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## The Dutch Retreat from Kandy, 1765

Report of Majors A. Frankena and P. Dufflo,  
20th September, 1765.

(Translated from *Tweede Deel der Brieven en Papieren van Ceylon overgekomen*; Kol. Arch. 3030, 1766, Vol. 14, ff. 381-387: Rijksarchief, ('sGravenhage).

To His Excellency the Hon. Mr. Iman Willem Falk<sup>1</sup>  
Governor and Director of the Island of Ceylon  
and its Dependencies.

Excellent and Hon. Sir,

The undersigned Majors have the honour to report to Your Excellency that they were ordered by H. E. the late Governor van Eck<sup>2</sup> to garrison Kandia under the authority of the late Commander Marten Rein.<sup>3</sup> It pleased the Lord God to call the said

1. Iman Willem Falck, born Colombo 1736, succeeded van Eck as Governor in August, 1765, held that post for the unusually long period of twenty years and died, Colombo, 6 February, 1785. (See Vol. 1 pp 8. 18,94; Lapidarium Zeylanicum 30; Report on Dutch Records 33)

2. Lubbert Jan Baron van Eck, Governor 1762-1765. He followed the Expeditionary force, leaving Colombo 13 January, 1765; entered Kandy on 19 February making the royal palace his headquarters; left Kandy, 4 March, arrived at Colombo on 10 March, took ill and died on 1 April, 1765. See Diary of Journey, JCBRAS XVI 38-50

3. Marten Rein, Chief Merchant Colombo, was during van Eck's absence in Kandy, acting President of the Political Council. He set out for Kandy, met the Governor at Negombo, 7 March. According to Wolf he was a tailor before he was appointed Commander of Trincomalie.

Commander away from this mortal life on the 3rd of April. Thereupon the first undersigned as senior Major<sup>1</sup> with the concurrence of Major Dufflo<sup>2</sup> and the other Captains present, summoned a council-of-war and examined and discussed the list of ammunition and provisions remaining, as shown in the resolution taken at the time which we have the honour to communicate to Y.E. along with the Journal<sup>3</sup>

Among the papers left behind by the late Commander we found an Instruction left by the late Governor wherein among other things we were made aware that it had been resolved to march to Kandia from Kolombo at the end of August or the beginning of September, a thing which appalled us not a little when we examined the list of the ammunition and provisions that remained. This consisted of Cattle, 176 head; Rice 53 *parras*<sup>4</sup>; Salt, 282 $\frac{3}{4}$  *parras*, Pepper, 43 9/10 *parras*; Biscuit, 6 $\frac{1}{2}$  vats; Araak, 1593  $\frac{3}{4}$  cans; Lamp-oil, 343 cans; and Cape-wine, 71 cans. Of paddy according to the returns there were 30,000 *parras*; but as this was not measured but only so estimated by the natives, we began to be suspicious, for in the Instructions left by H.E. the late Governor there was question of only 12,000 *parras*, and when he left one storehouse supplied what was estimated by H. E. at 8,000 *parras*, but which actually measured 9,000; and it seemed impossible that so much should be left after his departure. By actual measurement we found it to be only 13,000 instead of 30,000. This supply was for 1652 Company's servants, all of whom had to live on it, as nothing could be had in Kandia. Thus it seemed to us that we could not hold out till the abovementioned time.

It is easy to imagine how great our disappointment was at the sight of so little provisions for so large a number and for so long a time, as the undersigned succeeded to the position and authority of the Commander without knowing beforehand what the garrison was to be, or what provisions remained in Kandia, and only heard that we were ill-supplied with the latter. This upset us both because when the late commander paid a visit to the first undersigned with Major Dufflo and spoke about the situation and defence of Kandia, they both represented to the Commander that it was very necessary to have a good supply of ammunition and provisions in order to garrison it properly,

1. Frankena was appointed Major at Kandy on 22nd February. He remained in Ceylon after the capitulation to the British.

2. Pierre Dufflo, a Frenchman, appointed Major at Kandy, 3rd March.

3. The Dag Register is in this volume ff. 674-814.

4. A measure of capacity, Sinh. *bera*, equal to 5 *kurunis* or 24 cut seers.

adding that if it was not enough there was still time to procure a supply, as the unfavourable monsoon began only in mid April and that therefore it was necessary to continue the posts<sup>1</sup> at least till that time; for if the officers as well as the common soldiers were supplied with food and drink, there was still time to get them from Kolombo. All this was approved by the Commander, but a few days later the contrary happened. The Commander took ill and the Colonel<sup>2</sup> returned to Kolombo on 28th March, leaving the garrison in the state described in detail in the Journal.

But what could we do when the communications were broken by the removal of the posts of Wewede<sup>3</sup> Pidroewelle<sup>4</sup> (and Wisnawe<sup>5</sup> too as we thought). We resolved to stretch our provisions as long as possible, and meanwhile to try every possible means we could think of to send a letter to Kolombo giving information of our situation. This we first succeeded in doing<sup>6</sup> on 9th June, and afterwards sent two others for fear that the first might not have been delivered. We flattered ourselves that once our letters reached Kolombo, we should be relieved with the utmost speed: and moreover we hoped that Colonel Feber would have been informed of the state of our affairs before his departure and that he would report it and if necessary press H.E. to relieve us. In this expectation we lived in the hope of seeing our countrymen turning up to relieve us at least in the month of August and therefore we made shift till the end of August with the provisions that sufficed only till the end of July; although in the month of July there ceased the sallies which we made from time to time in companies to get some provisions for the people of the country, as is to be seen in detail in the Journal. But to our great grief we did not receive the least tidings or the least relief from Kolombo, and as we had consumed all our provisions and saw no likelihood of getting more we finally decided—God is our witness how unwillingly—to evacuate Kandia.

1. Gonawila (Commander Disawa Bauert, afterwards Baron de Reder); Katugampola, (Lt. Van der Veen) Wisinawe, Pidroewelle, Wewudda and Giriagama.

2. Jan Jurgen Feber, who was in command at Kandy till the arrival of Rein. He left Kandy on 28th March; arrived Colombo, 6th April.

3. Wewudda.

4. Pidruwella in Dambadeni Hatpattuwa on the old Kandyan road from Puttalam to Kandy.

5. Wisinawe.

6. See letter in Vol. II 96.

This again plunged us afresh in perplexities. How for instance were we to take our sick and the ammunition? For without the latter it was impossible for us to accomplish the retreat. We therefore summoned the Captains of the natives and pointed out to them how necessary it was to take with us all the remaining ammunition, which consisted of 6000 cases of cartridges, and that we saw no means of doing so, unless they would induce their men to carry them under promise of good rewards, and that moreover they must take with them their sick comrades who could not walk, because we had no more coolies than was necessary to carry the Europeans. All this to our great joy they and their people undertook to do. To drag the two  $\frac{3}{4}$  pounders and ammunition as well as the two small mortars and accessories, we employed our lascarins that still remained, the workmen, dhobies, barbers, etc. all under promise of good rewards.

For the conveyance of the sick Europeans, namely those who could not walk, whose number amounted to fifty (the others being persuaded to drag themselves for one day without arms like the rest) we used our abandoned tents as hammocks, which needed all the coolies that were not ill. So that we had to leave behind our baggage, considering ourselves lucky to be able to take at least all our sick and ammunition. Provisions we had none to take with us; but we hoped to be able to get some on the way.

The retreat being thus arranged, we were at a loss which way to take, for though in the Instructions it was said that at the end of August or in the beginning of September, they would attack the Four Korales on the side of Kolombo, we had no certain knowledge of our detachment, while spies and captives assured us that the hill of Ballana was fortified and held by the might of the Sinhalese: all of which appeared to us very probable as the enemy expected us on that side. If we took that road, the hill of Ballana being by itself difficult to pass, we saw that it would be still more difficult to reach the foot of that hill with the sick and the ammunition with which we were hampered and the weak state of those who were not sick. The way by Kiriagama <sup>1</sup>

1. Giriagama, which was a Kandyan *kadawata* (gravel) near Galagedera on the road leading to Kandy via Katugastota.

through the Seven Korales also seemed to us very dangerous, for we knew that it was also fortified and held by the Second<sup>1</sup> Adigar with a large army, and that moreover we could not get any provisions on that side.

We therefore decided finally to strike the road to Balana, and at Walwoagodde,<sup>2</sup> half a mile from that hill, to see whether we could get any intelligence of the detachment expected from Kolombo, with the fixed determination that if we had the least assurance from captives that our detachment was close to Balana, to attack that hill, cost what it might, in the hope that those on the other side would hear us and do the same; and at the same time we resolved that if when we were at Walwoagoda we heard nothing of our expected detachment, we should take the road that would bring us below Wewuda in the Seven Korales, which was indicated to us by Modeliar Dessanaike of Hapitigam Korale. Thus on the last day of August, to our very great regret, we abandoned Kandia after having held the same for five months<sup>3</sup> against the whole might of Kandia, in spite of the unfavourable situation of the place, lying as it did in the midst of hills, though we had to endure so much misery and distress—and all for want of provisions and the impossibility of getting any.

The captured cannon as well as the muskets we made unserviceable; the grenades and bombs we fired off, as we could not take them with us for want of coolies; the palace and afterwards the city were set on fire. Two days were spent in getting our ammunition, our sick and the men across the river in canoes under the constant fire of the enemy; and finally we broke camp and on the 2nd September, reached Wallewagodde at the foot of Ballane. Having reached that place we spent two days, and hearing nothing of our detachment, we took the aforementioned road to the Seven Korales. To make the enemy believe that we really intended to take the way of Ballane we sent patrols on the day before our march who brought us the report

1. Angamma.
2. Walgowagoda, Kandupalata korle, Yatinuwara.
3. Reckoning from the death of Rein, for the Dutch actually held Kandy for more than six months.

that they found just outside our camp on the said way pits with stakes in them, from which one can gather how the hill itself must have been held.

We then struck the by-way which Modeliar Dessa Naijke had suggested, northwards along the hill of Ballane, lying over hills and dales, crags and fields, and consisting in many places of only foot-paths, untrodden and desolate, admitting only one to pass at a time while the enemy were continually firing behind us and on both sides of us. But we had good luck along that way, and reached the Seven Korales safe, after sustaining the following casualties on the march.

	Europeans	Malays and sepoys	Kamatjes	Company's slaves
Killed	14	18	3	27
Succumbed to sickness or wounds	18	—	—	—
Lost	15	14	—	—
Drowned	4	—	—	—
Wounded	16	25	—	—

Our other adventures both in Kandia and on the march being set forth in the Journal, we beg Y.E. to consider it also as part of this report.

Kolombo, 20th September, 1765.

*Sgd.* A. FRANKENA

*Sgd.* P. DUFFLO

# Medieval Mercenary Forces in Ceylon.

BY

H. W. CODRINGTON.

(Continued from p. 392)

We may now consider the text itself and attempt its interpretation. In the opening sentences are given the numbers of the villages of the four classes of Agampāḍi in each of the three kingdoms arranged according to the four departments. So far all is clear; the word *mesē*, 'thus', as frequently in such documents has little or no significance and may almost be omitted in translation. But the next sentence 'අවසෙස කුල පියන් අඹු රවමල් බොහෝ සෙයයි දන සුතු,' as it stands, is nonsense. I propose the emendation 'අවසෙස කුල ජනයන් ඇම රවමල,' etc. The letter ජ can be confused with ප, and 'kula janayan' actually occurs at the end of the document; ඇම is fairly close to අඹු, the flourished *ālapilla* becoming a *pāpilla* in the course of copying. The emended text thus reads. 'It is to be known that there are many people of the remaining castes or tribes in all countries'.

The text then proceeds to describe how, on kings first coming to the throne, the amount of the revenue is fixed and the sowing extents ascertained, and how villages and fields are divided into groups varying from 3 to 32 *kiriyas* in size. In the next sentences the difficulty is to determine the subject. We might expect this to be *radun*, but this in view of the common use of anacoluthon and of verbs in Sinhalese with no expressed subject is no necessity; the verb may just as well be rendered in English by the passive. It was the headmen of the Gamvasam department who collected the dues from their people later on. In view, therefore, of the phrase 'පමුරු පත් ගනනවුනෙත' referring to cash recoveries at the beginning, I have taken the subject provisionally to be the Agampāḍi, and for the same reason am inclined to emend සතරක් බැගින් by සතර (ක)ක් බැගින්, 'at the rate of 4 akas,' rather than by සතර (මුස) ක් බැගින්, 'at the rate of 4 amunams'. The payment of *maṇḍaran* in *akas* is frequently referred to in the inscriptions of Nissanka Malla. On this interpretation the Agampāḍi *gam-laddā* recovered 4 *akas* in cash as *paṇḍuru* and 2 *nāli* of oil for each

*kiriya* in his village. If, however, 'at the rate of 4 amunams' be preferred as having reference to the *karavu-vara*, the amount recovered on a *kiriya* of 4 amunams will be *bim tarām otu*; while, if the text be left as it is, the amount will be four times the sowing extent or 4 amunam. The first named rate is less than the lowest of Nissanka Malla, who boasted of reducing taxation; the second is far in excess of his highest.

A fresh problem occurs in the sentences beginning with 'අමතකයන් අය වදු' and ending with 'කතා සෙයයි'. The two sentences are divided by a *kundali*, but the first is incomplete and here again the question is which is the subject. Is it the king or the Agampāḍi who collect from the remaining people, or is it these last who collect from their own villages? The analogy of the preceding sentence suggests that *avasesayan* is the subject. Further, *kamkaruvā* means 'workman, artificer, artizan'. If the second of the sentences now under discussion is to stand as in the text, it can only mean that the artizan recovers his dues, presumably for work done. Such procedure would be quite normal, a craftsman either reaping the crop of a portion of the villagers' fields sown by them for that purpose or cultivating himself a separate field allotted to him by way of remuneration. But the plural *kamkaruvan* might have been expected. Of course if we can interpret *kamkaruvā* as *kamkāmiyā*, 'official' with reference to what follows, the difficulty disappears, but this meaning of the word is most unusual, if not unknown. It has been suggested to me that the *kundali* should be disregarded and that the two sentences should be amalgamated, *kamkaruvā* being altered to *kam karavā*. The new sentence then will mean, 'The remaining people thus take, having caused to be done the proper duties and work for which they take *abaya badu*.' If we accept the reading *kam karavā* without amalgamating the sentences, the second will read 'Having caused the work to be done it is thus that they take,' perhaps with reference to the succeeding sections.

The document now goes on to three grades of dues under the names (*sura*) *gam-mādi-mehel*, amounting respectively to a percentage of 10, 12½, and 15 on various commodities and animals. From the division of these into three groups by the conjunction ε, it may perhaps be inferred that the *suragam* (?*sumgam*) or lowest duty was levied on garden produce and medicines, etc.; the *mādiya* or 'middling' duty on cloths, gold and precious stones; and the *mehel* or 'highest' on elephants, horses and probably cattle.



The final clauses of the document deal with *sulka* or *suṅgam*, which, as payment in one, two, or three places is mentioned, presumably means tolls. At first sight the division of these duties into three grades of *uttama*, *maddhyama*, and *kaṇiṣṭha* seems to be identical with the three grades of dues just discussed, though in the reverse order. If so, *uttama* and *kaṇiṣṭha* can hardly be translated by 'highest' and 'least,' for payment of toll on a given commodity in three places clearly is more to the detriment of the trader than payment in one; these terms thus seem to mean 'best' and 'worst,' that is from the point of view of the merchant. But if *kaṇiṣṭha* is the same as *suragam* or *suṅgam* and refers to tolls paid at the *kaḍavat*, the rate of 10 per cent. is very high. In the Portuguese Tombo these duties are fairly light. Thus at the pass of the Ma Oya at Toppu the following are given :—

On a bullock load of areca	700 nuts.
.. .. . rice	1 silver fanam
.. .. . kurakkan or vegetables	1 silver fanam
.. man's load of rice	1 medida
.. elephant's load of rice	Double that on a bullock load.

In this connection the duties at the Kaimal customs in the Tombo are of interest for purposes of comparison. Opium, drugs, and spices paid 10 per cent., rolls of cloth (*cachas*) and mattocks 5 per cent., while on a cotta of salt or rice the amount recovered was 2 silver fanams and on the same quantity of paddy 1 such fanam.<sup>1</sup>

The conclusion seems to be that the final clauses only refer to tolls. The duties at 10, 12½, and 15 per cent, presumably refer to the customs. But other taxes may be included; the *pol-aya* of the Kotte period was a payment in cash supposed to represent the tenth part of the coconut crop. Similarly the duties on cotton goods and other manufactured articles such as brocades and jewelry may be the counterpart of the taxes on trades found in South India. The phrase 'elephants, horses' etc. must equal the common 'අළුන් අස් ගව මහීඹ,' 'elephants, horses, oxen and buffaloes', and may mean little beyond 'cattle'. In the Vijayanagar empire in Saka 1404 we find taxes known as *nallerutu*, 'good bull,' *narkidā*, 'good buffalo bull', *narpasu*, 'good cow' and *oddi-*

1. Tamil *kōḍḍai*.—In the sixteenth century at Negapatam this was equal to 168 medidas of rice. In the Tombo the value of a medida of rice is given as ½, ¼, and ⅕ fanam, 20 fanams went to the larin.



2 fanams and 2 measures of rice were levied for the lascorins who watched there, and in Kandyan times it was the lascorins who performed this duty at the *kaḍavat*. Support is given to the view here proffered by the account of the Nayars of Malabar, who doubtless were the Keralas of the *Mahāvamsa*, given in Thurston (*op. cit.*, v, pp. 283 ff.). These military people were divided into *kulams* and acted as the protectors of the people. In addition they "were originally the overseers or supervisors of the nad [nāḍu], and they seem to have been employed in this capacity as the collectors of the share of produce of the land originally reserved for Government purposes. As remuneration for this service, and for their other function as protectors, another share of the produce of the soil seems to have been reserved specially for them" (pp. 305, 408-411). In view of the mention in *Mahāvamsa*, lxxvi, 39, of 'a distinguished official of the public accounts [*gaṇakāmacca*], the *Damiḷādhikārin* by name *Ādicca*', it is interesting to note that the prefix *kaṇakku*, 'accountant', was conferred by way of honour on Nayars, and that members of this race "were in charge of the royal treasury, which according to custom, could not be seen even by the kings except in their presence" (Thurston, *op. cit.*, pp. 294, 296). We know little of the duties of the mercenaries in the medieval Sinhalese kingdom, but, if they were analogous to those exercised by the Nayars in Malabar, at least a plausible explanation of our document is supplied. As we have seen, the royal body-guard had some duties to perform in connection with grants of land, and as late as the fifteenth century the stone record of a grant in Dumbara was cut in the presence of the ten *Agampaḍis* of that division. But this interpretation of our text, however, must remain very doubtful owing to its defective state and in the absence of confirmatory evidence, and the present paper is published in the hope that such evidence may be adduced by students of Sinhalese literature.

The date of the document seems to be older than the comparatively late *kaḍaim-pota*, to which it is now attached, as the use of *kiriya* as a land measure is not traceable in or after the Gampola period. Perhaps it may date from the time of the Dambadeniya or Kurunegala kings, as the *Māyā* kingdom is placed first. It is possible that it was adapted, at least in part, from an Indian source; the exemption of *sramanas* 'possessing the *Vēdas* within themselves' and not of Buddhist monks has little application to Ceylon.

TEXT.

මෙසෙ ගම්වර ශලැසෙමන් රුජ අගම්පති අගම්<sup>1</sup> මායා රජයෙහි දෙලසෙක පිහිටි රජයෙහි අටෙක රුහුනු රජයෙහි සතරෙකැයි දතයුතු — මෙසෙ කරවුවර ශලැසෙමන් පඬුරුපත්<sup>2</sup> ගනනානුනෙත මායාරජයෙහි මුහුකල අගම්පති ගම් දෙසියයක පිහිටි රජයෙහි සුවසෙසක රුහුනුරජයෙහි දෙලසෙකැයි දතයුතු — මෙසෙ මායා රජයෙහි අවිවර ශලැසෙමන් නෙතති අගම්පති ගම් එකතිය අටෙක පිහිටි රජයෙහි අසුසතරෙක රුහුනු රජයෙහි සුසාලසෙසක්වෙ පිටිවර ශලැසෙමන් මායා රජයෙහි බාල අගම්පති අගම්<sup>1</sup> අලසියයෙක පිහිටි රජයෙහි සාරසියයෙක රුහුනු රජයෙහි දෙසියයෙක මෙසෙ අවසෙස කුලපියන් අමුරටවල්<sup>3</sup> බොහොසෙයයි දතයුතු — මෙසෙ පලමු පටන් රජ පැමිනි රුදුන් හැම මුල්වර ලියන තැනෙහි යුවරදුන් අගමැතියන් ප්‍රධානකොට ඇති සියළු ලොවැසසන්ගෙන් අය පඬුරු ගනන<sup>4</sup> ලා මුල්බිඳු මෙතෙකැයි නියම දැන සතර ලේකම් බලා තුන් කිරියෙහි පටන් දෙතිස් කිරිය දකවා ගම්කෙත්වතට<sup>5</sup> දතයුතු — පඬුරුවග මුල්බිඳු ගනන් හිමිකොට ගනනා සෙයයි එසෙම කරවුවර ගනනාකල කිරියට සතරක්<sup>6</sup> බැගින් තෙල් තල්<sup>7</sup> දෙකක් බැගින් අවුරුදු<sup>8</sup> සතර අගම්පති ගම් ගනනා සෙයයි අවසෙයන්<sup>8</sup> අබයබදු ගනනා නිසි කටයුතුද — කම්කරුවා<sup>9</sup> මෙසෙ ගනනා සෙයයි පුර පටුන<sup>10</sup> පටන් සයුරතෙර දකවා මෙදුතුරෙණි මෙසෙ ගමමැදි මෙහෙල්<sup>11</sup> ගනනා කල පොල් පුවක් මුලත් ගිතෙල් සකුරු ආදී තිකුළු තිපල් ආදී මු බෙහෙත් බඩුද කපීපාස පටට සුනතරුදී<sup>12</sup> රම් කම් කල අනභිභ වසනාදී රන් අමුරන් මුතු මැතික් ආදී මු ද්‍රව්‍ය විසෙසයන්ද හසතසාසවාදීන්ද<sup>13</sup> යන මෙකී දුට දසයට එකක් බැගින් ගනනා ලද්දේ සුරගම් නමුදු වෙ දසයට එකක්<sup>14</sup> බැගින් ගනනාලද්දේ මැදිය

1. ? ගම්.
2. වග.
3. කුලජනයන් ඇම රටවල.
4. ගෙත්.
5. වත්බව.
6. සතර (ක) ක් or සතර (මුණ) ක්.
7. නැලි.
8. අවසෙසයන්.
9. Perhaps කම් කරවා. If the sentences are amalgamated, නිසි කටයුතුද කම්කරවා.
10. පටුන් These appear in the *Maha Kadaim-pota* in inland districts.
11. සුරගම් or සුංගම් මැදිමෙහෙල්.
12. සුනාදි.
13. හසතසාසවාදීන්ද.
14. එක්කාලක්.

කීයන නමුදු වෙ දසයට එකසමාරක් ගනනා ලද්දේ මෙහෙල්යසි නමුදුවෙ මෙසෙම ව්‍යාපාර ධර්මයෙහි පටන් කනිසටයට උතතමයසි<sup>1</sup> වසනු ප්‍රකාර බලා එක් තැනදීකදී<sup>2</sup> ගනනාල සුලකය<sup>3</sup> නමුදුවෙ දෙනනකදී ගනනාලද්දේ සුලකය නමුදුවෙ<sup>4</sup> මධ්‍යම නමුදුවෙසි තුන් තැනෙකදී ගනනාලද සුලකය කනිසටයසි<sup>5</sup> යන මේවෙ—එසෙහෙසින් ගම් නියංගම් රජධානියෙහි වසන මහා දසකම් කුලජනයන් ගෙන්ද නිරතුරු වෙද ගබ්‍හච්ඡු<sup>6</sup> මහන බමුනු මහසල් කුලජනයන් ගෙඤ්ඤ දෙව්‍යාලගන්ගෙඤ්ඤ<sup>7</sup> මෙ කීවුන්ගෙන් සුන්ගම් නොගත මනාවෙ—උක්දිව විධියසි—

Translation.

Thus it is to be known that from the *Gam-vara sālāsma* there are Rāja Agampāḍi villages,<sup>8</sup> in the Māyā kingdom 12, in the Pihiti kingdom 8, in the Ruhunu kingdom 4.

Thus it is to be known that from the *Karavu-vara sālāsma*, of those who take various *paṇḍuru*,<sup>9</sup> there are Muhukala Agampāḍi villages, in the Māyā kingdom 200, in the Pihiti kingdom 24, in the Ruhunu kingdom 12.

Thus in the Māyā kingdom from the *Avi-vara sālāsma* there are Netti Agampāḍi villages 108, in the Pihiti kingdom 84, in the Ruhunu kingdom 44.

From the *Pirivara sālāsma* in the Māyā kingdom are Bāla Agampāḍi villages<sup>8</sup> 800, in the Pihiti kingdom 400, in the Ruhunu kingdom 200.

Thus it is to be known that there are many people of the remaining castes (or tribes) in all countries.

Thus it is to be known that villages and fields are from 3 to 32 *kiriya*s in extent, kings, when they write all the *mul-vara* on first coming to the throne, fixing the amount of the *paṇḍuru* recovered from all the inhabitants of the world including in the first place sub kings

1. ව්‍යාපාරධර්මයෙහි උතතමයෙහි පටන් කනිසටයටයි.
2. එක්තැනකදී.
3. ගනනා ලද්දේ ශුලකය උතතමය.
4. ශුලකය and omit නමුදුවෙ.
5. ලද්දේ ශුලකය කනිසටය
6. ගම්ච්ඡු.
7. දේව්‍යාලගන්ගෙඤ්ඤ.
8. If the reading *agam* be accepted, read: dwellings.
9. From the emended text.

and chief courtiers, ascertaining how much the full sowing extent is and examining the four registers. This is the way they take, having defined the amounts of the various *paṇḍuru* and of the full sowing extents.<sup>1</sup> When in that way they take *karavu-vara*, the villages of the four Agampāḍi take early at the rate of 4 (*akas*), and two *nāḷi* of oil for each *kiriya*. And such is the right procedure by which the remaining people take *abaya badu*. Thus the artizan takes.<sup>2</sup>

When from the city or the town as far as the sea coast, between these two,<sup>3</sup> they take (*sura*)*gam-māḍi-mehel* thus, on coconuts, areca, betel, ghee, jaggery, etc., *tikulu*, *tipal*,<sup>4</sup> and other medicinal articles; on cotton, silk, thread, etc., valuable cloths worked with gold, etc., gold, unwrought gold, pearls, precious stones, etc., and such varieties of goods; on elephants, horses, etc., on these aforesaid what is taken at the rate of 1 in 10 is called *suragam*. What is taken at the rate of 1( $\frac{1}{4}$ ) in 10 is called by the name of *māḍiya*. What is taken at the rate of 1 $\frac{1}{2}$  in 10 is called *mehel*.

Thus in the usage of trade (customs duties and tolls) are from the best to the worst. Considering the class of commodity, the duty taken at one place is called (the best). The duty taken at two places is called the middling. The duty taken at three places is the worst.

Therefore<sup>5</sup> from the people of the castes for whom the ten great ceremonies are laid down, living in villages, market towns, and royal cities, from ascetics, Brahmans, and great (Brahman) householders possessing always the Vēdas within themselves, from the people of the temples of the gods, from these aforesaid it is right that *surigam* should not be taken.

(This) is the Rule for the Island of Lamkā.

1. Or, take *paṇḍuru* having defined the full sowing extents.

2. Or, Having caused the work to be done, it is thus that they take. If the sentences be amalgamated, we may render thus: The remaining people thus take, having caused to be done the proper duties and work for which they recover *abaya badu*.

3. That is, throughout the whole kingdom.

4. *Tikulu*, is medicine compounded of ginger, black and long pepper; *tipal*, medicine compounded of the three myrobalans, *aralu*, *bulu*, and *nelli*.

5. Because they are not traders. The castes for whom the ten ceremonies, (*dasa-karman*) are laid down are the 'twice born.' The important Vaisya often was a noble, e.g. the great Alakes'vara, and not a trader.

## Mount Lavinia.

‘MOUNT LAVINIA’ has now become the English for Galkisse. But it was not always so. Originally Mount Lavinia was only the name of the Country House of the Governor. Mrs. H. H. Dulling in her interesting publication *The History of Mount Lavinia* has put together all the information then available about Mount Lavinia. Her first quotation is a letter of Governor Maitland, dated March 10, 1806, which “may refer” to Mount Lavinia, but which does not mention the name. <sup>1</sup> She also gives references to Mount Lavinia in printed books, supplied to her by the indefatigable J. P. Lewis. Of these the first is a short description of the Governor’s Country House <sup>2</sup> by Sir James Macintosh in 1810: but he does not mention the name. The second is an extract from *The Journal of a Residence in India 1809-1811* by Mrs. Maria Graham, who visited Mount Lavinia in 1810 and mentions it by name and gives a short description. <sup>3</sup> The third is a passing reference (1816) in Hardward’s *Narrative*. <sup>4</sup>

The only other reference she gives is an extract from a letter of H. H. Bentick, written from Fort St. George, Madras, and dated August 3rd, <sup>5</sup> 1805. But that is a manifest slip, for ‘the Mount’ there spoken

1. See n 7 below.

2. It was “a bungalow of one storey, rustic on the outside, but handsomely laid out, and furnished beautifully, situated on a point which overhangs the sea, about seven miles south of Colombo.”

3. “March 1st. We joined a large party in an excursion to the Governor’s country house—Mount Lavinia. It is a charming residence: it literally overhangs the sea, and has all the beauty that hill and valley, wood and rocks, with a beautiful beach and a fine open sea, can give. The interior, though not very large, is very pleasant: a long gallery looks towards the sea: the rooms on the other side command some pretty lawns: and in the valley are palm trees which hide all the farm offices, and afford shelter to a number of animals of the deer and elk kind, from the interior of the island, and from the opposite coast of India. Today, by himself, we remarked an animal not less beautiful than terrible, the wild bull, whose milk-white hide is adorned with a black flowing mane.”

4. “Passing through Galkisse (sic), (leaving Mount Lavinia, the Governors’ delightful residence, on our left) we entered a road made through the celebrated cinnamon groves in the neighbourhood of Colombo.”

5. “To meet any possible event of this sort, we have the Carnatics, the 59th Regiment (very good), the whole of which is scarcely sufficient for the Garrison of Vellore. The 69th Regiment (bad) in Fort St. George, furnishing a Detachment to guard between 5 and 600 French prisoners at Poonamalie. A weak Battalion at *the Mount* with some Horse Artillery and the 19th Dragoons, about 400 strong.”

of is not Mount Lavinia but the Mount (St. Thomas), Madras. The following extract is therefore the first official document so far known relating to Mount Lavinia. It is from the Proceedings of His Majesty's Council in Ceylon, and is a minute drawn up by the Governor for the consideration of the members of the Council on 19th June, 1813.

### Minute by His Excellency the Governor<sup>1</sup>

In the year 1806 a spot near the village of Galkisse then and still called Mount Lavinia was fixed upon by the late Governor, the Right Hon. Lieut.-General Maitland as a Country Residence<sup>2</sup> for the Governor, and a House was accordingly built there on a scale of considerable accommodation, which, with Offices, Lodging rooms and other appendages and a House subsequently projected for Entertainments (which however has not been completed), has upon the whole amounted to a considerable sum of Publick money.

Of the whole extent occupied by the Buildings and enclosures the single spot belonging in property to the Crown, is the mere scite (sic) of the House, being the summit of a Rock which happened never to have been granted away by the Dutch Government—all the rest, including a compass of about 35 acres, consists of small allotments belonging to a variety of individuals from whom ever since my arrival<sup>3</sup> here to the present time, a succession of Petitions and applications have come before me, some demanding Rent for a number of years back, others praying that the publick Premises may be Removed and a very few consenting to sell their Land, but exacting, as might be expected from the circumstances of Government having placed itself in some measure at their mercy, a very unreasonable consideration.

Every endeavour has been used by the Collector<sup>4</sup> of Colombo and his Agents to bring these Proprietors, fourteen in number, to a general settlement but without success, partly from the different views of the

1. General Sir Robert Brownrigg, Bart. Governor 1812—1820.

2. Maitland to Downing Street, March, 10, 1806.

“In my last letter to you I stated my feelings about my personal accommodation in point of houses. I gave to Mr. Twistleton, the sitting Magistrate, for his Office, the house lately occupied by Mr. North and I have been able to provide for myself perfectly to my own comfort, by building a small bungalow in the country, through the medium of the Artificers kept in constant pay, without any additional expense to His Majesty's Government. On the contrary, by having sold one or two houses belonging to the Government, there has been a Receipt to Government on the subject of about £20,000.”

3. Arrived March, 10, 1812

4. Up to 1833 the present Government Agents were known as Collectors.



parties concerned and partly from a general objection made by them to the estimate of the property which had been formed under the Collector's orders, and which, I believe, was calculated on a strict principle of mere value without any concurrence on the part of the Proprietors, and included no allowance whatever and inducement to them to part with their Land, nor anything for Rent during 12 to 13 years.

The further inquiry which thus became necessary has been conducted in communication with the owners and on a plan calculated to obviate all ulterior discussion respecting Rent or any other point, by ascertaining at once what sum (being not more than a reasonable charge against Government) will be accepted by these people for the purchase of the Land and in full of all demands on account of occupation hitherto.

Such a settlement having been negotiated and provisionally agreed on by the perseverance and industry of Mr. Bertolacci<sup>1</sup> and (sic) which though amounting to a larger sum by 5000 Dollars than the former, I consider to be on the whole a more equitable Bargain for the publick and an arrangement more consistent with the justice of Government, I submit the Business to the consideration and opinion of Council as to the expediency of completing the purchase on these terms.

My own sentiments on the subject I deliver with the greater freedom from having no attachment to Mount Lavinia as a place of Residence nor any dependence on it for the comfort of myself or Family, so much so that if no Habitation had been established there I should never have felt the want of it but would have found a retirement answering every purpose to me and more suited to my Taste at the Government House at Caltura.<sup>2</sup>

A future Governor may, however, feel and judge differently, and I have no hesitation in declaring that I would not willingly recommend any measure tending to abridge the accommodation or means of recreation of those who may be hereafter called to the office which I have now the honour to fill, or to render useless so considerable an Expense as has already been incurred for a purpose of that sort.

1. Anthony Bertolacci a Corsican who came out with Governor North in 1798 and retired in 1814.

2. Kalutara, probably the old District Judge's bungalow.

On this ground and as some compensation, and that of trifling amount, would still remain to be made on the score of Rent, my sentiments are in favour of the purchase at the sum arranged by Mr. Bertolacci with the Proprietors, being about RD. 18,000, of which RD. 2,000 may be considered as already paid having been advanced by Major General Wilson<sup>1</sup> on the urgent application of one of the Proprietors. It is moreover to be remarked that within the boundary proposed to be purchased are the Stables and Cantonment of the Ceylon Troop of Cavalry<sup>2</sup> which has been raised at considerable Expense, and for the occupation of the ground on which these Buildings have stood now for some years the Proprietors have not received any pecuniary consideration whatever.

The Members<sup>3</sup> of Council are of opinion that it is highly proper in every point of view that Government should purchase the Lands which according to the Survey laid before them is at present and has been for some years attached to Mount Lavinia, the Country Residence of the Governor, and that the sum of RD. 18,000 for which the Proprietors agree to sell that Land seem to them, considering all circumstances of the case, extremely moderate.

1. Acting Governor from the departure of Maitland, March, 15, 1811 to the arrival of Maitland, March, 10, 1812.

2. In 1804 twelve Europeans from the Dragoons and twelve troopers of the Madras Bodyguard were formed into a Company and placed under Lieut. Thwaites of the 51st Regt. and the number was soon increased.

3. The Chief Justice and Messrs John Rodney and Robert Boyd.

# Colebrooke's Secret Report on Forced Labour

(Continued from page 276)

I will conclude these extracts with a summary of the laws applicable to forced labour in Ceylon.

The various regulations under which the Native inhabitants are required to render services to the Government have had their origin in the ancient tenures of land by which they were hereditarily bound to serve according to their caste. These ancient tenures still subsist in the Kandyan provinces under certain modifications introduced by a proclamation of 21st November 1818, by which a tax was imposed on the lands, and the people were held liable to work gratuitously on the roads. In other works they are either allowed a remission of the land tax while employed, or paid at inadequate rates which are fixed by the Government.<sup>1</sup>

In the Maritime provinces the service tenures were abolished by Proclamation in 1801,<sup>2</sup> but the people were declared liable to serve on the order of the Governor according to their respective castes.

By a letter of the Commissioner of Revenue in 1808<sup>3</sup> the inhabitants were declared liable to repair the roads in their districts, and the Headmen were held responsible for the due distribution of the labor.

The service tenures were partially renewed in 1809, the privilege of succeeding to service *parveny* or hereditary lands being declared to belong only to male heirs and in default thereof such lands to revert to the Crown, and to be inalienable by sale or bequest.<sup>4</sup>

By a regulation of 1818 the Governor declared the legality of pressing all persons by their castes, tenure of land, or other customs to perform service, and officers and Headmen were empowered to seize and employ all such persons.<sup>5</sup>

1. See Minute of Govt. 20th Oct: 1829.
2. Proc. 13th Sept., 1801.
3. Circular letter to Collectors, 11th April, 1808.
4. Regulation of Govt., No. 8 of 1809,
5. Regulation of Govt., No. 5 of 1818.

By a Government Advertisement published in 1824 it was declared that the "Mahabadda" or people of the Cinnamon Department being liable by caste to work for Government in that Department when required by the Superintendent of Plantations no exemption would be allowed on the plea of their being engaged in private service.<sup>1</sup>

By a regulation of 1825 a capitation tax was imposed on the Northern districts in commutation of other personal taxes, and the people were declared liable in default of payment to work gratuitously for the public during 14 days, certain Headmen and others being exempted.<sup>2</sup>

By a Minute of the Governor in 1824 the Collectors of Maritime districts were prohibited from calling out laborers for gratuitous labor without the sanction of the Governor except in sudden and unforeseen emergencies.<sup>3</sup>

In 1831 the Board of Commissioners at Kandy were restricted from complying with any requisition for laborers gratuitously without the previous sanction of the Governor except in cases of emergency.<sup>4</sup>

In 1802 the Natives of the Continent of India settled in Ceylon (Moors and Chitties) being generally merchants and manufacturers were allowed to redeem their services as laborers by a capitation tax called "Oulliam"<sup>5</sup> which was repealed in 1830; these settlers<sup>6</sup> however being declared liable to be employed in common with the other Inhabitants according to their castes on payment and gratuitously in the repair of roads and bridges.

By a Government Advertisement of the year 1802 laborers and workmen employed in the service of Government were declared liable to corporal punishment for neglect of work by the infliction of 25 strokes with a rattan at the discretion of the person superintending the work,<sup>7</sup> and by a Minute of the Governor in 1816 the native Headmen were prohibited from exercising this power.<sup>8</sup>

1. Govt., Advt. 7th Jan., 1824.
2. Regulation of Govt., No. 10 of 1825.
3. Minute of the Governor, 23rd Aug., 1824.
4. Minute of the Governor, 7th July, 1831.
5. Proc. 2nd Oct., 1802.
6. Regulation of Govt., No. 5 of 1830.
7. Govt., Advt., 28th April, 1802.
8. Minute of the Governor, 18th Dec., 1816.

Several advertisements and Minutes have been published by the Governor for regulating the supplies of provisions to travellers at certain rates therein fixed,<sup>1</sup> and for providing them in certain cases with coolies and torch-bearers either for payment or gratuitously in different parts of the country.<sup>2</sup>

By a Proclamation of the Governor dated Kandy 21st November 1818, and applicable to the Kandyan provinces all persons were declared liable to service for Government on the requisition of the Board of Commissioners and the Agents of Government according to their former customs and families or tenure of their lands on payment being made for their labor. The holding of lands duty free was considered as payment to persons employed in certain Departments, and the duty of making and repairing Roads and Bridges in each district was declared to be a gratuitous service imposed on its inhabitants.

By a regulation of 1829<sup>3</sup> laborers who are employed in the cultivation of Coffee, Cotton, Sugar, Indigo, Opium and Silk or in the manufacture by the produce thereof are exempt from liability to public service, but this regulation has not been applied to the Kandyan provinces.

Under the operation of these various regulations a discretionary power has been exercised by the Governor and by inferior officers in calling out the Native Inhabitants to labor of which no regular accounts have been kept. The most severe labor which the people have been called on to perform since the termination of the Kandyan War has been in opening and making roads and in felling and dragging timber for bridges and public buildings, this labor having fallen with great severity on the Inhabitants of a province (the four Korles) which, I have before mentioned, adhered to the British Government during the Rebellion.<sup>4</sup>

In order to ascertain the nature and extent of these works the Collectors and Authorities in the provinces were required to furnish us with returns of the number of laborers who had been called out in the last ten years for various public works, and the number that would be

1. Govt., Advts. 2nd March, 1814; 19th Nov., 1828.

2. Govt. Advts. 4th March, 1820; 19th December, 1823 and Minutes of the Governor. 16th Nov., 1825, 20th Oct., 1829.

3. Reg: of Govt. No. 4 of 1829 (Sept., 21st).

4. Proc. 21st Nov., 1818, Clause 19.

required to complete the roads which had been projected and were only partially executed. No complete returns could be rendered of the past services of the people, and no correct estimates could be given of the future labor required, but from the returns and statements furnished by the Collector of Colombo the number annually called out in his district from 1820 to 1830 for Government labor have averaged 93,525 laborers or about 300 a day, and to complete the several roads and bridges in that district alone, 222,799 laborers would be required for one day;<sup>1</sup> the payment of these laborers at six pence a day would amount to £5569-19-6. This is exclusive of the town of Colombo where a fund has been raised for repairing roads.

The Governor who is restricted by his instructions to the disbursement of £200 sterling without the sanction of His Majesty's Government has thus a power of applying the labor of the people to an indefinite extent and either to fix the rate of their wages, to remit their taxes as a remuneration, or to compel them to labor gratuitously without rendering any regular account, and their labor has been thus irregularly enforced from year to year since the establishment of the British Government.

The principal carriage roads in the Kandyan provinces have been undertaken by the verbal directions of and in personal communication with the Commander of the Forces,<sup>2</sup> whose views were not necessarily communicated to the officer employed.

Admitting the utility of these undertakings as well for the defence of the country as for improving the commercial intercourse with the interior, the irregular mode in which they have been executed is open to the greatest objections.

Having already in my general Report recommended the adoption of measures for abolishing the forced services throughout the Island, I will only add that any delay in their application might tend to weaken the confidence of the people in the protection of the King's Government, and thereby to hazard the tranquillity of the country.

The people of the Maritime provinces who have been long subject to an European Government may generally be less disposed to resist its authority even when oppressively exerted, and the Kandyan chiefs and people may be deterred from any formidable confederacy by a

1. About 900 labourers a day for eight months.

2. Letter of Sir Edward Barnes, 7th Nov., 1830.

recollection of their sufferings during the last rebellion. Partial insurrections have however occurred, but as the people have appealed to the justice of His Majesty's Government, these it may be hoped will not be renewed.

I have the honour to be

My Lord,

Your Lordship's most obedient humble servant,

WM. M. G. COLEBROOKE.

ENCLOSURE

1007 Eastern Inquiry Commissioners (Ceylon)

Evidence  
of Rajapakse

Head Modeliar of the Cinnamon Department.

Referred to in Lieut.-Col. Colebrooke's Report on Compulsory Service, dated 16th March 1832.

Examination by the Commission of Inquiry.

Colombo, 24 June, 1930.

Rajapakse,

Head Modeliar, Cinnamon Department, examined.

States that the Panawedakarias, the Lascoryns, the Coolies, and Cinnamon peelers are the four classes or divisions of the caste of Chalias according to ancient usage, and from the two first the Headmen are chosen

The Chalia districts or those in which these classes reside between Chilaw and Tangalle are divided into six, *viz.* Welisera—Mutwal—Calooa-Modera—Well Totte—Dadalle—Roone.

The duties of the Modeliar in Colombo are to convey the orders of the Superintendent to the headmen in the districts, but the Superintendent sometimes communicates his orders to them directly.

It is also his duty to pay the people collected from the different districts and employed in the Cinnamon Plantations also in superintending and directing the labor of the people. The Registers are kept in the Superintendent's Office and the people are called out from the age of 16 till they are unable to work any longer. The headmen of the districts are ordered to send a certain number according to the demand of the Superintendent, 750 Lascoryns are now required from the several districts and changed monthly; their service is one month in each quarter,

and they are only employed in clearing and cultivating the Gardens. The coolies were formerly required to carry palanquins and baggage within the Department but latterly they have also been employed as laborers. The peelers are called out annually on the 1st of May, at which date they must be assembled in Colombo either for service in the Gardens or in the woods, and they are kept employed till the quantity of Cinnamon which the Government requires has been collected. The period varies from three to nine months. If employed in the Gardens the work is finished in three or four months, but if in the jungles from seven to nine months; formerly the Gardens were cut every two years but since 1828 the peelers have cut for two months in the Gardens, and have made up the supply by cutting in the woods—they have been required to collect more cinnamon in late years than formerly, in the present year 500,000 lbs. The number of peelers have amounted in the present year to upwards of 2300 but in years when the work is confined to the Gardens more than 2600 can be employed including old men and boys who are able to go into the jungles.

The whole of the people when not employed in the Cinnamon Department follow other occupations. They must attend at Colombo when called on, but may afterwards find substitutes and are then permitted to return to their homes.

There are persons of all the other Castes (Vellales and others) included in the Mahabadde and who are registered in the Cinnamon Department: the ancestors of these persons were induced to join the Department as it is believed from the privileges and exemptions from duties and taxes enjoyed by the Chalias under the Dutch Government. Those who came from other castes joined the class of laborers. The wages have been increased under the British Government but the privileges and exemptions the Chalias enjoyed have been taken away and they are now liable to some Government services of other kinds in common with other castes. Vellales and other castes accordingly try to separate themselves from the Chalias but are not allowed. The public works performed by the Chalias is heavier than that required from people of other castes. In their own Department besides the duties of cultivating the plantations the laborers are liable to all work that the Superintendent may call on them to perform, such as cutting and dragging timber for general purposes of the Government, and out of the Department they are employed under the Collectors in making and repairing roads in their Districts. This duty also falls upon the Peelers.



The remuneration of Government in the Cinnamon Department is not sufficient to induce the Chalias voluntarily to work. It sometimes happens that those employed in the jungles to collect Cinnamon, hire the Corle people to assist them or to collect for them, and to carry their loads and they pay these people more for their work than they receive from the Government themselves, for the Cinnamon they deliver. When employed in the plantations their women and children assist them.

In the Dutch time certain stations on the river were fixed where the Chalias delivered the Cinnamon and the Collectors sent coolies to receive and convey by Boat to the Stores at Negombo, Colombo, Caltura, Bentotte, Galle and Matura. At present the Chalias are required to deliver the Cinnamon they collect wherever the Superintendent may appoint, and it is conveyed either by Boats or by Carts, at the expense of the Government.

The headmen of different castes throughout the country were encouraged by grants of land to plant one third in Cinnamon for the Dutch Government and they employed the people of the districts generally.

The Superintendent and two of his Assistants are Justices of the Peace for the Mahabadda Department and are authorised to punish any misconduct or refusal to work.

The last Superintendent (Mr. Maitland) was also a Magistrate, but as some former Superintendents were not, and as they also punished, the Modeliar infers that they possessed the authority to inflict punishment as directors of public works. The Chalias may be either fined or flogged. They are fined for assaults and for destroying Cinnamon trees and they are flogged for neglect of work, the number of lashes varies from 12 to 50.

The people are employed in the jungles during this season and from the unhealthiness prevailing I have understood that about 250 have been discharged having contracted fevers. The native doctors go into the woods with them.

In the Dutch time the Gardens which headmen planted on the third of the lands granted to them were delivered over to the Cinnamon Department but when other people planted their own lands, the Chalias collected the Cinnamon paying the proprietors a certain rate according to the weight.

(W. M. G. COLEBROOKE.)

Schedule of the Laws Relating to Compulsory Service  
in Ceylon from 1800 to 1830.

YEAR	DATE	FORM OF REGULATION	SUBJECT
1800	May 3	Proclamation	Exempts persons holding lands by tenure of service and who pay to Government 1/10 of the produce from all obligation to serve except on receiving payment for their labour.
1801	Sept. 3	Proclamation	Abolishes tenure by service and declares all persons of whatever caste or condition liable to serve the Government but only according to their respective castes and on the receipt of adequate pay for such services.
1802	April 28	Government Advertisement	Authorizing superintendents of public works to inflict punishment not exceeding 25 strokes with a Rattan upon coolies and other persons employed in the service of Government.
1802	Oct. 2	Proclamation	Exempts Moormen and Chetties from personal service on paying Ouliam duty.
1808	April 11	Circular letter from the Com- missioner of Revenue to Collectors	Announcing that the Bridges and High roads are henceforward to be kept in repair by the inhabitants and directing provision to be made against headmen making any unfair use of their authority by an unequal distribution of the labour.
1809	Oct. 12	Regulation of Government No. 8 of 1809	Declares that all <i>Service Parveny Lands</i> are held immediately under Government—that <i>male</i> heirs only can succeed to them—and that such lands are unalienable.

YEAR	DATE	FORM OF REGULATION	SUBJECT
1813	Sept. 18	Circular letter from the Commissioner of Revenue to the Collectors	Declares that " <i>labour is to find its own level</i> " and that no alteration is to be made in the present rates of labour paid by Government.
1814	March 2	Government Advertisement	Provides for the supply of provisions to Travellers—and for that of Chules and Chule-bearers.
1816	July 26	Circular letter from Deputy Secretary to Fiscals	Declares that the Government Advertisement of 28 April 1802 is equally applicable to convicts as to any other persons employed on the public works.
1816	Dec. 18	Minute of Government	Declares that headmen are not in general authorized under the Government Advertisement of 1802 to inflict corporal punishment,
1818	May 7	Regulation of Government No. 5 of 1818	Declares the legality of pressing for the service of Government persons bound to such service by caste, tenure of land or custom, and of the mode of enforcing the same as heretofore practised.
1818	Nov. 21	Proclamation: clause 30	Enacts that all persons in the Kandyan Provinces are liable to serve according to their former customs, families, or tenures of lands, on receiving payment—and to work gratuitously on the repair of roads and bridges.
1820	March 4	Government Advertisement	Directs in what manner coolies are to be procured at Colombo for the service of " <i>Gentlemen and others requiring them.</i> "

YEAR	DATE	FORM OF REGULATION	SUBJECT
1821	July 7	Special letter from the Secretary, Kandyan Provinces to the Board of Commissioners	Prohibits the calling out of the inhabitants for labour without the previous sanction of the Governor.
1822	April 15	Regulation of Government No. 9 of 1822	Regulates the registry of marriages and births of natives.
1823	Dec. 19	Government Advertisement	Fixing the rates of Cooly hire from Colombo to Kandy and Trincomalee.
1824	Jan. 7	Government Advertisement	Declaring that Chalias are not exempted from the service of Government by being engaged in private service.
1824	Aug. 23	Minute of Government	Directs that Collectors are not to call out the inhabitants for gratuitous services on roads and bridges without previously submitting an estimate of the number he requires and obtaining the Governor's sanction thereto.
1825	May 3	Regulation of Government No. 4 of 1825	Provides by clause 4 that any person liable to the commutation tax of 1s. 6d. per annum who shall not have paid it may be called on to work gratuitously for Government for 14 days.
1825	Nov. 25	Regulation of Government No. 10 of 1825	Renders the foregoing law permanent.
1825	Nov. 16	Minute of Government	Fixes the daily rate of pay for coolies and labourers employed on the public works.
1826	Feb. 3	Minute of Government	Directs that Collectors are to furnish Lascoryns and Musicians for the Supreme Court on its circuit through the Island.

YEAR	DATE	FORM OF REGULATION	SUBJECT
1826	May 22	Government Advertisement	Fixes the rate of cooly hire in the Kandyan Provinces.
1827	May 1	Regulation of Government No. 3 of 1827	Provides the punishment of transportation etc. for persons convicted of the offence of enticing Chalias away from Ceylon, " <i>all such Chalias being bound by their Casté to serve His Majesty in the cultivation and preparation of cinnamon</i> ".
1828	Nov. 19	Government Advertisement	Fixes the price of provisions etc. to be furnished to travellers by the Rest House Keepers.
1829	Sept. 21	Regulation of Government No. 4 of 1829 clause 4	Exempts labourers who are employed in any plantation of Coffee, Cotton, Sugar, Indigo, Opium or Salt from being called out for the public service.
1829	Oct. 20	Minute of Government	Fixes the rate of pay for labourers or coolies in the Kandyan Provinces employed in the service of Government at 3 <i>d.</i> per day or 1½ <i>d.</i> per day with a seer of rice at the option of Government.
1830	June 8	Regulation of Government No. 5 of 1830	Abolishes the obligation of personal service and of payment of Ouliam duty to which the Moormen and Chetties were liable, but declares that they are still liable to be called out by Government for services not inconsistent with their castes upon being paid for the same and are also liable in common with the other inhabitants of Ceylon to keep the public roads and bridges in repair.

# Dravidian Origin of the Sinhalese word goṇā.

BY

REV. S. GNANA PRAKASAR, O.M.I.

THE Sinhalese *goṇā*, ox, is generally derived from the Pali *gōṇa* and certainly both the forms are connected. The Sanskrit *gōṇa* is rightly said to be from the Pali. (vide The Pali Text Society's Pali Dictionary.) How is the Pali *gōṇa* derived? There are, again, the Vedic *gō*, Old high German *chuo*, modern Ger. *Kuh*, Anglo Saxon *cū*, Eng. *cow* with which philologists equate the Latin *bos* and the Greek *bous*. All these forms mean either ox or cow and are evidently mutually related. Can the Pali form *gōṇa* have come from the Vedic *gō*? This is not likely, as there is the additional syllable *ṇa* to be accounted for. Again, what is the origin of the Vedic *gō* itself?

In ancient Tamil, the ox or cow was known as *kuḍam* and one of its dialects, Kui, still uses the modified form *kōḍi* to signify ox or cow. The Tamil *kuḍam* is regularly derived from the secondary root *kuḍ* 'bent' plus the suffix *am* which is a transformation of *atu*. This *atu* is a suffix which answers the same purpose as the definite article 'the' prefixed to words in English. The whole form *kuḍam* means 'that which is bent' and designated, in the present case a horn, and by extension of meaning a horned animal. The same word also designated other 'bent' or 'curved' things such as a water-pot, the hub of a wheel, ball, a kind of dance moving in circles, etc.—a reason perhaps why the original signification of 'horned animal' was not continued to be attached to the word in later times. The dialect, however, has retained the word in a modified form, and it is noteworthy that Malayalam, another Dravidian dialect, has yet another form, *kombi* or *kombichi* to denote the cow. The Malayalam form means 'horned animal.' The Kui *kōḍi* means the same, the latter being divided thus:

*kōḍu* = 'horn,' and *i* = 'what has.' So also the former word is split up into *kombu* = 'horn' and *i* = 'what has' or *ichi* = 'she who has.' The three forms *kuḍam*, *kōḍi*, and *kombi* are thus seen to be similar in origin. All three forms come from the same primary root *ul-al* to 'go round' or 'bend.' *Ul-al* becomes *kul-al* by a well-ascertained law in Dravidian etymology, that of Initial Intensive Consonants. This law means that, by prefixing a consonant to a primary word, a secondary word is formed with emphasised or more intensive meaning. Thus *ul-al* is 'to go round or move inwards' and *kul-al* is 'to be bent.' Here *al* is a suffix whereas the actual root is *kul* which, is changed into *kuḍ* in certain cases. We may also dissect the primary root *ul-al* into its root portion and its suffix. The root portion *ul* means inside, composed as it is of the deictic *u* meaning 'far away' or 'hidden from view' and *l* the formative, which restricts and fixes the meaning of the root. The root *ul-al*, then, gives us the secondary *kul-al* which, in turn, furnishes us with the forms *kuḍ*, *koḍ* and *komb*. From these we get the words *kuḍ-am*, *kōḍ-i*, and *komb-i* respectively. All the three forms refer to an animal with 'a bent thing'—a horn—and designated, by exclusive usage, the ox or cow.

In Sumerian there is a parallel to the Dravidian word-builders having named the ox or cow from its prominent horns. In that ancient language too, the name for an ox is *gud* or *gut*. This is abbreviated as *gu* also. (see J. D. Prince's *Materials of a Sumerian Lexicon*, s. v.) Now, the Sumerian picture-writing for the word *gud* is no other than the horned head of an ox. (G. A. Barton, *The Origin and Devil. of Babyl. Writing*, No. 259). It is through their outstanding qualities that all objects were named, in the early stages of language. In our imperfect knowledge of the now lost Sumerian language, we are unable to say how *gud* came to mean horns, but Dravidian furnishes us with the key to the riddle. Horn was named from its being bent, and the animal, whose outstanding feature was its protruding horns, was naturally known by that name.

It seems very likely that the Indo-European forms *gō*, *chuo*, *cū*, etc. were derived from the Sumerian *gu*, but the Pali *gōṇa* is to be traced back to the Dravidian *kuḍam* or *kōḍi*, the cerebral *ḍ* having been transformed into *ṇ* of the same class. The Sinhalese *gonā* may have come through the Pali, but there is nothing to prevent us from supposing that this is one of the many hundreds of Dravidian words which the former has retained from its dialectical days down to the present.

# Kandyan State Trial

EDITED BY  
FATHER S. G. PERERA, S.J.

*(Continued from p. 429)*

Gentlemen,—The heart sickens at the bare idea of the misery, devastation, and bloodshed, into which a few disaffected individuals may, if they be so disposed, plunge a whole community.

And what, Gentlemen,—to come more directly to the case before us,—what were the mighty causes of discontent and irritation which goaded the Prisoners into the tremendous crime—if guilty they are—of attempting to involve their country in all the horrors of rebellion? Was it on account of grinding taxation, intolerable tyranny, or merciless spoliation,—from irrepressible feelings of patriotism—“for the comfortless troubles’ sake of the needy and the deep sighing of the poor”—that they were resolved to shake off the yoke of the British Government?—Nothing of the kind. The only alleged causes of discontent which have come out in evidence, are of a purely selfish description, paltry, affecting only the privileged Chiefs and Superior Priests—opposed to the interests of the people, and leading certainly to the conclusion that the conspiracy (if it shall be found to have existed) was directly primarily indeed against the supremacy of the British Government, but secondarily and principally, against the new-born liberties of their Country.

These alleged grievances—or to speak more properly, these pleas for the continuance of privileged oppression—are threefold, and I cannot more conveniently dispose of them than in this place. The first is the abolition of compulsory labour and the apprehended ultimate extinction of slavery in the Kandyan Provinces. It is almost needless to say that the first of these measures was conceived by His Majesty’s Government in the noblest, most benevolent, and most enlightened spirit—was an inestimable boon to the great mass of the people, and has already been productive of the happiest effects. Nor can you have forgotten that compensation was made to those Chiefs who at first suffered from the change, and that their acquiescence in the measure



was publicly and gratefully expressed to His Excellency the Governor, through the mouth of the 2nd Prisoner at the Bar. With regard to the apprehended abolition of slavery in the Kandyan Provinces, it is a question the final settlement of which must mainly depend upon the disposition of the Kandyan Chiefs themselves—and let us hope that they will at no distant period be prepared to follow the noble example set them by their brethren of the Maritime provinces.

As to the second alleged grievance, our pretended interference in their Religion, never was a more extravagant complaint put forth. We refuse any longer to be parties to the monstrous absurdity of compelling the attendance of the people at the religious festivals, and this by a strange perversion of language, is called interference!

The last grievance on the list—the structure of the Jury Box—I am almost ashamed to mention. There is, Gentlemen, a period at which concession becomes weakness and folly; there is a limit beyond which prejudice is not to be endured; there is a point at which absurdity becomes intolerable, and when a due regard to the comfort and convenience of the Public at large requires that idle and ridiculous forms should be set at nought.

The question with regard to chairs or benches was duly considered by the Government and by this Court, after full consultation with those who were best informed upon the subject of native habits and prejudices, and was finally decided—and that even the highest Chiefs should any longer complain of degradation in being placed upon the same benches which English gentlemen of the first respectability are not ashamed to occupy, is beyond endurance.

Gentlemen,—having disposed of these preliminary matters, I now proceed to the case before us.

The Prisoners at the Bar are charged with High Treason in various forms, which may be reduced in substance to three kinds:

1st. Compassing the death of the King—

2nd. Conspiring to levy war against him in this part of his dominions—

3rd. Conspiring to depose him from his royal style and kingly name in this his Isle of Ceylon and to subvert his Government therein; and 11 distinct overt acts are stated as evidence of the Prisoners' intentions to commit these several species of treason. The indictment is framed on the Stat. 36 Geo. 3. c. 7 which enacts as follows: "If

any person after the passing of this act, during the natural life of the King and until the end of the next session of Parliament after a demise of the Crown, shall, within the realm or without, compass, imagine, invent, devise, or intend death or destruction, or any bodily harm leading to death or destruction, maim or wounding, imprisonment or restraint of the person of the King, his heirs or successors, or to deprive or to depose him or them from the style, honour, or kingly name of the imperial crown of this realm or of any other of His Majesty's dominions or countries, or to levy war against His Majesty, his heir or successors within this realm, in order by force or constraint to compel him or them to change his or their measures, or counsels, or in order to put any force or constraint upon or to intimidate or overawe both or either houses of Parliament, or to move or stir any foreigner or stranger with force to invade this realm, or any other of his Majesty's dominions or countries under the obeisance of His Majesty, his heirs and successors, and such compassings, imaginations, inventions, devices, or intentions, or any of them shall express, utter, or declare, by publishing any printing or writing, or by any overt acts or deeds, being legally convicted thereof by the oaths of two lawful and credible witnesses upon trial, or otherwise convicted or attained by due course of law, then every such offender shall be deemed, declared, and adjudged to be a traitor." The substance of the overt acts is the conspiring together, meeting and consulting "as to the means of carrying these treasonable intentions into effect—viz., by setting up some Pretender or Native Prince as King of Kandy—by inviting foreign aid—by raising money and other valuables to pay their expenses—by procuring information as to the forms used in the inauguration of a King of Kandy—by endeavouring to seduce the King's subjects and soldiers from their allegiance—by calling public meetings or *Pincomas* for the purpose of making inflammatory speeches to the people—by administering oaths of secrecy—by getting possession of the Tooth of Budhu through stratagem—and by seizing on the Forts of Matele, Kandy, etc.

Compassing the death of the King, who is never perhaps likely to set his foot in Ceylon, may seem to be a strange charge against any person in this Island. I will endeavour to explain it. By our ancient laws any person who compassed or imagined, that is, intended, to take away the life even of a private individual and manifested that intention by an open act, was guilty of a crime little short of murder itself. Thus

if a man threatened to kill another and ran after him with a drawn sword but was prevented by others from the full commission of his purpose, he was nevertheless guilty of compassing the death of his intended victim. •The rule was *voluntas pro facto* (the will for the deed). “This rule,” says Sir Michael Foster ‘hath been long laid aside as too rigorous in the case of common persons—but in the case of the King, Queen and Prince, the statute of treasons hath retained it in its full extent and vigour”—and the propriety of the law as well as the nature of the crime are strikingly illustrated by the same excellent writer in the first chapter of his discourse on high treason, Sections 2, 3, and 4, as follows: “I have said, that in the case of the King the statute of treasons hath, with great propriety, retained the rule *voluntas pro facto*. The principle upon which this is founded is too obvious to need much enlargement. The King is considered as the head of the body politic, and the members of that body are considered as united and kept together by a politic union with him and with each other. His life cannot, in the ordinary course of things, be taken away by treasonable practices, without involving a whole nation in blood and confusion; consequently every stroke levelled at this person is, in the ordinary course of things, levelled at the public tranquillity. The law therefore tendereth the safety of the King with an anxious concern, and if I may use the expression, with a concern bordering upon jealousy. It considereth the wicked imaginations of the heart in the same decree of guilt as if carried into actual execution, from the moment measures appear to have been taken to render them effectual and therefore if conspirators meet and consult how to kill the King, though they do not then fall upon any scheme for that purpose, this is an overt act of compassing his death; and so are all means made use of, be it advice, persuasion, or command, to incite or encourage others to commit the act, or to join in the attempt; and every person who but assenteth to any overtures for that purpose will be involved in the same guilt.

“The care the law hath taken for the personal safety of the King is not confined to actions or attempts of the more flagitious kind, to assassination for poison, or other attempts directly and immediately aiming at his life. It is extended to everything wilfully and deliberately done or attempted, whereby his life may be endangered: and therefore the entering into measures for deposing or imprisoning him, or to get his person into the power of the conspirators, these offences

are overt acts of treason within this branch of the statute; for experience hath shewn that between the prisons and graves of Princes the distance is very small.

“Offences which are not so personal as those already mentioned, have been with great propriety brought within the same rules, as having a tendency, though not so immediate, to the same fatal end; and therefore the entering into measures in concert with foreigners, and others in order to an invasion of the kingdom, or going into a foreign country, or even purposing to go thither to that end and taking any steps in order thereto, these offences are overt acts of compassing the King’s death.” Now it has again and again been decided that a conspiracy to rise in rebellious war against the King’s Government is an overt act of compassing the King’s death, and for this plain reason, that the King is bound by his coronation oath to resist all such attempts by force of arms, which of course has a tendency, direct or remote, according to circumstances (and in the present case certainly remote) to place his life in danger. But it is needless to dwell upon this, for the Prisoners are charged with a distinct species of treason, plain and palpable whether it affects the King’s life or not—I mean the compassing to depose him from his royal style and kingly name in this part of his dominions, and of this species of treason, the meeting and conspiring of persons together to devise means for carrying it into effect is a distinct overt act and this is in fact the gravamen of the charge against the Prisoners. Almost the whole evidence tends to the establishment of this charge, and our business is now to enquire whether it has or has not been sufficiently and amply substantiated.

But first let me advert to the arguments urged by the Prisoners’ Counsel: it has been contended that the libel does not set out one single overt act properly so called; that the whole is a tissue of alleged intentions and the Prisoners’ Counsel asks: “Is there no *locus poenitentiae*?” Undoubtedly—so long as a man confines his wicked thoughts and intentions within his own bosom, there is “*locus poenitentiae*”—Our great Poet tells us that

.....“Evil into the mind of God or man  
May come and go, so unapproved, and leave  
No spot or blame behind—”

But when a man reveals his evil purposes to others, and goes from place to place consulting and conspiring with them as to the best mode of carrying those purposes into effect, the case is entirely altered; what

was before comparatively innocent becomes desperate guilt,—the *locus poenitentiae* is left behind: the crime is consummated: and the man is to all intents and purposes (if his designs are directed against the Government) a traitor; and thus are the Prisoners charged in the libel.

Again; it is urged that all the evidence tends to prove mere conversations, and that words are not acts. Loose words directed to no definite purposes are not acts, but words of persuasion or consultation how to effect a treasonable purpose, must be viewed in a very different light; the question is an old one; and much has been said and written on the subject; the law is well summed up in Hume's Commentaries on the Criminal Law of Scotland, where the law of treason is the same as in England—"with respect to words uttered and spoken," says he,—“the general rule, laid down by all authorities (excepting Hawkins, who speaks more doubtfully,) seems to be this; that be they ever so wicked and abominable, they do not at common law, nor under the statute of Edward, amount to treason, but to a high misdemeanour only, so they be mere loose words, not relative to any act or design; such as expressions of hatred to the King, prayers and wishes for his death, curses or invectives against him, or even threats and denunciations of mischief; and certainly there is great reason for distinguishing in the matter of treason, between spoken words and written, because the former are often no deeper than the lips, and rather argue heat of temper than malice of heart; and besides, they are so liable to be mistaken, misconstrued, perverted, or imperfectly remembered by the hearers; whereas a writing is a deliberate and an advised act, and always testifies for itself what it is, and was meant by the writer to be.

“Nevertheless, to be just or reasonable, this rule must be understood with certain qualifications and limitations, for we should form a very false notion of the law, if we imagined that words are utterly indifferent in this matter, and cannot in any circumstances amount to treason. All consultation and debate, though purely verbal, how to kill the King, or towards levying of war to imprison or depose him, is an undoubted overt act of compassing his death; because the words in such a case are not the evidence only of the traitorous purpose, but an act in prosecution of it, and the one which tends to advance the project.”

Another point urged is the suspicious nature of the evidence, the witnesses being almost wholly accomplices. On this subject I cannot do better than cite the remarks of that truly great man, Lord Ellenborough, on the trial of Col. Despard for High Treason—"That an accomplice," says he, "is a competent witness, upon whose testimony you may found a conclusion, cannot be doubted; if it were not so, it would be a dereliction of duty in the Judges sitting here and those who have formerly sat in courts of Justice, not to have repelled witnesses from the oath, and have told the Jury, that they were not fit to be credited but they are always received, and although sullied with the contamination of the crime which they impute to others, they are credible, though their testimony must be received with caution. They may be confirmed by various circumstances, by the clearness of their narration or by the narration of others. They may be confirmed by the coincidence of external circumstances, and broken in upon by no one fact of adverse circumstances. In the case before us, when so many scenes are laid, all of which, if untrue, may be falsified, and it is falsified in no one instance, if a person so fortified is not to be believed, it would form a case by which conspiracies would always be protected, because conspiracies can never be known but through some who were participators in the crime."

Another argument strongly pressed upon the Jury by the Prisoners' Counsel was the improbability that persons high in office and so well informed as the Prisoners' could never seriously entertain the idea of subverting the British Government; and certainly, at the first blush, it does seem strange that persons so well acquainted as they must have been with the overwhelming power of the British Government, and the comparative ease with which the former rebellion was put down, should ever have seriously contemplated success in such a scheme. This argument was anticipated and well answered by the King's Advocate in his opening speech. "The Prisoners," said he, "must have reasoned thus—Our power is diminishing day by day, and the inferior classes are advancing upon us. Now it is time to strike the blow or never." But the argument may be answered more comprehensively—Are men, it may be asked, writhing under oppression, fancied or real, groaning under grievances, actual or imaginary, ever likely to reason coolly and soundly on any subject? much more, when they bid adieu to their better reason, by embarking in a crusade against the laws? The great protection of innocence is the folly of

crime; if wicked men are always wise and prudent men (though in truth the supposition in terms refutes itself) there would be no living in the world. Besides, I ask, is it less improbable that nearly thirty witnesses sworn and examined on the part of the Crown, should all be perjured and without any apparent adequate object? For what interest can so many witnesses have in bringing about the destruction of the Prisoners at the Bar?

Again, it is urged that nothing but a few conversations are proved. Aye, Gentlemen—but what conversations they are! How pregnant with matter! The surprising part, Gentlemen, in a case of this kind, where plots have been carried in secret—where secrecy became of necessity indispensable until the plot was ripe—the surprising part, I say, is that we should have learned anything of the conspiracy and rebellion that were hatching in the dark, rather than that we should know so little. Who can tell how far the poison may have spread? To infer that because only a part has been brought to light there was no more to be disclosed, appears to me a most frivolous kind of reasoning in such a case as this. Here allow me to quote the observations of the Attorney General in the case of the Cato-Street conspiracy, which is one strictly in point—

“Gentlemen—It is not your duty to consider whether the schemes in question were wild and visionary, but whether they had for their object an illegal or wicked purpose; and if illegal, and that towards the execution of their plans they took but one step, they have then done that which renders them amenable to the offended laws of their country. But you will also be told that accomplices are not to be believed on their oath in a Court of justice. But it is not the law of England alone, that receives the evidence of an accomplice. It is the law of reason also, and has been the law of all ages and nations. You should weigh his story well, and see whether it be confirmed by the more indifferent witnesses—not confirmed in every part for then his evidence would not be required at all—but in certain collateral parts which may be found to correspond with the other testimony. If therefore, Gentlemen, an accomplice is produced before you, and you believe a part of what he relates, you are bound in a great measure to believe that the whole of what he tells you is true. No man or set of men, who had ever conceived such plans as I have laid before you, could have so conceived them without an intention of pursuing them. The plans of these men, at least for some time could be known only to

themselves and to their God. The more heinous the crime, the more studious of secrecy will the criminals always be; and if you establish the principle that guilt is not to be exposed, and punished by the evidence of those who participated in it, you will spread an immunity over crimes, secure and inviolable, in proportion to the enormity of their wickedness."

The Prisoners' Counsel had asked—"Why such an array of witnesses on the part of the Crown to prove so little?" Does not this observation recoil with tenfold weight upon the Prisoners themselves—out of 339 witnesses only 17 are called! but this is a point for you to consider. Again, it was distinctly held out by the Prisoners' Counsel, that offers of reward to the witnesses for the prosecution would be distinctly proved—You will judge how far this pledge has been made good.

I now come, Gentlemen, to the evidence for the prosecution, and begin with the statements made by some of the Prisoners. But first let me advert to some remarks of the Prisoners' Counsel in commenting on these documents. I admire the zeal and the talent of that gentleman in the discharge of his duty, and have never been backward in acknowledging them. But I must say that he displayed neither good taste nor good feeling—but rather the spirit of a musty special pleader, a "*cantor formularum auceps syllabarum*," when he seized with so much triumph upon a trifling technical inaccuracy into which any unprofessional man might have fallen, and magnified it into an ignorance of the English language—a singular charge certainly to bring against Mr. Turnour of all men.

But I am sorry to say that this was not all, for it was pretty broadly insinuated that arresting and confining for so long a period before trial the Prisoners at the Bar (who by the way have little more to complain of in that respect than hundreds of others arrested and confined in the ordinary course of criminal justice) I say it was pretty broadly insinuated that Mr. Turnour was actuated by personal feelings, than which certainly never was charge more unfounded and unjust. Happily for that Gentleman his character for integrity, zeal and ability in the discharge of all his duties, whether private or official, stands far too high to be hurt by any such attacks. The objections were raised by Mr. Staples against the admissibility of these documents. In the first place, said he, they are in many parts in the 3rd person instead of the 1st, whereas the exact words of the Prisoners should be



given. Now it is obvious that in a translation this cannot be done. The sense and meaning only can be transferred into another language, and that sense and meaning are equally well expressed perhaps in the 3rd person as in the 1st; our interpreters in Court here repeatedly fall into that mode of interpretation, though it certainly requires more nicety and care to prevent a confusion of different persons, but when the identity of the person represented to be speaking is clear, one mode is quite as intelligible and accurate as the other.

The other objection is that in truth these statements are not confessions at all. And for the most part I agree with Mr. Staples. But to quote the words of Mr. Baron Shepherd on a similar paper being offered in evidence: "We are not discussing whether it is evidence of a confession, but whether being receivable in evidence, it may more or less corroborate the evidence that has already been given." These statements having been clearly proved to have been voluntary, are certainly admissible in evidence, and it is principally as tending to corroborate the *viva voce* evidence of the witnesses examined in Court that these documents are of such importance.

His Lordship here read over to the Jury the statements made by the 1st, 3rd and 4th Prisoners before the Council, and the evidence of the Colonial Secretary and the Hon'ble George Turnour, Esq., as to the circumstances under which those statements had been made, from which it appeared that they were perfectly voluntary, and of course receivable in evidence, not indeed as confessions but as statements strongly corroborative of the testimony given by many of the witnesses; they betrayed also in one or two remarkable instances a palpable departure from the truth, which it would be for the Jury to reconcile, if they could, with the general conduct of men conscious of their innocence.

The Judge then proceeded to read over the whole of the evidence, observing that, extended as it was, he knew not well how to select, where all appeared to be so important—pointing out as he proceeded, how far the testimony of each witness affected the Prisoners singly or collectively—remarking from time to time on the demeanour of the more important witnesses as it appeared on the trial—their characters as impugned or supported by evidence on the one side or the other, and directing the attention of the Jury to such contradictions or inconsistencies as merited observation. His Lordship could not forbear from dwelling with merited execration upon the diabolical plot

for the destruction by poison of the Governor and as many of the Heads of Departments, Civil and Military, as could be called together at an entertainment to be given by the Kandyan Chiefs for the purpose—a plot only conceivable by savages; and the more detestable as founded (according to the evidence) on the very hospitality which should have disarmed all hostile feeling. The evidence on behalf of the Prisoners was in like manner read over and commented by the Judge—Christoffel De Saram Modliar had spoken to previous peaceable and loyal character of the 1st and 2nd Prisoners, which was also evidenced by numerous testimonials produced by the Prisoners themselves and placed in the hands of the Jury—but against these were to be placed the undoubted fact of the 1st and 2nd Prisoners' recent extreme dissatisfaction and mortification at the late measures adopted by the Government, and the treasonable practices alleged against them by the concurring testimony of so many witnesses.

The Governor's Aide-de-Camp, Captain Stannus, had spoken on the calmness of the 2nd Prisoner on his arrest and the absence of anything suspicious in his appearance or in his house. The Jury would attach such weight to these circumstances as they deserved. But they appeared to the Judge to be of very trifling importance; since it was to be expected that a man who had treasonable designs in view would be particularly careful to preserve an unsuspecting exterior. The Judge observed that the principal witnesses who were called to disprove the story of the treasonable conversation held at the 2nd Adigar's house between the two first Prisoners and Welagedere Korale, (by swearing to the Korale's having left the house before the time when that conversation was alleged to have taken place) were two brothers-in-law of the 1st Prisoner and the 2nd Adigar who had been arrested on the same charge of treason—and the improbability of Welagedere having selected as the scene for such a conversation (supposing it to be fictitious) a place where a great number of people were avowedly assembled together—thus furnishing the readiest means of contradiction of his own story—was too manifest to be dwelt upon.

The several witnesses called for the purpose of throwing discredit on the character of two principal witnesses for the Crown, the Priests Mahalle and Ratnapalla, it appeared to the Judge, had lamentably failed in their object. The respectable appearance of those two Priests, and the manner in which they had given their evidence, had particularly struck him, and the character of the former, in particular, was supported by very decisive evidence given by Mr. Turnour—whilst, on the other hand,

the appearance of most of the witnesses arrayed against them was very little in their favour, and the reasons they gave for discrediting the Priests were loose, vague, and unsatisfactory.

However, it was for the Jury to decide between them—

Having finished the evidence his Lordship concluded in nearly the following terms :

Now, Gentlemen, the whole case is before you ; the evidence speaks for itself and I know not what I can say to make it clearer. Treasonable plans, treasonable conversations, treasonable meetings, on various occasions and at various places, are brought home to the Prisoners by the evidence of nearly 30 witnesses, whose testimony is on the whole remarkably consistent, and supported, on the one hand, by facts admitted (but endeavoured to be explained away, with what success it is for you to judge) by the Prisoners themselves—such as the pilgrimage to Anooradhapoorra at an unusual period of the year—the transfer of his estate by the first Prisoner to his son—the possession by the first Prisoner of certain insignia generally considered as peculiar to royalty, and which under the Kandyan Government no private individual could possess under penalty of death—and the existence of extreme disgust and mortification in the minds of all the Prisoners on account of the recent changes ; and on the other, by facts not in terms admitted by the Prisoners, but positively sworn to by many of the witnesses for the Crown, and rendered probable by the tenor of the statements made by three of the Prisoners; as already mentioned, viz. the payment of the 100 dollars to Welagedere for the purpose of raising the people, and the means taken to seduce the Malay officer. Gentlemen, in this, by far the most important case which ever came before a Jury in this Island, the eyes of the whole country are upon you—and your country will pass its verdict upon your verdict. It now remains for you to decide whether the Prisoners are guilty of the charge, and it appears to me that you must come to that conclusion, unless you are prepared to say that the numerous witnesses for the Crown are perjured without any apparently sufficient object. I have said that the crime admits of no palliation in the eye of the law, but there are those in whose hands is vested the prerogative of mercy—an intimation of the kind fell from the Deputy King's Advocate in his concluding address to the Court, and I need scarcely say, that should you feel yourselves compelled to return a verdict of guilty, any recommendation of yours which may accompany that verdict shall immediately be transmitted to

the proper quarter. Gentlemen, I have done—the Prisoners are in your hands—consider your verdict.”

The Judge commenced summing up at about half past eleven o'clock in the morning and did not conclude before five o'clock in the afternoon, when the Jury retired, and after deliberating for upwards of an hour, returned a verdict of “Not Guilty.” Silence was proclaimed and the Judge addressed the Prisoners in the following terms.

“Prisoners,—you have been acquitted by a Jury of your countrymen of the heavy charge brought against you, and most heartily and sincerely do I congratulate you on your deliverance. It is not for me to question the propriety of the verdict; the Jury have declared you not guilty, and I must not express a doubt of your innocence; but in justice to the Government I am bound to say, that this prosecution was imperatively called for, and that the circumstances of suspicion against you were amply sufficient to justify your arrest and the long imprisonment you have undergone. The anxiety which you must have suffered during that imprisonment and this painful and protracted investigation will, I trust, have left an indelible impression on your minds; and you will endeavour, I hope, by the extreme propriety and circumspection of your conduct for the rest of your lives, to evince your loyalty and attachment to the merciful Government under which you live. You are discharged.”

Supreme Court, Kandy—Thursday, 22nd January, 1835

The Deputy King's Advocate rose and stated, that in consequence of the verdict of yesterday, which could only be attributed to a belief on the part of the Jury that the witnesses for Crown were perjured, he was instructed to say that the Government would abandon the intended prosecution against the remaining State-Prisoners.

Mr. Justice Norris observed as follows: Mr. Advocate, the Government will, of course, use its own discretion—with the verdict of yesterday, which is now matter of history, we have nothing more to do. For myself, I lay no claim to infallibility; on the contrary, the great probability is that I have fallen into some of those errors of judgment, whether of omission or commission, which will cling to humanity; but I can say with a safe conscience that, to the best of my poor ability, I have done my duty. I am bound to believe that the consciences of the Jury are equally clear—but, I confess, I was surprised at the verdict.”

In the course of his charge his Lordship had remarked to the Jury as a circumstance for much congratulation, that nothing had come out in evidence to throw the slightest imputation or suspicion on the loyalty of the people at large.

*End of the Trial.*

## • Notes and Queries.

### CEYLON DOCUMENTS IN THE TORRE DO TOMBO LISBON LIVRO DAS MONCOES XIV 1620

- Dr7 About cultivating pepper in Ceylon, 26 March, 1620, f. 33
- 36 About paying Don Nuno Alvares Pereira, Captain-General of Ceylon, what is due to him. 26 March, f. 70
- 42 About the forty bahars of Cinnamon which the Chamber of the City of Colombo desires to be distributed among the poor citizens. 26 March, f. 82
- 47 About the confirmation of the rents of the village Beligao (Weligama) in the Island of Ceylon, which the Viceroy granted to Gaspar de Melloe Sampayo, Gentleman of the Household. 28 March, f. 92
- 71 About the request of Dom Jeronymo de Alquiama<sup>n</sup>,<sup>1</sup> Motiar of the Tombo of the Lands and Villages of Ceylon, for the title of Motiar of the Royal Exchequer, for the continuation of the allowance and sustenance which the Factor of Columbo had granted and that there be restored to him the portions of villages and lands that Don Nuno Alvares Pereira took from him. 24 March, f. 142
- 73 About consulting the Council of the State of India regarding the confirmation of the Captaincy and Tanadaria of the Port of Putalao and its lands in the Island of Ceylon. 24 March, f. 146

### GEORGE TURNOUR—(1799-1843).

No man has rendered greater services to the cause of Ceylon history than George Turnour, the first Ceylon-born Englishman in the Civil Service of this Island. He distinguished himself in the study of the chronicles of 'the land of his nativity' at a time when other British writers were proclaiming to the world that "the wild stories current among the natives throw no light whatever on the ancient history of the Island" and that "the earliest period at which we can look for any authentic information is the arrival of the Portuguese." Even the local Pandits of the time had but vague and hazy ideas about the origin and value and authenticity of the local chronicles. They believed that the Mahavansa was a national State record compiled at short intervals by royal authority. It was Turnour who first demonstrated to the learned world that Ceylon chronicles were "authenticated by the concurrence of every evidence that can contribute to verify the annals of any country."

At a time when there were no dictionaries, when the study of the Pali language was confined almost entirely to the Buddhist priesthood and prosecuted solely for the purpose of qualifying them for ordination when "neither the chief nor any of the priests of either of the two establishments which regulated the national religion of the Island" had ever set eyes on the *Mahawansatika* George Turnour was laboriously and diligently acquiring the rudiments of that language.

1. This document was published by Ferguson in JCBRAS XI, 118

He soon gained proficiency in Pali and began a critical study of the Mahavansa, comparing it with the other historical writings, and became eventually the first critical student of the Mahavansa, the first Englishman to study the historical records of Ceylon, the first to compile an Epitome of Ceylon History, the first to translate the Ceylon inscriptions, the first to translate into English that great chronicle of Ceylon which had not then been translated even into Sinhalese.

George was the eldest son of Lieutenant, later Captain, the Honourable George Turnour, third son of Edward Viscount Turnour, Earl of Winterton. Lieut. Turnour was an officer of the 73rd Regiment and came to Ceylon with the first English army. He was made Fort Adjutant of Jaffna in 1795. But returning to India he married at Pondicherry a French lady, Emilie de Beaussett, niece of Cardinal Duc de Beaussett. Being then transferred to the 19th Regiment he came again to Ceylon and was appointed Captain of Mannar in which capacity he was one of the three Commissioners of the pearl fishery. The pearl fishery was at the time the occasion for much robbery and embezzlement of Government funds in which even the highest officers of the Government were involved. Turnour was in consequence also charged with neglect and removed from the Captaincy. He then left the army and settled down in Jaffna, where George was born on 11th March, 1799. Turnour failed in business and was again taken on the Civil Establishment and appointed Agent of Revenue in the Wanny. He died in 1813.

Young George was sent to England in March 1811 at the beginning of his twelfth year for his education. He returned to the Island in 1820 having been nominated to the Civil Service. The early years spent in this Island enabled the young civilian to gain speedy proficiency in the vernaculars. Being of studious habits he soon took up the study of the classical language of Pali and devoted himself to the examination of the historical literature with great zest. In spite of the lack of tutors and books, he embarked unaided on the hard task of translating the Mahavansa into English. For a critical study of that chronicle he was long desirous of procuring a copy of the *tika* which was known to have existed but of which no one had ever seen a copy. At last when Turnour was stationed at Ratnapura as Agent of Government of Saffregam, the provincial chief priest of Saffregam succeeded in obtaining him a transcript of the *tika* from the temple of Mulagirigala in 1827. With this treasure Turnour went to Kandy as Revenue Commissioner of the Kandyan Provinces (1818—1832) and there became the first Government Agent of the Central Provinces (1818—1841). In Kandy he continued his chosen pursuit of studying the Mahavansa. He was soon able with the help of the *tika* to elucidate the early portions of the chronicle, to verify the date of the composition and to vindicate the historical value of the chronicle.

At this time a great stir was caused in learned Oriental circles by James Princep's discovery of the alphabet of the language of the newly discovered *Lât* inscriptions of North India. They turned out to be the edicts of a King who called himself Devanampiya Piadasi who could not be identified as no Indian writings made mention of a king of that name. Turnour promptly pointed out that the king was no other than Asoka mentioned in the Ceylon chronicles, thus clearing a difficulty which, as Princep expressed it, had "proved a stumbling block to the learned against the reception of the *Lât* inscriptions as genuine

monuments of a fixed and defined period, the most ancient yet achieved in such an unequivocal form." Turnour's name became famous in the world of oriental scholarship and the Ceylon chronicles were hailed as authoritative annals which could even be used to verify the records of other countries.

Turnour had meanwhile been preparing a translation of the Mahavansa but when it became publicly known that a translation of the Ceylon chronicles was shortly to be published in England under the direction of Sir Alexander Johnston, he laid aside his attempt and contributed to the Ceylon Almanac of 1833 "An Epitome of the History of Ceylon from Pali and Sinhalese records" to which he prefixed the first critical account of the Pali and Sinhalese chronicles. In 1834 again he published "An Epitome of Ceylon History" and "Translations of Ceylon Inscriptions". But at this time there reached Ceylon the first volume of "The Sacred and Historical Books of Ceylon," edited by G. Upham in England under the auspices of Sir Alexander Johnston. It was such an inaccurate, hasty and uncritical translation, made by incompetent Government translators, that Turnour boiled with indignation at the discredit brought on the chronicles of Ceylon. He immediately set to work and brought out, first of all, an edition of the original work in Pali. For as he explained "After the signal failure on the part of Sir A. Johnston and after the disappointment which have hitherto attended the labours of Orientalists in their researches for historical annals, comprehensive in date and consistent in chronology, I have not the hardihood to imagine, that the translation also of a Pali history, containing a detailed and chronologically continuous history of Ceylon for twenty four centuries.....would without the amplest evidence of its authenticity, receive the slightest consideration from the literary world."

'The First Twenty Chapters of the Mahavansa; and a prefatory essay on the Pali Buddhistical Literature, by the Honourable George Turnour Esqr., Ceylon Civil Service,' was printed at the Cotta Church Mission Press in 1836. It was soon followed by the "First Volume of the Mahavansa, an Historical work in the ancient Pali language, compiled by Mahanama, between A. D 459 and A. D, 478 from authorities then extant which are quoted by him.....the text printed in Roman Characters, pointed with diacritical marks, with the translation subjoined, by the Hon. George Turnour, Esqr., Ceylon Civil Service." He also contributed to the Journal of the Asiatic Society of Bengal. 'An examination of some points of Buddhist Chronology' (1836) and 'An account of the Tooth-Relic of Ceylon' (1837).

But these heavy labours told on his health. In 1841 Turnour was appointed Assistant Colonial Secretary and Treasurer, but went home to Europe on leave to recruit his health. Prolonged application to study had undermined his frame, and he died at Naples on 10 April, 1843, at the comparatively early age of 44. In announcing his death the 'Ceylon Observer' then edited by Dr. Elliot the persistent opponent of Civil Servants, said "As a man of considerable intellect Mr. Turnour's loss will be felt by the colony. He was the ornament of the Civil Service and the only member of that body who devoted his leisure hours to scientific pursuits." His name will ever be associated with the Mahavansa, as that of the first critical student, the first editor, and first translator of that Great Chronicle of Ceylon.—*Young Ceylon.*

## Notices of Books and Periodicals.

*Epigraphia Zeylanica. Being Lithic and other Inscriptions of Ceylon,*  
—EDITED AND TRANSLATED BY S. PARANAVITANA, EPIGRAPHICAL ASSISTANT  
TO THE ARCHAEOLOGICAL COMMISSIONER: VOL. III, PART 6, LONDON, 1933.

With Part 6 the *Epigraphia Zeylanica* completes its Third Volume. The first volume took seven years to complete, 1904—1912; and the second, fifteen years, 1912—1927; it is therefore most gratifying to find that the present Epigraphist, in spite of his acting duties as Archaeological Commissioner, has been able to bring out the third volume in less time than either of the preceding volumes and still maintain the high standard of scholarship and excellence expected from a scientific publication so valuable to the cause of history and philology.

This sixth part deals with eight inscriptions, two inscriptions of Sena I, the Velmilla slab inscription, two Tamil pillar inscriptions, the Devanagala rock inscription (revised), the Katugaha Galge pillar inscription and the Tamil portion of the Galle trilingual slab. The two inscriptions of Sena I treated together are, one from Kivulekanda and the other from Polonnaruwa. In the latter Mr. Paranavitana demonstrates conclusively that *pamsalis* (45) is a misreading of *pasilos* (15) and thus cuts the ground from under the feet of Mr. H. C. P. Bell, followed by Mr. H. W. Codrington, who adduced this epigraph to illustrate the statement that the length of reigns assigned in the chronicles do not always tally with lithic records. The Velimilla slab, the only extant lithic record of Sena III, receives additional interest from the fact that it is so far the third ancient inscription found in the Western Province, an ephigraphically barren part of the Island. It gives moreover some information not found in the chronicles. So also does the Devanagala inscription which had been previously edited and translated by Mr. H. C. P. Bell and which Mr. Paranavitana revises with a facsimile reproduction of the entire epigraph. It gives facts about the Burmese expedition of Parakramabahu I not found in the chronicles. Of the two Tamil pillar inscriptions the one from Budumutteva has considerable interest as showing the relations between Ceylon and Cholas at the beginning of the twelfth century. The Katugaha Galge pillar is an inscribed mile-stone set up by Nissanka Malla, one of the 'Nissankagavu' stones which that monarch proclaims in the Hetadage Vestibule Wall inscription, that he had set up in the course of his inspection of the three kingdoms.

The most interesting epigraph in this part is however the Galle trilingual slab of which Mr. Paranavitana edits the Tamil portion. The Chinese portion records offerings to the Buddha by the Emperor of China in the first decade of the fifteenth century; the Persian part, which is much worn out, seems to record offerings to a Muslim saint or shrine, while the Tamil portion, now carefully edited by Mr. Paranavitana, records gifts to the Tenavarai Nayinar or the deity of Devunuvara or Dondra. Te-nuvara is the Tamil form of Devanuvara from which the Portuguese formed their name for the 'City of the gods', Tanavare. In fact many Sinhalese names appear in Portuguese writers in their Tamil form. Thus they called Modera 'Mutual' from the Tamil *Muhatuvarom*, Don Juan 'Periya Pandar' from the Tamil equivalent for *Maha Bandara*. Tamil influence in the court of the Sinhalese king of Kotte was so great that Bhuvaneka Bahu authenticates a letter to the king of Portugal in Tamil. The very fact that the record of offerings to the god of Devunuvara is in Tamil, and not in Sinhalese, is apparently a result of the preponderance of Tamil. This slab is the only Chinese inscription so far discovered though a Portuguese writer tells us that stones inscribed in Chinese were found at Devundara.

In this sixth part Mr. Paranavitana has resumed the former practice of giving Sinhalese inscriptions in Sinhalese characters also. That practice had been abandoned "mainly on considerations of economy," and we are glad that the Epigraphist has reverted to the older practice. No consideration of economy should mar the thoroughness of a scientific publication of this kind.