

Hindu Organ

VOL 6. } JAFFNA, WEDNESDAY
சு-ம்புத்தகம். } JUNE 26, 1895

{ திந்துசாதனம். }

{ NO 22.
கலியுகத்து சகசுகா {
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NOTICE.

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26th June 1895.

IN THE DISTRICT COURT OF JAFFNA.

ORDER NISI.

Testamentary }
Jurisdiction } No 662.
Class II

In the Matter of the Estate of the late Lizzri Elezabeth Rachamma daughter of Samuel Nevins of Jaffna.

Deceased.

Soosanappillai widow of Samuel Nevins of Jaffna.

Petitioner

Vs.

1. C. Joseph Muttuccumaru Telegraph Master at the General Post Office Colombo and his wife,
2. Cecil Ponnamma of Jaffna Town.

Respondents.

This matter of the Petition of Soosanappillai widow of Samuel Nevins of Jaffna praying for Letters of Administration to the estate of the abovenamed deceased Lizzri Elezabeth Rachamma daughter of Samuel Nevins coming on for disposal before H. Nevill Esquire, District Judge, on the 29th day of May 1895 in the presence of Messrs Casipillai & Cathiravela Proctors on the part of the Petitioner and the affidavit of the Petitioner dated the 29th day of May 1895 having been read, it is declared that the Petitioner is the mother of the said intestate and is entitled to have Letters of Administration to the estate of the said intestate issued to her unless the Respondents or any other person shall on or before the 28th day of June 1895 show sufficient cause to the satisfaction of this Court to the contrary.

Signed this 29th day of May 1895.

Sigd H. Nevill
District Judge.

THE HINDU ORGAN.

JAFFNA, WEDNESDAY JUNE 26, 1895.

THE MARRIAGE REGISTRATION ORDINANCE IN COUNCIL.

This important measure which was introduced into the Legislative Council in November and read a second time on the 8th December last, passed through Committee on the 13th Instant. Several modifications were made in its details, but the Government sticking to the principle of the Bill, the section providing that registration of marriage should be compulsory among all classes in Ceylon except the Muhammedans was carried by a large majority. Mr. Coomaraswamy made a most spirited and eloquent speech opposing that provision of the Bill; and, in our opinion, his arguments against compulsory registration were simply unanswerable. Mr. Seneviratna, the Singalese member, supported the Tamil member, in an excellent speech, contending that compulsory registration is unsuited to the present condition of the Ceylonese, and that the law should be allowed to remain as it is. Both Messrs Coomaraswamy and Seneviratna challenged the Government to show that registration of marriage is compulsory in any part of Great Britain or Ireland, and maintained that the law which is considered unsuited even to the people of the British Isles should not be introduced into this Colony, inhabited, as it is, by diverse races, having their peculiar customs, religious as well as social, which would interfere with prompt registration of their marriages. "I have shown," said Mr. Coomaraswamy, "there is no necessity for the clause being inserted, because (1) we have done very well without it hitherto and nobody has complained of it, (2) I have shown that the matter is repugnant to the feelings of the Hindus, and (3) what you are inserting in the law—is not the law of England, not the law of Scotland, not the law of Ireland and not the law in India. My Hon. friend the Treasurer seems to be well versed in English statutes, for every thing I say he says is not in this Act or that. —Let him show in any Act relating to England, Scotland, Ireland or Wales or in India that registration is compulsory and that marriages are invalid without it. If he shows me that I will withdraw my opposition. But he cannot. All that the laws of Great Britain and India state is that registration will be the best evidence of marriage. Place us poor dark people who are under a beneficent Government,—place us under the same laws that are good for you."

Mr. Lee, the acting Treasurer and Principal Collector of Customs, defended the provision in question in a lengthy speech. But beyond quoting the opinion of some gentlemen now living and dead as to the benefits of registration, he failed to meet the arguments of the Tamil member, and, especially, to show any authority, in response to the challenge of Mr. Coomaraswamy, that marriage registration is compulsory in England. No one denies the benefits and advantages of having an official record of the marriage, but the real issue between Mr. Lee and Mr. Coomaraswamy, as far as we can understand, was whether registration should be the only evidence of marriage as proposed in the new Ordinance, or the best evidence of it as the law now stands. Registration is a very good thing in theory, but not so in practice. If it be

the only evidence of marriage the effect will be highly prejudicial to the interests of the Hindus, as we have shown in our article of the 8th January last, not to speak of its effect on the other communities in the Island. The Roman Catholics are unanimous that compulsory registration will not suit them; and we have the testimony of Mr. Panabokke as to the failure of compulsory registration among the Kandians. He said during the debate on the second reading of the Bill on the 8th December last that a great many Kandians still contracted marriages according to their ancient customs, and that the Government had overdone things and the people were not prepared to follow that Ordinance. In the face of these facts it was very unjust and impolitic on the part of the Government to have insisted on the compulsory registration provision of the Bill.

Mr. Lee charged Mr. Seneviratna with vacillation in regard to his views on this question. For aught we know the Singalese member was quite consistent in his opposition to compulsory registration from the time of the introduction of the Bill up to its passing through the Committee stage. It is Mr. Lee who has shown considerable vacillation. The Bill was on the 8th December last referred to a sub-Committee of the Council consisting of five officials including Mr. Lee, and three unofficial members. They unanimously adopted an amendment which would make the register the best, but not the only, evidence of a marriage. This report of the sub-Committee dated April 1, 1895, was signed also by Mr. Lee himself. But he has now again changed his mind and insists on the provision which makes the register the only evidence of a marriage. This shows not only Mr. Lee's vacillation but also the farcical nature of our Legislature. Not only has it now set aside the recommendation of its sub-Committee, but this has been done, strange to say, at the instance of and with the votes of the official members who had made that recommendation.

The Bellicose and uncompromising attitude assumed by Mr. Lee on this occasion was hardly to be expected of a high and responsible officer of Government who was their spokesman in regard to this Bill. It was the duty of the Government, in our opinion, to have adopted the unanimous recommendation of the sub-Committee and made the register the best evidence of marriage. But the acting Treasurer would have none of these things, and the obnoxious provision was passed in the teeth of the opposition of the Singalese and Tamil Representatives.

We cannot bring ourselves to believe that the Secretary of State will appreciate the distinction which the law is now made to show in favour of the Tamils who are said to be non-domiciled in Ceylon. If compulsory registration is essential to the well-being of one community, it must be so to the other communities in the Island. Why are the Muhammedans and a portion of the Hindus in the Colony then exempted from the operation of this Ordinance? If the wishes and convenience of one community were to be consulted and entertained, those of the other communities are certainly entitled to equal considerations at the hands of the Government. The feelings of the Hindus were earnestly expressed in the numerous and influentially signed Petitions presented to the Council by Mr. Coomaraswamy; and we see no reason why the prayer should have been so unceremoniously refused. We have no doubt that the Protest which

திருக்கேரணமலை இங்ஙனம்
மன்மத இவ்வகாசிமா கசவ. உண்மை.

Mr. Coomaraswamy will submit at the next meeting of Council against compulsory registration of marriage among the Hindus, will have great weight with the Secretary of State, more especially as this provision has not the approval of the members who really represent the interests of the natives in the Legislative Council. We do not take into account Mr. Abdul Rahiman's utterances in favour of the measure, as he seems to us to be retained as a member of the Council, not so much to represent the worldly interests of the Muhammedans, as to expound their spiritual laws and proclaim their superiority over all other nations and communities in and out of Ceylon. The other members seem to be in need of some diversion in Council, and he has, therefore, been reappointed on the expiration of his six years' tenure of office, in preference to Mr. Sidde Lebba who was the nominee of the Muhammedans. The Ceylon Government, in 1886, passed an Ordinance providing that registration should be compulsory among the Muhammedans. But it was disallowed by the Home Government, on the representation of that community to the Secretary of State. History repeats itself. We have no doubt that, if the Hindus be as earnest in this matter as were the Muhammedans, and send a memorial to the Secretary of State praying that the existing law in regard to the registration of marriages may not be disturbed, this measure also will be vetoed by him.

LOCAL AND GENERAL.

The Weather—No rain has fallen yet. Except for a shower in the early part of April last which was also not general throughout the District it may be said that this drought has continued from January last. Not a blade of grass is to be seen anywhere except in gardens watered from the wells, and everything looks dry and parched up. The blowing of the wind was very violent for a day or two last week, and we experienced a perfect dust storm.

Tobacco—Contrary to expectations the merchants now purchase tobacco from the local cultivators at the enhanced price that prevailed last year. Considering the outturn of the crop here which is supposed to be above the average, and also the large quantity of Jaffna tobacco that remains in stock unsold in Travancore, it is feared that the high price now ruling here may not continue. Several carts with bales of tobacco may be seen daily in our roads coming from the interior to be stored in the Town godowns.

The Hindu High School—The Hindus throughout the Island will be glad, we feel sure, to know that the managing Committee of the Saiva Paripalana Sabai have decided to raise this Institution to the status of a College by affiliating it to one of the Indian Universities. With this object in view the teaching staff has been strengthened by the appointment of another graduate of the Madras University as teacher, and an F.A. class was formed on the 24th Instant.

An Unofficial Police Magistrate for Pallai—We understand that a movement has been set on foot by some interested persons with the object of inducing Government to appoint Mr. W. M. S. Twynam, as Unofficial Police Magistrate of Pallai. We need hardly remark that the appointment of the son of the Government Agent to this office is open to serious objections. It would be neither politic nor expedient to invest a personage already possessing too much influence for good or ill with the powers of an Unofficial Police Magistrate.

Arrack—The arrack rent for 1895-96, having been purchased by a new renter from Galle and the term of the new rent commencing from the 1st proximo, the old renter is said to be selling his arrack at a reduced rate. The arrack drinking portion of our community consequently has a jolly time of it.

A Case of Grievous Hurt—Two men of Kocuvil who were concerned in the serious assault on Mr. Valupillai of the Jaffna Trading Company were on the 19th Instant sentenced to two years' rigorous imprisonment each by our District Judge, Mr. Nevill.

Acknowledgments—We have to acknowledge with thanks the receipt from Government of the following Administration Reports:—Mr. Twynam's Report on the Northern Province; the report of Mr. Elliot on the Western Province; of Mr. Bailey on the Central Province; of Mr. Cameron on the North-Central Province; of Mr. Ievers on the Southern Province, and the

report and Estimates of a line of Railway from Matara to Gandra by Mr. Waring.

Matrimonial—The marriage of Miss Murgasoe, eldest daughter of Mr. P. Murgasoe, Head Clerk of the Fiscal's Office, Jaffna, with Mr. Kathirasa Pillai B. A. took place on the 17th Instant.

COLOMBO.

Mr. Tampoe—the popular Shroff of the local National Bank, is seriously ill, and his condition is causing grave anxiety to his friends and relations. It is hoped that he will rally round under his able medical attendant, Dr. Rockwood.

The New Law Reports—The second volume of the law Reports, edited by Mr. Advocate Tirunavukkersu by the authority of the Government, is out. It is well got up, and, judging from the contents, cannot but be useful to the legal fraternity and to the public at large.

A Tamil Prize—The first examination for the Tamil prize, founded by Mr. Arunachalam, the Acting Registrar-General, will be held in the Royal College, next month. It will be open only for the boys of the Royal College, and seven candidates have already given in their names for the competition. There will be two prizes—the Senior and the Junior—but of what form the prizes will be remains to be seen. The examiner, I hear, is Mr. Chit. Kailasapillai, the S. C. Interpreter. Mr. A's idea is doubtless a commendable one, but, in view of the paucity of Tamil boys in the College, I fear the competition will not be availed of by many.

"The Mystery of Godliness"—This is the title of a work by Mr. P. Ramanathan, and, inferring from the name, is believed to treat of a philosophical subject. Though it is since a fortnight the book, or rather the pamphlet, has been published, very few copies are out and to the general public the contents, beyond what is gathered from the heading, remains a mystery. I do not doubt but that it would be a happy production and claim for the author a reputation in the philosophical department no less than that he enjoys in the political. We learn that it is the intention of the author to have them circulated in England, but, it is believed, the Hindus, who have as much claim as their more enlightened brethren of Britain, will not be denied the opportunity of profiting by his sublime thoughts. —Cor

THE RETRENCHMENT COMMITTEE.

We give below the Memorandum of Mr. P. Arunachalam the Acting Registrar-General, submitted to this Committee and published as an appendix to the Report. We can give only a portion of it today and hope to publish the whole in instalments in successive issues of the Hindu Organ, as it is referred to with approbation in the general report of the Committee and in the separate Memoranda of more than one member of it, and because we consider it a more thoughtful and valuable document than even the Report of the special Committee itself:—

MR. ARUNACHALAM to the CHAIRMAN,
Retrenchment Committee.

Colombo, October 22, 1894.

SIR,—REFERRING to your letter of the 12th ultimo, I have the honour to annex a statement (A) showing the reductions which I consider it practicable to make in the number of Government Agencies at present existing, and in other branches of the Public Service of the Island.

2. In submitting these proposals I have borne in mind (A) the reduction in the work of the Government Agents and their Assistants consequent on the abolition of the grain tax, which it was their main duty to collect; (B) the fact that their predecessors in office were able to administer even larger divisions not less efficiently and with not less satisfaction to the people they ruled; (C) the improved facilities of communication that now exist owing to the extension of Railways and roads; and (D) the great advance made by the people during the last thirty years in education, in intelligent and grateful appreciation of the benefits of British rule, and in the ability and desire to co-operate with British officers for the promotion of measures for the public good.

3. The present seems to me a favourable time for reducing the active interference and supervision of Government officials in the more advanced Provinces and Districts, for directing such activity mainly to districts where the ignorance, poverty, or apathy of the inhabitants demands the close and watchful care of Government, and for utilizing in the administration of the former districts local talent and experience, not merely by the more extensive employment of Ceylonese officers but especially by the expansion and development of the policy of local self-government inaugurated

thirty years ago by Sir Hercules Robinson in the Municipal Councils' Ordinance of 1865 and the Village Communities' Ordinance of 1871, and by Sir William Gregory in the Local Boards Ordinance of 1876.

4. An extension of local self-government would relieve Government Agents and their Assistants at once of an appreciable amount of work, and still more in the future. But even without such extension the exigencies of the Public Service will, I think, be sufficiently met by a reduced number of those officers. The idea of centralization of administration has been developed in Ceylon so far that it has checked the growth of self-reliance among the inhabitants. Throughout the greater part of the Island little is done by a private individual without invoking the aid of the Government Agent or his Assistant, who gives or withholds it after inquiry through a succession of headmen—the Mudaliyar or Ratamahatmaya, Muhandiram or Korala, and minor headmen. This system has increased to a dangerous degree the power of headmen and their opportunity of abusing it, and has retarded the progress of the people by reducing them to a state of helpless dependence. His Excellency the Governor will probably remember that on his first visit to the Kurunegala District a deputation of villagers actually complained to him that the weeds grew among the paddy in their fields.

5. Such helplessness, again, only makes the conscientious Government Agent or Assistant Government Agent more keenly alive to the necessity of watching over these "children" and protecting them from the oppressions of headmen and others. The evil goes on increasing in a circle. The Government Agent's very solicitude makes the people more and more helpless, and their helplessness throws more and more care and work upon him—a state of things best described by Sir William Harcourt's happy phrase, "grandmotherly government." It undoes much of the excellent work of British officers and defeats the policy of the British Government, to educate the people to govern themselves and to make them a contented self-reliant, and vigorous unit in the British Empire. Many Revenue Officers having spent the greater part of their lives in such administration as I have described, appear to have persuaded themselves that all the Ceylonese are alike unfit to manage their affairs.

6. Nothing, however, can be more striking than the contrast between the people so spoiled by the mistaken kindness of officials and the people who, having been brought into contact in and near the towns with unofficial Englishmen in business and other transactions, have, even without an English book education, acquired the qualities of self-help and manliness, the development of which in Ceylon would be the greatest blessing that British rule can confer. If the Government Agents and their Assistants were fewer, there would be less opportunity to keep the people in leading strings, and they would learn to be self-reliant and manly. It is on this ground that I mainly rest my proposals for the slight re-arrangement of Provinces and Districts, though the retrenchment of expenditure effected thereby is not to be despised. I have deliberately abstained from more ambitious schemes as likely to imperil the chances of retrenchment as well as of a mitigation, which all interested in the welfare of the people should earnestly desire, of the evils of a too centralized administration.

7. I propose that the Kalutara Assistant Agency be abolished, both because the railway has brought Kalutara nearer to Colombo and because the inhabitants are industrious and intelligent, and need but little help from Government. Even in the Pasdun korale, the least advanced division of the District, the tea estates now provide the inhabitants with abundant openings for work and livelihood, and render the people less dependent on Government, while the European planters would find the Government Agent at Colombo as easy of access as the Assistant Government Agent at Kalutara and would have their business done more promptly by direct communication with headquarters.

8. The Assistant Agency at Negombo I would abolish unless its jurisdiction be enlarged by the addition of the Chilaw District. The Negombo Assistant Agency is the smallest in the Island (250 square miles), and the addition of the Chilaw District would still leave it smaller in area (500 square miles) than the Kalutara Assistant Agency (625), and with about the same population (200,000). Far the larger part of this population is resident in the Alutkuru korale north and Pitigal korale south, and with the population of the towns of Negombo and Chilaw, stands in the front rank of the native population of the Island in industry, prosperity, and intelligence. The proposed arrangement would be a convenience to the inhabitants of the Chilaw District, whose commercial and other relations are with Negombo and Colombo, and who would have far easier access to their Provincial headquarters at Colombo than to their present headquarters at Kurunegala, with which they have little in common, either racially or commercially. In transferring Chilaw District to the Western Province I would take the opportunity of adopting the suggestion of the Chilaw Assistant Government Agent in his Administration Report of 1892 and 1893, and include in the District part of the Kumarapallampattu of the Puttalam District and a strip from the Katugampola hatpattu of the Kurunegala District, which would, in the Assistant Government Agent's opinion, promote the convenience of administration and of the inhabitants.

9. The abolition of the Assistant Agencies at Kalutara and Chilaw, with their kachcheri staff, would save about Rs. 25,100 on both kachcheries, but against the saving of the Chilaw kachcheri must be set off the increase of the Chilaw Magistrate's pay by Rs. 3,200, in order that the post might be raised to its former dignity of District Judge, whose work is now done by the Assistant Government Agent. There would then be a saving of about Rs. 22,000.

(to be continued.)