

ideas and the social customs of the Hindus strike us as bearing the marks of a hoary age. They may represent, so to speak, the views of our grand-fathers. But if we want to find out the views of our great-great grand fathers, it is not to the polite and subtle-witted Hindu that we must look, but rather to races at the stage of progress reached by the tribes of Central Africa or by the Pacific Islanders.

It is in India that we find still surviving that form of family organization which was once characteristic of all the Aryans. This is the joint undivided family, composed of the "male descendants of a common ancestor, any males who have been adopted by members of the family, and the wives, widows, and unmarried daughters of the male members; all of whom are living as a joint Hindu family, and none of whom have separated from others." (Sir W. C. Petheram; second article on "English Judges and Hindu Law," *L.Q.R.*, 1899' p. 175). All of these are joint owners in the family property, and offer sacrifices to the same common ancestor. Students of Roman Law know that this description of an existing Hindu family applies with absolute accuracy to the early Roman family.

Those of us who were brought up on the works of Sir Henry Maine. are not likely to forget how that interesting and plausible writer finds in the patriarchal family the germ of our modern social organization. The paterfamilias or patriarch governs his household, which includes his sons and their wives and families. As he has the power of life and death over all the members of the family, he can easily repress any tendency on the part of an unruly son to take too seriously his position as a joint-owner of the family property. Where one of the joint-owners can play ducks and drakes with the common property, while the other owners have to grin and bear it, com-