

THE Hindu Organ.

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NO. 71.

AGRICULTURE AND THE ENGLISH EDUCATED MAN

No Inclination for Farming

DIRECTOR OF AGRICULTURE ON AGRICULTURAL PROBLEMS

"THE English educated man has neither the inclination for farming nor belief in its adequacy as a career. This disability will remain until the whole population receives its education, both elementary and secondary, through the medium of the language which is employed in the business of Government."

Thus observes the Acting Director of Agriculture, Mr. E. Rodrigo, in his Administration Report for 1938.

Following are further extracts from the Report:—

In the last annual report reference was made to the instructions issued to field officers not to diffuse their energies on superficial work in large areas but to concentrate all their efforts on the intensive development of selected villages. The progress of this experiment has not been uniformly encouraging. Apart from the free issue of seed and poultry within prescribed limits the means available to the Agricultural Instructor for carrying out this policy are those of advice and persuasion, sometimes almost degenerating to importunity. In these circumstances the personal factor is very important both in the instructor and in the instructed. In the case of the latter a very noticeable feature in the absence of a cohesive village social order influenced and guided by disinterested men whose leadership is recognized, the class of men who, two generations ago, would, by the mere exercise of personal influence, ensure that all irrigation and drainage channels are communally repaired and all fences erected at the proper time. The Agricultural Instructor has no line of approach to the general village life; he is unable to create mass enthusiasm. If he tries to do so by selecting his own leader, a rival leader promptly springs up in opposition. Therefore he has to deal with each inhabitant of the village as a separate unit; and it is difficult to fill

the individual man with enthusiasm to grow a crop, which he has not grown, through a desire to improve his own economic condition.

The instructor for his part must be not only an agriculturist who has personal experience of the difficulties of raising crops and has had the disappointments of a farmer, but must also be a psychologist, a teacher, a man who will not feel himself to be an "outsider" in the company of farmers. This combination of qualities is not common in any country. In the conditions that obtain in Ceylon it must be a rare accident. So long as the business of Government is conducted in the English language, the Agricultural Instructor must be found amongst the English educated classes. This requirement rules out about 98 per cent of the population. The other two per cent are generally drawn from the town or suburb dwellers who had the good fortune to be born in the proximity of English Schools and who have had no agricultural background. They seek employment in the department not because they have any preference or aptitude for agricultural work or the capacity to communicate to a peasant the knowledge they may acquire in a short course of training and to dispense the latter's conservative prejudices, but because they are anxious to obtain some form of monthly paid employment preferably under Government. A young man may successively, or even simultaneously, apply for employment in the Survey Department, in a bank, in the Excise Department, and in the Department of Agriculture. In these circumstances a high percentage of misfits brings down the average usefulness of the staff. Perhaps the most satisfactory method of making appointments to the field branch of the Department would be to select men about

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REVIEW OF NEWS AND VIEWS

Talk No. 14

(Covering period December 13, to 19, 1939)

By Mr. Stanley de Saram

THE chief event in the course of this week has been the battle off Monte Video between the German pocket battleship Graf von Spee of 10,000 tons and carrying 11" guns with the British light cruisers Exeter, Ajax and Achilles mounting 8" and 6" guns. Details of the running fight which lasted for many hours have already been given, but it is with pride that one recalls that with the Exeter out of action, the two 6" cruisers outmanoeuvred the pocket battleship and shelled her with such accuracy that she was forced to take shelter in Monte Video harbour severely damaged and with her big guns silenced. The supremacy of the Royal Navy has been maintained and its traditions for undaunted courage and skill remain unbroken.

It is true that the Graf von Spee after the expiry of a specified time-limit placed by the Uruguayan Government steamed out of Monte Video and scuttled herself on Sunday evening, but it was the subject of much conjecture as to what was the position under International Law, what action would be taken by the Uruguayan Government and what by the German Commander.

It is of interest to note that in terms of the Hague Convention "belligerent warships were forbidden to make use of neutral ports, roadsteads, or territorial waters for replenishing or increasing their supplies of war material or their armaments, or for completing their crews. They may only carry out such repairs as are absolutely necessary to render them sea-worthy, and they may not add, in any manner whatsoever to their fighting force. The local authorities are to decide what repairs are necessary, and these must be carried out with the least possible delay.

The Uruguayan Government placed a time limit of 72 hours for the Graf von Spee to remain in harbour and this limit had to be observed in spite of the protests of its Commander and the German minister.

By the suicide of this pocket battleship the prestige and morale of the German Navy

has been lowered, and a commerce raider costing £4 millions has been effectively removed. A further success by the Royal Navy has been yesterday when a daring raid by a submarine of 540 tons the "Ursula," was announced. This submarine avoiding a series of minefields entered the roads of Cuxhaven at the mouth of the Elbe and torpedoed a light German cruiser of the Koln class which was at anchor and screened by a number of destroyers. With the torpedoing of another cruiser in the North seas last week the Germans have lost 3 cruisers in the last week.

So much for the week's news. I would like now to refer to some legal aspects of recent incidents at sea.

The economic warfare that each side is carrying on against the other on the sea in the present war, has its legal basis in two rights that the laws of naval warfare given to belligerents—the right to confiscate enemy property on the sea whatever its character, unless this enemy property is both non-contraband and being carried in neutral ships, and the right to confiscate even neutral property there, when it falls within the category of contraband of war.

These are operations which we commonly refer to as "the blockade;" and that is a convenient term, provided we remember that there is no "blockade" in the sense in which lawyers use that word, namely the blocking by the naval forces of the belligerent of ingress to or egress from the enemy's coast to the ships of all nations, and that in judging the actions of the belligerents we are not concerned with the technical rules of blockade but with a different branch of the laws of naval warfare.

It is a complete delusion to suppose that in our blockade we are doing something to Germany which she isn't trying to do to us. German propaganda would like that to be believed, but it is not the case. Moreover, German submarines, as we now know, had taken up their stations before the war

(Continued on Page 4.)

Manager's Notice

There will be no issue of the "Hindu Organ" on Thursday, 28th December, 1939. The Office will be closed on Wednesday the 27th inst. for Ardra Darshan.

MANAGER.

25-12-'39.

JAFFNA HINDU COLLEGE OLD BOYS' ASSOCIATION (Colombo Branch)

All Old Boys of the Jaffna Hindu College resident or employed outside the Jaffna District are kindly requested to send in their names with their addresses to the undermentioned to enable him to prepare a list of Old Boys of the College for publication in the Jubilee Number of the College Magazine early next year.

M. C. NADARAJAH,
Hony. Secretary.

11, Nelson Place,
Wellawatta.
(Mis. 219. 21 & 25-12-39.)



Hindu Organ.

MONDAY, DECEMBER 25, 1939

THE GOLDEN JUBILEE

THE FESTIVAL OF THE GOLDEN Jubilee marks the maturity and sets the seal of stability of an institution. It is at once a test of, and testimony to, its usefulness in the sphere of its service for which it has been launched, and the approval of its clientele. It is an occasion for the pardonable pride of the "Hindu Organ" that it has not only survived the pitfalls incidental to the career of man or machine but it has fulfilled its purpose with not an inconsiderable measure of success. While we have every reason to be jubilant, we have no misgiving that the interests we have striven under fair weather and foul to serve, will genuinely join us in body and soul in the celebrations which are timed to take place on the 28th inst. We invite not only our actual subscribers but all Tamils who earnestly and zealously prize their legacies to join in the festivities of that day. We feel confident that our subscribers and well-wishers, who are outside the Jaffna Peninsula and who therefore cannot be present on the occasion, will be with us in spirit and may even signify

their share of joy by messages on the wire or by the post.

Though it may be superfluous to grow reminiscent once again, for most Tamils do know the history of this paper, our sense of obligation and gratitude to the stalwarts of the past two generations who well and truly laid its foundations and built its superstructure bearing the dust and the heat of the day, all for no personal gain whatsoever but often at great personal sacrifice—that sense of obligation instinctively impels us to hark back to the days when the fortunes of the Jaffna people were imperilled by hostile forces, and when to check the disintegration there appeared the apostolic leadership of SRI LA SRI ARUMUGANAVALAR and along with him and after him numerous others who felt the call for the timely service to preserve the very independent existence of the Tamils and their culture. We have not the least doubt that the great honoured dead, the fruits of whose services are seen in the re-awakening that has swept over the Tamil land, shall have not toiled in vain, if we the Tamils of the present day treasure their memory by reverently assigning them to definite niches in the race's Roll of Honour and by dedicating ourselves one and all, each in his or her own measure, to the service of the racial heritage and to the creation, under the inspiration of that heritage, of a brighter and nobler future of the Tamils.

In this work of sustaining the past and of holding the torch for the guidance of the present and the future, the "Hindu Organ" has done its modest share and will play its part in the years ahead. But that would not be possible if the Tamils would not rally round its banner. We are thankful to our subscribers and supporters during the last fifty years, and we are confident that they will stand by us, for we know that the seeds scattered by the great Navalar and his successors, are bearing fruit and will continue to do so for many a long day.

All-Ceylon Hindu Conference

An All-Ceylon Hindu Conference will be held on the 4th, 5th and 6th January 1940 in the Jaffna Hindu College Tamil School.

Mr. C. K. Subramania Mudaliar Advocate, of Coimbatore, S. India will preside.

Other speakers include Rao Bahadur C. M. Ramachandra Chettiar, Editor, "Konkumalar".

JAFFNA BUS OWNERS UNHAPPY PLIGHT

Decision That will bring Starvation to Hundreds

About 17 out of 34 buses plying on the Jaffna-Karainagar route are not permitted to run during January but their applications will be considered so as to permit their running during February 1940, states a communication to the bus owners from the Commissioner of Motor Transport.

We understand that 44 buses in all in the Jaffna peninsula are similarly affected. The reason advanced by the authorities, it is said, is that the applications were not received on 30th September, the due date, but the owners maintain that they posted the applications in the Kacheri box on due date and in their petition to the Minister they state among other things, "Something foul has been perpetrated by someone to cause us this extreme hardship."

Mr. S. Vydialingam of Tholpuram who is an esteemed correspondent to the press & is well informed in transport matters has been approached by the bus owners to interview the Minister for Local Administration.

(A lengthy correspondence on this subject is held up for want of space)

The Hindu Organ Golden Jubilee Celebrations

The Golden Jubilee Celebrations of the Hindu Organ will be held on Thursday, 28th December 1939, at 4 p.m. at the Jaffna Hindu College.

Sir Waitialingam Duraiswamy, Speaker, State Council, will preside.

Messrs Francis de Zoysa, K.C., M.S.C., C. Coomaraswamy, C.C.S., J. V. Chelliah, M.A., J. P. and Pandit Mahalinga Sivam will speak at the public meeting which commences at 5.30 p.m.

All friends and well-wishers are cordially invited.

Hindu Organ
Office,
24-12-39.

North Ireland and the War

London, Dec. 19.

Opening the new session of the North Ireland Parliament, the Duke of Abercorn read the King's speech which said, "From the day that the war was declared, Northern Ireland has given proof of her willingness to play her full part in this great struggle. It is a source of deep satisfaction to him that young men of the province had offered themselves in such large numbers as volunteers for service in His Majesty's forces."

On the Western Front

Ceaseless Patrol Activity

Dec. 10.

WITHIN the last few days British troops have established contact with the enemy. A considerable force is in the Maginot Line, manning the field defences on German frontier. This is the first time that the British Expeditionary Force of 1939 has tasted actual warfare. Not long after the first few shots were fired the men were visited by the King, who, from a point behind the advanced positions, looked across the frontier into Germany and saw on the horizon the dim outlines of grassy crests held by the King's enemies, writes a special correspondent in the London "Times."

The area in which the British force is stationed is undulating agricultural country dotted with dense pinewoods. All towns and villages had been completely evacuated some time before the arrival of the British troops, though enough furniture was left behind to ease the task of billeting officers. The British units, which have encountered mud as well as Germans, are based on the field fortifications of the Maginot Line. In no case will they be called upon to garrison the great underground fortresses with their endless galleries, mighty power plants, and complicated signals. These works, like the similar works in the Siegfried Line, a few miles away, are held by specialized fortress troops.

No man's land in front of the British force is fairly wide, and there have been no serious clashes. Patrols are ceaselessly active and shots have been exchanged with German infantrymen bent on reconnoitring the advanced positions of the Franco-British line. So far there have been no casualties on the British side. The Germans have lost one of the Alsatian dogs which are trained in large numbers to warn patrols and advanced posts of the approach of the enemy.

The news of the arrival of the British troops flew swiftly through the French countryside. All civilian and military alike, turned out to give them an enthusiastic welcome. When the first British rifle spoke it flung back the answer of Great Britain and France to the accusation, diligently spread by German propagandists grimacing into their microphones, that Great Britain is willing to fight to the last Frenchman.

MEDICAL SUCCESS

Dr. A. Nagendran Obtains a First Class

Dr. A. Nagendran who recently passed the Medical Final in the First Class had a brilliant career at the Medical College.

He joined the College as a Government Bursary holder on the results of the Pre-Medical examination. In the First Professional Examination he was placed first in order of merit in the first class and won the Mylopulli Medal for Materia Medica and Pharmacology. In the second Professional Examination, he was placed second in order of merit in the first class and won the Mathew gold medal for Forensic Medicine.

He is a son of the late Mr. S. Ambalawanar, Shroff Mudalyar of the General Treasury, Colombo, and a brother of Mr. A. Sambandan Advocate, Jaffna.

Commuted Pension Can be Seized

District Court Order

Interpretation of the Law

THAT the commuted pension of a Government servant can be seized in execution of a decree obtained against him, was the order made by G. Crossette Thambyah, Acting District Judge of Colombo, in a Colombo case

Meaning of "Stipend"

The Judge in the course of his order states:—

"The question which arises for decision in these proceedings is whether the sum of money now brought into Court in consequence of a seizure of the said sum of money in the hands of the Deputy Financial Secretary should be regarded as property which is exempt from seizure within the meaning of Section 218 (G) of the Civil Procedure Code. The money has been seized at the instance of several creditors, including the plaintiff in this action, who hold unsatisfied decrees against the defendants.

"The first defendant, who is the judgment debtor, contends that the sum of money seized being part of his pension, is exempt from seizure.....

Periodical Payments

"It being clear that Section 218 (G) makes no exempting provision with regard to a sum paid as a gratuity, the question arises whether the defendants can plead the benefit of that Section if this lump sum of money is regarded as a gratuity and not as a pension. The section under consideration uses the term 'stipend.' As was pointed out by Moseley, J., in the case reported in 39 N. L. R., page 352, in which case he was considering a seizure affecting a retiring allowance paid as a gratuity to a public officer, the word 'stipend' is inseparable from the notion of periodical payments and cannot, therefore, embrace a lump sum and as the payment in the present case.....

Not Exempt

"In deciding this matter, I feel bound to construe the exempting words contained in Section 218 (G) strictly. The word 'stipend' in that Section already has reference to a periodical payment made to a civil pensioner under Government. I hold that the lump sum payment which the Government has chosen to designate by the term 'gratuity' does not fall within the meaning of the word 'stipend'. I am bound to interpret the law as I find it. If this interpretation causes any hardship to the debtor it is a matter for the legislature. I, therefore, hold that the money seized is not exempt from seizure..

Public Services Commission

The Governor has appointed Mr. J. W. R. Nlangakoon, K. C., to be a member of the Public Services Commission with effect from December 2, 1939, during the period he acts as Legal Secretary, or until further orders.

URBAN COUNCILS ORDINANCE

Comes into Operation
From January

The new Urban Councils Ordinance will come into operation on January 1.

A proclamation by the Governor to that effect appears in last Friday's "Gazette"

When the new Ordinance comes into operation, the Local Government Board will cease to exist.

Bill to Amend V. C. Ordinance

The draft of an Ordinance to amend the Village Communities Ordinance was published in the "Gazette" last Friday.

The objects of this Bill are:—

(1) to remove certain difficulties encountered earlier this year in the conduct of elections under the Ordinance;

(2) to provide that the Chairman of a Village Committee should pre-

Local Government Commissioner

Mr. Kaufman Retires

Mr. H. P. Kaufmann, Acting Commissioner of Local Government, who is at present in England, has retired after nineteen years in the Ceylon Civil Service.

Mr. Kaufmann, who is 47 years of age, was appointed a Cadet in April, 1920, and arrived in Ceylon on May 27, the same year.

His first appointment was at the Jaffna Kachcheri, from where he was appointed Office Assistant to the Government Agent, Northern Province, in 1921.

Mayor of Colombo

Mr. Kaufmann was in turn Chairman of both the Municipal Councils of Kandy and Colombo.

With his promotion to Class 2

Sea Battles Near America

U. S. A. to Prevent
Them

New York, Dec. 20.

Mr. Sumner Wells, Assistant Secretary of State, in a speech last night declared that the American States would take steps to prevent a recurrence of sea battles off the American coast like the battle off River Plata. He referred to the three hundred mile security zone fixed at the recent Pan-American Conference and said that certain events in the past few days "had shown disregard by belligerents of the rights so asserted by the American Republics."

He added that the American Governments would promptly take measures to make "very much less likely in the future such disregard for their inalienable right of self-protection" Mr. Sumner Wells gave no hint as to what measures American States were preparing, but said they would be taken "after consultation".

The New York Times Montevideo Correspondent quoting "an unimpeachable diplomatic source" states that the American nations were ready to send warships to force the Graf Spee to leave Uruguay if she had refused.

Following consultations by wire the correspondent states, American Foreign Ministers were agreed that one of Uruguay's neighbours—presumably Argentina—should send two large warships to Montevideo. These would have taken positions on either side of the Graf Spee and ordered her to accompany them to the sea.

Red Army Retreats

Harried by Finns

London, Dec. 22.

Harried by the victorious Finns, the Russian Armies on two fronts, in the North and North-East, continued their retreat today. Reports from the Norwegian Frontier state that the Red Army in the Petsamo Corridor is retreating rapidly, and the roads are littered with abandoned tanks frozen up in the intensive cold, also guns and ammunition. Cold is believed to have caused more casualties than fighting.

There is speculation at Helsinki as to whether the Russians in the North have decided to go to winter quarters or postpone activity, at any rate until the weather improves.

Meanwhile the Finnish counter-offensive on the Salla front is declared to be a "Decided Victory". Heroic exploits are reported to include the capture of forty-seven machine guns by one detachment, while another claims to have annihilated a battalion of six-hundred men. One version puts the Russian losses at thirty thousand, including dead, wounded and frost-bitten.

A Moscow communique claims that ten Finnish planes were brought down in the course of air combats yesterday. There was an intensive artillery duel in the Karelian Isthmus, otherwise operations chiefly comprised small skirmishes and reconnaissance groups.

THE GOLDEN JUBILEE NUMBER

OF THE

Hindu Organ

A SPECIAL PUBLICATION

CONTAINING

Messages from:— Mr. C. Rajagopalachariar, Dewan Bahadur K. S. Ramaswami Sastri, Mr. S. Satyamurti, H. R. Freeman and others

Greetings from:— Indian and Local contemporaries

AND

Contributions from:—Dr. S. C. Paul, Swami Vipulananda, Mr. C. W. W. Kannangara, Dewan Bahadur K. S. Rawaswamy Sastri, Mr. S. Mahadeva, Prof. C. Narayana Menon, Prof. K. S. Sri Kantan, Mr. K. Balasingam, Dr. Andreas Nell, Rev. Dr. T. Isaac Tambyah and others.

Copies will be available on the 28th instant.

Price: Re. 1/-

side over every election of a Vice-Chairman for that Committee;

(3) to define more clearly the circumstances in which a Vice-Chairman may exercise the powers of the Chairman of a Village Committee;

(4) to specify with greater precision the class of persons liable to pay the capitation tax;

(5) to enable a Village Committee to impose either of the land taxes, where the imposition of both taxes, is considered undesirable;

(6) to enlarge the powers of the Executive Committee of Local Administration to make rules for the guidance of Village Committee; and

(7) to validate the levy of the capitation tax for 1939 by certain Village Committees in accordance with the provisions of the rules in force before the amendment of the law by the Village Communities Amendment Ordinance, No. 60 of 1938.

of the Civil Service in 1930, Mr. Kaufmann was appointed Chairman of the Kandy Municipal Council and Additional Assistant Government Agent, Kandy.

After about three years in this post, he went on furlough, and on his return in January, 1935, was appointed Assistant to the Commissioner for Relief and Distress due to sickness and shortage of food. He held this post for a few months till he took up the post of Chairmanship of the Colombo, in the same year. After about eight months as Mayor, Mr. Kaufmann was appointed in November, 1935, as Acting Commissioner of Local Government, President of the Local Government Board and Secretary to the Minister for Local Administration. He went on furlough a few months ago.

Review of News and Views

(Continued from page 1)

began, and they have been trying to blockade us from the first day of the war; so that when propaganda suggests that the German blockade is only a reprisal for ours, that again is not true.

Each of us is trying to disorganise the economic life of the other, and that is a perfectly legitimate aim in war, provided you do it in the way that rules of law and rules of humanity prescribe. The difference is that whereas the Allies have both the will and the means to disorganise Germany's arrangements, the course of the war at sea already gives us good reason for hoping that though Germany has the will, she has not got the means of disorganising ours.

Now let us take the right to capture enemy merchant ships on the sea. This right mainly concerns Germany's blockade of us; because except in the Baltic, German shipping had quickly disappeared from the seas. A French submarine the other day brought a belated German merchantman for 1,000 miles across the Atlantic into a French port, where it will doubtless be brought before a French Prize Court and condemned as a prize in due course. That is the proper lawful procedure which a capturing ship ought to follow if it is at all possible.

But there are circumstances in which it is lawful to destroy an enemy merchantman at sea, instead of bringing her into port. There are different views as to what circumstances to justify destruction at sea, but about one point there is no—absolutely no difference of opinion, and that is that the destroying warship must first provide for the safety of those on board the merchantman. As recently as 1936, Germany—and note that it was Hitler's Germany—signed a treaty in which these words occur: "Except in case of persistent refusal to stop on being duly summoned, or of active resistance to visit and search, a warship, whether surface vessel or submarine, may not sink a merchant vessel without having first placed passengers, crew and ship's papers 'in a place of safety.'" And the treaty went on to say that the ship's boats were not to be regarded as a place of safety unless the safety of passengers and crew was assured by the sea and weather conditions, or the proximity of land, or the presence of another vessel able to take them on board.

We do well to remember this treaty when we read of the "Athenia" sunk by a German submarine on the first day of the war with the loss of 112 non-combatant lives. And we do well to remember it, too, and how it has proved not to be worth the paper it was written on, when we find in Hitler's "peace offensive" speech of October 6th a proposal that a conference should be held to define the use of submarines "in such a manner"—these are Hitler's words—"in such a manner that" the war will be deprived of its terrible character of a fight against "women and children". No conference and no new treaty, is necessary if that is his purpose.

You may have noticed that this treaty of 1936 which I have just

quoted, implies that if a merchant ship persistently refuses to stop, or actively offers resistance to the warship that orders her to do so, she may be sunk, and that in such a case the duty to ensure the safety of those on board does not apply.

There is another matter on which there has been discussion in the last few weeks. Suppose an enemy merchantman prefers to resist at the risk of being sunk, knowing perhaps—as our ships came to know during the last war—that whether she resists or not, the German submarine, if it can, will sink her without regard to the lives of those on board. Take the case of the "Athenia", for instance. Suppose she had sighted the submarine and guessed its intentions in time to offer resistance. What are the legal rights and wrongs of such a case? You have seen, I expect, that the British Admiralty is putting guns on to our merchantmen so that they may defend themselves against submarines, and, perhaps you saw that the German wireless in English, of October 2nd, said that this was "a direct violation of International law".

Well, one supposes there are few people in this or any other country who look on Nazi Germany, as a trustworthy authority on international law. But what does the law really say about this matter? It says this: If an enemy merchantman tries to escape or resists capture, the warship may sink her, and those on board must take their chance. But if she choose to resist, she is entitled to do so. The position was put in a nutshell by the United States in a Memorandum written while they were still neutral in the last war, which said this: "The right to capture and the right to prevent capture are recognised as equally justifiable". In fact, one of the oldest and best established of the rules of naval warfare is that a merchantman may carry arms for the purpose of defending herself. She may not use them offensively, but she may defend herself. All this was recognised by the German Admiralty itself right down to the eve of the last war, for as late as June, 1914, they issued this perfectly proper order to the German Navy. They said that if an armed enemy merchantman attacked one of their ships, she was a pirate; but if she merely resisted capture, she was to be overcome, but her crew were to be prisoners of war—that is to say, honourable enemies who had not violated the laws of war. It is true that Germany changed her mind in this matter during the war; but rules of law are not changed in this way to suit the convenience of a belligerent, and this rule—that a merchantman may defend herself—at her own risk—and that for that purpose she may carry arms—still stands.

Now let me say something about the second of the rights that is being used in the economic war on the sea—the one that chiefly affects neutrals—the right to intercept contraband goods. The essence of it can be put very simply. A belligerent has a right to confiscate goods which are enroute to his enemy by sea, whether they are going to him directly through one of his own ports, or indirectly, through a

neutral port, if the goods are of a kind that would increase the enemy's military strength, helping him to avert defeat or to prolong the war.

Let us look, then, at the position of a neutral ship which is transporting contraband goods, because in some respects it differs from that of an enemy ship which we have been considering. If a neutral ship is ordered to stop in order to submit to visit and search by a belligerent warship, it is her duty to do so; she isn't entitled to resist as the enemy ship is. Another difference is that there is a special reason why a neutral ship should be brought into port and not destroyed at sea, if that is at all possible. If a belligerent destroys an enemy ship, he destroys what is in effect his own property, because if the ship were brought before a Prize Court its enemy character alone would be enough to condemn it. But mere capture does not turn a neutral ship into the belligerent's property. Whether, after it has been captured, it will or will not become his property depends on many circumstances. Even if there is no doubt that it is carrying contraband, it isn't certain that the ship ought to be condemned; and until all the circumstances have been investigated, the rights of the case cannot be known. Hence if a neutral ship is destroyed at sea, it follows that the captor has destroyed something which is not, and very likely never would be, his own property, he has probably destroyed, too, the evidence by which the neutral owner could have been able to prove the innocence of his ship before the Prize Court.

There are, therefore, strong reasons against allowing neutral ships to be destroyed at sea, and British practice has traditionally held that they ought never to be destroyed—(we say that if they can't be brought into port, they can always be released). Probably the only case where the destruction of neutral ships is at all admissible is where either the ship in question is performing an un-neutral service or in a case of "gravest military emergency" where not to sink the neutral ship would be to bring the capturing warship itself into imminent danger. Many States do, however, regard destruction at sea as allowable in certain cases, but even they say it should be the exception and not the rule. Nevertheless, it became the rule of German practice in the last war. She sank then more than 1,700 neutral merchant ships, in most cases without even searching them to see if they were actually carrying contraband, and over 2,000 lives were lost on them. It is an *a fortiori* case—that never in any circumstances can the destruction of a neutral prize without provision made for the safety of those on board be justified.

One other point only. Is there any force in the German argument that her conduct is justified because we are trying to prevent food from going to the German people. The treatment of food as contraband is a thing that easily appeals to the emotions of humane people, but most of the things that war makes it legitimate to do to one's enemy would be ruled out if we took emotion for our guide. It is only right that we should judge in this matter with a full and clear realisa-

LETTER TO THE EDITOR.

Radio for Jaffna Esplanade

Sir,—Signs are not wanting that Jaffna is on the move for a progressive order of things. The proposal to instal a radio loud-speaker for the benefit of the population of the town was mooted some years back. The idea of converting the reclamation ground into a people's Park provided with radio loud-speakers was first considered by some, and we understand that Dr. S. Subramaniam the local Nuffield was prepared to contribute Rs. 2,000/- towards the expenses. But as usual the lethargy and indifference of the Jaffna man got the better of him and as a result the idea suffered a painful death. Many of us thought that, that was the last of the loud-speaker proposal.

But all is not wrong with Jaffna. At least we have a few public spirited men left in Jaffna who apart from personal considerations and interests look to the welfare of the people as a whole. One such is Mr. Sam. Sabapathy, the present Chairman of the U. D. C. His term of office has marked a distinct improvement of the welfare services of the town; the enlargement of the library the proposal of the children's park etc. show the keen interest which the chairman takes in the providing of Cultural amenities of the town.

Leisure, rest, music and such other social amenities are essential for the well-being of the citizens. Taking this into count the present chairman has wisely included a sum of Rs. 1,000 for the providing of a radio to be fitted in the esplanade. This move deserves the full-throated approval of all lovers of progress and enlightenment. Only if the Rs. 2,000 promised by Dr. Subramaniam could also be made use of, then Jaffna could have radio loud-speakers fitted in the various parts or at the least, in most populous parts, in the town. The reclamation ground, the esplanade Vannarponnai, Nallur etc. may have loud-speakers operated from a Central Unit. We earnestly hope that those entrusted to carry out the proposal will have in mind the above suggestion and if possible carry them out when the time comes.

Yours truly,
C. SELVARAJA.

Anaipanthi,
Jaffna,
21-12-39.

tion of what war is. Food in past wars has generally been treated as conditional contraband. That means that it has been condemned if it could be shown, not merely that it was going to the enemy country, but also that if it arrived there it was destined for the use of the enemy government or its armed forces. Now, in earlier wars it has often been possible to make this distinction, and so to let food go to the enemy with a fair assurance that it would not be a source of added military strength to him. But, as one of the foremost living American writers on international law has written: "As war is now conducted, it is a probability rather than a possibility that foodstuffs imported into belligerent territory

(Continued on Page 5)

New Scale of Salaries Recommended

Government Clerical Service

THE "Ceylon Observer" understands that the Select Committee on Retrenchment has now formulated a complete revised scheme of salaries for the Government Clerical Service.

The scales set down in it are final so far as the deliberations of the Select Committee go, and will be subject to revision only if a convincing case is made out by those concerned for any alterations.

It is learned that the Heads of Departments and the various organisations which represent the members of the Clerical Service have been invited by the Chairman of the Select Committee, Mr. B. H. Aluwihare, to express their views on the proposals of the Committee.

As already forecast in the "Observer," Mr. Aluwihare has intimated to them the fact that the Select Committee intends to put forward certain proposals as regards medical aid and education facilities.

The Select Committee's scheme approves the reconstruction of the Clerical Service into one consisting of a General Clerical Class and an Executive Clerical Class.

All future recruitment to the Service will be direct to the General Clerical Class.

Competitive Examinations

Promotions to the Executive Clerical Class will take place on the results of competitive examinations confined to the members of the General Clerical class.

Under the Select Committee's salary scheme, the future recruit to the Government Clerical Service will start on a salary of Rs. 50 per month and he will have the opportunity to rise to a maximum salary of Rs. 325 per month.

For the General Clerical Class, which will correspond to the existing Class III, the initial salary will be Rs. 600 per annum. For the first four years the recruit will stagnate at that salary. In the next two years he will draw Rs. 720 per annum.

From then on he will receive biennial increments of Rs. 5 until he reaches the maximum of Rs. 1,800 per annum.

There will be efficiency bars at Rs. 840 and Rs. 1,380.

A member of the General Clerical Class will be eligible to compete for promotion to the Executive Clerical Class only after a minimum service of 3 years.

Salary Scales

The Executive Clerical Class will carry the following salary scales:—

Grade II: Rs. 960/- to Rs. 2,340/- with annual increments of Rs. 60/-, and an efficiency bar at Rs. 1,680/-.

Grade I: Rs. 2,400/- to Rs. 3,240/- with annual increments of Rs. 60/-.

Special Grade: Rs. 3,000/- to Rs. 3,900/-, with annual increments of Rs. 60/-.

It will be seen that the Select Committee proposes annual increments of Rs. 60/- for every Grade of the Executive Clerical Class.

The Retrenchment Commission's recommendation in this respect was an annual increment of Rs. 90/- for Grade I, and Rs. 120/- for the Special Grade.

Jaffna Hindu College O. B. A.

(COLOMBO BRANCH)

A meeting of the Committee of the Old Boys' Association (Colombo Branch) was held on 29th November, 1939, at 5 15 p.m., at the Vivekananda Society with Mr. V. A. Kandiah, one of the Vice-Presidents in the Chair. Other members present were Messrs. K. C. Selvadurai, A. M. A. Azeez, C. Manunayagam, K. C. Thangarajah, A. Kanapathipillai, V. S. Kandiah, K. Dharipalingam, S. Sanmugavadivel, S. Senathirajah, V. T. S. Sivagurunathan and Mr. M. C. Nadarajah (Honorary Secretary).

The minutes of the previous meeting were read and confirmed. Ariing out of the minutes the following questions were considered relating to the following items:—

1. It was unanimously decided that with a view to preparing a complete list of old boys, an advertisement be inserted in the Ceylon Daily News requesting old boys to send in their names and addresses to the Secretary. The Secretary was also authorized to have a second

Lists Nos. 5, 6, 10, 13, 14, 15, 16 and 18 were handed with slip for expenditure amounting to Rs. 29/92. Balance amount due to be called for from the Ex-Treasurer Mr. Mandalanayagam. Lists 2 and 3 were handed to the Treasurer by Mr. M. C. Nadarajah with a statement showing collections Rs. 22/-, Expenses Rs. 11/50. The Committee authorized the Secretary to retain with him the balance cash viz., Rs. 10/50 for petty cash.

(D) The Secretary was asked to write to the Ceylon Savings Bank and have the necessary alterations made in the Bank Pass Book.

(E) The Treasurer was asked to place at the next meeting of the Committee, all accounts after receiving papers and funds from the Ex-Treasurer.

3 Regarding the history of the Association two additional members Messrs Azeez and Thangarajah were appointed to serve in the Sub-Committee consisting of Messrs C. Sivapragasam, V. T. S. Sivagurunathan and V. A. Kandiah. Mr. Thangarajah was elected Convener. The Committee also authorized that the report as drafted by the Sub-Committee be sent direct to the Principal before the 15th January, 1940, without being submitted to the Managing Committee and that

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insertion if the charges were 50% of the first insertion.

2. (A) The Secretary brought to the notice of the Committee that the Honorary Treasurer, Mr. Mandalanayagam was transferred out of Colombo and a successor be appointed in his place. Proposed by Mr. A. M. A. Azeez and seconded by Mr. M. C. Nadarajah, the Committee unanimously elected Mr. K. C. Thangarajah, Treasurer. The vacancy in the Committee caused by the election of Mr. K. C. Thangarajah, Treasurer, was next filled. Proposed by Mr. S. Senathirajah and seconded by Mr. S. Sanmugavadivel, the Committee unanimously elected Mr. N. Nadarajah, Kensington Gardens, Bambalapitiya to be a member of the Committee.

(B) The Treasurer was authorized to write to Mr. Mandalanayagam and call for subscription list, other papers and money in his possession.

(C) List (1) was handed to the Treasurer by Mr. V. A. Kandiah with cash Rs. 1/54—a collection of Rs. 20/- less expenses Rs. 18/46.

a copy be sent to the Secretary for purposes of record.

4. Regarding register of old boys it was decided to await the advertisement in the papers.

5. The Secretary tabled his letter to the Principal and his reply thereto. He was asked to bring the matter up again on receipt of a letter from the Principal after the meeting of the 9th December, referred to in his letter.

6. A sub Committee consisting of Messrs K. C. Selvadurai, A.M.A. Azeez, V. A. Kandiah and the Assistant Secretary was appointed to revise and submit to this Committee Rules of the Association.

7. The Secretary was requested to write to the Secretary, Board of Directors, inviting his kind attention to our communication addressed to him on 15 August, 1939.

8. It was decided to have the next meeting of the Committee before 15 December, 1939.

REVIEW OF NEWS AND VIEWS

(Continued from page 4)

will serve a military end." When practically the whole population is either with the colours or engaged in some form of war work, and when governments have the power to requisition any commodity that they need and have instituted elaborate systems of control, it is practically impossible to have any assurance at all that food which is allowed to pass will be consumed by non-combatants, and if it were, it would mean that other food would be released for military consumption.

And his American writer's conclusion is that a belligerent has a right to intercept whatever offers military aid to his adversary, and therefore that the right to treat foodstuffs as contraband must be recognised. Foodstuffs as contraband are, in fact, just one facet of that totalitarian war towards which German military doctrine and German practice have always pointed the way. Nevertheless, Great Britain maintains the classification of food as only being conditional contraband; and it can be taken as certain that a cargo of food will only be condemned as contraband by the British Prize Court if that Court is satisfied that the presumption is that the cargo of food in question will be put to warlike use.

Auction Sale

D. C. J. 13624

1. Sinnathamby Muttucumaru and wife
 2. Kanmany of Karampan
- Vs. Plaintiffs.
1. Neekilappillai Vaithampillai and wife
 2. Elizabeth of Naranthanai
- Defendants.

PROPERTY

1. All that piece of land situated at Naranthanai in the parish of Kayts, Islands Division of the Jaffna District, Northern Province called "Thavattanpulum in extent 13 $\frac{1}{2}$ Lms. P. C. is bounded on the East by the property of Marypillai wife of Sha-veethu, North by the property of Mary Regina wife of Innasimuttu, West by the property of Ackineser wife of Joseph Chelliah and South by the property of Savinam wife of Joseph together with half-share of the well lying in the Western boundary land belonging to the said Ackiresu and right of using the way and water-course.

2. All that piece of land situated at do called "Kalingarayan Koddan-kadu" and "Mookarayan Koddan-kadu" and other parcel in extent 14 Lms. P. C. and 1 $\frac{1}{2}$ kulies with well and other spontaneous and cultivated plantations, and house and bounded on the East by lane, North by the property of Mary Regina wife of Innasimuttu, West by the properties of Krishtheena, Rasammah, wife of Pirasupillai, Santiapillai Scosapillai and his brother, and South by the property of Ackiresu wife of Joseph Chelliah.

In terms of the commission issued to me by the District Court of Jaffna in Case No. 13624, I shall sell the above properties by public auction on Wednesday the 17th January 1940 at about 10 a.m. at the spot.

N. KANDIAH
Commissioner

(Mis. 223, 25-13-39)

For Sale

Large house property, First Cross Street, Jaffna Apply Advocate Kulasingham, Jaffna or R. A. Gnanamuttu, 15 Boswell Place, Wellawatta.
(Mis. 224, 25-12-39).

Agriculture and the English Educated Man

(Continued from page 1)

thirty years of age with ten years' experience in successful private farming; but it may be predicted with certainty that there would not be a single candidate on these conditions. The English educated man has neither the inclination for farming nor belief in its adequacy as a career. This disability will remain until the whole population receives its education, both elementary and secondary, through the medium of the language which is employed in the business of Government.

Almost at the very outset of the application of this new policy of village development the agricultural officer was faced with certain more objective factors which discouraged village agriculture. The most important of these was the absence of a remunerative market. There is no demand for an increased supply of the perishable varieties of agricultural goods: that is to say, there is hardly any person in the country who wishes to consume this class of goods, and is willing and able to pay for them a price which would give the producer a reasonable return on his outlay in money and labour, but goes without them because they are not available in the market. The greater part of non-perishables which peasant agriculture can produce are at present imported—almost exclusively from India. It is stated by those who know both India and Ceylon that the Indian peasant labours unceasingly to produce them and maintains a standard of living which is lower than that of the corresponding class in Ceylon. Ceylon is not more favourably situated than India with regard to the soil, the water supply, security from pests, and the conditions of health in those districts which are suitable for annual crops. It is inevitable that if the Ceylonese farmer seeks to produce the same goods in competition with the Indian in the Ceylon market his standard of living will come down to the Indian level. The agricultural officer cannot induce him to produce them on these terms.

The next important factor that militates against village development is the possession of land in undivided shares. No owner is willing to effect permanent improvements to lands of which he is not the sole owner. The form of tenure is practically universal in the areas in the wet zone which are densely populated. All officers of the department are convinced that so long as joint ownership continues the main feature of the countryside must be a patch-work of neglected no man's lands. They do not suggest that the law of inheritance should be changed; but they do say that the results of the present law of inheritance are inconsistent with the economic use of the land.

Stray cattle are a major enemy of the peasant. When a whole season's work of a family may be destroyed in one night by the invasion of the garden by somebody else's cattle, the sense of insecurity makes a man reluctant to make an effort to raise crops. The peasant cannot easily afford to spend money on an effective fence, and even the best fence made vulnerable by human intervention on behalf of the preda-

tory cow. One comes away from a garden to garden visit in a village like Massena with a conviction that industrious agriculture is impossible unless the nuisance is stamped out. There is a feeling in the country that in this matter there is a conflict of interest between the poor man and the capitalist. In the first place the destructive cow belongs not to the poor man but to the wealthier and more influential members of the village population. In the second place the victim of their destructive habits is generally not the capitalist but the poor, hard-working peasant.

The non-agricultural section of the population does not realize to what extent the prevalence of the theft of praedial produce discourages enterprise. The Agricultural Instructor who suggests to the owner of a piece of land that he might raise some garden produce receives from the owner the reply that he is not willing to labour for somebody else to take the fruit. The excuse sometimes advanced on behalf of the thief is that poverty drives him to the theft. The argument may be plausible, even if it is immoral, if the poor helpless man is the chief and the rich man in the victim. But generally the only difference between the thief and the owner of the stolen goods is that the former is less industrious than the latter. The thief is generally the stronger man, the man who can raise the same crop as his neighbour if only he is willing to work. One of the reasons why agriculture is more successful in the Jaffna Peninsula than in the South is that the Jaffna man has the sense of security from thefts.

Order Nisi

IN THE DISTRICT COURT OF
BADULLA
No. 8996.

In the matter of the appointment of a Trustee to the Theivanai Amman Kovil and Other Temples, Shrines, Madams and Other Properties in deed of Trust No. 2317 dated 9th March, 1898, attested by John Caderamen, N. P. of Colombo, in terms of Section 76 of Trusts Ordinance Chapter 72 of Legislative Enactments.

1. Rengasampillai Thiruvangadampillai Muttairappapillai Sivasamy of Oliyamandy Estate, Badulla, and
2. Ambalawanar Tillaiampalam of Colombo Commercial Company Limited, Badulla

Petitioners.

This matter coming on for disposal before R. R. Selvadurai, Esquire, District Judge of Badulla, on the 22nd day of November, 1939, in the presence of Mr. K. V. Nadarajah Proctor on the part of the Petitioners and their affidavit dated the 1st day of November, 1939, and the affidavit of the proposed Trustee Mahanta Swamy Ramgiri Sanyasi also dated the same day having been read.

It is ordered that the aforesaid Mahanta Swami Ramgiri Sanyasi be and he is hereby appointed Trustee for the aforesaid Theivanai Amman Kovil and Other Temples, Shrines, Madams and Other Properties in deed of trust No. 2317 dated 9th March, 1898, attested by John Caderamen, Notary Public, of Colombo, aforesaid unless any person or persons lawfully interested therein shall on or before the 23rd day of January, 1940, show sufficient cause to the satisfaction of this Court to the contrary.

The 6th day of December, 1939.
Sgt. R. R. Selvadurai,
District Judge

(O. 62. 21 & 25-12-39)

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