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Order Nisi.

IN THE DISTRICT COURT OF MANNAR.
Testamentary Jurisdiction No. 415.

In the matter of the estate of Ananapillai Usanmohaledeen late of Eruckkilampiddy Deceased.

J. V. Aiyampillai, Secretary, District Court Mannar

Vs.

1. Kappammattu widow of Ananapillai
2. Ananapillai Pichai
3. Ananacholia widow of Usanmohaledeen
4. Selnampu widow of Abdulhameedu
5. Salhamma wife of Mohamad Ali Ananalevval
6. Mohamadamma daughter of Ananapillai

7. Asithamma wife of Mohamad Ali Kappudayar all of Eruckkilampiddy.

Respondents.

This matter of the Petition of J. V. Aiyampillai praying for Letters of Administration to the estate of the abovesaid deceased Ananapillai Usanmohaledeen coming on for disposal before L. D. O. Hughes Esquire, District Judge, on May 16, 1929, in the presence of Mr. S. Mudr. Anantham, Proctor, on the part of the Petitioner and the affidavit of the Petitioner dated May 16, 1929, having been read, it is declared that the Petitioner is the Secretary, District Court, Mannar 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 June 28, 1929, show sufficient cause to the satisfaction of this Court to the contrary.

May 16, 1929.
1715.

L. D. O. Hughes,
District Judge.

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Notice

I, Nallathamby Barnabas of Chundikuli, Jaffna, Ceylon, at present residing at Kuala Lipis, Pahang, beg to revoke the power of attorney dated 11th May, 1928 given by me to Arumugam Robert Saravannamuttu of Udavil, Jaffna, Ceylon.

N Barnabas.

Mis. 1464.

The Hindu Organ.

JAFFNA, MONDAY, JUNE 10, 1929.

DELAYS IN THE ADMINISTRATION OF CRIMINAL JUSTICE.

IT IS A RECOGNISED PRINCIPLE IN ANY system of jurisprudence that the administration of justice should be not only free from bias or suspicion of bias but also that it should be administered without delay. Justice delayed is justice denied. Delay means expense, loss of time and neglect of ordinary occupation to those who go to the courts with their grievances.

In Ceylon it is a matter of common knowledge that criminal justice is unreasonably and woefully delayed and the persons who go to the courts, whether as complainants or accused or as witnesses, suffer great hardships and inconveniences as a result of it. For that reason a Committee was appointed to go into the question and to make recommendations to remedy this state of affairs. The Committee in its Report which is published as Sessional Paper xii of 1929 sets forth the following as the principal causes of delay in summary proceedings.

- (i) Too much work and too few courts.
- (ii) Absence of police officers, headmen, complainants, or accused.
- (iii) Non-service of process.
- (iv) Absence of counsel or witnesses owing to illness, or, in the case of the former, to other engagements.
- (v) The practice of fighting out cases to a finish where an admission of guilt and a reasoned appeal to the court on behalf of the accused would obviously be the better course to take.

The Committee finds that so far as the material placed before it is concerned "no sufficient proof is forthcoming of delay being due to too much work coming before any existing court save in the exception of Colombo." As regards causes (ii), (iii), and (iv), we are of opinion, that they are of minor importance and can be dealt with by the magistrate himself under sections of the Criminal Procedure Code.

We admit that the causes mentioned by the Committee contribute to some extent to the delays complained of. But there are other causes which in our opinion more than these are responsible for such delays. The most important is the lack of a capable judicial service. At present the magisterial posts are filled by members of the Civil Service. Except in rare cases this is the policy that has been in vogue for a long time. The Civil Service men who are appointed to these posts are neither men of experience nor do they possess sufficient knowledge of law and procedure to help them in the due discharge of their responsibilities. Consequently the administration of justice suffers. The Committee says there is certainly a feeling abroad that has come to our notice that there is a tendency to appoint to magisterial posts the less capable members of the Civil Service. Further it says "there is a consensus of opinion, whether based on good grounds or not we are unable definitely to say, that the judicial side is at present treated as the Cinderella of the Civil Service." On the finding of the Committee we make bold to say that the present system of recruitment is neither satisfactory nor will it promote efficiency in the administration of justice. What is necessary now if any real improvement in this matter is to be effected is a change of policy.

We are of opinion that the judicial service should be separated from the administrative side and that the recruitment of the former should be from the ranks of the legal profession. In England the judiciary is recruited from the Bar. In India too the judiciary is being recruited to a large extent, by members of the Bar. There is no reason why the Government should not adopt a similar policy in Ceylon. Recently some vacancies were filled from the Bar. There is nothing to guarantee that it will be followed until

at least most of the magisterial posts are filled by the members of the legal profession. Such a policy will in our opinion obviate also the delays involved in the committing of non-summary cases. Owing to the inexperience of the magistrates the assistance of the Attorney-General's Department is considered necessary before a case is committed for trial to a higher court. If the magistrates happened to be experienced lawyers the practice of committing cases directly by the magistrates can be adopted here as in other countries.

We agree with the Committee that regular and systematic inspection of all magisterial courts should be undertaken without delay. For that purpose the Committee recommends the appointment of an officer with past experience as a magistrate to undertake such work. The present system of allowing an executive officer like the Government Agent to inspect the records of the magistrates' courts is highly objectionable and should be given up. The control of the magistrates' courts and records should be with the Judges of the Supreme Court as it is at present. The inspecting officer should perform his duties under the direction and control of the Judges of the Supreme Court and should submit his report to them.

LOCAL & GENERAL

PERSONAL:—Mr. S. Ambikaipagan, Manager, "Hindu Organ" Office and Saiva Prakasa Press, who was indisposed and confined to his bed for sometime past, has gone to Anadoliva for a change. He is progressing favourably there and is expected to get a speedy and complete recovery.

— Mr. S. Arumugam, Chief Clerk, District Engineer Buildings Office, Sentul, Kuala Lumpur, will be leaving for Jaffna on the 11th inst, on three month's leave. He will stay at his residence, while in Jaffna, at Karainagar.

BETTER FATE FOR TEACHERS:—An important revision in connection with the dismissal of teachers in future has been embodied in the new Education Code. Hitherto the managers of schools had the full power to deal with the matter and the fate of the teachers were left to the mercy of the former.

CONVERSION TO HINDUISM:—We are glad to learn that Mrs. Sinnachiammal, a School-mistress at the Copay Prastising School belonging to the Church Mission, with due deference to the request of her husband, Mr. S. Visvalingam, who is himself a School-master, embraced the Hindu Faith and got herself initiated on the 3rd inst.

"RAMANATHAN JUBILEE":—Under the auspices of the Students' Congress, Jaffna, a public meeting will be held at the Jaffna Central College Hall, on Saturday, the 15th inst. at 5 p.m. to consider what steps should be taken to fittingly commemorate the fiftieth anniversary of Hon. Sir P. Ramanathan.

Raja Yogi's Back in Jaffna:—Srimath Sankara Suro-maia Sachohithanatha Raja Yogi, who was away in South India for the performance of the Annual Festival at the shrine at Thiruvankadu, the construction of the Car (Therr) of which temple was completed in March last mainly through the generosity and other contributions made by the Jaffna and out of Ceylon, has returned to Jaffna on Monday the 3rd inst. and is staying at "Mottathamby Madam", Nalor. The Yogi will remain in Jaffna for a longer period this time than he was wont to do on his previous visits.

PEARLS IN WOMAN'S STOMACH:—It is reported that a woman in a village in North Arcot, South India, was suffering from severe "labour" pain. She was removed to the Vellore Hospital where she underwent an operation. To the surprise of the Doctors a cluster of "pearls" about 3 measures was said to have been found in her womb. The "pearls" have been sent to the Government Analyst.

AN "AT HOME":—Mr & Mrs. W. E. B. of Colombo was "At Home" to their numerous friends and well-wishers on Saturday last in honour of the appointment of the former as a Justice of the Peace for the Western Provinces by H. E. The Governor on the occasion of H. M. The King's Birthday.

GIFT OF COCONUTS TO SAIVA ORPHANAGE:—Mudaliyar V. M. Muthukumar, Manisgar Valigamam North, has very generously promised to give every month 300 coconuts to the Saiva Orphanage at Thirunelveli which is under the management of the Hindu Board of Education. The Board while thanking the Mudaliyar for his generosity commends his noble example to the public, and looks for similar help from all well-wishers.

THE NEXT GOVERNORIAL VISIT:—His Excellency the Governor, Sir Herbert Stanley, will visit Jaffna in July next.

Bacchanalian Machination

TEMPERANCE LEAGUE PROTESTS.

ADVISORY COMMITTEE TAKEN TO TASK.

A Committee meeting of the Jaffna Central Temperance League was held in the Central College Hall on Tuesday the 4th instant to consider the Government Agent's proposal to reopen four toddy taverns within the Urban Area viz: Chivilatu West, Kolathoddem, Passayur, Vandarponnai South East toddy taverns. Mr. W. Duraiswamy, M. L. C. occupied the chair.

A Memorandum by Mr. J. K. Charamugam was placed before the meeting and the Chairman invited observations from the members present. The chief features of the memorandum were that the taverns concerned were closed in the year 1921 by the Excise Department without any request from the public. If these taverns were allowed to re-open they would have been swept out of existence with the other taverns. It further pointed out that the Advisory Committee had acted *ultra vires* contrary to instructions embodied in the Excise Manual. It was therefore only a consultative body without any authority to reopen taverns that were once closed. It was further submitted that the time for reopening was inopportune as the debate on the toddy question was still to be continued by the Council. Therefore it was urged that this subject ought not to have been touched.

"En Route" to Prohibition.

A constructive scheme was also proposed. While the League stands for Total Prohibition, under the present circumstances a tree tax on a limited basis might be made in Jaffna by which regular consumers might be given permits by the Government Agent in consultation with a special Advisory Committee on certificates from Chief Headmen or Presidents of Village Committees provided that no new permits were issued thereafter and that no provision was made for the sale of fermented toddy. It was presumed a certain number of licensed trees would be retained for medicinal and industrial purposes.

A Committee consisting of Rev. A. Lockwood, Hon. Mr. S. Rajaratnam, Messrs. C. K. Swaminathan, O. Arumugam and J. K. Charamugam was appointed to draw up a memorandum embodying the points submitted at the meeting.

PREMATURELY APPOINTED COMMITTEE.

The following additions were also to be included in the memorandum:—

1. That this meeting has no confidence on the representative character of the Advisory Committee appointed.
2. That there was no necessity for the appointment of the Committee before the month of July, the time requested by the Government.
3. That the consumption of a million gallons of fermented toddy in the Jaffna district as stated by the Excise Commissioner is a wild exaggeration.
4. That the reopening of 4 toddy taverns in the Urban area is tantamount to the reopening of all the taverns in the area.

THE GOVERNOR TO BE INTERVIEWED

It was maintained that when the taverns were closed by local option it was the business of the Government to give effect to the action. When the Government was indifferent to the carrying out of the will of the people, it was futile to expect the people to cooperate with the Government. It was arranged that a deputation of 7 members of the League should wait upon the Government Agent with the memorandum and discuss with him the issues arising therefrom. A general committee consisting of 27 gentlemen representing different parts of Jaffna was appointed to interview His Excellency the Governor on the subject when His Excellency visits Jaffna in July.

MATRIMONIAL.

SWAMINATHAN—MANORANCHITHAM

"Pathumini Vasam", Inuvil East, was the scene of a pretty wedding on Saturday last, the contracting parties being Mr. M. Swaminathan, Clerk, Office of the Inspector-General of Police, Colombo, son of Mr. P. Muthusamy, V. C. Member, Manipay, and Miss. Manoranthiam, eldest daughter of Mr. R. Maithegaram, Chief Clerk, Institute for Medical Research, Kuala Lumpur. A reception is being held at the residence of the bride for three days. We wish all happiness and prosperity to the newly married couple.

DRAWING FOR E. S. L. C. EXAM.

We understand that Drawing has been included under Group III, optional subjects II, for the English School Leaving Certificate Examination. The syllabus in this subject is the same as that prescribed for Standard VIII in the Scheme of Studies.

'Honour to Him Honour is Due'

SIR P. RAMANATHAN'S PUBLIC WORK.
DECADES OF "PARLIAMENTARY" LIFE.

A public meeting of representatives of all communities was held under the auspices of the Ceylon Tamil League at the Town Hall, Colombo, yesterday (4.6.29) at 5.30 p.m. to consider what steps should be taken to celebrate the 50 year's public service of Sir Ponnambalam Ramanathan in and out of the Legislative Council.

The Hon. Sir James Peiris presided and Mr. Nell Howavittarane acted as Secretary.

CHAIRMAN'S ADDRESS.
Rising amidst applause Sir James Peiris said that it was with the greatest pleasure that he accepted the invitation of the Tamil League to preside at that meeting to commemorate a unique event in the history of the Island. They have had many public men who had rendered great service to the country at different times. But unfortunately the period of their services had been in many cases too small. But they have had the advantage of the guidance and eminent services of Sir Ponnambalam for over half a century. And in those circumstances there had been a general impression in the country from all classes of people that this event should be commemorated in a fitting manner. That meeting was the outcome of that desire. He thought it was next to impossible for anybody, within the time at the disposal of the meeting to give even a brief sketch of the public career of Sir Ponnambalam Ramanathan. On entering that hall he was rather glad to be put into his hands what he thought was such a sketch, as would enable him to refresh his memory with regard to the facts dealing with the public career of his friend. But to his utter surprise he found it a scurrilous production. It was an attack on the Sinhalese, the Congress and on himself personally. In it he (the speaker) was referred to as having acted in a cowardly manner during the Riots. It was next to impossible even to give a brief sketch of Sir Ponnambalam's public career at the moment. He would not attempt to do so because that career was known to all of them. It would form a liberal part of the political history of the country in the near future.

EARLY CAREER.

Sir Ponnambalam Ramanathan after his distinguished career in the Colombo Academy and the Presidency College, Madras, entered the Bar in 1873. After six years he gave up his large practice when the distinction of representing his community in the Legislative Council was conferred on him thus succeeding many eminent men of his own family. He continued to represent that community till 1892. Now as he has told them Sir Ponnambalam had a large practice at the time and had made a great sacrifice in taking up that work. From the outset he took the work of the Council seriously. That could not be said of everybody who entered the Council specially in the old days when people were ready to say ditto to everything. He studied deeply all the questions that came before the Council.

STOOD FOR THEIR RIGHTS.

There were many eminent men in Council those days, yet what was required was doggedness. Not only that he showed great courage when as a rule such courage was not expected from nominated members. (Applause) But Sir Ponnambalam was an exception to that rule. All along whenever he saw that he was in the right he fought the Government and very often successfully. (Applause) There were many encounters between him and the President, who was then the Governor, and often he came up best.

SOLICITOR GENERAL.

In 1892 he was offered and accepted the post of Solicitor General. Those high posts did not go to bagging in those days. And there too he made a sacrifice in accepting that post, but he thought it a duty to accept it. Later he served as Attorney General on three occasions. In that capacity he again entered Council as an official member. Even then he carried out his ideas. (Applause). Although an official he took a great interest in the unofficials. In 1912 when the franchise was given to the indigenous population of the Island in a very limited degree—to educated Ceylonese—Sir Ponnambalam was elected by the educated Ceylonese, the majority of whom were Sinhalese. (Applause).

SERVICEDURING RIOTS.

How well he had fought for them in Council was well known. He did yeoman service to the Sinhalese specially during the riots. (Applause). They were all grateful to him specially as he was representing the Tamils. At the same time it was a libel to say that the Sinhalese had acted as cowards. His work ought to be remembered by the Sinhalese for all time. After that he was nominated a member of the last Reformed Legislative Council and he sat there till the Council was dissolved. Now he was again representing one of the constituencies in the North. During all this time he was devoted to the service of the people—not to the people of his community only. In this Council specially he had been able to educate the younger men in the art of statesmanship. (Applause).

Now the speaker referred to Sir P. Ramanathan's manner of narrating some of his experiences while he was in the middle of a debate and those invariably became very useful at the end.

Continued up.

