advisory Committee of the J. U. D. O. at the request of the Government Agent, N. P. Jaffna:—

TAVERNS	AREAS
TODDY, ARRACK & FOREIGN LIQUOR.	U. D. O. WARD
1. Colombaratal T. T.	3 & 4
2. V. Ponnal N. W. T. T. & A. T.	7 & 8
3. Obliatara West T. T.	4 & 5
4. Trucelvally East T. T.	5, 6 & 7
*5. Nallur T. T. & A. T.	4, 5, 6 & 7
6. Karayar T. T.	1, 2 & 6
7. Karayar A. T. & F. L.	U. D. O. who area

*Nallur T. T. is, we understand, a new Tavern.

OPENING OF A NEW TAVERN CONDEMNED.
We understand that the Urban District Excise Advisory Committee has made the following suggestions while assigning the areas for the respective taverns.

As regards No. 5 Nallur toddy tavern my Committee desires to point out that this appears to be a new tavern and any attempt to open a new tavern in a dry area should be discouraged.

I may also add that in respect of certain taverns it may be necessary to assign areas outside the J. U. D. O. limits although this Committee did not think it justified to do so themselves.

MATRIMONIAL.

KUMARASWAMY—SIVAGNANAM.

The marriage of Mr. O. T. Kumaraswamy, Proctor S. C., and Notary Public of Colombo, with Miss Sivagnanam Manikavagar, niece of Mr. V. M. Karaswamy, Proctor, S. C., took place at the residence of the bride on Saturday the 14th inst. in the presence of a very large number of friends and relations. We extend our hearty congratulations and good wishes to the newly married couple.

SPECIAL COMMISSION'S REPORT.

STATE COUNCIL TO REPLACE LEGISLATURE.

GRANT OF MANHOOD SUFFRAGE.

WOMEN OVER THIRTY TO VOTE.

10 MINISTERS: 3 OFFICIALS & 7 UNOFFICIALS.

The following are excerpts from the Report of the Special Commission on the Constitution for Ceylon issued by the Colonial Office in London, on last Monday evening and by the Ceylon Government, on last Tuesday morning.

The personnel of the Commission:—Lord Donoughmore (Chairman), Sir Mathew Nathan, Sir Geoffrey Butler, and Dr. Drummond Shiels. Mr. P. A. Clutterbuck (Secretary.)

SUMMARY OF RECOMMENDATIONS.

THE CENTRAL GOVERNMENT

The existing Order in Council should be replaced by an Order in Council embodying the scheme for the new constitution, the object of which is to transfer to the elected representatives of the people complete control over the internal affairs of the Island, subject only to provisions which will ensure that they are helped by the advice of experienced officials and to the exercise by the Governor of certain safeguarding powers.

The chief features of the new constitution would be the substitution for the existing Legislative Council of a State Council which would deal with administrative as well as legislative matters and would sit therefore in executive as well as legislative session; the decentralization of control from the existing Colonial Secretariat and the arrangement of the Departments of Government into ten groups in charge of Ministers, of whom seven would be elected members of the Council, chosen as hereinafter indicated, the remaining three, to be called Officers of State, being the Chief (formerly Colonial) Secretary, the Treasurer, and the Attorney General; and the association with each of the seven elected Ministers in the administration of his Department of a Standing Executive Committee of the State Council.

On the assembly of a new Council the members would proceed to divide themselves into seven Executive Committees, each of which would select its Chairman for appointment by the Governor, the Chairman so appointed being the Ministers referred to above and individually responsible, with their Executive Committees, to the Council for the direction and control of the Departments. Executive Committees would not be associated with the three Officers of State in respect of the Departments left in their charge, since the functions of these Officers will be largely advisory and the activities of their Departments impervious to the decisions of the Council.

The Executive Council should be abolished and the ten Ministers should be constituted as a Board with ultimate collective responsibility for the annual Budget and Estimates, Supplementary Estimates, and consequential financial measures. The Board of Ministers would also settle the order of business for the Council and would determine the procedure by which matters which concerned more than one Executive Committee could most conveniently be arranged. The Chief Secretary should be Chairman of the Board but since he and the other Officers of State would be respectively the political, financial and legal advisers to the Government rather than executive officers they would not vote either at the Board of Ministers or in the Council.

The Board of Ministers should elect its Vice Chairman, who would be ex officio leader of the State Council, from among the seven Chairmen of the Executive Committees; and the Council should elect its Speaker and Chairman and Deputy Chairman of Committees.

GOVERNOR'S POWERS.

The proceedings of the Executive Committees would be reported to the Council in Executive Session and as approved by the Council, would be submitted to the Governor for ratification. Similarly, the legislative measures passed by the Council would continue to be submitted to the Governor for his assent. The Governor would have the unqualified right to refuse or reserve his assent, both in executive and in legislative matters, but he would not normally exercise this right unless the proposals were such as in his opinion to conflict with the provisions of the Royal Instructions issued to him. The powers of the Governor would be supervisory rather than executive but his executive powers being diminished his reserve powers would be proportionately strengthened.

Power of the deciding authority to refer back measures and proposals to the originating body for further consideration is a feature of the new constitution to which we attach the highest importance. Our proposals contemplate three types of "reference back." The Governor would be free to refer back legislative or executive measures to the Council; the Council would be free to refer back executive business to the originating

Executive Committee; and, in the case of the annual Budget estimates and supplementary estimates, the Council would be able to refer back to the Board of Ministers. In the last case, however, the Council would be debarred from referring back more than once.

A Committee should be appointed by the Governor to revise the Standing Orders of the Council in order that such alterations as may be necessitated by the adoption of our recommendations may be approved in advance of the introduction of the new constitution. This Committee should seek to preserve and elaborate in the Standing Orders such ceremonial forms and practices as may be considered appropriate to the increased power and dignity of the Council.

Working rules for the division of responsibility between Ministers and Heads of Departments should be prepared and approved before the introduction of the new constitution and the Ceylon Government should be invited to take immediate steps to that end.

Other preparations for a change of system should be made without delay. Plans for the decentralization of control from the Secretariat should be prepared, the organization completed for the grouping of the Government Departments, and arrangements made for the provision of office accommodation and secretarial staff for the Chairman of each Executive Committee and for the determination of the many minor questions to which so comprehensive a transfer of work and responsibility would give rise.

FRANCHISE AND REPRESENTATION.

The present property income and literary qualification for the franchise should be abolished and the franchise should be extended, subject to minor reservations, to all men over 21 years of age and to all women over 30 years of age who (a) apply to be registered as electors (b) have resided in the Island for a minimum period of five years.

The qualification for membership of the State Council should be the same as that of the electors, except that no person should be eligible who has not a literary qualification in English.

The strength of the State Council should be increased from 49 to a maximum of 80.

Common representation should be abolished and the Council should be composed as follows:—65 members elected for territorial constituencies, 3 ex officio members (the Officers of State), and certain members nominated by the Governor up to a maximum of twelve, if the Governor should consider the nomination of such members necessary to make the Council more representative.

A local Commission should be appointed without delay to arrange and redistribute the territorial constituencies so that each electoral area may contain a population of between 70,000 and 90,000.

KANDY AND JAFFNA CLAIM.

There should be occasional meetings of the State Council in Kandy and Jaffna.

LOCAL ADMINISTRATION.

The existing Local Government Board should be abolished and a special Government Department should be established to take charge of local administration. This Department would be placed under the control of an Executive Committee of the State Council which should also be responsible for land administration and for the Land Settlement and Survey Departments.

The activities of this new Department would be two fold; it would be responsible for supervising the administration of existing local bodies, including municipalities, and it would be specially charged with the duty of investigating, preparing, and promoting schemes for the extension of local government in the Island.

The Local Administration Department should be assisted in its duties by an official experienced in modern local administration who should be specially recruited from Great Britain for this purpose.

A senior Medical Officer of Health and one or two engineer specialists should be seconded by the Medical and Public Works Departments to serve as liaison officers with the new Department. Special arrangements should also be made for the engagement of a town planner, one and, possibly two, assessors and at least one accountant. The

thus provided should be expanded as circumstances may dictate and would form a nucleus of an expert advisory personnel who would be available not only for consultation by the Department but also for advising such local authorities as might for their assistance.

One of the first duties of the new Department would be to examine, in consultation with representatives of other Departments, the full possibilities of a scheme for the establishment of co-ordinating bodies, such as Provincial Councils, and for the delegation to such bodies of certain administrative functions now exercised by the Central Government.

The Department of Local Administration should also consider whether effect should be given to the view that General or Rural District Councils should no longer find a place in the system of local administration; whether Local Board towns above a certain population should become, *ipso facto*, Urban District Councils; whether for the present Statutory Boards there should be substituted Town Committees administering individual towns; and whether when any village attains in future a size or importance which would have justified its being put under a Sanitary Board it should be given its own Town Committee.

Following the principle adopted for the Central Government, local bodies should consist entirely of elected members, the official element coming in as advisers. The election of such bodies as Town Committees might be as for Village Committees, by adult male suffrage; in the election of Urban District Councils and Municipal Councils the qualifications for voters should be the same as for voters in elections to the Legislative Council.

The qualification for membership of Municipal Councils, Urban District Councils, and Local Boards so long as they continue, should be the same as for membership of the State Council. No change should be made in the existing qualifications for membership of Village Committees, and these qualifications should apply also to membership of Town Committees if and when established.

The Chairman of Committees and Councils should in all cases be elected by those bodies unless in the opinion of the Local Administration Executive Committee no suitable candidate had presented himself or it had become necessary for any reason for the Government to take over the functions of the Committee or Council. Except in such cases no full time servant of the Government, this including Chief Headmen, should be eligible for membership or chairmanship of any Municipal or Urban District Council or of any Town or Village Committee.

Each Urban District Council should be provided with a chief clerk who would in turn be assisted by subordinate clerical staff; and the clerical posts under the various Councils should be linked up, awarded salaries comparable to those allotted to posts of similar standing in the Public Service, and given a pensionable status.

Consideration should be given to the desirability of a change in the methods of recruiting and appointing Chief Headmen.

CIVIL AND PUBLIC SERVICES.

The new Letters Patent should contain an Article preserving to the Governor the right to make all appointments to the public services, with the proviso that the approval of the Secretary of State should be obtained for all such classes of appointment as the latter may direct.

An Article in the New Order in Council should give all public servants now holding posts under the Ceylon Government the right of which is subject to the approval of the Secretary of State, or who may have been recruited for such posts prior to the publication of the Commission's Report, the unqualified right to retire on proportionate pension, with compensation for loss of career, either immediately or at any time in the future; the rates of pension and the scale of compensation to be calculated on such basis as the Secretary of State may determine.

In the determination of this basis it is recommended that special consideration should be given to the case of those officers who after serving in the War entered the service of the Ceylon Government at a higher age than they would otherwise have done.

The Order in Council should also include an Article reserving to the Secretary of State the final decision in all matters affecting the salary and emoluments, pensions and gratuities, prospects and conditions of service of all public officers who now hold or who may in future be recruited for posts under the Ceylon Government the filling of which is subject to his approval, or the gratuities and pensions payable to their widows or orphans or legal representatives.

The Order in Council should also include an Article giving the Secretary of State power to fix the ratio of recruitment of Europeans and Ceylonese in all branches of the public service and to make such regulations for the purpose as he may deem proper.

An Independent Salaries Commission should be sent out from Great Britain with instructions to:

- (1) Determine afresh on the basis of the needs of a Ceylonese officer the salary emoluments and allowances to be attached to each class or post in the Ceylon Services.
- (2) Determine the amount of the overseas allowances to be granted to the holders of these posts, if Europeans.

(3) Make recommendations as to passage privileges.

(4) Make recommendations as to the ratio of recruitment as between Ceylonese and Europeans in the various branches of the Ceylon Services.

(5) Consider and report on such other matters as may be referred to it by the Secretary of State or by the Ceylon Government with the Secretary of State's consent.

A Public Services Commission should be established, composed of the Chief Secretary and two other senior Government officers, who would be appointed by the Governor and hold office during his pleasure.

This Commission should report to the Governor, and would be responsible for advising him:

(1) With regard to the appointment of individuals to posts in the Ceylon Services carrying salaries greater than those to which Heads of Departments may be empowered to appoint on their own authority.

(2) With regard to the promotions of individual officers to all posts above this salary limit.

(3) With regard to the grant of facilities to individual candidates with a view to their subsequent employment or promotion in any branch of the Ceylon Services.

(4) With regard to regulations governing conditions of entry, promotion (including language and other examinations), reward, punishment and dismissal, whether applicable only to particular branches of the Ceylon Services or to its Services as a whole.

GOVERNOR'S POSITION AND POWERS.

EXECUTIVE ACTION.

It remains to define the position and powers which we have assigned to the Governor under this scheme for a constitution. We propose first to comment on the two extreme and diametrically opposed courses which immediately suggest themselves. The first is to approximate his position to that of a Governor who has no constitutional responsibility for the Government of the country where he represents the Sovereign; the other is to restore him to a complete direction of the affairs of the Island. The adoption of either policy would make his position well defined. Under the first course his responsibility to the Secretary of State would in a sense be secondary, for he could always point to responsible Ministers should any action be called in question. Under the second course he and he alone would be responsible, and he would be bound to exercise his powers under an abiding sense of his responsibility. It is easy to understand then that a Governor would welcome the selection of one or other of these alternatives. But neither of them is suited to the conditions of the present case. We have already indicated that in our view it is one of the questions to be re-introduced in Ceylon the condition of what used to be known as "Crown Colony Government." But it is no less impracticable for us to recommend that Ceylon should pass from such conditions, with but one brief intermediate stage, to full responsible government. The position of the Governor must be consistent with the type of constitution which we contemplate. If the new constitution is effectively to transfer to the elected representatives a large measure of responsibility the retention unaltered of the Governor's powers would be inappropriate; if on the other hand the constitution will not be equivalent to the grant of full responsible government it would be illogical to place the Governor in the position of the constitutional head of such a government. The change then in the position of the Governor must accord with the degree to which responsibility is to be transferred, and his executive powers must be diminished in direct ratio to the advance made towards responsible government. There is nothing impractical or confusing in this procedure. As a country ascends the scale of self government it is inevitable that the powers of the Governor should be gradually restricted and the British Empire affords many examples of countries which enjoy a large but not a full measure of responsible government, involving a corresponding modification of the Governor's constitutional status. While therefore we cannot accept either of the two extreme conceptions of the Governor's position we must emphasize that the assignment to him of an intermediate status is both justifiable in itself and is in full accordance with the accepted principles of constitutional development in the Empire.

Our central aim in devising a new constitution has been the devolution on the inhabitants of Ceylon of the responsibility of managing their own internal affairs, subject only to certain safeguards in the background. It follows then that the executive responsibility of the Governor must be *pro tanto* diminished. But here we are faced with a paradox. For with every transference of responsibility to representative organs the Governor must be given such additional reserve powers as will enable him to see that this reserve power is not wrongly exercised. These reserve powers will represent one form of safeguard, which will operate if and when the principles of the constitution should be infringed; the other form of safeguard which we contemplate lies in the presence of the Officers of State as expert advisers and critics. The responsibility for the proper use of these safeguards will lie with the Governor and the position which he will occupy will best be made clear by a detailed exposition of the powers which we recommend should be entrusted to him.

EXECUTIVE ACTION.

We have indicated that under our proposals the periodical reports of the Executive Committee, as amended and passed by the Council, would be submitted to the Governor for ratification and that it would not be competent for the Executive to take action on any item approved by the Council until the Governor's ratification had been received. This principle should be definitely established in the constitution. To enable him to deal with such reports the Governor should be given similar powers to those advocated in the legislative field. Thus he should have power to approve, refuse approval, reserve approval pending submission to the Secretary of State, refer back to the Council for further consideration, or orally any particular item as involving an important question of principle and so requiring the support

Continued up.

Ceylon Students' London Dinner

(From our London Correspondent)
London, 28th June.

The Annual Dinner of the Association of Ceylon Students in Great Britain and Ireland was held yesterday with great éclat at Hotel Cecil. Covers were laid for over 160. Mr. R. J. F. Mendis, the President, was in the chair, with Sir William Beveridge (Vice-Chancellor, London University) who was the chief guest of the evening on his right. Prominent among the European guests were Dr. Drummond, (one of the members of the Special Commission who showed so much genuine interest in Ceylon), & Mrs. Shiels, Dr. Gray (Dean of University College Hospital) and Mrs. Gray, Mr. B. Rawling (Surgeon, Bartholomew Hospital) and Mrs. Rawling, Mr. Langdon (Director of Legal Studies) and Mrs. Langdon and Mr. C. F. Andrews.

Prominent among the Ceylonese visitors were Sir Maroon Perando, Padikara Mudalivar Wijayasinghe and Mrs. Wijayasinghe, Mr. F. Obeyesekere, Mr. and Mrs. R. L. Perera, Mr. George de Silva, and Mr. T. Nallathothan.

The following is the Toast List:—
THE KING,
(with musical honours.)
"CEYLON."

Proposed by Sir William Beveridge, K. O. B., (Vice-Chancellor, University of London).
Response by Mr. Forrester Obeyesekere, (Member Legislative Council, Ceylon).

OUR GUESTS.

Proposed by Dr. L. A. S. Rajasingham.
Response by Messrs. L. Bathe Rawling and C. F. Andrews.

UNIVERSITIES.

Proposed by Mr. Bala Muttanayagam.
Response by Mr. A. M. H. Gray, (Dean, University College Hospital).

THE ASSOCIATION.

Proposed by Dr. Drummond Shiels, M. P.
Response by Mr. R. J. F. Mendis, (President of the Association).

During the Dinner and after there were musical dances both instrumental and vocal, which enlivened the function, which went on till 12 midnight and proved a success.

Continued.

Of two thirds of the members of the Council. It may be considered unnecessary to give him the delaying powers which are more appropriate to legislative than executive measures, but it would perhaps avoid confusion if the constitution were to include a general provision extending to the executive actions of the Council the powers given him to deal with legislation.

The same instructions should also be laid down for his guidance as to the matters to which he must refuse or reserve his approval, and the same power should be given him to take executive action, in default of the co-operation of the Council, in matters of paramount importance to the public interest. He will thus have a general right to refuse or reserve approval to any executive measure of the Council, but he will not normally exercise this right unless the measure is of such a character as to fall within the categories of measures to which he is bound by Royal Instructions to refuse or reserve approval. In addition, it should be provided that the executive proceedings of the Council, with a report of his action in the event of disagreement with the Council's decisions, should be periodically submitted by the Governor to the Secretary of State, by whom the Governor's decisions would be open to review. The submission of these reports would not, however, delay action on his decisions which, as in the case of assent to legislation, would be operative as soon as they had been given. It should also be provided in the constitution that the right of making appointments to the public service should rest with the Governor and the General Orders of the Government should be revised to enable the procedure which we have recommended on pages 158-161 to be adopted.

A further field for executive action lies in those matters which we have recommended should be placed in the charge of the Officers of State. The latter, as we have indicated, will in strict constitutional theory be responsible to the Governor. But since the control both of policy and finance will be in the hands of the Council, to which the Officers of State will in practice have to account for the actual administration of their Departments, the theoretical position loses much of its significance. We contemplate then that in respect of the Departments retained in their charge the Officers of State will be in much the same position as other Ministers, and that the Governor will normally follow the advice of these officers. So, however, his responsibility for the affairs under their control will be absolute, he will of necessity retain full discretion and will thus be free in matters directly affecting Imperial as distinct from local interests to direct action on his own initiative and in accordance with his own judgment. Generally speaking, however, his powers in these, as in other respects, will be supervisory rather than executive and we have no doubt that in matters of detail the Officers of State will be given a free hand.

Among the Imperial affairs referred to above is one of vital importance, viz. the defence of the Island. In this matter we do not contemplate any changes in the well-understood relations between the Governor as Commander-in-Chief and the Officer Commanding the Troops.

On the question of direction by the Governor (in this and in matters affecting external relations) we think it necessary to state that while we are definitely of opinion that those affairs for which the Imperial Government is responsible to the Parliament of the United Kingdom, and to the people of the whole Empire, should remain under Imperial decision, we are not fearful that there will be any desire on the part of the representative of the people of Ceylon as to order the policy of the Island as in any way to militate against the general interest of the Commonwealth of Nations to which they belong, or against the special interests of the people of Great Britain who have commercial, financial, or other connection with the Island. What we heard and saw in Ceylon, the treatment meted out to ourselves there, the respect we observed to be shown on all occasions to His Excellency and to his high Office, the candid recognition to us of benefits derived from the long association of the Island to the United Kingdom, all forbid this fear.

Government's Hospital Policy.

SELECT COMMITTEE TO REPORT.

At last Thursday's meeting of the Legislative Council, Hon. Sir P. Ramanathan, K. C., moved:—

That a Select Committee of this Council be appointed to consider and report upon the Memorandum on Hospital Policy, published as Sessional Paper XV. of 1928.

Sir Ponnambalam said that as Government accepted the motion he did not intend to make a speech on it.

Hon. Mr. W. A. de Silva seconded.

Hon. The Colonial Secretary said that Government accepted that motion.

Sir Ponnambalam handed in the following names of members to constitute the Committee:—Messrs. D. H. Kotalawala, O. W. W. Kannangara, W. A. de Silva, and Sir P. Ramanathan.

WANTED.

(By 15th August 1928)

Three teachers for the Jaffna Hindu College, B. A's, B. Sc's, and M. A's, qualified to teach English, Latin, History, Mathematics and Science, up to the London Intermediate standard. Apply before July 23rd, stating age, academic qualifications, teaching experience, subjects qualified to teach and present employment, to—

W. DURAISWAMY,
Manager.

The Jaffna Model School.

The Jaffna Model School will be opened on the 1st of August 1928. The course will be bilingual, with provision for the learning of Sinhalese in the higher classes and will lead up to the E. S. L. C. Examination.

Both girls and boys above 5 years will be admitted. Applications for admission to the school should be made on the prescribed form, which can be obtained on application from the Divisional Inspector of Schools, N. D. The last day for sending in admission forms will be the 25th of July, 1928.

SCALE OF FEES.

From the Kindergarten to Standard 3.....50cts.			
Standard.	4	Rs. 1 00	per month.
"	5	Rs. 1 25	"
"	6	" 1 50	"
"	7	" 2 00	"
"	8	" 3 00	"
Final Class.		" 4 00	"

Education Office,
Jaffna, July, 1928.
G. 935.

H. S. PERERA,
Divisional Inspector.

The Motor Car Ordinance, 1927.

MOTOR CAR LICENCE TO BE EXHIBITED ON.

It is hereby notified for the information of the public that Section 86 (2) of the Motor Car Ordinance No. 20 of 1927 which requires the Motor Car licence to be carried in the car in a water proof holder having a transparent front placed in a conspicuous place on the near side of the Motor Car for easy inspection, and the operation of which was temporarily postponed, shall come into operation from the 1st August, 1928.

MR. SINNATAMBY,

for Registrar of Motor Cars.

Office of the Registrar of Motor Cars,
Colombo, 12th July, 1928.
G. 933.

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA.

Testamentary Jurisdiction No. 6779.

In the Matter of the Estate of the late Vijayalechmy wife of Sannugam Vairamuthu of Araly East

Deceased.
Annamma widow of Sangarapillai Nannithamby of Araly

Petitioner.
Minor, 1. Valramuthu Sannugathasan of do and
2. Sannugam Vairamuthu of do presently of Nalanda Nawala

Respondents.
This matter of the Petition of the above-named Petitioner praying that the 2nd respondent be appointed guardian ad litem over the minor the 1st respondent and that Letters of Administration to the estate of the said intestate be issued to the petitioner coming on for disposal before J. C. W. R. Esquire, District Judge, Jaffna, on May 21, 1928, in the presence of Messrs. Nagalingam and Nagalingam Brothers, on the part of the Petitioner and the affidavit of the Petitioner dated May 17, 1928 having been read, it is ordered that the above-named 2nd respondent be appointed guardian ad litem over the minor the 1st respondent and that the Petitioner be declared entitled to have Letters of Administration to the estate of the said intestate as her mother unless the Respondents or any other persons or persons shall appear before the Court on June 26, 1928 the show cause to the contrary.

J. C. W. ROCK,
District Judge.
June 1, 1928,
Extended to 24 7-28,
Q. 1488.

IS IT PRIVATE OR PUBLIC PROPERTY?

The adjourned hearing of the Nallur Kandaswamy Temple case was resumed last Monday, the 16th instant in the District Court, Jaffna, before Mr. J. C. W. Rock.

Thayagaraja Kurukkal, witness for the Petitioners was examined by Mr. Hayley showing a document to witness.

You got this translation made?—Yes.

Did you get all the translations of other notices made?—No.

This is translated by Valliammal?—Yes.

What is he?—A Sworn translator.

Is that the first translation he made for you or did he make any other before?—I don't know, I gave him this, and he translated and gave me both the original and the translation.

Did you again give that to him to make any changes in it?—No.

Mr. Hayley: I have a copy of the translation of that notice with some material changes.

Did you tell him to alter some words in it?—No, I did not tell him to alter anything but I read out to him and explained some words.

Which of the words you explained to him?—There were some important words, like Raj, Manager, I might have told him the meaning of the word *Atheenakathar* (அதீனகத்தர்).

What did you tell him as its meaning?—I told him the meaning of the word is trustee of a charity property. I explained to him that it referred to some *Mutts* in India also, I questioned him how he translated it. He said "owjee".

I said it was not so but it meant "trustee".

Do you know English?—Little.

He had already translated it before you told him?—No. He told me he had translated it like that in the Defendant's copy.

Can you give evidence in English?—No.

As you don't know English you can't tell us the correct English word for that word? No, I gave the meaning in Tamil. I don't know the appropriate term in English.

Have you heard of a Tamil English Dictionary by Winslow?—No.

You know the word *Sudanatham* (சுடனத்தம்)?

What is its meaning?—One's own.

Who obtained this (showing a document)?

You got that in Colombo?—Yes.

Who suggested it to you to get it?—Plaintiffs asked me to get it for them.

What did they ask you?—They asked me to search and obtain for them materials necessary for this case.

Who suggested Mr. Balmer?—I inquired for it at the Kachecheri. They said they could not get it and asked me to get it from the Colonial Office.

What did you ask for?—*Thombu*.

Thombu regarding that? Of the land on which the temple is built.

Whom did you ask to search for it? I submitted a petition to the Government Agent N. P.

Court: What did you ask for? I asked for a copy of *Thombu*, register of a land on which the Nallur Temple stands.

When did you ask for it? I don't remember the date.

Mr. Hayley:—What did he say? They searched in the Kachecheri. I was sent for and told that there was no such *Thombu* in the Kachecheri and he directed me to search in the Colonial Office. I went to Colombo on some business and then I submitted a petition to the Colonial Secretary.

Making the same request?—Yes. In that petition I stated that I asked the Government Agent N. P. and he had referred me to the Colonial Office.

You asked for the same *Thombu*?—Yes.

What happened?—I was sent for and the Officer there read out to me the description of the lands.

What descriptions did he read out? He told me there are two or three lands at Nallur by name "Kurukkal Valavu" and he asked me which land I referred to. I said I referred to the *Thombu* of the Temple land and also said that I heard that the *Thombu* register was in the name of Sethu-kavala Mudaliyar's daughter who was Peria Thambarampallai's wife.

Did you find that *Thombu*? I told him that the Temple was situated next to Peria Thambarampallai's land.

Did you tell him that the land was 6½ lms, in extent?—Yes. There was no such entry?—No.

Court:—He gave you the copy as a result of your conversation?—Yes. Hayley:—That land was 7½ lms, in extent and there are two lands by that name?—Yes. No boundary given or any means of identifying it? No boundaries. Did you get certified copies of other lands known as "Kurukkal Valavu"?—No. How many lands are there by that name? He said there were only two lands. The name *Kurukkal Valavu* means priest's land?—It will mean both Kurukkal's residence and Kurukkal's land. You told us the other day that the person who is said to own this land was Ambalavanar Subramaniam?—Yes. You said it was the name of Kandaswamy?—Yes.

You searched & examined deeds of over 100, ears belonging to the temple?—I examined those documents that were in my possession and some that others had. Can you produce a single document or any such writing in which Kandaswamy is named as Ambalavanar Subramaniam?—No. You produced a copy of document supposed to be a letter of appointment by Governor Maitland?—Yes. You told the Court that the original was filed in case No 5870 of this Court?—Yes, instituted by my father. This copy was obtained in 1910?—Yes, my brother obtained it. Why? I don't know. Certain remarks on the top of that copy are erased. Can you tell me what they are? I can't say who did it?—I don't know. All documents produced in this case turn out to be careless, I want you to be careful. Can't you say what those remarks are?—I can't say what was there. If you refer to the original you can find it.

I have the original with me. It says that it was returned to the plaintiffs in that case in 1876—I don't know. Can you suggest who did it? I can't. The plaintiffs in that case are my father and uncle, where is the original now? I don't know what happened to that. I obtained don't know what happened to that. Witness this (copy of it) from my elder brother. Witness was examined by Mr. Kulasingham. What happened to the original document of appointment by Governor Maitland?—I don't know. It is in existence we would produce it if we could. It is in existence we would produce it if we could. This copy was certified by Mr. Moore, Secretary?—Yes. Mr. Reimers will give evidence in this case?—Yes. What is your authority for saying that?—Yes. What is your authority for saying that?—Yes. What is your authority for saying that?—Yes.

Subramaniam is the same as Kandaswamy?—In

Tamil *Nigandu* Subramaniam Swamy has revealed name. *Kandaswamy* is one. Why do you say that *Atheenakar* (அதீனகத்தர்) means trustee and not proprietor?—In India there are several *Atheen* names such as *Toluvavaduthu* *Atheenam*, *Toluvavaduthu* *Atheenam* and so on. The managers of those *Atheenams* are the trustees of those places. They are known as *Atheenakar*. You are well versed in Tamil and Sanskrit?—Yes.

Pillayar Sinnappa, (72) trader was next examined. You are son-in-law of Velupillai Udaya?—Yes. He was a neighbour of Sangarappillai, father of the 1st defendant?—Yes. Did you know Kandiah Mappanar when alive?—Yes. Do you know when Sangarappillai and Arumuga Mappanar entered as Managers of the temple?—Yes. When?—In 1892. Both of them became Managers?—Arumuga Mappanar became Manager and Sangarappillai as Assistant Manager.

Was a meeting held in connection with the management of the temple?—Yes, in November 1892. Did you attend the meeting?—Yes. Your father-in-law, Velupillai Udaya?—Yes. Who asked him to be present?—One Namaseivayam. Who asked you?—No one. I went with my father-in-law. Who presided?—Ponnampallai, nephew of Arumuga Navalai?—Yes. Was Sangarappillai present?—Yes. Yes. How many were present?—over 160. What was the meeting decided?—Arumuga Mappanar was made the Manager and his father as his assistant. Court was it carried out?—Yes. How long were they like that?—Sangarappillai died after fifteen years. After that his son continued to be the sole manager for about 5 or 6 years more. Cross examined by Mr. Hayley. Can you say if Kandaswamy was present at that meeting?—I can't. Was there any other meeting?—Yes. Once before there was another meeting 80 or 40 years before. Who asked to give evidence in this case?—Mr. Swaminathan the chief man among the plaintiffs. How long have you known this temple and its affairs?—I have known it for about 60 years.

Did you know Ragnatha Mappana Mudaliyar?—No. Never heard him?—No. You told us you know Arumuga Mappanar. You know his mother Ponnappillai?—Yes. You know who Ponnappillai's sisters were?—Kandiah Mappanar married two sisters of Ponnappillai. His daughter was Amithavally married to Dr. Kandiah. I know Kandiah Mappanar's wife and Ponnappillai who were three sisters. I did not know they were daughters of Ragnatha Mappana Mudaliyar.

The next witness examined was Mr. C. K. Swaminathan.

You are the 2nd plaintiff in this case?—Yes. You are Headmaster of Ramanathan College?—Yes. Formerly Vice Principal of the Jaffna Hindu College?—Yes. Are you a regular worshipper at the Nallur Kandaswamy temple?—Yes. Have you been making contributions to the temple?—Yes. In the form of *archanam*?—Yes. For how many years have you been a worshipper? For the last 25 years.

Court:—What is your age?—51. Counsel:—Is it true that you have instituted this case at the instigation of the Brahmins?—No. After the death of Arumuga Mappana Mudaliyar there were some family disputes between the 1st defendant and the widow of Arumuga Mappana Mudaliyar. At that time certain facts were brought to the knowledge of the public—very startling facts. One was that the defendants had executed two deeds claiming the temple as their private property, and also claiming the right to spend the surplus income of the temple as they liked. Another fact was that a schooner built, believed to be out of temple funds at a cost of Rs 60,000 was claimed by the widow of Arumuga Mappana Mudaliyar as the private property of Arumuga Mappana Mudaliyar. There was a case No. 9805 of this Court instituted in this connection. The widow claimed it as part of her property while the first defendant claimed it as the temple property. Another fact is the private life of this man—the first defendant, which is considered to be a slur on the community.

Court:—By whom?—By me and others.

Counsel:—So you filed this action? So we formed a committee to take steps to bring the temple under the Trusts Ordinance. How were the festivals conducted in the temple?—By the public. Each festival is conducted by one or two members of the public?—Yes. Are all classes of the public allowed to worship in the temple?—Yes. Was there a time when Mohammedans also were allowed to worship?—Yes there is a door on the western side of the inner courtyard set apart for Mohammedans to enter by that door.

Court:—Where do they worship?—They worship in part of the inner courtyard.

Counsel:—Did you know Arumuga Navalai?—Not personally. His name is a household word. *Guru Poosas* are performed in his name. The Jaffna Hindu College also does it. Navalai is regarded as the father of Tamil prose in Jaffna?—Yes.

Cross examined by Mr. Hayley: The witness said that two deeds were executed by the defendants' party, one in 1916 and the other in 1921. The one executed in Colombo was the first. It was an English deed. The other deed was executed by the 2nd defendant and the widow of Arumuga Mappana Mudaliyar. In the deed of 12th December, 1916, the startling fact which came to the public was the inclusion in the deed of the words "Take & appropriate the balance" in the income of the temple. This fact suddenly came to the knowledge of the public through Mr. Ganapathipillai, Chief Clerk, Negombo Court and the late Mr. Saravannamuttu who informed certain leading Hindus of that. The witness had discussed about this with the last witness. Mr. Ganapathipillai took a great interest in the affairs of the temple. He was then the Chief Clerk in the Jaffna Police Court. He had mentioned to the witness that the deed was executed empowering the manager to appropriate the balance out of the income of the temple. Such a thing was considered a great sin even for a man who founded a temple on his own land. That was the opinion of the Hindu Scriptures. By the deeds the defendants claimed the temple to be their own. Witness never heard that they built the temple. He never heard that they had complete control of the temple. They claimed their family as hereditary managers. Witness knew Kandiah Mappanar, Dr. Kandiah and Arumuga Mappana Mudaliyar all of whom claimed to be the managers. He knew the present manager also. He did not know the earlier generations. He did not know that Dr. Kandiah claimed the temple as his own

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA.

Testamentary Jurisdiction No. 6776.

In the Matter of the Estate of the late Elagupillai Mathavar of Vaddukoddai West who died at Tholpuram

Thangam widow of Elagupillai Mathavar of Tholpuram

Deceased.

Petitioner.

vs.

1. Sthambapillai Valliamgam and wife

2. Nagaratham of Vaddukoddai west

3. Mathavar Kandasamy of do

4. Basaratnam daughter of Mathavar of Tholpuram and

5. Kandappan Perampalam of do

Respondents.

This matter of the Petition of the Petitioner praying that the 5th Respondent be appointed Guardian-ad-Item over the minor the 4th Respondent and that Letters of Administration be granted to the Petitioner coming on for disposal before J. C. W. Rock Esquire, District Judge, Jaffna on May 10, 1928, in the presence of Messrs. Nagalingam and Nagalingam, Proctors, on the part of the Petitioner and the affidavit of the Petitioner dated May 7, 1928 having been read: It is ordered that the 5th Respondent be appointed Guardian-ad-Item over the minor the 4th Respondent and that the Petitioner be declared entitled to have Letters of Administration to the Estate of the said intestate as his widow unless the Respondents or any other person or persons shall appear before this Court on June 28 1928 and show cause to the contrary.

J. C. W. Rock, District Judge.

June 1, 1928.

Extended to 24-7-28.

O. 1487.

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA.

Testamentary Jurisdiction No. 6819.

In the Matter of the Estate of the late Sangarappillai Subramaniam of Vaddukoddai West

Nagamamah widow of Sangarappillai Subramaniam of Vaddukoddai West

Deceased.

Petitioner.

vs.

1. Sivamuttu daughter of Sangarappillai Subramaniam of do

2. Sivakolunthu daughter of do

3. Subramaniam Velantham of do

4. Subramaniam Mahesan of do

5. Sangarappillai Arumugam of do

Guardian ad Item.

Respondents.

This matter of the Petition of the Petitioner abovenamed praying that the abovenamed 5th Respondent be appointed Guardian-ad-Item over the minors 1st, 2nd, 3rd and 4th Respondents and praying for Letters of Administration to the estate of the abovenamed deceased coming on for disposal before J. C. W. Rock Esquire, District Judge, Jaffna, on June 21, 1928, in the presence of Messrs. Nagalingam and Nagalingam Proctors on the part of the Petitioner and the affidavit of the Petitioner dated June 11, 1928 having been read:

It is ordered that the abovenamed 5th Respondent be appointed Guardian-ad-Item over the minors 1st, 2nd, 3rd and 4th Respondents.

It is further ordered that the Petitioner is entitled to administer the estate of the deceased as his lawful widow and that Letters of Administration be issued to her accordingly unless the Respondents or any other person shall on or before July 31, 1928 show sufficient cause to the satisfaction of this Court to the contrary.

J. W. C. Rock, District Judge.

5th July, 1928.

O 1489.

Witness was away in Madras during 1892—

99 Dr. Kandiah claiming ownership to the temple was a surprise. The Schooner was built at a cost of Rs. 60,000, so was the witness told by Arumuga Mappana Mudaliyar. The present manager was right in claiming it as belonging to the temple. The 2nd defendant was really the manager and she was responsible for the building of the Schooner. The plaintiffs instructed their Proctor about the private life of the present manager. That was one of the issues in the plaint.

Continuing witness said that a long time ago Mohammedans worshipped in one side of the temple—not that they worshipped the Hindu deity. He had never heard in any one of the earlier cases that the land was bought from the Mohammedans by Don Juan Mappana Mudaliyar. After filing the cases also, the witness sent one rapas to the temple for an *archanam*. Before filing the action he rather frequented once a week, had *archanam* performed. For that particular *archanam* the Brahmin had to invoke the name of the deity a thousand times.

Re examined by Mr. Kulasingham the witness said that he produced a certified copy of order in the Testamentary Case 4713 dated 13th February 1923 re the Schooner. He heard about the dispute in the family about the Schooner before that case was instituted. The Counsel for the plaintiffs submitted that there was one more witness to be examined for the plaintiffs' side Mr. Reimers, the Archivist was not present that day and would be present on the 17th inst. when he would give expert evidence about the documents he had certified.

Hearing was adjourned for the next day, Tuesday the 17th inst.

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA.

Testamentary Jurisdiction No. 6824.

In the Matter of the Intestate Estate of the late Velupillai Saravannamuttu of Vannarponnai

Sinnathamby Ramalingam of Vannarponnai East

Deceased.

Petitioner.

vs.

1. Sornammah widow of Saravannamuttu Velupillai

Minor. 2. Pakkysiddohamy daughter of Saravannamuttu Velupillai of do

Respondents.

This matter of the Petition of the abovenamed Petitioner praying that the abovenamed 1st Respondent be appointed Guardian-ad-Item over the minor the abovenamed 2nd Respondent and that Letters of Administration be granted to the Petitioner coming on for disposal before G. W. Woodhouse Esquire, District Judge, Jaffna on October 5, 1927, in the presence of Mr. V. K. Gnanasundaram, Proctor, on the part of the Petitioner and on reading the affidavits and Petition of the Petitioner:

It is ordered that the abovenamed 1st Respondent be appointed Guardian-ad-Item over the minor the abovenamed 2nd Respondent and that Letters of Administration be granted to the Petitioner, unless the abovenamed Respondents appear before this Court on November 29, 1927, & show sufficient cause to the satisfaction of this Court to the contrary.

G. W. Woodhouse, District Judge.

28th October 1927.

Extended to 31st July 1928.

O. 1490.

James Joseph, District Judge.

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA.

Testamentary Jurisdiction No. 6767.

In the Matter of the Estate of the late A. Kaya-kannammal wife of Veluveluri Periyathambi of Chathumalai, late of Kuala Lumpur

Veluveluri Periyathambi, presently of Chathumalai

Deceased.

Petitioner.

vs.

1. Periyathambi Rajalingam

2. Kandasiddohamy daughter of Periyathambi

3. Periyathambi Rasanayagam all of Chathumalai and

4. Mathu Elaiyathambi of do

The 1st 2nd and 3rd Respondents are minors appearing by their Guardian-ad-Item the 4th Respondent

Respondents.

This matter of the Petition of the abovenamed Petitioner praying that the abovenamed 4th Respondent be appointed Guardian ad Item over the 1, 2, and 3 Respondents who are minors and for Letters of Administration to the estate of the abovenamed deceased A. Kaya-kannammal wife of V. Periyathambi coming on for disposal before J. C. W. Rock Esquire, District Judge, on June 12, 1928, in the presence of Mr. F. K. Somasundaram Proctor on the part of the Petitioner and the affidavit of the Petitioner dated May 2, 1928 having been read: It is declared that the abovenamed 4th Respondent be appointed Guardian ad Item over the 1, 2 and 3 Respondents who are minors for the purpose of this case and 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 July 28, 1928 show sufficient cause to the satisfaction of this Court to the contrary.

J. C. W. Rock, District Judge.

July 6, 1928.

O. 1493.

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA.

Testamentary Jurisdiction No. 6321.

In the Matter of the estate of the late Thambiah Thambirajah of Vannarponnai East Jaffna

Deceased.

Petitioner.

vs.

Minor 1. Thambirajah Kanagalingam of Vannarponnai East and

2. Sionachy widow of Thambiah of do

Respondents.

This matter coming on for disposal before J. C. W. Rock Esquire, District Judge, Jaffna, on June 23, 1928, in the presence of Mr. K. Sivagurunathan, Proctor, for Petitioner and the affidavit of the Petitioner dated June 20, 1928, having been read:

It is ordered that the abovenamed 2nd Respondent be appointed guardian ad item over the minor 1st Respondent and that Letters of Administration be issued to the Petitioner as she is the lawful widow of the Deceased unless the Respondents or any other person shall on or before July 26, 1928, show sufficient cause to the satisfaction of this Court to the contrary.

J. C. W. Rock, District Judge.

July 7, 1928.

O. 1494.

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