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DIVORCE IN HINDU LAW

It Should be the Last Remedy in
Very Exceptional Cases

NEED FOR REFORMING THE BASIS OF MARRIAGE

(By Sarjoo Prasad Srivastava)

IS marriage a solemn and sacred rite meant to unite a man and a woman both on this side of existence and beyond? Or is it a mere social contract entered into by two individuals of opposite sexes for mutual satisfaction and therefore terminable at will? The frequency of unhappy marriages and attempts to find a remedy for the same have brought this question to the forefront of discussion and answers to it have naturally varied with the thought and temper of the men concerned.

Marriage in Hindu law is regarded as a sacrament and a woman after the 'vivaha-samskara' legally becomes a 'dharma-patni'—a spiritual helpmate par excellence. "The marital tie is a sacred tie which gives rise to a permanent connection which is indissoluble" (Narada XII, 90) for "it is a union of flesh with flesh and bone with bone and both husband and wife are bound down to mutual fidelity" (Manu IX, 101). The husband and the wife are the complements and helpmates of each other throughout the uneven paths of life and they perform the 'panchamahayajnas' together. With these ideals in view the Hindu law does not contemplate divorce. Neither apostasy nor loss of caste is a ground for the dissolution of marriage.

Custom

But divorce is allowable where it is sanctioned by custom. Such custom generally prevails among the lower classes of the Hindus, namely, the Shudras and some castes belonging to the Vaishya community. There are cases, however, in which the Dharma-Shastras allow separation or desertion (Tyaga). "A wife who is a drunkard afflicted with chronic disease, quarrel-

some, barren, wasteful, uses harsh and unpleasant language towards her husband, produces only female offspring or hates her husband and always seeks to injure him may be superseded, but she should be maintained". (Yajnavalkya, acharya adhyaya verse 73). But the desertion of an existing wife in these cases cannot have the effect, like divorce, of dissolving the marriage tie.

Reason, however, has played havoc with ancient religious beliefs and customs. Both men and women in all countries have begun to doubt whether marriage is not after all only a secular institution for regulating the relation of the sexes and whether the priests, the churches and the holy men should at all be allowed to have any say in the matter. The success or failure of marriage, it has been claimed, should be judged by the happiness of the married couple and of the offspring of their union. The husband and the wife should be free to live together or to separate, provided the interest of the children has been secured, and neither the church nor the state should have any moral or legal right to tie together a man and a woman if they have begun to feel that the tie does not conduce to their happiness.

Discontent

Owing to the growing tide of discontent a slight change was introduced in the existing Shastric Hindu law by the Native Converts' Marriage Dissolution Act, 1866. Under this Act, "if a Hindu male or female becomes convert to Christianity with the result that the wife or the husband of the convert deserts the convert, the court may on the application of the convert, dis-

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THE MORAL ISSUE IN EUROPE

Not Between Britain and Germany
But Between Principles of Self-
Determination and Empire

By K. Nesiah

THERE is a moral issue between the democracies and totalitarian states. This phrase was used by the Premier not long ago, and no doubt the view is widely held in this country. Christian leaders have publicly supported it. Thus the Archbishop of Canterbury appeals for a "massing of might on the side of right," and thinks it is not against the will of Providence that nations should defend the ideals of justice and freedom which are so precious to civilisation and human welfare. In his farewell sermon at St. Paul's Cathedral, the Bishop of London is reported to have said: "It makes the blood of Englishmen boil with indignation to see little nations crushed one by one under the ruthless heels of these dictators." He added that the whole nation was behind the Prime Minister.

A different point of view occurs readily to one who is a colonial subject (from Ceylon), besides being a follower of Jesus. It must be recognised that it is an economic issue that underlies Germany's aims. Germany sees no reason why she should be confined to a tiny fraction of the world's area, while the British Empire covers over one-quarter of the globe and possesses resources valuable in peace and war. Germany's partners in Rome and Tokyo share this inferior position and the consequent grievance. I happened to be in Tokyo at the outbreak of the Sino-Japanese War, and saw a significant discussion at that time in the Japanese press on the division of the world's territory and resources as between the "haves" and the "have-nots."

One could go further and say that modern war is the inevitable result of the ambition of nations to secure economic advantages to themselves at the expense of others. Every one of the major wars in which Britain has been involved since the days of the Armada may be directly traced to the conflict of colonial and commercial ambitions amongst

the leading European nations. A few months ago I heard the Archbishop of York justify the British Empire at a young people's conference; but the following words (which Mr. Winston Churchill used in a broadcast talk on India are nevertheless true: "We have, in this island, 45 millions living at a higher level than the people of any other European country. One-third of these would have to go down, out or under, if we ceased to be a great empire with world-wide connections and trade."

Many would probably agree that in the past there has been a connection between imperial expansion and war, and yet argue that Germany is wrong in adopting in the twentieth century methods of aggression which are contrary to our present international standards. The obvious reply to such argument would be that, so long as Britain holds on to what she has obtained in violation of the principles of justice and freedom and continues to benefit by it, so long does she continue to recognise the validity of the principle of aggression. In other words, so long as Britain possesses an empire, so long and by the same ethic will Germany, Italy and Japan be justified in seeking fresh empires. That the German manner is less decorous than the British manner or that Germany blatantly proclaims doctrines of Nordic superiority, does not alter the identity of the position of both Germany and Britain. In a recent published sermon, the Minister of the City Temple gives a brilliant diagnosis of the situation in Germany, shows that psychologically Hitler is a sick man, and Germany is a sick country, and urges us to understand this sick nation with sympathy. I have great regard and affection for individual English people, but may I be permitted to suggest that in respect of the national attitude to other peoples, colonial and

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ETHNOLOGICAL SURVEY OF CEYLON

Results of the Survey

The main energies of the Assistant and Probationary Assistant of the Ethnological Department have been directed towards the acquisition of data required for the Ethnological Survey of Ceylon which they have been charged to carry out. The first portion of this work is planned to finish in 1941. According to present intentions, and subject to the approval of the Census Commissioner shortly to be appointed, it is proposed to follow the Indian example and publish the results of this Ethnological work as part of the 1941 Ceylon Census Report. In this manner it is proposed to amplify the otherwise merely numerical information derived from the population census proper. The Ethnological part will supply information concerning the quality, as contrasted with the mere quantity, of the various sections of the population, says Mr. A. H. Malpas, Director of the Colombo Museum, in his Administration Report for 1938. The Report further states:—

With this end in view about one hundred different kinds of information are being obtained and recorded in regard to various individuals. This relates to such matters as religion, social, marital, economic and nutritional status, employment, fertility, relationship to other persons in the series, disabilities, and lastly to physique as measured by anthropometry. From the rather large amount of data relating to this last matter certain deductions in regard to racial origin will be drawn, but this will only be done after the making of all possible allowances for the influence of environment. Since this is alterable its close study appears to be of immediate and practical importance. Samples comprising information about local groups of seventy men and where possible of thirty women, are being compiled, the intention being to examine 5,000 persons in all, so making about fifty groups that will finally be available for comparison with each other and also, to some extent, with the results of similar work that has been carried out in other countries. At the present moment 2,859 sets of individual observations and measurements, and sixty-five subsidiary sets of information regarding local communities as a whole, have been collected. The observations in regard to individuals have been transferred to Hollerith punched cards and are thus available for mechanical sorting. This treatment will greatly facilitate and amplify the possibilities of final synthesis and so expedite the publication of results.

Apart from this routine collection of ethnographic data, which has already, though still somewhat cursorily, been extended to cover all parts of the Island except the extreme north, there are some other activities that seem worthy of record. Place names having roots connecting them with the pre-aryan population such as *Yakka*, *Naga*, *Veddah* and *Habara* were mapped. This gives a curious concentration in the wet zone and quite away from the present

Veddah territories. Another investigation concerned the geographical concentrations of various castes, which were recognized from five hundred "Ge" names selected as random samples from each of the fifty electoral lists. This may later help to throw some fresh light upon the origin of castes by assisting in the interpretation of the anthropometric material when this is used to discover how much, if at all, any of the various caste distinctions have a demonstrable biological significance and are not purely occupational in origin. Translations are also being made of all old manuscripts in the Colombo Museum that bear upon the subjects of demonology and dancing. This material is being indexed and a typed copy will be deposited in the Museum Library. The two foregoing pieces of work were done by Mr. C. A. Wijesekere, who is also engaged upon the old translations.

It may also be mentioned that the Veddah dialect was investigated by the Probationer in Ethnology who consulted the various published records and from them collected a total of about one thousand Veddah words. Three Veddahs from Baligala, which is the only region in which the dialect survives in any form, were then examined on these words but they knew only about ten per cent; this despite the fact that they professed only to talk the dialect and not to know modern Sinhalese.

Three Veddahs were encountered at the Mahiyangana perahera which was attended from beginning to end. While there the opportunity was taken to interrogate and measure groups of villagers from remote parts of Bintenne and also a few Veddahs who had also gathered there to take part in the Veddah dance with which the proceedings came to a close. Fifty out of the fifty-eight men who took part in this dance were not however true Veddahs, though most if not all of them, appeared to have some Veddah blood and a few were willing to acknowledge it. As a folk ceremony that probably recalls an initial resistance to Buddhism at the time of its original introduction, the survival of this dance is one of very great interest. The peraheras at Kadugannawa, Alutuwara, and Kandy were also attended. At Kandy one of the "kyp" ceremonies at the beginning and the water-cutting at the end were both observed.

Seventy places were visited during the course of the nine tours undertaken during the year 1938.

During the year trial trenches were dug in two caves in the hope of finding stone implements or other traces of primitive man, but in both cases results were negative. One cave was at Veddagala (Sabaragamuwa) and the other on the Ritigala (North-Central Province). Both caves showed traces of Buddhist occupation. At Veddagala this had been quite recent. Various lectures and radio talks were given both in English and Sinhalese by the

Assistant and Probationary Assistant in Ethnology. Amongst these are worth mentioning courses of three lectures delivered in both languages at the Government Teachers' Training College and planned with a view to the infusion of an ethnological interest into the teaching of Geography in Schools.

Ethnological Collections: Reserve Collections

These have been considerably augmented by specimens from the Cassie Labbe and Bell collections purchased during the year. Lack of proper storage facilities, under which these specimens can be properly classified and arranged not only for study purposes but also for purposes of proper maintenance, is a matter of the greatest anxiety which can only be relieved when the additional storage space included under the scheme of extensions to Museum buildings is available.

Exhibited Collections

Considerable improvements have been effected in the display of these collections and many new exhibits have been added. The welcome provision of six modern type bronze cases purchased from the Museums' Association Grant and installed in the Jewellery room has made it possible to rearrange the collection in this room and to display the exhibits to striking advantage. There is no doubt that this type of case is a vast improvement on existing exhibition cases and all subsequent new wall-cases will be modelled on the new design. The pottery and the bronze fragments sections have also been considerably augmented by the transfer of unique exhibits from the Archaeological Commissioner's Department, largely selected from the Archaeological Museum at Anuradhapura where facilities for their proper exhibition are not available.

Acquisitions by Purchase

One Carved Ivory Pin handle—purchased from a distinguished collector in England through Dr. Paul E. Pieris. It is of special interest to note that this Ceylon article was secured in Siam, which immediately raises the presumption that it was probably presented to a Siamese temple by King Kirti Sri.

One electro-type copy in two pieces of a Sinhalese Sannasa in the Edinburgh Museum, England, purchased through Dr. Paul E. Pieris. The object of the document was to grant certain lands in the Yatikinda korale of the Uva District to Rajakaruna Rajapaksha Pandita Vahala Mudaliya of Galagole in Megodathia of Hewaheta for local services rendered to the King. The date corresponds to Tuesday, August 18, 1772, in the reign of King Kirti Sri Raja Sinha.

One Copper-plate grant issued in the 5th year of Bhuvaneka Bahu VII. of Kotte (1521-1550). The subject matter is the gift of a village called Mawatagama to a

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(Continued.)

which was above normal. Humidity and cloud amount were both in excess. The barometric pressure was below normal, particularly in the eastern half of the Island. Winds were above normal strength, the direction being generally variable.

A hailstorm was reported from Hakgala on the afternoon of the 26th.

Weather Conditions in April

Heavy Showers After Six Dry Months

Colombo, May 22.

APRIL enjoyed an excess of rainfall after six consecutive months of dry conditions, states the meteorological summary supplied by the Colombo Observatory. There were altogether 136 daily falls of over 5 inches during the month, the majority of them on the 11th and 12th.

The highest daily falls reported (excluding an abnormal figure at Talaimannar, the correctness of which is now under examination) were 12.35 inches at Mannar Water Works and 12.33 inches at Jaffna Farm School, both on April 12.

A few stations, mainly in the western low-country areas, recorded slight deficits, however, the largest being 4.91 inches at Geekiyanakanda.

Rainfall Excesses

Excesses over 15 inches were common in the central hill country and the neighbourhood, the largest being 23.36 inches at Galawala, 22.13 inches at Upper Ohiya and 20.03 inches at West Haputale.

The highest monthly totals were 36.30 inches at Yatiyantota and 34.00 inches at Haputale, while totals of over 30 inches were recorded at Lomastota, Diyatura, Walacotte, Upper Ohiya, West Haputale and Ginibheriya. The lowest total for the month was 5.10 inches at Kal Aar, while a few other stations, mostly in the Trincomalee District also recorded totals of less than 5 inches for the month.

During the first third of the month the weather was more or less of the inter-monsoon type with weak barometric gradients. Thunderstorm activity was well in evidence and accounted for an appreciable amount of irregularly distributed rain. On the 11th the pressure fell and conditions became unsettled. On the following day a depression was identified to the east of Ceylon. This moved in a northwesterly direction, intensified into storm and crossed the Indian Coromandel Coast near Cuddalore on the evening of the 13th. Thereafter it gradually weakened and filled up.

As a result of this depression, heavy widespread rain occurred over the Island on the 11th and 12th, particularly the latter day, when some very heavy falls were reported from the North and Northwest.

Inter-Monsoon Weather

During the second half of the month, the weather reverted to the inter-monsoon type. The pressure gradients were generally flat, while thunderstorm activity became once more fairly pronounced. On the last two days of the month, a moderately steep southwesterly gradient developed, an indication of the temporary advance of the Southwest Monsoon.

Temperatures were below normal by day, and generally about normal by night, the only noteworthy exception being the minimum temperature upcountry

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WHY CEYLON IS INDUSTRIALLY BACKWARD

More Spenders Than Savers

QUEER IDEAS OF CEYLONESE LEADING IN STYLE

Colombo, Tuesday.

PEOPLE in Ceylon spent beyond their means and had some queer ideas of leading in style and that sort of thing," said Dr. B. C. Das Gupta, in the course of a talk on "Health and Wealth" at the Rotherfield Clinic last night.

"That is why," Dr. Gupta added, "that Ceylonese could not make headway industrially and commercially, because the fundamental basis of economic progress was capital."

Dr. Das Gupta emphasised the necessity for the people of this country to pay heed to the problem of national ill-health and to the need for creating a better physique and better mental equipment in order to provide a better foundation for the economic prosperity of Ceylon.

Health and Wealth

Dr. Das Gupta began by stating that he had no experience of wealth and not much of health either, and that he would have to draw upon his negative experience, if necessary. Just as health meant physical well-being, wealth correspondingly indicated a state of mental well-being.

Material possession must be such as would give a state of mental well-being; otherwise it would defeat its own purpose. Consequently it followed that there must not be an excessive hunger for material goods in oneself, because they were a means to an end. It also followed that while one man might be content with a small amount of material possessions, another man might have the whole world and yet be dissatisfied.

In the case of an individual even to obtain material goods he must have good health. He must have good health for a sound mental equipment, a balanced mind. When they entered into their respective vocations they realised how essential health was, because sickness caused much economic loss.

U. S. Statistics

The average individual in the United States of America, it was estimated, lost seven days each year on account of ill-health and was unable to do any productive work. That meant a 2 per cent. loss in the productivity of the nation, and it was reckoned that the total loss in money was about 1,250 million dollars.

From that point of view, the improvement of the health of a nation and safeguarding people against infectious disease from abroad was accepted as a profitable investment. Viewed from another aspect,

the planning of consumption and investment, mental health was a factor of very great importance. If a man were a faddist and a spendthrift he was doomed economically, and was a danger both to himself and to the community.

Planning did not merely concern the Government budget, but individual expenditure in regard to one's household. They had spendthrifts and misers and the golden rule was to strike a medium between the two. The question of how much a person spent, and how much he saved was one of very considerable social significance. If they could remove the waves of over-spending and over-saving, they would be able to introduce more stability, which was of vital importance to the country.

More Spenders

In Ceylon there were on the whole more spenders than savers, and some one ought to come forward and save them from the spenders, because the spending mania was the worst thing that anyone coming from India to Ceylon noticed: that people in Ceylon spent beyond their means and had some queer ideas of leading in style and that sort of thing. That was why they could not make headway industrially and commercially, because the fundamental basis of economic progress was capital. Not that incomes were small in this country.

Incomes were fairly high, although there were no millionaires here, so that there was no reason why such people could not have a substantial amount of savings every year. A difference should be drawn between their wants and wishes in planning their expenditure. What they wished they might not actually need.

Rational Buying

The very fact that in a case of emergency, such as war, there were regulations for the control of consumption and expenditure, showed that there was something to be said for careful planning even in normal circumstances. The producers took their ideas from the consumers. They produced what the consumers wanted, so that a society would be as good as the consumers were. If the people were more rational in their purchases then the productive system would also be more satisfactory.

If the people spent more on cinemas, perfumes and powders, rather than on necessities, the former commodities would be produced. That was why the economic system today was not functioning very satisfactorily and was not 100 per cent. efficient, for which they could not blame the capitalists. In all these a correct mental outlook was necessary to achieve the best results and for this physical health was equally essential.

The Mango Show

Promises to be a Fine Exhibition

Some months ago an Association was formed called the Mango Growers' Association. This organisation has for its objects the popularising of the growth and the marketing of mangoes. Jaffna has a reputation for the mango. It is the finest fruit grown in Jaffna and it can well stand comparison with any other kind of fruit grown in the Island. Owing to a variety of causes, it has not been found possible for Jaffna to produce enough mangoes, either for local consumption or for marketing on a large scale. The newly formed Association has taken matters well in hand and has arranged for a Mango show which will be held on 30th June and 1st July, at the Jaffna Town Hall. The machinery of organisation has been set in motion and a really first class Show is sure to materialise. The General Committee of the Association elected an Executive Committee and this Executive Committee has delegated the details of organisation of the Show to a sub-committee. At a meeting held recently, the sub-committee decided to request the Department of Agriculture to arrange for a section representing the work of the Department. The show will not merely be an Exhibition of mangoes. An important feature will be the demonstration of the bottling and canning of fruits especially the mango. The Department of Agriculture is trying to popularise this important aspect. Some types of mangoes and some of the most delicious cannot be kept fresh for a long time. The bottling and canning of such fruits is very necessary if it is to find a wider market. The mango is not a fruit that can be obtained all throughout the year in Jaffna. During certain seasons, the fruits are in abundance, while at certain times, they are very rare. Bottling and canning thus becomes a very important question.

Many Varieties

The average man, even from Jaffna, if asked what are the important varieties will be able to give you, say three well-known varieties. To the connoisseur there are more than a dozen varieties, whose names are even not known. The department of Agriculture in Jaffna has also succeeded in introducing certain foreign varieties like the Dipsand, the Willard which give promise of supplanting some of the popular kinds the Alphonso, and the Malgoa. Some horticulturists in Jaffna claim that they have certain varieties which are much better. They threaten to throw down the gauntlet to any foreign mango and the judges will have a very difficult time in selecting the best kind of mango.

Pests

What are the important pests, affecting the mango, and how best to combat these will also receive considerable attention. Special posters are being drawn to show the common pests and their control. The traditional method of grafting mango plants in Jaffna, though found satisfactory in times past, are certainly not so efficient from the points of view of time taken for the graft to bear fruit. Bud-grafting of mango plants has been

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INCREASING PADDY YIELD IN CEYLON

ENCOURAGING RESULTS OF EXPERIMENTS

NEW METHODS OF TREATMENT

Colombo, May 22.

EXPERIMENTS carried out by the Department of Agriculture with some new cultural systems have given such encouraging results as to engender the hope that they may provide a solution to the problem of increasing the paddy yield of Ceylon. One of the methods adopted produced an increase of 16 bushels per acre as compared with the yield from the present generally practised system of mere broadcast sowing.

The idea behind the experiments is to simulate the effects of transplanting without appreciably increasing the cost of production, an added result obtained being the checking of the growth of weeds.

Transplanting as a process in paddy cultivation is practised only in a small area in the mid-country in Ceylon; in the rest of the Island all that is done is to broadcast the seed. The new cultural systems referred to are of particular interest where transplanting, and weeding, are not practised either because it is not the custom to do so, or for considerations of higher cost or lack of labour, or where the varieties of paddy sown are of five months or such shorter duration that the increase of yield is not commensurate with the additional cost of cultivation.

Roughly two-thirds of the entire area under paddy in Ceylon are sown in Maha with varieties which take from 2½ to 5 months to mature. In Yala more than four-fifths of the area is sown with varieties maturing in four months and less. Where transplanting is done at all, usually on a communal labour basis, the paddy grown in Maha is of the six-month variety; the Yala crop in these areas too is only broadcast sown.

Methods of Treatment

Of the cultural systems that were tried the methods of treatment that gave the best results were:

- (1) Broadcasting and harrowing when three weeks old with a new type of harrow;
- (2) Broadcasting and trampling by buffaloes when three weeks old; and
- (3) Broadcasting and harrowing when three weeks old with the Burmese harrow.

Compared with the 45 bushels per acre obtained by the prevalent practice of broadcasting, the first treatment gave

an increase in yield of twelve bushels per acre at an increased cost of cultivation of Rs. 1.60 (one pair of bulls at Re. 1 and one ploughman at 60 cents).

The second eleven bushels, and the third an increased yield of sixteen bushels at the same cost. The experiments are held to demonstrate an average increase of 13 bushels per acre at a cost of Rs. 1.60 by the new methods.

Important Feature

A report on the experiments with the new methods of treatment

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THE MANAGER
**THE MERCANTILE
BANK OF INDIA LTD**
COLOMBO
ANNOUNCES

that a
Branch of the Bank will be
Opened in Hospital Road,
JAFFNA
on the 5th of June next.

Ordinary Banking Business will be
transacted on terms similar to those
obtaining at present in Colombo.
(Mis. 32, 8-5-29 5.39.)



Hindu Organ.

THURSDAY, MAY 25, 1939

**FLOOD RELIEF FOR
JAFFNA**

WE HEAR THAT THE GOVERNMENT is now busy collecting statistics of the damage caused to Jaffna farmers by the recent floods, with a view to affording them some measure of relief. No one who has made a casual survey of the villages of Jaffna can fail to be struck by the volume of damage inflicted by the recent floods and the acute misery and hardship prevailing in almost every village. No one can gainsay the fact that the total damage cannot be under a million rupees. Undoubtedly it is the tobacco crops that have been hardest hit. The losses sustained by a few individual farmers may be put at a thousand rupees per head. The farmer who has not been afflicted at all may be said to be non-existent. We hear of many instances of farmers contracting a second debt and trying to replant their lands, only to find the same misfortune overtaking them, thanks to the subsequent floods. Great as has been the damage to the tobacco crop, others also have been similarly affected. Betel, chillies, sesame, grams, onions, tapioca, vegetables have all met with the same fate. The returns furnished by the headmen to the Kacheheri should be sufficient to convince any doubting Thomases that acute distress is prevailing among the peasants in most parts of Jaffna. Tobacco being the only money crop for the Jaffna farmer, his distress is not confined to the first month or two immediately following the floods. In some cases it may even be possible for him to tide over his distress during the first month of the flood pledging his past credit, but his real distress will begin only when his past credit is gone and he cannot meet his cre-

ditors and has nowhere to go for help.

The Board of Ministers have voted millions for relief in the other provinces to those afflicted by malaria and the floods. Several lakhs of rupees have found their way into the pockets of the poor in each province. It is nothing but right that the Government should go to the rescue of the thousands in those provinces that are in sore need of relief. We appeal to the Board of Ministers to generously come to the assistance of the peasants of Jaffna who are now languishing in their thousands and who, unless some timely relief is rendered to them, will have to go under.

INDIAN REPATRIATION

The Government has decided to repatriate at State expense all daily paid non-Ceylonese employees in Government service who entered after 31st March, 1934 without compensation. In the case of those employed before that time a gratuity will be paid if they elect to leave before 31st December 1939. But no gratuity will be paid in the case of those who remain in service after that date, if they happen to be retrenched later on. It is said that more than 8000 men will be affected by this decision. The decision was dictated solely by the necessity of giving some measure of relief to the acute unemployment that prevails among the permanent population. But the haste with which the Government is proceeding with the task is liable to be misunderstood. Already an officer is appointed in charge of repatriation and the men are to be sent back on a month's notice. Some consideration should be shown to the hardships which the decision might cause to the employees and the notice might be extended to six months. There is also the possibility that those who entered service before 1934 may also be compulsorily retired under the guise of retrenchment. The decision has already caused some repercussion in India and the Indian Government has addressed a protest to the Ceylon Government. India being a powerful neighbour and our best customer, it is not advisable to estrange her. If the Indians have gained a strong foothold in Ceylon, it is mainly due to lack of enterprise and initiative among the indigenous population. Instead of denouncing the Indians and other non-Ceylonese, our people should develop their enterprise and business capacity and take a leaf from Indian industrial development. Then they will

not allow their country to be exploited by foreigners, whether European or Indian. Our Sinhalese leaders should show level-headedness and should not allow themselves to be swept off their feet by sentiment and enthusiasm.

**REVENUE EXCEEDS
EXPENDITURE**

Three Lakhs Excess

Colombo, Tuesday.

A Treasury statement issued today shows an excess of revenue over expenditure during April of Rs. 389,055 as against Rs. 1,000,160 in April last year.

The total revenue for the first seven months of the financial year October 1938 to April 1939, was Rs. 69,786,851 as against Rs. 60,340,099, expenditure.

The figures for the corresponding period of the previous year were:

Revenue Rs. 68,732,782

Expenditure Rs. 61,075,184

Revenue from the Customs has declined in the current financial year, while revenue from Income Tax, Estate Duty and Stamps has increased from Rs. 12,772,722 in October 1937 to April 1938 to Rs. 16,235,529 in the corresponding period of the present year.

There has been no marked difference in the heads of expenditure in the period under review this year, in comparison with 1937-38 except the expenditure of the Ministry of Labour, Industry and Commerce which has risen from Rs. 4,008,219 in the period October 1937 to April 1938 to Rs. 3,421,257 in the corresponding period of the present financial year.

The total revenue for April this year was Rs. 9,394,910 as against Rs. 9,527,403 in April last year.

There was a drop in Customs returns, the figure being Rs. 4,200,525 as against Rs. 4,615,008 last year.

Expenditure was Rs. 9,005,255 against Rs. 7,837,294 in April last year.

There was a jump in expenditure on Labour, Industry and Commerce the figure given being Rs. 835,823 against Rs. 123,253 last year.

Land, Forest and Agriculture accounted for Rs. 281,727, the figure for April last year being Rs. 213,907.

Pensions are also rising, Rs. 914,207 having been paid in April this year compared with Rs. 843,883 in April 1938.

Under the head Railway Deficit, the amount given for this year (April) is Rs. 352,270 as against Rs. 160,037 for April last year.

Post Offices and Telegraphs account for a rise in expenditure of Rs. 34,000 odd.

Police and Prisons show a drop in expenditure of nearly Rs. 13,000 compared with the expenditure for April, 1938.

**Jaffna College
Intermediate Classes**

The intermediate Entrance Examination for students wishing to enter the Intermediate Classes which will be formed in the Jaffna College as from June 19th, will be held on June 5, 6 and 7. Application with the list of subjects offered ought to be in at the College Office by 4 p.m. on Friday June 2nd.

The new Post Matriculation class will be formed at the College on June 5th.

**KING'S BIRTHDAY
CELEBRATION**

Point Pedro Programme

Point Pedro May 22.

A meeting of the Point Pedro Maha Jana Sabha, presided over by Mr. Sam T. Solomons, President, was held at the Sabha's office to draw up a programme for the King's Birthday celebrations.

It was decided to celebrate the day with the pealing of bells in all neighbouring temples and churches.

In the evening there will be sports for school children, Volley ball matches and a "Kilithaddu" match for the depressed classes between Point Pedro and Alway teams.

There will also be a public meeting at which Mr. V. Paramsothy, Proctor, will speak. The final item will be a procession through the town and along the Beach Road with Mr. G. G. Ponnambalam (Member Point Pedro) and the president of the Sabha, with fireworks and acrobats, ending with a dinner at the Point Pedro Rest-house.

A committee was elected to work out the programme. (Cor.)

**GRADUATES FOR
RAILWAY**

A Scheme for Training

The scheme for the training of University graduates from Ceylon for administrative posts in the Railway is to be put into effect in the next two months, when two candidates are to be selected for a five-year course of training on the Ceylon Government Railway as well as on a British railway.

The local period of training is to last three years, at the end of which period the two selected candidates will be required to go to England on a two years' Government scholarship and obtain the Diploma of A.M.I. Mec. E.

Thirty-seven graduates, three of whom have been to England and the rest educated at the Ceylon University College, have responded to the applications called for by the Railway Department, in pursuance of this scheme, for the posts of Probationary Assistant Divisional Transportation Superintendents.

**A New Comet
Discovered**

Information has reached British astronomical observatories of the discovery of a new comet, visible to the naked eye. The news was conveyed through Dr. Besselund, director of Oslo, Norway, Observatory. The comet was stated to be of the third magnitude, an object so bright being easily visible in the night sky. It is some years since a newly found comet became visible in the heavens to the naked eye.

CEYLON TO SHUT OUT NON-CEYLONESE

Repatriation of Daily-Paid Employees Proposed

STATE COUNCIL DISCUSSES PROPOSAL

Colombo, Wednesday:

"**W**HAT we propose to do today is merely an instalment of our policy to see that every post, at least in Government Service, is reserved for Ceylonese wherever possible", said Sir Baron Jayatilaka (Leader of the House) in the State Council yesterday, explaining the scheme to repatriate all non-Ceylonese daily-paid labourers employed by Government.

Sir Baron denied that the scheme was the outcome of narrow nationalism, foreboding that unemployment would grow as time went on and appealed to private employers, especially Europeans, to gradually replace non-Ceylonese workers with Ceylonese workers.

He announced that in future the existing immigration laws would be enforced more strictly and that in fact new legislation was contemplated to stop the flow of aliens into Ceylon.

Mr. H. E. Newnham (Nominated) expressing the European point of view, agreed with the "Ceylonese first" principle but contended that any large scale displacement of labour should be gradual. The subject will be discussed further today.

When the House met at 2.30 p.m. yesterday, the Speaker (Sir Waitalingam Duraiswamy) presiding, Sir Baron Jayatilaka moved the suspension of Standing Orders to submit for the approval of the Council the supplementary estimate of Rs. 500,000 for the repatriation of non-Ceylonese daily paid employees in Government Departments.

Mr. S. W. R. D. Bandaranaike (Minister of Local Administration) seconded and the House went into Committee.

Mr. H. J. Huxham (Financial Secretary) moved the approval of the House for the supplementary estimates of Rs. 500,000 to pay gratuities and railway fares to non-Ceylonese daily-paid employees on retirement.

Mr. Huxham outlined the scheme and stated that all non-Ceylonese with less than five years' service would be given notice of discontinuance.

The number involved in that class was 1,000 and the ex gratia payment would amount to Rs. 500,000.

In the case of those with over five years, Government did not propose to retire them compulsorily, but Government proposed to

offer them free tickets and substantial bonuses if they left before December 31st, 1939.

There were 7000 in that class and the fares and bonuses would be Rs. 300 each, totalling two million rupees.

Mr. Huxham emphasised that if a man in the second class chose to remain after the offer expired on December 31st, he risked being discontinued. That was in no way a threat. There would be no unfair pressure to get rid of the men.

Mr. Huxham said that from the financial point of view the question arose whether the expenditure of this money was worth while. There was a large number of Ceylonese who were unemployed and there was no question that they were going to cost the Government and the community a great deal more.

In the case of the compulsory classes it would cost about Rs. 40 each to find a job for a Ceylonese and there could be no doubt that finding that job would be well worth the money.

Apart from that, there was no question that non-Ceylonese sent a good deal of their salary abroad, and the amount they spent in Ceylon was on imported articles.

Even if they paid the same amount to Ceylonese as they paid non-Ceylonese, it would be a benefit to the country.

"Law Of Jungle"

Mr. A. Mahadeva (Jaffna) said that nobody in this House would oppose the proposition that where work was available, Ceylonese should be given preference to non-Ceylonese. And, if the question had been limited to one aspect of it, that henceforth that no person who was not a Ceylonese should find employment in Ceylon, he would have been the first to welcome such a proposal.

The proposal before the House was not of that character. The proposal now was to dismiss people who were in employment and replace them by others.

He was sorry that such a proposition should be placed before this House. If they appealed to the best instincts of the Ceylonese themselves, apart from politicians, they would not have countenanced such a proposal.

Sufficient heed had not been paid to one aspect of the case—repercussions in India.

The prosperity of the Northern Province was based on the tobacco industry. The flourishing conditions of the industry depended entirely on the good will of the Travancore Gov-

ernment. In 1910 they experienced the heavy nuisance caused to Jaffna when the Travancore government wanted to increase the duty on Ceylon tobacco.

For the sake of finding employment for 1,000 people in Government service, employment for whom could be found by stopping further immigration, was it desirable for the Council to take steps to irritate the Travancore government and bring about discontent which would mean ruin to 300,000 people in Jaffna? asked Mr. Mahadeva.

"Scandalous"

Authorities and "Inaction"

Mr. A. E. Goonesinghe (Colombo Central) said that according to the Member for Jaffna, the resolution that had been placed before the House by the Financial Secretary was "law of the jungle." He could not understand how a lawyer could say such a thing when that resolution had been brought up in a fit and proper manner.

In 1934, he moved a resolution that no non-Ceylonese should be employed. That resolution was passed without dissent, but the official bloc had been guilty of not carrying it out.

Since 1934, 513 non-Ceylonese had been employed by the Railway, the P. W. D., the Post and the Electrical Department.

He had not taken into account those non-Ceylonese taken on to the other departments as the agricultural department, the police, etc. He believed the number would be over a 1,000.

Mr. Goonesinghe said that Mr. Mahadeva was drawing on his imagination. Travancore took Jaffna tobacco because she wanted Jaffna tobacco.

Ceylon imported from India goods to the value of Rs. 60 million but India only imported Ceylonese goods to the value of 9 millions.

Mr. Goonesinghe cited an instance where a Ceylonese was not given employment in Calcutta because he was not a Calcuttamar. The man from India had lowered the standard of living of the Ceylonese.

About 50 to 60 Indians lived in one house, the rent of which was some Rs. 20 or Rs. 30. That worked out at 50 cents per man.

With a salary of Rs. 12 or Rs. 15 the Indian was able to pay his house rent of 50 cents and also send money to India.

If Rice is Banned

Various threats had been held out and driven into the ears of officials that if the Indians were sent away there would be serious repercussions. It had been stated that the coconut industry would suffer and that India would stop sending rice to Ceylon if the repatriation scheme was not withdrawn.

He would certainly be thankful to India if India stopped exporting rice to Ceylon because that would be an impetus for the Ceylonese to grow and eat their own rice.

Mr. Goonesinghe contended that the action they proposed to adopt was in no way peculiar to Ceylon and added that the Board of Ministers should take immediate action to restrict immigration. Even Sir Edward Jackson had commented on the ne-

Ceylon Diploma in Education

Teachers Fail in Attempt to Raise Status

The Colombo Teachers' Association recently sent a request to the Director of Education to recommend to the University of London, that the Ceylon Diploma in Education be considered equivalent to the London Teachers' Diploma for the purpose of proceeding to the M. A. in education.

The purpose of the request was the encouragement of teachers to obtain the highest possible qualifications in education. The Union has received the following reply from the Acting Director of Education:

"The examination for the degree of M. A. in Education of the London University, is conducted in England. No Ceylon teacher is likely to enter for this examination unless it be done on study leave.

"It is accordingly very doubtful whether any case will arise in which a Ceylon teacher wishes to use the Ceylon Diploma in education as a qualification for entry to the examination for the degree.

"I will be prepared to take up this question with the London University if and when the necessity arises."

Obituary

MR. D. V. KANDIAH

The death occurred on the 19th instant at Kuala Lumpur of Mr. D. V. Kandiah, retired Inspector of Weights and Measures, Selangor, Kuala Lumpur.

Necessity for fresh regulations in that connexion, in spite of his advance decision.

Today 1,200 to 1,500 people were employed on unemployment relief in pursuance of a resolution which Mr. Goonesinghe said had been moved by him in the last State Council. As many as 7,000 or 8,000 had registered for relief work but only 1,200 to 1,500 could be absorbed.

On unemployment relief the Government had spent in the last seven or eight years about a million and a half rupees.

Mr. Goonesinghe added that in the villages thousands of people were starving.

"I warn the Government," he said, "that it is heading for a terrible crisis if it does not do something." If there was trouble the sequel, in the words of a former Attorney-General, would be "martial law and no damn nonsense."

Hundreds of people would be shot down; the trouble would be suppressed but what about lives that would be lost? The men at the top never thought of that aspect of the question.

Mr. Goonesinghe mentioned that he was aware of a number of educated unemployed who had taken to dope trafficking for want of anything better to do.

Italo-German Pact

Reciprocal Military Aid

London, Monday.

A ten-year Italo-German military pact was signed in Berlin this morning by Herr Joachim von Ribbentrop and Count Galeazzo Ciano.

The pact provides for automatic and reciprocal military aid in the event of a conflict. No mention is made of South-Eastern Europe, but Signor Gayda says the agreement has secret annexes.

The ceremony of signature took place in the Ambassadors' Hall of the Reich Chancellery, after which both Herr von Ribbentrop and Count Ciano broadcast messages emphasising the solidarity of the Axis and the increasingly-close unity of its interests. The pact consists of three articles:—

(1) The two parties remain permanently in contact with each other in order to agree on all questions affecting their own interests or the European situation as a whole.

(2) Should the common interests of the parties be endangered through international events, they are immediately to enter into consultations in order to take measures to protect those interests.

(3) Should the security or other vital interests of one of the parties be threatened from outside, the other party will afford full political and diplomatic support. If one becomes involved in war-like complications with another Power or Powers, the other party will come to the aid of its ally with all its military forces on land, on sea and in the air.

Subsidiary articles to the pact lay down that the parties further intensify their co-operation in the military sphere and the sphere of war economics. The two Governments will keep themselves permanently informed about the measures for practical provision of the pact. The two Governments will set up a permanent commission, subject to the direction of the two Foreign Ministers. Both bind themselves only to conclude an armistice and peace in full accord with each other. Both are conscious of the importance which must be attached to joint relations with their friends—namely, Hungary, Japan and Manchukuo.

ART & HANDWORK EXHIBITION AT VADAMARADCHY

Point Pedro, May 22nd.

Under the auspices of the Vadamaradchy Tamil Teachers Association a Health, Art and Handwork Exhibition was held at Sacred Heart English School, Karaveddi Point Pedro on the 19th, 20th, and 21st May 1939.

Mr. C. T. Lorge, Divisional Inspector of Schools, Northern Division, opened the Exhibition. Mr. Lorge was garlanded on arrival by the President of the Association. A large number of ladies and gentlemen were present including Principals of Schools, Managers of Schools and school children.

The Exhibition was divided into three sections, Health, Art and Handwork.

Mr. P. Nadasan, Sanitary Inspector, Point Pedro, was in charge of

THE NEW PARTITION ORDINANCE

Views of Lawyer's Deputations

C-ombo, May 23.

A number of lawyers' deputations and the deputation of the Bar Council, led by the Attorney General, placed their proposals yesterday before the Select Committee of the State Council appointed to consider the new Partition Ordinance.

There were deputations from Galle, Matara, Kalutara and Avisawella, and one from Messrs. F. J. and G. de Saram, Colombo.

One of the principal representations made by the Bar Council Deputation was that interlocutory decrees should be made final, and that from that stage persons who claim to have an interest in the land should be barred from intervening in the action.

Full Publicity

It was urged that the greatest care and attention should be directed in the proposed Ordinance towards sufficient publicity being given to the existence of a partition action so as to provide all interested persons with the opportunity of protecting their interests in the land and thus preventing their rights being extinguished by the entering of an interlocutory decree in an action to which they are not parties; and also to the provisions requiring all material facts relating to the title to be placed before the Court in order to assist the Court in exercising due vigilance and arriving at a correct finding as to the rights of parties.

The memorandum of the Galle Proctors' Association pointed out that the proposed Ordinance makes no provision whatsoever under costs for the mental work involved in the preparation of a partition action, such as the tracing of pedigrees and drafting of plaints and conducting of trial.

the Health Section and he took special interest in the Exhibition. He took the visitors round to his section and explained the various posters which he got down from Colombo, and other exhibits.

The Health section was divided into four groups. 1. Maternity and Child Welfare. 2. Communicable Diseases. 3. Food. 4. Health.

Prizes were offered for the best Health Essay in Tamil and best Health Model, Health Slogan and Health Posters. Mr. Nadasan's prizes were won by Thevarale Hindu Vernacular School, Vathiry and Alway South M. M. School respectively.

Lectures were delivered by Mr. S. R. Kanagasabai, Assistant Inspector of Art on "Art in Practical Life," Miss. L. K. Clark B. S. (Education) Principal, Girls Training School, Udavil, on "Educational Value of Hand Work." Dr. V. Nadasan, M. O. H, Jaffna, gave a very interesting lecture on "Health Work in the Rural Area" and Mr. P. Nadasan on "Health Habit Training."

There were also Cinema Shows with talks given by the Sanitary Inspector of Point Pedro on Maternity and Child Welfare, Town and Rural Sanitation and Hookworm.

The exhibition came to a close with a concert by all the Vernacular Schools.

THE MANGO SHOW

(Continued from page 3)

found to be very satisfactory. Demonstrations will be given during the exhibition of budding.

The cultural methods of the mango-plants is another essential point. At present whether a plant is going to bear ten fruits for the season or a hundred, seems to be in the lap of the Gods. Horticulturists are resigned to their lot. They accept a bumper crop or a meagre one as matter of luck. That trees could be made to bear fruit in abundance, if the right cultural method is adopted is not realised. Special literature and posters are being prepared to help the cultivator.

Colour

Colour plays an important part in modern fruit trade. A ripe fruit with a golden colour has a fascination which a ripe fruit with a semi-golden colour can never give. People are prepared to pay more for the mere colour. In Jaffna an important variety of mango which does not readily get spoilt after it is ripe, has a dark green tint. It rarely takes a yellow hue. Artificial colouring of such mangoes is therefore an important commercial aspect. Experiments are being carried on to find out how the mango can be given a rich golden hue by artificial means. The packing of mangoes will also receive attention. There are very few fruits that can be so easily damaged in transit as the mango. There is an important variety of mango in Jaffna which is so sensitive to rough handling that if one is spoilt, it will taint dozens in the same box or basket. Special demonstrations will be given in the modern methods of packing.

It is also hoped to have for the Exhibition the Propaganda vans of the various Government Departments. These have become such regular features at Exhibitions that people in outstations look forward to the visit of these.

The Mango Show promises to be one of the finest exhibitions. It is the first of its kind. The novelty and variety of such an exhibition is bound to make it a great success.

C. W. D.

Increasing Paddy Yield In Ceylon

(Continued from Page 3)

points out that it is not likely that they would be as advantageous in very sandy fields. It is emphasised that under the system of cultivation the important

feature is the necessity of impounding two to three inches of water in the fields while the operations are carried out, and the maintenance of this water-level for five to six days until the plants recover.

Moreover, soon after the operation, the cultivator should enter the field and fill in vacancies caused by faulty levelling or washaways or, to a very small extent, by the operation itself.

Preliminary trials of the new methods were conducted at Peradeniya, Tissamaharama, and Labaduwa in 1937 by the Paddy Officer. Encouraging results were obtained, and definite trials were then laid in Maha 1938-39 side by side with many other treatments. Each treatment was repeated eight times to offset the effects of soil variations.

College of Indigenous Medicine Colombo

Examination Results

The following are the results of the Professional Examinations of the College of Indigenous Medicine held recently:—

Final Examination for the Diploma

Pass with Honours: K. Kengatharampillai

Ordinary Passes: K. Nallasegarampillai, D. P. L. W. Sirisena, S. M. Jaward and E. Palihawardene

Complete the Examination: Miss. D. L. Samarasinghe, Miss. E. P. Rajapakse, D. J. Wijemanne, M. V. Weerasinghe, Y. A. D. Abraham, D. D. Kodagoda and R. P. Abeywickrama

Third Professional Examination

Pass with Honours: Miss. D. R. Bansajayah, W. P. Deraniyagala and D. Jayasinghe

Ordinary Passes: S. P. Emmanuel, A. Pakianathan, A. P. M. Ibrahim, P. S. Thuraiappah, P. Sirisena, S. Muthukuda and M. Krishnapillai

Complete the Examination: K. J. de Silva, S. Abeyundere and D. A. Dharmawardene

Second Professional Examination

Pass with Honours: D. P. Ranasinghe and W. Dassanayake

Ordinary Passes: G. S. Geetharatne, W. A. Jindasa, S. S. Samarasinghe, H. P. S. Gunatilleke, D. M. de Silva, C. P. Wiltana, W. H. Pathirana, T. N. Kurukula, M. R. D. David, D. J. Epasinghe, M. D. Wickrematilleke, K. Sanmuganathan and D. E. Wickremaratne

Completes the Examination: G. V. de Silva

First Professional Examination

Pass with Honours: K. A. Kandasamy

Ordinary Passes: S. Kumaravelu, E. R. Balakrishnan, V. Nagalingam, A. Nadarajah and A. C. M. Jaid.

Order Nisi

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 692.

In the matter of the Estate of the late Arumugam Muthukumar of Vaddukkoddai West Deceased. J. N. Kulandaivelu, Secretary D. C. Jaffna Petitioner.

Vs

1. Sivakkolunthu widow of Arumugam Muthukumar of Vaddukkoddai West
2. Muthukumar Mailvaganam of do presently of Colombo
3. Muthukumar Kanagaratnam of do
4. Nallasegarampillai Sivasubramaniam of do presently of Bibile and
5. wife Kanagammah of do

Respondents.

This matter coming on for disposal before O. Coomaraswamy Esquire District Judge, Jaffna on the 25th day of April 1939 in the presence of Mr. A. K. Navaratnam Proctor for Petitioner and the affidavit and Petition having been read. It is ordered that Letters of Administration to the Estate of the deceased be issued to the Petitioner in his capacity as official Administration unless the Respondents or any other person shall on or before the 31st day of May 1939 show sufficient cause to the satisfaction of the Court to the contrary.

This 27th day of April 1939.

Sgd. C. Coomaraswamy,
District Judge.
(O. H. 25 & 29-5-39.)

DIVORCE IN HINDU LAW

(Continued from page 1)

solve his or her marriage with his wife or her husband." Lately, dissatisfaction with the present Hindu law regarding marriage and divorce seems to have been gaining ground. Three important social bills seeking to remove the social and legal disabilities of a married Hindu woman are now before the Central Legislature. Hindu Women's Right of Divorce Bill introduced by Dr. Deshmukh provides that 'notwithstanding any custom or law to the contrary a married Hindu woman shall be entitled to claim a divorce from her husband under any of the following four circumstances:—(1) If her husband acquires impotency which is incurable at any time after the marriage. (2) If her husband changes his religion. (3) If her husband marries a woman whilst the first marriage is in force. (4) If her husband has deserted her for a continuous period of three years.

Dr. Deshmukh's Bill has been criticised by people of all shades of opinion. The advanced social reformers have criticised it as "incomplete and not providing for all cases." They say that the wife should be given the liberty to divorce in the following cases as well:—(1) If the husband renounces the world and becomes a Sanyasi or Yogi. (2) If the husband continuously neglects and treats the wife badly (nowadays cases do occur where a husband not liking his wife allows her to live with him but does not perform his marital obligations towards her) and (3) If the husband is a confirmed drunkard and is guilty of adultery.

There is another section of conservative people which condemn the Bill outright. To these people, apart from the fact that it goes totally against Hindu sentiment, divorce appears to be a destructive and disruptive force which destroys the very ideals of the stability of the matrimonial relations of a Hindu. A common objection against the Bill is that it is one-sided giving the right of divorce to the wife without giving the same right to the husband.

Roman Law

There is great similarity between the various institutions of the Romans and the ancient Hindus. In early Rome marriage with 'confarreatio' (a religious right) or with 'coemptio' (a formal purchase of the wife) could not be dissolved in any way. But in the Justinian Law we find these types of marriages replaced by the freer ones in which there was full facility for divorce. It may be pointed out that the Roman Catholic Church still regards marriages as indissoluble.

In England down to the middle of the last century a divorce could only be had by an Act of Parliament. During the long period of 140 years between 1715 and 1855 A.D. only 180 persons could get relief through Parliamentary legislation. The Mahomedan Law, where marriage is regarded as a contract, makes allowance for divorce or 'taluk.'

Hindu Law

Even some of the ancient writers on Hindu law are of opi-

nion that in certain cases marriage should be deemed to be dissolved and the wife shall be entitled to remarry. Thus Nira (a (VI, 97) and Parasara (IV, 27) say that "another husband is obtained for a woman in five calamities, namely, if the husband be unheard of, or be dead, or adopt a religious order, or be impotent, or become outcasted." But this dictum has not been accepted by our law-courts because some more important sages have laid down otherwise.

However, it has been held that the court may refuse to pass a decree for the restitution of conjugal rights against the wife, if the husband is suffering from a loathsome disease like leprosy, or if he keeps a concubine in the house, or is guilty of cruelty to a degree rendering it unsafe for the wife to return to her husband, or if he adopts another religion. But the mere fact of the husband marrying a second wife or mere infidelity on the part of the husband or the fact that the wife is a minor is not by itself sufficient to disentitle the husband from claiming restitution of conjugal rights. It should be noted that the court's refusal to pass a decree does not mean that the marriage is dissolved.

How Far?

Our ideals should always change with the changing times for no nation can progress if it cannot adapt itself to changed circumstances. But in the excess of our zeal to reform and to be 'down with everything old,' we should not carry matters to such an extent that they may do more harm than good.

In Soviet Russia, where religion is regarded as a relic of ancient superstition, the intervention of the priest in matters matrimonial has been practically done away with, and in America, where the church is tolerated for its artistic value, the burden of marriage sits but lightly on people's shoulders; and both men and women find it quite as easy to enter into the married state as to get out of it.

Instances are not rare where marriages contracted in the morning have been dissolved before nightfall. So cheap in fact has divorce become that 'in San Francisco a woman obtained a divorce from her husband after being married to him for exactly six and a half minutes.' The facts of the case are that on leaving the church the bridegroom kissed one of the bridesmaids. The bride objected, a short exchange of words followed, and off went the bridegroom in a car—by his side the bridesmaid—the subject and the object of the first and the last matrimonial quarrel.

Today some social reformers are of opinion that India needs liberal laws for divorce. That this movement for the introduction of divorce in Hindu Law will gather strength can be hardly doubted, even by those who oppose and deplore it. The ultimate aim of reform should be the welfare of society and the country at large. No sensible man would ever grudge anything being done in order to safeguard the interest of women. Hence there should be no two opinions regarding the introduction of divorce in the Hindu system of marriage. Still we

ETHNOLOGICAL SURVEY OF CEYLON

(Continued from Page 2)

person, whose name is not clearly legible, for faithful services to the Court during two or three reigns. Unearthed under a foundation of a house at Mahima near the 10th milepost Kelaniya-Biyagama road.

On a plan of Watukana Vihare in Devamedhi Hatpattuwa Kurunegala District copied from an original plan drawn on thin Chinese paper, said to have been prepared during the time of King Kirti Sri (1747-1780), and now in the possession of Venerable Weliwita Saranankara Thera, incumbent of Weliwita Vihare in Malwatta, Kandy. The plan is unique representing as it does an attempt to mark the "Gallea" (stone cave) buildings, field, gardens, rocks, ponds, and boundaries of the Vihare grounds. The ponds and streams are depicted with fishes and crocodiles. The trees are drawn according to the Kandyan art tradition. The cardinal points of the compass are shown in the reverse order of modern usage, namely, South top, North bottom, East left, and West right, of the plan.

must consider how far this facility for divorce should be granted.

Last Remedy

Vast and intricate as the subject is, no definite formulae can be laid down as to when dissolution of marriage should be permissible. Yet keeping in view the object of procreation, (which is a special duty of a Hindu enjoined by the Dharmastra) and happiness and harmony in family life it may be suggested that divorce is desirable (I) if it is discovered after the marriage that the husband is impotent or the wife barren (II) if the husband or wife renounces the world without leaving behind any issue and takes up Sanyas (III) if the husband and wife have temperamental differences giving rise to extreme hardship in day-to-day life and to a desire in them to separate from each other.

It should, however, be noted that human nature being what it is, temperamental differences are bound to arise in daily life. Hence divorce should not be permitted for petty equalities. Only in genuine and proved cases should marriage be dissolved. Happiness in family life is possible only if the husband and wife are prepared to make great sacrifices in order to accommodate themselves to each other. Divorce should be the last remedy in very exceptional cases.

Need of Reform

There is no denying the fact that facility for divorce in such circumstances will bring happiness to many who have to cower down before the mighty social laws and pass their lives in misery without ever knowing the blessings of married life. But the legislator must be very cautious and should provide against people taking undue advantage of these facilities.

It is well-known that you cannot make men moral by Acts of Parliament. In order to make married life happier we must reform the basis of the institution of marriage. Greater attention must be paid to proper selection of matches. Dowry and polygamy should be declared illegal and the scope of inter-marriages widened

in order to facilitate proper selection. But to give an unrestricted right of divorce either to the husband or the wife may lead to adverse consequences; for where there is a right there is a temptation to use it, and use not unoften leads to abuse.

Order Nisi

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 731
In the matter of the Estate in Ceylon of Ponnusamy Venkataraman formerly of Chettanabhapuram in South India, but late of Jaffna.

Deceased.

Veeragathipillai Rajasegaram of Tondaimanar Jaffna Petitioner.

S. Ponnusamy Iyer Krishnamoorthy Iyer of Chettanabhapuram, Shialli Taluk, South India, presently of Tondaimanar, Jaffna Respondent.

This matter of the petition of Veeragathipillai Rajasegaram of Tondaimanar praying for Letters of Administration to the estate of the abovenamed deceased Ponnusamy Venkataraman coming on for disposal before C. Coomaraswamy Esquire, District Judge, on the 24th day of April 1939 in the presence of Mr. M. Ebanparanathan Proctor on the part of the Petitioner and the affidavit of the Petitioner dated the 24th day of April 1939 having been read, it is declared that the petitioner is the attorney of the widow of the said intestate and is entitled to have Letters of Administration to the estate of the said intestate issued to him unless the Respondent or any other person shall on or before the 12th day of June 1939 show sufficient cause to the satisfaction of this Court to the contrary.

Signed this 24th day of April 1939

Sgd. C. Coomaraswamy,
District Judge.

(O. 9. 22 & 25-5-39.)

Order Nisi

IN THE DISTRICT COURT OF JAFFNA

Testamentary Jurisdiction No. 627 T.
In the matter of the estate of the late Sinnammah wife of Eliyav Kandasamy of Uduvil

Nallathamby Velluppillai of Uduvil Vs. Petitioner.

Minor I. Rasamany daughter of E. Kandasamy

2. Eliyav Kandasamy of Kanderodai

3. and Sinnappillai wife of N. Velluppillai of Uduvil

Respondents.

This matter coming on for disposal before C. Coomaraswamy Esq. District Judge, Jaffna, on the 20th day of July 1938 in the presence of Mr. V. S. Nathan, Proctor on the part of the petitioner and on reading the affidavit and petition of the petitioner dated 20th July 1938; it is ordered that the 3rd respondent be appointed Guardian-ad-litem over the minor, the 1st respondent abovenamed for the purpose of enabling the petitioner to apply for Letters of Administration to the estate of the abovenamed deceased, unless the respondents shall on the 21st day of August 1938 shall appear and show sufficient cause if any to the contrary.

This 21st day of July 1939,

Sgd. C. Coomaraswamy,
District Judge.

Drawn by:-

Sgd. V. S. Nathan

Proctor for Petitioner.

Extended and reissued

for 20-1-39

Do 27-2-39

Do 31-1-39

Do 18-1-39

Do 29-5-39

Ind. C. C.

D. J.

(O 10. 22 & 25-5-39)

THE MORAL ISSUE IN EUROPE

(Continued from page 1)

foreign, the attitude of Britain is no less pathological. If Germany is the case of a boy expelled from class and turned bully, Britain is the example of the spoilt child of wealthy parents, unable to concede a humbler boy's pretensions to equality. On the present issue most Englishmen think Germany is wrong; on the issue of independence for India or the British Colonies, few Englishmen understand the deep anguish in the hearts of us "natives" at the deprivation of our national freedom in what they think is a glorious Empire.

The moral issue, then, is, not between Britain and Germany, but between the principle of Self-determination and the principle of Empire. The issue can be resolved only by the unqualified acceptance by all the imperialist powers, Britain and France being the chief, of the principle of the right of every people, even the smallest, to be free and equal. Further, these powers must rally to the support of a really democratic League of Nations. In fact, it will be easier for the League to protect

a just moral order than to preserve, as it vainly tried, an unjust *status quo*. If any colony is unable to assume immediate responsibility for its own self-government, that area should be administered by the League. Another vital function which the new League must undertake is the task of co-ordinating world trade and the promotion of general co-operation between nations. Short of this radical re-orientation, there is very little chance for disarmament or the peaceful sharing of the resources of the world as suggested in President Roosevelt's message to the dictators.

Are there no British hearts and minds which see that the waiting armies and the piled arms are caused by achieved empires as well as by contemplated empires? Are there no men in our time who hear the call of humanity above the roar of the nations?

(The Christian Pacifist)

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