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## Colebrooke's Secret Report on Forced Labour

WITH AN INTRODUCTION

BY

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THE system of Forced Labour, or, as it was then termed, Compulsory Service, that formerly prevailed in Ceylon was abolished by an Order-in-Council, dated 12th April, 1833. The measure was the direct consequence of the secret report which we shall publish in the following pages.

This report, dated 16th March, 1832, was presented to Lord Goderich, then Secretary of State, by Lieutenant-Colonel William MacBean George Colebrooke of the Commission of Inquiry which investigated into the condition of Ceylon in the years 1829-31. The Commission itself was appointed as a result of an address moved in the House of Commons on 25th July, 1822, humbly praying the King to appoint a Commission to inquire into the state of the colonies of the Cape of Good Hope, Mauritius and Ceylon. The immediate occasion for taking such a step appears to have been the problem of slavery at the Cape and "the long continued dissensions" in Mauritius. "Such a commission might, indeed, be less necessary in the island of Ceylon;" said Robert Wilmot, Under-Secretary of State for the Colonies, in moving the address, "but government had no hesitation to extend it to

that island likewise, in order to satisfy the public regarding the manner in which its resources were managed.”<sup>1</sup> The mover of the resolution, it is of interest to note, was the self-same person who came later to Ceylon as Governor Sir Robert Wilmot Horton. The change of name was made by deed poll after his marriage, the new accretion deriving from his wife’s family.

Colebrooke’s original colleagues as Commissioners of Eastern Inquiry (to give them their official title) were John Thomas Bigge and William Blair. The Commissioners went first to the Cape (1823), and thence to Mauritius (1825). Bigge and Blair were compelled by ill-health to return to England in 1828, and Colebrooke arrived alone in Ceylon on 11th April, 1829. He had seen much service in the East including a short period as a Major in the Ceylon army in 1805.<sup>2</sup> Financial and administrative questions were his special care. To inquire more particularly into judicial and legal matters, an Edinburgh lawyer, Campbell Drummond Riddell, was appointed on 4th May, 1829. He arrived in Ceylon on 15th September, only to depart in a few months to take up the post of Colonial Treasurer in New South Wales. Riddell was replaced by a Scottish barrister, Charles Hay Cameron, who was appointed on 22nd August, 1829, and arrived in Ceylon on 27th April, 1830. The Secretary to the Commission was John Gregory, an able man with a record of long service. Gregory’s salary was £1,500 a year; the Commissioners received £3,000 each.

Attention had been drawn to the question of forced labour in Colebrooke’s instructions, and it was not long after his arrival in Ceylon ere his attention was more particularly directed to it. “When I arrived in Ceylon in the month of April, 1829,” he writes in his secret report, “my attention was immediately drawn to the system of forced services required of the ‘Chalias’ or Cinnamon Peelers, who were then assembled in Colombo to be sent into the jungles to cut cinnamon. In the course of this inquiry it was stated to me that the inhabitants of Walapane, a Kandyan province, had recently resisted the orders of Government to work, and that troops had been sent into the Province. Also that the refractory people had been tried at Kandy and had been flogged and

• 1. Hansard Vol. VII. (new series), column 1801.

2. Colebrooke served in the Army in Ceylon (1805), and in India, Java (1811 expedition); Political Agent at Palembang (1813); in a mission to the Supreme Government (1814) and transfer of Dutch Settlements (1816); through the Mahratta and Pindari Wars (1817 and 1818); in reducing the pirates of the Persian Gulf and the Slave Trade of the Arabs (1819 and 1820).

imprisoned." Besides, he was the recipient of many petitions from the people protesting against the hardships involved in the prevailing system of compelling services.

The prevailing system was the result of a long evolution which it is the purpose of this introduction to unravel. Every inhabitant of Ceylon owed to the state the obligation of Rajakariya (customary service). These customary services were of two types—compulsory and paid, compulsory and gratuitous. The former type, with which we are not here much concerned, found its outstanding illustration in the duty of the Salagama caste to serve in the Cinnamon Department. The latter, which is here our main concern, was best exemplified by the universal liability—unrelated to and distinct from tenorial obligations—of every inhabitant to give service in the repair and upkeep of the roads and bridges in his particular district.

Originally compulsory service was on a tenorial basis. But with the abolition of service tenures by Governor North compulsory service was divorced from land tenure and placed on a purely caste basis. North's Proclamation of 3rd September, 1801, while abolishing service tenure in favour of a direct tax on produce, reserved and reaffirmed the right of the state to compel the services of the inhabitants according to their respective castes—but only at the express orders of the Governor and on receipt of adequate payment.<sup>1</sup> Compulsory customary services were thus given a statutory sanction.

The condition of payment, as interpreted by North, included former gratuitous services as well. That concession was withdrawn by Maitland who reimposed on the inhabitants the obligation to keep roads and bridges in repair, unpaid. It was not at first a very heavy demand; but its incidence so increased that, in 1828, the Colombo District alone had to provide men for nearly 20,000 working days of unpaid road repair.<sup>2</sup> The work was undertaken at the discretion and requisition of the Collector, and performed under the direction of headmen and overseers; the necessary labourers being called out through the appropriate headmen. It was not till 1824 that some regularity and central control was enforced by prohibiting the Collectors from calling out the inhabitants for gratuitous service without first submitting an estimate of the number required and obtaining the Governor's sanction

1. Vide "*Regulations of Government.*"

2. C.O. 416. 3. A9.

thereto. Nevertheless, Colebrooke found that no figures were available from which the extent to which unpaid compulsory labour was exacted throughout the colony might be calculated.

It was in the Kandyan Provinces that the working of the system of compulsory found its most complete manifestation. Tenure by service there survived in its pristine purity, and the entire working of the administration, as well as the finances, of the country depended thereon. "The Country being wholly His," said Knox, "the King farms out his land, not for money, but service. And the people enjoy portions of land from the King, and instead of rent, they have their several appointments; some are to serve the King in his wars, some in their trades, some serve him for labourers, and others as farmers to furnish his house with the fruits of the ground; and so all things are done without cost and every man paid for his pains: that is they have lands for it...."<sup>1</sup> In short every landowner owed some service, trivial or important, to the King.

The British inherited this system in 1815: but they found it cumbrous from an administrative and unremunerative from a revenue point of view. The opportunity provided by the Kandyan Rebellion was therefore taken radically to alter the system. Clauses 17-32 of Brownrigg's Proclamation of 21st November, 1818, accomplished in the Kandyan Provinces what North's Proclamation of 3rd September, 1801, had effected in the Maritime Provinces. Tenure by service was virtually abolished, and a grain tax substituted.

Yet, the Proclamation made certain reservations on the same lines as North's. "All Persons," ran clause 30, "shall be liable to Service for Government according to their former Customs and Families or Tenure of their Lands, on payment being made for their labour.... Provided.... that the duty of clearing roads and putting up and repairing Bridges, be considered a general gratuitous service falling on the Districts through which the Roads pass or wherein the Bridges lie, etc...."

As it proved, this clause paved the way to a consideration extension in the employment of compulsory labour. Its most significant application was in the case of the construction of public works, particularly roads: for, in this matter, the meaning of the clause was undoubtedly strained beyond the interpretation which the obligation of customary service had borne in the days of the Sinhalese monarchy, and its exercise stretched to such lengths as could never have been contemplated.

1. Knox, 68.

The military operations of 1818 had amply demonstrated the need for good roads in the interior, and Sir Edward Barnes was convinced that no measure could be more effective in confirming the British conquest of the Kandyan kingdom than supplying that deficiency. In this matter, the dictates of political necessity coincided with the maxims of economic advancement: for the measures that would cement the subjection of the Kandyan would, incidentally, also bring them economic benefits. It therefore appeared to Barnes that no time should be lost in building roads in the Kandyan Provinces. For the accomplishment of this purpose, clause 30 of the Proclamation of 1818 supplied the instrument—"and who.....was there so fit to undertake the task," exclaimed Barnes, "as the people themselves!"<sup>1</sup>.

The duty of putting up and repairing the roads and bridges being a gratuitous service falling on each particular district, the service was allotted among the inhabitants upon the old Kandyan land tenure. Each holding of land, called a *mulpanguwa*, had to furnish a labourer for the purpose at call. As there was no statistical record by which the service could be apportioned among the proprietors according to the value of the produce of each man's land, the liability was made uniform and without reference either to the extent of the *panguwa* or to the number of people participating in their property in it. Where there was only one proprietor, he had himself to serve or to find a substitute: but a *panguwa* was normally jointly owned, and the choice of the individual to represent it in such cases was left to private arrangement among the proprietors themselves. When the road service needed the full resources of a district being drawn on, the labour force realisable on this system was formed into two divisions which were summoned alternately and relieved each other every week or fortnight. On the other hand, when the road programme was complete and only repairs needed attention, the *pangu*-proprietors were formed into four or five divisions as the case might be, and called out in turn. In either case, the labourers received neither provisions nor payment during their period of service, but resided in contiguous villages and found their own subsistence. However, at the seasons for cultivation (*i.e.* twice a year) they were released from service for a period of two months.

1. C.O. 416, 20, G 25.

Under the above system the incidence of road service proved extremely unequal. The chiefs and headmen, having themselves a personal part to take in the road service in collecting, supplying and supervising the labourers, could not contribute labour towards making roads; and their followers, being obliged to attend them, had of necessity to be exempted too. Similarly, the men of the Katapulle, Atapattu and Cinnamon Departments could not be called out, and in the case of temple lands, those indispensably required for duty at the temples were excused. The result may be gathered from a concrete case. Of 2,316 mulpangu in the Four Korales, as many as 1,256 were exempted from the road service in 1828 for the reasons detailed above. So that the entire duty fell on less than half the mulpangu. Further, as the exempted portion comprised the great estates of the district, Revenue Commissioner George Turnour computed that, in effect, the road service fell only on the proprietors of about one-third the land of the district. Moreover, there was the added unfairness consequent on the unequal areas of the different mulpangu, as also the variation in the numbers of the joint owners of each, as each mulpangu supplied only one labourer, the inequality on the incidence of the service was accentuated.<sup>1</sup>

Apart from the evils peculiar to the Kandyan system, compulsory service had serious general drawbacks. In the first place, it gave legal sanction to, and therefore petrified the social distinctions of caste. An individual's liability being conditioned by his caste, judicial recognition of and decision on the point had to be accorded: consequently the Provincial courts were empowered in 1802 to try questions of caste, a power which was expanded and re-enacted in 1824.<sup>2</sup> Government found it necessary to enforce caste distinctions for its own purposes, particularly in the cinnamon department. Yet, there was also a concurrent tendency to overlook these self-same distinctions when it suited the purposes of Government. Thus in the Kandyan Provinces the *ratewassan* people had been employed in such work as house-building and repairing, timber-dragging and elephant-driving—"service which they would not have been compelled to perform under the Kandyan kings."<sup>3</sup>

1. Ibid.

2. Proclamation 10th Nov. 1802, and Regulation No. 5 of 26th March, 1824.

3. C.O. 416. 2. A8.

Moreover the delegation of considerable powers to the headmen brought several evils in its train. The local headmen were supplying the necessary labourers on pain of fine. The distribution of the quotas being in their discretion the way was laid open to numerous abuses. Bribery, favour and influence led to the unequal distribution of work; petty exactions and oppression were common; services were often diverted to private objects—"to which undue impositions the poor wretches were as punctual as to their regular duties as they are sure that the consequences of a refusal will subject them to greater harm."<sup>1</sup> In the supply of provisions, Forbes, the Matale Agent, averred "the people are seldom, very seldom, paid, and ten times the quantity required...is collected—and no part returned to those from whom it is received."<sup>2</sup> Moreover the headmen's powers of summary punishment and their ability to suppress and misrepresent made successful complaint almost impossible.

Compulsory labour was also economically wasteful. Men were drawn away from their usual occupations and could not attend properly to their own interests. The road service, said the Agent of the Four Korabs, "interferes with all their occupations, retards every little project of improvement, and limits their industry to cultivating only what is requisite to satisfy their actual wants," while it "deterred" persons from the Maritime Provinces from being landed proprietors in the Kanlyan districts.<sup>3</sup> When on the road service these men had to work for others in their spare time so as to procure a subsistence. Many were known to employ substitutes at rates far higher than those paid by Government. Moreover the labourers were often old men or boys, inefficient and unskilled.<sup>4</sup> Labourers recruited in this manner were reluctant workmen, and superintendents and overseers had to be authorised to inflict corporal punishment and fines.

Finally, compulsory labour, as exacted by the British, amounted virtually to a subversion of the ancient system. This was particularly so in the case of the road service. Under the Sinhalese kings this obligation had amounted to no more than the occasional clearing of forest tracks: the construction of modern roads was a form of sustained labour that was never contemplated. The powerful British

1. C.O. 416. 5. B3.
2. C.O. 416. 2. A8.
3. Ibid.
4. C.O. 416. 2. B3.

Government which had invested itself with the despotic powers of the Kandyan kings, not only employed that traditional labour but was enabled so to strain custom as to exact even more "than any native despot would have ventured to demand."<sup>1</sup> In the Colombo District alone, over the period 1820-30, Government had called out about 300 compulsory labourers per day for public works; and it was estimated in 1830 that about 900 daily labourers would be needed for 8 months to complete the roads and bridges in it—work which would cost £5,570 if the men were paid 6 pence per day.<sup>2</sup> By the policy initiated by Sir Edward Barnes the country did indeed derive "all the benefit that could be produced by unrecompensed compulsory labour" but the system had been "so irregularly maintained and been productive of so much injustice" that Colebrooke recommended "its entire abolition."

It should be noted, however, that Governor Horton had in the meanwhile taken steps with a view to gradual abolition. "Compulsory labour in the sense of forced labour without adequate pecuniary compensation in the form of wages will be forthwith abolished" he declared immediately after his arrival; and even remunerated forced labour was thenceforth to be exceptional though the power to employ it was reserved if voluntarily labour should not be forthcoming for important purposes.<sup>3</sup> Horton expected to abolish the system completely in the Maritime Provinces by the end of 1832. To that end the Collectors were instructed in November, 1831, not to consider themselves "at liberty to exact the gratuitous labour of any person," and ordered to use every effort to engage paid volunteers for the public service. In no cause were services to be compelled if the lack of volunteers was attributable only to the inadequacy of the rate of wages allowed. Should labourers be compelled, a monthly return was to be made showing the number employed and "stating distinctly the circumstances which have rendered their compulsory employment unavoidable."<sup>4</sup>

Horton did find certain difficulties. The headmen had acquired a vested interest in the continuance of the compulsory labour system, for their profits, legitimate and illegitimate, from it were considerable. Moreover, when Horton investigated the possibility of introducing his Maritime reforms in the Kandyan Provinces, he conceived there was

1. Forbes. I. 56.

2. C. O. 416. 3. A9.

3. C.O. 54. 114. Horton to Goderich, 10th Nov., 1831.

4. C.O. 54. 118. Horton to Goderich, 12th Oct. 1832.



need for caution for two important reasons. In the first place, "the whole native machinery of the internal government" had been "created by the exaction of personal services," the abrogation of which would "necessarily leave the country without a police, and without the means of carrying on all those details of judicial and executive duty which are provided in other countries by municipal and local regulations, for the protection of property and the preservation of the public peace."<sup>1</sup> Secondly, compulsory services were so "interwoven with the other institutions of the country, the interests of the Chiefs, and the maintenance of their religious establishments" that its abrupt abolition would occasion disruption—"it appears certain that so soon as the Government relinquishes its feudal claims on the gratuitous services of the inhabitants, the dependents of the Chiefs and Temples, who are now subject to compulsory labour, will call for a corresponding improvement in their condition,"<sup>2</sup>

Horton therefore concluded that "compulsory gratuitous service has been and still is unavoidable" in the Kandyan Provinces. Such however was not the opinion of Lord Goderich after he had read Colebrooke's confidential report. He recognised that the "real spirit" of the Proclamations of 1801 and 1818 had been evaded and that in fact the tax had been exacted "as well as the labour."<sup>3</sup> He therefore obtained an Order-in-Council which repealed all Proclamations, Regulations and laws relating to compulsory service. "And for the removal of all doubts respecting the future exemption.....declared that none of His Majesty's native subjects within the.....Island shall be, or are liable to render any service to His Majesty in respect of the tenure of their land, or in respect of their caste, or otherwise, to which His Majesty's subjects of European birth or descent are not liable, any law, custom, or regulation to the contrary notwithstanding."

These orders evoked a hot protest from Horton. "I refer to the consequences," he said, "as perfectly distinct from the effect of the degradation of the local government here in the minds of the natives."<sup>4</sup> He ridiculed the proposal that Colebrooke had adumbrated in his report of a local assessment on lands to finance road schemes. One thousand Kandyans, compelled and unpaid, but receiving an allowance

1. C.O. 54. 118. Horton to Goderich, 1st Oct. 1832.
2. C.O. 54. 114. Horton to Goderich, 10th Nov. 1831.
3. C.O. 55. 72. Goderich to Horton, 3rd May, 1832.
4. C.O. 54. 118. Horton to Goderich, 1st Oct. 1832.

of rice, were at the time employed on the construction of the Kandy-Trincomalee road. The forty of its one hundred and sixty miles which passed through Nuwara Kalawiya was estimated to cost £4,000 if paid labour was employed; whereas the value of the total annual produce of the Province did not exceed £4,000! In addition he protested against the abruptness of the measure as not only endangering those public works which were in the course of construction, but as also temporarily disorganising the administration of the Kandyan Provinces. Revenue Commissioner Turnour had detailed to him the serious embarrassments which would be the immediate effect of the Order-in-Council and pleaded that it should at least be delayed for a year while the necessary arrangements were made for the transition. Much as Horton would have liked to comply with the request, he could disregard neither the peremptory orders of Goderich nor the overriding authority of an Order-in-Council.

The Order-in-Council abolishing compulsory labour was published in Ceylon in September, 1832.

*(To be Continued)*

# The First Treaty of Peace between the Portuguese and the King of Kandy, 1617.

BY

FATHER S. G. PERERA, S.J.

(Contd. from Vol. II, p. 538.)

Document E.

Conditions on which the King of Candea will make the Peace he asked, [sent] in Answer to those that were sent to him. <sup>1</sup>

1. Firstly, considering that Sera, King of Candea, is married to the Queen Dona Catharina, lawful queen of the realms of Candea, and has by the said queen three sons, the same shall succeed him on the throne according to their customs, His Majesty being obliged to favour the said King and the other Kings that lawfully succeed him, and the King of Candea and his descendants having the same obligation on all occasions that arise in the realms of the lowlands governed by the generals of this Island. <sup>2</sup>

2. The King of Candea says also, that he will pay as tribute each year two<sup>3</sup> elephants of five *covados* each, delivered at Malvana to do honour to the King of Portugal, for the King of Portugal has no need of money but only honour. <sup>4</sup>

3. The King of Candea says also that he will be a friend of our friends and an enemy of our enemies and will have no dealings with them, and should one come to speak to him he will say that he is a friend of the Portuguese and cannot admit them to his realms. <sup>5</sup>

1. These terms are also given by Father Roiz, see Ceylon Antiquary iii, 50-52.

2. "The Captain-General grants this article on the advice of the junta" Roiz.

3. One elephant, Roiz.

4. "The King of Candea will pay a tribute of 2 elephants of 5 covados in height each year at Malwana." Reply of the General Roiz.

5. "This condition is granted." Reply of the General Roiz.

4.<sup>1</sup> The King of Candea says moreover that all Portuguese that come to his kingdom of Candea<sup>2</sup> he will order to be handed over to the said generals, and that he will likewise deliver all other persons of the country prisoners and culprits if they happen to come to the kingdom of Candea, and that the Captains-General shall likewise be obliged to deliver all his men that come without his license to the realms of the lowlands.<sup>3</sup>

5. The King says moreover, that when he knows where the rebel is he shall be obliged to attack him before us giving us notice to come to his assistance also.<sup>4</sup>

6.<sup>5</sup> The King of Candea says moreover that all those of the lowland realms that came to his kingdom during this rebellion he will order to go to inhabit the villages, and if any is a culprit, the Captain-General will pardon him in the name of His Majesty and will give him his *paravenias*.<sup>6</sup>

7. The King of Candea says also that he will restore all the Portuguese he took at Balana with all the munitions, artillery and arms, and also the Portuguese of Sofragao, but the arms which the people of the country took from them, may be recovered from them; and likewise he will restore the two barks that were taken from the galitoo that ran aground at Mature, as it was in his time.<sup>7</sup>

8. The King of Candea says moreover that he will give hostages who may come and go according to the order he may give, so that they may not be always out of their homes, that they will be persons of credit, though his royal word was better than two hundred hostages; and that as hostages from the lowlands a Friar of St. Francis whom he will name will be enough with a church, looking after the Christians

1. Articles 4 and 5 are interchanged in Roiz.

2. "Without the permission of the Captain-General" Roiz.

3. "This condition is agreed to with the addition that he shall be obliged to hand over the rebels and all other people of the realms of the low-country, with the assurance of their lives and property given in the name of His Majesty." Reply of General Roiz.

4. "This condition is granted." Reply.

5. Not found in Roiz.

6. "Lands, the possession of which is ceded by the sovereign."

7. This last part not in Roiz. "This condition is accepted provided he will give the rest of the artillery which he finds to be ours." Reply.

that are in this kingdom;<sup>1</sup> and that he will likewise give liberty to every person of his realms to become Christian when he desires to do so of his free will, except slaves because of the many inconveniences that can happen between the Fathers and the masters of the slaves and for this purpose he will admit the religious he thinks good.

9. The King of Candea says further that when peace is sworn it will be sworn for ever in the name of the King of Portugal, he and the princes his descendants being Kings of Candea with all the lands which belong to the said kingdom, and the King of Portugal [being king] of the lands that belong to the realms of the lowlands.<sup>2</sup>

It was approved by me and by the persons who were present at the meeting which I summoned, that the foregoing points which were sent to me, be conceded as and in the manner stated therein.

D. NUNO ALVARES PEREIRA.

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Document F.

In Columbo on the 18th of the month of July of 1617, in the apartments of the Captain-General, Dom Nuno Alvares Pereira, he being present with the Religious and other undersigned and under-mentioned persons, all of whom the said Captain-General ordered to be summoned, he addressed them in the presence of me, Manoel Bocarro, clerk of the treasury of his Majesty, and said that having sent an ambassador to Candea with a reply to the king concerning the peace which he offered and asked, and containing the points that were declared on the opinion of those who were present on the occasion, there had now come the final decision of the said king, which is what is now contained in the points signed by him: which the said Captain-General took into his hand and said to the persons there present that he requested and begged them earnestly in the name of His Majesty to consider them and give their opinion on them and decide what seemed best to the service of God and of His Majesty for the peace and

1. "This article in Roiz ends here. The rest is from the Captain-General's reply which is: "This condition about hostages is accepted in the form proposed by the king. We add that he should not impede anyone in his kingdom, who of his own accord wishes to become a Christian, from doing so, and that he will admit such religious as may be necessary for them".

2. This condition is agreed to. The Captain-General reserves to himself the right of giving account to His Majesty and the Viceroy of India, who will approve of it since it is made for their service."

tranquillity of his vassals and the security of this island; that he would carry into effect what was decided, as he was ever ready to carry on war in person and continue the conquest for which the said lord had sent him to this island.

The which points were then read by me in a loud voice and on the subject of each article there was discussed what seemed best, and it was agreed by all that the said peace should be made on the same terms contained in the said points, seeing that it was to the service of God and of His Majesty to do so; and that as regards the division of territories that pertained to us, they be determined by persons who shall be named on our side as arbitrators and by the King on his side, and that what they determine should be carried out without any hesitation, both the one and the other being in a free place so that in the said determination they may do what in truth they think best without fear: and in terms of this the Captain-General ordered this minute to be made, which was signed by the said persons and by me the said clerk of the fazenda. So done on the day and month and year above-mentioned.

Dom Nuno Alvares Pereira

Loncarote de Seixas

Manoel d'Oliveira de Azevedo

Lourenco Caldeira

Dom Constantino Barreto

Bernado da Costa

Pero d'Almeida Cabral

Paulo Carvalho

Bento de Sa Trinoco

Joao Vaz de Araujo

Felippe de Oliveira

Fr. Diogo Pacanha, Guardian and Commissary

Fr. Sebastiao de Lima, Vicar of St. Domingos

Fr. Manoel Rodriguez, Rector of the College of the Society of Jesus

Fr. George de Santo Agostinho, Prior of the Convent

Members of the Chamber

Balthazar Monis

Victorino de Abreu

Gaspar Pereira

Joao Nunes Ferreira

Thome Ferreira

## Document G.

On the 30th day of the month of July of 1617, in the city of Columbo in the apartments of the Captain-General Dom Nuno Alvares Pereira, he being present and also the captain of this fortalice Lancarote de Seixas, and the Comptroller of Revenue of His Majesty, Manoel d'Oliveira de Azevedo, and the officers of the city and the prelates of the Religious orders that are therein and some experienced captains, the said Captain-General stated that he had received a letter from Diogo de Souza da Canha, the ambassador that was in Candea for the settlement of the peace which the king had sent to ask and demand, the contents of which was to ask to settle the matter definitively or to disabuse him by refusing to the said king the concession of the said port of Baticalou on which he insists in case that in the division and demarkation of the territories there should be some doubt about the said port not appertaining to us, in whatever manner it be, as is explained at length in the said letter which was read in a loud voice to all in the said meeting, as well as the proposal which the said Captain-General had declared to them that he had sent to the Raja five judges for the division of territories with an order and commission to determine them according to the points which the said ambassador received, and that if there should be any doubt of the said port of Baticalou appertaining to the kingdom of Candea or to us, it should be given up to the said King, provided that he issues an ola obliging himself to give help and favour to build a fortalice therein; saying moreover that by reason of the said letter of the said ambassador who begged with great earnestness quick despatch and accommodation in case the king should not concede the above-mentioned and insist that it be given to him, or to refuse and continue the war, for which he was quite ready and determined to follow in everything and by every means what they decide and think better for the service of God and of His Majesty and for the peace and tranquillity of this people, and that with his person and power and authority he would do what they should decide in such a case. And with this preamble he demanded in the name of the said lord and in his own and begged them earnestly to give their opinion as he was ready and prepared and would always with all his heart and person and duty of office in the position in which they all were with wars, and on account of the new conspiracy of those of the country against

us<sup>1</sup> as the said ambassador affirmed in his letter that they should consent to the peace and give up the said port to the said king in case he insisted on it, provided that it was for the service of God and of His Majesty, to the tranquillity and relief of all in this island. According to which the others voted and all were unanimous.

I, Manoel Bocarro, clerk of the treasury of His Majesty in this Island of Ceilao, wrote these minutes by order of the said Captain-General. Done on the same day and month and year.

Dom Nuno Alvares Pereira

Lancarote de Seixas,

Manoel de Oliveira de Azevedo

Bernado da Costa

Pedro de Almeida Cabral

Manoel Cabral de Melo

Don Constantino Barreto

Joao Vaz Araujo

Manoel Correira de Brito

Paulo Carvalho

Miguel Ferraz

Felippe de Oliveira

Fr. Sebastiao de Lima, Vicar of St. Domingos

Father Manoel Rodriguez, Rector of the College of the Society of Jesus

Fr. Diogo Facanha

Members of the Chamber

Balthezar Monis

Gaspar Ferreira

Thome Ferreira

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#### Document H.

In Columbo on the 17th of the month of August of 1617, in the apartments of the Captain-General Dom Nuno Alvares Pereira, he being present and the captain of this fortalice of Columbo, Lancarote de Seixas, and the Comptroller of Revenue of His Majesty, Manoel d'Oliveira de Azevedo, and the aldermen and other officials of the

1. Antonio Barreto, Kangena Aratchy, united with Prince Mayadunne in an attempt to proclaim the last mentioned prince as emperor of Ceylon. See Alagiyawanna's *Kustantinu Hatana*.



chamber of this city, and the prelates of the Religious orders that are therein and some veteran captains of experience, the Captain-General declared that Diogo de Sousa da Cunha, the ambassador that was in Candea, had sent him the articles of peace which the king of Candea asked, signed by him, on which peace had to be made: that he the said Captain-General, represented in council that he had done all that was contained in the resolutions that were taken, in which it was resolved to make peace, as shown more clearly therein, and now by the said points and by the letter of the king in which he had bound himself and given his royal word to sign and swear [to the peace]; he began to place the matter before them and to show a letter of the Dissava and Captain of the Seven Corlas, Luis Teixeira de Macedo, in which he advised that he had certain information that a large force of rebels were collected and were gathering men on the order of the king of Jafanapatam who was inciting them to raise a fresh rebellion in the lands and had given all help and favour for it, giving troops to carry out the said revolt in the lands; and likewise he told them also how he had sure intelligence that three Hollander ships were in the port of Baticalou with many men and goods in order to gain more easily and attach to themselves the goodwill of [our] enemies building the fortalices they desired; and he begged them to consider this which he manifested and other things mentioned above, and to see and point out what seemed best to be done: And upon this he rose and went into another house in order that they might vote with greater freedom and give their opinion examining closely the matter before them; and so he called upon them in the name of His Majesty and of his own with great earnestness to do, as he was quite willing, ready and determined with his person, power and authority and the duties of his office which he held, to follow and carry into effect whatever was best, and to endeavour to fulfil it to the service of God and of His Majesty, for the tranquillity of the island: And the aforesaid persons being without the person of the Captain-General discussed the matter stated above and seeing clearly that from the matter in hand there might result and happen a toilsome war which might cause great loss and disquiet in the island, and that moreover as the people of the country had passed their word to rise altogether as shown in the above-mentioned terms, and finally for many other reasons and for the restitution of many thousands of souls who were lost in that kingdom, they decided unanimously that the Captain-General should swear to the said peace in the form of its articles of which a copy is hereto annexed taken

from the originals signed by the king, which are in the archives of the treasury, and likewise a copy of the letter of the king, in which he bound himself to swear to them; and at the end and conclusion they all signed it along with the Captain-General.

Done by me, Manoel Bocarro, clerk of the treasury of His Majesty, in the island of Ceylon.

Dom Nuno Alvares Pereira

Lancarote de Seixas

Manoel de Oliveira de Azevedo

Jeronimo Ferreira

Joao Vaz de Araujo

Paulo Carvalho

Felippe de Oliveira

Dom Constantino Barreto

Pero de Almeida Cabral

Bento de Sa Tinoco

Father Manoel Rodriguez, Rector of the College of the Society of Jesus

Friar Sebastiao de Lima, Vicar of St. Domingos

Friar Gaspar de S. Agostinho, Prior of the Convent

Members of the Chamber

Lourenco Teixeira de Macedo

Victorino de Abreu

Balthazar Monis

Francisco Carvalho

Thome Ferreira

Joao Nunes Ferreira.

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Document I.

Declaration of the King of Candea.

I, the King of Candea, give my royal word that if the King of the lowlands grants the terms which Father Friar Gaspar has brought, I will swear to the peace without fail when my ambassadors advise me that the King of lowlands<sup>1</sup> has sworn to them.

This 10th day of August, 1617.

Seal of the King.

1. The Captain-General was popularly styled "King."

Document J.

Conditions on which the King of Candea will make the Peace he asked for, if they are granted in his life.

1. Firstly, considering that Sera, King of Candea, is married to the Queen Dona Catharina, lawful queen of the realms of Candea, and has by the said queen three sons, the same shall succeed him on the throne, wherefore His Majesty shall be bound to favour the said King of Candea; and the King of Candea shall have the same obligation towards the generals who succeed to the realms of the lowlands.

2. The King of Candea says also that he will be a friend of our friends and an enemy of our enemies and will have no dealings with them, and should one come to speak to him he will say that he is a friend of the Portuguese and cannot admit them to his realms.

3. The King of Candea says also that he will pay as tribute every year two elephants of five *covados* each, delivered at Malvana for the King of Portugal, because His Majesty of Portugal has no need of money but only honour.

4. The King says moreover that when he knows where the rebel is he shall be obliged to attack him before us giving us notice to him.

5. The King of Candea says moreover that all Portuguese that come to his kingdom of Candea he will order to be handed over to the said generals, and that he will likewise deliver all other persons of the country prisoners and culprits if they happen to come to the kingdom of Candea, and that the Captains-General shall likewise be obliged to deliver all his men that come without his license to the realms of the lowlands.

6. The King of Candea says moreover that all people of the lowland realms that came to his realms during this rebellion, he will order to return to inhabit their villages and if any is a culprit the Captain-General will pardon him in the name of His Majesty and will give him his *paravenia* and that those who are unwilling to go may remain.

7. The King of Candea says also that he will restore all the Portuguese he took at Balana with all the munitions, artillery and arms, and also the Portuguese of Sofragao, but the arms which the people of the country took from them, may be recovered from them; and likewise he will restore the two barks that were taken from a gallion that ran aground at Mature, as it was in his time.

8. The King of Candea says moreover that he will give hostages who may come and go according to the orders he may give, so that they may not be always out of their homes, that they will be persons of credit, though his royal word is better than two hundred hostages; and that as hostages from the lowlands a Friar of St. Francis, whom he will name, will be enough with a church looking after the Christians that are in this kingdom; and that he will likewise give liberty to every person of his realms to become Christian when he desires to do so of his free will, except slaves because of the many inconveniences that can happen between the Fathers and the masters of the slaves.

9. The King of Candea says moreover that when the peace is sworn to in the name of His Majesty, he shall be with the divisions of limits as below without any difficulties from the Captains-General and there will be no difficulties in the lowland kingdom.

The limits of Candea as follows :

Panava, limit Galhia Balavai,<sup>1</sup> Velavava,<sup>2</sup> Valave limit, Cosgama limit,<sup>3</sup> Uva limit, Idalgassina,<sup>4</sup> Bulatigama limit, Bogara Bevilaley,<sup>5</sup> Ambolouavai limit,<sup>6</sup> Deigashirai limit,<sup>7</sup> Musamgamana limit, Galavana,<sup>8</sup> Bucalavai limit,<sup>9</sup> Balane limit,<sup>10</sup> Milavangarai limit,<sup>11</sup> Nuara Calavia.<sup>12</sup> These are the limits which reach as far as Cotiar and Baticalou and Pamava.

According to these articles and limits the peace will be sworn in the name of His Majesty and shall come signed without any fault whatever; and when it shall be so sworn and signed the King of Candea will swear and sign without any fault whatever.

Seal of the King.

1. Limit=*Kadaima*=The peace of 1632 has: "Quanhia Balana limit of Panave Valave".

2. "Limit of Vellavava, Anduolutote"—1632.

3. Limit of Cosgama, Vevahemnela"—1632.

4. Idalgashinna the pass between Uva and Sabaragamuwa.

5. "Limit of Bulatigama, Bocarabevila" 1632. (Bokara bevila, pass between Uda Bulatigama and Atulugam Korale.)

6. "Limit of Urupalate Ambuluava". 1632. (Ambuluwa an ancient *Kadawata*, or guarded entrance to the inner circle of the Kandyan kingdom (3,507 ft. above sea level), in a gap of the range of hills to the west of Gampola, from which it is distant about  $1\frac{1}{4}$  miles." Lawrie, *Gazetteer* 43.)

7. "Limit of Urunara, Anugahaeinna." 1632.

8. "Limit of Tumpane, Muangamar galabawe," 1632, see Gaz. 608.

9. Limit of Arsiapattu Bocavale." 1632, see Gaz. 105.

10. Limit of Jatinure, Balane." 1632.

11. Limit of Uragora, Millevaera." 1632. (Millavana in the Pallesiye Pattuwa of Udugoda, Gaz. 593.)

12. Nuwara Kalawiya.

Document K.

The Oath.

I, Dom Nuno Alvares Pereira, Captain-General of this Island of Ceylon and of the conquest thereof, swear by the Holy Gospels and promise to observe in its entirety the peace that has been made and conceded to Eneras Bandar, King of Candea, in the form contained in the articles of the terms thereof, that have been read out in a loud voice by the clerk of the treasury of His Majesty, Manoel Bocarro, in the presence of the ambassadors of the King of Candea and other persons who were present at this act of swearing, the which peace I promise in the name of His Majesty and of his Viceroy of India, to observe, maintain and uphold in each and every particular as faithfully as I am bound, obliged and able to do, with the power, authority and pre-eminence which I have and represent in the capacity of Captain-General and that those who shall succeed me will do the same, for which purpose I ordered this record of the oath in which I hold as expressed and declared the circumstances and doubtful words necessary for its full effect without any failure.

Thus done and signed by me, Manoel Bocarro, clerk of the treasury, along with the Captain-General, and the persons above-mentioned, in Colombo, on the 17th of August, 1617.

Dom Nuno Alvares Pereira

Manoel Bocarro

Lancarote de Seixas

Manoel d'Oliveira de Azevedo

Jeronimo Taveira

Joao Vaz de Araujo

Paulo Carvalho

Felippe de Valladares

Don Constantino Barreto

Pedro de Almeida Cabral

Bento de Sa Trinoco

Father Manoel Rodriguez, Rector of the College of the Society of Jesus

Friar Sebastian de Lima, Vicar of S. Domingos

Friar George de S. Domingos, Rector

Members of the Chamber

Lourenco Teixeira de Macedo

Victorino de Abrew

Francisco Carvalho

Thome Ferreira

Joao Nunes Ferreira

## Document L.

## Oath of the King.

On the 24th of August of the year 1617, Eneras Bandar, King of Candea, swore to the peace according to his rites and promised to observe, maintain and fulfil as and in the manner of the points and notes that are copied above, and to be at all times most faithful to them according to the said articles; the which being notified to me by his letters I made this record on the order of the Captain-General and signed it with him, on this the 30th day of August, 1617.

## Document M.

Authentication of Manoel Bocarro  
Colombo, 12 September, 1617.

I, Manoel Bocarro, clerk of the Treasury of His Majesty in this island of Ceylon and its districts, made this copy from the originals which are in my custody in the cartulary of this treasury, on the order of the Captain-General of this conquest, without addition or alteration that may cast doubt; and it has been compared by me with the originals—Sent in five copies of which this is the fifth. Done by Matheus Pinto.

MANOEL BOCARRO.

Colombo, 12 September, 1617.

## Document N.

Authentication of Antonio Bocarro  
Goa, 27 April, 1642.

I, Antonio Bocarro, chronicler and chief custodian of the Torre de Tombo of Goa, caused the above copy of the contracts of peace to be entered in the book of the same peace preserved in this Torre do Tombo, from the authentic copy which is in my custody, well and faithfully without addition or alteration that may throw doubt, on the order of the Conde de Aveiras Viceroy of this State of Oriental India, for the welfare of His Majesty's service.

ANTONIO BOCARRO.

Goa, 27 April, 1617.

# The British Monopoly of Cinnamon.

BY

COLVIN R. DE SILVA, B.A., PH.D. (LOND.)

(Contd. from page 105)

## Maitland's Criticisms.

North's measures, in this as in many other departments, were severely criticized by Maitland. It is probable that the distractions of the Kandyan war obviated the possibility of the steady administrative pressure necessary for the success of the policy. But Maitland challenged the accuracy of the data on which the policy was based.

His strictures centred largely on two points—inadequacy of supply, and deficiency of labour. North had argued that the cinnamon available was far in excess of prospective needs. He had calculated on producing adequate supplies from the preserved plantations. "North," remarks Maitland, "was going to supply not only the East India Company, but the world, with cinnamon. In fact, the whole produce here amounts to little more than the quantity we ought to supply the East India Company."<sup>1</sup> The arrears of the contract, since it had been entered into, amounted to 5,600 bales; the supplies available for the 1806 shipment were only 2,600 bales.<sup>2</sup>

The reasons were twofold. On the one hand, "too warm a desire of seeing the plan accomplished, and an unguarded anticipation of it, perhaps, induced the granting leave too soon, in some instances, to the holders of the land to destroy the plant."<sup>3</sup> Both Bertolacci<sup>4</sup> and Marshall<sup>5</sup> seem, however, to attribute to this point an exaggerated effect. The latter, indeed, misconceives the reasons for North's policy, which he attributes to a fear of over-production.<sup>6</sup> On the other hand, the cultivation of the preserved plantations had not been taken in hand sufficiently extensively, or with enough speed and regularity.

1. C. O. 54, 20, Maitland to Camden, 28th February, 1806.

2. Ibid.

3. Bertolacci. 251.

4. Ibid.

5. Marshall 10.

6. Ibid.

Carrington, the Superintendent of the Cinnamon Department, writing to the Board of Revenue and Commerce on 8th August, 1805,<sup>1</sup> represents Morotta to be in a bad state, covered with jungle; Ekela in very poor condition, with very little of it planted; and Kadirana as being not more than one-tenth cultivated. Marendahn alone was in a fairly good state, and had produced 1,200 bales in 1804.

Maitland attributed the state of the plantations to the abolition of the service tenure system.<sup>2</sup> The Cinnamon Department, which depended largely on that system for its labour supply, had consequently become disorganised, and a shortage of labour had resulted. He also added as a contributory cause of the failure to fulfil the obligations of the contract, the too free rejection by the East India Company's Agent of cinnamon as not up to standard.<sup>3</sup> The collections from the Kandyan territory perhaps accounted for this. Thus, the 1801 investment, which had been collected mostly in the Kandyan dominions, had been found very poor.<sup>4</sup> This source of supply was, however, now cut off. Anyhow, the Government, having no representative of its own, could exercise no check on the Company's Agent. Formerly, before the contract, the chief medical officer attended to ensure that the cinnamon embaled was of good quality and properly sorted.

### Maitland's Policy.

Maitland stopped the sale of Government plantations, forbade the rooting out of plants even in cases where permission had previously been granted, administered anew the dormant Dutch regulations, enforced the obligations of service-tenure, and, in general, reversed North's policy. Collection in the jungles, waste lands, abandoned plantations, and on private property, was again begun. At the same time, the cultivation of the preserved plantations was actively pressed on, and the regulations for their protection were enforced.

Finally, the plan of paying for the cultivation of cinnamon was abolished as involving "an intolerable expense."<sup>5</sup> Both Carrington and the headmen of the plantations agreed that the gardens, if fully cultivated, could produce enough for the needs of Government.

1. C. O. 54, 20. Enclosure in Maitland to Camden, 28th February, 1806.

2. Ibid.

3. Ibid.

4. Ibid. Enclosure Board of Revenue and Commerce to Maitland.

5. Ibid.



But 1,000 more workmen would be needed, and at least six or seven years.<sup>1</sup> The old Dutch plan of giving posts to Chaliyas on condition of planting a certain number of cinnamon plants was therefore resuscitated, though in a different fashion. "I sent for the Mudliyors of the Cinnamon Department (who are most highly paid)," wrote Maitland, "and ordered them to plant a certain amount of land and produce cinnamon for the Government... They are all now doing so.."<sup>2</sup> About 1,000 acres were estimated to be thus planting free of charge to Government.

These measures were entirely in accord with Maitland's general policy. In 1807, he was able to report that they had been carried out.<sup>3</sup>

It was deemed necessary to give the preserved plantations a rest. Therefore, the 1808 investment was cut as far as possible in the abandoned gardens. Of 4,820 bales obtained in that year, 1,145 were cut in the preserved plantations; but merely for pruning purposes. In this same year, we may note, 770 bales were rejected by the Company's agent.<sup>4</sup>

From a purely financial point of view, Maitland's cinnamon policy proved a success. 4,500 bales were procured in 1809—some 3,000 bales being from the preserved plantations,<sup>5</sup> and over 4,000 bales were averaged in subsequent years. Thus, there was henceforth no great lack of supply, though Maitland continued right to the end of his Governorship to lament the effects of North's policy.<sup>6</sup> But this result was achieved at the cost of ignoring certain vital and pertinent problems with which North had attempted to grapple. The history of subsequent years will show that their shelving at this stage only rendered them more acute; and later Governors had ultimately to face up to the consequent embarrassments and difficulties.

### The Position in 1814.

A memorandum submitted to Brownrigg in 1814 by Doctor Marshall, who subsequently became Inspector of Cinnamon, gives a valuable conspectus of the state of the plantations at that date.<sup>7</sup> Marshall's figures, it may be prefaced, are an average for the ten years preceding 1814.

1. Ibid. Enclosure Board of Revenue and Commerce to Maitland.
2. Ibid.
3. C. O. 54, 25. Maitland to Windham, 28th February, 1807.
4. C. O. 54, 27. Maitland to Castlereagh, 28th February, 1808.
5. C. O. 54, 36. Paper respecting cinnamon handed in by Mr. Grant.
6. Ibid. Quoting Maitland's dispatches.
7. C. O. 54, 56. Brownrigg to Bathurst, 8th June, 1815, enclosure.

Of 4,106 acres at Kadirana (in the neighbourhood of Negombo), 1,623 acres were in cultivation. This latter area, however, was rapidly increasing, though there was much marshy and useless soil in the plantation. It produced 535 bales a year. The Ekela plantation (ten miles north of Colombo) contained 1,598 acres of excellent soil. Though not entirely planted, its annual produce was 341 bales of finest quality cinnamon. The 3,824 acres of good soil at Marendahn, which were almost entirely planted and well attended to, produced 1,124 bales annually. The Morotta garden (about seven miles south of Colombo) was about the size of Ekela. Being much neglected, however, it produced only 218 bales annually. Thus, the total average annual produce for the last ten years from the preserved plantations, was 2,218 bales.

During the same period, an average of 2,119 bales had been annually collected from the jungles—both Kandyan and Maritime—and abandoned plantations. The total therefore was 5,337 bales, which, at 92½ lbs. a bale, is 401,172 lbs. a year.

These figures suggest certain inferences. Despite North's hopes and Maitland's measures, the preserved plantations were as yet largely uncultivated, and incapable of producing even half the East India Company's investment of 450,000 lbs., let alone supplies for the Eastern market. Though these figures are the average of ten years, and as the plantations were being extended during the same period, and though, therefore, the actual production figures of the preserved plantations must have been, in 1814, more than 2,218 bales, it nevertheless could not have been much more than 3,000 bales. In 1818, for instance, Brownrigg shipped 5,600 bales cut entirely in the preserved plantations.<sup>1</sup> But he attributes this large supply from that source to the fact that the whole investment of 1817 had been procured in the interior, and without any recourse to the preserved plantations. Much new land, too, had meanwhile come into bearing.

Thus, there could yet be little immediate prospect of confining production entirely to the preserved plantations; and, concomitantly, of permitting the sale and clearance of the abandoned plantations. This provides a further indication of the argument that North had acted with the undue haste of facile optimism.

1. C. O. 54. 70. Brownrigg to Bathurst. 12th February, 1818.

In 1812 appeared a Government advertisement designed further to protect the preserved plantations.<sup>1</sup> The driving bullock bandies or carts, loaded or unloaded, through the plantations, was strictly forbidden on pain of fine and confiscation of both bullock and cart.

### Brownrigg's Policy.

Governor Brownrigg continued Maitland's policy. Much attention was paid to cultivation and collection, the Morotta plantation was extended,<sup>2</sup> and in 1814 a new plantation of 300 acres opened at Welisera, between Colombo and Jaela.<sup>3</sup> An interesting schedule of the monthly expenses incurred in opening a new plantation is given in one of Brownrigg's dispatches.<sup>4</sup>

1	Mohandiram to reside in the plantation,	Rix Dollars
	per mensem	50
2	Aratchies @ 30 Rix Dollars per mensem ...	90
3	Canganies @ 25 Rix Dollars per mensem ...	75
	120 men to receive the established allowance of 1 parrah of rice and 3 Rix Dollars per mensem = 5 Rix Dollars per mensem	600
	Total per mensem Rix Dollars ...	815

Unfortunately, the period over which these expenses were incurred cannot be ascertained, and, therefore, the total expense to Government of opening Welisera cannot be accurately calculated.

A significant episode occurred in 1814. J. W. Maitland, Superintendent of the Cinnamon plantations, ordered certain Hinnawas of Pothupitiya to work in the plantations. These men claimed to belong to the Basnayaka, not to the Mahabadda, and therefore refused. Maitland flogged two of them for their intransigence, and forced them to obey his orders. He based his action on a Dutch Resolution of 1753. An appeal to Brownrigg resulted in a Minute of 16th November, 1814. The Governor re-affirmed the rights of Government to the labour of the various castes and his determination to enforce all relevant regulations, but reprimanded Maitland for acting, without prior reference to Government, on his own interpretation of a Dutch Resolution which had been dormant for over 80 years.<sup>5</sup>

1. Bennett 68, footnote.
2. C. O. 54. 46. Brownrigg to Bathurst, 4th March, 1813.
3. C. O. 416. 5. BII, Maitland's Report.
4. Brownrigg to Bathurst, 4th March, 1813.
5. All the papers connected with this are in C. O. 416. 5. B3.

The correspondence which led to the Minute elicited some interesting facts. Many people of castes other than the Chaliya belonged to the Cinnamon Department. "There are besides under the Mahabadda some families of Vellalas, Fishers, Chandos, Washers, Tom-Tom Beaters, etc.—some of whom are employed in cultivating the plantations; and several lower castes as the Demalagattera, Tundugattera, Pacha, etc., employed in cutting cinnamon and clearing the plantations."<sup>1</sup> The privileges of the Chaliyas in the Dutch period had attracted many people to the department.<sup>2</sup> North's encouragement, and subsequently, the famine, had persuaded some and compelled others, to follow that example.<sup>3</sup> These recruits had tried to go under the denomination of Chaliyas, and ultimately became customarily and indistinguishably so. But with the restriction of privileges and the increase of labour and hardship in the Department, the tendency was getting the other way. Maitland, in reviving obsolete Dutch Resolutions was only seeking to stop the consequences of this trend.

### Codification of the Cinnamon Laws.

This episode, however, initiated an investigation into the cinnamon laws. On the advice of Carrington<sup>4</sup> (a former Superintendent), Maitland<sup>5</sup> and Boyd<sup>6</sup> (Commissioner of Revenue) the old Dutch laws of caste, etc., were, by the previously quoted Minute, re-affirmed. Finally, in 1816, the internal regulations for the protection of cinnamon were revised and codified.

All former regulations for preserving and protecting the cinnamon plantations were repealed. The destruction of a cinnamon plant, except with the permission of Government, was declared unlawful—penalty, 10 Rix Dollars for each plant so destroyed, or two weeks' imprisonment for every Rix Dollar of the fine imposed, up to a total not to exceed twelve months. The rules designed to protect the enclosed plantations of Marendahn, Morotta, Welisera, Ekela and Kadirana, were recounted. No person might cut grass or firewood, or fell timber therein without the Superintendent's licence, on pain of 50 Rix Dollars fine, or three months' imprisonment. Any person keep-

1. C. O. 416. 5. B3. Maitland's "Memorandum on the Chaliyas."

2. C. O. 416. 5. B7. Maitland to Commissioner of Revenue, 27th July, 1814.

3. C. O. 416. 5. B5.

4. C. O. 416. 5. B3. Carrington to Brownrigg, 4th August, 1814.

5. Ibid. Maitland to Brownrigg.

6. Ibid. Boyd to Brownrigg.

ing cattle within the plantations would be liable to forfeit them, and to pay a fine of ten Rix Dollars per head of such cattle, or to two months' imprisonment. Breaking the fences surrounding these plantations involved a fine of one hundred Rix Dollars, or six months' imprisonment. Cattle driven along the roads which passed through the plantations were to be coupled and led. Failure to comply meant a fine of ten Rix Dollars per head of such cattle, or seizure and sale. The lascoryns might seize and kill all trespassing cattle. If seized, the owner incurred a forfeit of ten Rix Dollars per animal. Otherwise, it could be sold. The danger of fire was guarded against by declaring it unlawful to carry lighted chowls, to smoke cheroots, to discharge firearms, or to burn swamps, jungles, or chenas therein, or within two hundred yards of the fence. The penalty was fifty Rix Dollars fine, or three months' imprisonment. No house or hut was to be erected within the plantations without permission on pain of twenty Rix Dollars fine per building, or a month's imprisonment. Lastly, to protect the cinnamon growing in the abandoned plantations, it was declared unlawful to settle in, clear, or cultivate them, or to destroy cinnamon growing therein. Those infringing this clause would incur a fine of fifty Rix Dollars, or three month's imprisonment. Conviction might take place before any Sitting Magistrate or Justice of the Peace, and the half of all fines went to the informer.<sup>1</sup>

This Regulation left obscure its application in cases of destruction of cinnamon growing in places other than the preserved and abandoned plantations. Further, the term "cinnamon plant" was undefined. Barnes remedied these obscurities by a Regulation of the 4th July, 1826.<sup>2</sup> "It is declared and enacted by His Excellency the Governor in Council," ran this Regulation, "To be unlawful for any person, upon any pretext whatsoever, except with the permission of His Majesty's Government, to cut or in any way injure or destroy, any cinnamon tree, bush, plant, stock, or scion, whether growing upon public land, the property of His Majesty, or upon private land the property of any individual (all such cinnamon trees, bushes, plants, stocks and scions without distinction being the property of His Majesty and his Heirs and Successors)".....

1. C. G. G. 23rd October, 1816. Reg. of Government, No. 8. 19th October, 1816.

2. Regulation of Government No. 3, 4th July, 1826, in C. O. 54. 93. Barnes to Bathurst, 2nd August, 1826.

Barnes was also responsible for another remarkable regulation. In 1826 a ship smuggled from Galle and took to Batavia 25 boxes containing 3,000 cinnamon plants and seeds, and along with them, a number of Chaliyas.<sup>1</sup> This predatory act was done with the connivance of the Batavian Government; the object being to break Ceylon's supposed monopoly of the best quality plant, and of its actual monopoly of the hereditary skill of the Chaliyas. Barnes retaliated with two Regulations of Government which made the export of cinnamon trees or seeds and the enticing of Chaliyas out of the Island, a crime punishable with transportation—the ship thus employed being liable to confiscation.<sup>2</sup> This was in the best tradition of the Dutch in days gone by. But the authorities in England disallowed the regulations as being “unwarrantably severe.”<sup>3</sup>

During the negotiations that preceded the termination of the East India Company's final contract, Brownrigg contrived to rid himself of the Company's agent. In his stead, the Chief Medical Officer was appointed Inspector of Cinnamon. Later, the Superintendent was given this post too. The mode of payment was a percentage per lb. on the amount shipped. It should be mentioned that the Company's Agent, who had at first been one of its own servants, had subsequently been a medical man on the Ceylon establishment.<sup>4</sup>

*(To be Continued)*

1. C. O. 54. 93. Barnes to Bathurst, 22nd September, 1826.
2. C. O. 54. 98. Regulation of Government, No. 2 and No. 3. 1st May, 1827.
3. C. O. 55 69. Murray to Barnes. 1st January, 1829.
4. C. O. 416. 5. B5. Evidence of John Walbeoff.

## Macdowall's Embassy to Kandy

KANDYAN AFFAIRS UNDER THE GOVERNMENT OF FREDERIC  
NORTH, 1799-1800.

(Continued from page 127)

D. 118.

Frederic North to Hay Macdowall

Sir, Colombo, 28th April, 1800.

I enclose for Your Excellency's information a letter which I have received from Mr. Collector Young by which it appears that the Court of Candy has prohibited all communication between our countries on that side of the Island.

I will request Your Excellency to send to Candy a remonstrance against that very suspicious measure and to assure the Court that it is with the very greatest concern that I have observed so many proofs of their unfriendly disposition towards my Government, and that I shall certainly take such measures as will make it respected by them, if such appearances on their part continue.

Your Excellency will by this time have probably received my letter of the 26th and have entered into negotiations upon it. Till I hear from you, therefore, I shall delay sending for Boodha Samy and the man at Tuttocoreyn as I cannot recall the latter (till?) all hopes of accommodation with the present Government are at an end.

I have the honor, etc.,

Colombo,  
28th April, 1800.

FREDERIC NORTH.

D. 119.

Enclosure—Thomas Young to William Boyd,  
Acting Secretary of Government.

Sir, Mullativu, 18th April, 1800.

I beg you will acquaint His Excellency the Governor that the passes into the Wanny country from the Candian are entirely shut up and at present all communication cut off, on what account I cannot say, in consequence of which the farmers who rented the duties on various articles liable to taxation, on entering the country subject to the

English, prays His Excellency will be pleased to grant him a remission of what he is bound to pay, should the passes continue shut, or in proportion to the period they may be so. The man bears the best character and I humbly beg leave to recommend the remission may be granted to save him from ruin.

I have the honor, etc.,

Mullativoe,  
April 18th, 1800.

THOMAS YOUNG,  
Collector.

D. 120.

Frederic North to Hay Macdowall

Sir, Colombo, 29th April, 1800.

On considering all that had happened during Your Excellency's negotiations with the Court of Candy, as well as my own, and those of Mr. Boyd with the Adigar I am inclined to think that the non-completion of the proposed treaty has not been so great a misfortune as I was at first inclined to believe.

The most evident and uncontrovertible principle of political morality is certainly that of not taking advantage of the weakness of our neighbours to force them into measures detrimental to themselves, or carrying on any plan to injure a power whose intentions are not known to be inimical.

The King of Candy is precisely in that situation with regard to my Government; he has been recognised by me as the true and lawful Sovereign of the country and if I have gone further in my correspondence with an ambitious and unprincipled Minister of his Court than Diplomatic *Étiquette* would warrant, it has only been with an intention to preserve his life and dignity which I did not think could have been preserved by any other means.

The state of his Court and the opinions and wishes of the great men who compose it, were at the time perfectly unknown to me. Your Excellency's stay at Ganorouwa has thrown considerable light upon that subject.

It appears that most of his principal Courtiers either from dread of his power or from fear of persecution from his enemies should they prove triumphant, are connected at this moment with the 1st Adigar and are in fact the instruments of his will. The Dessave of Ouva, is the only person of importance who appears decidedly inimical to him,



and although the said Dessave enjoys a great portion of the King's confidence which probably supports him he seems afraid of entering into any direct and open measure against the Minister. His sending back the letter which I had written to the King without venturing to deliver it, is an evident sign of his fear of the minister, while his remaining in office is as evident a sign that the minister is afraid of him. The overtures which he has made to Your Excellency through secret channels, show that he does not intend to rest his credit and power in the country in opposition to us. I have also discovered that he has lately sent a confidential priest into the Salpetty Corle to make earnest enquiries whether Boodha Samy was not coming to Colombo.

While he supposes that our troops will act according to the will of the Adigar, he naturally will oppose their establishment near the Capital. The case would perhaps be entirely altered, if he knew that I am not only far from wishing for the continuance of the Adigar's power, but that I do not consider the King's life or his as safe in the hands of that minister, and that could the treaty be signed, as it was originally proposed, or with a limitation of the number of troops at Ganorouwa to eight hundred, those troops would be at the orders of the King the only power whom I can at present recognize in the state and that they would be ready at His Majesty's order to seize the Adigar and his adherents and convey them out of the country.

He has at present a spy in this place whom I shall see this evening and collect from him what information I can, but I shall not enter into any particulars or charge him with any commission till I shall have heard from Your Excellency. In case you should approve of an overture of the above nature being made to the Dessave I shall send a verbal message to him by his spy and request him to find some unsuspected channel (if possible) of corresponding with Your Excellency and, if not, to send his agent directly to Colombo.

Should he wish for the establishment of the exiled princes that offer may hereafter take place as I shall always be ready to offer a safe retreat to the present Sovereign. But it is not allowable for me at present to enter into any combination for that purpose and I think it not impossible that the hope of being First Adigar may induce him to persuade his Sovereign to call for our troops through whose agency alone his life can be preserved and his power established.

By the disgrace and exile of the Adigar and his adherents an opportunity will be given for the reformation of the laws and the revenue which no person who is not the Dessave of the Corles would object to, and if it be made by them and not by us so much the better.

I will request Your Excellency to favour me with an answer as soon as you have duly considered the contents of this letter and inform me of your opinion of the Dessave's sentiments, of his influence over the King and of the possibility of executing their wishes in respect to the Adigar who certainly deserves no longer any consideration on our part.

I have the honor, etc.,

FREDERIC NORTH.

Colombo,

April 29th, 1800.

*(To be continued.)*

# Kandyan State Trial

EDITED BY

FATHER S. G. PERERA, S. J.

(Contd. from p. 143)

*15th Witness.*—Molledande Rate Mahatmeya<sup>1</sup> —*I was the late King's Betel-bearer*—I know the 1st Adigar and spoke to him last year, I think in the month of May. *He said that he did not understand the ancient customs, and therefore enquired into the way of performing them, he said he required this information for the purpose of compiling a book, he said he had written some customs himself and I gave him some others which were taken down by him. The religious ceremonies which were performed in the month of May, and some of the other customs of the country—the process by which the betel is furnished—all the former customs I mentioned—all the Raje Karie duties—how the Raja Karie was performed in the Country—and how the compulsory services were executed. I do not recollect anything being said about the Cutcherry Lekammittiye (Register)—I am in doubt. I did not swear before that I did. I now recollect that I said to the Adigar “refer to the Lekammittiye at the Cutcherry.” I said he could see it by permission of the Revenue Commissioner. I said something about the Raje Karie—how the betel was furnished to the King—I also mentioned the villages from whence the betel was brought for the use of the King. The first prisoner took down my statement with a pencil at the table.*

*Cross-examined by Mr. Staples.*—*I know Mahalle and Ratnapalle Unnanse—they have been on bad terms with the 2nd prisoner for a long time, the estate of the two parties are near each other—they are constantly litigating with each other about lands, I know this from my observation. I know Watterantenne—he is on bad terms with 2nd prisoner, but I do not know that he is on bad terms with the 1st prisoner. There was a talk concerning a marriage between the 3rd Adigar's daughter and 2nd prisoner's brother. I do not know it from my own knowledge. The 3rd Adigar did not speak on the subject.*

*By Mr. Perring—Mahalle and Ratnapalle Unnanse are on bad terms with 2nd prisoner. I am a cousin of the 2nd prisoner; he is also my brother-in-law.*

1. Moladande Rate Mahatmeya of Hewaheta.

*16th Witness.*—Sirimalwattegedere Asweddoome Pihineralle sworn— I was not in the service of the Royal family in the Kandyan time; on account of my brother's lands I performed services at the Palace. *I am a Pihineralle (cook) and performed that duty for my brother; he was cook to the King*—after the death of my brother, I performed the service several times—I was absent from my village in search of buffaloes, and was told I had been sent for by the 1st prisoner. This is upwards of three years ago—have not been there since—I went there because I was called. I said I had once been, three years ago. *I was called by the 1st prisoner who said he was young in the King's time and wished to know what the duties performed were*—he asked how many Pihineralles were employed—I said about 25—He asked how many men were there belonging to the Mullutengay (Kitchen establishment). After I had stated this, the 1st prisoner said, he was quite young at the time and wanted to know these things—It was said at the Walauwe of the 1st prisoner—I think it was about three years ago. It was not recently—I cannot say whether at the commencement or beginning of the year—since that I never went—There was a boy appoo and no one else, but the Maha Nileme—was not surprised at the enquiry—did not express anything—do not recollect the Ball given to Sir E. Barnes—I live at Sirimalwatte, about five miles from this place—Do not recollect one entertainment given by the Chiefs—Do not recollect the Supreme Court coming up—I was here last year as a witness—not for the Supreme Court.

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*6th Witness*—Welligedere Rate Adikarem, *recalled*. Since the before-mentioned conversation I have seen the 2nd Adigar several times—I recollect once or twice—he said at the 2nd conversation with reference to this subject. “The time is not yet fixed. I will let you know of it again.” This took place at the time the Bungalow was built for the accommodation of the Governor at Nalande. The Governor passed that way going to Anooradhapoor. After the Governor had passed to Anooradhapoor, he said nothing until he had sent a letter to me. I went to Asgiri previous to receiving that letter. I have already stated that I met him there, at that time he said “it is not ready yet”—I have not seen the 2nd Adigar since I received that ola.

*Cross-examined* by Mr. Staples—It is some time since I saw that ola; I gave it to the Revenue Commissioner; made no marks, I only held it. I can distinguish it for it is written in the hand of the Maha

Nileme (2nd Adigar), therefore I know it, and my name was on it. I did not see him write but I know it is in his handwriting; my meaning is I did not see him write it, have seen him write formerly. It has no date, my name is at the top, the Maha Nileme's name is at the bottom of the ola. It is only written Odagampaha Nileme. There is no signature to it. He was not in the habit of putting his name. I have received other olas from him, have none by me. The ola was in the handwriting of the Maha Nileme, the whole of it. I don't know whether it is usual for him or not to write the whole of his olas. I have received olas from him before, some written completely by him, others in part. The 2nd Adigar is the Maha Nileme I mean. (*The ola was given to the witness.*)

*By Jurors.*—That is one of the olas I received from the Maha Nileme. It was to prepare a road from the main road to the Asgiri Walauwe. (Another ola was given him) this was written for me to prepare a house at Nalande for him. (Another). This is the ola which I received to collect the elders of Asgiri and Odoogodde Korales; no purpose is stated in it; at that time I did not understand for what purpose, afterwards I did. I received this ola six days previous to the arrest. I desired the Arachy to collect some people. I remained with the people till four in the evening when as no one came we went away. The 2nd Adigar did not come. I came to my village, the next day I went to Akurambodda to collect taxes. It was five days after this I heard the 2nd Adigar was in prison in Kandy.

(Another ola) I received this ola. It is stated in it that the 1st Adigar was to go to Nalande with some others. To my knowledge there was no reason for summoning the people, after they were arrested it came to my knowledge.

*Cross-examined.*—The first ola I received 9 months and 15 days ago.

*By Mr. Carr*—My reply was "I would collect people when he gave notice."

*By Mr. Staples.*—What was said the first time at the conversation at the Walauwe, when he spoke on this subject? He (2nd Adigar) said it was very difficult to get ammunition.

The olas were brought 5 or 6 months ago, and I do not recollect the names of the people who brought them, those people have brought olas to me for the last 3 years.

*17th Witness.*—Gabbagedere Korale—I remember the return of the Adigar from Anooradhapoorā, I went with him to the Maha Oya, many people met him there, I went to take my leave with others—He said when he went to Anooradhapoorā, the people of that country paid him much respect—He said he intended to pay the same respect to those Chiefs when they came to his country, and therefore he requested the people of his country to pay them the same should they come. Then the men who were present said, what are we to render? He said, he would give notice if they came, when the people should come in numbers. It was strange—I did not see him go in any unusual way—The first Prisoner and Ellepate were going on horse-back. There were many people to meet him. In no other instances would so many people come, but hearing that he had returned they came to meet him. He said to the people “it is very well you came and when the Anooradhapoorā Headmen and Chiefs come, you must do the same.”

*Cross-examined by Mr. Staples*—I cannot say if it is extraordinary.

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#### Fourth Day, Thursday, January 15th.

*18th Witness.*—Dunuwille, the elder, *Basnaike Nileme*<sup>1</sup> sworn—*I held the office of Lekam in the Royal Palankeen Department*—When the King rides in his Palankeen I accompany him. *I was sent for by Molligoda (1st Prisoner) either in May or June last year.* I went to his house and saw him—He addressed me by my Title (*Basnaike Nileme*)—and said, “I have sent for you because I have to tell you something—there is one Sattamby has given me some information, and I want to know if it is correct”—don’t know when he had given it—I asked the Adigar where is the information the Sattamby has furnished you with—He produced the writing. I asked him to read it out that I might ascertain whether the information was correct. He read it accordingly, and I found everything was regularly entered—the information was given by the persons who actually performed the duty—I merely saw it done—*I held the appointment of Dessave of Wellasse during the King’s time—I was asked to relate the duties, the Rajakariya which the people had to perform and the attention which was to be paid by the people under me—and what fees were paid on appointments to office—then about the dues of the Treasury and Stores.* There is a canal in the province of Bintenne

1. Dunuwila Rajakarunadara Ekanayaka Dharmakirti Pandita Mudianse Senior Basnayaka Nilame of Wegiriye Dewale 1831-1837. Gabada Nilame of Gampola. He had been Dissawa of Wellassa under the King. Law 196.

about 12 miles in length. I mentioned also how many men were employed to cut it and clear it—That the Dessave of Walapane had to procure Buffaloes and Iron, and also that he had to send salt to Kandy on carriage cattle, and that provisions for the religious ceremonies at Kandy and other ceremonies also were sent by him to Kandy, and he performed other duties which were attached to the office of Dessave—He asked after the customs of the country—I don't know what it was for. He said there were a great many of the ancient customs that were not known to him—he wrote the information as I gave it on an ola.

*Cross-examined.*—I did not read it—He wrote down the customs of the country in order to take them into his mind—as I spoke he wrote down—I know Mahalle and Ratnapalle Unnanse—they are not on good terms with 2nd prisoner—but on bad terms from the time they ceased to be tutors to his younger brother, and they have been always disputing about lands, from the time they were tutors until the present time. I did not see them visit each other. I know Watterantenne, he is also on very bad terms with the 2nd prisoner. I don't know of his being on bad terms with 1st prisoner.

By Mr. Carr—I don't know of Mahalle Unnanse having educated 2nd prisoner's children. He has three younger brothers. I don't know that they were educated by Mahalle Unnanse. I saw them going to the Asgiri temple where all our family receive their education; *the second prisoner is my elder brother's son, my own nephew.*

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*19th Witness.*—Rajapakse Sattamby, recalled—I said yesterday that the conversation took place three years ago—I do not recollect the Supreme Court coming to Kandy—I think it was before then; can't say how many months it was—there are three harvests in a year sometimes in our country, the fields are not cultivated for yalla—the fields are now under crop with the maha—do not recollect the entertainment to Sir Edward Barnes. I did not come to Kandy—neither did I hear of it. I have said three years—if I had been examined on this subject I should have kept it in my memory—it is more than twelve months. It is from being unable to state exactly how long it is, that I say it is nearly three years ago. I was sent for by the Maha Nileme to make a state Palankeen to present to Sir E. Barnes—it was two years ago; no one told me, it occurred to my own mind—I spoke doubtfully as it was not borne in my mind.

20th Witness.—Arrawawella Rate Mahatmeya,<sup>1</sup> sworn.—I was appointed Rate Mahatmeya in May or July last ; I was examined before the Council—the first time I said I knew nothing about this matter ; I afterwards said I knew something. There was a proclamation offering pardon—before that I was under some fear. *I have known Bambaradeniya (6th prisoner) for some time. The first time he came to me was very late at night—he spoke in this way—“ I heard that you were about to be appointed Rate Mahatmeya of this place—and I came to you to mention the news, as I was returning from Kandy.”* A few days after I received the appointment—*He came again on a subsequent night. That night he came about 10 or 12 hours after night fall, and had me awake by telling me someone was in my house.* The person who awoke told me that he was there. I got the house lighted and then I called him into a maddooa—one of the apartments of my house. I asked what brought him at night—He told me that a slave of the family of Ketakumbure had a quarrel with him—*I asked again what brought him at that hour of the night—It can be examined into tomorrow.* He then said it was not on that subject alone that he came, but on something which concerned him. *On that I told the man who brought the light to go outside. He (6th prisoner) then said I have something in my mind which I wish to communicate to you—the servant went outside, out of hearing. He said that he had something to communicate but I must make an assurance on oath that I would not mention it—He wanted me to swear not to communicate it to anybody. I then said, there is an elder brother of mine who is a Buddhist Priest—and I swore upon that priest that I would tell no one of it, that it would be an injury done to him, if I did—He was not there—I swore by him as a Priest.* Then he said it had come to his knowledge that Government was going to abolish slavery altogether. It was from that circumstance that they were so quarrelsome—therefore when the abolition took place how much worse would be the consequences ! *That this Government had taken away the powers which the chiefs formerly had, and also those of the inferior headmen—and now according to the rules of the Government, if a man punishes his own wife he is punished for it—and that it could not be endured—That formerly when I gave information to Government of some customs which prevailed here, I myself was detained ; when I was detained I used measures to bring about a rebellion. He then said “ We have already spoken to the Malays.”*

1. Arawawala Senanayaka Buwaneka Bahu Narayana Rajaguru Wasala Pandita Mudianse, Atapattu Lekam 1825-27 ; Maha Lekam 1828-31 : Disawa Ihala Dolos Pattu 1831-33, Ratamahatmeya of Udunuwera 1835-63 : died 1865.



Formerly gentlemen would not associate with the Chiefs which they did now ; that an entertainment should be prepared at the house of the Maha Nilame for all the gentlemen—and at the entertainment to those gentlemen poison should be put into their victuals which would intoxicate them, and then the Malays could be collected and those gentlemen be stabbed. And that other people would be assembled in Kandy—that the people of Dumbera, Yatiuuwera, Udunuwera, Hewahette, and the rest of the people of other Provinces could be collected to make war in their provinces. I asked “After making war how are things to be conducted?” He said there are three Princes of Palley-wahale (lower Palace) in Matale and Dumbera—that they were there and here. That when the war took place, after the assembly of the people, they would go and ask one of those Princes to be King. He said the war was to be at the season of the Perehera. He spoke so far, and cautioned me not to mention it. The Malay men were to be collected. I did not ask about arms—He said nothing about arms or ammunition—but said that the Malays were to be collected—He remained with me three or four hours—said that the war was to take place at the Perehera. I know first and second prisoners—saw them afterwards—at Udapalata pinkama—not long after. I went at the invitation of Unambuwe Dessave<sup>1</sup>—they (first and second prisoners) were there when I went—when I was going I met the 2nd prisoner on the road—we went together; I saw first prisoner there. I did not go to the temple at Gampola, I made offering at the said temple at Udapalata and met the Adigar near the late Udapalata Dessave’s house. The Adigar said nothing then. He did not address the people there. After I had been to the pinkama and returned to my country the first Adigar came. When I heard he was coming I thought it my duty to prepare an apartment in the Walauwe for him. He came at 10 in the morning, took victuals, and departed almost immediately. I recollect his saying something on that occasion. As he started he observed—“It is several years since we Chiefs attended the Perehera in a proper manner.”—that all the Chiefs should attend the ensuing Perehera; that he (first Adigar) would come to Kandy on that occasion, and that when he let me know I should come, as on former occasions, with all the people. He asked me if Bambaradeniye Basnaike Ralle (6th prisoner) frequented my house. I said yes—He then told me that Bambaradeniye Basnaike Ralle would mention a certain subject to me which I must attend to. I am sure of this.

1. Unambuwe Wickremasinhe Rajapaksa Wahala Tennekoon Mudianse, Basnayaka Nilame of Maha Vishnu Dewale, Disawa of Udapalata.

*Cross-examined* by Mr. Staples—I was asleep when Bambaradeniye Basnaike Ralle came to my house; when I was awoke I came and spoke to him. I was not in a dream. I could not have dreamt any such thing as wars and rebellions; if I had been engaged in such things I might. I did not happen to read a book in which wars are mentioned. I recollect a rebellion before this; that time I was at Colombo, I have heard of it. There are ladies at the house; when we speak in our country they don't come out—When I say a hall of this shape, I do not mean to say of this size. It was an open hall, Bambaradeniye Basnaike Ralle came to me to mention my appointment; I don't know it to congratulate me. It was not known to me at the time. I was Dessave of Seven Korles. I did not think it strange, did not hear he had petitioned against my appointment, I was not told so. I have a great regard for an oath, said I took one, do not live with Mahalle and Ratnapalle Unnanses, I never stoppèd at their Pansela. I informed the Revenue Commissioner of it after the confinement of the Chiefs, did not mention it to anyone before him, I did not visit Kandy after the Chiefs were arrested. I said the proclamation was received, I came and gave information first to the Revenue Commissioner. I denied it at first, for on the occasion the Adigar went to the pinkama I was there myself, and was afraid to mention it on that account. I was sent for the first time; my reason for going was that if persons who knew that I was acquainted with it were to give information to me I should be blamed. It was after my denial that I went and gave information voluntarily; the first time I went I was sent for. A peon appoo came and told me, that I was wanted at the Council; I asked why? he said he did not know, it was the order. I was asked, "do you know anything about these Chiefs?" I was sworn in the Council. It was then that I was under much terror, on that occasion I was under much apprehension and could not say anything; I don't know how it is, I could not recapitulate then, for I was afraid. On that occasion also I mentioned the circumstance of my being at the pinkama, I said that I mentioned it to the Council, that I was afraid the first time, I don't know of everything I said was written down. I can't swear now with accuracy what I stated there; since the arrest of the Chiefs the topic of conversation has been this everywhere. I heard that they were to be taken to Colombo. After they had gone I was then in the country. I never heard that they would not be brought back; was told nothing more about them, I was examined only once—How could I know that what I stated was written down? something was written, the Agent

wrote, what I do not know, it was not read to me then nor subsequently ; the last time I spoke to him was about one month ago, I have been at home in consequence of sore-eyes. Until I got my summons my statement was not read to me. I have been residing at the Poya Maloowa Temple.

By Mr. Perring.—I was examined once before the Council about four months ago. It was not read and explained to me since it was written ; the first time before Council I was under fear and said nothing, I did not say so but I felt so, I don't know if that was written down or not. The proclamation was not issued then. It was when I made my last statement that I lost my fears.

By the Jury—*When the 6th prisoner came to the house at night, he said "we have spoken to the Malays" he did not specify whom he meant, I did not understand whom he meant by we. Did not see 6th prisoner at the pinkama with the two first.*

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21st Witness.—Daskare Punchy Ralle, *sworn*—I remember when the 2nd prisoner was appointed Rate Mahatmeya of Udunuwera ; I saw him in the district—after he went there he remained in the house of Koroopoo for three days. After that he went to the Nillegodde Liene Rale—which is in Nillegodde—that evening the inferior Headmen and other people came to see him, and pay their respects. After some common people had delivered their presents, they went away, and the persons in office only stayed behind. He said to them "I did not think you would pay me so much attention." He (2nd prisoner) said it was his intention to serve them whether he had the office of Dessave or not—*"And whether I have the office of Dessave or not I won't abandon you—and you must not abandon me—either in distress or on account of my losing my situation."* He was then answered by the Headmen—"We have been deprived of a Chief over us and we consider your appointment over us as good fortune, which we have merited in a former existence." The Headmen then said, *"if at any time you tell us anything we will submit to it"*—the Headmen remained there and I left the place the next morning. 1st Prisoner went to the Walauwe of Arrawawella Dessave in Elladetta. He took his victuals before 10 o'clock in the morning and was to depart immediately. On his coming out to depart, the petty Headmen made their appearance before him. He observed to them—"whatever attention was paid to us (Chiefs) in the King's time was by force ; the

case at present is different—the attention now paid is from the unanimity which exists between us—although I was born in the Four Korales I think my relations living in Udunuwera would not desert me in anything which requires assistance.” The petty Headmen said in return—*“You are the only Chief we have in the Kandyan Country, and we will submit to anything in which you direct us.”* He said—*“I intend going to Kandy to see the Perehera this season, you must come also.”* *I have seen Bambaradeniye (6th prisoner) here at times; I have seen him often. He had a long conversation with me. Have met Raddegedere Leykam near Bambaredeniye’s house—I did not go on that account—I used to frequent his house—there is an instance in which Bambaradeniye was confined. When released, after that confinement, on his return I asked—“What, Bambaradeniye, did you receive no answer to the Petition?”* He said *“no answer—but never mind if I live either they or I will go—when I act in this way they will banish me or they will have to go themselves.”* Who *“they”* meant was not stated, but I think he alluded to the Government. He meant that he had received no answer—when he was released. He told me that it was the Revenue Commissioner who made everything sore to him. He spoke this way, that he would be banished or they would have to leave the Country.

*No Cross-examination.*

*22nd Witness.*—Haindeniye late Rate Mahatmeya—I recollect when I was an Assessor in Kandy—it was last year. *I know Dembewe (3rd prisoner)*—I saw him when I came here—when I was going along the verandah of the temple he called me into his cell. He first of all asked me what were the conveniences and inconveniences felt in the King’s time, and at present? I said, in the King’s time no Raja Karie was performed for our lands, and that under this Government we are not exempted—and we live by attending to whatever the Government directs. *Then he (3rd prisoner) said, there were two Royal Princes in the Kandyan Country—that one of the two had gone to sea and the other was going through the country in order to get acquainted with the people—to assemble them—it would be well for me also to know this, and that the object was to make war and to destroy this Government. You must also keep this in your mind and continue zealous to our side.* He said that no fees are levied on Coffee and Cinnamon now, but they would be afterwards. I don’t recollect any more being said about the Government. He did not specifically say who were to join—he said notice had been given to everyone—I said that I wished to see the Prince. He then told

me that when he saw me himself he would mention it to me—I heard of the arrests of the Chiefs—I saw Bambaradeniye (6th prisoner) at that time. Saw him going to his village—had a conversation with him—I met him at Korledenie returning from Kandy. He told me the 1st prisoner was under arrest, that if it happened that he was removed to Colombo he must be rescued—and when that was about to take place he (6th prisoner) would give notice to us; he said you must also come for it. I said I would come to any place where the rest of our country would go.

Cross-examined by Mr. Staples—Did not tell me where the Prince was, nor his name, he said he was walking through these Provinces and told me nothing else about him—I thought it all nonsense.

Questioned by Jurors—Why did you think it all nonsense? Because I thought it could not succeed.

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23rd Witness—Giriagame late Basnayke Nileme—I recollect when the Supreme Court came to Kandy; I attended as a first class Juror; when the 1st class was dismissed, the second was empanelled; we retired to a room; 1st and 2nd prisoner were there. There is an office where appeal business was despatched. The Maha Nileme (1st prisoner) said that with the abolition of slavery, our influence and respect would be lost. This was said to the Dessave, 2nd prisoner; they were in the room and I was near the door. They were standing alone, no one else was near them. The other chiefs were about the verandah. 2nd prisoner said to the 1st prisoner “from this time there is no respect for us whatsoever.” I was in the room and I heard what was said—“Our influence and respect are diminished and we shall lose the whole of it from this time; they do what they please, there is no other remedy except we exert ourselves, and do what we can.” I did not understand what that was. The Dessave then observed—it is all owing to our own inability; that when an attempt was made to abolish slavery in the Isle of France the people made war against it and then they were quiet without abolishing the slavery; the words used were, in abolishing slavery the whole of our respects would be lost. 2nd prisoner said that when they wanted to emancipate the slaves, the people attempted to make war and then they put it off and the slaves were not emancipated. Nothing further was said. After this the other Chiefs came and the conversation stopped and they all sat down. I lodged that session at the Malwatte Vihare, at Tibbotowewe’s (4th prisoner), I know Dembeve (3rd prisoner);

about three days after this conversation, after the court was adjourned, I went to the Temple at Malwatte. *The priest, Dembewe Unnanse (3rd prisoner) asked me to come to his room to chew betel*; after I had taken my food I went to his room in the evening—He then said what were the regards and respects which the Chiefs received at Court?—there was a boy in the room; when I went to the room where the priest was, there was a light in the room and the boy was rubbing his leg. He then said what respects did the Chiefs meet with? I said the respect was the same both to those in office and those who were not in office; then he asked me *where is all the influence and respect which are peculiar to the Chiefs? They are now removed from the seats they once occupied and those under them occupy the same; the Chiefs have no shame.* I then observed if there is any shame on that account it is to the superior chiefs. *He said that the superior chiefs were ashamed of it, and he now mentioned it to me.* I said I felt the same shame as the others. *He said if they feel any shame thereby, the people of the provinces and countries should be assembled; that there would be enough people for one Englishman to be laid hold of by 1,000 of us.* I said it was not a thing that we could do, it was a thing the superior chiefs should think of. Then he said, they had superior situations and received pay, they could not reflect a thing like that so readily. He said that these Chiefs should impart their designs, in the first instance, to their friends and then by some intrigue to the people, and by that means whatever was to be done must be done. I then reminded him of the result when a similar attempt was made by one Wilbawe<sup>1</sup> (the Pretender). He then said we failed in that from stupidity—that *there were now two regular Princes.* He said, “*you need not ask me about that, just agree to what we propose, it is we that will take care to have a King even though it should be from a foreign place.*” I said if there was anything attempted with the unanimity of all the country, I would join.

*Cross-examined.*—I don't know the Isle of France; my name is Giriagamme Basnaike Nileme; there were in the room only the 1st and 2nd prisoners and myself; I was near the door inside. They did not talk so as not to be overheard; the conversation took place inside the room, no one else was in the room. It was not becoming in me to interfere as they were Chiefs of superior rank. I am neither on very good terms nor on bad terms with the 1st and 2nd prisoners; what he did to my father he did to him and not to me. The first Adigar struck my

1. Wilbawe an ex-priest who was the pretender in 1817-18.

father's brother. He had him flogged. Although he did that to my near relation, on that account *I am not on bad terms with him. The person he caused to be flogged, though he was my relation, was also my opponent.*

I did not mention what occurred with Dembewe (3rd prisoner) to anyone else but Doloswelle Dessave,<sup>1</sup> now absent, a little more than a month ago. I was Tibbotowewe's guest not Dembewe's; that was the first time I mentioned it to him. The reason I mentioned it to that Dessave was, that I might not be entangled in it by the Priests giving information, and I went to him on that account, he was in his house at Kandy. I was apprized of the Proclamation at the Dessave's. I did not know it until then. I know when Tibbotowewe and Dembewe were arrested. It was after they were arrested. I think about two months after their arrest. I had to go to Kornegalle on account of a law-suit, and some other affairs; I was detained there one month; gave the information two months after I heard of the arrest at my country. I was first afraid to give information as it was a thing which transpired between him and me alone. When the Proclamation was published promising pardon, I knew of it when I went to the Dessave's. Did not hear of the Proclamation when I was at Kornegalle. After I left that place I went to one of my villages in the Wanny. It was the next morning that I gave information to the Agent. After seeing the Dessave I saw no other person. I saw Mahawalatenne. Before I saw the Agent it was to him that I mentioned it. I mentioned Doloswelle by mistake for Mahawalatenne—his name came to my recollection as he was also in Kandy. I went to take his advice and to tell him I had heard such a thing, as he had been sent for as a confidential Chief of the Government. I went to him as I thought the other Chiefs were not trusted—I knew him at Saffragam, have seen him there, I have relatives; there when I came to Kandy intending to give information of this to Government, I first heard of the Dessave—I heard that he had been confidentially employed from Walgowagodde Unnanse. I did not tell the Priest I knew anything.

(To be Continued.)

1. Doloswella Kotalawala Wijesundera Wickremasinha Tennekoon Mudianse, Disawa of Nawadun, Kukulu and Kuruwita Korales.

## Notes and Queries

### SINHALESE DOCUMENTS AT THE BIBLIOTHEQUE NATIONALE

BY

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In the *Bibliothèque Nationale* of Paris there are a number of Sinhalese palm-leaf manuscripts preserved with the greatest care and accessible only to persons approved by the Administration of the Library and under the eye of the Archivist. Of the Sinhalese manuscripts, 47 in number, the greater part appears to have belonged to Eugene Burnouf, the well-known Orientalist who wrote the monograph on "The Ancient Geography of Ceylon." A few bear the name of "Tolfrey," namely William Tolfrey of the Ceylon Civil Service, who translated the Bible into Sinhalese and began the Sinhalese-English Dictionary afterwards completed by Benjamin Clough.

The most interesting of the Paris collection, however is one which has mysteriously found its way from Ceylon to Paris. It is the original *talapata* sent in the name of the King of Kandy (Rajadhi Rajasinha) to the Dutch Governor Iman Willem Falk. The letter consists of a long ola, 1m, 60 by 10mm, most clearly and legibly written and adorned with filigree work and terminating in a seal, and enveloped in another ola bearing only the superscription: "Srilankesvarvutum-apagedeviswamidaruvanan-wahansege-Mahawasalata-ekanta-paksa piri-manavu-Mestri-Iman-Velum-Palk-kiyana-Governadoru-unnansege-namata-liyapitathkara-evu-talapata." The letter and the envelope are contained in a delicately wrought silk purse of Kandyan workmanship embroidered in gold. Along with them is a Dutch translation: "Translaat Singaleesche Brief geschreeven door de Edelen en Grooten van het Kandiasche Hof ter ordre van hunnen God en Koning."

This manuscript and the translation manifestly once belonged to the Government Archives of Colombo. How they managed to find their way to the National Library of Paris is a mystery. The authorities of the Bibliothèque, whom I approached for information, could not say how they came into their possession. They have probably been abstracted from the Colonial Secretary's Office before the present Archives were inaugurated. But one thing is quite certain: they have been and are much better cared for in Paris than any document of the kind in the Dutch Archives or in the Museum of Colombo. That is at least one thing to be thankful for.

The other manuscripts are chiefly historical works like the *Rajavaliya*, religious works like the *Ratnavaliya* and *Dharmapradipika*, grammatical works like the *Sidat Sangara*, a large number of Jataka stories, fragmentary and entire, some astrological and poetical works and Mantras. They have been catalogued by A. Cabaton, a former member of the *Ecole Française De l'Extrême Orient*. Many of the manuscripts bear correct descriptive notes in Burnouf's own hand, the others are very summarily described, not always accurately. The Kandyan letter, for instance, is described as being in the writing of the seventeenth century whereas Falk was Governor in 1765-1785; and a very modern prose work is described as an "elu poem."

All the manuscripts are indexed, numbered and most carefully preserved in cardboard boxes, as behoves a noted national institution of a great city. I had occasion to observe the promptitude with which any damage is repaired. A manuscript shown to me for identification was noticed to have a decaying ola and the archivist forthwith set skilled workmen to attend to it immediately. Such is the care they take of manuscripts in an unknown tongue of a foreign country of no special interest to France.