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CEYLON UNDER THE BRITISH OCCUPATION

1795-1833

BY
COLVIN R. DE SILVA,
B.A., PH.D. (LOND.); BARRISTER-AT-LAW

VOLUME ONE
ITS POLITICAL AND
ADMINISTRATIVE DEVELOPMENT

COLOMBO, CEYLON
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THE BRITISH OCCUPATION

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THIRD IMPRESSION, 1953

TO MY FATHER

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PREFACE TO THE FIRST EDITION

This book is an attempt to present a reasonably detailed and accurate account of the early period of British rule in Ceylon. It is based on all such material as has been accessible both in Ceylon and England. Special attention is drawn to the sections dealing with administrative and economic development – and to the latter in particular – as treating of aspects of the history of this period which hitherto have received less than their due share of attention.

It would be well, perhaps, to indicate the method of exposition adopted in this book. The introductory chapter is a sketch of the general position immediately prior to 1795. Thereafter, different lines of development are worked out in separate sections. The first section treats of the political unification of Ceylon under the British Crown. After an account of the capture of the Maritime Provinces from the Dutch, the line of policy which culminated in the British occupation of the Kandyan Kingdom too, is followed to its end. The second section traces administrative development. The administrative history of the Kandyan Provinces is considered separately from that of the Maritime Provinces as the former were administered as a separate unit during this period. This section also contains a chapter on judicial development. The third section is concerned with the economic history of the period. Different aspects are treated, topic by topic, in successive chapters, and the effects of the whole summarized in the chapter on Finance, with which the section closes. The concluding chapter of the book attempts to draw these various lines of development together and, with the reforms of 1833 as a nucleus, to present a connected view of the general position at the end of the period.

COLVIN R. DE SILVA

London,

30th November, 1931.

SUPPLEMENTARY PREFACE TO THE FIRST EDITION

As this book was written nearly ten years ago, the delay in publication perhaps calls for explanation. It was occasioned principally by my inability to spare from other pre-occupations the time that was necessary to arrange for and supervise its publication. During the last year, however, I have, perforce, had ample leisure: for the action of the Governor in detaining me under the Defence Regulations – without the semblance of a trial – since 18th June, 1940, has carried with it at least that melancholy advantage. I doubt that His Excellency will expect any thanks from me in that behalf; but it seems necessary anyhow to make this acknowledgment.

This book is the thesis on which I was awarded, in 1932, the Ph.D. degree of the University of London. It embodies the fruits of fully three and a half years of intensive research. Both in its preparation and its writing I had the advantage of the skilled guidance and mature advice of Dr. A. P. Newton, Rhodes Professor of Imperial History at the University of London and co-editor of the *Cambridge History of the British Empire*. I take this opportunity gratefully to acknowledge his aid, guidance and encouragement.

In arranging for and supervising the publication of this book I have had throughout the invaluable assistance of Dr. G. C. Mendis of the Ceylon University College. He has not only given considerable time, which he could ill spare from his own research and teaching work, to the laborious task of correcting proofs; but has also attended to all those many matters connected with the printing, etc. to which it was impossible for me, placed as I presently am, to attend. I am also indebted to him for many valuable suggestions which have helped to make this book more accurate and useful. In particular, it is his care that has given uniformity and system to the spelling of the multitude of vernacular names and words which appear in this book. For all this – and much more that is too personal to mention – I can only acknowledge thankfully my deep debt to him.

The use I have made of the published works of other authors who have written on various aspects of the period I deal with in this book, will appear from the footnotes to the text. But I should like to make special mention of L. J. B. Turner's *Collected Papers on the History of the Maritime Provinces, 1795-1805*, which was useful to me in many ways.

Two books that embody original research into many aspects of the period 1795-1833 have been published in recent years. The first is Professor L. A. Mills' *Ceylon Under British Rule*, which, by reason of its scope, necessarily deals with this period only in a summary way. The second is Dr. P. E. Pieris' *Tri Sinhala*, which covers in considerable detail much the same ground as three of my political chapters. The point in his book which has aroused most popular attention is his criticism of the evidence relating to the killing of Āhālēpola's children. I have read his criticism with care, but cannot agree with his conclusion that 'the evidence available is insufficient to establish the assertion that the heads of Āhālēpola's children were put into a mortar and that their mother was compelled to pound them with a pestle'. I have therefore not altered my own account of the episode; but I have added footnotes drawing attention to his views on this and a couple of other matters of interest. I have also added a footnote drawing attention to Mr. R. L. Brohier's *The Golden Age of Military Adventure in Ceylon*, which is a useful account of certain aspects of the Ūva Rebellion.

The maps in this volume have been obtained from the Survey Department and I have to acknowledge assistance received in that behalf from Messrs. R. L. Brohier and N. S. Perera, both of that Department. I have also to thank the many officials who gave me courteous help in tracing out documents and books at the Public Record Office (Chancery Lane), The India Office, The British Museum, The Colombo Archives, The Royal Empire Society Library and The Royal Asiatic Society (Ceylon Branch) Library at the Colombo Museum.

I thank the publishing department of Messrs. The Colombo Apothecaries' Company, Limited, for the careful attention given to the printing of this book and for certain useful technical suggestions.

I should add that some sections of this book have been previously published in the form of articles in the *Ceylon Literary Register* (3rd Series).

A classified bibliography will appear with the second volume, which will shortly be ready for publication.

COLVIN R. DE SILVA

New Detention Prison,
Kandy,
28th July, 1941.

PREFACE TO THE SECOND EDITION

The First Edition of the Volume was sold out much earlier than was anticipated. A Second Edition was taken in hand soon afterwards, but owing to the War its publication was delayed.

The text has been revised and a number of minor improvements made. The assistance received from Mr. R. L. Brohier, Mr. J. A. Rambukpota, R.M., Mr. C. W. Nicholas and others is gratefully acknowledged.

G. C. MENDIS

1st December, 1942.

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INTRODUCTION

CHAPTER I

THE PORTUGUESE AND DUTCH IN CEYLON

'There is in our harbour of Colombo a race of people fair of skin and comely withal. They don jackets of iron and hats of iron; they rest not a minute in one place; they walk here and there; they eat hunks of stone and drink blood; they give two or three pieces of gold and silver for one fish or one lime; the report of their cannon is louder than thunder when it bursts on the rock Yugandhara. Their cannon balls fly many a *gavva* and shatter fortresses of granite'.¹ Such was the report conveyed to Vira Parākramabāhu VIII, King of Kottē, when Don Lourenzo de Almeida arrived off Colombo on 15th November, 1505.

If the vagaries of wind and wave first brought the Portuguese to Ceylon,² the lure of cinnamon kept them in the Island. When Lourenzo de Almeida took Vira Parākramabāhu under the protection of Portugal, he obtained a promise of cinnamon as tribute. In 1518, the Portuguese established a fort at Colombo. Civil strife and internal dissensions gave them the opportunity of obtaining a permanent foothold in the Island; the control of the sea, the superiority of Western military equipment, the strength of the fortress of Colombo and the rivalries of warring kings enabled them to consolidate their position. Finally, as heirs designate of the Kings of Kottē, they embarked on a career of conquest which made them, by the end of the seventeenth century, the rulers of a considerable portion of the coastal region of the Island.

The Portuguese possessions³ in Southern and Western Ceylon were divided into four *disāvas* or provinces radiating from

1. *Rājāvaliya*, 73.

2. *Cambridge History of the British Empire*, iv; or *Cambridge History of India*, v. 24.

3. For this paragraph cf. Codrington, *A Short History of Ceylon*, 124 ff.

Koṭṭē, viz., Seven Kōralēs, Four Kōralēs, Sabaragamuva and Mātara. In the north they had made themselves masters of the Kingdom of Jaffna; and on the east coast they held the forts of Trincomalee and Batticaloa. Subject to the Viceroy at Goa, Portuguese Ceylon was governed by a Captain-General, assisted by a Vedor da Fazenda in charge of the revenue, and an Ouvidor or judge. The four provinces were placed under separate *Disāvas* with civil, judicial and military jurisdiction over the natives; but Colombo was administered by a chamber or municipality of its own. The *disāvas* were divided into *kōralēs* under Kōralē Vidānēs; the *kōralēs* into *pattus* under Atukōrālas; while the villages were in the charge of headmen called Mayoraals. The chief military officer, after the Captain-General, was the Captain-Major of the Field. Jaffna, which was separately administered, was in the charge of one of these officers, while Mannār was in the charge of a Captain. Besides the land revenue and the *marāḷa* or death-duty, the revenue was chiefly drawn from the royal monopolies of cinnamon, arecanut, pepper, precious stones, elephants and the pearl fishery. In ecclesiastical affairs the Island formed part of the diocese of Cochin, whose Bishop governed through a Vicar-General. The first missionaries in Ceylon were the Franciscans; who were followed, shortly after 1600, by the Jesuits, the Dominicans and the Augustinians. Free education of a proselytising character was given through their monasteries and parish schools.

The seventeenth century ushered in a period of Portuguese decay. In Ceylon, the rival Kingdoms of Koṭṭē and Sītāvaka had disappeared by the end of the sixteenth century, and the sole Sinhalese rulers were the Kings of Kandy.¹ The religious intolerance and administrative oppression of an enervated Portuguese government alienated the subject Sinhalese population, whose thoughts consequently turned towards the monarch of their own race. Rebellion weakened and Kandyan hostility distracted Portuguese power. Their career of conquest was checked, and their territories expanded and contracted as their power waxed or waned. In the course of the next half-century they were expelled from Ceylon.

1. For this paragraph cf. Codrington, 106.

The Dutch East India Company succeeded the Portuguese. The general commercial rivalry of the two nations found in the cinnamon trade of Ceylon a particular object of contention. The Dutch first appeared in the Island at Batticaloa in 1602. Although the amicable relations which were on that occasion established with Rājasiṅha II were marred by an unpropitious massacre,¹ subsequent developments favoured the Dutch. Rājasiṅha conceived the expedient of employing the rivalries of the Europeans to his own advantage. With Dutch aid, he hoped to rid himself of the Portuguese and to secure under his sceptre the entire Island. Attracted by his offer of a fort at Batticaloa or Koṭṭiyār, the authorities at Batavia instructed Admiral Westerwold, who was blockading Goa, to call at Ceylon on his way home. Westerwold appeared off Batticaloa in 1638 and, with the aid of Rājasiṅha's supporting army, captured the fort on the 18th May. On the 23rd of the same month, he signed a highly advantageous treaty by which the Dutch obtained a monopoly of the Kandyan export trade and a financial and military hold on the King. But the variation in the third article of the treaty in the respective copies of King and Admiral, was a source of future trouble.² Rājasiṅha soon discovered the position.

The Dutch proceeded to the capture of the Portuguese strongholds. Trincomalee fell in 1639, and Negombō in 1640. Although Rājasiṅha, whose friendship had cooled, rendered little help, the Dutch advanced successfully. When the ten years' truce between Holland and Portugal took effect in Ceylon, after much delay, in 1644, they acquired the Seven Kōralēs and the Mātara *Disāva*. The resumption of hostilities in 1652 led to the final defeat of the Portuguese. With the capitulation of Colombo on 12th May, 1656, and the fall of Jaffna on 24th June, 1658, the Portuguese were completely expelled from the Island.

The results of the Portuguese occupation may be briefly summarized. Their great bequest was the Catholic Church which, despite the methods of proselytism that were employed, took

1. Codrington, 108; *C.H.B.E.*, iv; or *C.H.I.*, v, 41.

2. Codrington, 118; *C.H.B.E.*, iv, or *C.H.I.*, v, 43. For a translation of the Dutch version of the treaty vide Anthonisz' *Report on the Dutch Records*, Appendix B, 127 ff.

firm root in the Island. Even after a century and a half of Dutch persecution it emerged as a living organism which expanded and developed under the tolerant British régime. The Portuguese also left an indelible impress on the Sinhalese language and on the social customs of the Maritime Provinces. They bequeathed to the Dutch a colony of half-castes and a social tradition, from the combined influence of which the Burgher never rendered himself wholly immune.¹ On the other hand, their constant wars left a depopulated country, a failing agriculture and a miserable and ill-conditioned people. Inconsiderate missionary zeal alienated, and an unwise and open contempt of Buddhism outraged the religious sensibilities of their subjects. They had indeed preserved native institutions; but these had systematically been manipulated to serve their own ends. The indigenous administrative system was converted into an engine of oppression and misgovernment, of commercial profit and private gain. The memory of Portuguese persecution, maladministration, corruption and greed lingers in Ceylon to the present day.

If Rājasiṅha expected the Dutch to surrender to him the territories they had won from the Portuguese, he was soon disabused. Although the Dutch had agreed by a later amendment of the treaty of 1638 to retain only one fort after the expulsion of the Portuguese, other forts in their possession were not to be relinquished till Rājasiṅha had paid them all the expenses of the war. There never was any prospect of this debt, which amounted to 310,790 pieces of eight in 1641, being fully paid.² In retaining possession of their conquests, the Dutch were therefore acting within their rights. The king 'gave pepper and got ginger'.³ Rājasiṅha, who had intended to make the Dutch subserve his own ends, had himself been made their tool. Though they had begun the conquest of Portuguese Ceylon in his name, they soon discarded that pretence; and the 'faithful Hollanders' who began as auxiliaries and allies finished as undisputed masters.

The original anomaly, however, underlay all subsequent relations between Dutch and Sinhalese. Although the Dutch

1. C.H.B.E., iv, 53.

2. Codrington, 119.

3. Knox, *An Historical Relation of Ceylon*, 171.

decided to base their claim to the Maritime Provinces on conquest, the Kandyans continued to regard them merely as protectors of the sea-coast on their behalf. Actually, trade was the ruling factor in these relations. The Dutch desired trade, and, therefore, peace. Cinnamon, the most valuable commercial commodity that Ceylon furnished, could be collected in sufficient quantity only in the King's dominions. Arecanut, in which the Dutch drove a thriving and highly profitable trade, told a similar tale. The threat of closing his frontiers therefore became a powerful weapon in the King's hands. On the other hand, a blockade of Chilaw, Puttalam and Koṭṭiyār, which were the sole remaining centres of the Kandyan export trade, would paralyse Kandyan commerce. As they controlled the coast and commanded the seas, and as Trincomalee, Batticaloa and Kalpitiya, which were in their possession, menaced the Kandyan ports, the Dutch were in a position to use this effective counter-threat. Moreover, their position on the mainland enabled them to close, as they did in 1707, the Madura, Coromandel and Malabar coasts, which were the main places to which the Kandyans traded.

An unstable relationship of strained peace was therefore more or less maintained till the middle of the eighteenth century. If the Dutch profited by Kandyan disturbances to extend their possessions, the King took retaliatory advantage of Maritime rebellion, often fanned by Kandyan influence, to recover his losses. Although the borders swayed somewhat, by the end of the seventeenth century the inland limits of the Dutch districts had become practically conterminous with what are the boundaries of the modern Western and Southern Provinces. The Province of Jaffna, including Mannār and the Vanni, was retained intact.

When Śrī Vijaya Rājasiṅha of the Nāyakkar dynasty of Madura ascended the Kandyan throne in 1739, events took a more hostile turn. The Dravidian brought to Ceylon the diplomatic ability and business acumen gained in the wider experience of India. He also ended that religious tolerance which had suffered Christianity to gain a precarious foothold in Kandyan territory. Despite much provocation and some loss of territory, however, the Dutch continued to submit to constant indignities, as explicit orders from Batavia forbade a breach with the Court.

Matters came to a head in 1761. The Kandyans took the opportunity of an agrarian revolt in the Maritime Provinces to invade the Low-country. When the Dutch retaliated with counter-invasion, the King turned for help to the British: but the Pybus mission from Madras (1762) proved fruitless.¹ As a result of the vigorous measures adopted by the newly-arrived Dutch Governor, Van Eck, Chilaw and Puttalam were captured, the Sinhalese kingdom invaded, and Kandy occupied in 1765. Although the Dutch were compelled to retire, the Kandyans were in dire straits. Their fields unsown and their salt supply cut off, they were on the verge of starvation. Van Eck's successor, Falck, who opened negotiations with the Court, brought further pressure to bear by ravaging the Three, Four and Seven Kōralēs, and sending expeditions into Bintāna and Mātālē. Peace was signed on 14th February, 1766.

By this treaty² of everlasting friendship, the Dutch were confirmed in the sovereignty of their pre-war possessions. Further, the King ceded to them his entire coastal territory 'to the breadth of one Sinhalese mile inland, more or less as the situation of the hills and rivers permit'. The Company was, however, to pay a tribute equivalent to the former revenues of its fresh acquisitions. Commissioners of the two parties were to delimit the new boundaries and to make the necessary financial arrangements. The Dutch, for their part, recognized the sovereignty of Kandy over the rest of Ceylon, and agreed to restore to the King the districts conquered by them in the late war. The Kandyans were to receive unhindered access to the salt pans at Hambantōṭa and Puttalam, and to enjoy the right of free collection. Similarly, the Dutch obtained the privilege freely to peel cinnamon in the regions below the mountains; while the Kandyans were to deliver cinnamon growing to the east of Balana solely to the Company at 5 pagodas the bale of 88 lb. In the same manner, the Kandyan export trade in ivory, pepper, cardamoms, coffee, arecanut, wax, etc. was also engrossed by the Company, to whom these commodities were to be delivered at agreed prices. The subjects of each government

1. *Account of Mr. Pybus's Mission to Kandy in 1762.*

2. For the text of this treaty vide C.O. 55, 1; and Anthonisz Appendix D, 133 ff.

were to enjoy freedom of trade in the other's territory. The Company was to provide all foreign goods that the King might need, and the Kandyans such timber as the Company required at Batticaloa and Trincomalee. Runaway slaves and subjects of either party guilty of crime in the other's territory were to be apprehended and returned to their respective governments for punishment. The Company engaged to protect the Kandyan dominions against foreign invasion, the King pledging them help in men and supplies. In view of such protection, the Court was neither to make treaties nor to have correspondence with any other European nation, and was to deliver to the Company any deserters or foreign Europeans who might sojourn in or have entered its territory. Contracts or correspondence with native princes prejudicial to the Company, were forbidden the King. Similarly, the Dutch engaged to conclude with foreign powers no treaty prejudicial to Kandyan interests. There were to be mutual embassies which would make all arrangements regarding salt, dried fish and cinnamon.

The treaty of 1766 is of outstanding importance. The Kandyans were now completely cut off from the outer world. Their foreign relations, their external trade and their essential supplies of salt were in the control of whatever power ruled the Maritime Provinces. The presence on the coast of a strong, active and ambitious nation would spell the doom of the highland kingdom. The Kandyans, however, never accepted the treaty as definitive. Since the commissioners stipulated for in the treaty never met, the boundaries remained undefined and the tribute unpaid. The embassy article sowed fresh seeds of discord as the Kandyans interpreted it to mean that an annual embassy had to be sent to obtain permission to peel cinnamon in their territory. The King, who sought every opportunity to recover his losses, successively claimed a share in the pearl fishery and in the elephant trade, and, in 1766, demanded the restoration of a portion of the coast. He returned to the old and ill-starred game of pitting European nations against each other in the hope of turning their rivalries to his own ultimate advantage. The British, who captured Trincomalee in 1782 only to lose it to the French, sent an ambassador to Kandy. The Boyd embassy¹

1. *Miscellaneous Works of Hugh Boyd*, II.

proved as fruitless as the Pybus mission. The Kandyans also made a vain bid for French aid,¹ the sole outcome of which was a revival of Dutch hostility. These transactions with foreign powers, the closing of the frontiers in 1791 and the refusal to permit the collection of cinnamon in Kandyan territory, were in direct violation of the treaty of 1766. The futility of any hopes of French aid and the scarcity of salt, however, compelled the King to desist in his hostile preparations and to re-open his frontiers. Despite two threatening letters from Kandy in 1792, peace continued unbroken to the end of the Dutch régime.

The Dutch possessions² in Ceylon were administered by the Governor and Political Council at Colombo, subject to the general control of Batavia. 'The Governor and Director of the Island of Ceylon and its Dependencies' of Tuticorin and Madura, whose appointment, made from Batavia, was confirmed by the Seventeen, invariably had a seat on the Council of Netherlands India. His Political Council consisted of ten members. Of these, the Commandeurs of Jaffna and Galle, who were *ex-officio* members, had precedence whenever they were present. The Hoofd Administrateur, or Chief Administrator who was in charge of the revenue, the Disāva of Colombo, the Principal Military Officer, the Fiscal or Public Prosecutor, and the heads of the four chief departments at Colombo were the eight remaining members. The departmental heads were the Political Secretary in charge of the Secretariat, the Trade Supervisor in charge of the *Negotie Kantoor* or Trade Office, the Pay Officer and the First Warehouse-keeper. The Visitateur who was in charge of the fifth great department, the *Visitatie Kantoor* or Audit Office, had no seat on the Council.

The Company's territories were divided into three great Provinces, viz., the Colombo Disāva and the Commandments of Jaffna and Galle. The Colombo Disāva was placed under a Disāva, who had Opperhoofds at Kalpitiya, Negombo, and Kalutara. The Jaffna and Galle Commandments were adminis-

1. Codrington, 145.

2. For a description of the Dutch administration vide Anthonisz, 6 ff and 116 ff; Pieris, *Ceylon and the Hollanders*, 2 ff and 74; C.O. 416, 16. F 41, 54 to 65 contain a concise account of the Dutch administration by Sir Richard Ottley, in his evidence to the Commission of Enquiry in 1829-30.

tered by Commandeurs, assisted by Political Councils constituted on the same lines as that at Colombo. Jaffna too had a Disāva, with Opperhoofds at Mannār, Trincomalee and Batticaloa. The senior member of the Galle Council was the Disāva of Mātara, while the Galle Kōralē was in the special charge of a Superintendent. The latter, who was a member of the Galle Council, was the rural Lieutenant of the Galle Commandeur, and resided generally at Ambalangoda or Bentota in which locality the sphere of his duties chiefly lay.¹ All these officers were Dutch, and their pay depended on the grade to which they belonged in the Company's service.

The Dutch retained the indigenous administrative system² which the Portuguese had inherited from the Sinhalese kings. Native officialdom consisted of two hierarchies which converged at the top. The chief native officer was the Mahamudaliyār at the seat of Government. The Mudaliyārs of the *kōralēs* or districts, who were responsible for the native militia, had under them the Muhandirams, Āratchies and Kaṅgāpies commanding the Lascarins. The civil authority was exercised through the Kōrālas of the districts who were assisted by Atukōrālas, Vidānēs of *pattus* or groups of villages, and Mayoraals in charge of single villages. The separate, though co-extensive, jurisdiction of the Mudaliyārs and Kōrālas, however, created such friction in the course of time that Governor Falck amalgamated the two offices in the hands of the Mudaliyārs.³ Simultaneously, the number and emoluments of native officials were reduced. They were paid no salaries, but received grants of untaxed land denominated *accommodessans*. A Mahamudaliyār received 20 *amunams* of sowing land, a Mudaliyār 12, a Muhandiram 8, an Āratchi 6 and a Vidānē 4.⁴ The Lascarins and minor officials held service lands.

Of the judicial tribunals⁵ the highest was the *Raad van Justitie* at Colombo, consisting of members chosen from the Political

1. Anthonisz, 116.

2. For a description vide *Ceylon and the Hollanders*, 79; C.O. 55, 2. De Meuron's Report; Codrington.

3. Codrington, 149.

4. Anthonisz, 53.

5. C.O. 416, 16. F 41, 66-79 contains an account of the Dutch judicial system by Sir Richard Ottley; C.O. 416, 17. F 42, 172-179 contains a similar account by Mr. Justice Marshall. *cf.* Also Anthonisz 9 ff; Cordiner, *A Description of Ceylon*, 1, 67 ff.

Council, and presided over by the Chief Administrator. Besides an exclusive criminal jurisdiction, it had an original jurisdiction in all civil suits between Europeans and their descendants and between Europeans and natives, provided the subject matter of the case was above 120 rix-dollars in amount. It was also a court of appeal. This was followed by the *Landraad*, with a jurisdiction over natives in all disputes concerning land¹; and in matters of contract and debt involving a sum exceeding 120 rix-dollars. The Disāva of Colombo was its president, and its members, European and native, were the Fiscal and one or two members of the Political Service, the first Mahamudaliyār, the Atapattu Mudaliyār and the Keeper of the *Thombos*. Next came the *Civil Raad* or Court of Small Causes with jurisdiction over Europeans and natives in civil suits not exceeding 120 rix-dollars in value. There was also a Fiscal's Court with petty criminal and civil jurisdiction. The judicial tribunals of Jaffna and Galle were on similar lines. The *Raad van Justitie* was presided over by the Commandeur, while the Disāva was President of the *Landraad* at Jaffna, and the Superintendent of the Galle Kōralē in that at Galle. *Landraads* were also established in the smaller stations like Mātara, Trincomalee, Mannār, etc. From all these tribunals, whether the *Raad van Justitie* at Galle and Jaffna or *Landraads* and minor courts, an appeal both civil and criminal, lay either directly or indirectly to the *Raad van Justitie* at Batavia. The law administered in these courts was the customary law of the country, and the Roman-Dutch Law as interpreted by Dutch jurists, the *Statutes of Batavia* and the local *Placaats*.

The Dutch Reformed Church¹ in Ceylon followed the civil divisions, and *Kerkraads* or Consistories were established at Colombo, Jaffna and Galle. Its European officers were *Ministers* or Ordained Preachers who were selected in Holland and appointed by the East India Company to the Colonial Service; *Proponents* studying the native languages with a view to becoming ordained preachers; and *Krankbezoekers* or *Ziekentroosters* who visited hospitals to comfort the sick and taught the orphans.

1. This paragraph is based entirely on *Journal of the Royal Asiatic Society, Ceylon Branch*, 1-11, 1846-134 ff, 1847-8, 5 ff. *An account of the Dutch Church in Ceylon* by Reverend J. D. Palm. Also Cordiner 1, 155 ff.

The native officers were the Proponents trained at the Colombo seminary as preachers, teachers and proselytizers; the Catechists and the Schoolmasters who were also responsible for the *Thombos* or land registries and the registers of baptism and marriage. The meetings of the Consistory were always attended by a member of the Political Council. The diaconate poor funds were in the charge of the respective deacons.

Allied to the ecclesiastical department were the Scholarchal Commissions¹ of Colombo, Jaffna and Galle, appointed by the Governor and consisting of the Disāva as President, the Local clergy and three or four civil and military officers. These were not only school commissions, but constituted boards which took cognizance of all matters concerning the native Christian community, appointed Thombo-holders and schoolmasters, and even settled matrimonial disputes, etc. Delegates of the Commission annually inspected the schools, examined the pupils, attended to the development and welfare of the local Christian communities, and reported to headquarters on these and allied subjects. The country schools taught the Catechism and prayers, and reading and writing in the vernaculars. The chief purpose of their existence was proselytism; but there can be little doubt that many of the conversions effected by the Dutch were, even more than under the Portuguese, superficial and insincere. There were also schools for European children, viz., the Orphan, Parish and Private Schools; the two former of which were under Government control. There was, besides, the Colombo Seminary which trained native proponents, interpreters and so on.

The revenue of the Dutch Government may be classed under the four heads of Cinnamon, Merchandise, Farmed Revenue and Collected Revenue. A fairly accurate idea of their value is to be drawn from the report of Colonel De Meuron, whose account is based on the Company's books for the years 1786-7 to 1791-2. The revenue from the cinnamon monopoly was estimated at 1,600,000 rix-dollars, being calculated on 5,000 bales at 4 rix-dollars the lb. Originally, the Company had retained the exclusive trade in every article of export and import.

1. Ibid. 1846-105 ff. *The Education Establishments of the Dutch in Ceylon*, Reverend J. D. Palm.

Foreign vessels were permitted to buy and sell only at the Company's magazines, and the inhabitants were in the same predicament. These restrictions had, however, been subsequently relaxed to the extent of permitting foreign traders to sell rice and paddy in the bazaars, and to buy unimportant commodities in exchange. Consequently, private trade had insensibly augmented, but without any visible increase in the Company's profits. The monopoly system had therefore been further loosened; private trade was further encouraged and high customs duties imposed instead. As the Company's servants thereby lost certain emoluments which had accrued to them from the monopolies, they were indemnified by the grant of a fourth of the produce of these duties as perquisites. Nevertheless, the Company's trade in merchandise remained considerable; the profits on a turnover of 200,000 rix-dollars a year amounting to about 160,000 rix-dollars or 80 per cent. 'This profit seems high, but as the pepper, coffee and cardamom produced from three to four capitals, and the cloth from the Coast of Madura yielded a profit of 60 per cent., it is believed this average is not over-rated'.¹ Neither of these items (cinnamon and merchandise), however, were included in the Ceylon accounts, being carried over directly into the Company's books at Amsterdam. The Farmed Revenue consisted of a variety of taxes which were annually rented to farmers for definite sums. These included the *alfandigo* (i.e., customs duties), the cloth duties, the fishery rents, the tobacco tithe, the chank fisheries, the arrack and toddy rents, the bazaar tax and a variety of smaller imposts. They produced a gross sum of 202,000 rix-dollars a year. The Collected Revenue, i.e., the revenue collected directly by the Company's own officers, totalled 163,000 rix-dollars, and consisted of the twentieth penny on the sale of immovables, stamp duties, the betel-nut duties, the paddy tax, the capitation tax and a number of minor impositions. The total annual revenue from all sources was thus about 2,150,000 rix-dollars, or, at two shillings the rix-dollar, £215,000, of which only 444,000 rix-dollars, or £44,400 appeared on the Ceylon books because of the non-inclusion of the profits from cinnamon and merchandise. In this estimate the income from

1. De Meuron's Report.

the pearl fishery is not included as being a precarious and un-recurring source of revenue.

The expenses of the Ceylon administration¹ amounted to about 833,000 rix-dollars, or £83,300 a year. Of this sum, about 400,000 rix-dollars consisted of the pay of the European officers on the Company's civil and military establishments. They were paid under three distinct denominations, viz., *gagie*, or nett pay; *rations*, or a certain quantity of various articles of provisions proportionate to their respective ranks; and *kostgeld*, or table allowances in like proportion. *Rations* and *kostgeld* cost the Company 175,000 rix-dollars per year. These officers also received as emoluments a sum totalling some 17,000 rix-dollars arising from their share in the produce of certain taxes. As the administrative officers, who performed most of the judicial duties, were not specially paid for such services, the judicial expenses were only about 3,000 rix-dollars. The native officials received about 17,500 rix-dollars a year. Nearly 100,000 rix-dollars constituted shipping expenses and the amount of salaries paid in Holland. The remainder, about 300,000 rix-dollars, represents ordinary and extraordinary military and administrative expenses. Although the Ceylon books thus showed a deficit of nearly 400,000 rix-dollars or £40,000, in reality there was a credit balance of about eleven lakhs or £110,000 a year. 'The Dutch adepts in political calculation estimated the value of Ceylon to the Parent state at nearly double that amount'.²

During the Dutch administration, the Maritime Provinces recovered considerably from their decline under the Portuguese. The constant wars of the latter were replaced by substantial peace. Since their chief object was profitable trade, the Dutch always paid attention to possible sources of commercial gain. Under their fostering care, while paddy and coconut cultivation increased, cotton and indigo were experimented with, coffee and pepper successfully introduced and cinnamon extensively cultivated in the Low-country. Though the administration of the law was often inefficient and corrupt, the *Statutes of Batavia* and the native customs, e.g., the Tamil *Tēsavalamai*, were

1. De Meuron's Report; cf. also Anthonisz, 7 ff.

2. De Meuron's Report.

codified. Their parish-school system was a source of extensive, if proselytising, education. The numerous canals with which they intersected the country, their forts, and, above all, the Roman-Dutch Law and the thriving modern Burgher community are the permanent monuments of their rule in Ceylon.

In the latter years of the eighteenth century, however, the Company's government in Ceylon became moribund and effete. A society permeated by Portuguese influences¹ produced no healthy public opinion, and an underpaid officialdom which had become lethargic and corrupt, displayed no vigorous public spirit. Private profit was placed before public duty, while the work of administration was neglected. Consequently, power and influence passed increasingly into the hands of the Mudaliyārs.² The system of pay encouraged speculation and private trade; the recruits from Holland were of the wrong type;³ nepotism and favouritism were rife; and the Burgher in Ceylon, condemned to permanent exile, succumbed to greed and degenerated in the adulatory atmosphere of a slave-ridden home.⁴ Moreover, the Company's finances had grown precarious; gold and silver being scarce, copper became the standard; and Van der Graff even introduced a paper currency.⁵ The Europeans' wars imposed a continuous strain and, although the supplies from Holland and Batavia dwindled, necessitated the upkeep of a large military establishment and the expensive maintenance of mercenary regiments like the Wurtemberg, Luxembourg and De Meuron. The monopolistic commercial system, the engrossment by the Company, by one expedient or another, of nearly every valuable article of trade,⁶ and the multiplication of high and often vexatious taxes⁷ hindered the

1. *C.H.B.E.*, iv, 53.

2. *Ceylon and the Hollanders*, 76 ff, 128 ff.

3. Valentia, *Voyages and Travels to India, Ceylon, etc.*, i, 309.

4. *Ceylon and the Hollanders*: 95. Percival, *Ceylon*, gives a scathing account of them which Valentia says is plagiarised entirely from a Dutch account published at Batavia; Cordiner's references are far more favourable, and perhaps nearer the truth.

5. Bertolacci, *View of the Agricultural, Commercial and Financial Interests of Ceylon*, 80.

6. e.g., Arecanut, coffee, pepper and coir had to be delivered to the Company's godowns at fixed prices.

7. e.g., Though the cloth duty was 20 per cent., the renter, generally a Dutch official, charged only 10 per cent., as that proved more remunerative.

prosperity of the Island and weakened the resources of its government. Laws of unnecessary severity alienated the sympathies of its subjects.¹ The intrinsic weakness and hastening decay of Dutch power were never better evinced than in the reliance it had come to place on flattery and deference in its relations with Kandy. Forts became decrepit and a disused army lost all martial spirit. It is not to be wondered that the Dutch power in Ceylon collapsed at the first touch of the advancing British.

1. e.g., The cinnamon laws.

PART I - POLITICAL

CHAPTER II

THE BRITISH OCCUPATION OF THE MARITIME PROVINCES

The British occupation of the Dutch East India Company's settlements in the Maritime Provinces of Ceylon flowed directly from the course of European politics. That harmony between the House of Orange and the people of the Dutch Republics, which, born amidst the exigencies of French invasion, resulted in the restoration of the Stadtholderate in 1747, was not of long continuance. During the War of American Independence, whereas the people sympathised with the revolted colonies and France, the second Hereditary Prince Stadtholder, William V, favoured Britain. In these circumstances was born the Patriot Party whose members were influenced by the ideas of the French radicals. Their pressure brought Holland into the Armed Neutrality in 1781 - with disastrous consequences. Britain declared war, and the Republic was humiliated. Dutch trade was paralysed: Negapatam was permanently lost to the British: and Trincomalee, which was also captured by them in 1782, was only regained by the efforts of the French. In 1783, the Dutch concluded with Britain an inglorious peace by which the British obtained free commercial access to the waters of the Eastern Archipelago. The failure of the war was blamed to the Stadtholder, and only the interposition of Prussia averted the seemingly imminent fall of the House of Orange. Although a humiliating peace with Prussia was signed in 1785, the continued hostility of the people necessitated a second intervention in 1787. William V, who had been driven out, was reinstated; the Constitution of 1747 with the States General and the Hereditary Stadtholder at the head was guaranteed; and the Republic was compelled to ally itself with England and Prussia. Though the Orangist régime appeared to be thus secured, the French Revolution upset all calculations. When, in 1793,

the National Convention of the newly-established French Republic declared war on England and Prussia, it was a natural corollary of 1787 that Holland should be included in that declaration. In the winter of 1794-5, the French, under Pichegru, overran the Netherlands, drove William V and his family to exile in England, and, with the aid of the revived Patriots, altered the constitution of Holland so as to bring it into line with France. The Stadtholderate was abolished, a new system of representation was instituted, and the United Provinces became the Batavian Republic. The guarantee of 1787 automatically came into action when the people of Holland aligned themselves with the French in the Revolutionary War. The Batavian Republic also took over the administration of the territories of the moribund Dutch East India Company over whose ruling Committee, the Seventeen, the Stadtholder had, since 1748, presided as Chief Director General.¹

The development of events in Europe placed the Dutch colonies in an anomalous position. If they vested in the new Republic, they would be a legitimate object of British attack. If, however, they remained loyal to the expropriated Stadtholder and the superseded constitution, the proper attitude for the British to adopt would be more difficult to decide. The French were known to be scheming to secure the Dutch colonies of the Cape, Java and Ceylon; and the events of 1794-5 had brought those schemes 'within measurable distance of fulfilment'.² In these circumstances, Lord Grenville, British Minister for Foreign Affairs, suggested to the Prince Stadtholder that, in pursuance of 'what he owes as much to the interests of the Republic, as to those of his own House and of the high dignity, with which he is invested'; he should 'give to the different officers and commanders of the forts and vessels of the Republic such orders as may distinctly mark the real situation in which His Serene Highness is placed, and may authorise them to avail themselves of the protection, which His Majesty is desirous of holding out to them, according as circumstances may permit'; and expressed the readiness of the British to give

1. *C.H.B.E.*, iv, or *C.H.I.*, v, 54 ff; and *Cambridge Modern History*, viii, 286-9, 320-2, 419-21 and 436; *Cambridge History of British Foreign Policy*, 1, 170-6 and 255-7.

2. Holland Rose, *William Pitt and The Great War*, 250.

'any assurance that he might wish, that any ships of war or forts, surrendered in consequence of such order, would be restored to the Republic at the conclusion of a general peace, by which her independence and constitution should be secured'.¹ When the Prince agreed to issue the requested order on condition of an 'assurance, in the most authentic form possible, that everything that is ceded will be restored to the State',² the British undertook, on the 2nd February, 1795, 'in the most formal manner possible, that any vessel, fort or place whatever which will place itself under his (Britannic Majesty's) protection as a result of the said order will be held in trust and restored to the Republic of the United Provinces as soon as His Majesty and the Republic will be at peace with France and the independence of the Republic and its lawful constitution, guaranteed by His Majesty in 1788, will be assured'.³ Consequently, William issued the following instructions to J. P. Van Angelbeck, Governor of Ceylon.⁴—

'Noble and Most Honoured Confidante, Our Trusty and Well Beloved,

'We have deemed it necessary to address you this communication and to require you to admit into Trincomalee and elsewhere in the Colony under your rule the troops of His Majesty the King of Great Britain which will proceed there, and also to admit into the harbours or such other places where ships might safely anchor the warships, frigates and armed vessels which will be despatched on behalf of His Majesty of Great Britain; and you are also to consider them as troops and ships belonging to a power that is in friendship and alliance with their High Mightinesses, and who come to prevent the Colony from being invaded by the French.

'Wherefore, Noble, etc. . . . we commit you to God's holy protection, and remain

Your well-wishing friend,

W. PR. V. ORANGE'.

Kew, 7th February, 1795.

1. *Ceylon Literary Register* (3rd Series) I, iii, 110 ff, letter of 1st February, 1795, from Grenville to the Duke of York, reproduced from N. G. Nypel's, *Hoe Nederland Ceilon Verloor*.

2. *Ibid.* Prince William of Orange to A. W. C. Nagel, 2nd February, 1795.

3. *Ibid.* *The British Undertaking*, 2nd February, 1795.

4. Anthonisz, 138.

In the light of subsequent events, the vagueness of these instructions is worthy of remark. The relationship of British with Dutch receives no exact definition. In what capacity British forces are 'to be admitted' is not clear. They are indeed to be, regarded and treated as allies, but were they to be under separate and independent command; or was either party to be controlled by the other? Should there be no immediate or even reasonably prospective danger of French attack, what was to be the position of the British? Since circumstances did not facilitate precision, this vagueness was doubtless natural, and, perhaps, even intentional.

However that may be, the Prince's letter was forwarded with the following covering instructions¹ to the Governor-General and Council at Bengal, and the Governors and Councils at Fort St. George and Bombay:—

'As the conquests lately made by the French in Holland, will of consequence be followed by an endeavour to secure the distant possessions of that Republic, particularly those in the Eastern seas, His Majesty has judged it expedient, in concert with the Prince Stadtholder (who has retired to this country) to take such measures as appear to him to be best calculated for frustrating that design, the effects of which, in the event of his succeeding, would be highly prejudicial to the Company's interests.

'With a view to this object, the Stadtholder, under the authority vested in him, has given orders to the several Governors and Commanding Officers of the different Settlements in the Indian Seas, to admit the Ships and Troops belonging to His Majesty, in order to protect such Settlements against the Enemy, and to hold possession of them, under the condition of their being restored to the Republic at the conclusion of a General Peace by which its Independence and its Constitution, as guaranteed in 1787, shall be maintained and secured.

'In consequence of this determination, Orders will be sent by His Majesty, to the Commanders of His Forces by Sea and Land in India, to co-operate with you in carrying

1. *Secret Despatches to Bengal and Circular Despatches* (India Office), I, (*Board's Records*), 31.

into execution such measures as you may determine on, for the purposes above-mentioned. And we authorize and direct you, if it should appear consistent with the safety of our Possessions, to detach, on any expedition, any part of the European Troops and Sepoys that can be spared, and to advance such sums of money as may be necessary for such expedition . . .

HENRY DUNDAS,
WILLIAM PITT,
GRENVILLE'.

9th February, 1795.

Clearly, the British interpretation of the Stadtholder's letter was that it ordered the permitting of a temporary occupation of the Dutch colonies by the British, to be held in trust until the conclusion of a satisfactory peace. Corresponding instructions were issued on 19th February to the Commanders of the various military and naval forces in India. In consequence, the Madras Government resolved, on 7th July, in conjunction with Colonel Brathwaite, Commander of the Coast Army, and Commodore Peter Rainier 'to send a force to Trincomalee, under the command of Colonel (James) Stuart, for the purpose of securing that important place against any attempt on the part of the French'.¹ A proclamation was made calling upon the Dutch colonies to place themselves under British protection on the same terms, and subject to the same threats, as were subsequently offered to Ceylon.²

The choice of Ceylon—and Trincomalee in particular—is to be explained by its strategic importance. Pitt said in Parliament of its acquisition that it was 'to us the most valuable colonial possession on the globe, as giving to our Indian empire a security which it had not enjoyed from its first establishment'.³ That security depended particularly on Trincomalee, 'the finest and most advantageous Bay in the whole of India . . . the equal of which is hardly known, in which a whole fleet may safely ride and remain in tranquillity'.⁴ Governor Maitland later called it 'the real key by possession of which alone you

¹ *Madras Military and Political Proceedings* 253, XLV, 1951, Hobart to Shore, 7th July, 1795.

² *J.R.A.S., C.B.*, x, 394.

³ *Annual Register*, 1802, 31.

⁴ Turner, *Collected Papers on the History of the Maritime Provinces of Ceylon*, 38, note.

can hold the naval superiority of India. Its mere geographical position', he continued, 'if looked at nearly carries perfect conviction on this head along with it. But when you couple with its situation the periodical winds that blow in this country, when we reflect that no vessel can sail from the one side of the Peninsula of India to the other, without coming nearly in sight of it, not a doubt can remain in the mind of any considerate man that it is the sole point in India that can enable you to enjoy the full benefit you ought to derive from your naval power in this Country'.¹

The forces entrusted to Stuart consisted of² the 72nd Regiment, 748 strong, under Major Fraser; the flank companies of the 71st and 73rd Regiments, forming one corps of 351 rank and file under Major Dalrymple; 42 men of the Royal Artillery, under Captain-Lieutenant Dixon; 2 Companies of Madras Artillery under Captain Carlisle; the 1st Battalion Native Infantry, consisting of 14 Europeans and 643 Sepoys under Captain Fergusson; the 23rd Battalion of 14 Europeans and 643 Sepoys under Captain Campbell; a Pioneer Corps of 221 men under Lieutenant Dowse; and 6 Companies of Gun Lascars. There were 12 Staff Officers. The six transports conveying the force were accompanied by the *Suffolk*, *Centurion* and *Diomedé*, the *Bombay* frigate, the *Bombay* store ship, and the *Swallow* and *John* packets,³ commanded by Commodore Rainier who considered the possession of Trincomalee so important that he had 'determined to proceed thither himself'.⁴ The armament left Madras on 20th July, 1795, and arrived at Back Bay on 1st August.

Ahead of this expedition, Major Patrick Agnew was despatched from Madras, on board *L'Heroine*, with a letter, from Lord Hobart to Van Angelbeek, embodying the British proposals as outlined in the Proclamation of 7th July and enclosing the

1. C.O. 54. 22, Maitland to Windham, 20th September, 1806.

2. *Madras Mil. & Pol. Proc.*, 253, XLV, 1945 ff; Turner 40; *Ceylon Antiquary*, iv, 216 ff, containing extracts taken by S. G. P. (Father S. G. Perera) from, among others, Wilson's *History of the Madras Army* and Vibart's *Military History of the Madras Engineers and Pioneers*.

3. W.O. 1, 362, Stuart to Dundas, 10th October, 1795; Turner, 41, *Madras Mil. & Pol. Proc.*, 253, XLV, 2160.

4. *Madras Mil. & Pol. Proc.*, 253, XLVI, 2333 ff, Brathwaite's Instructions to Stuart, 29th July, 1795.

Stadtholder's letter. Hobart's letter¹ described the political situation and, pursuant to his instructions, demanded, in effect, that Van Angelbeek should permit a temporary British occupation of Ceylon, which was to be held in trust for the Dutch until the conclusion of a peace restoring the Constitution guaranteed in 1787. It was opined that the Dutch Governor would find 'no difficulty' in 'paying immediate obedience' to the Stadtholder's orders, consonant, of course, to the British interpretation. Should that be done, the British troops would, during the occupation, cultivate the friendship and goodwill of the inhabitants, and grant them all such immunities and indulgences as could be consistent with the general interests of the Empire, be extended to them. Their laws and customs would not be infringed; nor fresh taxes and duties imposed, provided proper provision was made for the expenses of internal government. Trade would be free, and the inhabitants would be permitted to trade with the British Company's territories on a most favoured nation footing. The officers of the Dutch Government would be left in full and free possession of their employment; while the European troops in the Dutch service would be taken into British pay on the terms on which they were already employed. Should the colony, however, offer any resistance to these proposals, the British would take possession of it by force. The Governor was informed of the expedition to Trincomalee, and asked to make any further communications that might be necessary, to Rainier and Stuart. In view of the critical situation of public affairs, it was to be understood that 'the smallest delay under existing circumstances will be considered a refusal of the offered protection'. Agnew delivered this letter at Colombo on the 25th July.

The news of the turn of events in Europe had already reached Ceylon by way of a despatch, dated 7th July, from the factors at Tuticorin, enclosing the *Madras Gazette* of 27th June which gave the information, and requesting instructions as to how they should conduct themselves in relation to the British. The Political Council, 'after much serious consideration' on the 12th July, decided to instruct their 'subaltern' settlements, such as Jaffna and Tuticorin, whose garrisons were weak and

1. *J.R.A.S., C.B.* x, 392 ff.

for which reinforcements could not safely be spared, to declare, in case of hostilities, 'that we know nothing whatever concerning any change in the constitution of our Republic; and that we faithfully and steadfastly adhere to the old constitution of the same under the States-General, with the Stadtholder at its head'. Should that declaration, however, prove of no avail, and the forces of the enemy too strong for the prospect of a successful resistance, they were to endeavour to stipulate, by capitulation, for a free withdrawal to Colombo with the Company's effects, for the free right to private property, and chiefly for the bringing away of the Company's records. In case the Company's effects were withheld, a complete inventory was to be made. On the other hand, Colombo, Galle and Trincomalee, being 'strong and defensible fortresses', though unprepared for a protracted siege, were instructed to make the additional declaration 'that we shall give over this fortress to no one but shall defend it to the best of our ability'. As a further precaution, the two companies of Malays stationed at Mannār and in the Vanni were ordered to Colombo and Trincomalee respectively.¹

The arrival of Major Agnew at Colombo necessitated a reconsideration of these decisions. The flight of the Stadtholder confirmed the news of the French 'usurpation' of the Dutch Republic. The Dutch Company's activities were reported to be dissolved, and, anyhow, must certainly be at a standstill; so that neither the usual ships nor the necessary money, recruits and supplies would be received that year. Further, the Government of Ceylon was already in great straits: the previous year's supplies from Batavia had been insufficient, while none could be expected for the current year: the coffers, magazines and the medicine chest were empty; and the rice supply, even reckoning on the usual supply of paddy from Batticaloa, was sufficient for only five or six months. Relief in this or any other respect could be looked for only from the English; whereas a flat refusal to comply with Hobart's demands would involve not only the loss of all hopes of aid from that quarter but also the cutting off of their sources of rice supplies on the Coast. Moreover, though Colombo, Galle and Trincomalee were safe

1. *Ceyl. Ant.* III, ii, 99 ff, Resolutions of the Council of Ceylon, 12th July, 1795.

against any immediate threats, Jaffna, Mannār and the stations on the mainland would undoubtedly fall quickly to the English. In that event, the revenue would receive a serious blow Jaffna being a very profitable Commandment – and the communications with India would be cut off. In addition once the British gained a foothold in Ceylon, they would be difficult to dislodge. Neither, in case of conquest, would they be bound to make restitution – a course which was contingent only on a voluntary surrender.¹

The Council therefore decided, on the Governor's suggestion, 'to devise a middle course', which would on the one hand avert the consequences of a flat refusal and on the other ensure 'that we or our superiors should remain absolute masters of our possessions'. For it was felt that much reliance could not be placed on the sanctity of British promises, it being suspected that their real intention was to take permanent possession of the Colony. Though restitution was indeed promised, 'according to the state-craft in vogue these days, pretexts are always found to repudiate the fulfilment of such promises'. The Council accordingly determined that the proffered protection should be 'totally declined' as a 'detestable and abject' course of action; and that no British troops should be admitted into the Company's territory, except only 800 auxiliaries who were to be in the Company's service and pay. These were to be admitted on the same footing as 800 of the Company's troops had in the previous year been taken into the service of the British in Coromandel.²

These decisions were embodied in a letter³ dated 27th July, and despatched through Agnew to Rainier and Stuart. Van Angelbeek declared the faithful adherence of the Government of Ceylon 'to the old and lawful Government system of the Republic of the Seven Provinces, with the States General and the Hereditary Stadtholder at its head, as guaranteed in 1787; and that we still acknowledge the English as our close allies'. Although the protection offered by the British was not so badly

1. *Ibid.* 103 ff, Council Proceedings of 25th and 26th July, 1795.

2. *Ceyl. Ant.* III, ii, 103 ff, Council Proceedings of 25th and 26th July, 1795.

3. *J.R.A.S., C.E.* x, 395 ff; *Madras Mil. & Pol. Proc.*, 253, XLVI, 2,700 ff.

needed as the Dutch forts in Ceylon were in a good state of defence, the Ceylon Government would nevertheless be glad if Madras would return the previous year's demonstration of Dutch friendship by drafting into Ceylon 800 troops: 300 to be stationed at Fort Ostenburg in Trincomalee, 300 at the forts of Negombo and Kalutara in the neighbourhood of Colombo, and 200 in the fort of Mātara near Galle. 'But thereby we ought to inform you that we are destitute of money, and thus we beg that your Government will charge itself with the payment, to be indemnified hereafter by our superiors'. With that extent of aid they would be able to frustrate and repel all enemy designs and attacks; especially because of the military strength of their well-garrisoned and amply-supplied forts, and of the zeal and resolution of both officers and men.

As for the Stadtholder's letter, 'The recommendation of His Serene Highness our Hereditary Stadtholder and Chief Governor-General to give every possible help in our harbours to His Britannic Majesty's ships, shall be obeyed according to our power. But respecting the proposition of Lord Hobart to put our Settlements under the protection of His Britannic Majesty, I am obliged to answer that we are in duty bound to keep them for our superiors, and not to resign the least part of them. I trust that this declaration will be approved of by you, as the letter of His Serene Highness the Prince of Orange on which his Lordship grounds his proposition does not make the least mention thereof, as you will see by the copy which joins this'. This was a complete repudiation of the British interpretation claiming the right to protection by occupation. Van Angelbeek added that such an occupation was not required to attain the purpose at hand 'especially if the English Government pleases to supply us with the aforesaid troops, and His Majesty's ships please to co-operate for the defence of our coasts and harbours'.

The letter was handed to Agnew on the 28th, the Governor saying that from a desire for friendship 'they had perhaps done more than they could justify to their superiors', and that he had not been able to carry it through without opposition.¹

1. *Madras Mil. & Pol. Proc.*, 253, XLVI, 2,709 ff, Agnew to Brathwaite, 30th July, 1795.

The latter assertion is not borne out by the Council Proceedings; but Agnew came away with the impression, gained in various conversations with the Governor and principal officers of the Troops, 'that they were friendly to the British Interests as the Allies of the Republic; the ancient constitution of which as guaranteed in the year 1787 . . . they considered as the only legal authority by which the Seven Provinces could be governed, and that which they had sworn to obey'.¹ Agnew was accompanied by the merchant, Francken, bearing orders to Major Fornbauer, Commandant of Trincomalee, to admit 300 British troops into Fort Ostenburg, to supply them with cannon and stores, and to deliberate on necessary measures with Rainier and Stuart. Secret instructions as to how the British were to be received were also included.² Van Angelbeek thus hoped to preserve the independence of the Colony without exciting British hostilities. Though the British Commanders displayed a willingness to accept the suggested compromise, events at Trincomalee precipitated an open rupture.

Agnew reached Trincomalee on the 1st August and, accompanied by Captain Borough, landed the same evening, with Francken, to deliver Van Angelbeek's orders and arrange as to when troops were to be disembarked. Fornbauer asked for time till next morning, when his emissaries, Captains Renaud and Hoffmann, informed the British commanders that he was ready to observe the duties of the commandant of an allied power. Since, however, he had news of war-like preparations by the British, particularly at Negapatam - preparations which the British authorities were said publicly to declare as directed against Ceylon - he requested 'Monsieur le Commandore' to allay his fears by a written denial, giving his word of honour that he had at the moment no orders authorising him to make war. Otherwise 'I ask him to allow me to refuse entry into the Bumenbaay to any English warship until I receive definite orders from the Governor-General of the Island, and that until then I shall not be able to enter into any negotiation on the subject contained in the letter sent to me through Major Agnew'.³

1. *Idem*. 2. *Ceyl. Ant.* 111, ii, 109, Council Proceedings.
3. *Madras Mil. & Pol. Proc.*, 253, XLVI, 2,682, ff; *J.R.A.S., C.B.* x, 397.

Rainier and Stuart replied¹ that the object of the expedition had already been explained to the Governor of Ceylon, and that Fornbauer had now received his instructions thereon. They reaffirmed that the British came as 'ancient friends and firm allies of the Republic of the United Provinces, to protect with the troops of His Britannic Majesty the possessions of his allies, and to prevent their falling into the hands of their common enemy, under the express condition that as soon as the Constitution of the Republic of the United Provinces is re-established as guaranteed in the year 1787, the places occupied by His Majesty's troops shall be restored'. If peaceful persuasion failed to elicit acceptance of the proffered protection, their instructions were to employ force.

Indeed, the British commanders were going against their express instructions even in accepting Van Angelbeek's compromise. 'Trincomalee . . . is the principal object of your equipment', Stuart had been instructed, 'either to give sufficient defence to it in the event of it being delivered up to you in the manner which has been required, or to enable you to compel the delivery of that important Post to you; . . . and it is my wish that you should be able to defend this important possession if required . . . to the last extremity; and with this view it must be decidedly settled, that although the Civil and Military servants of the United States of Holland, are to remain in their several situations, in the event of their placing themselves voluntarily under the British protection, and the latter entering into the British service, the entire Command of all the land forces, means, and resources for defence or other military operations must be vested in you . . .'² Colonel Brathwaite, at any rate, had no doubts about the interpretation of the Stadtholder's letter.

Anyhow, the necessity for risking the adoption of Van Angelbeek's proposals did not arise. Fornbauer's next note,³ while agreeing to permit the entry of the vessels into the Bay in view of the assurance that the British had no intention of

1. *Madras Mil. & Pol. Proc.*, 253, XLVI, 2,685, ff; *J.R.A.S., C.B.* x, 397 ff.
2. *Madras Mil. & Pol. Proc.*, 253, XLVI, 2,333 ff.
3. *Ibid.* 2,688 ff. *J.R.A.S., C.B.* x, 398 ff.

invading Ceylon, declined to admit the 300 troops to Fort Ostenburg as an omission of formality precluded immediate compliance with the Governor's instructions. The orders had been signed by Van Angelbeck alone (a point that is strange in view of the fact that he had himself protested to Agnew against the letter from Madras being signed only by Hobart¹); whereas, said Fornbauer, the signature of at least the majority of the Council was, by the Company's constitution, required on all letters bearing on even smaller points of administration. As the Governor was old and dying, Fornbauer would render himself liable to the penalties of high treason if a regent should find him without a single thing to justify the admission of 300 British troops into the Fort. He therefore asked for a delay until the matter could be rectified—the interval could well be occupied in the preparations necessary for the reception of the troops. Finally, to prevail on Rainier and Stuart to agree to his request, he formally declared that he had orders, in case of attack by the present Government of France, to inform the British, and to ask of them any help that was deemed necessary to hinder the enemy. He gave his word of honour that he would faithfully carry out his instructions.

The British commanders had been 'particularly anxious' that their mission should not be misapprehended, but felt they had now taken 'every precaution' necessary on that score.² Hence they replied³ that they had not expected a mere omission of form to obviate the conclusion of an arrangement proposed by the Governor of Ceylon—an arrangement, moreover, which, though by no means equal to their demands, had been accepted from a wish to avoid hostilities. They were now obliged to revert to their former instructions and therefore, in conformity with the Proclamation of 7th July, they formally demanded the delivery of the forts under Fornbauer's command into the hands of British troops, 'to be protected by them against the French'. Refusal would be considered a declaration of hostility.

1. *Madras Mil. & Pol. Proc.* 253, XLVI, 2,709 ff, Agnew to Brathwaite, 30th July, 1795.

2. W.O. 1, 362, Stuart to Dundas, 17th August, 1795.

3. *Madras Mil. & Pol. Proc.* 253, XLVI, 2,693 ff; *J.R.A.S., C.B.* x, 309 ff.

On the receipt of Fornbauer's protest *contre la contenu de la note fulminante*,¹ the British landed, on 3rd August, four miles to the north of Trincomalee and prepared eventually to attack. The garrison did not molest the 'laborious service, in which the troops have been employed, of conveying provisions, ordnance and stores, along a deep sandy beach from a distance of three miles'.² On the other hand, the Dutch were cooped up within their forts, their foraging parties, etc. were apprehended and sent back, and Fornbauer was advised to keep his troops and inhabitants within the walls.

Meanwhile, fresh developments at Colombo had altered the political situation. Van Angelbeck had at his own request received on the 28th July³ from Agnew certain London newspapers up to the 13th March.⁴ Translations of extracts from the references therein to Dutch politics were submitted to the Council on 3rd August. The new circumstances, and the information received from Fornbauer that the British had landed at Trincomalee, were considered at the meetings of the 12th and 15th August.

At the meeting of 12th August,⁵ Van Angelbeck reminded the Council that the decision of 26th July had been arrived at under the impression that the French had 'usurped' the government of the States-General. The London newspapers, however, gave a different version. 'It would appear that our Republic has indeed been conquered by the French, but that the changes in the Government were effected with the consent of the majority of the people of Holland; that the calling together of the Assembly of Provisional Representatives of the people was the work of the Deputies of the different cities of Holland; that the abolition of the old form of government and the Stadtholderate was the work of this Assembly, and that the States-General are now constituted as formerly, with only this difference, viz., that this Province shall be represented in the Assembly of their High Mightinesses by the Burghers Holm, Lestevenon and

1. *J.R.A.S., C.B.* x, 400.

2. W.O. 1, 362, Stuart to Dundas, 17th August, 1795.

3. *Ceyl. Ant.* 11, ii, 109 ff, Secret Resolution, 3rd August, 1795.

4. *Ibid.* Sec. Res., 12th August, 1795.

5. *Idem*, for this and next paragraph.

Lorcq'. They had to consider anew, in relation to these facts, their earlier declaration of loyalty and alliance to the Stadtholderate and the constitution guaranteed in 1787. 'What should we do if French ships were to come and the French desired to be received as friends, and also brought with them orders from the new Assembly of Government of the Netherlands to that effect'.

Alternative courses of action were open. Either the new régime in Holland could be recognised, or the resolutions of the 12th and 26th July could be adhered to. Each involved the greatest risks. The former course would evoke British hostility, with all the attendant consequences which had already been outlined and appreciated—loss of trade, revenue and supplies. If, however, they decided to adopt that course, they now had good grounds in the news that the British had invaded the Company's territory. Should the latter alternative be chosen, they would have to admit eight hundred auxiliaries; an arrangement which, despite the difficult situation created by Major Fombauer, could even now be effected. 'But can we do this now in face of the information disclosed by the London newspapers of the state of affairs in our Fatherland, according to which the change of régime was not the work of the French alone, but also of the people of Holland? Can we now with a clear conscience faithfully adhere to the old Government? Can we, in face of orders from Holland to recognise the new régime, oppose them and take arms against the newly formed Republic and the Republic of the French nation? The decision was postponed to the 15th August.

At the adjourned meeting,¹ it was resolved 'that the Republic was the sovereign of her Colonies, and, accordingly, of this Government; moreover, that the Colonies were bound to accept whichever form of Government the Republic adopted and to obey the commands of their rulers'. It was therefore determined to accept and obey the orders of the Batavian Republic, but to adhere to the old constitution until the receipt of legitimate orders; to break off all engagements with the British which might conflict with the orders of the new Republic; to instruct Major Fombauer accordingly, annulling the decision

1. *Ceyl. Arch.* 111 ff., Sec. Res., 15th August, 1795.

to receive three hundred British troops into Fort Ostenburg, and exhorting him to defend Trincomalee to the last; and to inform the commanders of the British Expedition of the reversal of the demand for eight hundred auxiliaries.

In a letter of 15th August,² Van Angelbeck and the entire Council accordingly informed the British commanders that 'having received the news that you have thought fit to invade the Company's territory with armed troops and to summon the forts of Trincomalee and Ostenburg', the resolution to receive eight hundred auxiliaries had been annulled, and that the forts and establishments in Ceylon would be defended against everyone endeavouring to make themselves masters thereof.

This letter decided matters. Indeed, Stuart's actions so far had been completely approved by Colonel Brathwaite who ordered him to revert to his original instructions if all that the Dutch would agree to was Van Angelbeck's proposition, namely, to attack even though regular orders should reach Fombauer beforehand.³ For Brathwaite considered the mere entry of three hundred troops into Fort Ostenburg without full control and command 'useless and dangerous' and inconsistent with Dundas's instructions. Although Agnew was 'still firmly of opinion that Mr. Angelbeck's sentiments are very friendly to us and that in the event of the annihilation of the Dutch Republic, his best endeavour will be exerted to prevent France from profiting by the event in the Colony under his Government',⁴ both Brathwaite and Hobart doubted the Governor's protestations and criticised his conduct as 'unwise and ambiguous' and indeed natural in the circumstances.⁴

Consequently, Stuart moved to the attack on Trincomalee. The troops broke ground on the 18th August, opened their batteries on Fort Frederick on the 23rd and completed a practicable breach by the 26th. As the terms suggested by the garrison on being summoned to surrender proved unacceptible—the first article stipulated its unimpeded retirement to Colombo

1. *J.R.A.S.*, C.B. 8, 400; *Navy MSS. Col. Desc.* 233, 234II, 2, 205 ff.

2. *Navy MSS. Col. Desc.* 253, 257II, 2, 736 ff., Brathwaite to Hobart, 27th August, 1795; and 2, 763 ff., Brathwaite to Stuart, 10th August, 1795.

3. *Ibid.* 2, 708 ff., Agnew to Brathwaite, 4th August, 1795.

4. *Ibid.* 2, 796 ff.

of Jafna - and the British counter proposals were not accepted within the specified half hour - Fortuiner requesting time to consult the garrison - the troops opened fire; and in a few minutes the white flag was displayed on the ramparts, the conditions we had offered were accepted, signed, and transmitted to Camp, with two Captains of the garrison as hostages for their performance.¹ The garrison consisted of two Companies of European Dutch (147 men), the 5th Company of the De Meuron Regiment (54 men), two Companies of Wurtembergers (136 men), three Companies of Malays (284 men), a Company of Sepoys (70 men), a detachment of Artillery (35 men), and three Staff Officers - or 768 officers and men in all, of whom 89 were sick or wounded. The number killed is not known: but it must have been heavy, as the De Meuron Regiment alone lost 30 men.² The British had 15 killed and 4 officers and 50 men wounded, mostly in a night foray by the Malays.

While Stuart was preparing to attack Fort Osterburg, which had refused a summons to surrender on the 27th, an officer of the garrison was sent to him on the 30th saying that the Commandant desired to negotiate. Agnew arranged terms the following day and the garrison capitulated the same evening. It consisted of 255 officers and men - 4 Staff Officers, a Company each of Artillery (8 men), European Dutch (32 men), De Meuron Regiment (69 men), and Wurtembergers (54 men), and two Companies of Malays, etc. (89 men) - but a further 56 men had deserted during the 30th and 31st.³

Having attended to affairs at Trincomalee, Stuart prepared to capture the remaining Dutch strongholds in the north and east. The Madras Council had impressed on him 'the important consequences that must inevitably result to the British interest in India from the acquisition of the Dutch Settlements on the Island of Ceylon', and had expressed 'our earnest hope that you may be able to extend your operations beyond the Fort of Trincomalee - for although the possession of that place is

1. *Madras M.S. & P.M. Proc.* 253, XLVII, 2 927 B; W.O. 1, 362, Stuart to Dundas, 30th August, 1795 and enclosure for the garrison, Capitulation, etc.

2. *Turkey*, 50, citing Cotton and E. W. M.

3. W.O. 1, 362, Stuart to Dundas, 31st August and 10th October, 1795, and enclosure.

recommended to your earliest consideration, yet the object of the expedition . . . equally aimed at the whole of the Dutch Possessions of the Island'.¹ Also, he was anxious to safeguard his communications, and Brathwaite had ordered him to proceed against Jafna.² On the 15th September, Major Fraser, with the flank Companies of the 72nd Regiment and a party of artillery, was despatched for Batticaloa by the *Centurion* ship and *Swallow* packet. Fraser reached Batticaloa on the 17th night, landed next morning and summoned the Fort which surrendered at noon. 'Both the Governor and the Commandant of Troops inform me', he said, 'that the garrison consisted of 52 Europeans and 213 Malays, though they all ran away into the country this morning before our arrival, except 13 Europeans and 4 Malays'. Fraser left a small garrison and returned to Trincomalee on the 20th.³

On the 24th, Stuart embarked a detachment of artillery, the flank companies of the 71st and 73rd, six companies of the 1st Sepoy Battalion, the Pioneer Corps and the greatest part of the Lascars, on board the *Centurion*, *Bowley* frigate, *Bombay* store ship, and *Swallow* and *John* packets, and sailed for Point Pedro, thinking it wise to lead in person. He landed there on the 27th, having been met by the 52nd Regiment which he had ordered from Negapatam. Leaving behind a part of the 52nd, and the Pioneers and Lascars, with orders to follow if necessary, he left the town at 5 p.m. the same day, and although his guns had to be dragged by the troops, reached Jafna, 24 miles away, at 10 o'clock next morning - 'having every reason to think that the sudden and unexpected appearance of this force before the place had a considerable effect in determining the garrison to surrender on the summons which I immediately sent to the Commandant'. The Capitulation of Jafna was signed before 7 p.m. on the 28th. The garrison consisted of 55 European and 97 Native officers and men, beside 22 Adigars, officers and men stationed at the dependent posts of Hamenhiel (Kayts), Pomeryn

1. *Madras M.S. & P.M. Proc.* 253, XLV, 2, 13 B, Instructions of 19th July, 1795.

2. *Ibid.* 253, XLVII, 3, 248, Brathwaite to Stuart, 15th September, 1795.

3. W.O. 1, 362, Stuart to Dundas, 10th October, 1795, and enclosure.

(Pooneryn?), Passe Ratjay (Catsay, Kachchai?) and Walawat Gery (Walvettiturai?) in the district of Jaffnapatam.¹

On 30th September, Stuart detached the flank companies of the 73rd and two companies of Sepoys under Colonel Barbut to surprise Mannar, sixty miles away. The garrison of twenty-five men under a Lieutenant surrendered to Barbut on the 6th October without a blow. Meanwhile, the troops at Point Pedro were ordered back to Trincomalee. On the way, Captain Mouson of the ship *Hobart* captured Mullaitivu, thus obtaining control of the Vanniya. The Vanniya garrison consisted of fifty officers and men at Mullaitivu; twenty-five at Pūvarasañkalam; and eighteen Adigārs, officers and men at the sub-stations at Veditaitakalla, Perpreamadōe (Periyamaḍu?), Viḡattakōvu, Panankāsam, Amulevanmaḍu, Tinnamavēdi and Sohamdikolam (Chandikkulam?). On 13th November, Kalpitiya, with a garrison of thirty-two men under a Lieutenant, surrendered to Captain Bowser, Commandant at Mannar. Stuart had returned to Trincomalee on 4th October, and Dalrymple was placed in charge of Jaffnapatam, which district, and the districts of Batticaloa, Trincomalee, Vanni and Mannar were thus completely in British hands by the end of 1795.²

The respective capitulations of the various forts, none of which made such a resistance as involved surrender at discretion, were on similar lines. The garrisons marched out with the honours of war; personal and private property were secured to their owners; the Orphan House funds were preserved; but all documents in Dutch possession were handed over unreservedly to the British. Such were the essential articles in every capitulation.

Meanwhile, Madras and Colombo were once more in correspondence through Major Agnew. The Dutch had engaged in 1781, and permanently stationed in Ceylon since 1786, a mercenary regiment belonging to Count Charles Daniel de

Meuron, a Swiss.³ The proprietor had retired to Europe, leaving his brother, Colonel Pierre Frederic de Meuron, in command. He there made the acquaintance of a Scotch professor, Hugh Cleghorn, who conceived the idea of getting the regiment transferred to the British service. Authorized by Dundas to pursue negotiations to that end, Cleghorn ultimately prevailed on the Count to sign, on 30th March, 1795, a provisional capitulation which was subsequently confirmed by Dundas on 13th April.⁴ By the terms of the agreement, the regiment, which was to receive British pay from the day it left the Dutch service, was guaranteed British employment for the same number of years as it had served the Dutch. Arrears due from the Dutch Company were guaranteed by the British. The Count himself (who received a *dowry* of £5,000) was to accompany Cleghorn to India, his expenses being paid, to supervise the transfer; the co-operation of the Madras Government being assumed in that connection.

Hobart received the news from Cleghorn in September and immediately perceived its importance. He decided in Council on 22nd September to despatch Agnew again to Colombo in the hope that the fact of the transfer might induce them to an acceptance of the proposition some time since made to Mr. Van Angelbeck.⁵ The Council was still anxious for a peaceful occupation on trust, and the availing of the various contingencies to which an expedition against Colombo and Point de Galle must be liable—the injury their fortifications would probably undergo from a siege—the necessary expense of repairs—the possible loss of men—and the delay which would certainly take place, are all points which have strenuously urged the Board to make the attempt. Agnew was instructed that the negotiations related strictly to the territories that still remained in the Dutch.

Agnew was the bearer of three letters. Two were from Count de Meuron and Cleghorn to Colonel Pierre Frederic de

1. W.O. 1,362, Stuart to Dundas, 10th October, 1795, 2nd and 3rd copies.

2. Item. Also W.O. 1,362, Stuart to Dundas of 10th November and 31st December, 1795, and enclosures.

3. For these vide C.O. 55. (See also W.O. 1,362; and *Madras Mil. & Pol. Proc.* as enclosures to the latter referred to earlier.

1. For a summary of the early history of this Regiment, vide *Appendix 35 C*; also the *Cleghorn Papers*, *passim*; and *C.O.S.* (2nd series) 1, 31, 4, 5 and 6.

2. *Cleghorn Papers*, 3 ff and 15 ff.

3. *Madras Mil. & Pol. Proc.* 253, 254, 255 ff and 257 ff, the latter being Agnew's Instructions.

Meuron, and the third from the Board Hobart and E. H. Fallowfield and C. Saunders to Van Angelboek. The last, dated 22nd September, 1795,¹ besides informing the Dutch Governor of the transfer of the Regiment de Meuron, regretted the refusal to comply with the British proposals, and deprecated the fact that Fombauer's action had frustrated even the limited arrangement that had been made. Although hostilities had thereby been precipitated, Madras was anxious amicably to settle these differences from a belief that there was no difference of interests. The former proposition was therefore renewed with respect to the remaining Dutch Settlements in Ceylon; even though their Council's letter of 15th August warranted the attempting a British conquest. 'It may at the same time be expedient', ran the letter, 'that you should explicitly understand that our proposition goes to putting the Dutch Settlements in question completely under His Britannic Majesty's protection and control, the troops to be stationed for that purpose to be either British or selected from among those now in your service, according to the disposition we may think it advisable to make, under the impression of existing circumstances'.

On 30th September, Agnew met Count de Meuron at Cuddalore and obtained from him a letter apprizing his brother that 'in consequence of the dissolution of the Government with which I had made in 1787 the Capitulation of my regiment, I have resolved to withdraw it from the Dutch army in the intencion of transferring to the service of His Britannic Majesty who has given his protection to the Hereditary Prince Stadtholder, and who has guaranteed the preservation of the Constitution of the States General established in 1787 . . .'.² Leaving Tuticoria on 6th October, Agnew arrived on the 8th at Colombo on board the *Drake*.

The unexpected news of the transfer appears to have made so considerable an impression that for some days Agnew had 'strong ground' to hope that his mission would be successful, 'but one of the leading Members of Council is much in the interest of France, and had sufficient influence to obtain a

majority to support his opinion'.³ On 9th October, the Council decided, by six votes to three, to reject the British proposals outright, and the Governor himself added his casting vote in favour of that decision.⁴ The resolutions were embodied in a letter of 13th October to Madras.⁵ Fombauer's refusal to comply with the Governor's orders was censured, 'as the Governors of Ceylon have always in matters of the greatest importance given orders to the subordinate officers by letters signed alone by them'. The fact of sole signature itself was explained by Agnew's anxiety for a quick departure because his frigate was in danger from the bad monsoon. Nevertheless, the action of the British had been strange, seeing that a delay of a few days, as asked for by Fombauer, would easily have cleared up the misunderstanding. Even if, however, Fombauer's behaviour justified hostilities at Trincomalee, what plea could be submitted in justification of the conquest of Batticaloa, Jafna and Tuticoria? What argument save force? Van Angelboek protested against the transfer of the Regiment de Meuron, for the Court had no power so to do since he had, by the 25th article of the Capitulation of 1781, permanently consigned the regiment to the Dutch for so long as the Company might require its services. The Count's claim, that the dissolution of the Government with which he had made that agreement freed him from his obligations, was invalid. 'But the Government is not yet dissolved, as will appear at the conclusion of a General Peace in the Netherlands. In the meantime we are here the representatives of the same, and as such you acknowledge us by your letter of September 22nd last'. Nevertheless, 'although we are deprived of that part of the regiment which is here, and which consists of five hundred men, we are, however, not destitute of resources to defend what has been confided to us, and if we are at last crushed by a superior force, we will find sufficient consolation in the reflection that we have done all that could be expected from loyal officers, who prefer their honour and their duty to every other consideration'.

1. *Madras M.S. & Pol. Proc.* 253, XLVIII, 396 ff, Agnew to Hobart, 16th October, 1795.

2. *Capt. Rec.* 111, ii, 112.

3. *J. R. A. S., C. B.* x, 495 ff; *Madras M.S. & Pol. Proc.* 253, XLVIII, 396 ff.

1. *J. R. A. S., C. B.* x, 492 ff.

2. *J. R. A. S., C. B.* x, 373 ff.

Cleghorn avers that the Governor tried to keep the de Meuron Regiment ignorant of the transfer and even threatened to keep the men prisoners during the siege.¹ Some colour is lent to the first statement by the fact that the Regiment was informed only on the 13th, when, in the presence of Agnew, the Governor gave them the news and thanked them for their services.² On Colonel de Meuron replying that their sense of Honour and obligation would not allow them to act during the present War against the Dutch Settlements on Ceylon, Agnew felt constrained, though the sentiment was natural, to point out that the Capitulation contained no such limitation. As for keeping the Regiment prisoners - in the first place, Van Angelboek had not the power so to do; and in the second if he had the wish, it is strange that he should himself have supplied the ships for their transport to India.³ A portion of the Regiment was stationed at Galle, while another section had already been made prisoners at Trincomalee: the entire Regiment reached India in November.

Agnew, who left Colombo on the 15th and reached Tuticorin on the 15th, came away with the opinion that the Council's decision was 'extremely opposite to the masses of the People, and to the opinions of the most respectable part of the Council, who see the ruin of their hopes, in the prospect of our obtaining the Island by Conquest. From a source of information on which I rely, I learn that the resolution of the Anti-Stattholderian Party proceeds partly from an idea that we cannot spare Force sufficient for the attack of Colombo, and partly from the hope that a French Force, which the Emisaries of that power have led them to expect in India, may occupy our Troops in other Quarters. When a British Army invests the place, there is a strong probability of its *lowcalate* surrender, should it become necessary to make a Breach, it is the determination of the Governor to prevent by Capitulation if possible the consequences of our Assault.'⁴ Apparently, however, a stubborn resistance

was intended. Tombe's account conveys the impression of careful preparations against the coming of the British,⁵ and the Secret Resolutions of 14th February, 1796, mention a report of Captain Engineer Foeminger to the same effect.⁶ The troops at Galle were withdrawn to Colombo to make up for the loss of the Regiment de Meuron; native levies were recruited, and a militia of European and *Tappas* inhabitants embodied - by which, said Agnew, 'they have added much to the number but little to the strength of the garrison - and the loss of the Regiment de Meuron not only deprives them of the most efficient part of their European Force, but leaves them nearly destitute of Officers of Experience.'⁷ Further, Colonel de Meuron later supplied the British with a considerable amount of valuable and detailed information about the state of Ceylon, its strength, garrisons, forts, etc. supplying exact plans and details along with advice as to methods of attack which Stuart appears to have followed.⁸

After the failure of Agnew's second mission, the Madras Government, on 27th October, decided on 'the necessity of resorting to force in order to get possession of Colombo'; and was convinced by Agnew's version of conditions there that 'the conquest, if attacked with a respectable force, would be extremely easy'.⁹ However that may be, Stuart, who determined to attack as soon as the north-east monsoon died down, was well reinforced.¹⁰ The following reached Trincomalee from the Coast by the middle of January, 1796: - 1 Captain and 4 subalterns of Engineers; one company Coast Artillery with its lascars; the remaining companies of the 73rd whose flank companies were already on the Island (502 men); and the 9th

1. For his account vide *J.R.S.N. C.N.*, 3, 365 f.

2. *Cad. Art.* 111, E, 176.

3. *Madras M.S. & Pol. Proc.* 253, XLVIII, 3,960 f, Agnew to Hubert, 19th October, 1795.

4. *W.O.* 1, 302 contains a document of lengthy answers by him to a number of queries. Vide also *Cleghorn Papers*, e.g. the figures on p. 237 are taken from this document.

5. *Madras M.S. & Pol. Proc.* 253, XLVIII, 4,046 f, Hubert to Shore, 27th October, 1795.

6. For the figures that follow, vide *Madras M.S. & Pol. Proc.* 253, L, 4,790 ff and XLIX, 1,042 ff. The figures within brackets are from *Tower 62*.

1. *Cleghorn Papers*, 231.

2. *Madras M.S. & Pol. Proc.* 253, XLVIII, 3,960 f, Agnew to Hubert, 19th October, 1795.

3. *Ibid.* 253, XLVIII, 3,856 ff, Agnew to Hubert, 15th October, 1795.

4. *Ibid.* 3,960 ff, Agnew to Hubert, 19th October, 1795.

(796 men) and 35th (695 men) Sepoy Battalions, Stuart already had the flank companies of the 53rd; (the flank companies of the 71st had left for Tanjore on 24th November with Dalrymple, and Barbut had succeeded to the command of Jaffnapatam); the 52nd (635 men) and the 72nd (802 men), the 1st (726 men), 7th (797 men) and 23rd (664 men) Sepoy Battalions; 2 companies of Artillery and 521 Pioneers; and a Captain and subaltern of Engineers. This brought his force to a total of 2,236 Europeans and 4,629 natives. Besides, a company of Artillery with two of lascars, the 77th, and two native battalions were on the way from Bengal under Major Petrie.

Immediately after the 15th January, Stuart left Trincomalee, leaving the 2nd Battalion Coast Artillery (50 men), the 72nd, the 23rd Native Infantry, one company of the 1st Native Infantry, and 50 gun and 50 tent lascars - or 852 Europeans and 711 natives in all - to garrison Trincomalee, Fort Osterburg and Batticaloa, under the general command of Major Fraser, with Captain Campbell and Lieutenant Parkinson at the latter forts respectively.¹ The remaining companies of the 1st Sepoy Battalion appear to have been left to garrison other forts. The Bengal reinforcements were to meet him at Negombo, which he had appointed as the rendezvous, and whither he had ordered Captain Barbut to advance from Mannar with the 7th Sepoy Battalion and the flank companies of the 73rd.² Barbut reached Chilaw, which was captured the same day by Captain Bowser, on 1st February, and Negombo on the 3rd to find it abandoned by the Dutch.³ The abandonment is explained by the Dutch Secret Resolutions of 29th January.⁴ It was feared that the strength of the British forces would enable their crossing the Kaymel river (Mahaoya) at different points in three detachments, each stronger than the garrison, thus cutting it off from Colombo. These communications were also threatened by the Kandyans, who were mobilising in the Seven, Four and Three Kōralās; and a sympathetic rising of the Sinhalese in the neighbouring

Maritime districts was also feared. Moreover, the original intention of defending Negombo had later been rescinded by a Resolution deciding to abandon all subordinate posts in view of the superiority of the enemy forces, and to defend Colombo alone. The garrison of Negombo had therefore been recalled on 31st January.

That the Kandyans were mobilising was true. The British had, on 12th October, 1795, concluded a Preliminary Treaty of alliance and friendship with Kandy; as a result of which the Kandyans promised Stuart in November to aid him with provisions both at Trincomalee and at Colombo.⁵ Further, a letter of 20th December from the Second Minister and General of the Kandyan Forces informed Stuart that he was proceeding towards Colombo with the promised provisions and men and inquired where they could meet.⁶ Indeed, Stuart had 'got upon a very cordial footing' with the Kandyans who had a Vakil residing with him at Trincomalee the easier to supply him with provisions.⁷ The Kandyans kept their word, for at Callaw Barbut received a letter assuring him of supplies and offering a force of 5,000 men armed with matchlocks.⁸ The first fruits of their co-operation were gathered at Negombo, and their further help will subsequently be noticed.

On 5th February, Stuart, who had himself arrived the day before, was joined at Negombo by the Bengal reinforcements. Besides, he was supported by a naval force under Captain A. H. Gardner, consisting of the *Heroine* and *Bombay* frigates; the *Rattlesnake*, *Nika*, *Prince of Wales*, *Bombay Castle* and *Suzi*; the *Dutch* brig and *Queen* ketch.⁹ The whole army landed by the 6th evening, and on the 7th Major Petrie advanced with a detachment of the 77th to reconnoitre the Malvaiva (Kikiri) river. Stuart, with the main army, joined him on the 8th and prepared to attack the enemy posts on the 12th; but they were abandoned by the Dutch on the 10th night - after destroying their batteries - from a fear that the enemy fleet

1. *Ibid.* 253, 1711, 275 f, Stuart to Hobart, 25th December, 1795.

2. *Madras Mss. & Pol. Proc.* 253, 1711, 275 T, Stuart to Hobart, 25th December, 1795 and W.O. 1, 362, Stuart to Dundas, 15th January, 1796.

3. *Madras Mss. & Pol. Proc.* 253, 1711.

4. *Ceyl. Ann.* III, ii, 123 ff.

5. *Madras Mss. & Pol. Proc.* 253, 1711, 280 T, Andrews to Hobart, 15th October, 1795 and *Ibid.*

6. W.O. 1, 362, Stuart to Dundas, 12th November, 1795.

7. *Ibid.* Stuart to Dundas, 31st December, 1795, *Ibid.*

8. *Ibid.*

9. *Madras Mss. & Pol. Proc.* 255, 1711.

10. W.O. 1, 362, Gardner to Dundas, 16th February, 1796.

might land troops in their rear.¹ Stuart's army crossed the river on the 12th, and encamped with its left on Pass Betal (Vattala) and its right on Marwal. In the early morning of the 12th, Captain Barbut on the right was attacked by two companies of Malays led by Lieutenant Raymond and Captain Légreisse. The attack was repulsed with the loss of two men killed and two officers and ten men wounded. The Dutch lost forty killed and sixty wounded,² Raymond himself being so seriously wounded as to die soon after. No further fighting occurred, and Captain Gardner, who had anchored some two miles from the Fort on the 12th, landed the guns on the 14th. The Dutch withdrew into the Fort on the 13th, closed the gates and drew up the bridges. The Kandians, whose general had joined Stuart at Negombo, reached Pass Betal (Vattala) on the 12th, and were to cross the river the next day, and take up a position on the British left, with their own left extending to the Governor's House at Grand Pass which was to be the General's headquarters.³

On 14th February, the garrison was summoned through Major Agnew. Smart and Gardner pointed out, in a letter⁴ to the Governor and Council, that British naval superiority precluded the possibility of any help arriving either from Europe or from other Dutch possessions in Asia. They therefore demanded a surrender of the settlements remaining in Ceylon to the Dutch. Refusal would be followed by the opening of batteries, whereafter the option of capitulation would not be given and surrender would have to be at discretion.

The letter was considered at a Council meeting the same afternoon.⁵ Van Angelboek reminded his colleagues that the October resolution of resistance had been made in the cherished hope that the necessary orders and help would soon be received from Holland and Batavia; in reliance on a widely current rumour

that Tipu would create a diversion in India; and in the belief that a French fleet would early appear in Eastern waters. All these hopes and expectations had failed. He went on to describe their plight. The native chiefs had failed to supply the eight hundred volunteers they had promised. An attempt to check the British advance had failed with the loss of forty killed and sixty wounded, while two hundred Chāliyas included in those forces had taken to their heels. Of the four companies of armed Sinhāleses and four companies of Moors, 260 of the former and over half the latter had deserted; and the remainder could not be trusted. Desertions had also occurred among the Malays; and more than half the Moorish artillery had defaulted. The Colombo garrison had thus dwindled, with the exception of officers, to 584 European infantry, 772 Malays, 124 Muzumbar artillery, 108 sailors and 29 artisans.¹ All the stores had fed; and there was no copper money in the Government chest.² In contrast, the British forces were estimated at 100,000 men³ and the fleet at three frigates, thirteen three-masters and five smaller vessels.⁴

Van Angelboek had also taken the opinions and advice of the staff-officers on the prospects and probable results of resistance. With one exception, they had all recommended surrender.⁵ They advised that the fortress could not hold out for longer than three days; that the superior force of the enemy left no chance of a successful defence; that a refusal to capitulate would only result in the destruction of the city and the slaughter of its inhabitants; and that as a surrender after resistance would have to be at discretion, neither the Republic nor the Company would, in that event, derive any benefit either for the present or until the restoration of the colony at a general peace. It may be added that the advice of the Governor of Surat, P. Shaysken, who was in Colombo, was of the same tenor. Even

1. Percival, 113; Tonke in *J.R.A.S.*, C. 6, x, 379.
 2. *Capt. Act.* III, ii, 115 ff. Secret Resolution, 14th February, 1796.
 3. For the account of these operations vide *Madras Hist. & Pol. Proc.* 253, 254; *Sup. E.*, Stuart to Hallowell, 13th February, 1796; *W.O.*, 1, 352, Stuart to Dundas, 21st February, 1796 (which contains a map of the attack); *Mad. Gardner to Dundas*, 16th February, 1796; also Percival, 47 E; Tonke in *J.R.A.S.*, C. 6, x, 378 ff; and Turner, 82 ff.
 4. *Capt. Act.* III, ii, 115 ff. 5. *Ibid.*

1. Van Angelboek appears totally to discount untrustworthy troops, deserters and invalids - otherwise the discrepancy of his figures with those for the garrison found at the Occupation is inexplicable.
 2. *Capt. Act.* III, ii, 115, gives a total sum of 1,110 December, 1795, to issue cash notes to the amount of 50,000 rix-dollars.
 3. Clearly an over-estimate except that the naval forces might possibly be included.
 4. Probably includes the transports.
 5. *Capt. Act.* III, ii, 115 ff.

the advice of the only dissident among the staff-officers, Major Vaugine, was couched in such terms as materially to justify the opinion of his fellows. 'Notwithstanding our unfortunate situation', said he, 'since we have been forsaken by the Government of Batavia, the Honourable Company, and the Republic; notwithstanding our shortness of men and covies and our lack of means for transporting our artillery and munitions; notwithstanding the slender resources which are only left to us; notwithstanding the large number of desertions among our Indian troops; and notwithstanding the overwhelming majority of the English forces: but taking into consideration the good courage of the few people that are still with us; I am of opinion, not in a spirit of tenacity but as befits a man of good courage, that we are in duty bound to defend our city to the best of our ability, and that we should not capitulate until we have won the esteem and regard of the enemy by a valiant defence'.

In these circumstances, the Council unanimously resolved to propose an equitable capitulation. Van Angelbeek, who seems to have been entrusted with the negotiations, appears to have submitted his proposals to Major Agnew. The draft of the Articles of Capitulation, together with Agnew's observations thereon, was submitted to Council on the 25th February, and unanimously accepted.¹ Colombo was occupied by the British on the morning of 16th February, 1796.²

There were in the garrison 1,370 Europeans and 1,840 Malays, Moors and Sepoys, as follows:—720 European officers; 2,338 infantry consisting of 501 European Dutch, 256 Wurtembergers, 880 Malays making two battalions, and 701 Moors and Sepoys; 152 European and 200 native artillery; 251 seamen; and 36 Malays and 23 Sepoy officers.³

Now, although the Council discussion appears sufficiently to explain the decision to capitulate, it is necessary to examine certain charges made by Percival⁴ an officer of the army to which Colombo surrendered, and Tombe,⁵ who used 'infor-

1. *Ibid.* 178.

2. *Madeira MSS. & Pap. Proc.* 253. 1796, 022 ff. Stuart to Hobart, 16th February, 1796; W.O. 1. 362. Stuart to Dundas, 21st February, 1796.

3. W.O. 1. 362. Stuart to Dundas, 21st February, 1796. *Encd.*

4. *In Via Capton*, 312 ff.

5. Tombe is given in *J.R.A.S., C.B.* x. 365 ff.

mation . . . given to me at Batavia and in the Island of Java by several Dutch officers of high rank employed there, who had formed part of the garrison of Colombo at the time'. Percival avers that 'the dissensions among both the civil and military officers of the garrison were the cause which most powerfully hastened the surrender': to which Tombe retorts, in a book published in 1811, that 'treason alone obtained for his country the invasion and possession of this fine colony'.

Tombe's accusation is levelled at Van Angelbeek, whose treasonable intentions he attempts to trace back to the occasion of the transfer of the Regiment de Meuron. He finds the Governor's interviews with Agnew suspicious; he seems to complain that the Regiment de Meuron ought not to have been allowed to depart, though how that could have been accomplished he does not indicate. He calls the Governor's preparations 'his semblance of defence', expresses surprise at the failure to fire on British ships on several occasions, and criticises the inactivity of the garrison. It may at once be noted, however, that Tombe's own account of the preparations at Colombo, as Turner shows,¹ hardly bears out his contention of a 'semblance of defence'; and the failure to defend Negombo has already been explained by reasons other than treasonable intentions.

Percival, for his part, asserts that many of the Dutch were 'violent republicans of the Jacobin party' who desired to depose Van Angelbeek and set up his son in his place—a consummation averted only by the 'sudden arrival' of the British. He accuses the garrison of 'shameful' indiscipline, disorder, drunkenness and mutiny, and states that Van Angelbeek subsequently declared at the tables of British officers that general insubordination rendered ineffective any resolution to defend the place to the last, and that the officers and men refused to face the enemy. This state of affairs, Percival alleges, induced the Governor to enter into a 'private treaty' of surrender which he signed without the knowledge or consent of the troops. The British forces, according to him, were 'suddenly' introduced into the fort before the garrison was aware of the entrance; and he describes them to have been in a state of most intemperate

1. Turner, 79.

disorder and drunkenness; no discipline, no obedience, no spirit'. Outraged by this 'betrayal', the Jacobins are said to have bitterly reproached the Governor and to have turned their guns on his house. As for these charges, the 'private treaty' allegation is clearly insubstantial, as the Council, at least, was not only aware of, but also accepted the Capitulation, and there is no evidence that the British troops were 'suddenly' introduced into Colombo. There may, however, be a substratum of truth in the charge of insubordination, for a Secret Resolution of 10th February, 1796, while appointing a military tribunal to deal with the misdemeanours of the native troops in Colombo, also arranges for the constitution of a similar tribunal to try the European military 'should it happen that the National Regiment and the Wurtembergers were implicated in one and the same offence'. Also, although Percival's account of the attack on the Governor's house is corroborated by Toube, and although 'the joint statement of two somewhat unreliable, but quite independent, authorities may be correct', it is curious, as Turner points out, that Welsh should have found the Governor's house a 'most superb building'.²

On the other hand, the charges made both by Percival and by Toube appear to find some support from other sources. Major Agnew's sustained impression of the attitude of Van Angelbeck and the principal Dutch officers, civil and military, has already been repeatedly noted; and it is probably due to his opinion that Cleghorn informed Dundas in November that 'several circumstances lead me to believe that Mr. Van Angelbeck means to surrender Colombo whenever a respectable English force appears against it. But he must be sure of protection from without before he can effectually counteract the unprincipled party within, for he is unfortunately in the minority of his Council'.³ The latter remark is not borne out by the Council Proceedings, but there does appear to have been a strong Jacobin party within the walls. Colonel de Meuron, whose knowledge of politics at Colombo must naturally have been intimate, reported the garrison to be 'divided into violent factions'⁴ and represented the Jacobin party to be 'numerous', observing

1. *Ceyl. Ann.* 111, p. 115.2. *Toube* 78.3. *Cleghorn Papers*, 214.4. *Ibid.* 217.

that if they aimed at the government they might put Van Angelbeck to death and, in that event, 'tremendously defend the place to the last'. But this is not very probable; as all the Malay troops are entirely devoted to the person of the Governor.⁵ Incidentally, the last statement throws further doubt on Percival's account, as he says that the Malays joined in the attack on the Governor's house. Rumours of a Jacobin *coup d'état*, which appear to have been prevalent in Madras in November, were, however, scotched by 'a young man of the Regiment de Meuron, who was left in charge of the Colonel's property', and who, on his arrival from Colombo in December, reported that 'everything was then quiet in the garrison, and ... the troops entertained no disinclination towards its defence'.⁶ Stuart, too, testified in January that 'if my information is correct, Colombo will not be given up as easily as you think'.⁷

Yet, de Meuron, like Agnew, was of opinion 'that a proper agent sent to Governor Van Angelbeck might still effect a surrender of the garrison on favourable terms'.⁸ What these terms were expected to be is to be gathered from the instructions given to Stuart,⁹ obviously in pursuance of information from de Meuron. The pro-Stadtholderian Party seems to have mostly been concerned about the future of themselves and their own property, and the chief difficulties were expected to arise with regard to the *Kessik Brieven* and *Kess Notes*, a species of bonds and paper currency which the Dutch had issued in face of financial difficulties and mostly held by their own officials. If the matter was insisted on, as was likely, the Madras Government authorised Stuart to guarantee these notes for so long as the British might hold the Dutch possessions between Chilaw and Mātara, to the extent of 250,000 rix-dollars at 3 per cent. interest, or to exchange them for British certificates bearing 6 per cent. interest, taking the paper at the average current exchange for the twelve months preceding August, 1795. This was, however, to be done only as a last resource, and provided possession was obtained peacefully. Should hostilities actually commence and batteries be opened, the British Government

1. *Cleghorn Papers*, 224. 2. *Ibid.* 229. 3. *Ibid.* 242. 4. *Ibid.* 234.5. *Madras Adm. & Pol. Proc.* 251, 5, 513. 6. Council to Stuart, 1st January, 1796.

would be 'in no respect responsible for the paper in question'. Madras was also informed that the removal of all records might be demanded but only attested copies were to be permitted. In other respects, no person was to be compelled to leave the Island, private property was to be secured, and Dutch copper currency was to find its value in circulation. It was believed that Van Angelbeek and the principal military officers, from their 'known aversion . . . to the present usurped Government of Holland' would readily agree to these terms; especially as Van Angelbeek personally held 'large property still in the Island' which could 'only be secured by a favourable Capitulation'. The probability of Van Angelbeek's hostility to the new régime in Holland, and the possibility of his having been influenced by the extent of his property in Ceylon, is strengthened by the fact that he continued after the Capitulation to reside in Colombo till his death.²

These points do lend some colour to the charge of treason against the Governor, in so far as they suggest a predisposition on his part to a favourable capitulation. But a readiness to capitulate is unwise incompatible with a reasonable willingness to defend; and seeing that the principal military officers too are reported to have been opposed to the Batavian Republic and still less disposed than the Governor to bring matters to the event of a siege,³ remembering that every action of the Governor was taken in concert with his Council, a charge of treason, if it is to be substantiated, must be proved against more people than Van Angelbeek alone—a question that does not arise. Further, if there were dissensions among the military officers, it is strange that their advice was, with the exception of one dissentient, unanimous. The same remark is true of the Council. Even if therefore Percival's allegations of insubordination are true, the wider reasons given in the Secret Resolutions appear sufficiently to account for the surrender; though, in that case, such circumstances would probably have coloured the attitude and affected the decisions of the Council. Consequently, and (in view of the close consonance of the articles of capitulation with the terms that were expected to be stipulated), even

allowing for the possibility that the Governor may have been influenced by a knowledge of Agnew's instructions regarding the *Kraak's Brieven*, it may be concluded that there is no adequate positive proof that the surrender of Colombo was either the result of insubordination and Jacobinism or of a treasonable act.

By the terms of the Capitulation,¹ all public papers, books and documents were surrendered; but a period of twelve or eighteen months was granted for the completion of the books by the Dutch servants, who were to be paid as usual. The Dutch *Kraak's Brieven* or Promissory Notes, a species of paper currency, were taken up to the sum of £50,000 by the British, who were to issue certificates to that amount, bearing 3 per cent. interest. The guarantee was, however, to be in force only so long as the districts of Ceylon extending from Matare to Chitaw remained in the possession of the British, and no longer. The question of arrears of pay was left for subsequent determination; while the Dutch copper *Cooldies*, which Van Angelbeek desired should continue current at one stuiver, were to find their own value in the course of circulation and exchange. Private property, including the Orphan and Poor Funds, was declared inviolate. The garrison was to march out with the honours of war, and sent ultimately as prisoners of war to Madras. Europeans desiring for private reasons to stay in Ceylon or to go to Europe, were, however, to be allowed to do so on parole. The officers were to be paid on the former Dutch scale, while the troops were to receive the pay fixed for British prisoners. The Malays, unless they wished to enter British service, were ultimately to be sent back to Java at British expense. Similarly, the Sepoys and Munim were to be permitted to return to their birth-places; while the interests of the Sinhalese and Burghers who had taken up arms, being legally obliged so to do, were not to be prejudiced on that account. The Political and Commercial (i.e., Civil) Servants, the clergy, and the ecclesiastics' servants were to be permitted, according to their wishes, either to remain in Ceylon on a subsistence to be subsequently determined, or to depart with their personal property. The native servants of

1. *Gleghorn Papers*, 232.

2. *Continer* i, 30.

3. *Gleghorn Papers*, 232.

1. Vide *Regulations of Government*, 1766-1833; also in C.O. 35, 1; W.O. 1, 302, Stuart to Dundas, 21st February, 1766, *Kaol.* and *Madras Hist. & Pol. Proc.* 253. LVIII, 602 ff, Stuart to Habel, 16th February, 1766. *Encl.*

Government were to be continued in their employments, while the citizens and inhabitants were to be free to follow their occupations, enjoying the status of British subjects. The Dutch prisoners of state, so long as they remained in Ceylon, were to be subsisted as hitherto. All notarial papers, e.g., wills, mortgages, contracts, debts, etc. were to continue in force; and civil suits pending in the courts were to be decided within twelve months. Deserters from the British service were unconditionally surrendered. The Capitulation was signed by Van Angelbeck and Agnew, and approved and confirmed by Stuart and Gardner, on the 15th February, 1796.

In the Capitulation were included the remaining Dutch Settlements in Ceylon. Troops were immediately detached to occupy Kalutara, Galle and Mātara. Captain Marquand of the 97th occupied Galle on 23rd February. The garrison, which had been detailed for the defence of Colombo, consisted of only the following—European Infantry, 24 officers and 1000 and 23 invalids; 18 European Artillery and 3 invalids; 32 seamen; 6 Malays and 14 invalids; and a European surgeon; besides 300 native officers and soldiers who were immediately discharged.

At Mātara there was a difficulty with the Kandyans. The King of Kandy had sent his generals 'with the greatest part of his forces' to co-operate with the British at Colombo, and also provided 'considerable quantities of provisions'. 'Fortunately', said Stuart, 'from the inability of our fellows, and being amply supplied ourselves by the Madras Government, we had not occasion for riches'. As late as the 27th February, the principal Kandyan General was still at Colombo, but Stuart 'desired him to send back his Troops to their own Country with all possible despatch, which he has promised me to do'.¹ However, in the far south, the Kandyans had already occupied Mātara, 'prior to the signing of the articles'. Consequently, Stuart was 'much at a loss' as to whether he should demand Mātara 'as a right, ceded as a dependency on Galle, by the Capitulation of Colombo', or to 'make it rather a request, as it was taken by the Kandyan General before the articles were

1. *Madras Mss. & Pol. Proc.* 233, 1796, 11030 ff.

2. *W.O.* 1, 352. Stuart to Dundas, 21st February, 1796.

signed'. Feeling the necessity of 'acting with circumspection on this point', he applied for instructions from Madras while determining 'to avail myself in the meantime of any favourable circumstance that may occur for getting possession of Mātara, without giving offence to our new allies'.² However, before instructions indicating that he should occupy the place 'as a right' reached him, or were even determined on, Lieutenant O'Reilly, with the 9th Battalion, had reached and occupied Mātara without disturbance on 24th February. The fort was found evacuated, for the Dutch had gradually withdrawn everybody and everything from it by 1st February.³ Such was the inglorious end of the Dutch régime.

It is clear from the preceding account that the impression which appears to have prevailed contemporaneously,⁴ that the British were pledged to return the Maritime Provinces to the Dutch at a general peace, was erroneous. That pledge had been expressly conditional on the Dutch Settlements being ceded 'as a result of the said order' given by the Prince of Orange from Kew. The condition was definitely not fulfilled. None of the Capitulations contain any suggestion of a temporary cession: for the proviso, 'should these possessions be restored to the Dutch', that appears in Article 6 of the Capitulation of Colombo, cannot be construed as the acknowledgment of any specific pledge. Moreover, as the subsequent official declaration in Parliament,⁵ that the Dutch Colonies were taken 'by force of arms', undoubtedly applies to Ceylon too, the Maritime Provinces must be accounted to belong to Britain by right of conquest from the Dutch.

Certainly, the British displayed a steadily hardening disposition to retain them permanently. Even when Pitt made his negatory overtures for peace in the autumn of 1796, the French were informed that there was 'little prospect' of the

1. *Madras Mss. & Pol. Proc.* 233, 1796, 96; 4. Stuart to Hebert, 21st February, 1796.

2. *Ibid.* Council decision of 1st March.

3. *Ibid.* 2031.

4. *See* Welsh in *J.R.A.S., G.D.* 1, 413.

5. *Annual Register*, 1796, 280 and 289.

Cape and Trincomalee being returned to the Dutch¹; for, as was reiterated early in the following year, the possession of both places 'is of the greatest importance to the defence of the East Indies under the new state of things which would arise in Europe from the possession of the Netherlands by France'.² As, however, the French equally appreciated that their Eastern possessions would in that case be held 'entirely at the leisure of your will and pleasure',³ it is not strange that even the 'shabby proposal'⁴ of 1796 did not find acceptance. At the Lille negotiations of July-September, 1797, too, Lord Malmesbury declared that 'any definitive demand' for Ceylon 'would show a determination of depriving us of all means of defence in the East Indies, where we had no other port'.⁵ On this occasion, however, Pitt's private instructions had been 'to surrender Ceylon to the French, rather than break off negotiations'.⁶ Malmesbury was therefore willing to accept the compromise suggested by Maret, the French plenipotentiary, of a cession of Ceylon to the British, 'if we would consent to carry on the trade in common with the Dutch, and not monopolize the commerce'.⁷ Even this modification of the original French demand for complete restitution of all conquests from themselves and their allies was made against the sustained opposition of the Dutch to any concessions. When, at length, the Directory dictated agreement to 'reasonable sacrifices', the Dutch replied '*de la manière la plus positive, qu'il ne peut jamais consentir à céder à l'Angleterre Ceylon ni Trincomalee qu'il regarde comme la source de sa richesse du pays et la clef des autres possessions, que ce serait rendre l'Angleterre Mistressse de l'Inde*'.⁸ But nothing came of the negotiations, as they broke down over the resuscitation of the demand for a 'general restitution'

1. Malmesbury, *Diaries and Correspondence*, iii, 328.

2. *Camb. Hist. of Brit. For. Policy*, i, 275, 273.

3. Malmesbury, *Diaries*, iii, 339.

4. *Camb. Hist. of Brit. For. Policy*, i, 268.

5. Malmesbury, *Diaries*, iii, 470.

6. *Ibid.*, 300. 7. *Ibid.*, 537.

8. Malmesbury, *Diaries*, iii, 523. Vide also 468, 470, 497.

by the new French plenipotentiaries whose appointment had resulted directly from the course of French domestic politics.¹ Yet, immediately after, Ceylon was secretly offered to the British for £1,200,000.² This 'startling offer' fell through from a doubt whether its proposers had the power to carry it out.

Anyhow, the Maritime Provinces were retained permanently in British possession by the Peace of Amiens, 25th March, 1802.

1. *Ibid.*, 564.

2. *Ibid.*, 581-2, Holland Rose, *William Pitt and the Great War*, 323.

CHAPTER III

KANDYAN RELATIONS TO 1801

The Treaty of 1766 made the Kingdom of Kandy an island within an island, a land-locked dominion without means of direct egress to the sea. Divorced from all progressive influences and deprived of all contact with the outer world, it tottered to its fall in 1815. When the inland kingdom came into British possession, the entire island was, after four centuries, once more united as a single political entity under one sceptre. The events which led to this consummation form a dramatic chapter in the history of Ceylon.

The British first turned their attention seriously to the island in 1763. In that year, the Madras Government, with the object of gaining a foothold in the country, despatched an embassy, Pybus, to Kandy.¹ The time was propitious, for the Kandyans were fast moving towards open hostilities with the Dutch. The opportunity of obtaining British aid in that eventuality was welcome. Pybus, who was well received, proposed a treaty² of alliance and friendship by which the British East India Company was to be permitted to establish a settlement and a fort on Kandyan coastal territory at Chilaw, Kottiyar, or Batticaloa. Kandy was to supply the British with cinnamon at the same price as that at which it had been delivered to the Dutch; while Kandyan pepper and arecanut were to be furnished on similar terms and solely to the British. Kandyans were to have the privilege of freely trading into the Company's territories, but thither alone; the rest of their export trade

1. For an account of this mission vide *Account of Mr. Pybus's Mission to Kandy in 1763*.

2. *Ibid.* 5.

being entrusted to British hands. English law was to prevail within the Company's settlements on the island. The British would afford military aid to Kandy in case of need, but the King was to pay at an agreed rate the expenses of the British troops. Lastly, in view of the heavy expenses that would be incurred in building a fort and maintaining a force to help the King, the latter was to cede to the British certain districts, the revenues of which would recoup them for their outlay.

Kandy, for its part, pressed for definite assurances of aid in case of war, but Pybus was not empowered to give anything more than professions of friendship. Britain was at peace with Holland, which was the only foreign power against whom the Kandyans could conceivably need any help. The Company could not therefore reasonably enter into any commitments of the nature which Kandy demanded. Pybus had no power to enter into a definite treaty, and had repeatedly to make clear that whatever he proposed was entirely subject to the subsequent revision and confirmation of Madras. Although certain of a ready reception at Kandy for any British proposals, Pybus, being an emissary and not a plenipotentiary, had to return after exchanging solemn assurances of friendship. The mission was, however, not followed up. Unaided, the Kandyans went to war with the Dutch; the result was the disastrous treaty of 1766. The realization was forced on the Kandyans that British policy was based not on philanthropy but on self-advancement.

The next occasion of direct contact was in 1782. Britain was now at war with Holland; and when Trincomalee was captured, Hugh Boyd was despatched on an embassy to Kandy.¹ The negotiations came to nothing, for the Pybus failure still rankled. The Kandyans complained that their friendly reception of the overtures of 1763 had not led to the expected favourable consequences. With the return of Pybus to Madras, the business, instead of being effectually proceeded with, had been entirely dropped, and never a syllable had since been communicated to them on the subject. This departure from a negotiation so friendly begun had surprised and disappointed them very much, especially as they had then particular reason

1. For an account of this embassy vide *Miscellaneous Works of Hugh Boyd*, 11.

to turn their attention to it, being on the eve of a rupture with the Dutch. . . . When that rupture took place, they were obliged to support themselves, without any assistance, or even communication with Madras; but . . . now, when a rupture had happened *between the Dutch and us*, the communication was renewed. . . . These circumstances could not but induce them to think that our attention to their interest was governed only by adherence to our own. . . . Nevertheless, the King expressed his anxious desire to establish a connection and alliance as proposed by Madras; but that to make the alliance sufficiently firm, and sufficiently respectable for him to accede to, it would be necessary to procure to it the sanction of the King of England — signified *under his own hand*.¹ The King of Kandy affirmed his readiness to agree when that arrived 'to every proposition that could be made for the strictest union and co-operation with the English arms and interests'.² In the meantime, the British might depend on 'his favourable disposition and friendly services'.³ Not all Boyd's assurances and protestations of the power of the Madras Government to enter into a treaty of the nature proposed could convince the Kandians. Boyd returned in chagrin to find Trincomalee in French hands, and was himself subsequently captured by them.

After the lapse of another thirteen years, Anglo-Kandyan diplomatic relations were, as has been noted, revived by the British on the occasion of the attack on the Maritime Provinces. When Stuart was sent against Trincomalee, the Madras Government furnished him with two letters to the King of Kandy designed to enlist the latter's aid in the enterprise.⁴ Both letters recounted British valour, Dutch oppressions and French dangers; declared that the British force was aimed only against the Dutch Settlements; pointed out the mutual advantages of an expeditious treaty, to negotiate which an ambassador would be sent; and requested help with provisions. But they were alternative and different in style and tenor; and only that which fitted the circumstances, according as the Dutch agreed to be

1. *Miscellaneous Works of Hugh Boyd*, II, 247.

2. *Ibid.* II, 245.

3. *Ibid.*

4. *Ibid.*

5. *Madras Hist. & Pol. Proc.* 253, XLV, 2, 177 ff.

protected or had to be subjugated, was to be forwarded. Meanwhile, on 21st July, 1798, Robert Andrews, a Madras Civil Servant, was appointed ambassador to Kandy.⁵ He joined Stuart at Trincomalee on 13th August, and, on the 26th, the appropriate letter was forwarded in Kandy through some people whom the King had sent down to see if the British were there.⁶ The King's readiness to receive the embassy was learnt in September, and Andrews thereupon departed for Kandy on the 25th. It was not till after the 26th, however, that, from 'a due observation of the forms held sacred in that quarter',⁷ Andrews had audience with the King. But Stuart's anxiety at Trincomalee was allayed by a present of sweetmeats received as a sign of goodwill.

Now, Andrews' instructions⁸ were limited to negotiating a treaty of friendship and alliance which was only to be preliminary to another to be made subsequently in full consultation with the Supreme Government at Bengal; a preliminary treaty, moreover, whose terms were to depend on the political situation. For, if the British became protectors of the Dutch, they could not well agree to articles hostile to the latter. In such event though, commercial concessions might still be obtained. So, Andrews was directed to impress Kandy, as Hobart had already done, with the dangerous effects of French revolutionary principles, and to attempt to obtain for the British a factory, etc. in Kandyan territory.

Pursuant to his instructions, Andrews, on 12th October, 1798, entered into a Preliminary Treaty⁹ of alliance and friendship 'which shall exist as long as the sun and moon shall last, that is for ever'. It was signed on behalf of the King by His First and Second Adigars (Chief Ministers). By the second article of this treaty, it was mutually agreed that neither party, nor any under its jurisdiction, would be 'a friend to those who may be the enemies' of the other; and, by Article 4, the Company further made it 'incumbent' on itself 'to guard and protect

1. *Ibid.* 2, 221 ff.

2. *Ibid.* 253, XLV, 2, 519 ff. Andrews to Hobart, 30th August, 1798.

3. W.O. I, 391. Stuart to Dundas, 20th October, 1798. For an account of the embassy vide *J. R. A. S., C. H.* LXVII.

4. *Madras Hist. & Pol. Proc.* 253, XLV, 2, 221 ff.

5. *Ibid.* 253, XLV, 2, 228 ff.

the King, Country and Religion of Kandy against all enemies. To secure these objects by enabling a British force to be kept in Ceylon, Kandy agreed, by Article 4, to 'cede to the Honourable Company for ever some favourable situation to which the Dutch can have no right or title wherein the Honourable Company shall have full permission from the King of Kandy to erect such Forts and Factories as shall appear necessary'. Article 5 sought to cement the alliance by stipulating that Kandyan trade, 'particularly that of cinnamon', was to be carried on with the British Company, 'in preference to any other Nation'. Lastly, the Company promised that after a final arrangement was made of the proposed treaty and of other matters still under discussion, 'no fresh matter of public concern shall be undertaken or executed respecting the island of Ceylon previous to its being made known at the Court of Kandy and His Majesty's sanction being first had and obtained'.

For the negotiation of the more comprehensive treaty that was contemplated by this preliminary agreement, Andrews was accompanied to Trincomalee, where he arrived on the 22nd, by a Kandyan ambassador who was to be joined immediately by a colleague. As the latter did not arrive till the 27th, Andrews was compelled by the monsoon to take the ambassadors to Madras overland; which he did after making at Jaffna the revenue arrangements with which he had meanwhile been entrusted as Superintendent of Revenue.

The negotiations at Madras nearly broke down over Article 3 of the Preliminary Treaty. The Supreme Government indicated to the Madras Council the embarrassments that might arise from its terms should events in Europe necessitate returning the Maritime Provinces to the Dutch. In such an event, if the Dutch and Kandy remained enemies, the position of the British would be difficult. Hobart was therefore instructed to attempt to satisfy the ambassadors with a mere assurance of friendship; but, if that did not prove sufficient, the Supreme Government agreed to confirm Article 3 subject to its ratification by the Company within two years.¹

1. *Madras Mss. & Pol. Proc.* 253, LVII, 31 V, Council to Andrews, 10th January, 1796.

The ambassadors were surprised by the turn of events, promptly suspecting that the British, having with specious promises astutely 'lulled them into inactivity' and into supplying provisions while the Dutch Settlements were being reduced, now 'throw off the mask' when the need was past.² The help that the Kandyans afforded the British in their enterprise has already been noted. The ambassadors pointed out that if they had previously been informed of the objections now raised, the Kandyans could have proceeded against the Dutch Settlements themselves and recovered some of the territory they had earlier lost; or that, even if they had co-operated with the Dutch, although they could not have prevented the British occupation, they would clearly have been in a better position, in the event of the suggested restriction, to secure advantages to themselves. Consequently, they refused to be satisfied with mere assurances of friendship, and desired to return home at once. However, on Andrews divulging the readiness of his superiors to accept Article 3 subject to ratification from England, they agreed to continue negotiations. The result was a treaty which was signed by the Madras Council on 13th February, 1796.³ Andrews was to go back with the ambassadors and get its counterpart signed by the King of Kandy.

By this treaty, the contracting parties pledged perpetual alliance and friendship, and mutually agreed not only to desist from amicable relations with each other's enemies, but also to render active assistance against them. To enable the Company to keep in Ceylon a force to protect and assist Kandy, the King of Kandy agreed to 'cede to the Honourable Company for ever, a favourable situation to which the Dutch can have no right or title, wherein the Honourable Company shall have full permission from the King of Kandy to erect such Forts and Factories as shall appear necessary'. Kandy engaged that its trade and commerce, particularly in cinnamon, 'shall thereafter be carried on with Honourable English East India Company in preference to any other nation'. Payment for commodities

1. *Madras Mss. & Pol. Proc.* 253, LVII, 179, J, Andrews to Hobart, 11th January, 1796.

2. *Ibid.* 253, LVII, 693 E; also an enclosure in C.O. 53, 1, Jackson to Sturte, 1st March, 1796.

supplied by the Kandians was to be made in 'gold, silver (tanams, cash, piece-goods, broad cloth, brimstone, saltpetre, leads, flints, swords, firearms and other articles', in proportions to be agreed on at the time of purchase; otherwise, the Kandians would be at liberty to dispose of their goods elsewhere. Kandy was to be permitted for purposes of trade, ten vessels, free of search and free of duty at Ceylon, but subject to search at the ports of the East India Company to which they traded. Any ships beyond this number were to be subject to the usual duties. The existing dominions of the King of Kandy were confirmed, 'and moreover as the King of Kandy represents many situations to have been forcibly taken by the Dutch, the Company shall investigate the subject as soon as they have captured their different possessions on the Island of Ceylon, and restore to the King of Kandy at the conclusion of the war, should they remain permanent possessors of the Dutch Settlements, such interior situations as he may appear to have just claims to, reserving to themselves, however, the entire possession and protection of the Coast with the Districts annexed thereto'. Notwithstanding this article, however, 'so soon as the British East India Company become possessors of the Dutch Settlements on the Island of Ceylon, they shall restore to the King of Kandy, a situation upon the Coast for the sole and express purpose of procuring an adequate supply of salt and fish for the consumption of the people of his country'. The British promised to undertake no action in the King's dominions without prior permission, and agreed to assist the King, either in Ceylon or elsewhere, to obtain any articles he might need. Ambassadors were to be exchanged regularly with the accustomed formalities, and the treaty was to be ratified by each party within a period of two years.

As events turned out, the treaty proved unsatisfactory to both parties. It is important to note that it was signed prior to the fall of Colombo. When negotiations were first begun, the co-operation or at least the neutrality of Kandy was important to the British who were then more concerned with getting a footing in Ceylon 'than with making a treaty beneficial to ourselves'.¹ By the treaty as concluded, the British hoped

to secure for themselves a permanent post on the coast, and thereby a part of the commerce of the Island, howsoever the future of the Dutch Settlements might be determined. The consonant articles had been made in the belief that the Kandians still owned, or had an unanswerable right to, a portion of the coast. It was not till June, 1796, that Madras learnt of the Treaty of 1766 which removed that misapprehension.² Consequently, the promised post was no longer so desirable; while, from the nature of Article 4, by which Kandy agreed to cede only 'a favourable situation (and not a port, which was what the British wanted) to which the Dutch can have no right or title', the cession of an interior post (the Kandians having no coastal territory) would, though useless to the British still fulfil that obligation. In that case, the British would, in the event of the Maritime Provinces being returned to Holland, still be involved in those diplomatic embarrassments which were already feared from the articles of mutual alliance and aid.

Moreover, the British *conquest* of the Maritime Provinces altered matters considerably. Becoming thereby heirs to all Dutch claims and interests in Ceylon, they naturally desired to preserve every advantage their predecessors had possessed. The chief of these—the commercial monopoly, particularly in cinnamon which came mostly from Kandian territory—was seriously endangered: the mere 'preference', which was all that Article 5 stipulated, would permit Kandy to engage directly in external trade and undermine that controlling position which geographical circumstances had given the Dutch and could now give the British. In endeavouring to break the Dutch monopoly, the British had, as events turned out, only endangered the possibility of establishing one of their own. That danger was accentuated by the ten ships clause and the post on the coast which had been accorded to Kandy; and that in turn would facilitate the exercise of the right, which had unfortunately been conceded to the Kandians by Article 6, to receive military supplies in exchange for their goods. These concessions appeared also to strike at the customs

1. C.O. 34, 1. Jackson to Stuart, 28th May, 1796 and Stuart to Hobart, 7th June, 1796.

1. C.O. 34, 1. North to Secret Committee, 26th November, 1796.

revenue, as such articles of export as arecanut, pepper, etc. came from the interior, while the King could also trade in tobacco, arrack and cloth through agents. Smuggling too would be facilitated, as well as external political intrigue. Lastly, free Kandyan access to the salt pans would deprive the British of an effective politico-economic weapon, while also removing a valuable source of revenue. It was therefore absolutely necessary to keep the Kandyans from the coast.

If the British thought the treaty conceded too much, the Kandyans felt that it brought them too little. They had hoped to regain at least some part of the territory they had lost in 1766, and in particular, a position on the coast; whereas, by the present treaty, although they had obtained a promise of partial restoration if they could establish their claims, they had expressly renounced their right to any place on the coast except 'a situation . . . for the sole and express purpose of procuring . . . salt and fish for their own consumption. It is not therefore strange that they never ratified the treaty. Andrews went on a second embassy, reaching Kandy on 21st August, 1795; but left on the 23rd with the treaty unratified, for the Court renewed a claim to Puttalam and Batticaloa.¹ Kandy had good reason subsequently to regret losing this treaty, since it was much more advantageous than that of 1766 or any that was proposed later. The opportunity that was now let slip never recurred.

The Kandyans were not slow to show their disappointment. They were discovered to be intermeddling in a rebellion which took place in 1797, as a result of British administrative mistakes, in the Hāvāgam and Sulpiti Kōrales of the Maritime Sīñhalēse districts. An emissary of theirs, who was supposed to be either a 'disguised Priest' or a 'Writer of the Prime Minister' or a 'Secretary of the Kandyan Court', was found to be in the revolted *āveśās* in August 'regulating the administration' and distributing 'employes' and granting '*acconmodessans*, etc.' and the Disāva of Sālanaganuva was said to be conferring at Sīāvaka with the rebels.² Colonel (now Brigadier General)

1. C.O. 35, 1. Smart to Hobart, 22th August, 1796, and Christian David to Stuart, 17th October, 1796.

2. *Madras M.S. & Pol. Proc.* 254, 11, 5, 220 ff. de Meuron to Hobart, 21st August, 1797; and *Ibid.* 111, 5, 303 ff. de Meuron to Hobart, 10th August, 1797.

de Meuron, who had meanwhile been entrusted with the military and civil administration of the Maritime Provinces, at once protested to the Court, only to evoke a categorical denial of any connection with the rebels, coupled with an assertion that the rebels were merely using the King's name unauthorized and for their own ends.³ But de Meuron's messenger declared that he saw and met emissaries passing between the First Adigār and the rebels.⁴ Moreover, in December, 1797, de Meuron learnt that the leader of the rebels, one 'Sīña Apōē' (Sīñño Appu) with an escort of twenty men, had been received at the Court by the King and First Adigār, publicly appointed Disāva of the Nine Kōrales (i.e., the Colombo Disāva), and ordered to go thither, establish order and tranquility, and govern in the name of the King.⁵ Sīñño Appu returned to Sīāvaka and announced his appointment; but the rebellion was quelled by the end of the year and he fled back into Kandyan territory.

Meanwhile, as early as September, 1797, the First Adigār had intimated his desire to meet de Meuron about arranging an embassy. Nothing came of the suggestion for some time, as de Meuron needed instructions. When the request was renewed early in the following year, Lord Hobart, who was himself in the Island on a tour of inspection, fell in with the suggestion since he found that Kandy had turned from 'trust to distrust'.⁶ He instructed de Meuron to avoid the question of the 1766 treaty if possible, as the British were no longer anxious for the treaty and were reluctant to take any steps in relation to it until an opinion had been received from England, but to attempt to restore cordiality.

In the result, de Meuron, accompanied by Lieutenant Colonel Agnew, had a three days' conference⁷ with the First Adigār at Kuarvīlla in the middle of March, 1798. During conversation on the first day the Adigār brought up the treaty question and pointed out that the treaty arranged at Madras differed

1. *Madras M.S. & Pol. Proc.* 254, V, 6, 558 ff. de Meuron to Hobart, 24th September, 1797.

2. *Ibid.* 254, 111, 5, 847 ff. de Meuron to Hobart, 10th September, 1797.

3. *Ibid.* 254, 111, 6 ff. de Meuron to Hobart, 17th December, 1797.

4. *Ibid.* 254, 111, 1208 ff. de Meuron to Hobart, 21st March, 1798.

5. *Ibid.* 254, 111, 2, 303 ff.

materially from the preliminary agreement in Kandy. He proceeded to add that the Kandians had, in helping the British, expected the restoration of all such territories as the Dutch had taken from them, 'even Colombo'; whereas nothing whatsoever had been given up by the British. Next day, de Meuron sent his *Mahendraliyas* to complain to the Adigar about the *Sisbo Appu* affair; but the Adigar denied all connection with the rebellion, and, on the suggestion of the Mudaliyar, promised to apprehend *Sisbo Appu* either through the King or himself, and deliver him to the British. On the third day, the Adigar again came personally, had the treaty read to him, repeated his objections and once more declared that the Kandians wanted the restoration of their lost territories. He then made the important remark: 'Should it be the pleasure of the King of England at a general peace to restore Ceylon to the Dutch, this would not suit our views—what benefit could we then derive from a treaty?' His very tone indicated to de Meuron that it was this crucial consideration that prevented Kandy ratifying the treaty.

Although, therefore, the conference produced no tangible immediate result, de Meuron was informed in April that Kandy wished to send an embassy to Colombo on the 'pretext' of announcing the King's late marriage.¹ After consultation with Madras, the offer was accepted in May, and preparations were being made for the reception of an embassy in June, when a 'malignant fever' broke out in Kandy.² Several notables had succumbed to it, two of the Adigar's chief opponents were seriously ill, and, above all, the King himself had caught the malady. In the circumstances, the Adigar could not leave Kandy; and de Meuron himself was instructed early in the following month to postpone the embassy as a new Governor, Frederic North, had been appointed in England and it was thought best to await a conference till he arrived and himself determined the best policy to pursue.³ The Adigar was informed to that end in late August.

1. *Ibid.* 254, No. 2,938 ff. de Meuron to Hobart, 11th April, 1798.

2. *Madras M.S. & Pol. Proc.* 254, No. 4,352 ff. de Meuron to Harris, 20th June, 1798.

3. *Ibid.* 254, No. 4,029 ff. Webb to de Meuron, 5th July, 1798.

North arrived at Colombo on 12th October, 1798, and soon declared his policy. 'The Court of Kandy', he said, 'very reasonably objects to making any Treaty with us which they do not think we will oblige the Dutch to observe should we restore the Island to them at the Peace. Under these circumstances, they seem to wish that we should form no positive treaty, but remain on constant interchange of good offices, which in my opinion is all that we can desire'.¹ He therefore advised that the treaty should be allowed 'to expire in embryo, and to remain acting by tacit consent on both sides under the provisions of the Dutch Treaty of 1766 till the definitive peace shall have declared to what power these settlements shall belong'.² Should 'European complications and indifferent success' necessitate partition with the Dutch, he advised retention of the north and east in view of Indian considerations, and that the Treaty should in that case be offered again to Kandy 'as your objects will be entirely political, not financial and commercial'. If the British should, on the other hand, retain Ceylon, 'I advise you to keep in your hands, like the Dutch, the entire export and import commerce of Kandy, but treat them with more liberality than the Dutch and not to encroach on their territories'. North had adopted the attitude of de Meuron and Agnew to the Treaty. The latter, who was 'convinced of its impolicy',³ had, after lengthy criticism, suggested a treaty containing terms of the following nature. Kandy and Britain were to pledge mutual friendship and assistance in Ceylon, but, in return for protection, Kandy was to renounce all connection with other European nations. In return for the recognition of Kandyan sovereignty in their existing dominions, the right of the British to the entire coast was to be recognised. The British would engage to supply salt at the price current in their own districts; in return, Kandy was to grant them the right to cut cinnamon free to the west of Balana. Kandyan foreign trade was to be a British monopoly; the British promising to supply them with necessary commodities, military supplies excepted, at prices fixed in the treaty.

1. *Webb's MS.* 13,366, North to Warrington, 27th October, 1798.

2. *C.O.* 31, 1. North to Sec. Comm., 20th November, 1798.

3. *Ibid.* 35, 2. Agnew's Minutes, 12th November, 1798.

How closely North adhered to these recommendations will later be seen. It is, however, first necessary to outline events in the interior; for the development of his policy is closely bound up with contemporary domestic politics in Kandy.

Since 1739, the Kandyan throne had been occupied by Tamils of the Nāyakkār dynasty of Madurai. At the British occupation of the Maritime Provinces, the King of Kandy was the scholady Rājādhi Rājasūha, who had succeeded his childless brother, King Sē, in 1786. Rājādhi Rājasūha discovered that the only alteration effected by his recourse to the traditional Kandyan policy of helping the invader to supplant an oppressive occupier, had been the exchange of a weak for a powerful neighbour. He died in the first week of August, 1798, the victim of a malignant fever.¹ Since he had been childless of five queens, the question arose as to his successor.

At the death of Rājādhi Rājasūha, the *Malādigār* was Pilima Talavē, an ambitious courtier of royal descent, and the very individual who had signed the Preliminary Treaty of 1795 at Kandy, co-operated with Stuart and confederated with de Meuron. He had amassed in his hands several offices and considerable power. The well-connected head of a powerful party, he aimed at the throne himself, intending thereby to expel the Nāyakkārs and to re-establish a Sinhālese dynasty. According to a conversation between Pilima Talavē and the Mahānāyaka Thēra (chief monk) of Kandy, which Davy reports,² the former appears early to have decided on the principles and the person of his choice. 'We will have a king who will listen to us and not ruin the country'. To the Mahānāyaka Thēra's prophecy that 'Such a one as you contemplate will attend to advice and be tractable at first, but if his education be not good, your plan will fail: he will finally follow his own bent, and the country will suffer', the Adigār replied: 'There is a remedy for the evil you anticipate: if the King turn out ill, we can apply to the English; they will check him'. He heeded not the Mahānāyaka Thēra's warning that an expedient which had worked with the Dutch was out of the question with the British. 'Rest

1. Carrington, 139.

2. *Madras MS. & Parl. Proc.* 234, XXX, 5,320 E, de Meuron to Harris, 12th August, 1798.

3. Davy, *Account of the Invasion of Ceylon*, 312 ff.

assured', the wise priest said, 'if the keeper do not take care of his elephant, not only the lives of others, but his own will be endangered'. The *Malādigār* had fixed his choice on a young, Ceylon-born Nāyakkār, 'a near relation of the late King', who had been under his tuition for some time.³ This was Kaṅṅusāmi, a youth of eighteen, son of a sister of one of the queens-dowager, 'uneducated, and having nothing to recommend him but a good figure'.⁴ Pilima Talavē himself later informed the British that this youth was an illegitimate child of Rājādhi Rājasūha.

As soon as the King's death was known, a number of pretenders appeared, occasioning 'a commotion which lasted only a few hours', but the grandees of the Court quickly assembled at the Palace and, 'having turned the Pretenders out of it, they shut themselves up and proceeded to the Election of a new King'.⁵ The *Malādigār's protégé*, Kaṅṅusāmi, was 'as usual, regularly proposed to the chiefs and people; and, as usual, accepted and publicly acknowledged'.⁶ He ascended the throne as Sē Vikrama Rājasūha. His rivals caused some disturbance, but were 'convinced by the leading men of the Court to retain separate limits'; and de Meuron was informed in latter August that Pilima Talavē 'enjoys the greatest power, that all those who were his opponents under the late King are now reconciled to his party, and that they are on the best terms together'.⁷

The Adigār's objects in elevating an obscure youth to the throne are succinctly described by Forbes⁸ 'to get rid of his enemies, amongst whom he reckoned all who could resist or interfere with his schemes of ambition, and to allow the odium of murders committed by his direction to fall on the young man on whose head he had placed a crown, which he

1. *Madras MS. & Parl. Proc.* 234, XXX, 5,320 E, de Meuron to Harris, 12th August, 1798.

2. Davy, 312.

3. *Madras MS. & Parl. Proc.* 234, XXX, 5,329 F, de Meuron to Harris, 12th August, 1798.

4. Davy, 312.

5. *Madras MS. & Parl. Proc.* 234, XXX, 5,348 E, de Meuron to Harris, 27th August, 1798.

6. Forbes *Historical Travels in Ceylon*, I, 21.

intended to transfer to his own hands; this result he expected to accomplish either by the open assistance of the British Government, or by secret treason and assassination of the King. Sri Vikrama Rājasinha was to be the puppet whose strings Pīrma Talarvē would manipulate behind the scenes to his own advantage.

For the time being, the scheme worked. A violent persecution of the Malabar party and its adherents was initiated. Those near relations of the late King, to the prejudice of whose interests Sri Vikrama Rājasinha had been elevated, were either imprisoned, exiled or murdered; as also several of their sympathisers and adherents. The Queen and all the relations of the late King who could be apprehended, were thrown into prison. The Second Adigār, Āriyavāta, a man of true integrity, and Danganuvē Disāva were assassinated. Even the King's own uncle, Gurepola Nāyakkār, was imprisoned with the intention of execution: his sole crime being 'that of giving good advice'. Yet, Sri Vikrama Rājasinha forcibly married the two daughters of this very man.¹

Several of the royal relations, however, contrived to escape into British territory, and were pensioned by Governor North who hoped they might prove of future use.² Among them was the King's brother-in-law, Mirtuvāmī, who had considerable claims to the throne. He was placed in the charge of Colonel Barbut at Jaffna; the others being kept in Colombo under North's own supervision, 'to prevent the danger of intrigue in our settlements' and so that they had no power to disturb the existing Government of Kandy.³ Neither was the Malabar (Nāyakkār) party in Kandy completely subdued. North reports them as 'still powerful' and intriguing outside.⁴ At their instigation, one Rami Sītha Mahārāja, a member of the Kandyan royal family residing at Pūjōdū in Tanjore, even

1. Dorey, 312; C.O. 54, 1. North to Sec. Comm., 26th November, 1798.

2. C.O. 54, 1. North to Sec. Comm., 26th November, 1798 and C.O. 54, 2. North to Sec. Comm., 30th January, 1800.

3. *Ibid.*, 53, 2. De Meuron's Report, vide also *Ceylon and the Hollanders*, 78 ff.; and Cooper in *J.R.A.S.*, C.D. 111, 1827-8, 183 ff., which seems based on de Meuron.

4. Cardner ii, 160.

5. C.O. 54, 1. North to Sec. Comm., 26th November, 1798.

requested North's aid to win Kandy, promising 'an annual tribute and six lakhs of pagodas besides'. North not only refused this request 'because of our present friendship with Kandy', but also arrested his ambassador on suspicion.¹ Moreover, the official announcement of North's arrival had been received at Kandy 'with every mark of honour', and Pīrma Talarvē himself announced his intention of coming personally as an embassy to Colombo, to demonstrate the desire of Kandy for harmonious relations.²

The embassy from Kandy,³ consisting of Pīrma Talarvē and two chiefs of lesser rank, was met by North on 14th February, 1799, at Sitāvaka on the frontier. The ambassadors had declined to come to Colombo because of the small-pox, and North had gladly agreed to Sitāvaka on account of the shortage of rice.⁴ The Mahādīgār, who was the sole speaker throughout, announced the accession of Sri Vikrama Rājasinha and expressed a desire for friendship. He then complained that the treaty which Andrews had negotiated at Kandy had not been confirmed by Madras. North pointed out that these proposals had not been definitive, especially as the Kandyan ambassadors to Madras had consented to alterations in the terms. As for the modified treaty thus signed at Madras, the stipulated ratification within two years had not been made. It was therefore null and void, and he would certainly not agree to the same proposals now. On being assured by the Governor that he had the power to make a treaty, subject to the Company's instructions, the Adigār asked for Tamblegam (Tampalakūmara) 'and the sea-shore under Trincomalee', pleading that Boyd had promised it to Kandy during the war of 1782, 'which was the reason they had joined so heartily in this'.⁵ North denied any such promise; pointed out that, by the treaty of 1766, the Dutch had obtained possession of the entire coast; and claimed that therefore the British had captured it from them and not from Kandy. On this the Adigār observed

1. C.O. 54, 1. North to Sec. Comm., 26th November, 1798.

2. *Ibid.*

3. A full account of it is given in C.O. 54, 1. North to Sec. Comm., 27th July, 1799; also Valentia i, 289.

4. Wellesley MS. 13,806, North to Warrington, 5th February, 1799.

5. C.O. 54, 1. North to Sec. Comm., 27th July, 1799.

that a treaty was of no use in preserving friendship between nations; North 'agreed most readily'. Piliina Talavé then vented off into a violent attack on the Nāyakkār party in Kandy, represented them to be subverting his influence and that of the Sinhalese generally at the Court, 'and obscurely hinted at some plan on which he had long meditated'.¹ North assured him that he would endeavour to protect him from the ill offices of his enemies, and evidenced his assurances by the manner in which he had treated the Kandyan refugees. The Adigār, who seemed pleased by the answer, thereupon volunteered to inform the Governor of the individuals in Colombo who were intriguing with Kandy; but North did not encourage him, as he did not wish to establish too close an intimacy with 'a precarious and perfidious power'.²

The only definite result of the embassy was that the treaty of 1766 finally lapsed. It is obvious, however, that the Adigār was sounding North and estimating the probability of the latter's falling in with his secret designs. North, even at this stage, suspected 'some inconvenience in the position'³ of King and Adigār. Nevertheless, he kept up a private correspondence with Piliina Talavé. Although he was convinced that the machinations of opponents rendered Sri Vikrama Rājasinha's position insecure, he declined the overtures of various parties and expressed his determination neither to give the latter countenance nor to interfere in the domestic politics of Kandy.⁴ Meanwhile, his delay to send an embassy and the raising of a new Malay regiment roused Kandyan fears. He therefore privately assured the Adigār 'of our friendship and assistance against foreign and domestic enemies'⁵ conveying to him at the same time 'a distant glimmering'⁶ of his own desires. Piliina Talavé replied with a request for an interview at Sītāvaka, and North learnt from his agent

1. Decades MS. B, 4 38.

2. Valentia I, 280.

3. C.O. 54, 1. North to Sec. Comm., 27th July, 1799.

4. *Ibid.*

5. Wellesley MS. 13,807, North to Mornington 10, 13th October, 1799 and *ibid.* to same 24th September, 1799; C.O. 54, 2. North to Sec. Comm., 30th January, 1800.

6. C.O. 54, 2. North to Sec. Comm., 30th January, 1800.

7. Wellesley MS. 13,867, North to Mornington, 13th December, 1799.

that the minister had 'important proposals of a secret nature' to make, viz., to plant a British garrison in Kandy to bolster up his power, and to pay a subsidy in return.⁷

The interview took place on the evening of 5th January, 1800, at Sītāvaka. Condliffe asserts that Piliina Talavé 'made to the Governor a direct request to assist him in taking away the life of the King, on which condition he would make the English masters of the country'. 'A proposal he continues, 'so horrible to the feelings of a virtuous mind was rejected with indignation'.⁸ Though Valentia and the official authorities make no specific mention of any such suggestion, some of the Adigār's proposals were indeed not very different in effect.

A despatch of 30th January, 1800,⁹ though written after the January interviews with the Adigār, represents North's attitude at this stage. 'The weakness and disunion of that kingdom are so great, that it must in a short time fall under the effective control of Great Britain. For there is no party that can without our protection feel itself secure in power. And when that protection can be given without violating any principle of justice and good faith, I shall not scruple to give it. Besides the immense political and commercial advantages as well as the perfect security which an established influence in that kingdom will give us, I am convinced that it is the actual presence of a British army alone which can prevent or put an end to civil war among them. . . . All parties solicit our assistance and offer to make their country tributary to our Government. . . . I should infer that while we behaved to them with moderation and equity, they will not be surprised at any interference of ours in their concerns or jealous of any steps we may take to establish our influence among them'.

The conference of 5th January¹⁰ opened with the Adigār complaining that he was sick in body and mind, and that the King was beginning to give his confidence to the Nāyakkāns.

1. Wellesley MS. 13,807, C.O. 54, 2. North to Sec. Comm., 30th January, 1800.

2. Condliffe I, 160.

3. C.O. 54, 2. North to Sec. Comm., 30th January, 1800.

4. An account of the January conference is given in C.O. 54, 2. North to Sec. Comm., 30th January, 1800, Condliffe II, 161 ff and Valentia I, 281 ff.

To this North replied cryptically that the power which had placed the King on the throne could prevent such a change in his counsels. The Adigār persisted in declaring that the King was ill-disposed towards him and the British, and suggested that the latter should take possession of Kandy and depose the King in his favour. Though this proposal was broached on three successive days, the Governor refused assent to any agreement that endangered the person and dignity of a King whom he had recognised and against whom he had no complaint, or that involved the taking possession of a country to which the British had no claim. At the same time, however, he assured the Adigār that he would be happy to secure and establish his power in a manner much more just and infinitely less dangerous. How, inquired the Adigār, could the King and he have power simultaneously? North then broached his scheme. If Pilima Talauvé could prevail on the King to request the British to send troops to Kandy 'for the protection of his person and dignity?' North said he would readily do so. Once a military force was introduced into Kandy, it would be easy to conciliate Śrī Vikrama Rājasinha 'by respectful treatment', and to keep away from him the Adigār's enemies. North engaged to establish the latter on the Coast in such a manner that they should never interfere with the affairs of Kandy, which Pilima Talauvé would continue to direct 'with absolute authority, but in the King's name'.¹ The maintenance of the King on the throne, however, was made an essential condition to any negotiation.

On the next day, Pilima Talauvé had an interview with North's Mahārūḍaliyār.² The Adigār asserted that the people were discontented with Śrī Vikrama Rājasinha and did not regard him as their sovereign. He still desired the deposition of the King, but disclaimed any personal desire for the crown and declared he would be satisfied merely with governing the kingdom under his present title. If British troops should enter the Kandyan dominions, the King, he averred, would flee from his capital. To which the Governor sent the reply that if such was the case, not a man would he send to Kandy. If, however,

1. C.O. 54, 2. North to Sec. Comm., 30th January, 1800.
2. *Ibid.*

3. Valentin I, 282.

his Majesty should think his person safer at Colombo, than in his own capital, he should be hospitably received there, and have an allowance of 2,000 pagodas per month, for the maintenance of his household, which must be paid by the Adigār, who should remain at Kandy with an English garrison governing the country with absolute authority, but in the King's name.³ The Adigār made no difficulty about paying tribute.

At a subsequent meeting with Boyd,⁴ North's Secretary, Pilima Talauvé expressed his hatred of the Nāyakkars and declared that the present King, who was illegitimate and had no legal pretensions to the crown, had been elevated to the throne through his influence. His intention in doing so, he represented, was to make the King instrumental in acts which would render him and the Nāyakkars obnoxious to the people. The way would thus be opened for the Adigār to establish in his own person a new line of Sinhalese kings. He averred that in the achievement of his object he had always intended to put the British in possession of Kandy, provided the supreme power was conferred on him. Boyd repeated his instructions. North was not concerned with the validity of the title of a monarch he had recognised, but sincerely desired the continuance of the Adigār's power provided the King could be induced to place himself and his country under British protection and to admit a garrison. No steps were, however, possible unless the safety of the King's person and dignity was assured, and unless the Adigār obtained the King's express consent to the outline of any permanent arrangement that might be made. North desired the King to remain at Kandy protected by British troops, while Pilima Talauvé exercised the sovereign authority in his name. The Adigār observed that such an arrangement was impossible under the present king as he did not possess the confidence of the nation and as Kandy was torn by faction and civil dissension. He enquired why the Governor was so anxious to protect the King and pointed out that it was not he who wished British troops to be sent to Kandy. On Boyd's re-affirming the Governor's attitude, Pilima Talauvé replied that

1. Valentin I, 282.

2. *Ibid.* I, 282 ff. Cordier II, 181 ff. C.O. 54, 2. North to Sec. Comm., 30th January, 1800.

the King was not a friend to the British and significantly enquired how the British would act in case the King attacked them. Boyd made the non-committal reply that the British well knew how to take care of themselves. At this stage, Boyd mentioned a part of his instructions proposing to send General MacDowall as ambassador to Kandy. The Adigâr paused ruminatively and remarked, 'that the Governor might send the proposed strong escort with the General.'¹

A further interview between Pilima Talavû and North followed on the 22nd January, 1800.² When the Adigâr expressed his disappointment at the tenor of the Boyd interviews, North repeated his proposals of 3th January which he said were prompted by his friendship for the Adigâr whose power and authority at Kandy he wished to perpetuate. The Governor proposed to Pilima Talavû the outlines of a provisional treaty by which a garrison would be stationed at Kandy to protect the King's person and government, which the British would guarantee and defend against all pretenders. We may note that at this time there were no fewer than four such pretenders negotiating with North: each anathematising the others and offering to hold the crown as a British tributary.³ The contemplated treaty⁴ further guaranteed the Adigâr his power and position, retained for the British the exclusive monopoly of cinnamon and the right to cut wood throughout the Kandyan territories, and stipulated the abolition of frontier duties and the establishment of a free trade between the two countries. The British would appoint a commission to enquire into and reorganise the Kandyan revenues, and to settle the extent of the tribute that would compensate the British for their military expenses. Until the completion of that investigation and settlement Kandy was to make a half-yearly contribution sufficient to meet the expenses of the garrison. All state prisoners were to be delivered to the Governor who would answer for their not disturbing the existing government.

1. Valencia I, 285.

2. *Ibid.*

3. Wellesley MS. 13,867. North to Macclesfield, 16th January, 1800.

4. C.O. 54, 2. North to Sec. Commr., 4th April, 1800.

The Adigâr seemed pleased with the proposals, and enquired if the King's permission was necessary to secure the despatch of the troops. North astutely suggested to him that he might exert his ministerial influence to persuade the King to make a requisition for troops to be sent 'to defend him against all foreign and domestic enemies.'¹ When the Adigâr expressed his doubts as to the success of that scheme as 'his influence was no longer what it had been',² the Governor declared that no troops would be sent without the King's permission. Nevertheless, he would write to Sâi Vikrama Râjasîlpa that he was sending General MacDowall as ambassador to Kandy, but that 'he could not think of crossing a person of so high a rank, in so disordered a country, with a smaller escort than a thousand men.'³ Although Pilima Talavû suggested the immediate signing of the treaty, he was compelled to admit that he had not the powers so to do. The Adigâr inquired anxiously whether the escort would return with MacDowall, but was relieved when North pointed out that the treaty could stipulate for a strong garrison to be left with a commandant. Having extracted a promise of the extradition of certain Dutch soldiers at Kandy⁴ the Governor returned to Colombo the next day.

The conferences, however, continued. At Pilima Talavû's desire, North sent Boyd, Somerville and the Mahanudaliyâr to meet him at Sitâvaka.⁵ At their first conference,⁶ on 1st February, the Adigâr professed agreement to the necessity of preserving the King's person and dignity and although the people were already alienated by Sâi Vikrama Râjasîlpa's bad conduct, agreed to his continuance on the throne, provided the real power and functions of government were left in his own hands. He asked for the immediate despatch of MacDowall and his escort; but Boyd declined, as the permission of the

1. Valencia I, 286.

2. *Ibid.* C.O. 54, 2. North to Sec. Commr., 30th January, 1800.

3. Valencia I, 286.

4. C.O. 54, 2. North to Sec. Commr., 30th January, 1800.

5. *Ibid.* North to Sec. Commr., 3rd February, 1800.

6. The account of it is given in North's despatch just cited and Valencia I, 287 ff. Wellesley MS. 13,867. North to Macclesfield, 4th February, 1800.

King was essential. Boyd gathered from his attitude that Pīlma Talauvé and the Second Adigār, who was a nephew and adherent of Pīlma Talauvé, intended, should no permission be forthcoming, to force the King into an act of aggression. When Boyd remarked that, in case of aggression, North would first seek an explanation from the King, Pīlma Talauvé repeated that Sri Vikrama Rājasīōha was hostile to the British, particularly because they were harbouring his rivals at Colombo and Jaffna. The Adigār seemed anxious that MacDowall should come quickly with his large escort and execute his design, but Boyd would not agree without the prior permission of the King.

On 3rd February,¹ Boyd divulged the letter which North intended to send to the King; and with some trivial alterations Pīlma Talauvé approved it. Arrangements for the remuneration of the British troops were completed, the Adigār promising to supply the embassy with everything necessary. Kandyan temples were to be respected, some of their cannon were not to be dismantled, and certain sacred catt'le near Kandy were not to be killed. The Adigār approved of Colonel Champagné as commandant of the garrison and requested that Boyd and Joinville should accompany the embassy. When everything was settled, North was to write a letter acknowledging the services of Pīlma Talauvé to the British and assuring him and the Second Adigār the enjoyment of their offices for life and the protection of their families by Great Britain. The Adigār proposed to return to meet General MacDowall provided his presence was not needed at Kandy, in which case the Disāvas of the *hōcales* would do the necessary honours. Having obtained on 5th February the assurances he desired and having informed Boyd that MacDowall could bring five or six field-pieces without difficulty, the Adigār departed for Kandy.

The letter to the King, of which Pīlma Talauvé had been furnished with a draft, was despatched. It notified the intention of sending the proposed embassy, accompanied by troops. An answer, signed by Pīlma Talauvé, but with the

1. The account is in C.O. 34, 2. North to Sec. Comm., 4th February, 1800. Valentia I, 288 ff and North to Mornington, 4th February, 1800 in Wellesley MS. 13,267.

royal seal affixed, was received.² This being, however, considered insufficient, a further meeting was appointed for Sitāvaika.

At the consequent meeting of 3rd March,³ although the Adigār argued that the form of signature used had been customary in their previous relations with the Dutch and Madras, Boyd insisted on the King's personal signature as the circumstances were peculiar. Pīlma Talauvé agreed, but re-read the proposed treaty, made some alterations and added a new article. He demanded at the figure of two and a half lakhs of pagodias which had been stipulated as a temporary tribute, till the revenue had been reorganised, even though it was to be paid in kind. Though he professed his personal desire to place the revenue under British control, he pointed out the difficulties, as so many various interests were involved. Finally he suggested that North and the Disāvas should meet at the frontier, sign the treaty and send it for the King's signature. He then inquired the possible consequences, if the King should refuse. Boyd replied that no forcible persuasion would be employed by the British. From this interview Boyd thought he perceived that the Adigār had not yet abandoned the design of deposing the King in his own favour. It is also clear from the tenor of the discussion that Pīlma Talauvé was aware of his inability to get the King to sign such a disadvantageous treaty as the one proposed.

At a further interview on the next day, Pīlma Talauvé repeated his invitation to establish the British in Kandy provided he won the throne. Boyd gathered from various hints that he still hoped to make the British instrumental in his designs, and Pīlma Talauvé, when taxed with the intention, admitted he had not yet lost sight of the throne of Kandy. When Boyd re-affirmed the Governor's attitude, the Adigār once more made the significant enquiry (what would be considered a sufficient aggression for taking arms against the King), and went so far as to ask 'whether an irruption of three thousand men into the

1. Wellesley MS. 13,267. North to Mornington, 4th February, 1800. Valentia I, 289.

2. The conference of 3rd March, 4th March and 5th March are reported in C.O. 34, 2. North to Sec. Comm., 4th April, 1800 and Valentia I, 289 ff and Wellesley MS. 13,267. North to Mornington, 5th February, 1800.

English territories would suffice.¹ He was told it would be sufficient provocation, but that he himself would be regarded as the instigator and would lose all hope of British favour. The convenience of the British proposals was again pointed out to the Adigār, who protested that he meant to act cordially. As for the treaty, Pīlma Talavē was informed that the Governor declined to come to Sitāvaka to negotiate with the assembled Disēvas, but Boyd offered to arrange it with them himself. Provided the King's signature was definitely assured, the Governor or MacDowall would then come to sign. The Adigār agreed, the treaty was again revised, but once more agreement as to the temporary tribute proved impossible. Boyd began to suspect the good faith of the Adigār.

At another interview on 5th March, the Adigār refused 'on trifling excuses'² to sign a fair copy of the treaty, and pressed to know the probable consequences of a refusal of signature on the part of the King. Boyd's reply was to the effect that the King would sign if the Adigār wished it. The Adigār then desired that the MacDowall embassy should be sent, but would give no satisfactory reply to the repeated demand for a positive assurance that the General would find the King at Kandy on arrival. Instead, he asked for the final conditions of the embassy. These were given, viz., that the Adigār should sign the proposed treaty as the fundamental conditions of the final one, and that he should assume the presence of the King when the embassy arrived. No definite results were achieved and Boyd wrote to Colombo for instructions.

North seems to have been convinced that the King's life was in imminent danger, and its loss certain unless a force was quickly sent. He therefore resolved to send the embassy and troops, regarding the King's permission as given through the Adigār.³ Pīlma Talavē, who thus got his way without signing any provisional document, was informed of the decision on 6th March, but it was made clear to him that if 'any accident' should befall the King, the Governor would not recognise 'the usurper'.⁴ Pīlma Talavē expressed his consciousness that

1. Valentia I, 291. See Cordner I, 61.

2. Valentia I, 292.

3. Ibid. I, 293.

4. Ibid. 295.

any such attempt would in the existing circumstances be disagreeable to the Governor, who would be injured by the construction which might be put upon such an event in Great Britain, unequivocally protested that nothing was further from his intentions, and promised himself, with the Disēvas, to escort MacDowall to Kandy.

In these circumstances the embassy intended 'to elude the arts of the Adigār' left Colombo on 12th March, 1800.⁵ MacDowall's 'escort' consisted of 1,164 men, exclusive of pioneers and tent-labourers.⁶ As artillery, he carried six six-pounders.⁷ MacDowall was instructed not only to offer the treaty but also to propose that, if the King should approve of it, he should transport his person and his court, for greater safety, into the British territories, there to enjoy his royal rights, and to depose in Pīlma Talavē, the Adigār, the exercise of his power in Kandy.⁸ But he was directed not to consent to any force or threats being used against the King, or to any diminution of his real authority, 'if he found it better established or his life more secure than was generally thought'.⁹ It may here be remarked that MacDowall found the King to be no puppet, and had not the effrontery to propose the suggested transfer.

The embassy was met at the frontier, as promised, by the Adigār, who was accompanied by a considerable force. Strangely enough, he insisted that the artillery should be left behind, and at last agreed to its being taken forward only if covered with a white cloth.¹⁰ Fresh obstruction arose at Ruatavalla, thirty miles from Kandy. The Adigār and his men seemed to regard MacDowall's large escort with suspicion and the difficulties of the road rendered the transport of the artillery almost impossible. Fresh instructions from Colombo empowered the general to leave his artillery behind and urged him to hasten to Kandy with a small escort.¹¹ When MacDowall

1. Cordner II, 101.

2. A detailed account of the embassy is in Cordner II, 287 ff. Valentia has what appears to be an erroneous account. Also Valentia I, 295 ff and C.O. 54, 2. North to Sec. Comm., 4th April, 1800.

3. Cordner II, 287.

4. C.O. 54, 2. North to Sec. Comm., 4th April, 1800.

5. Cordner, 152.

6. Ibid.

7. C.O. 54, 2. North to Sec. Comm., 4th April, 1800.

8. Ibid.

left Ruavilla, his force had therefore sunk to two companies of Sepoys and two of Malays.

On 6th April, MacDowall had audience with Sri Vikrama Rajasinha in the presence of the entire Court. The King desired him to submit the Governor's treaty to the consideration of his nobles. The terms of this treaty¹ stipulated mutual alliance and friendship, the recognition of the King by Britain and the acceptance by Kandy of British sovereignty over the Maritime Provinces. By Article 3, a detachment of seven or eight hundred British troops, 'which force may hereafter be increased as occasion may require', was to be immediately admitted into Kandy 'in order to secure the honour and safety of His Kandyan Majesty'. As these troops were directed to 'securing the King on his throne, and defending him against all his enemies, foreign and domestic', Kandy was to defray, in money and kind at a fair valuation, the expenses of four hundred men. To prove 'the sincerity of the present professions, and of the great respect and attachment which are felt for the King's person and dignity', the troops were only to be considered as 'the defenders of him and his successors, and to support and maintain them in all their rights and prerogatives'. The British were to have the right to fell timber in Kandyan territory, and to cut cinnamon below the Balana Hills; while Kandy would always grant permission on application to send pedlars to the east of Balana. Frontier duties were to be abolished and trade was to be free between the two countries. The subjects of either party, except Europeans and British troops, were to be amenable to the laws of the country in which they might be travelling or residing. Deserters were to be mutually returned. The British would respect the religion, priests, temples, temple-lands, etc., of Kandy, and protect them from insult. Lastly, to preserve communications between the garrison and Trincomalee, Jaffna, Galle and Colombo, the British were to be permitted to establish a postal organisation in Kandyan territory.

1. The Treaty is given in Valentia i, Appendix v, 271 ff and Cordner ii, 325 ff.

If North expected a ready acquiescence to these remarkable proposals, he must have had abounding confidence in the self-interested representations of the astute Adigar. For MacDowall was promptly met with counter-proposals based on the abrogated treaty of 1796. If North asked for much, the Kandyans were not behindhand in demanding more. They proposed that both parties should consider each other's enemies as their own. The British were to respect and defend Buddhism. They would receive permission to cut cinnamon below Balana 'on an annual application made for that purpose'. As for cinnamon growing to the east of that spot, the King would order it to be cut and delivered to the British, 'who shall pay the value of it in money or goods, which must be sent carefully to Kandy'. The claim was revived to ten vessels 'which shall be allowed to sail from and return to the English ports, with such merchandise as is thought proper, and these vessels are neither to be examined nor to pay any duty whatsoever'. Lastly, it was stipulated that 'the old custom of both parties sending an annual embassy shall be renewed and continued'.

It is not surprising that MacDowall's negotiations proved futile in these circumstances. He left Kandy on 23rd April, and though, on instructions from Colombo, he attempted to re-open negotiations during his return journey² he reached Colombo on 7th May, empty-handed.

Certain cardinal facts grow clear from a review of these complicated and somewhat obscure negotiations. Throughout, the Adigar, though he constantly shifted his ground, adhered to his designs on the Kandyan throne. Till the date of MacDowall's embassy, all his schemes were directed to achieving that ambition through the acceding instrumentality of the British. If the Adigar's methods were disloyal, his motives did not lack a semblance of patriotism. That he, a Sinhalese of royal descent, should long to depose a foreign dynasty is as understandable as his intention to implement that consummation to forward his personal ambitions was natural. At the same time, there can be little doubt that, though he offered

1. These are given in Cordner ii, 325 ff.

2. Cordner ii, 327.

to become in some fashion a British tributary, he had no real intention to surrender Kandy. His policy was simply in line with a fatal Kandyan tradition—calling in the foreigner to settle domestic disputes but discarding him on attaining that object. That pitcher, however, went too often to the well, grew leaky by degrees, and finally broke in its user's hands.

On the other hand, it was imminent in the position that the British should seek a controlling influence in Kandy. In view of the interior position of that kingdom, its independence was a shadow and its subjugation a matter of time. Its supplies of salt, its foreign relations, and even its revenues to some extent, were really in British control. The fact that Kandyan commerce had of necessity to pass through the British customs stresses the point of the ten ships clause. Simultaneously, an interior frontier entailed unnecessary military expenses to the British, and frontier duties constituted a distinct drawback to trade. So long as an independent Kandy persisted in its policy of jealous aloofness, the development of the Maritime Provinces would be impeded, and their administration and communications would be cumbersome and accordingly expensive. Measures for the improvement of internal communications and for the exploitation of Ceylon could never be completely executed without a pervading British policy to direct them from side to side, and from end to end of the Island.¹ Neither would the acquisition of new territory lead, as in India, to further entanglements with native powers. The King of Kandy was the only Ceylonese native potentate. 'We shall not by such new acquisition and the reduction of our neighbour and rival or enemy create another equally near to our new frontier, and further removed from the centre and strength of our government.'² On the contrary, an inconvenient internal frontier and line of defence would be annihilated, leaving only one line of defence—the sea. Dundas, therefore, found no difficulty in endorsing the main objectives of North's policy. 'Our great care must be to do nothing by force or coercion of any kind, but it by conciliation and fair treaty we obtain a substantial right of interference in the Government of Candia, our great attention must be to improve the happiness of the

1. Douglas MS. II, § 91.

2. *Ibid.*, § 90.

people, and the prosperity of the country. The sword must be exclusively ours, and the civil government in all its branches must be virtually ours—but through the medium of its ancient native organs.³

If the aims of North's policy were natural, his methods must, however, be accounted dubious. Kandy was, after all, an independent, if undependable, power. In intriguing with the disloyal minister of a King whose title he had renounced and with whom he had no quarrel, and in employing an embassy as a cloak for political subterfuge, North was guilty of a somewhat cynical disregard of morality in international relations. He was acting contrary to his own protestations when he attempted to place in actual power a minister whose acknowledged object was the deposition and perhaps the assassination of his sovereign. True, indeed, that he hoped thereby to preserve the King's person and dignity, and to avoid the hostilities which the Adigâr hinted, on at least five occasions, he intended to precipitate. Nevertheless, he did not display that ability and firm control which alone could have made his tortuous policy successful. He underestimated the King's personal power and position—Śaī Vikrama Rājagōha was no puppet, as the Adigâr himself on occasion hinted. He overestimated the influence of Pilima Talavé and placed in his representations an abounding faith which was justified neither by events nor by his own description of him as *egressus longe exproissimus*.² Neither does his attempt to play off King and Adigâr against each other gain even that approval which success begets. If North expected Pilima Talavé to be his tool, he was mistaken. In the latter's craft and astuteness, North's somewhat amateur diplomacy met more than its match. North was, indeed, not unaware of the unconventionality of his methods. 'Only rancy,' he remarked, 'if one of our Ministers were to behave so about King George; and oblige the Alid Streyes to stipulate for his life.'³

We gain a curious insight into North's real intentions, however, from a passage in a 'secret and private' letter to

1. Douglas MS. II, Dundas's comments on the Paper relating to 'Intercourse with the Kingdom of Kandy'.

2. Wellesley MS. 11,607. North to Mennington, 18th March, 1799.

3. *Ibid.*

Mornington. 'I have given the Adigâr to understand that I shall consider him as responsible for the present King's life. As to his dignity I never will combine to take it away, but if he loses it I shall consider it as little my business as I did when he usurped it. Should the Adigâr succeed in dethroning him without any concurrence of mine, I suppose that you would have no objection to having the said Adigâr received as a vassal? This, no doubt, explains his assurance to Pilima Talauvé that if he establish a form of government which will secure himself the effective power, I will confirm and guarantee it.¹ If Pilima Talauvé was a traitor by intent, North was certainly accessory to his treason. The negotiations can hardly redound to the Governor's credit.

CHAPTER IV

THE FIRST KANDYAN WAR

Pilima Talauvé, who had hitherto occupied the centre of the Kandyan stage, was gradually displaced by the rather dim and elusive figure of Sri Vikrama Râjasîkha. The precise point at which this change was completed cannot be definitely fixed, but it may be said with certainty that the King had grasped the reins of real power by the beginning of 1803. Though Pilima Talauvé still continued to be active in the very forefront, a proper appreciation of the relative positions of King and Adigâr is necessary for the understanding of subsequent events.

The £5,000² spent on the MacDowall embassy had not been altogether wasted. North had thereby gained a better knowledge of the King's real power, and ascertained the utter impossibility of his ever agreeing to the garrisoning of Kandy. He even began dimly to realise the truth of Pilima Talauvé's assertions of royal anglophobia. Sri Vikrama Râjasîkha was no doubt irked by the awkwardness of the Kandyan position, nor is his jealousy and suspicion³ surprising when it is remembered that North was harbouring rivals and pretenders at Jaffna and Colombo. The Governor also perceived that Pilima Talauvé's power was by no means as absolute, nor the King's confidence in him quite as complete as he had deemed it. As early as 1800, the King had appointed Levukê, a relative but a rival of the Adigâr, to the important disâvaship of Ūva, and made him a confidant.⁴ North therefore attempted to open,

1. Wellesley MS. 13,867. North to Wellesley, 18th July, 1800.

2. *Ibid.* North to Mornington, 18th April, 1800.

3. C.O. 57, 2. North to Sen. Comm., 4th April, 1800. Also Wellesley MS. 13,807. North to Mornington, 18th April, 1800.

1. Wellesley MS. 13,867. North to Mornington, 2th January, 1800.

2. *Ibid.* North to Mornington, 4th February, 1800.

through him and the Mahanāyaka Thero of Kandy, direct negotiations with the King. On Levukē informing him that the King desired to make a treaty with the British he replied with two letters assuring support,¹ but the Kandyan demand for a place on the coast rendered all negotiations nugatory.

Believing that the embassy had had bare the relative weakness of Kandy and that it was henceforward only necessary to watch the proper opportunity to obtain every concession he might desire,² North now altered his objective to some extent. He discarded the idea of a garrison for that of a cession of territory. In doing so, he argued that the former course would involve the British in the 'domestic squabbles'³ of Kandy, and, as they would be in honour bound to protect the King, would alienate the Adigār. 'We should find ourselves immediately involved in the civil commotions of the country, and obliged to support the title of a Prince on whom we should have forced our protection, against the person and the party by whose agency we should have carried our point.'⁴ Also, he pointed out that in case of a separate peace with Holland, rumours of which were at the time current, a piece of territory ceded by Kandy would be valuable as a British base.⁵ North repudiated any idea of going to war, and claimed that British influence was 'silently and rapidly'⁶ increasing at the Court because he was in correspondence with every person of any importance in Kandy and with the King himself, and because 'there is scarcely a man in authority who has not made direct overtures to me.'⁷

Meanwhile, Pīlma Talavū⁸ too had changed his tactics. Perceiving that North was reluctant to fall in with his designs, he exerted his influence to precipitate hostilities with the British. He persisted in his intrigues, incited the Kandyans to aggression, attempted to rouse discontent in the Maritime Provinces, and tried to trick the British into hostile acts by sending false and ambiguous reports and letters.⁹ Although the Kandyans were

1. C.O. 54, 2. North to Sec. Comm., 4th April, 1802.
 2. Wellesley MS. 13,867. North to Mornington, 16th April, 1802.
 3. *Ibid.* 4. *Ibid.* 5. *Ibid.*
 6. Wellesley MS. 13,867. North to Wellesley, 13th January, 1802.
 7. *Ibid.*
 8. Ordiner II, 163. C.O. 54, 2. North to Comm. of Directors, 5th April, 1802.

genuinely alarmed by the frequent movements of soldiers occasioned by calls from India, and by the arrival of Wellesley with many troops,¹ Pīlma Talavū's efforts were to no purpose.

It was in these circumstances that another Kandyan embassy² came to Colombo on 3rd February, 1802. The members were Mīgastānū, Second Adigār and Disāva of the Three and Four Kōralēs and an adherent of the Pīlma Talavū party, Ratvattē Disāva of Sabaragamuwa, and Gōnagala, Chief of the Hārasiyapattura. They delivered a complimentary letter from the King saying that MacDowall had been received in audience on 5th April, 1800.³

At a secret conference on 5th February,⁴ Mīgastānū reverted to Pīlma Talavū's Sīrāvaka proposals, saying that the King's arbitrary acts and interference with social customs had alienated the people. North refused to entertain the proposal and said that its repetition would be taken as an insult, and that he would regard as enemies those who should occasion any harm to the King. Instead, he pressed for the acceptance of MacDowall's treaty which, since Pīlma Talavū had told him he had the power to accomplish, 'it is plain that he did not wish it, and it is he whom I shall hold responsible.'⁵ When Mīgastānū pointed out that his party would, if it had the power, have been able to check the King's oppressive acts, North promptly remarked that in that case he would treat directly with the King and not with them. The ambassador then reverted to the old ten ships proposal, and demanded the restoration of three small islands which the Dutch were represented to have seized unjustly from Kandy. North characterised the proposal as an 'impertinence and a piece of folly',⁶ and demanded to know if the embassy had power to treat. Mīgastānū replied that he had been empowered to do so on condition that this article was admitted. He then endeavoured to persuade North

1. Wellesley MS. 13,867. North to Wellesley, 13th January, 1802.
 2. For a full account of this embassy vide C.O. 54, 27, 1st. Secret Diary, under relevant dates and C.O. 54, 7. North to Hobart, 16th March, 1802, also Ordiner II, 163 and Valentin 1, 290.
 3. C.O. 54, 27. Secret Diary, 5th February, 1802.
 4. *Ibid.* 5. *Ibid.* 6. *Ibid.*

to send an embassy and offered even to exchange embassies if North should send one first. The Governor refused categorically, and affirmed his determination to sign a treaty only at Colombo.

At a further meeting with the Governor, who was accompanied by his two Mahamudaliyārs and Jolaville and Boyd,¹ the ambassadors expressed the willingness of the Court to accede to a modified form of MacDowall's treaty. Since the uncertainty about the destiny of the Maritime Provinces had been finally settled in Europe, North felt himself to be in a position to stiffen his terms.² He therefore stipulated³ the continuance of amity and the recognition of each other's sovereignty over the respective territories they occupied. Kandy was not to correspond with any European or Indian power. All Europeans, Portuguese and Malays sojourning in Kandy without British passports, were to be delivered on condition that none would be punished save absconded criminals. For the maintenance of a British force of 600 Europeans and 1,200 Malays in its territory, Kandy was to pay a tribute of four lakhs of rix-dollars in money and kind, or cede Sabaragamuwa or the Seven Kōralēs. The four lakhs, however, were merely towards maintenance; if the King desired to employ the troops, he was to provide supplies, ordnance, etc. at his own expense. The British were to be allowed to build a road between Colombo and Trincomalee through Kandyan territory, with rights of free passage, post and rest-houses to British subjects and troops. Over and above the right of the British freely to collect cinnamon west of Balana, and the preservation of the British monopoly, Kandy was to supply all cinnamon needed from the east of Balana at ten star pagodas per bale of 88 lb. British subjects were to have the right to cut timber in Kandyan territory. On the other hand, the Kandyans were to purchase and provide salt in the British Territories, and exercise Trade and Commerce there, under the same regulations as the native subjects of His Britannic Majesty. Frontier duties were to be mutually abolished: Europeans guilty of default in Kandy were to be handed over

1. C.O. 53, 27. Secret Diary, 5th February, 1802.

2. *Ibid.* 54, 7. North to Hobart, 16th March, 1802.

3. These proposals are in the despatch of 16th March, 1802; and, and in Secret Diary, 5th February, 1802.

to the British Government for trial, but natives were to be subject to the laws of the country in which they might be sojourning or residing. North added that the signature of this treaty would remove 'the just reasons for suspicion and displeasure which the Court of Kandy for these last two years has given the British Government'; demanded 'a specific and categorical answer' within ten days; and threatened that rejection would involve the non-continuance of the offer of 'such favourable conditions'.

The treaty was discussed on the 7th at a secret conference¹ arranged with Boyd on the ambassador's own request. With regard to the question of foreign relations, the ambassador said that the Court was in correspondence with certain people in India for a princess to wed the King. He wanted to know the position, as the Dutch had facilitated the journeys of such princesses, and also readily placed ships at their disposal to bring over priests who might be needed for purposes of religion. Boyd promised satisfaction in such matters. The ambassador enquired whether the articles regarding deserters and refugees were reciprocal, but Boyd had no instructions to promise that. On the questions of placing a British force in Kandy, of its payment and of the road, he said he must first get instructions, but expressed agreement to the cinnamon clause on condition of an annual embassy to Kandy. Though the ambassador pressed strongly for this point, Boyd informed him that no embassy would be sent till the treaty was signed, but promised to despatch one as soon as the signature was given. Neither could he inform the ambassador whether the British would confine themselves to particular spots in felling timber. The only other point on which there was disagreement was the ten-day clause, which the ambassador declared was impossible. He refused either to take away or to send the treaty, and demanded that an embassy should be sent to propose it. In the circumstances, the conference was a complete failure and the embassy departed with displeasure on both sides.²

1. Secret Diary, 7th February, 1802.

2. C.O. 54, 7. North to Hobart, 16th March, 1802.

In these negotiations North was, in accordance with instructions from Home, basing his terms on the treaty of 1766. The stipulations with regard to Europeans, legal and commercial relations, and cinnamon, were in the direct line of descent; and the payment he offered for cinnamon was twice as much as the Dutch had paid.¹ Though unwilling to return Kandyan exiles 'to the operation of their barbarous caprices,'² he was agreeable to placing them out of harm's way on the Coast. Nevertheless, these terms were stiffer than any he had previously proposed. This is accounted for by the fact that the Maritime Provinces had now become definitely a British possession, a change which North opined was 'perfectly well felt and understood at Kandy', and made a permanent arrangement desirable to them.³ North, however, attributed the failure of the negotiations not to the exorbitance of his demands, but to the pernicious influence of those profligate ministers.⁴ On the other hand the Kandyan demand for an annual embassy was equally in the Dutch tradition, and no doubt the Court hoped that the admission of such an arrangement would result in an increase of prestige.

While matters were in this strained state, MacDowall received on 3rd March a letter from Piliwa Takawé⁵ suggesting that the British should cut a road to Trincomalee on the strength of his personal permission but without the King's knowledge. He gave all the necessary information about the difficulties that were to be expected in the enterprise, which he desired should be carried out with secrecy and expedition as it was the King and not he who had hitherto refused the permission. Once the road was constructed from Negombo to Nālanda, he declared, it would not matter whether the King discovered the fact or not. Finally, he requested 'that Malabars who come from another country may be prevented from coming into Kandy' and asked the Governor for an interview at Sīlavaka.

As the building of a road in the manner suggested would have constituted 'an act of incontrovertible aggression'⁶ it is obvious

that the Adigār was preparing newer and subtler schemes. North declined this astonishing suggestion in no measured terms, demanded that his treaty should be submitted to the King who he was sure would agree, and refused any interview till the treaty was signed.

The Governor was now beginning to appreciate better the Adigār's position and treachery. 'Policy, no less than good faith, obliges me', he said, 'to decline taking any measure of importance in the Kandyan Territories on the bare consent of that false and not omnipotent minister, and without the public and specific permission of the King.'⁷ He expected a change of ministers at Kandy was probable, and hoped easily to place the Adigār's successor 'entirely in our interest.'⁸ Some changes did indeed occur at this time. Levaké was appointed Disāva of the Four Kōralés while the Second Adigār, a close adherent of Piliwa Takawé and Disāva of the Four Kōralés, was given Levaké's Disāvaship of Ūva in exchange.⁹ Though this may have been some setback to Piliwa Takawé, it cannot have been of much consequence. Feeling that any confidence placed in him would only forward 'the selfish and nefarious views of that unprincipled minister,'¹⁰ North began to toy with the idea of using Murtasāmi as a tool. 'Should the present ministers depose the King', he said, 'I would undoubtedly reject any arrangement proposed by them; and exert the Force entrusted to me in the direct support of the successor destined by the late King, who now resides here, and has a very considerable party in the country.'¹¹

Meanwhile, numerous alarms belied the apparent tranquillity of things. North's tours around the Maritime Provinces made the Kandyans suspect that he intended to attack.¹² War-like preparations were made on the frontiers and men began to be drilled in the interior. One man from every village however small, and proportionately greater numbers from the more populous villages, were summoned to service and concentrated

1. C.O. 54, 7. North to Hewart, 16th March, 1802.

2. *Ibid.* 3. *Ibid.* 4. *Ibid.*

5. Secret Diary, 21st March, 1802.

6. *Ibid.* 1st April, 1802.

7. Secret Diary, 21st March, 1802. 8. *Ibid.* 1st April, 1802.

9. C.O. 54, 7. North to Hewart, 16th March, 1802.

4. *Ibid.* 5. *Ibid.* 6. *Ibid.*

7. Secret Diary, 14th June, 1802.

8. *Id.* 24th May to 25th June, 1802.

at appointed places in the eight 'circles' into which the country was divided for military purposes.¹ The various commandants of the Maritime Provinces, whose spies brought the news, informed North that they expected hostile incursions.² They were warned in reply to be in readiness and strictly to enforce the regulations against the export of arms and ammunition into Kandyan territory. The Madaliyāra were sent into their *kōroṭṭe* and charged with the responsibility of preserving tranquillity and spying on the Kandyans. The Governor, however, did not seriously anticipate any active hostilities.³

Amidst these activities, North received a letter from the Adigār and the courtiers making vague concessions, probably without the King's consent. Levukē's private agent, who had brought the message, was, on the 25th June, 1802, entrusted with a strong reply. 'The King and his Ministers have refused the Treaty, therefore His Excellency is freed from all obligations to protect the King or to interfere in preventing any Prince of the Blood Royal from declaring and asserting his pretensions to the throne, more especially as His Excellency has received credible information of suspicious preparations making in the Kingdom of Kandy, and of treatment being received by the subjects of his Government on the Kandyan frontiers very different from that which he has always observed towards the subjects of the King of Kandy'.⁴ North had obviously decided to throw King and Adigār overboard and to press the claims of his tool, Muttusāmi.

The climax was, however, at hand. Pilima Talavē had at last contrived a means of precipitating the hostilities he desired. On the 25th and 30th June, 1802, North heard from O'Connell, Commandant of Puttalam, that the Kandyans had committed hostilities on certain British subjects trading in Kandyan territory. Boyd was sent to investigate the charges and particularly whether the reported acts were 'the effect of wantonness on the part of the Kandyans' or whether the sufferers did not in some measure 'render themselves obnoxious to the Government.

by carrying on a contraband and illegal trade'.⁵ Boyd found⁶ that in March and April of that year, two parties of Moor merchants, 71 persons in all, had gone trading for arecanut in Kandyan territory. The *karavāns*, or trading parties, took salt, salt-fish, cloth, tobacco and copper money, carried on the backs of 602 cattle. Having bartered their goods they were returning with 294½ *assers* of arecanuts, valued at 22 rix-dollars the *assers* in the Puttalam bazaar, when they were stopped, harassed by delays, and finally the whole of their arecanuts confiscated and taken from them⁷ at Kakanakuli, by order of Pilima Talavē. The Moors were ultimately permitted to depart with their cattle.

It is difficult to account for the depredation except on the hypothesis that the Adigār had conceived this method of provoking hostilities. That this is more than probable is clear from the fact that it was subsequently proved that a confidential agent of Pilima Talavē had conveyed the arecanuts to Ruamvīlla and sold them there to certain Colombo traders.⁸ The commerce itself had 'long been accustomed' and was 'universally deemed legal';⁹ one of the traders had been engaged in it for forty years. The Kandyans themselves had hitherto engaged in the trade without interruption, bringing down their produce to be bartered for salt, fish, cloth, etc. in the Maritime Provinces. Indeed, at the very moment that Boyd was investigating the outrage there was within his view at Puttalam 'a division of about 50 persons from the Kandyan country and 250 head of cattle peacefully occupied in this traffic'.¹⁰

In September, North addressed a public remonstrance to the Court, a personal letter to the King, and a communication through Arbuthnot, the Chief Secretary, to the Adigār.¹¹ He demanded a satisfactory explanation or compensation. A reply from Pilima Talavē,¹² received on 14th October, promised an investigation, information of the result of which was received

1. Secret Diary, 18th July, 1802.

2. e.g. *Ibid.* 24th May, 27th May and 3th June, 1802.

3. *Ibid.* 24th May, 1802.

4. *Ibid.* 25th June, 1802.

5. Secret Diary, 26th July, 1802.

6. *Ibid.* 31st July, 1802.

7. C.O. 51, 7. North to Hobart, 16th March, 1802.

8. *Contin.* II, 105.

9. Secret Diary, 31st July, 1802.

10. *Idem.*

11. C.O. 52, 6. North to Hobart, 4th September, 1802.

12. Secret Diary, 14th October, 1802.

on 8th October. The Adigār said that when he had summoned to his presence the persons who had seized the arcanut, they had pleaded that they had done so 'because they had already taken the arcanut farms of the Disāvānics'.¹ In other words, they argued that the Moor traffic was illegal as it infringed their monopoly as renters. The Adigār declared, however, that he found the Moors had come before the farm had been rented, and therefore promised restitution if and when the applicants came to him.

Meanwhile, Levuḷē and Pilima Talavū again opened private negotiations with the Governor and seemed 'extremely desirous' of making a treaty. They asked, too, for a meeting at Sītāvaka, which North refused as they already had his terms. 'The King also says he wishes to sign a Treaty',—North informed the Home authorities, 'how far he wishes it is another matter'.² North was determined not to deviate from the following points:—1. The power of the sword with indemnification either in territory or subsidy for using it at their request, and keeping up a force for that purpose. 2. A direct and recognised influence in their counsels and the entire control and direction of their foreign intercourse. 3. A free communication across their territories from Colombo to Trincomalee for the troops and *tappal* (postal service) of my Government. 4. The convenient arrangement of the common frontier, and the power of facilitating the inland navigation as well as irrigation of the Provinces under my Government. 5. The abolition of all duties on the common frontier. 6. The exclusion of all Europeans from their country who have not my passport.

These private negotiations fell through; and from the correspondence it seems as if Pilima Talavū's offer to restore the plundered arcanut was made more with the object of providing a basis for reviving his negotiations for a modified treaty and less as an expression of sincere intention. North, for his part

had already decided, if negotiations failed, to push the claims of Mitrāsāmi.³ He had hopes 'that a powerful party opposed to the Adigār and friendly to us is arising in Kandy', and planned to aid them.⁴ Moreover, at this time, he gave audience to Aquanti Nilavē, son of the previous First Adigār whom Pilima Talavū had murdered. This Kandyan refugee, who had been kept hitherto on the Coast, was now openly received with favour 'as a sign of English independence'.⁵ This act could hardly have pre-disposed the King or Pilima Talavū to favourable negotiations. North was contemplating more drastic action.

Meanwhile, the merchants returned to the Seven Kōnāḷē, where they remained thirty-five days, going from village to village at the command of petty headmen, but to no purpose.⁶ They were merely dallied with, probably all Pilima Talavū could be sure of the outcome of his futile negotiations with North, and were at last dismissed with a promise 'that if the season proved favourable, and they would return in January, the King would perhaps listen to the request of the Governor, and give them a quantity of arcanuts equal to that of which they had been despoiled'.⁷ The letter that North received was, however, of a somewhat different tenor. He was informed that the arcanut had been sold and that the season was over, but that an equal quantity would be returned, if the applicants came for it, in another two months.⁸ North replied⁹ on 22nd December to the Adigār, demanding restitution 'as a right, not as a favour, and stipulating the delivery of the arcanuts, at the expense of Kandy, within one month to a commissioner at Puttalam. He reinforced his demands with the information that, as the rejection of the treaty demonstrated the insincerity of Kandy, he had ordered the supply of salt to Kandyans to be immediately stopped. If no satisfaction was given, he threatened reprisals.

1. Secret Diary, 8th October, 1802.

2. *Idem.* *Disāvāni* is a form used by the Dutch for a *sistāni*.

3. *Idem.* 23rd November, 1802. C.O. 52, 7. North to Habel, 23rd November, 1802.

4. C.O. 54, 7. North to Habel, 23rd November, 1802.

5. Secret Diary, 23rd November, 1802.

1. C.O. 54, 6. North to Hobart, 4th September, 1802.

2. *Idem.* 3. *Idem.*

4. Secret Diary, 10th December, 1802. Contin. II, 103.

5. Contin. II, 105.

6. *Idem.* and Secret Diary, 19th December, 1802.

7. Secret Diary, 24th December, 1802.

Although, in January, 1803, the Paḍikāra Mudaliyār, Abraham Pereira, was sent to Kakanādai in order to receive either the amount or payment for it at ten rix-dollars per *annam*, restitution was not forthcoming.¹ The loss meant ruin for several Puttalam merchants.² The Kandyans were assembling in arms at Bajugeilara, and a demand for their disarmament was met by the Adigār with the declaration that it was a counter to the gathering of forces at Mātara; 'which is false', declared North, 'as all I have done is to repair the fort in face of his menacing action'.³ All hope of peaceful settlement was over by the 24th January.

North determined to enforce his rights by force of arms, and informed the Adigār to that end. On 29th January he wrote a letter to the King personally.⁴ The Governor reminded him that when first he came to Ceylon he had supported the King's newly won throne, suggested that the treaty he proposed should immediately be signed, and ended with a veiled threat of otherwise supporting some other Prince's claim to the Kandyan throne. The terms of the treaty⁵ were similar to those previously proposed, except that restitution was demanded as well as the immediate cession of the Seven Kūralās in compensation for the expenses of the expeditionary force. The idea of garrisoning Kandy was completely abandoned, but it was proposed that Sabaragamuwa should be ceded to the British to maintain a force thereon to protect the King. He was, of course, to foot the bill if the forces were employed in his defence. The usual road was claimed, but it was promised that it should not pass through the gravels of Kandy.

The expeditionary force, which North despatched, was in two divisions: one division of 1,700 men under Major-General MacDowall left Colombo on 31st January, and the other of 1,200 men under Lieutenant-Colonel Basset left Trincomalee on 4th February. A proclamation⁶ on the occasion of entering Kandyan territory recounted the complaints and grievances against Kandy, especially the *annam* episode and the refusal

1. Secret Diary, 21st January, 1803.

2. *Ibid.*, 28th December, 1802.

3. C.O. 53, 10. North to Clive, 30th January, 1803.

4. Secret Diary, Encl.

5. *Ibid.*, Encl.

6. *Ibid.*, Encl.

to accept the treaty, 'so moderate in object and so beneficent in principle'. It said that strict orders had been given to the British forces to preserve exact discipline, to respect religion and religious institutions, to protect the persons and property of non-combatants, and to pay for all supplies that might be furnished.

MacDowall's instructions are worthy of note. Should the King send him a signed copy of the proposed Convention, he was immediately to withdraw, but to leave enough men to guard the Seven Kūralās, 'which I am desirous of acquiring', and to protect the men working on the proposed road to Trincomalee. Otherwise, he was to press on to Kandy, 'which it is advisable to reach with the greatest possible expedition'. He was warned to be wary in any dealings with Piliwa Takarāḍi. 'Should his power really prove so great in Kandy as to endanger the life of the King, or the ultimate success of the enterprise committed to you, I shall not scruple to enter into such terms with him as may vest him with full authority in Kandy, to be exercised in the King's name and in complete subordination to my Government, and may at the same time withdraw from the reach of it the Person of the King and the other objects of his insidious and sanguinary revenge'. Nigasānnaḍi, the Second Adigār, was characterised as 'equally hostile', but Lovukū was expected to be favourable 'as he has been hitherto subordinated by the other two ministers', and to be sympathetic to Mutusāmi. If it should ever prove necessary to proclaim Mutusāmi, which was to be 'only a last and desperate measure', his elevation was to be made to appear the result of the machinations of the Adigār's party. Lastly, MacDowall was, for political reasons, instructed to refuse any troops which the chiefs might proffer, 'as it would complicate unnecessarily our negotiations with the King'.

Having established at Kotaleniya a redoubt and depot which was named Fort Frederick, MacDowall entered Kandyan territory on 6th February, and encamped at Dambadeniya in the Seven Kūralās on 11th February. Though his advance had met with no resistance, lack of provisions compelled him to halt

1. C.O. 53, 10. 'Instructions to Major-General MacDowall', 2nd February, 1803.

there for four days.¹ Indeed, on the 6th, he had informed North that his troops were sufficient for no more than a 'rapid and transitory campaign', being in fact barely sufficient even to protect the Maritime Provinces from Kandyan incursions.² We know from another source that Colombo had in fact been denuded of troops for this campaign, a corps of European and half-caste militia being organised for its defence.³ MacDowall warned the Governor that the rainy season, which was due in April, and the lack of coolies to send up provisions, would make it impossible to hold Kandy. Reinforcing his arguments from Van Dick's disastrous experiences in 1795, he contended that two or three campaigns would be necessary to conquer the entire kingdom, and advised North to apply to Madras for reinforcements, and to be content with capturing the Seven Kōraikē. North promptly repudiated 'the unjust and impolitic idea' of a conquest of Kandy, and formulated his object merely to be 'public and unqualified indemnification' in order to prove that the British could and would protect their subjects; an object which would entirely be answered by the capture of the Seven Kōraikē.⁴ Nevertheless, North seems to have cherished the idea of capturing and holding Kandy, expecting that 'the arrival and election of Prince Buddhaswamy (Muttusāmi) would of itself secure us an ally, whose power would prevent any of the mischiefs which you would have to dread from the inimical spirit of the circumjacent country.'⁵ At the same time, even the cinnamon peelers were pressed as coolies and every effort was made to forward provisions.⁶

As things turned out, North did decide on 17th February to proclaim Muttusāmi, 'the rightful heir to the Crown of Kandy'.⁷ The decision was a direct consequence of a letter from Kandy, dated 12th February, which, to North's astonishment, made no reference either to the hostilities which had begun or to the proposals he had made, but declared that the customary method of settling differences was to exchange embassies. Moreover,

1. Cordier ii, 172.

2. Secret Diary, 7th February, 1803.

3. Cordier ii, 185.

4. Secret Diary, 7th February, 1803, also in C.O. 57, 10.

5. Cordier ii, 185.

6. *Ibid.*

7. C.O. 57, 10. North to Hobart, 25th February, 1803.

Barbut had, on the same date, written of Muttusāmi's popularity in the eastern and northern provinces of Kandy. The inhabitants, he said, had expressed a strong desire for him as King, and their disappointment at his not being with the army had been so great that he had brought the Prince to Minneriya.¹ North accepted Barbut's advice to support Muttusāmi, and, on 18th February, wrote to the Prince promising British assistance 'in the recovery of your lawful rights' if he signed the enclosed treaty of conditions.²

According to the suggested terms,³ Muttusāmi was, on his accession, to swear fidelity to the King of Great Britain as his superior lord and protector, and to subject his foreign relations to British control, *ie.*, he was to become a British vassal. He was to cede not only the road and the Seven Kōraikē, but also Sabaragamuwa. No new taxes were to be levied without the permission of the British, who were also to be informed of the existent taxes so that they might be set on a better footing. Śri Vikrama Rājasiṅha, who was to be pensioned, was with his family and adherents to be granted a safe conduct into British territory. Besides the usual proposals concerning legal matters, the abolition of frontier duties, mutual commerce, timber and cinnamon, it was also demanded that Muttusāmi should not prohibit the export of rice and arecaut, and that he should permit a British survey of the rivers to render them navigable. Lastly, Kandy was to receive a British Resident.

While these decisions were being made and these negotiations were proceeding, MacDowall left Dambadeniya on the 16th, captured Galagedara and Giritagama on the 19th, and on the 20th crossed a junction at Katugasota with Barbut, who had captured the stronghold of Karavetty (*Kōraikē*), later named Fort MacDowall, on the 19th. The Kandyans had put up no strong resistance, and MacDowall's fighting losses were only two killed—one sergeant and one private. The superstitious Śri Vikrama Rājasiṅha, whose astrologers had appointed the Sunday after the 20th as the lucky day on which to commence

1. Secret Diary, 18th February, 1803.

2. *Ibid.* Also North to Hobart, 25th February, 1803.

3. The Treaty is given in Secret Diary of 18th February, 1803.

operations,¹ was compelled by the near approach of the British to flee precipitately from Kandy on the evening of the 20th. Before their abrupt departure, the King and his officers had fired the palaces and magazines and removed their public and private treasure. On the 21st February a British detachment almost inadvertently entered and occupied the deserted city. 'Not a living creature was to be seen', records Gardiner, 'but a few parish dog!'²

While the capture of the Seven Kōralēs was being consolidated and its administration being organised, the Kandyans continued from the secrecy of their jungles to harass the British foraging parties who found it increasingly difficult to obtain an adequate supply of provisions.³ Meanwhile, Parbut departed on the 22nd for Minnēriya, and escorted Muttusāmi into Kandy on the 4th March. MacDowall there discussed with him the proposals that North had suggested, but found him not as 'flexible' as expected. Muttusāmi was willing⁴ to recognise the King of Great Britain in every way except to swear allegiance. He agreed to cede the Seven Kōralēs, which was the richest province of Kandy, bringing one-fourth of the total revenue, viz., one lakh of pagodas. To the cession of Sabaraganuva, however, he disagreed, as it was the only other district which gave a substantial revenue. Besides, in Sabaraganuva was the holy mountain of Sāi Pāda, the sacrilegious cession of which would bring down on him 'the wrath of heaven and the curses of mankind'.⁵ Nevertheless, to demonstrate his goodwill, and going as far as finances and conscience would allow, he would agree to maintain, at an estimated cost of about £7,000, two thousand native infantry and two hundred cavalry, or cede the Province of Nuvarakalēriya. He earnestly requested that the article concerning the revenue should not be insisted upon, and pledged himself to rule justly, to levy no arbitrary taxes and to adopt readily any improvements suggested by the

British Government. He contemplated certain liberal regulations calculated to alleviate the burdens of his subjects while increasing his revenues. Thus, 'in the Kandyan territories almost every man is a soldier and he has lands granted him for his support as he is liable to be constantly called upon to take the field when he must bring his provisions, arms and ammunition. When a body of British soldiers are stationed in Kandy, it is his design to disarm the villages, with the exception of two or three muskets in each to defend the inhabitants from wild beasts, and to exact a tenth only of the produce of these *accon-wodessars*'.⁶ Although it was repugnant to him, Muttusāmi was willing to grant Sāi Vikrama Rājasiṅha a pension of 500 rix-dollars per month provided he would retire to the Coast and surrender the royal jewels.

North accepted these pleas, agreed to the suggested modifications and instructed MacDowall to make over to Muttusāmi, as soon as the treaty was signed, the town of Kandy and all uncoded territories, and to arrange with him the articles of a subsidiary treaty defining the nature, amount and remuneration of the forces to be left for his defence. By the treaty,⁷ Britain acquired the Seven Kōralēs, the hill-forts of Gitiāgama and Galagelara, and a road to Trincomalee which was, however, not to pass through the gravets of Kandy. Muttusāmi subjected his foreign relations to British control and agreed to consider the latter's enemies as his own. In return, the British promised to recognise Muttusāmi as the lawful King of Kandy as soon as he was properly crowned, and to supply an auxiliary force at a rate of pay to be agreed upon. All duties on the common frontier were abolished. The Malays and Europeans in Kandyan territory were to be expelled. Except Europeans (who were to be sent for British trial), the subjects of either party were to be amenable to the law of the country in which they might commit any crime. The British cinnamon monopoly was to be protected; Muttusāmi agreeing to allow Maritime peelers free to the west of Balana, and to supply any cinnamon required from elsewhere at 40 rix-dollars the bale of 80 lb. The British gained the

1. Secret Diary, 20th February, 1803.

2. Gardiner II, 180.

3. *Ibid.*, 186.

4. Secret Diary, 10th March, 1803.

5. Vide draft of proposed Treaty with Muttusāmi's remarks, in Secret Diary of 4th March, 1803.

6. *Ibid.*,

1. Vide draft of proposed Treaty with Muttusāmi's remarks, in Secret Diary of 4th March, 1803.

2. Treaty is printed in Valentia I, App. viii, 482 ff.

right to cut timber in Kandyan territory, as also to survey the rivers. Mutual commerce was to be encouraged, and mutual settlement permitted; nor would the export of grain or arcaunt from Kandy be prohibited. All Muttusāmi's opponents were to be allowed to retire with their families and effects into British territory, as also the King, who was to receive a pension of 300 six dollars a month. Lastly, a British Resident was to be stationed at Kandy.

If, however, any accession of strength was expected from the presence of Muttusāmi at Kandy, the expedition was vain. The Kandyans kept to their jungles and pursued their guerrilla tactics; tactics which MacDowall could not help admiring. He estimated that there were in the jungles, not six miles from Kandy, 20,000 men adhering to a supposedly oppressive King. 'The Adigār's motives for involving his country', he declared, 'must, I fear, remain a mystery. His declared hatred for the person and government of the King, his wish to dethrone and murder him, and his having now supported him are all beyond my conception'.¹ The bewildered General was soon to be further mystified.

Pilima Talawv,² who had corresponded with MacDowall during the march to Kandy,³ now informed him that the King was at Hangurankela, explained the nature of the post, pointed out the best line of march, described the resistance to be expected, and promised to assist in the capture of the King if two detachments were despatched thither. The letter proved to be a ruse. The detachments left Kandy on the 12th March, the Commander bearing a letter asking the King to deliver himself to the British. Amidst constant concealed attack on difficult roads they reached, captured and razed Hangurankela, but found the King had departed with his effects. The detachments returned to Kandy on the 16th with heavy loss.⁴ MacDowall reported that after this expedition every road led⁵

The Kandyan tactics met with increasing success. At this time the line of communications between Kandy and Trincomalee was cut.¹ The endemic fever was decimating the British troops. The rainy season set in, and the lack of oxen and bullocks made the sending of supplies additionally difficult. Lovuk,² on whose jealousy of the Adigār the British had some what relied, made an unsuccessful incursion into the Maritime Provinces, and all along the western and southern frontier similar futile threats were made. Neither was Muttusāmi of any use. One month after his installation in the capital 'not one person of note had entered into correspondence with him'.³ The people of the northern and eastern districts, from whom the greatest assistance had been expected and whose clamours had induced Barbet to send for the Prince, were so little able to aid his 'pretensions' that a British force had to be sent to prevent them from the vengeance of the Adigār.⁴ Muttusāmi remained in his palace 'surrounded only by his own domestics, and supported by no other power but that of the British army'.⁵ It was later even discovered that he had once been publicly punished for fraud, 'which circumstance disqualified him from ascending to the throne'.⁶ On the other hand, the invasion had strengthened the position of the King. 'The authority of the fugitive King', said MacDowall, 'is more powerful than at any period since he mounted the throne, and his adherents appear to be strongly attached to his cause'.⁷ Spurred by the prospect of a reward of ten rupees for the head of every European and five rupees for that of every native soldier in the British service,⁸ the Kandyans harassed British escorts at the very gates of Kandy. 'It is apparent to every observer', declared MacDowall on the 18th March, 'that there is not a chance of concluding the war this campaign, and did I conceive it necessary to send out detachments, I have not the means of providing carriage for the conveyance of supplies, were they in my possession. Of amark I have scarcely any, of biscuit not

1. Secret Diary, 10th March, 1803.

2. *Ibid.* 17th February, 1803.

3. C.O. 50, 20. North to Hobart, 14th April, 1803. Gives an account of the war and has an enclosure describing the expedition to Hangurankela. MacDowall's account of the march to Kandy is in the Secret Diary of 26th February, 1803. Vide also Corbiner II, 180 ff.

4. Secret Diary, 23rd March, 1803.

1. Corbiner II, 101.

2. C.O. 34, 10. North to Hobart, 14th April, 1803.

3. *Ibid.*

4. Corbiner II, 138.

5. Valentin I, 298.

6. Secret Diary, 23rd March, 1803.

7. Corbiner II, 192.

a pound, of rice and paddy not enough for ten days . . .¹ The coolies had fled and sickness was rapidly increasing. MacDowall left Kandy on the 25th April, taking with him the 51st Regiment and a portion of the native troops, sending at the same time a portion of the 19th and Malay Regiments to Trincomalee. Barbut was left in Kandy with a garrison of 700 Malays and 300 Europeans, besides a considerable number of sick.² Of 400 men of the 51st Regiment that returned on the 9th April to Colombo, scarcely one but soon entered hospital, and in three months 300 of them were dead.³

In these circumstances, North made a *volte face*, and decided to abandon Muttusāmi. Since the Prince refused to be a vassal, argued the Governor plausibly, 'he relieved my Government from the obligation of guaranteeing to him the acquisition of a crown which his party seemed neither zealous nor powerful enough to procure for him, and which he did not display energy or ability enough to maintain if he acquired it.'⁴ He contended that the co-operation of a party working on behalf of Muttusāmi was an essential part of his agreement to support that Prince: the proof of its non-existence 'absolves us from all obligations which we were ready to contract in consequence of what he promised.'⁵ The Governor was even able to score a technical point. The treaty promised the recognition of Muttusāmi only when he was formally crowned. North therefore instructed Barbut, on 23rd March, to advise the Prince not to be proclaimed, 'as it is impossible for me to undertake the placing him on the Throne of Kandy, in despite of the people and grandees of the Court.'⁶ Unfortunately for North, Muttusāmi had been proclaimed and crowned on the very day that he despatched the instructions to Barbut.⁷ While thus deserting his own creature, however, North promised to endeavour to negotiate the cession of some of the Tamil Provinces for him. He protested that he had never intended conquest, but that 'the pretension of Muttusāmi was adopted with the idea of

1. Secret Diary, 23rd March, 1803.

2. *Collier* ii, 197.

3. *Ibid.*, 193.

4. *C.O.* 54, 10. North to Hobart, 14th April, 1803.

5. Secret Diary, 23rd March, 1803.

6. *Idem.*

7. *Ibid.*, 9th April, 1803.

finding in a legal and established Government the means of obtaining indemnity for the injury we have sustained and securing against a future repetition of it.'⁸

North was also troubled by news of impending war in Europe.⁹ India, too, could not afford the demanded reinforcements, but sent 1,400 bullocks.¹⁰ Medical supplies were lacking.¹¹ Finding a quick peace necessary, he turned once more to Pihna Talavā. Still conceiving Sri Vikrama Rājasīdha's authority to be 'limited and weak', he was convinced that it was impossible to conclude an immediate peace without the concurrence of the Adigār, who would agree to nothing that would not secure the establishment of his own power 'independent of any King'.¹²

On the 26th March, North received two letters from the Adigār: one expressed surprise that he should put himself to so much trouble and expense, and not rather agree to some arrangement; the other, more confidential, proposed that the hitherto refused deposition of the King should be acceded to and the Adigār's power established.¹³ 'It will be very good', replied North through his Mahamanahālyā, 'that you bear the charge as the first person in Kandy and deliver the late King of Kandy here - when such arrangement shall be made towards him that nothing shall be wanting to him during his life-time. Besides, when a contract be made and the Seven Kōralās ceded to the English Government and a passage be agreed from Colombo to Trincomalee through the midst of Kandy, and when the Vanni and one or two small places be given to the Prince Muttusāmi who is already departed to Kandy, then may all the disputes be settled.'¹⁴ Pihna Talavā, in reply, asked for a meeting.

In these circumstances, the Second Adigār interviewed MacDowall at Kandy on the 1st April.¹⁵ He expressed surprise that the British, having conquered the country, should have

1. Secret Diary, 23rd March, 1803.

2. *C.O.* 54, 10. North to Hobart, 14th April, 1803.

3. Secret Diary, 26th March, 1803.

4. *Idem.*

5. *C.O.* 54, 10. North to Hobart, 14th April, 1803.

6. *Collier* ii, 193; 193b; also North to Hobart, 14th April, 1803 and Secret Diary, 9th April, 1803.

7. Secret Diary, 9th April, 1803.

8. *Idem.*

set up a king, and hinted that both kings, being Nāyakkars, should be removed in favour of a government through Pīlma Talavū, without any king. It was agreed to arrange a meeting between North and the First Adigār. Meanwhile, a form of truce was agreed upon, and it was for this reason that MacDowall was able to return un molested to Colombo. Nevertheless, the fact that the Kandyans still made hostile incursions demonstrated that Pīlma Talavū had no absolute control over his fellow nobles or the King.

In the middle of April, a meeting with the Adigār was arranged for Dambadeniya. North decided first to tour the Seven Kōrales so as to consolidate the British position. He left Colombo on the 28th March, reached Dambadeniya on the 2nd May, and received expressions of satisfaction and loyalty at an audience to the principal headmen of the Province. At a conference with Pīlma Talavū on the following day, North proposed that the Adigār and the other nobles of the Court should all accede to and become parties in the general Convention which he had already made with Mutusāmi. The Adigār agreed conditionally.¹ The administration of the Kandyan Provinces was to be delivered to him, during life, with the title *Ussa Kumārāya*. Mutusāmi was to reside and to hold court at Jaffna, and to be paid 30,000 rix-dollars per annum for the proper maintenance of his dignity. For the better security of this sum, as also of the pension to be paid to Sri Vikrama Rājasīṅha, Pīlma Talavū was annually to deliver at Colombo 20,000 *avanzas* of arecanut of 2,000 mus each, at 6 rix-dollars per *avanza*. The British Government would, in that case, charge itself with the payment of the allowances to the two princes. Fort MacDowall was raised instead of Giriṅgama. Both parties were to publish a general amnesty, and Mutusāmi's family, then in Sri Vikrama Rājasīṅha's power, was to be allowed to return with its property to Mutusāmi. The articles of this treaty were to come into operation as soon as Sri Vikrama Rājasīṅha was safely delivered to the British, until which occurrence there was to be a truce. Pīlma Talavū departed

1. For the conditions vide Secret Diary, 30th April, 1803, and, also Valentia I, Appendix viii, 483 ff.

after promising to meet MacDowall at Kandy finally to sign the treaty.

At the time of the Dambadeniya conference, both Pīlma Talavū and the Second Adigār were ill with the fever – so much so that North felt it necessary to instruct MacDowall how to proceed in case of the First Adigār's death.² Also, it later came to light that the Adigār had harboured a deeper and bolder design in asking for the meeting. He had planned to seize the Governor himself, but was frustrated by the unexpected arrival of Barber from Kandy with a strong escort of Malays.³ North returned to Colombo on the 8th. He had received further demonstrations of loyalty from the headmen of the Seven Kōrales, and later appointed Joinville Commissioner Extraordinary at the Province, with Beauvois Dubree as his secretary.⁴ Dubree died on the 14th June of the fever, and Joinville, menaced by the Kandyan forces, had to retreat immediately after. Asquith Nilamē had been appointed Disava as early as the 20th February,⁵ whose 'ready acquiescence' North did not doubt. North expected Pīlma Talavū, in his own interests, to accelerate the delivery of the King. Nevertheless, he recognised that it would not be easy for the Adigār, despite his undoubted power, to hand over the person of his King to a foreign government. Either way, however, he thought he had the advantage. For if the Adigār could not do so, the King and he would be estranged, 'and therefore he will need our co-operation'. As to the late King, 'I pity him', declared North, 'but his misfortunes have not originated in me. They are the result of his Adigār's machinations'. Thus did he both satisfy his conscience and justify his Convention.⁶

The Convention, if carried out, would indeed have been highly advantageous to the British. The Seven Kōrales was a large and rich province, adjacent to the narrow maritime districts of Chilaw and Pettalan where Kandyans' intrigue had been most persistent; and to the east it extended to within twenty miles of Kandy. Fort MacDowall, on the other side of

1. Secret Diary, 30th June, 1803.

2. Gardner I, 207. 3. *Ibid.*, 209.

4. Secret Diary, 20th February, 1803.

5. C.O. 54, 11. North to Barber, 4th May, 1803.

who left Kandy on the 11th June, had to cross the Mahavāli Gaṅga with difficulty on a raft—the boats having been washed away—and reached Colombo on the 19th, a sick man. North, too, was ill with the fever. At the same time, the Second Adigār was collecting troops in the Seven Kōrales, the First Adigār was evasive, and the hopes built on Levukē had failed to materialise.¹ North decided on the 7th June, nevertheless, to hold Kandy at all cost, in the hope of bringing negotiations to a successful conclusion.

Worse news from Davie reached Colombo on the 17th June.² Writing on the 19th, he reported the rain to be incessant, and the majority of the Europeans and by Malays to be ill. In spite of the truce, the Kandyan were drilling, and even attempting to undermine the loyalty of the Malay troops. Their chief native officer, Captain Nouradon, received a letter exhorting the Malays to drive out the 'white men' or to 'murder them', and offering higher pay as an inducement to desertion. Neither could Davie apprehend these intriguing Kandyans for fear of breaking the truce. At the same time, the King, who seemed unaware of the Adigār's work, wrote numerous letters to him, talking peace. North therefore sent to Davie, on the 20th June, another copy of the treaty to be forwarded to the King.³ The terms were further relaxed, thecession of the Seven Kōrales being made provisional on the non-payment of two lakhs of six-dollars for British war expenses.

On the 13th June, Davie received a letter from Pihana Talavū declaring 'I have suffered many hardships on account of the treaty which I signed and the King has deprived me of all my places'.⁴ The statement was certainly untrue. He also asked that five hundred men should be sent to Hauguranketa to seize the King, but the rightly mistrustful Davie refused to do so. The request was undoubtedly a ruse. Since the 10th, seven lascars and eight Malays had deserted.

On the receipt of this information, North wrote to Davie on the 25th June⁵ that sickness, rain and the swollen rivers rendered it impossible for the reinforcements of troops destined

1. Secret Diary, 11th June, 1803.

2. *Ibid.*, 17th June, 1803.

3. *Ibid.*, 21st June, 1803.

4. *Ibid.*, 20th June, 1803.

5. *Ibid.*, 25th June, 1803.

for Kandy to march and have stopped the coolies carrying provisions and medicines for the use of the garrison'. This referred to a detachment under Ensign Smellie which had been unable to advance for these reasons though organised on the 17th. North had learned from the interior that the Malays and lascars were hankly deserting, and he feared that sickness would further weaken 'the inconsiderable force' under Davie's command. Because of 'the very critical and dangerous situation' Davie was ordered to evacuate Kandy on receipt of North's letter of the 25th. If, however, a letter from Hauguranketa should give him reasonable hopes that the King would sign the treaty, 'you may delay your march, but only for a few days'.

The letter never reached Davie. Two Kandyan detachments had, by the 17th June, entirely cut off his communications on all sides, and a third detachment was marching on Kandy. The Kandyans were erecting batteries outside the town, and even carried off twelve bullocks near the stockade. Desertions continued; and the Europeans were dying at the rate of six a day. The only article in store for the garrison's subsistence was thirty-five days' paddy, which, in their debilitated condition the men could not beat into rice. Davie therefore wrote on the 17th asking either for permission to withdraw, or for reinforcements and supplies.¹ North inferred from this letter that supplies forwarded as long ago as the 9th, 11th and 13th June had been intercepted.

Meanwhile, North was making frantic efforts to avoid the disaster that seemed imminent from this desperate position. He accepted the overtures which the Second Adigār, who was in the Seven Kōrales, made to allow the garrison and sick to pass unmolested on condition of Kandy being evacuated.² Ensign Smellie, who was at last able to advance on the 26th, was supplied with an *adieu* saying he was being sent to effect this agreed evacuation. A correspondence was again begun with Levukē, but to no purpose. In reply to a request for a meeting at Sitāvaka, the Disāva said, 'I can do nothing by myself. I shall write to the King, whose orders I shall obey; but I shall do all I can to procure success'.³ On the 27th June, Lieutenant

1. Secret Diary, 26th June, 1803.

2. *Ibid.*

3. *Ibid.*

Colonel Desbussey at Trincomalee was ordered to send Colonel Hunter to relieve Davie,¹ and on the 28th, hearing of the fall of Giriágama, North wrote to Davie to evacuate at once.² These measures were all too late.

The Kandyan took Giriágama and Galagedara by surprise on the 23rd June. On the same day, Piliwa Talawé, 'in his usual mysterious manner', informed Davie that an attack on Kandy was contemplated.³ Davie prepared for the defence. Though a Kandyan attack was bravely beaten off on the morning of the 26th, the incessant fire from the surrounding heights and the pressure of a multitude of Kandyans made the position untenable. Advised by his officers to capitulate,⁴ Davie negotiated with the Adigâr⁵ to deliver the town, with its stores and ammunition, to the Kandyans. The British were to march out on the road to Trincomalee with their arms. Muttusâmi was to accompany them; and the 120 sick Europeans⁶ were to be cared for at Kandy till they could be removed to Colombo or Trincomalee.

The British marched out of Kandy on the 24th evening—fourteen European officers, twenty British soldiers and two hundred and fifty Malays, one hundred and forty gun lascars, with Prince Muttusâmi and his attendants.⁷ At the Vajjapulaya ferry, one and a half miles from Kandy, the swollen Mahavâli Ganga and the lack of boats or rafts compelled them to halt for the night.⁸ The King, it appeared, had been greatly enraged with his Minister for permitting the garrison to leave Kandy, and threatened to destroy the entire British force if

1. Secret Diary, 27th June, 1803.

2. *Ibid.* 28th June, 1803.

3. Ordiner ii, 201.

4. C.O. 54, 12. North to Hobart, 19th September, 1803, Encl. Greening's deposition; Ordiner ii, 200.

5. Ordiner ii, 209. C.O. 42, 11. North to Hobart, 8th July, 1803.

6. Greening's deposition.

7. Ordiner ii, 210.

8. The rest of this paragraph is based on the depositions of Corporal Burnsley and of a Malay servant of Ruzza Baray. Encl. to C.O. 54, 11. North to Hobart, 8th July, 1803; or Assistant Surgeon Greening, C.O. 54, 12; of Milibawagé Johannes, a lascar, and of Assistant Surgeon Hendrick Van Sanden, in Secret Diary of 6th July and 6th September, 1803; Ordiner i, 211 ff. Davy, 373 ff. and Marshall, 100 ff. quoting Simon Seward's MS. notes, containing information derived from Kandyan sources. For an interesting discussion of the evidence relating to this episode vide *The Sinhalese*, by P. K. Ponn.

Muttusâmi was not given up. The fear and the expressed threat of utter destruction at the hands of the assembled Kandyans induced Davie reluctantly to surrender Muttusâmi, though the demand was contrary to the capitulation with the Adigâr. Although the safety of the Prince had been guaranteed, he was taken before the King, upbraided, and then executed. The boats which were promised in return for this surrender were, however, never supplied, while every endeavour of Davie to prepare a passage across the river was frustrated. On the 26th Major Davie was informed by a Disâva that the King wished him and his troops to lay down their arms and return to Kandy. This, by consultation, they did; and surrounded by a tumultuous concourse of Kandyans returned towards the city. Despite the repeated protests of Piliwa Talawé¹ on the impropriety of putting men to death who had submitted, the King ordered that measure. Major Davie and Captains Rumley and Humphries were, by a ruse,² induced to leave their troops, the native and Malay troops were persuaded and compelled to desert, and the distressed Europeans, too weak to resist, were basely massacred. At the same time, 120 men of the 19th Regiment, lying sick in Kandy and left there under promise of protection, were murdered in cold blood. Corporal Burnsley severely wounded, was the only European to escape from the catastrophe. Greening, a Dutch assistant surgeon in the Malay Regiment, also escaped into the Maritime Provinces; while, it was discovered in 1815³ that a German, Thomas Thoen of the Bengal Artillery, who had been left in hospital, and almost miraculously escaped death, had been held captive in Kandy. The Malays were divided into four detachments and posted in separate Kandyan *disaves*; the lascars were forced into the Kandyan service, but the coolies and lascars were allowed to return to the Maritime Provinces.⁴

Burnsley managed to find his way to Port MacDowall, which had itself been invested by the Kandyans since the 25th. On receipt of this news of the disaster, Captain Madge, the Commandant, evacuated the fort and cut his way, after severe hardships, to Trincomalee, being met on the way by the relief force

1. Davy 374.

2. Marshall 107.

3. *Ibid.* 155.

4. Secret Diary, 28th July, 1803.

under Colonel Hunter.¹ He had, however, to leave behind nineteen sick Europeans who met the same melancholy fate as their compatriots at Kandy. Dambadeniya, which was also in a state of blockade, was relieved by Smellie with his force, on the 30th, and with the aid of further reinforcements from Colombo, was evacuated on the 2nd July.² The British had lost every inch of the ground they had conquered. All North could do when he received, on the 1st July, the news of the massacre at Vajupalaya, was to protest that Kandy had been taken 'during a profound truce and at the moment when the un molested evacuation of the place was agreed upon; and to apply to Madras, Bombay and Calcutta for succour.³

Although North attempted to lay the blame of the Kandyan disaster entirely on Major Davie,⁴ it is clear from the preceding detailed account of the events that led up to it, that he himself was largely responsible. He had attempted a big task with insufficient resources, and had made the further mistake of successively expanding his objective with each temporary success. Kandy was inadequately garrisoned and inefficiently supplied. Despite MacDowall's early warnings and Davie's gloomy prognostications, in spite of increasing sickness and increasing difficulty in preserving communications and in forwarding provisions, North nevertheless clung to Kandy when it was patently a forlorn hope. Neither was his diplomacy sound. He placed too much faith in the Adigâr's power, and too much trust in the Adigâr's word. He persisted in treating the King as a mere cypher, although he had himself repeatedly to acknowledge that there was every opposite indication. Acting on spasmodic and contradictory information, he swayed with every change of the wind, and oscillated between King and Adigâr without placing consistent confidence in either. It is not, therefore, surprising that North's attempt to conquer, with forces that his own military advisers considered hardly sufficient even to defend the Maritime Provinces from invasion, a kingdom

1. Ibid. 310 July, 1803. C.O. 54, 11. North to Hobart, 31 July, 1803. *Encl. No. 10*, 1, 215.

2. C.O. 54, 11. North to Hobart, 3th July, 1803.

3. *Ibid.* C.O. 55, 28. Secret Diary, 1st July, 1803.

4. C.O. 54, 11. North to Hobart, 3th July, 1803.

whose natural military advantages had enabled it repeatedly to defy lasting conquest, should have ended in utter failure.

July and early August passed without disturbance. The hospitals were crowded with sick and dying, and the barracks were occupied largely by convalescents.¹ News was received on the 15th August of the renewal of war with France. Unable to procure succour from India, North was compelled for the time being to banish all ideas of reprisals from his councils, and to content himself with re-inforcing the Maritime fortresses to the best of his ability. The Kandyans were stirring up discontent in British territory, and the King of Kandy, in the vanity of his heart, made preparations to attack the capital of the British Settlements.²

The counter-invasion³ that followed was courageously met and repelled by small, but quick-moving, bodies of troops. The Kandyans massed their forces along the entire frontier and simultaneously invaded the Maritime Provinces on every side. In the narrow districts of Puttalam and Chilaw, and in the strongly Buddhist Sinhalese districts of Mâlara and Tañgalla, Kandyan influence had always been strong. The attack therefore proved most dangerous in these regions. The inhabitants rose in rebellion and joined their upland compatriots. Late in August, Tañgalla had to be abandoned, Mâlara and Hambantota were closely beleaguered, and the communications by land were completely severed. Chilaw was seriously beset, and Puttalam and Negombo threatened. The districts of Battaramulla, Trincomalee, Jaffna and Mannâr were invaded; and, in the Vanni, the Pandâra Vanniyan, a British subject, rose in revolt.⁴ Even the Colombo district was invaded, and Hattivâla, twenty miles from Colombo, was occupied by the Kandyans. So serious was the position that martial law was proclaimed

1. *Ibid.* 221.

2. *Ibid.* 222.

3. For an account, vide *ibid.*, 221 ff. C.O. 54, 11. North to Hobart, 3rd August and 15th September, 1803. C.O. 54, 13. North to Hobart, 1st January, 1804 and the relevant *Gazettes*.

4. He captured Hattivâla on 17th August, 1803, driving out the garrison under Captain Driesberg. Hattivâla was recaptured by the British at an unknown later date. Captain Driesberg finally defeated the Pandâra Vanniyan at Kanchikilamada on 31st October, 1803. vide an article by Galland (R. L. Brodick) in the *Ceylon Daily News* of 7th February, 1941.

throughout the Maritime Provinces on the 29th August, 1803.¹

By the end of September, however, the rebels had been completely subdued; Hanvālla and Taingalla re-taken; the inland forts relieved; and the Kandyan completely expelled from British territory. A second attack on Hanvālla, led by the King in person, had been precipitately routed in early September; and the unreasonable but incensed monarch had in his headlong flight beheaded Lovukē and his Mahamohottāla.

Reinforcements having arrived from the Cape of Good Hope and Bengal, North even felt strong enough to undertake a series of punitive expeditions into Kandyan territory. Numerous Kandyan villages were destroyed with their fields and their fruit trees; *viharās* and *dhvāṭās* were plundered and burnt; and the unresisting and unarmed inhabitants, who fled at the very approach of British troops, were left to the miseries of starvation and want. The nature of this devastatory and retaliatory warfare may best be gauged from a report in the *Gazette*. 'I consider it my duty', wrote Macpherson,² 'to inform you that the Kandyans have sustained the following damage by the march of the detachment sent into Sabaraganua. We have burnt about eight hundred houses, many of them full of paddy and amount to a very large amount. We have destroyed upwards of eight hundred and fifty *assessors* of aramut, the property of the First Adigār, and which, at the rate of twenty six dollars per *assessor*, amounts to 17,000 six-dollars. We have also destroyed two large and well-constructed batteries, commanding the passes . . .'

The rebellion in the Maritime Provinces was put down with an equally strong hand. If the impressment of the inhabitants as coolies and the seizure of their cattle for carriage purposes was the cause of the revolt, its subsidence was due to punishments no less stern in their effects. For instance, the inhabitants of Cogel (Koggala), who had not only cut off land communications between Galle and Mātara but had even attempted in their fishing boats to interrupt the communications by sea, were punished 'by burning about fifty boats, and destroying all the houses in the villages. One of the chief rioters was taken and

1. C.G.O., 31st August, 1803.

2. *Ibid.*, 19th October, 1803.

hanged, and five others condemned to receive one thousand lashes each, by the commissioners for executing martial law'. Similarly, in the districts of Gūlawa and Putākara, 'the provinces being all either in a state of revolt, or occupied by the Kandyans, the soldiers were allowed to kill plenty of bees and veal, and to cut down coconut trees, the tops of which . . . afford a rich white vegetable, equal in flavour to the finest cabbage'.³

So successful were these measures that martial law was partially rescinded on the 10th October,⁴ and wholly revoked on the 16th November.⁵ 'Our achievements against the Kandyans with such scanty forces have so increased our prestige', wrote North,⁶ 'that although I cannot suppose that much affection can be felt by the inhabitants of Ceylon towards a Government so little homogeneous in Habits, Religion, and even in Colour with themselves, as ours is, yet I can safely affirm that the dangerous influence of the Kandyan Government over them is nearly destroyed, and that their respect for our power and confidence in our Protection are increased beyond what my most sanguine expectation ever led me to hope'.

Meanwhile, advances⁷ were being made with a view to ending this exhausting war. Early in May, 1804, the Second Adigār sent a confidential agent to the Mahamuckliyār at Colombo, requesting his good offices to secure peace. North sent the messenger back with the assurance that he would not make peace with Kandy while its present King was on the throne and the authors of the massacre were unpunished, but that, as the Second Adigār was certainly absent on that occasion, he was not unwilling to receive from him any messages tending to peace. The Second Adigār thereupon requested an interview, which was refused. Even the First Adigār had the effrontery to make a similar attempt at renewing negotiations, but his advances were 'indignantly' repelled.

At this juncture, MacDowall was succeeded by Major-General Wemyss. North's relations with the new commander

3. *Cordier* II, 224.

4. *Ibid.*, 231.

5. C.G.O., 12th October, 1803.

6. *Ibid.*, 23rd November, 1803.

7. C.O. 34, 13. North to Robert, 1st January, 1804.

8. C.O. 34, 14. North to Hobart, 25th May, 1804.

were never very cordial, and he was at the very outset moved to protest against the diminution of his powers by the commission and independence granted to Captain Wemyss.¹ A fresh policy was now initiated—that of blockading their territory on every side, so as to prevent their receiving any salt, or articles of foreign commerce, and of making during the healthy seasons, frequent incursions into their Provinces, to destroy their interior resources and to keep up, among the inhabitants, the terror of our arms, as well as to increase their diffidence in the power of their own Government to protect them.² Suffering materially as they did from the effects of this policy, the Kandyan nevertheless displayed no readiness to make reparations or to sue for peace. Through the espionage of certain *śāstres*, North learnt the reason. Kandy knew that Britain was at war with the French, the Dutch and the Marāthas, and hoped for some favourable diversion from the possible arrival of a French fleet in Eastern waters—a possibility which North himself seems to have feared.³

By the middle of 1804, the 66th Regiment had arrived from England, a Kaffir corps had been raised, two battalions of Bengal volunteers had been sent from India, and numerous levies of sepoys had been raised on the Coast.⁴ Wemyss therefore conceived the plan of a converging attack, from six different points, on Kandy. This being found impossible, however, it was decided instead to make devastatory incursions into Kandyan territory.⁵ Sabaraganuwa was laid waste by a detachment from Māra, the Seven Kōrals by one from Negombo, and the Soorly district (Huru Palāta) by one from Trincomdee. In one case, however, a mis-interpretation of orders resulted in a gallant episode.⁶ Captain Johnston advanced with sixty European and two hundred and twenty native troops from Batticaloa, reached and captured Kandy on the 6th October, and for three days awaited there the arrival

of the other British detachments. Disappointed in that expectation and threatened by the assembled forces of the Kandyans, he cut his way back to Batticaloa with incredible hardship and suffering, and the loss of nine Europeans, sixty natives and seventy-six coolies. Nevertheless, North had himself to admit that 'all these actions however have neither been important in themselves nor perhaps in their effect except that it has increased the sense of our superiority'.⁷

North now made fresh overtures through private agents, but refused to listen to the attempt of Pīlma Talavū, who was at this time somewhat alienated from the King, to re-open negotiations.⁸ He had been instructed from home of 'the earnest necessity of adopting such measures as may be best calculated to terminate hostilities, as soon as may be found compatible with the honour of Government'.⁹ But the dismissal and punishment of the First Adigār, who was held responsible for the massacre of 1803, and the immediate return of such officers and soldiers as were still in Kandyan captivity, were to be made the indispensable preliminaries of any negotiations for peace. Those objects achieved, North was not to aim at any acquisition of additional territory, nor to endeavour to keep up any post in the Interior. The basis of any final treaty was to be that of 1766.

Whatever hopes may have been entertained of the success of these negotiations were destroyed by a fresh general invasion by the Kandyans in February, 1805.¹⁰ The attack was rapidly repelled, and devastatory counter-expeditions were as usual made. These were the last active operations of the First Kandyan War. Śrī Vikrama Rājastōha was seized with the small-pox, the estranged Pīlma Talavū, who had been for two years sojourning in Sabaraganuwa, hastened to Kandy, every access to the capital was closely guarded, and for a short while Kandyan politics was in suspense. Although the King recovered, Pīlma Talavū was re-established in power and precedence. Above all, the small-pox was taken to be a sign of divine

1. C.O. 54, 14. North to Hobart, 25th May, 1804.

2. *Ibid.* North to Hobart, 27th September, 1804.

3. *Ibid.* North to Hobart, 22nd September, 1804.

4. *Co-dinor* ii, 273.

5. C.O. 54, 15. North to Camden, 8th February, 1805.

6. Johnston's *Memoirs*, 26. North to Camden, 6th February, 1805. Marshall 122 B, and Appendix c.

1. C.O. 54, 16. North to Camden, 8th February, 1805.

2. *Co-dinor* i, 258.

3. C.O. 52, 62. Hobart to North, 7th May, 1804.

4. C.O. 52, 17. North to Camden, 21st February, 1805.

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disfavour; and the Court therefore showed a disposition to peace.]

North, too, was anxious for peace. The Maritime Provinces had suffered severely from the effects of protracted hostilities and of the Kandyan incursions of 1803 and 1805. The districts of Hambantota, Chilaw and Puttalam, and Batticaloa, in which the Kandyan menace had been strongest, and whose prosperity had always depended on the Kandyan trade, were the chief sufferers. D'Oyly declared the Māgarapātra,¹ in which were situated the great salt *śāyā*, to be in a 'deplorable' state. It was denuded of its population, its villages were deserted; its fields had for several years remained unsown; and with the prohibition of the salt trade with Kandy, its inhabitants had become 'astonishingly poor'. In Chilaw and Puttalam the economic blockade had had a similar effect, and had given rise to an extensive system of smuggling. 'Notwithstanding the measures hitherto adopted by Government', reported Ker,² 'to prevent any trade being carried on between the inhabitants of our territory and those of Kandy, particularly in the article of salt, scarcely a day passes, but persons detected in this traffic are brought into the Cutcherry, and by the reports of spies a very great number of the inhabitants of the district are engaged in this trade. And indeed it is hardly to be wondered at when for two measures of salt which at present cost a fanam, they obtain from the Kandyans a measure of rice which is sold for three fanams'. Apart from considerations of profit, the Maritime inhabitants could hardly view with indifference the sufferings across the border of families with whom they were often closely connected by ties of blood-relationship. Of Batticaloa, Campbell reported³ 'the very impoverished state to which the district is reduced. The constant seizures of cattle for the supply of the European soldiers of the garrison seriously retarded agriculture. Cattle had indeed become 'so very scarce', that the authorities were 'absolutely obliged to

take the milch cows'. Poverty 'in the highest degree' prevailed, 'and no husbandman was able to cultivate and sow his field by want of seed corn'.

If the seizure of cattle produced distress, the impressment of coolies created terror. 'I have ordered the Mudaliyars', wrote Gibson in 1803,⁴ 'to seize 7,000 bullocks and to send them with the drivers immediately . . . (being) induced to seize them well knowing the owners should not bring them immediately'. The natural aversion of the inhabitants to serve as coolies is explained by the fact that the heaviest casualties during the Kandyan wars were among them; even the number dead being unknown. The burdens they had to carry were heavy, they were exposed frequently to galling fire and constantly to the effects of an evil climate, they were rightly doubtful of being cared for if wounded, and they were certain of being put to death if captured. It is not surprising that Major Johnston says that 'the instant, therefore, it is known in any of the districts, that a native headman has received orders to seize a certain number of coolies, the villages are deserted by the lower class of the inhabitants, who to avoid the police officers, conceal themselves in the forests'.⁵

The war not only brought misery to the people, but also endangered the Colony's finances and largely nullified North's schemes of reform. The Board of Revenue was compelled extensively to remit arrears of land revenue in order to keep the people contented and to prevent emigration.⁶ In Batticaloa, arrears for the period 1796 to 1803 could neither be collected nor even inquired about, 'on account of the Kandyan war, the most part of the people indebted being dead or fled to Kandyan territories'.⁷ While revenue was thus constricting, expenditure was increasing. Military expenditure which had been about £225,000 in 1802, rose to an average of £350,000 in 1803 and 1804. North had to draw heavily on the British Treasury, and to raise large local loans by the issue of debentures.

1. C.O. 34, 18. North to Camden, 5th August, 1805. *Collier's Narrative*, etc.

2. B. 30. D'Oyly to Arbuthnot etc and 25th November, 1804.

3. B. 31. Ker to Arbuthnot, 5th July, 1805.

4. B. 31. Gibson to Arbuthnot, 20th May, 1803 and *Sundry Memoirs on Batticaloa* enclosed.

5. B. 29. Board of Revenue and Commerce to North, 26th September, 1803.

6. B. 31. *Sixty Memoirs on Batticaloa*.

7. Wellesley MS.

Lastly, the efficiency of North's government was seriously hampered by inter-departmental friction. An 'outbreak of scurvy fever' had estranged the judicial and military departments, and the high-handedness of the military authorities had roused the hostility of the civil service. The central figure in these troubles was General Wemyss, between whom and North there was never established that harmony of action which had characterised the relations of Maudsall with the Governor. Military expenditure rose to unreasonable proportions from Wemyss's habit of initiating works without prior consultation or consent; so much so that North complained that his knowledge of military arrangements was limited merely to 'what (when they are once completed) they cost at the Treasury.'¹ North had no power over him except the drastic one of withholding the public purse; a check which was of necessity almost in abeyance in time of war in face of the plea of military necessity. Reviewing these discordant relations, Governor Maitland spoke scathingly of Wemyss's conduct. 'The executive government,' he wrote, 'was totally paralysed by the unhappy differences which existed between it and the military power. This, under the command of Major-General Wemyss, had assumed a character of independence, incompatible with the existence of good government, and the exertion of this independence was generally manifested in some attempt to harass the civil power, by forcing it, under the plea of military necessity, to break through every rule that had been laid down for the establishment of economy and regularity in the military departments in the Island.'² 'In short', he declared in a private letter, 'one would imagine, instead of having a due regard to economy, that the Major-General's sole object was to embarrass the Government, by increasing the expenditure, and that instead of supporting and maintaining the character of His Majesty's arms in this colony, he had assiduously studied how he could most completely disgrace and degrade it'.

Harassed by these difficulties and broken in health, North repeatedly asked to be recalled. It was with evident relief that

on the 19th July, 1805 he handed over the government to Sir Thomas Maitland, who, combining as he did in his hands both the civil and the military power, superseded the dismissed Wemyss and removed that unhappy inter-departmental friction which had so hampered North. The latter's negotiations, on the basis of an apology for the massacre and the restitution of all captive officers and soldiers, European and native, by the Court of Kandy, which was supposed to be favourable to peace, had come to naught. The failure was attributed to a new quarrel which had broken out between the King and Pilima Talakavē, to the expectation of the appearance of a French fleet in eastern waters and to the belief that the Kandyan were desirous of first sounding the newly-arrived Governor with a view to more advantageous terms.³

Prior to his departure, North penned a summary of the Kandyan position, and a vigorous defence of his Kandyan policy.⁴ 'In any peace', he remarked, 'we must only look to the effects on the minds of the people on both sides. The influence of the Court of Kandy over the inhabitants of our territories is of long standing and is assiduously cultivated by the Priests of the Buddha who direct their consciences'. A proper peace was indeed necessary, 'but there is no forming any just calculation on the proceedings of a Court, divided by intrigue, conducted by magic, and composed of traitors, whose individual interests are seldom compatible with the public good. It is to the singular constitution of the Court of Kandy that you must attribute not only the commencement but also the continuance of the war. With whom could I treat of any thing but with the two Adigāras, who had both during five years solicited ineffectually my assistance to depose their sovereign, who had provoked a war, according to their own threats, and they might render the consequences of it fatal to him, and who, while they continue in the enjoyment of power, will make that deposition their object, to which they will sacrifice every consideration of the tranquillity, prosperity and interest of their country. If peace be conducive to that end they will procure and preserve it: if not, it will be delayed, or infringed as soon

1. C.O. 52, 17. North to Camden, 10th July, 1805.

2. C.O. 54, 18. Maitland to Camden, 19th October, 1805.

3. H.D. Maitland to Camden, 28th July, 1805.

1. C.O. 54, 18. North to Camden, 5th August, 1805.

2. *Ibid.*

as made, and the narrow understanding, gross ignorance and violent temper of the King will give them great facility (as it has hitherto done) towards rendering hostilities unavoidable, or negotiations impracticable.

Maitland took the opportunity of a quarrel between the Collector and the Commandant at Matara, to publish a categorically worded Minute designed promptly to obviate the continuance of inter-departmental hostility.¹ He enjoined on the officers, military and civil, a mutually 'conciliatory and unflinching spirit'; threatened, in future, to make the mere existence of differences a strong *prima facie* ground for the dismissal, without reference to a critical investigation of who was right or wrong, of the parties concerned; and prohibited both the counteraction of the orders of military officers by the exertion of the individual authority of civil servants, and any 'irritating' correspondence for the redress of 'supposed' grievances. All remonstrances were to be addressed direct to headquarters.

The new Governor also immediately discontinued the North-Wemyse policy of an economic blockade accompanied by military reprisals. Devastatory incursions into Kandyan territory and the molestation of enemy inhabitants 'in any way whatsoever', were prohibited.² Maitland was determined to enter into no 'foolish expeditions', nor to risk the lives of his men 'in burning and destroying the defenceless huts of the innocent natives.'³ Of North's policy and representations he spoke in almost contemptuous terms. 'Where the general attack of the Kandyan force was and what was the great effect of our arms upon the Kandyan Government, in the beginning of the year, I am', he declared, 'at a loss to conceive, unless indeed the attack of one or two of your advanced posts be the first, and the burning of some of their miserable huts and the driving off of some of their cattle to be the second. The truth is that I see no ground to suppose any of those calamities to exist which are stated nor am I ingenious enough to discover or make out, either the distress in which they are supposed to

1. C.G.G., 24th July, 1803.

2. General Order of 3rd August, 1803.

3. C.O. 54, 18. Maitland to Camden, 19th October, 1803.

be involved, or the formidable nature of the blockade which is said to have taken place, and to have reduced them to the last extremity'. If the effects of that policy had been as severe as had been represented, he could not understand why the Kandyans had never made 'anything like an offer of peace': while the idea of blockading with ten or twelve military posts a country eight hundred miles in circumference, and of the nature of the Kandyan territory, would, he argued, 'ever prove nugatory'.¹

As for the 'so-called peace-negotiations', they seemed to him to have been 'purposeless, based on insufficient evidence, and entirely futile'. Nobody, not even North, knew who had the real power at Kandy, King or Adigâr. Maitland's view was that the form or spirit of the peace did not matter, as the Kandyans would observe it only as long as they feared British military power. He characterised as 'perfectly ridiculous' the idea that the terms of the peace or the fact of proposals originating with the British, would involve a loss of prestige either at Kandy or in the Maritime Provinces; 'for it is by the sword alone we have obtained possession of this Island, and it is by the sword alone we can expect to hold it'.²

Maitland therefore himself made proposals through Moratōja Rājaguru Dhammakanda, Mahanāyaka Thera of Kandy, a channel of communication respected by both King and Adigâr, and which would moreover enable him to keep out of 'the miserable arena of Kandyan politics'. He proposed the restoration of prisoners as a preliminary to the re-opening of diplomatic and commercial relations and to the appointment of commissioners to negotiate a peace on the basis of 1766. The demand for compensation for the massacre of 1803 he decided to drop, because of 'a deep conviction arising out of the total ignorance we are in, not only of who were the perpetrators of it, and in whom the sovereign power rests, but also out of the nature of the thing itself, that such a demand would make such a proposition perfectly nugatory'.³

This new policy had been sanctioned before Maitland's departure from England. The British authorities took the

1. C.O. 54, 18. Maitland to Camden, 26th August, 1803.

2. *Ibid.*

3. *Ibid.*

view 'that the Island of Ceylon should be considered as an out-work of the British possessions in India'. Neither justice nor policy therefore necessitated the subjugation of the entire Island, 'as the advantages derivable from such a possession could not be commensurable to the expenses of maintaining it'. Admitting that the war had originated in Kandyan aggression, it had nevertheless been unceasingly protracted, 'and the sacrifices demanded for the restoration of peace on our part are greater than it was expedient to insist upon'. That Kandy should agree to the peaceful reception of the Maritime Provinces by the British would have been a sufficient stipulation, and North should have 'refrained from all encroachments on their limits'. The authorities were alarmed by the heavy increase in expenditure. In 1803, North had drawn on the British Treasury for £98,406, and had locally issued debentures for 260,500 six dollars (nearly £26,050). The military expenditure for the first seven months of 1804 had been £755,224. North himself had stated that the loss of coolies, cattle and provisions could not possibly be calculated. A force of 3,000 coolies had been raised; the army had been re-inforced; yet Wemyss had been of opinion that at least 8,000 troops and 20,000 coolies were necessary for any active operations. The need for the early termination of this 'ruinous warfare' was therefore clear. Maitland was, consequently, instructed to abstain from nugatory acts of hostility, to show a wish for peace upon honourable terms, and to demonstrate to the Kandyan Government on every possible occasion that, although there was little to fear from their hostility and but little to gain from their friendship, the British nevertheless desired 'friendly intercourse'.¹

Maitland not only made overtures through the Mahanūyaka Thera but also opened a secret correspondence with the High Steward of Kandy. By bribery and corruption he hoped to obtain every advantage which had been expected from war. 'I shall be able', he declared, 'to get by under-hand means and very little money indeed more complete possession of the

1. C.O. 53. 62. Camden to Maitland, 21st February, 1803. (Two letters).

Kandyans than we could by war of any kind'. He also contrived to get into correspondence with Major Davie, but every effort to secure the release or the escape of that officer failed.

Although Maitland felt that 'the rancour and animosity that naturally was created from the species of warfare that Mr. North carried on' was daily subsiding, his attempts at negotiation broke on the rock of Kandyan parblindness. The Kandyans demanded that in this matter the Governor 'should do the things always heretofore customary'—meaning thereby that an embassy should be despatched. To this, Maitland would not, and could not, agree, as Kandy looked on it as a symbol of its own supremacy and regarded the presents sent on such occasions as tribute from a subsidiary power. Since the Court at length agreed to free its prisoners if an embassy was sent, Maitland even went so far as to express his readiness to acquiesce, provided commissioners first met at the frontier to arrange about the reception of the embassy, the mode and time of surrendering the prisoners and the general preliminaries of negotiation.² To these conditions the Kandyans objected, but Maitland refused to act without the assurance he demanded. The 'awkward point' was Major Davie, to obtain whose release Maitland was prepared to undertake anything short of 'general hostilities'.³ Though these negotiations proved nugatory, Sri Vikrama Rājasinha did ultimately in 1809 liberate the three hundred British prisoners in his dominions, 'but with the strange perversion that is inherent in their policy, he pertinaciously adhered to retain Major Davie'.⁴ Davie died a prisoner.⁵

At length, 'from a most fixed opinion that we are nominally at war we are in fact in as full as good a situation as if

1. C.O. 54. 18. 22nd November, 1803.

2. C.O. 54. 21. Maitland to Camden, 28th February, 1803.

3. *Ibid.* Encd. Letters from Mahanūyaka Thera.

4. C.O. 54. 22. Maitland to Windham, 20th September, 1806.

5. C.O. 54. 28. Maitland to Castlereagh, 9th March, 1808.

6. C.O. 54. 34. Maitland to Collet, 27th April, 1809.

7. For further information about Davie vide Miss V. M. Methley's articles in *C.A.*, Vol. V. Part 12, 169 ff; and in *The Transactions of the Royal Historical Society* for 1918. Both articles are mainly based on the War Office records, and the latter is a useful re-interpretation of the events of the First Kandyan War. Vide also D'Oyley's *Diary, Journal, and the relevant despatches in C.O. 54.*

any treaty of peace was actually signed.¹ Maitland contented himself with preserving the *status quo*. His only anxiety for 'what must be at best a nominal peace' had been on account of the prisoners, and so that 'after all that has been said in England upon the subject' he might enable His Majesty's Ministers to say 'We are at peace'.² In point of security he was certain that he was as well off as if peace was actually signed. The general temper of the Court was favourable, but Kandy could not be treated as a regular power. Had Maitland treated them as a regular power to be dealt with on European principles, he would have been at war with them every day.³ The question whether the relations of the two powers were defined as one of peace or of war was 'a matter of total indifference'. The conduct of Kandy would in either case be exactly the same. 'They will at all times join any European power to expel that which is at the moment in possession of the Island.'⁴ Maitland was, however, convinced that they could neither defend themselves nor be of essential help to any enemy. He therefore suspended all active negotiations and behaved as if the two states were actually at peace. Commercial intercourse between the peoples of the two countries was resumed. 'Replying on your representations . . .', wrote Castlereagh in June, 1807, 'I trust the Kandyan War may in fact be considered as at an end.'⁵ This anomalous state of affairs lasted to the end of Maitland's régime.

1. C.O. 51, 21. Maitland to Camden, 28th February, 1806.
2. C.O. 51, 18. Maitland to Camden, 19th October, 1805.
3. C.O. 54, 22. Maitland to Castlereagh, 21st May, 1806.
4. C.O. 54, 18. Maitland to Camden, 19th October, 1805.
5. C.O. 55, 62. Castlereagh to Maitland, 11th June, 1807.

CHAPTER V

THE DECLINE AND FALL OF THE KANDYAN KINGDOM

The fall of the Kandyan Kingdom in 1815 resulted directly from its domestic occurrences. If the first Kandyan War was due to the intriguing ambition of Pilima Talawé, the second must largely be accounted to the ambitious intrigues of his nephew and successor, Anulépola. It is therefore necessary once more to turn our attention, in some detail, to 'the miserable arena of Kandyan politics'.

The history of the reign of Sri Vikrama Rājasīlha is a story of increasing royal independence and despotism. The puppet, by intention became the ruler in fact. In this process, the King attempted to undermine the power and diminish the influence of the oligarchy of Sinhalese aristocrats that surrounded his throne. The most powerful faction among the chiefs consisted of the adherents of Pilima Talawé. It was therefore at his benefactor, the Mahādīgā, that the King first struck.

As the Mahanāyaka Thēna had prophesied in 1798, the royal elephant turned upon, and ultimately destroyed, his ministerial keeper. Sri Vikrama Rājasīlha was a man of imperious and autocratic temperament, and did not suffer easily the bonds of obligation which tied him to Pilima Talawé. They gradually grew estranged; and the King came to place increasing reliance on his family relations, the Nāyakkars. Pilima Talawé met his first rebuff as early as 1801. He had given his daughter in concubinage to the King in the hope that she would be made queen; but Sri Vikrama Rājasīlha, on the advice of his relations, married the two daughters of Ganpola Deviyo.¹ After the events of 1803, Pilima Talawé fell into disfavour. For nearly

1. D'Oyley - Codrington's Introduction.

two years he sojourned in his *diśava*, and never once went to the capital. He only returned to Kandy, no doubt to safeguard his interests and further his ambitions, when the King fell ill of the small-pox in 1805. The monarch recovered from the malady; but the Adigār was re-established in the royal favour and confirmed in his powers and honours.

This harmony was not, however, of long continuance.¹ When Māyastānā, Second Adigār and Disāva of the Seven Kōvalēs, died in 1808, his ministerial office was given to Pīlma Talavū's nephew Āhālēpola, while his *diśava* was granted jointly to Āhālēpola and Molligoḍa. This joint-appointment occasioned a rebellion. The people of the Seven Kōvalēs complained that the procedure was contrary to custom, and that the joint-appointment would subject them to double taxes and duties. In the circumstances Pīlma Talavū offered to effect the speedy submission of the rebels if the *diśava* was granted to himself and his son-in-law, Rātvattē. The experiment was tried with complete success; but that very fact roused the suspicion and jealousy of the King. Irked by the knowledge and evidence of this attitude, Pīlma Talavū upbraided him with ingratitude and protested that insufficient respect was paid to him and his advice. The King's usual supplies the measure of his independence and annoyance. 'He was not', he said, 'to be directed by the chiefs, but the chiefs were to take their orders from him.'² The gulf widened with repeated quarrels; especially when the Adigār expressed disapprobation of the numerous public works that the King undertook, on the ground that they were vexatious and oppressive to the people. The King bided his time; and when, in 1811, Pīlma Talavū sought to marry his son to the daughter of Māmpitiyē Bandāra, a natural son of Kīrti Sē, the action was interpreted as a sign of the Adigār's designs on the throne. He was summoned to Kandy, charged before the assembled chiefs with maladministration, and accused of being the real author of every cruel and unpopular act which had been done during the reign. Apparently relenting, however, the King forgave him his offences and conferred fresh honours upon him. It was a delusive forgiveness.

1. For this and subsequent paragraph vide Davy, 375 E.

2. *Ibid.*, 317.

Taking the opportunity, shortly after, of the Adigār's neglecting some trivial duty, the King deprived him of his offices, imprisoned him for eight days, and then compelled him to retire into private life.

Pīlma Talavū did not patiently suffer his disgrace. He conspired to assassinate the King; but, unfortunately for him, his plans went awry. The Malay Mulandaram and some sixty Malays, who guarded the King, had been entrusted with the murder of the King in his sleep, while the headmen of Uḍumvara and Yaḍuvvara had been persuaded to raise a rebellion simultaneously. The Malays were unable to accomplish their purpose as rapidly as was expected, the two provinces rose prematurely in rebellion, and the plot failed. The Mulandaram fled to Colombo, and the rebellion was promptly quelled. Pīlma Talavū and Rātvattē were tried for treason and, on confession, were, with six petty chiefs, executed about June, 1812. Pīlma Talavū's son, too, was condemned, but was later reprieved on the intercession of the chiefs. The property of the conspirators was confiscated.³ Pīlma Talavū's party was, however, still powerful, and Āhālēpola was appointed First Adigār. The post of Second Adigār, which thereby fell vacant, was given to Unambavē, and on his death in 1813 to the elder Molligoḍa, a rival to Āhālēpola.

Although Pīlma Talavū thus disappeared from the scene, the King was still faced by the power and influence of the chiefs. The Kandyan aristocracy was a land-owning oligarchy held together by innumerable ramifications of blood-ties and marriage relationships.⁴ They did, indeed, constitute a check on the despotic powers of the King; but they had, in their turn, become oppressors of the people. Their wide landed possessions brought them political pre-eminence and gave them economic control in a national economy based entirely on agriculture; a social system based on caste gave them considerable influence; an imperfectly supervised, though centralized, administration presented them with wide opportunities of corruption, and the extensive control of the governmental machine which had been

1. D'Oyly 65, 28th November, 1811.

2. *Ibid.*, vide the pedigree of Pīlma Talavū compiled by Cottingham in D'Oyly.

vested in them proved a source of unrestricted power. Terrorism,¹ and the natural influence of pre-eminent political, social and economic position confirmed what was theirs by tradition and customary usage in the locality of their *śiśās* and *rajas*.

In his effort to break their power, so that he might exercise unfettered authority, the King completely alienated this aristocratic oligarchy. His withdrawal of confidence from his Sinhalese ministers and his increasing reliance on the advice of the Tamil *Nāyakkars*² proved the more obnoxious to the chiefs as many of the latter were heavily in debt to these self same *Nāyakkars*. Molligoda alone is said to have owed them 6,000 pagodas (£2,000).³ This fact only accentuated natural racial hostility. Further, to weaken the local influence of the chiefs, the King seems to have adopted a policy of constantly reshuffling offices and of splitting up the *śiśās*. The division of the Seven *Kōrabās* has already been noted; a similar course was followed⁴ in 1814 in the cases of Uva and Sabaraganuwa. He is even said to have advanced to high office men of less noble birth⁵ — a policy disagreeable not only to the chiefs but also to the people, who were particularly tenacious of the rights, duties, observances and gradations of their social system. The King indeed seems to have endeavoured to create a royalist party with which to buttress his power, for he appears to have implemented the rivalries among the chiefs to his own purposes. The Molligoda faction was the rival of the Abālēpala faction, and he seems to have employed the members of each to enquire into complaints against adherents of the other.⁶ Moreover, in pursuance of his anti-aristocratic policy, the King resuscitated certain disused aids and escheats. The *śaśā* or death duty, which had long been in abeyance, was revived, e.g. in 1812, the property of the deceased *Ālupā* Nilanē was sequestrated.⁷

1. E.g. D'Oyly 75, 24th December, 1811.

2. C.O. 34, 51. Brownrigg to Buchanan, 28th June, 1811. C.O. 50, 50. Brownrigg to Buchanan, 20th August, 1814. *Ibid.* 51, 6, 19, 20th June, 1814.

3. Dury, 320.

4. C.O. 34, 51. Brownrigg to Buchanan, 31st March, 1815.

5. E.g. D'Oyly 103, 4th May, 1812.

6. *Ibid.* 135, 26th October, 1812.

The usual payments made by the chiefs on their appointment to office seems also to have been increased.¹

Above all, the King sided with the people against the oppression and tyranny of the provincial magnates. D'Oyly's diary gives ample evidence of local discontent against the chiefs. 'All the people of Sabaraganuwa', reported the spies, 'are dissatisfied with the First Adigār. He collects a great quantity of provisions, which the headmen bring to present upon their appearance, besides the daily regular contributions for the supply of the table and the maintenance of his attendants from Kandy, who will amount to fifty persons. Every eight or ten days, he sends ten or twelve coolies' load of provisions, and manuties (hocs) and iron works, and boxes to his own Walamya (residence) at Kosinna in the Four *Kōrabās* where his wife resides . . .'² Similarly, it was reported, 'the common people of the country . . . are much dissatisfied (with the Second Adigār) on account of the fines levied, and the new orders which the Adigār has issued forbidding the people to drink or purchase arrack, to keep pigs or kill pigs or animals of any kind, or even to shoot animals when damaging their paddy fields.'³ The King endeavoured to mitigate these evils by instituting frequent enquiries into the transactions and conduct of the chiefs, and by imposing punishments of fine and dismissal. 'The deposed King', says Simon Siewers, later Revenue Commissioner of the Kandyan Provinces, 'lost his popularity with the principal chiefs in consequence of his having made some severe examples for the purpose of restraining their abuse of power, more especially their oppressive manner of administering justice.'⁴ In addition the local village and district councils, known as the *Gansabā* and *Rāṭṭabā*, were encouraged and developed. As a result of this policy, the oligarchic faction seem, despite internal rivalries, to have nevertheless been united in their dislike of the King and their opposition to his acts.

This aristocratic discontent found a rallying point in the First Adigār, Abālēpala. Though not quite so able and commanding

1. E.g. D'Oyly, 70, 22nd December, 1811.

2. *Ibid.* 135, 26th October, 1812.

3. *Ibid.* 86, 20th January, 1812.

4. Marshall 38, 6104, Siewers's MS. Notes.

a figure as his uncle, this talented and accomplished chief had inherited all the latter's ambitions. He had been involved in the conspiracy of 1811,¹ and though he escaped the consequences, the King never gave him his confidence. This mistrust was not undeserved, for the new First Minister entered into fresh intrigues with the British in the same manner and for the same ends as Pilima Tulaavē.

The British were well-informed of events in the interior. Maitland had appointed D'Oyly chief translator of Government, and placed in his hands the conduct of the correspondence with Kandy and of intrigues among the Kandyan. A cohort of spies, in the guise of *bukakas*, traders, etc. was kept in constant employment, and little of any importance occurred in the interior without soon coming to the knowledge of D'Oyly. Moreover, through his secret agents, D'Oyly was able to tamper with the loyalty of the chiefs. He kept up a regular correspondence with many of them - particularly with Āhālēpola, Kinnelligoda and Pusvillē. These secret intimacies were fortified by the exchange of medicines, presents and copious flattery. All D'Oyly's intrigues were directed towards negotiating a formal and durable treaty of peace and commerce which would replace the anomalous relationship that existed. Pilima Tulaavē himself had ultimately been approached towards that end. In November, 1810, he gave to one of D'Oyly's agents an account² of the massacre of 1803, for which he laid the blame on the King. He even gave an estimate of the existing position. Neither the King nor the British were acting very wisely. The King was unwise to demand restitution of the Coast; on the other hand, the British should send an embassy instead of relying on ineffective letters to an inattentive Court. In February, 1811,³ Pilima Tulaavē even made concrete proposals through another secret agent. If the British would agree to the cession of Puttalam and the exchange of ambassadors as formerly, he expressed the readiness of both himself and the Second Adigār (Āhālēpola) personally to propose these terms

1. C.O. 51. 5. Browning to Bathurst, 20th March, 1812. Encl. D'Oyly to Browning, 7th March, recounting the Kinnelligoda interview.

2. D'Oyly 42, ff. 20th November, 1810.

3. *Ibid.* 58, 3rd February, 1811.

to the King, and to come over to the British if the royal consent was not forthcoming. The terms were rejected by the Maritime Government, and before any further communications could be made, the commotions of 1811 supervened.

The last few months of Maitland's governorship had been disturbed by fresh Kandyan alarms, which were accounted to false reports that had reached Kandy of the arrival of a French fleet in Eastern waters.¹ Although Sir John Wilson, who temporarily administered the colony after Maitland's premature departure (caused by ill-health), was much perturbed by reports of the drilling and movement of troops in the Seven and Four Kūralēs, and therefore led to anticipate an attack, there was no disturbance. Maritime headmen were discovered to have been tampered with,² but Wilson contented himself with strengthening his out-posts and addressing to Kandy a long letter,³ calculated by its recapitulation of British naval and military successes to impress the King with the weakness of the French. The repercussions of the 1811 conspiracy, however, extended to the Maritime Provinces. Wilson was secretly approached by various parties, but refused to intervene in the domestic squabbles of Kandy.⁴

On 11th March, 1812, Sir Robert Browning succeeded to the governorship. The new Governor had received explicit instructions⁵ to pursue towards Kandy the system of policy which Maitland had instituted and to avoid any acts which might prejudice amicable relations. If Kandyan aggression should necessitate war - a possibility which Wilson had seriously expected - he was ordered to act strictly on the defensive. In such a case he was to make his object the preservation of the Maritime Provinces and not any acquisition of new territory. Once that object was accomplished, he was to make every effort to renew friendly relations.

Browning seems, however, to have cherished the ambition of annexing the Kandyan Kingdom to the British Empire. He

1. C.O. 51. 40. Wilson to Liverpool, 16th July, 1811.

2. *Ibid.* Wilson to Liverpool, 11th September, 1811.

3. *Ibid.* Wilson to King of Kandy, 24th September, 1811, enclosed in despatch to Liverpool of same date.

4. *Ibid.* Wilson to Liverpool, 16th July, 1811.

5. C.O. 55. 62. Liverpool to Browning, 31st March, 1812.

was convinced that Kandy was an essentially untrustworthy power, and that its military strength was contemptible. He was persuaded that 'the entire sovereignty' of Ceylon would prove beneficial to the British Crown and admitted that he was 'naturally ambitious' that so desirable an event should be realised during his governorship.¹ After every attempt to convey private overtures to Kandy had been rebuffed, he expressed himself to be completely sceptical 'that without a radical change in the Government of that Kingdom, any commercial treaty or more intimate connection can be established between the two countries'.² Although he professed it to be his unceasing object to obtain from every interference in Kandyan politics, Brownrigg seems quietly to have prepared to take any opportunity that might offer to achieve his ambition. As early as November, 1812, he was of opinion that, with 20,000 native troops from India, the moment was propitious to 'annexate' the interior.³ Some indication of the reliance to be placed on Brownrigg's protestations of peaceful intentions is to be gained from a letter which Maitland thought necessary to address to Liverpool's Under-Secretary, Peel. Writing in January, 1812,⁴ after Brownrigg's departure for Ceylon, he advises Peel to write to Wilson, approving 'in strong terms' his policy of abstention from interference in Kandyan affairs. 'Not that it will meet him (Wilson) on the Island', remarks Maitland, 'but it will impress General Brownrigg in the strongest manner with the propriety of following a similar policy throughout. . . . This I suggest not entertaining the smallest doubt of General Brownrigg's wish on the occasion. But I am sure it would be salutary to strengthen that by communicating to him the direct sentiments of Government on the subject, and by the first conveyance'. Subsequent events may supply the appropriate comment on these instructions.

Āhalēpola's first communications with D'Oyly, though friendly in tone, led to little result. In February, 1812, in reply to communications proposing the usual negotiations for a treaty,

1. C.O. 54. 41. Brownrigg to Bathurst, 20th March, 1812.
2. *Ibid.* Brownrigg to Bathurst, 10th February, 1812.
3. C.O. 54. 44. Brownrigg to Liverpool, 3rd November, 1812.
4. C.O. 54. 45. Maitland to Peel, 20th January, 1812.

he even sent accredited messengers to D'Oyly, but there was only an exchange of courtesies.¹ In March, he suggested a meeting at the frontier, and hinted that the King too was willing to negotiate;² but the proposed meeting never took place, for Āhalēpola informed D'Oyly in April that he could not come without the King's permission.³ The secret correspondence with Āhalēpola and with other chiefs of his faction was nevertheless regularly kept up, and that with Āhalēpola in particular was indeed very intimate. All D'Oyly's overtures, though accompanied by much flattery and many presents, were, however, of no avail. In March, 1813, Brownrigg informed Bathurst that relations with Kandy were as they had been for the last nine years.⁴ The subjects of either country had freedom of ingress and egress for trade, etc.; but the only relation between the Maritime Government and the Kandyan Court was represented by the semi-official correspondence of D'Oyly with Āhalēpola.

Meanwhile, important events were taking place in the Kandyan Kingdom. Śrī Vikrama Rājasinha was not unaware of the untrustworthiness of his chiefs and courtiers, and is said to have grown so apprehensive of his safety as to move frequently from palace to palace and never to sleep in the same spot during successive watches of the night.⁵ This constant apprehension and feeling of insecurity no doubt affected his state of mind, for his character is said to have deteriorated rapidly at this period. Usually active of body and mind, he is said to have now become indolent, sensual and addicted to drink.⁶ Suspicious, not unnaturally, of his courtiers, he appears to have attempted to terrorize them into loyalty and to have taken drastic precautions for his personal safety. In December, 1812, Māmapitiyē Bandāra, a natural son of Kirri Śrī, was beheaded at Huankotuva for misprision of treason.⁷ In the same year, the King ordered the suspension of all communications between the loyal upland

1. D'Oyly to, & 18th February, 1812.
2. C.O. 54. 42. Brownrigg to Liverpool, 20th March, 1812. Encl.
3. C.O. 54. 43. Brownrigg to Liverpool, 12th April, 1812.
4. C.O. 54. 47. Brownrigg to Bathurst, 15th March, 1813.
5. D'Oyly 156. 20th December, 1812.
6. C.O. 54. 47. Brownrigg to Bathurst, 15th March, 1813.
7. D'Oyly 154. 20th December, 1812.

provinces of Hēvāhāta, Dumbana, Ūva, Kotmalē and Valapanē, and those outlying provinces like the Seven Kōralē, Four Kōralē, Three Kōralē and Sabaragamuva which, since the rebellion of 1811, were suspected of disaffection.¹ Moormen and *hēskēkas* were forbidden the loyal provinces, and those living or sojourning there were ordered to depart. Further, all women not born in those provinces were ordered to return to their native districts. These drastic orders were enforced so brutally and indiscriminately as to provoke great discontent. At the same time, all officers of the royal household who came from the suspected provinces, were appointed to distant situations; and none were allowed about the King's person who were not natives of the loyal provinces.

The suspected provinces, it is to be noted, were the very ones in which the influence of the Pilima Talavē and Āhālpōla families was strongest and most widespread. These first signs of the King's suspicions were followed by a more open display of disfavour. The King's distrust of Āhālpōla dated from the discovery, in 1811, of the fact that the latter had been implicated in the Pilima Talavē conspiracy. The King was, perhaps, not unaware of the new Mahāligār's correspondence with the British. Anyhow, his hostility became more evident. In February, 1813, Sō Vīkrama Rājasīṅha, who was childless of his two wives, married the two daughters of Dogalsūri. The princesses had been brought from Madura, *via* Batticaloa. All the chiefs were summoned to Kandy for the nuptials, and, as was customary, they brought rich presents. Āhālpōla, Unambayē, Molligoḍa, Kobbēkaṭuvē and Pusvālle spent well over 10,000 rix-dollars in purchasing clothes, etc. for this purpose, from Colombo.² Āhālpōla was, on his arrival at Kandy, charged with appropriating a portion of Ālapāta's sequestered property and with certain wrongs to the people of Sabaragamuva.³ Though pardoned, he was again disgraced after the nuptials on the false ground that his presents were mean and unworthy.⁴

1. Davy 319.

2. D'Oyly 162. 23rd January, 1813.

3. *Ibid.* 172. 21st February, 1813.

4. Davy 320.

While matters were in this pass, the chiefs were despatched to their respective provinces to superintend cultivation and to supervise the improvement and collection of the revenue. Āhālpōla returned to his *śisōva*, Sabaragamuva, in a discontented mood. Several occurrences roused the King's suspicions afresh. A village in Sabaragamuva, which belonged to one of the queens, refused to pay its dues and maltreated one of her agents; the revenue from arecanut was not duly paid into the treasury; and a charge was brought against Āhālpōla by a Tamil who complained that the Adigār had unjustly deprived him of a large sum of money.⁵ Āhālpōla was ordered to disprove the charge or refund the money. Matters came to a head when he protested against the levying of *śaraḍē*, and when further charges of oppression were brought against him.⁶ In March, 1814, he was ordered to return to Kandy, bringing with him those people of Sabaragamuva who had failed to pay their dues, particularly on the occasion of the King's marriage.

Āhālpōla, for his part, had not been unmindful of his own safety. He re-opened a correspondence with the British, and in November, 1813, sent a confidential agent to sound D'Oyly at Colombo.⁷ When the King's hostility was becoming increasingly apparent, Āhālpōla began to entertain more traitorous designs. He threw off the cloak of loyalty which had so far been carefully assumed in his correspondence with D'Oyly, abandoned his evasive replies to proposals for peace, and, in February, 1814, proposed to the British that they should occupy Kandy.⁸ This letter, represented the country to be suffering from many hardships, and the people to be disaffected; it declared that 'the wrongs and injustices which at this time have befallen the world are things which it is impossible to finish relating', and it requested an explicit answer to his demand for assistance. The significant words were added: 'If you have a desire for our country it is good that anything which is done be done without delay'. To D'Oyly's non-committal reply, Āhālpōla returned on 24th February a more explicit letter repeating the accusations of royal oppression and injustice,

1. Davy, 320.

2. D'Oyly, Introduction.

3. C.O. 54. 48. Brownrigg to Bathurst, 30th November, 1813.

4. C.O. 54. 51. Brownrigg to Bathurst, 10th February, 1814. Encl.

proposing British intervention, and promising to raise the inhabitants and co-operate with the invaders.¹ D'Oyly replied evasively, that he would attend to these suggestions if and when the time should arrive as would necessitate such measures. The British would, on the other hand, be pleased if Āhālpola would promote a commercial treaty.²

It is necessary, at this stage, to consider what truth there was in Āhālpola's assertions of popular dissatisfaction with the King. Facts which warrant a contrary presumption have already been noted. The King's checking of chiefly oppression could not but have redounded to his popularity with the people. Apart from his encouragement of the local councils, he appears to have paid personal attention to popular litigation and to have been indefatigable in the hearing of complaints. Moreover, he was responsible for certain economic measures designed to counteract profiteering and extortion. In 1811, he ordered all articles of common use and consumption to be sold at fixed, low prices.³ A coconut was to be sold for a *cholléye*; a *pāla* (two *parras*) of paddy for sixteen pice; a *scald* of rice, a bowl or a measure of salt, at a pice; a cubit cloth for five *satulies*, and so on. It was further ordered that the low country pedlars, who might refuse to sell at these prices, were to be permitted to depart without disturbance. The King promised that the wares usually bought from them would instead be supplied at similar rates from the royal stores. In another direction, caste observances with regard to dress, etc. were strictly enforced. The King took frequent steps to ensure obedience to these orders.

If these measures were designed to pacify the people, the King was, on the other hand, simultaneously responsible for acts which could not fail to have a contrary effect. As early as 1805, much dissatisfaction had been created by the unreasonable exactions which followed the military failures of that year.⁴ Further causes of dissatisfaction followed. Taking advantage of the peace that supervened with the introduction of the Maitland policy, the King undertook a number of public works. New roads were built; the capital was beautified with

new buildings, an ornamental lake, the *Pasāpissa*, etc.; and its fortifications were improved.⁵ Labourers were freely impressed to carry out these works; and though *vājalāriya* was an ancient institution in Kandy, the extent to which it was at this time demanded was unprecedented. Many of the impressments for labour at Kandy were made in outlying districts, a practice contrary to custom. D'Oyly's informants spoke, for instance, of the *Disāva* of the Seven *Kōralās* collecting people at the rate of two and three from each family (in the Seven *Kōralās*), sending them forcibly to the work of the Dam; and (he) beats down and breaks the roofs of the houses of some men who absconded.⁶ In December, 1811, alone, 1,500 men were recruited in the Seven *Kōralās* for work on the dam.⁷ Naturally, these impressments were unpopular as being contrary to custom. The policy of dividing the *disāvas* further contributed to the dissatisfaction, and the insulation of the loyal provinces in 1812 created much discontent.

Nevertheless, it is doubtful whether the common people were so disaffected as to welcome the British intervention that Āhālpola proposed. It is probable that he had considerable support in his own province of Sahaṅgamuva, as also in the neighbouring districts, where his family influence was strong, and which were not easily accessible from Kandy, because of the mountains. But the King's popularity in the upland provinces seems to have been little affected, and the response to Āhālpola's later rebellion hardly supports his contentions. There was much discontent, but little disloyalty. A year later, things were a different complexion. Much of the discontent had been converted into disloyalty. For this fact the King was largely responsible, though the influence of disaffected chiefs is not to be discounted.

When Āhālpola was summoned to Kandy in March, 1814, he was by no means anxious to obey. From confidential persons whom he had kept about the Court, he had learnt of the King's displeasure and of the danger that awaited him. He therefore refused to go to Kandy, and decided finally to throw

1. C.O. 54. 51. Browning to Bathurst, 20th March, 1814. 50d.

2. *Ibid.* Encl.

3. D'Oyly 115. 16th June, 1811.

4. Gardner II.

5. Navy 37. D'Oyly *passim*.

6. D'Oyly 75. 30th December, 1811.

7. *Ibid.* 52. 23rd December, 1811.

himself on the British. He sent a close adherent, Eknelligođa, to interview D'Oyly at Colombo.¹

Eknelligođa had two interviews with D'Oyly on the 4th and 5th March. He repeated the usual assertions of discontent among the common people because of royal oppression and extensive taxation, and declared that the provinces of Sabaragamuva, the Seven Kōraḷa, the Four Kōraḷē, Uḷunuvara and Yaḡinuvara, in particular, were ill-affected since the innovations of 1811. An additional tax had been imposed upon paddy, while a modification of personal services, by which the duty of conveying arccanar—a royal monopoly—in the King's stores had been transferred from the royal to the *śiśā* villages, had added considerably to popular discontent. Asked for further instances of the oppression he averred, Eknelligođa answered emphatically, 'if he plunder, if he murder, what other injustice is there? Even since he came to the throne, the people have been suffering from these wrongs'. He said that his party was doubtful of Čva, but he was certain that all the people would join as soon as it was publicly known that the British were marching to Kandy in conjunction with the First Adigār. To this reasonable proposal he demanded an explicit answer. D'Oyly's reply was carefully worded. He conceived no assistance would be sent by the English Government until it saw a distinct and unequivocal proof of the general wishes of the Kandyan people. This was no less than a veiled request for overt rebellion.

His first demand having met with a rebuff, Eknelligođa thereupon made a more limited proposal on the following day. Āhālēpola had directed him to suggest the occupation of Sabaragamuva alone by the British, should they be doubtful about the other provinces. This was certainly an action that Āhālēpola could more surely propose and assure the success of; for his influence was strong and his popularity considerable in the province, which was, moreover, cut off from direct access from Kandy except over difficult mountain passes. D'Oyly's reply was deliberately equivocal. While disclaiming all anxiety for conquest and aggrandisement on the part of the British, he expressed their desire for commercial intercourse and a stable

and satisfactory peace; 'it is impossible therefore to commence a war upon the mere confidence of such an application, without a distinct and manifest proof that the whole Kandyan people, indignant at their wrongs, are determined to withdraw their allegiance from the present ruler, and take refuge under the protection from the British Government'. 'The British nation', said D'Oyly in a sentence worthy of Palmerston, 'will ever be ready to contribute relief to a distressed people or individuals, as far as may be consistent with propriety and justice'. The present circumstances, however, supplied no sure grounds for action, 'voluntarily and without provocation', especially as the rainy season was at hand. If, however, the Adigār should be compelled to flee his country he was assured of an honourable asylum and the respect due to his rank. Nevertheless, should the extreme event occur and the Province manifestly and unequivocally declare its opinion, the British would then consider the proposal for taking over Sabaragamuva.

The result of these interviews cannot be regarded as entirely unsatisfactory to Āhālēpola. Although D'Oyly had declined to give any pledge that might definitely oblige the British to intervene before circumstances made it necessary, he had intentionally couched his reply in terms that might not altogether discourage the Adigār's hopes of British assistance.² In other words, Āhālēpola was indirectly assured of British aid if he would raise a sufficiently serious and widespread rebellion. British intervention would be conditional on the prospects of success; but it was, with that limitation, implicitly assured.

The situation bears a resemblance to that preceding 1803. D'Oyly was to Brownrigg what Boyd was to North—a trusted emissary and a faithful intermediary. The facts of the British position in Ceylon, which naturally begot in them an acquisitive tendency, have previously been recapitulated, and the anomaly of the existing relationship between Kandy and Britain has already been explained. It is difficult, nevertheless, to reconcile Brownrigg's amicable professions with his actions. Though Britain and Kandy had no formal friendly relations, they were actually at peace, and certainly not officially at war. Yet Brownrigg was not only intriguing with a disloyal minister of

1. C.O. 54, 51. Brownrigg to Bachelar, 20th March, 1814. Eknelligođa contains a full account of interviews.

2. C.O. 54, 51. Brownrigg to Bathurst, 28th June, 1814.

the King, but even inciting him indirectly, if not directly, to rebellion. How the Governor reconciled this policy with his instructions, with international practice and with his own repeated disclaimers of any intention to interfere in Kandyan domestic affairs, it is unnecessary to enquire. Neither is it necessary to speculate how he would have explained it to the authorities in England, in case it had failed. That contingency did not arise, for he was able to present a *fait accompli*. Success would appear to carry its own justification.

Fortified by these assurances and spurred by the necessity to safeguard himself from the wrath of the King, Āhālēpola occupied the subsequent weeks in conspiring rebellion. He seems to have confined his intrigues to the *disāvas* (i.e., the border provinces), and to have left the *rajas* (i.e., the central, upland provinces) outside the scope of his plans. Many of the chiefs and people of the *disāvas* 'gave promise explicitly' to rise in his support once he revolted and when he entered their districts with his forces. The disaffected districts would not thus rebel simultaneously. Each would rise, severally and in turn, as the rebel force advanced into it.¹

Amidst these preparations Āhālēpola received secret intelligence on the 27th April that the King had discovered the fact of the Ekanaligoda mission and intended to deprive him of his *disāvas* and to appoint Molligoda Disāva of the Three Kōralās, Four Kōralās and Sabaraganuwa together.² He immediately raised the standard of revolt at Battagedara in Sabaraganuwa, despatched messengers to incite rebellion in the other *disāvas*, and appointed the 1st May for the muster of his forces. He announced the rebellion to D'Oyly on the 30th April. Āhālēpola suffered from a lack of arms and ammunition, for the King commanded the stores. Some five or six hundred men had joined his standard, but as late as the 29th April no arms had been distributed among them. On the 4th May D'Oyly received an urgent request for a thousand rounds of ammunition, lead,

1. C.O. 54, 52. Browning to Buxhurst, 10th August, 1817; Encl. c/c No. 18. Ekanaligoda to D'Oyly, 10th May.

2. *Ibid.* Encl. D'Oyly to Browning, 1st May, 1817. This paragraph is based entirely on the letters of D'Oyly to Browning enclosed in this despatch.

gunpowder and an application for two detachments of troops to support the rebels. Already, however, the chiefs contemplated failure and declared their intention of fleeing to British territory in that event. Another application followed on the 6th May. Āhālēpola said that he was certain of the co-operation of the Disāvas and people of Mātālā and the Seven Kōralās, and that they were preparing to rise in revolt; so, too, the people of the Three Kōralās were ready to join him, but not its Disāva; but both the people and the Disāva of the Four Kōrañās were hostile. Ceva was an unknown quantity. At this date Āhālēpola had moved to Kuruvila on the way to Panāvāla and Ruavālla.

In face of this rebellion, Śrī Vikrama Rājasīha acted quickly.³ The south-western frontier was closed, the low-country traders in the revolted provinces were ordered to depart, and their trading places were shut.⁴ Āhālēpola was deprived of all his offices, and his wife and children were imprisoned as hostages. Molligoda was appointed First Adigār and Disāva of Sabaraganuwa, and ordered to invade his rebellious *disāva*. Leading a force of one thousand men, strengthened by a sprinkling of Malays and Tamils, Molligoda entered Sabaraganuwa 'over the pass of Adam's Peak'. The insurgents had meanwhile marched towards the Four Kōralās, aware of the importance of securing it before the arrival of the royal forces. They could not, however, get past Ruavālla because of the swollen river and an earthwork which had been put up there. Molligoda met with no opposition in the supposedly disaffected districts, and on the 14th May the insurgents retreated to Nauriyasvatta, half a mile from Sītāvāka.

The rebellion was clearly ill-organized.⁵ The rebel force consisted of about one thousand men, of whom seven hundred and fifty were armed with guns. They had five matchlocks and some twenty *fares* of gunpowder. They had enough rice to supply five hundred men without difficulty at the rate of a measure each per day. The others were compelled constantly

1. For the entire paragraph vide C.O. 54, 52 and enclosures.

2. C.O. 54, 51. Browning to Buxhurst, 20th March, 1817; Encl. D'Oyly to Browning, 8th March.

3. For the entire paragraph vide C.O. 54, 52. Browning to Buxhurst, 10th August, 1817 and enclosures.

to return to their villages for supplies. Consequently, their numbers fluctuated and their cause was further weakened. Moreover, desertions were many and frequent, for Molligoda as Adigār gained status in the eyes of the people. Āhālēpola seems, in fact, to have relied almost entirely on the hope of British assistance. The repeated disappointments of his applications for this aid dispirited the insurgents. Theirs proved increasingly a forlorn cause.

Āhālēpola realised his desperate position. His applications to D'Oyly for help became more and more pressing. If no overt or direct help could be given, he requested at least some movement of British troops, which could be interpreted as intended to help the rebels.¹ On the 8th May, the rebel chiefs offered to surrender to the British, if only they would help, all districts they might conquer—provided their rank, respect and religion were safeguarded; and on the 12th they went so far as to offer the unconditional surrender of the Kandyan dominions.² D'Oyly was of opinion that so favourable an opportunity of acquiring Kandy would never recur, and thought it was a suitable juncture for intervention. At the least, he advised secret aid, and suggested two methods of helping the Adigār without overt hostility to the King. 'I have submitted to Your Excellency in former letters', he wrote, 'two means which occurred of succouring the Adigār's party without overt hostility to the King, viz., by supplying them secretly with arms and ammunition which in case of actual warfare would fail them, and by sending on, we will say, permitting the Malay Muhandiram to join them with a party of Malays well equipped, which, in such a contest, would be a reinforcement of some efficiency and nearly meet the extent of their request.'³

Brownrigg had every desire to seize the opportunity. 'I am convinced', he declared, 'of the expediency of reducing this hostile and annoying power when any good opportunity occurs.'⁴ On the other hand, he knew 'the horror with which a Kandyan war at home is contemplated', and felt that the

1. C.O. 54, 32. and encl. D'Oyly to Brownrigg, 9th May.
2. *Ibid.* Enclosure—D'Oyly's letters of same dates.
3. *Ibid.* Enclosure—D'Oyly's letter of 9th May.
4. C.O. 54, 57. Brownrigg to Bathurst, 28th June, 1814.

means at his immediate disposal were hardly sufficient to conduct successful war.⁵ Although, therefore, he was 'conscious . . . that the British interests in Kandy must suffer from our apparent indifference to the present state of things', he felt constrained to pursue the established policy of forbearance.⁶ He decided to await developments, and, on the 21st May, ordered D'Oyly to inform Āhālēpola 'that the sense of the Kandyan chiefs and of the people (who seem divided among themselves) does not put on that appearance of unanimous and general feeling to warrant the British Government to proceed to a renewal of hostilities with the King'.⁷ Brownrigg was, however, willing to afford secret help to the insurgents, so long as the British could preserve the appearance of not being 'the tormenters of the rebellion. Consequently, he readily acquiesced in D'Oyly's proposals and instructed him secretly to supply⁸ the rebels with ammunition. He said he 'would not object' to the Malay Muhandiram going 'of his own will' with his followers to the aid of Āhālēpola, and was ready even to arm the party in that enterprise. Moreover, he ordered the advance of 250 troops to Sītāvaka in the guise of taking necessary precautions—in fact, he said, 'I certainly consider this corps as giving countenance to the insurgents'.⁹ At the same time, he applied to India for 5,000 men so as to be prepared to take advantage of any eventuality. It was thus that Brownrigg adhered to 'a middle course of policy so calculated as neither on the one hand to give to the King any ground for alleging that this Government had committed any act of aggression or hostility, nor on the other so far to shut out the advance of the Adigār as to reject those benefits to His Majesty's Colony which his undertaking promises to afford'.¹⁰

While Brownrigg was thus watching on events, Āhālēpola was being rapidly driven towards the frontier. On the 16th

1. C.O. 54, 52. Brownrigg to Bathurst, 16th August, 1814. Encl. Brownrigg to D'Oyly, 18th April.

2. *Ibid.*

3. *Ibid.* Encl.

4. *Ibid.* Encl. Brownrigg to D'Oyly, 14th May.

5. *Ibid.*

6. *Ibid.* Encl. Minutes, 1st June.

May, the rebel force under Eknelligoda was attacked by the loyalists at Nāgahanuvāla, near Afulgama.¹ The insurgents broke without firing a shot, retreated to Algoja and thence to Avisāvāla near Sitāvaka. Molligoda had astutely placed the men of the Four Kōralās, who sympathised with the rebels, in the van of his army, so that, by firing on each other, they might be mutually exasperated. To avoid this contingency, the insurgents had retreated, saying that they had risen for Kandyan rights and would not therefore fight against Kandyans.² Defeated in battle and weakened by desertions and lack of provisions, the ill-armed rebel force was in dire straits. On the 17th, Eknelligoda and Delgoja came to D'Oyly at Hāvāla and pressed urgently for British help.³ The application was futile and, anyhow, too late. The insurgents were in rapid retreat. On the night of 23rd/24th May, Āhālepola, who had a few days previously sent the banners and rolls of Sabaragamuva into British territory, himself finally crossed the river to Sitāvaka with some two hundred men and, with his fellow rebel chiefs, put himself into the hands of the British.⁴ Eknelligoda and Dolosvillē followed on the 25th. By the end of the month the rebellion had collapsed and Sabaragamuva was completely tranquillized. Āhālepola was housed in Colombo with every sign of honour and respect, and though not received publicly by the Governor, was met in intimate private conference.

In the Kandyan dominions, the King took a stern revenge. At the very outset of the rebellion five principal chiefs and six *śāhās* had been arrested on suspicion of complicity and carried away to Kandy.⁵ Numerous arrests followed, and on the collapse of the rebellion, Molligoda returned to Kandy with a crowd of prisoners, forty-seven of whom were impaled.⁶ At the same time, the old offence of the Seven Kōralās was re-investigated; the headmen concerned were summoned to Kandy, tried by a commission of three—one of whom was Molligoda—and some seventy of them flogged and executed.⁷

1. C.O. 54, 52. Despatch, D'Oyly to Brownrigg, 10th May.

2. *Ibid.* Despatch, D'Oyly to Brownrigg, 17th May.

3. *Ibid.* Despatch, D'Oyly to Brownrigg, 24th May.

4. *Ibid.* Despatch, D'Oyly to Brownrigg, 13th May.

5. Davy 327.

3. *Ibid.*

7. *Ibid.*

Their relatives fled in terror to British territory, for it was usual to include the families of traitors in the traditional punishments for treason. Many of the rebel chiefs had also early sent their families to the same asylum, but the unfortunate Āhālepola had been prevented from taking this necessary precaution because his family was held hostage in Kandy. On them the King wreaked vengeance. The night of the 15th or 16th May witnessed a veritable holocaust.¹ Pusvillē, Dīśāva of Mātālē, who had long been intriguing with the British and was in league with the rebels, was inveigled to Kandy by promises of great honours, falsely charged with insulting the King, tortured and executed. Āhālepola's brother-in-law, son of the Dīśāva of Ūva, met the same fate. Āhālepola's four young children were beheaded in the presence of the King in Dēvasatimūka between the Maha and Nātha Dēvālās, their mother being compelled to pound their heads in a mortar² after which she was, with Pusvillē's wife and sister and Āhālepola's sister-in-law, drowned in the Bogarehara lake. Kandy was horror-struck by this barbarous and sacrilegious act, but complaints were silenced by punishments. Nevertheless, the town is said to have resounded with grief for two whole days: 'not a fire was kindled, no food was dressed, and a general fast was held'. Yet, the toll of treason and suspicion was not complete. 'Executions were', says Davy, 'at this time almost unceasing; the numbers put to death cannot be calculated; no one was secure, not even a priest. . . . To corporal punishments, imprisonments, etc.—these minor causes of distress—it is not necessary to allude; in the glowing picture they are as lights to shades.'³

The King had over-reached himself. His violent persecution of the Āhālepola faction added to his unpopularity among the chiefs, for the aristocratic families were closely inter-related. Moreover, he antagonised the *Seigōs*. A Nāyakkar by birth, he seems to have been Hindu in sympathy, and he was charged

1. Davy 327 ff. C.O. 54, 56. Brownrigg to Balthurst, 10th August, 1815. Despatch, D'Oyly to Brownrigg, 23rd May. C.O. 54, 55. Brownrigg to Balthurst, 10th January, 1815.

2. For an interesting discussion of the evidence on this point, see P. E. Dick, *The Sinhālas*.

3. Davy 325.

with inadequately supporting Buddhism,¹ the official and prevalent religion of the Kandyan Kingdom. The intense loyalty of the Kandyans to their religion is proved, if by nothing else, by the care with which even the rebel chiefs sought in all their intrigues to safeguard Buddhism and Buddhist institutions. Piliya Talavé always made that condition. Āhālēpola did not forget that precaution, and even Brownrigg felt that an emphatic stipulation to that effect was obligatory in the Convention of 1815. Apart from their spiritual influence, the *Māhāsās* were a considerable power in the land. As the traditional repositories of learning and knowledge and as the owners of vast acres, they wielded an important influence in the political councils of Kandy. The Mahanāyaka, Thēras and great officials of the Buddhist hierarchy were seniors of great Kandyan families.² It is not therefore strange that their sympathies should lie with their aristocratic kinsfolk, and they could not but be alarmed by the severe measures taken against the chiefs. Their worst fears were aroused when the king appropriated to his household two villages which had from ancient times belonged to the Dalakā Māhīgāva³ (Temple of the Sacred Tooth). To the desecration of temple property the King added the offence of sacrilege by his choice of venue for the execution of Āhālēpola's children. The alarm of the Saṅgha was turned into hostility with the imprisonment of several *Māhāsās* during and after the Āhālēpola rebellion; a hostility that was finally clinched by the execution of Parānātala or Monnata Kadā Uarāns⁴, a *Māhāsā* noted for his learning and piety.⁵ In this case, however, the King's action seems to have been, if unwise, not unwarranted, for D'Oyly's diary gives reason to believe that Parānātala had some connection with the intrigues of Āhālēpola.⁶

Surrounded by a hostile aristocracy and an alienated Saṅgha, Sū Vikrama Rājasiṅha was in an unenviable position. The fear born of constant apprehension for his personal safety seems

to have clouded his judgment and made him ruthless. His severities were not confined to the upper classes, and a people already discontented, and now grown apprehensive by reason of his unrestrained punishments, was also in turn alienated by his tyrannical measures. The discontent which prevailed before 1814 has already been examined, but there was reason, as has been estimated, to believe that it did not seriously extend beyond the confines of those districts in which the Āhālēpola influence was dominant. The executions which followed the rebellion produced widespread discontent and fear. Matters came to a head when the King, expecting a British invasion after Āhālēpola's flight to Colombo, began to mobilise. Enforced recruitment and drilling involved the removal of people from their usual occupations and abodes.⁷ A Moor village was burnt because its inhabitants refused to obey the call to military service—an action which must have antagonised this important community in whose hands Kandyan trade almost completely lay. The common people began to emigrate to the Maritime Provinces. As early as April, 1813, the Vanniya of the Sooripattu (Huruli Palāta) had taken refuge in Trincomalee with many followers.⁸ In February, 1814, a number of families had followed suit and been supplied with rice and granted lands to cultivate in the Trincomalee district.⁹ Kandyan emigrants continued to trickle into the Maritime Provinces, but, after the events of May, 1814, there seems to have been a movement approaching a general exodus. Over and above the adherents of Āhālēpola who had fled with him into the Colombo district and who had there been settled by the indefatigable D'Oyly, others continued to flock into the Kalutara, Mātara and Batticaloa districts.¹⁰ The greatest exodus was, however, in the north-east. Trincomalee district was flooded with emigrants.¹¹ By October, 1814, over five hundred families had thus emigrated

1. C.O. 34, 32. Brownrigg to Goddard, July, 1812. Encl., Lusignan to Brownrigg.

2. C.O. 31, 47. Brownrigg to Bathurst, 30th April, 1813.

3. C.O. 51, 31. Brownrigg to Bathurst, 10th February, 1814. Encl., Lusignan to Brownrigg.

4. C.O. 54, 32. Brownrigg to Bathurst, 28th June, 1814 and 16th August, 1814.

5. *Ibid.* Brownrigg to Bathurst, 15th August, 1814.

1. C.O. 34, 32. Brownrigg to Bathurst, 10th August, 1814. Encl., D'Oyly to Brownrigg, 17th May.

2. K.G., D'Oyly 231, 10th March, 1815.

3. D'Oyly to Brownrigg in C.O. 54, 32. Brownrigg to Bathurst, 16th August, 1814.

4. Davy 323.

5. D'Oyly 253, 29th December, 1812.

from the Kandyan Kingdom and been settled on vacant land in the Maritime Provinces.¹ Sri Vikrama Rājasiṅha was sitting on a tottering throne.

Meanwhile, Brownrigg was making early and careful preparations pending a suitable opportunity for invading Kandy. Through D'Oyley, he even attempted to win over Molligoda, and though not immediately successful, the effort was not without ultimate fruit.² Āhāḷpola, the renegade ex-Achṅār, not only supplied the Governor with valuable, exact and detailed information of the King's military and financial resources and of the condition of Kandyan politics—the King, said he, 'is living as a fish encompassed by a net'—but even suggested a plan of campaign.³ If the British should adhere to 'the same manner as you made war in the former expedition, although you go again two or three times', he warned, 'you will fail'. He advised instead a converging attack on Kandy from different sides, suggested the necessary strength of the invading forces along each line of attack, and pointed out the best lines of march and the positions along them which should be secured. He named the places in which the King might take refuge in case of danger and indicated where the royal treasures were deposited or hidden. He even detailed the proper method of supplying and provisioning the troops during the campaign—the commissariat having always proved a great difficulty in Kandyan warfare. How closely Brownrigg followed this advice and how carefully and early he made his preparations is to be gathered from the plan of attack which he outlined to Balthurst in December, 1814.⁴ Seven corps starting from Colombo, Galle, Trincomalee (two each) and Batticaloa (one) consisting of 914 Europeans and 3,232 native troops, were to converge on Kandy by different routes. Also he had applied for the reinforcements of 2,200 troops and 500 Pioneers promised from India at an earlier date; and it was arranged that they too should converge upon Kandy, in two divisions and by different routes, from Negombo.

Brownrigg's opportunity came unexpectedly. Ten Sinhalese traders of Mahara, a village in the Siyambō Koralē of the Colombo District, trading in Kandyan territory, had been plundered of their goods at the village of Imbulgama in the Three Kōralēs by some washermen.⁵ While the traders were preparing to complain to the local headman, the washermen, afraid of the consequences, forestalled their victims by denouncing them to the very headman as spies of the British Government. The traders were arrested, taken up to Kandy and charged and convicted as spies, on the evidence of the plunderers. In punishment, they were severely maltreated, an ear and hand of each was cut off, and they were sent back by different routes to the Maritime Provinces with their dismembered limbs suspended from their necks. Seven died, but three managed to struggle home, there to complain to the Government. That the King believed them to be spies, there is no doubt. 'Āhāḷpola Adigar is residing at Colombo, are you come', he had inquired at the trial, 'with secret *śās* and to burn intelligence?'⁶ The suspicion becomes the more natural when it is remembered that many a spy was employed in trader's disguise. Moreover, the frontiers to the south-west had been closed during the disturbances of 1814 and, as such, commercial intercourse prohibited; and the traders appear to have taken an unusual and unfrequented route. With Āhāḷpola residing at Colombo and refugees being granted favourable asylum in British territory, it is not surprising that the King should have been suspicious and easily susceptible to belief in an accusation of the nature that was made.

Anyhow, this episode roused in Brownrigg no small measure of indignation. He described it as 'a wanton, arbitrary and barbarous piece of cruelty', in which, 'considering its relations to His Majesty's Government, evident pains were taken to give it the character of insult, not only by the order to conduct the wounded men into British territory by different routes, but from

1. C.O. 52, 35. Brownrigg to Balthurst, 30th October, 1814.

2. Marshall 147.

3. C.O. 34, 57. Brownrigg to Balthurst, 15th August, 1814. Encl., 'Queries put to the Achṅār and his answers'.

4. C.O. 34, 35. Brownrigg to Balthurst, 12th December, 1814.

5. C.O. 34, 53. Brownrigg to Balthurst, 30th October, 1814; particularly the enclosed depositions. Vide also Marshall 148 and his quotation from Simon Sower's MS. Notes.

6. Louis Appu's deposition.

the marked and unequivocal act of tying their mutilated limbs round their necks.¹

Up to this juncture, Brownrigg's communications to Bathurst on Kandyan relations had been careful in expression and guarded in tone. Although he often hinted at his belief in the necessity of conquering Kandy, he had always protested his ready adherence to the established policy of forbearance. He now declared his real convictions.² 'If I may be allowed, he said, 'to have my confidence in my own experience during a period certainly not unproductive of matter for observation, I would venture to assert that the well-meant policy adopted by General Maitland of endeavouring to reconcile this barbarous Court to feelings of amity by a system of forbearance has failed in its effect'. The 'novel situation' of the existing relationship with Kandy left the British in cases like this, 'only the alternative of acquiescing without explanation or resenting without proof'. He was convinced that the security of the Maritime Provinces and the interests of its internal trade would before long have to be 'exacted from the King and his Counsellors by the sword'. Moreover, he argued, the circumstances were now different from those which had prevailed in 1803. The people of Kandy had then been loyal, now they were ill-affected and would give the British their sympathy — and some of them even active help. According to D'Oyly, Sabaragamuwa and the Seven, Three and Four Kōvalēs could be had by the British for the asking; and the general exodus towards Trincomalee and Batticaloa indicated that the Kandyan districts in that direction too would give the British a ready sympathy. The King was an isolated despot supported only by the Tamils. Many of these would be subjects of the East India Company, whose families resided in Cooromandel. They would, therefore, in case of a public call on their allegiance, he opined, 'shrink from a dilemma of personal opposition in a war where themselves or their proceedings cannot as formerly be concealed in the crowd'. What with the influential rebels in the Maritime Provinces, the means of information available to the British were materially improved, as also their means of disseminating

among the common people propaganda showing that British hostility was directed not against them but only against the Court. If not conquest or even a commercial treaty, Brownrigg hoped at least to ensure that an insignificant state should no longer stand out, amidst the universal pacification now to be hoped for, as a single exception to the tranquillity of the British Empire'. He clinched the argument by pointing out that the Kandyans themselves wanted British intervention. 'Morally speaking', he concluded, 'no two undertakings can be more opposed than the reduction of a people by force and the acceptance of the voluntary submission. Nor is the contrast of policy less marked between the very questionable advantage of territory acquired and of course retained by the sword, and the obvious benefit of willing subjects and spontaneous revenue.'

Nevertheless, Brownrigg did not advise retaliatory measures on this occasion, as he had only *ex parte* evidence. All the same, he advanced his preparations for invasion a stage further. Major Hook was, early in December, stationed at Haivūthi with the first detachment from Colombo.³ Ālālpōla accompanied these troops. The reinforcements from India were renumbered as the East India Company needed them for operations against Sindhiā.⁴ The Ceylon army was therefore disposed in eight divisions, totalling 2,359 native and 1,485 European troops.

The original plan of a converging march on Kandy was altered to, but the reserve detachments from Colombo, Galle and Trincomalee were to follow the same routes as the divisions which they supported, instead of marching as formerly intended, by different routes.

Sri Vikrama Rājasīlā, for his part, was also making preparations to defend his dominions against the invasion which seemed to be threatened by the movement of troops in the Maritime Provinces. Tamil soldiers, to the number of seven hundred, had been smuggled from the Coast into Kandy; the Sinhālese troops were mobilised and drilled and the roads were cleared to facilitate manœuvres.⁵ As a further precaution,

1. C.O. 54. 35. Brownrigg to Bathurst, 31st December, 1814.

2. MSS. 145.

3. C.O. 54. 15. Brownrigg to Bathurst, 16th January, 1815.

4. C.O. 54. 53. Brownrigg to Bathurst, 30th December, 1814.

1. C.O. 54. 33. Brownrigg to Bathurst, 20th October, 1814.

2. Item.

the King decided to remove the disaffected families of the Three, Four and Seven Kōralās into the interior, and to station trusted troops in them instead. On the arrival of orders for the execution of this measure, the provinces immediately rose in revolt under the Disāva of the Three Kōralās—a brother of Melligōda. They applied for help to the British.¹ Brownrigg felt the crisis was at hand. Early in January, Hook was ordered to advance to Avaiśivilla of the frontier. D'Oyly, as the Governor's Commissioner, joined him there soon after, the easier to conduct negotiations with the disaffected chiefs. Meanwhile, the insurgents were overwhelmed by the King's troops at Ruasivilla.² Brownrigg therefore decided to begin the invasion, and instructed Hook to attack the Kandyan army, should it approach Avaiśivilla.³ In other words, the Governor was ready at once to take the offensive, whether or not the King declared war.

Brownrigg was, however, anxious to make the hostilities appear, if possible, to have been provoked by Kandy; although he had already decided to make his attack in any event. The Kandyans provided him the necessary excuse. The defeated rebels retired into the Maritime Provinces. On the 9th January⁴ some ten or twelve royalists crossed the river at Sūlavaka in pursuit of a party of insurgents and accidentally set fire to a cottage on the British side of the frontier. The act was obviously unpremeditated. Hook, who was near by and had seen the Kandyan troops wade the river after the fugitives, did not think it necessary to move a single man to repulse them; and the royalists retired immediately into their own territory.⁵ No opportunity was given the King to apologise, and this 'violation of British territory' was considered a sufficient *casus belli*. War was declared by a Proclamation prepared on and dated the 10th January, but published on the 13th. Hook crossed the river on the 11th, and his detachment, accompanied by the rebels of the Three Kōralās, advanced against Ruasivilla, and captured it without a single casualty—Melligōda—con-

ounding the royal troops, fled after a mere semblance of defence. Brownrigg himself joined Hook's detachment the next day at Ruasivilla, but returned again to Colombo on the 13th.

The Proclamation¹ which was issued on the occasion of the invasion was so designed as in its Sinhalese translation to be effective pro-British propaganda amongst the Kandyans. The reasons for the invasion were represented to be the 'unanimous' and direct demand of the people of five Provinces, 'constituting more than one-half of the Kandyan Kingdom' to be taken under British protection; the indication of corresponding sentiments in other provinces less within reach of direct communication; the ten traders episode; and the rejection of all proposals for establishing amicable relations. To the King and his Tamil advisers alone was imputed the repeatedly proved impossibility of terminating, by any just and defined conditions, 'a state of relations unsettled and precarious beyond all precedent—which bears no essential character of a peace, nor has any title to that appellation—which yields no solid tranquillity or safe inter-course, but perpetuates the alarms of war without its remedies'. To that policy the people had been 'no otherwise parties . . . than as they were compelled to become so by a coercion alike hostile to the British interest and intolerable to themselves'. These considerations had already convinced the British of the necessity of invading Kandy, but every deliberative consideration had been superseded, and the resolution anticipated, 'by the irruption of an armed Kandyan force into British territory'. The attack was directed, however, not against the Kandyan people but only against the King. The objects of the war were 'for securing the permanent tranquillity of these settlements, and in vindication of the honour of the British name; for the deliverance of the Kandyan people from their oppressions; in fine, for the subversion of the Malabar dominion which, during three generations, has tyrannized over the country'. The persons, property and religion of the people were promised protection, including payment for all provisions supplied to the troops. Lastly, the Governor assured 'to the chiefs the continuance of their respective ranks and dignities,

1. C.O. 54, 53. Brownrigg to Bathurst, 31st December, 1814.

2. C.O. 54, 55. Brownrigg to Bathurst, 16th January, 1815.

3. *Ibid.*

4. *Ibid.*; Marshall, 15, says 10th.

5. Marshall, 14b.

1. Enacted in C.O. 54, 55. Brownrigg to Bathurst, 13th January, 1815, vide also C.O.G. 8, 13th January, 1815.

to the people, relief from all arbitrary severities and oppressions, with the fullest protection of their persons and property; and to all classes, the inviolable maintenance of their religion, and the preservation of their ancient laws and institutions, with the extension of the blessings resulting from the establishment of justice, security and peace, which are enjoyed by the most favoured nations living under the safeguard of the British Crown.

This Proclamation was a clever, if self-righteous and magnificent, piece of propaganda. The text itself shows that the 'violation' of British territory was merely a convenient pretext for an invasion which had previously been decided on for reasons amounting, in sum, to no more than expediency and advantageous circumstances. Of the wider causes of the war, it was inherent in the position that the British should seek the complete control, if not actual possession, of the entire Island—geographical position indicated it, political and economic considerations seemed to necessitate it, and military superiority suggested, though it did not justify, the attempt. Of the immediate causes, Brownrigg's complaints were not wholly unounded; but they came with ill grace from one who not only had intrigued with, but even aided Kandyan rebels. On the other hand, Sri Vikrama Rajasinha was, from the Kandyan point of view and in face of previous history, not devoid of adequate basis for his attitude, and, according to the standards prevalent in Kandy, not altogether without justification for his acts. It is fruitless to attempt any apportionment of blame. The King was not as guilty as represented, nor was Brownrigg as disinterestedly innocent as professed. Whether the self-interested accounts of rebel chiefs were a sufficient basis for Brownrigg's decision, or the representations of rebellious provinces an adequate ground for his action, it is for the moralist to determine; even as the question whether Britain and Kandy were at war or peace is a point for the international lawyer. All that seems clear is that Brownrigg saw an unprecedented opportunity which might never again recur—and he took it. *Inter arces laquei silent.*

The previously noted modification of the plan of attack was partly due to a shortage of coolies and the difficulty of

provisioning eight different routes.¹ By January 16th, the Three Kōralēs had been occupied by the First Colombo Division. The detachment advanced by way of Mattamagoda and Idamalpaṇa to Heṭṭimulla, forded the Maha Oya at Aṭṭāpitiya, and by the 30th reached Gaṇṭāna at the foot of the Balana mountains. The royal forces under Molligoda hovered around but made only a show of resistance. D'Oyly was in communication with the Adigā² who had, on the 16th, sent a message signifying his secret friendship for the invaders and requesting British protection for himself and the people of the Four Kōralēs.³ On the 30th, at Aṭṭāpitiya, he even had the courage to visit the British camp in disguise and to interview Hook as a messenger from himself.⁴ At this interview he gave an assurance openly to desert to the British as soon as his family could escape from Kandy, and meanwhile merely to keep up appearances.⁵ The promise was faithfully kept. Balana Pass was carried with trifling opposition on the 2nd February, and Gitiḡama and Galagedara were similarly captured on the 3rd. On the 8th, Molligoda, who had received news of the escape of his family from Kandy, finally deserted to the British. Attended by a number of chiefs of the Four Kōralēs and bringing with him his banners and records, he came into the British camp in state and formally gave up the insignia of his *śāsana*.⁶

Brownrigg himself had left Colombo on the 1st February, and joined the Second Colombo Division at Gaṇṭāna on the 6th, in time to receive Molligoda's submission in person. The other detachments, too, had been advancing with little resistance towards Kandy. Kelly with the Third Division had captured Hanguṛanketa and several females of the King's household; and Mackay with the Fifth Division had advanced to Nilanda, meeting little resistance. On this side of the Kandyan Provinces, however, the invaders received no help before the capture of the King. 'Not one of the natives came to us, which

1. C.O. 54. 55. Brownrigg to Barchant, 27th February, 1815.

2. D'Oyly, 189 ff.

3. *Ibid.* and reference to C.O. 54. 55. Brownrigg to Barchant, 16th January, 1815.

4. Marshall, 150.

5. C.O. 54. 55. Brownrigg to Barchant, 25th February, 1815.

6. *Ibid.*

certainly did not show they placed much confidence in their deliverers, '... as we styled ourselves'.¹ De Bussche with the English Division had met with some resistance in the Seven Kōrales. On the 8th, Brownrigg ordered the troops on all routes to concentrate on the capital. On the 11th February, the Three and Four Kōrales and Sabaragamaya were formally annexed by a Proclamation² which also declared the Governor's intention to capture the entire Kandyan Kingdom. This announcement was a prelude to the attack on Kandy, and Brownrigg therefore re-affirmed his intention to protect every Kandyan who did not oppose the British, and added a special exhortation to the Tamils to refrain from hostility, reminding them of the consequences to themselves and their families as he had a list of those of them who were in the Kandyan service. On the 11th, Hume reached the Karugastota ferry. The King fled from his capital, leaving impaled at Gannoruva some nineteen men, fifteen of them being headmen of the revolted Seven Kōrales.³ On the next day, the advance guard under Major Willeson captured, or rather, entered and occupied Kandy.⁴ The town was completely deserted of inhabitants and stripped of all property except what was not easily portable. On the 14th February, Brownrigg himself entered the town and fixed his headquarters at the ancient palace of the Kandyan Kings.

The capture of the King remained to be accomplished. Sri Vikrama Rājasinha had fled to Mēdamahaurvara. Lieutenant Mylius and Ārūlpola were sent in pursuit, and defeated a detachment of Tamils who contested their advance at Hakketuvāpala.⁵ On the 18th, the King was surrounded by the people of Dumbura in conjunction with some armed

Kandyans sent by Ārūlpola.¹ He was captured the same evening, with two of his Queens 'in the house of Udupitiye Aratchi at Gallabawatta, a mile beyond Mēdamahaurvara'. The show of resistance made by a few attendants was easily overcome, and the King seems to have been insulted and maltreated by his captors. D'Oyly took him in custody the next day. His mother and his other two queens had already been captured and were at Hattivilva.² It was felt that no advantage could be gained by keeping him in Kandy. He was therefore removed under escort to Colombo, which he reached on the 6th March. On the 24th January, 1815, Sri Vikrama Rājasinha was, with his wives, family and dependants, placed on board the *Commodore* for Malacca. He was ultimately transported to Vellore, where he died on the 30th January, 1832, aged fifty-two years and leaving one son.

The occupation of the Kandyan Kingdom was now complete, and Brownrigg set in train measures for the permanent settlement of its government. The chiefs had all made their submission and it was considered expedient to convene them in formal assembly for the purpose of agreeing to a Convention which secured the Kandyan Dominions to the British Empire. D'Oyly had been negotiating with them to this end. After this assembly, an official declaration of the annexation was proclaimed.³ 'Led by the invitation of the chiefs', it began, 'and welcomed by the acclamations of the people', the British had invaded Kandy. Arrangements for its government, the Proclamation proceeded to declare, were now necessary; but, considering the events of 1803 and the subsequent acts of the King, realizing the dangers to which the rebel chiefs and people

1. For capture of King vide ibid. 221 ff and 227, 24-25. Brownrigg to Bathurst, 25th February, 1815. What appears to be an original and account of the capture of the King was published as late as 1863 in the *Sri Lanka Samvadana* of April of that year. The writer is named D. V. A. Dias, said to be a low-caste 5th Caste who acted as interpreter to the British officers. I have not seen this account which gives a detailed description of the capture of the King by Elmetigoda and his men, and of the ill-treatment, insults and humiliation to which the subjects of the King and his Queens and some British officers and men came to the scene. A full summary of this account appears in P. L. P. 1917, 262-263, 267 at p. 158 ff.

2. D'Oyly 217, 10th February, 1815.

3. C.O. G. 5th March, 1815.

1. *United Services Magazine*, No. 682, April, 1911, pp. 67-68; vide also *A Narrative of Events Recently Occurring in Ceylon*; and De Bussche, *Letters to Oyle* for accounts of the advance.

2. C.O. 24, 55. Brownrigg to Bathurst, 25th February, 1815.

3. Hume and D'Oyly 202, 12th February, 1815.

4. *Ibid.*

5. D'Oyly 207, 16th February, 1815.

would be exposed if the King should be replaced in power, and opining that even if he signed a treaty no reliance could be placed in him to observe it, there could be no question of restoring him to the throne he had lost. After recounting the charges brought against him, the Proclamation concludes magniloquently: 'Contemplating these atrocities, the impossibility of establishing with such a man any civilized relations, either of peace or war, ceases to be a subject of regret; since His Majesty's arms, hitherto employed in the generous purpose of relieving the oppressed, would be tarnished and disgraced in being instrumental to the restoration of a dominion, exercised in a perpetual outrage to everything which is sacred in the constitution and functions of a legitimate government.'

The Convention¹ of 1815 was 'signed'² on the 2nd March amidst brilliant scenes in the Hall of Audience of the palace of the Kandyan Kings. The document which had been prepared by the Governor, was read to the assembled chiefs and to the headmen of the districts gathered outside. The people took no direct part, and Marshall says that the townsfolk evinced little interest in the proceedings.³ The Convention was in the form of an agreement between the British Government on the one side and the chiefs and headmen as representing the Kandyan nation on the other. Articles 1 and 2 declared that Sri Vikrama Rajasinha had, by his arbitrary and tyrannical acts and by 'the fiducial violation of the chief and most sacred duties of a sovereign' forfeited all claim to the title, dignity and powers of King. He was therefore deposed, himself, his family and relatives, whether in ascending, descending or collateral line by affinity or blood, were for ever excluded from the

1. D.C.G., III, March, 1815.

2. It was actually signed afterwards by the chiefs in a meeting of character at Nimala-ssa, Tumul, Negombo, with the copy enclosed in D.C.G., 34, 35. According to Strachan, (op. cit. November, 1876; also D'Obry, 247). The signing chiefs were: Abhegoda, the elder Maligoda (Sri Adigala) and Diksha of the Seven Kulas, the elder Pilima Talawé (Second Adigala) and Diksha of Saburagawala, the younger Pilima Talawé (Maha Adigala), Karvata, the younger Medirana, Dullawa, Maligé, Gela-pena and Maligoda (Heads of the Four Kulas, i.e. Malala, the Three Kulas, Valapoda Velassa and Biratana, Dorawadigala and Nimalakulavaya respectively). D'Obry and James Sullivan (Deputy Secretary) attested the signatures.

3. Marshall, 103.

Kandyan throne; and all claim and title of the 'Malabar' race to the domination of the Kandyan Provinces were 'abolished and extinguished'. They were, by Article 3, declared 'enemies to the Government of the Kandyan Provinces, and prohibited, on pain of the penalties of martial law, from entering these Provinces without British permission. All male Malabars now expelled the country were also placed under the same ban. Article 4 vested the Kandyan sovereignty in the British Crown, to be exercised through the Governor of Ceylon, saving to the chiefs and subordinate headmen lawfully appointed by the British Government 'the rights, privileges and powers of their respective offices, and to all classes the safety of person, property and civil rights and immunities according to the laws, institutions and customs established and in force among them. Article 5 declared Buddhism inviolable, and promised the maintenance and protection of its rites, priests and temples. Articles 6 and 7 abolished and prohibited torture and mutilation, provided for the trial of capital offences before accredited British agents, and forbade the execution of a sentence of death without the previous warrant of the Governor. Subject to these conditions and the right of reform, the administration of police and civil and criminal justice over the Kandyan inhabitants was to be exercised 'according to established forms and by the ordinary authorities'. Article 8 provided for justice in the case of non-Kandyans, civil or military. Reserving to the Governor-in-Council full powers of review, reform and re-organization, civilians were subjected to the magistracy of the Agents of Government in all cases except murder, which was to be tried in the case of British subjects, in accordance with English law by special *ad hoc* commissions; military men were to be liable to martial law. The Convention superseded all previous Proclamations by Article 10, and by Article 11 the royal dues and revenues of the Kandyan Provinces were appropriated to the new Government to be managed and collected 'according to lawful custom' under the superintendence of British agents. Article 12 expressed the intention of the Governor to make 'such dispositions in favour of the trade of these Provinces' as would facilitate the export and improve the returns therefrom, of Kandyan products.

The Convention of 1815 thus appears to be neither more nor less than a treaty between the British Government and the Kandyan chiefs, by which the crown of Kandy was transferred to the sovereigns of Britain, but by which also its indigenous political and religious institutions were carefully preserved and expressly safeguarded. Brownrigg frankly admitted that the permanent possession of the Kandyan Dominions was impossible on any other terms.¹ Articles 4 and 5 were, he felt, unavoidable. The preservation to the chiefs of their civil authority in its traditional gradations was absolutely necessary, and it was neither practicable nor desirable to be abolished.² The unequivocal terms of Article 5 caused Brownrigg himself some qualms, and he felt it incumbent to set out his reasons in full. In truth, he affirmed, 'our secure possession of the country hinged upon this point. . . . I found it necessary to quiet all uneasiness respecting it, by an article of guarantee couched in the most unqualified terms.'³ At a subsequent conference, on the 10th March and again on the 10th March, with the Malvatta and Asquitha Viharas, he repeated at length these express assurances.⁴

The Convention was a great disappointment to Ahālpola. His intrigues had been directed towards the one end of securing for himself the Kandyan throne. His value to the British was indubitable. His advice, his presence in the army, the exercise of his influence and the active part he took in the operations constituted an important factor in the British success. As a reward for these services he expected to be placed on the throne as a British tributary. At an interview with D'Oyly on the 27th February, he begged to retire from office unless he obtained the honours of the royal office.⁵ That hope being extinguished, he refused the office of First Adigār, and requested to be allowed to live in retirement with the honours due to his position and with the right to precedence of all except the Governor's representative.⁶ He asked for an act acknowledging

his services and said he would be contented with the title 'Friend of the British Government'. He was given a present of 5,000 star pagodas, restored to all his lands, granted certain royal villages and an allowance, and promised as a mark of honour and favour a miniature of the Prince Regent set in jewels. Ahālpola bore his disappointment with dignity and decorum, married again, and resided in Kandy in considerable state, being regarded by the inhabitants as the great chief of the country.⁷

The arrangements for the administration of the Kandyan Provinces are described in detail elsewhere. D'Oyly, who was later made a baronet for his services, was rewarded with the office of Resident at Kandy. With him were associated two assistants who later became the Revenue and Judicial Commissioners respectively. To this Board, or which the Commander of the forces in the Interior was later given a seat, the Government of the Kandyan Provinces was entrusted, but all secret and political communications were reserved to D'Oyly alone. Together with the principal chiefs, this Board constituted the great court of justice from which an appeal lay only to the Governor, communications with whom were made through the newly-created department of Colombo of the Secretary for the Kandyan Provinces. Subordinate magistracies were later created at Ruwanvāla, Battageddara, Kurunēgala and Ratanapura. It appeared 'wholly impracticable' to Brownrigg to introduce British agents into situations of authority in the different provinces. The Kandyan Board was therefore superimposed on the ancient governmental system which was, in accordance with the Convention, preserved entire. The provinces were administered as of old through the *Dīsāvas* and *Ratūmahatūyas*, though, for special reasons, they were associated with the British agents in Ūva, and Līfer, in Sabaragunna, the Three Kōralēs and the Seven Kōralēs. In the appointments to offices, Brownrigg and D'Oyly followed the advice of Ahālpola and Molligōja.⁸ Those who had been

1. Nils C.O. 54. 15. Brownrigg to Bathurst, 15th March, 1815.

2. *Ibid.*

3. D'Oyly 230 ff. and 235 ff.

4. *Ibid.* 234 ff.

5. *Ibid.*

6. *Ibid.* 223.

7. Marshall 106.

8. C.O. 54. 63. Brownrigg to Bathurst, 15th March, 1815.

9. *Ibid.* D'Oyly 229.

advanced by the late King after the alienation of the great Kandyan families, were removed, and members of the latter were restored to the higher posts. Thus, Brownrigg not only pleased the aristocracy but also rewarded them for their aid. Abūlāṣṣā, having refused all office, Molligōḍa was appointed First Adigar, and Kapuyalū (first cousin of the famous Piliṃa Tūlanvā) Second Adigar. The list of appointments to the *dissāns*, *raṭṭ* and great departments shows that the Piliṃa Tūlanvā-Śāhāpūḍa faction obtained the lion's share of the spoils.¹ Kohibāllāhivē Nāyaka Uruṃṃṣē and Māvataḡama Nāyaka Uruṃṃṣē were appointed the Mahānāyaka Thēras of the Māvarta and Aḡṃniya Viḡārs respectively. A garrison of 1,682 men, including Pioneers, was distributed at eleven strategic points in the Interior.² Brownrigg left Kandy for Colombo on the 20th March, and the peaceful possession of the Kandyan Provinces by the British seemed assured.

Sinhālese independence was thus finally overthrown. The capture of Sri Vikrama Rājasūbha and the signing of the Convention of 1815 mark the end of the existence of Kandy as an independent political entity. A petty state, mediæval in structure, unprogressive in ideas, parochial in policy and diplomacy and rent by internal dissensions, could not anyhow have checked the advance of a modern imperial power. The British acquisition of, and the consequent substitution of a strong for a weak government in, the Maritime Provinces made the subjugation of Kandy inevitable and a mere matter of time. But the extraordinary ease with which it was accomplished in a campaign of only forty days excites remark. It is to be ascribed to the disloyalty of the entire body of chiefs and the disaffection of the common people whose steady loyalty had hitherto been a chief bulwark of Kandyan independence. In 1815 they aided the invaders; the people of the Three Kūralēs in particular were active in the help they afforded.³ The King was utterly isolated, for the royal army was prosecuted with

THE DECLINE AND FALL OF THE KANDYAN KINGDOM. The disloyalty and even the Tamils were likewise in his cause.⁴ Consequently, Brownrigg encountered a 'total want of any organised plan of defence or any respectable effort of resistance'.⁵ 'Had my people behaved as they ought to have done', said the King, 'I would have shown you whether I was a man or woman. Twice during my reign have you obtained possession of the town of Kandy, and twice have you been very glad to get out of it'.⁶ This bitter remark condensed the circumstances to their essence, and Brownrigg himself testified to the same effect. 'I have no hesitation', he said, 'in saying this enterprise could not in any common prudence have been entered upon except with the most credible assurances of the concurring wishes of the chiefs and people, nor could even have been brought to a successful issue without their acquiescence and aid'.⁷ It was a repetition of an old and tragic tale. The Kandyans turned with a too facile readiness to the idea of bringing in the foreigner to settle their domestic differences. That pitcher went once too often to the well. The convenient arbitrator became the permanent master. The Kandyans accomplished their own political doom.

1. Vide *ibid.* 406, 411, 415 ff. and 432; C.O. 54, 55. Brownrigg to Bathurst, 20th March, 1815 and C.O. 17 of 22d March.

2. De la Roche, *Letters to Coffin*.

3. C.O. 44, 53. Brownrigg to Bathurst, 16th January, 1815.

1. D'O'Bye 106, 2nd February, 1815.

2. C.O. 54, 55. Brownrigg to Bathurst, 25th February, 1815.

3. Marshall 171.

4. C.O. 54, 55. Brownrigg to Bathurst, 25th February, 1815.

CHAPTER VI

AFERMAIN—THE GREAT REBELLION

It is not sufficient that a government is just, remarks Marshall. It must also be palatable.¹ Although chiefs, *chakras* and people had combined to rid themselves of Sri Vikrama Rajasinha, they were even more unanimous in their antipathy to the British. Rulers and ruled differed in race, language, religion, customs, habits and modes of thought; there was between them no sympathy or common interest, and no circumstance to draw or bring them together; whereas there were innumerable causes that kept them apart.² The British were established in the Kandyan Provinces and had provided for their administration through the ancient organs of government; but their hold over the new territory was finally confirmed only after the quelling of a rebellion so serious as to tax severely their resources and power, and permanently secured only by the complete reorganisation of the Kandyan governmental machinery in a manner that effectively subordinated it to extensive British supervision and control.

Browningg, who was rewarded for his services with a *bansabey*, immediately set about the task of securing the new acquisition. A chain of forts commanding the principal passes leading to Kandy was established in the Kandyan Provinces and the line of communications between Colombo and Kandy was safeguarded with a strongly fortified commissariat depot at Ruwvalla. Barracks were built to protect the troops from the baleful effects of climate and disease, and the first year of the occupation found the troops comparatively healthy—the *Greats* pointing out that the death-rate of twenty five per

1. Marshall, 179.

2. Davs, 126.

thousand was 'unparalleled in any part of British India.' Captain Schneider was ordered to make a general survey of the Interior, particularly of the roads. The undertaking was rapidly completed and a valuable map was made.³ To facilitate access from the Maritime Provinces, the roads, or rather forest tracks, of the Kandyan Provinces were cleared. Above all, the long-cherished project of the Colombo-Dumbaraes Road was taken in hand, Browningg estimating that *approximately* would enable its completion at a low cost.⁴

To the heavy expenditure thus incurred, Bathurst objected on two grounds—*improvement* and necessity. He enjoined economy and argued 'if the late King was enabled, in defiance of public opinion, to maintain his power over the Kandyan people, surely there can be no additional fortifications requisite to support the Government of Great Britain, so much more consonant to the feelings of the people themselves.'⁵ He therefore ordered the suspension of the new works and a reduction of the military force. The Fourth Ceylon Regiment was disbanded and, in 1816, preparations were made for the Third Ceylon to follow suit.

Against these orders, Browningg protested with an analysis of the position.⁶ The historic submission of the Kandyans to a despotism provided no solid ground for expecting their equally implicit acquiescence in the new government. 'On the contrary their resolution to resist the native authority seems to be a kind of moral prodigy, evincing the insalubrious effects of ill-usage and oppression generating personal hatred to such a degree, as to overcome the multiplied ties of religion, habit and general opinion, by which all classes were attached to the native system'. Their gratitude for the deliverance would be transitory, their appreciation of the new system could not be immediate, while their inherent hereditary prejudices would only be dormant 'suppressed but not extinguished, and always liable to revive'. The education of the Kandyan away from their degeneracy would have to be gradual, and reforms could

1. C.O.G., 21st February, 1816.

2. C.O.G., 24, 29.

3. C.O., 14, 28. Browningg to Bathurst, 25th September, 1816.

4. C.O., 25, 27. Bathurst to Browningg, 10 August, 1816.

5. C.O., 34, 45. Browningg to Bathurst, 28th February, 1817.

only be intimidated 'under the immediate view and influence of the Hand of Power stretched out over them, and at all times prepared to strike'. In other words, the political security of the British Government in Kandy was directly proportionate to its military strength.

Brownrigg's diagnosis was just. The Kandians had called in the British for the sole purpose of ridding themselves of an unpopular monarch; they had not contemplated the establishment or continuance of British rule. 'You have now', said one, 'deposed the King, and nothing more is required - you may now leave us!'. The remark exactly defines the Kandyan attitude.

The chiefs were uneasy under the new régime. Under the former system they had indeed been subject to the risks of arbitrary monarchism, but these were normally restrained by the rigid structure of custom. On the other hand, they had themselves been petty potentates, exercising high and extensive authority in their provinces and receiving the flattery and submission of their inferiors. Now they were shorn of their power, their influence was circumscribed, their emoluments were reduced and their consequence was diminished.¹ Formerly they had acknowledged no superior but the King; now they were inferior to every British officer and civilian. Though officially treated with respect, it was only officially; a common soldier passed a Kandyan chief with as little attention as he would pay an individual of the lowest caste.² The chiefs complained on this subject as early as March, 1815; and an order had to be promulgated directing the troops to pay them due respect.³ The impartial administration of justice was viewed by the chiefs with impatience, for it obliterated the distinctions of caste, deprived them of certain emoluments and diminished their influence.⁴ They missed the splendours of the ancient Court and contrasted unfavourably therewith the retiring and unostentatious habits of D'Oyley, at whose audacious they were petty well reduced to the position of attendants.⁵

1. Marsh 175.

2. C.O. 54, 61. Brownrigg to Bathurst, 3th November, 1810.

3. D'Oyley 126. 4. D'Oyley 236.

5. Marsh 176, quoting 'Sawara' MS. Notes.

6. C.O. 54, 61. Brownrigg to Bathurst, 3th November, 1810.

Brownrigg's endeavours to compensate them with brilliant levées at Colombo and rich presents, were hardly successful. The causes of their discontent may be summed up in the one word, 'status'.

The Saigga was perhaps even more dissatisfied. The ascendancy of a Christian government in the Kandyan Provinces constituted in their view a distinct menace to Buddhism. The projected establishment of an English seminary at Kandy for the western education of the children of Esriwela's nobles had further incubated the fear of proselytism.¹ Although Brownrigg reinforced his assurances of protection with the restoration of certain villages and lands claimed by the temples, the exclusion from the booty of property claimed by them, the gift of the *Pattirippawa* and the continuance of the daily provisions formerly supplied to the temples from the King's stores, they were not reassured.² The politic patronage of a Christian Government was hardly a satisfactory substitute for that of a Buddhist king, nor could the former take that intimate part in Buddhist rites, ceremonies and processions which the latter had naturally performed.³ Such a relationship was intrinsically anomalous. It was with difficulty that the *chikkas* were induced to bring back to Kandy that most sacred symbol of Buddhism, the Tooth Relic. In April, 1815, they went so far as to express their doubts and fears, and to state their opinion that a Sinhalese king was necessary for the maintenance and progress of their religion⁴ - an idea which Abhikpola's adherents were supposed to have encouraged, but to which the other chiefs professed no support.⁵ D'Oyley contrived at last to persuade them to bring the Tooth Relic back to Kandy on the 24th April, 1815. Nevertheless, the Saigga was never fully reconciled to the new régime.

Neither were the people. The reason was their natural hatred of a foreign yoke. Trained for three centuries in hostility to the European Governments of the Maritime Provinces, and

1. C.O. 54, 61. Brownrigg to Bathurst, 3th November, 1810.

2. D'Oyley, 238 ff; 243 ff; et passim.

3. Ibid., 225, et passim.

4. Ibid., 250.

5. C.O. 54, 58. Brownrigg to Bathurst, 20th July, 1815.

cherishing the independence which they had so long preserved, it was hardly to be expected that they could immediately shed their prejudices and readily adjust themselves to a different scheme. The Kandyan system was corrupt and degenerate, but the people were accustomed to it; their habits had been accorded to it, and they were peculiarly tenacious of their customs; the slightest infringement of which they regarded almost as an injury.¹ Ignorant of their distinctions, high caste and low caste were treated alike by the British, who, moreover, unconsciously provoked displeasure by their mode of entering temples and their manner of meeting the *officers* to whom a request amounting to adoration was required.² Further, monarchism was woven into the very tissue of their institutions.³ Accustomed to the presence of a King, the Kandyans missed the splendours of his Court and the complicated arrangements connected therewith. They could not comprehend the idea of a King ruling from thousands of miles away, but they had no notion of delegated authority; they wanted a King whom they could see and before whom they could prostrate and obtain summary justice.⁴ Neither did they perceive any immediate advantage from the change of system. The ancient despotism had generally been exercised in accordance with numerous recognised usages. To this despotism the British Government succeeded; but it was unaware of the exact necessities of customary usage⁵ and was often impatient of the delays which the attendant minutiae of administration involved.⁶ Above all, the inhabitants entertained a superstitious notion that the British could not live in Kandyan territory - 'British rule in the Kandyan country', said a headman,⁷ 'was as incompatible as yoking a bullock and a cow in the same plough.'⁸ Alarmed by the diminution of the traditional dignity of their chiefs - to whose oppression, however, they

1. Foxhall, 177.

2. Dwy, 307.

3. C.O. 34, 35. Brownrigg to Balthurst, 28th February, 1817.

4. Dwy, 307.

5. B. G. D'Oyley 244 ff.

6. B. G. D'Oyley 251. See Brownrigg to Balthurst, 21st June, 1816.

7. MS. 3601, 133.

were still subject - apprehensive for their religion and anxious about their customs, the inhabitants were little disposed to favour the new régime.

Unanimous as was this antipathy, it lacked an effective rallying point. Desirous as the Kandyans were for a monarch of their own, they could not agree on the individual to be elevated. Within two months of the Convention the chiefs had agreed to rid themselves of the British at the first opportunity that offered, but the occasion, when it came, found them unorganised, unprepared and disunited. Factional jealousies weakened their enterprise; for although *Abalipola* appeared to be their natural leader, the rivalry of *Malligala* was too deep-seated to permit of agreement.

Nevertheless, the behaviour and indefinite position of *Abalipola* gave Brownrigg considerable anxiety. The Governor was, naturally, suspicious of his refusal to accept office, and *Abalipola*'s subsequent behaviour roused his fears. On several occasions the chief affected royal state. He appeared on horseback at the ceremonies at the *Dalada Malligara* and kept aloof from the procession though all the other chiefs joined in action imitative of the late King.¹ *Malligala* complained of it on behalf of the chiefs. Again, at the festival of the 21st June, *Abalipola* contrived the ceremony of having holy water sprinkled on the Resident and himself - a distinction almost entirely royal.² Though *Malligala* complained that this behaviour retarded the tranquillisation of the country, Brownrigg was inclined to attribute it to 'an idle indulgence of vanity which, however, so coincided with popular prejudices as to give cause of uneasiness.'³ The Governor's anxiety deepened when reports reached him that *Abalipola* designed to cut off the British garrisons and overturn the new Government.⁴ D'Oyley gave no credence to these rumours, but Brownrigg took the precaution to give him and the Commander of Troops secret orders enabling them, in case of need, to seize *Abalipola* and

1. C.O. 34, 76. Brownrigg to Balthurst, 12th April, 1817.

2. D'Oyley 252; C.O. 34, 36. Brownrigg to Balthurst, 20th July, 1817.

3. *Ibid.*

4. *Ibid.* D'Oyley 252, 262.

5. C.O. 34, 36. Brownrigg to Balthurst, 22nd July, 1817.

sent him to Colombo. At length, Abūlpola's behaviour became too conspicuous to be disregarded. Molligoda complained again of his pretensions and declared that he was intriguing to retire to his village and raise the country in case he was not given royal honours; and Brownrigg was obliged reluctantly to demand an explanation. Abūlpola frankly admitted "that he expected to be allowed honours equal to the Malabar King and thought he had been encouraged to expect as much."¹ On the impossibility of this being pointed out, as it would infringe British sovereignty, he agreed to relinquish his pretensions. Brownrigg's suspicions were, however, once more roused by Abūlpola's attempt to gain possession of the royal regalia for which the British were searching.² The attempt was frustrated and the chief protested his innocence. The royal regalia, we may note, was a portion of the considerable and valuable booty taken by the British troops, and it is worth remarking that the ancient throne and foot-stool of the Sinhalese Kings were sent to England.

Abūlpola was not the only source of trouble: for though he did not enjoy the support of the chiefs, their opposition was to him personally and not to the idea. Numerous plots seem to have been afoot. In June, 1816, several exiled Tamils, prisoners of war, were found to have returned to the country;³ and also, the accounts of the *Ardra* (Army) showed that many people had not returned the arms dealt out by the late King.⁴ In the latter part of 1816, a serious conspiracy came to light.⁵ Ekanelligoda informed the Government that some *śākhās*, in combination with several chiefs, were planning to bring a King from Ava—an idea which had twice been mooted in the reign of Śrī Vikrama Rājāsīma. Immediate measures scotched the intrigue. Though almost every chief of importance seemed to have been involved, there was no evidence to incriminate any except Maḍugallē, Uḍa Gabhala Nilamē. After trial before

1. C.O. 34, 36. Brownrigg to Bachelors, 26th September, 1815.
2. *Ibid.*

3. C.O. 34, 67. Brownrigg to Bachelors, 3th November, 1816.

4. C.O.G., 29th June, 1816, Reg. No. 6.

5. C.S.G., 11th October, 1816, Govt. Advt.

6. C.O. 34, 61. Brownrigg to Bachelors, 5th November, 1816.

his fellow chiefs, he was sentenced to two years' imprisonment, but was released after a few months. The Malay Mahādīnam (the same who had been a refugee from Kandy in 1811) who was also implicated, was sentenced to be deported to Batavia.

The *śākhās* appeared to be the grand movers of these plots. Their influence over the chiefs was immense; their counsels were secret, their resources numerous and their axes and means great. When with the general sentiments of discontent coinciding with individual causes of complaint, they could at all times organize a party. "It is hard," said Brownrigg, "to fathom their true sentiments being by habit and education deep and artful dissemblers."¹ Chief of *śākhās*, the courtly Kandyan was an accomplished diplomat.

December, 1816 and January, 1817, witnessed fresh alarms. William Tolfrey, Chief Translator to Government and therefore well versed in Kandyan affairs, conceived a great anxiety on the Kandyan situation and repeatedly warned Sutherland, the Kandyan Secretary, "that a deep and extensive plot was organized by the chiefs and priests to overthrow the British authority."² Tolfrey died insane on the 2th February, and Brownrigg was therefore inclined to underestimate his premonitions. Nevertheless, precautionary instructions were circulated among the officers in the interior.

No events of political importance occurred thereafter for a time. The administration was beginning to work more smoothly, accurate information was steadily accumulating and some reforms were carried out. The garrison was healthy. The readiness of the inhabitants to furnish grain seemed to show contentment, while it also enabled Brownrigg to lessen the weight of "the painful process of forcing out the cattle of the inhabitants" to supply the troops.³ The British were hailed into a false security and, in February, 1817, Brownrigg reported that "perfect tranquillity and great confidence prevails."⁴ In six months, the Kandyan Provinces were at ease with results.

1. C.O. 34, 61. Brownrigg to Bachelors, 14th November, 1817.

2. C.O. 34, 65. Brownrigg to Bachelors, 12th February, 1817.

3. *Ibid.* Brownrigg to Bachelors, 29th May, 1817.

4. *Ibid.* Brownrigg to Bachelors, 6th February, 1817.

With the exception of Nawatakallawa, Uva and Vellassa were perhaps the most backward and least known provinces in the Kandyan Kingdom. They were thinly peopled, and the settled inhabitants were hardly less primitive than the aboriginal Vaidas of the Binlanna jungle.¹ The land was sparsely cultivated and the people were poor. Even in the days of Sinhalese independence, the central government had exercised little control over these provinces, the only lien between it and the Vaidas being the scanty annual tribute of honey and wax.² Yet these provinces were thoroughly loyal to the old régime. In 1815, although the British met little or no resistance in this quarter, the people deserted their villages and kept sullenly aloof. These provinces were never properly subdued. For several months after the occupation the people evinced a certain shyness and coldness and refused to return to their homes from the jungles in which they had sought refuge.³ The soldiers had been guilty of several depredations; the headmen chafed at the exercise of their absolute and arbitrary power; the people found their condition unimproved, and doubted the stability of the new state of affairs which had been to them an unrequested change.⁴ A special sub-agency was therefore established at Badulla in Uva, and Brownrigg himself toured the Province with a view to reassuring and reconciling the inhabitants.

Still, there was one section among the inhabitants which was staunch in its attachment to the British. 'The Moormen', wrote Major Hardy, 'are so numerous and so entirely our own that I do not think a detachment of soldiers necessary in this country'.⁵ The Moor colony of Uva and Vellassa was a thriving community of landowners and traders. The traffic to the coast in salt, cloth, etc. was entirely in their hands, and they owned most of the cattle in the district.⁶ They proved very useful to the British, providing carriage-bullocks to the Government for the conveyance of stores from the Maritime

Provinces. Even under the old régime the massing of goods in the *Govindawa* (King's Stores) had been their duty, for the *Mudige* (Barracks) department was composed of them. The *Mudige* Lakam (Secretary) was, however, a Sinhalese, and although the Moors had petty headmen of their own race, they were, like other classes, completely under the control of the *Dissan* and other chiefs of the Province. These chiefs were accustomed to obtain from the Moors all the salt and other articles they needed, at their own prices and sometimes even without payment.⁷ To avoid these extortions, the Moors solicited a Mohandirum of their own race. Brownrigg thereupon appointed to the post a certain Hadjee, an influential member of that community. The Moors were thereby enabled to repudiate the authority, check the exactions and even withhold certain dues of the chiefs. The latter, as also the people, were naturally incensed, especially with Hadjee who had thus been given a post hitherto held only by certain families, and who had besides rather too aggressively assumed the honours of office.⁸

Uva and Vellassa thus presented a favourable field for rebellion. The outbreak began almost contemporaneously. On the 11th September, 1817, Wilson, agent at Badulla, informed D'Oyly that a 'Malabar' stranger with eight priests had been seen in Uva. It being decided to apprehend this suspicious party, Hadjee was entrusted with the mission. The stranger had apparently left the sacred shrine at Kataragama, entered Uva, and crossed into Vellassa and Binlanna. Hearing that he was at Kehelwala with an escort of two hundred Vaidas armed with bows and arrows, Hadjee led a small party of Moors in that direction, only to find his passage blocked at Inavilla in Vellassa by a party of armed *Diss*. He captured four of them and sent them to Badulla. But, on advancing further, his party was attacked and driven back, while he himself was captured by the *Diss* Rakkela, and bound, gagged and sent to the Deity or God, as they happily

1. Marshal 180 II. 'It is to be noted that the Moors were thankful to supply a certain quantity of salt free of charge.'

2. C.O. 54, 74. Macdonald's *India Gazette* to Major Detmold of Kataragama, 1st May, 1819.

1. Marshal 180 I.

2. C.O.G. 6th November, 1817.

3. C.O. 54, 76. Edwards to Ballantyne, 20th July, 1817.

4. H.C. Encl. Papers to D'Oyly (Secret).

5. H.C. Encl. Hardy to Governor.

6. Marshal 180 I, 180 I, 183. D'Oyly's mission.

called the Malabar stranger.¹ Hudjer was probably put to death at a subsequent date.

Wilson heard the news on the 11th October, and promptly left Badulla on the 13th with a party of twenty-four Malays and Kafirs under Lieutenant Newman. He reached Inavilla next day to find it deserted except by two Moormen who said that Hadjoc had been removed to Binlanna. He therefore advanced the same day to Blayvā where he found the Rājārā's house guarded by some two hundred men armed with bows and arrows. Wilson tried to win them over peacefully; but the Rājārā refused to hold any conference, saying: 'He neither wished to see him as a friend, nor feared to meet him as an enemy.'² Newman thereupon attacked them, and they fled. On the 17th, Wilson advanced to Kolāngela and found six or seven hundred men there, similarly armed. His peaceable overtures were again rejected on the ground that 'the British Government was not so indulgent to them as the late King.'³ Lacking the means effectually to suppress this resistance to his authority, Wilson turned back to Badulla, deeming it wise to choose another route via Polvatta and Palena. Small armed parties hovered about his line of march, but contented themselves with distant abuse. At Nanavatta *deśā*,⁴ however, having allowed his escort to go some way ahead, Wilson was killed by a volley of arrows discharged from the cover of the jungle.⁵ By the time his servants had brought back the escort, his body had disappeared. Newman attacked and dispersed some two hundred armed men at the *deśā*, searched unsuccessfully for Wilson's body, and returned to Badulla. In the difficult country all the way to Gōnamulla, where he crossed the Māchī Oya, he was harassed by small parties of the malcontents.

Energic action was taken to localise and quell this outbreak. Simon Sowers, the Revenue Commissioner, was sent to take Wāsen's place at Badulla. Sowers hastened to his post to find

1. C.O. 54, 62. Brownrigg to Barchard, 7th November, 1817, which gives an account of the episode, viz. also Marshall 154 ff. and Dewey 227 ff. and relevant Gazette. The Nārchārs or Tamil relations of the King were addressed at Desivā, as they were members of the royal family.

2. C.O. 54, 66. Brownrigg to Barchard, 7th November, 1817.

3. *Ibidem*.

4. *Vide ibidem* and Marshall 152 ff. for this episode.

that the people had taken to the jungle. Moreover, Valapan,¹ on the direct route from Kandy to Badulla, rose behind him, cutting off a party of three men whom Major MacDonald, commandant at Badulla, had sent with a message to headquarters.² Kōsbākadvē, Disāva of Valapan, Millavō, Disāva of Vellassa, and Kāppitipola, Disāva of Ūva were ordered into their *deśā*, and detachments were ordered to their support from Kandy and Batticaloa. Molligoda, Mahādīgār, too, left for his *deśā*, the Seven Kōralā, to lead his men into the disturbed provinces. At the same time, reinforcements were ordered from Colombo.

The troops converged on Vellassa and on their approach the people took to the jungle with all their belongings, grain and cattle. A line of military posts was established to safeguard communications between Badulla and Batticaloa, the principal post being Kolabōva, the chief Moor village in the district. The Moors were promised protection and kept to their villages, being of considerable help to the British.

Early in November, MacDonald advanced to Gōnamulla, and after a slight brush with some Vāchlas, armed with bows and arrows, effected a junction with Molligoda's men and the troops from Batticaloa. Thence he advanced to Usanavāla where houses had been erected against the arrival of the Tamil stranger. MacDonald decided to make an example and bring back the insubordinates to their allegiance. The village was burned down, the crops were destroyed, and the cattle and grain were either destroyed or carried away.³ The malcontents, who were watching from the neighbouring heights, were horror-struck, and next day a large number of headmen with their followers submitted.⁴ MacDonald decided that the insurrection was at an end.

Portents elsewhere were at variance with that conclusion. News of the Ūva operation reached Brownrigg on the 25th October, the day after he had, with Lady Brownrigg, set out for Kandy from Trincomalee, whither he had gone on business. He reached Kandy on the 35th and took charge of the direction of operations. Martial law was declared in the rebelled provinces and Colonel Kelly, commandant in the interior, was sent to

1. Marshall 154.

2. C.O. 54, 66. Brownrigg to Barchard, 7th November, 1817.

3. *Ibidem*. Marshall 155 ff.

Badulla where he took charge on the 7th November. Detachments from Hambantota, Mātara and Galle, besides those already sent from Batticaloa, Kandy and Badulla were ordered into Uva and every effort was made to stamp out the rebellion. At the same time, since Millard was too old to execute any active operations, Kāppitipola was entrusted with authority in both Vellova and Uva. Kāppitipola advanced with his men, twelve of whom had been supplied with muskets from the British stores at Kandy, into Uva, apparently to tranquillize it. On the 1st November, however, he was captured by the rebels at Alapota; but every sign suggested a pre-conceived plot.¹ It was later ascertained that he had voluntarily gone over to the rebels.² The first news of this portentous incident reached Brownrigg when Kāppitipola's twelve followers returned to Kandy with their muskets. This chivalrous action seemed inexplicable except on the hypothesis of desertion.

Brownrigg was seriously alarmed. It had by now become clear that the Tamil stranger was moving at the foci, and that the disturbances in Uva, far from being a fortuitous combination, were the beginnings of rebellion. The stranger was supposed to be one Duraisāmi, a brother-in-law of Rājādhī Rājasīma, and had been expelled in 1815. He had proclaimed himself King, called on the inhabitants to put every white man to death, appointed others of grade from among his adherents, and written threatening letters to the chiefs and headmen of the revolted provinces ordering them to join his cause.³ It soon became known, too, that Kāppitipola had thrown in his lot with the Pretender who had appointed him First Adigar. On the 3d November, 1817, a Proclamation placed 2,000 rix-dollars on the rebel leader's head, 500 on any other Tamil connected with him, and on Kōvalāghana Monayāla, Bātāvō Raterāla and other headmen who were reported to have received appointments from him.⁴

The rebellion was, however, at a juncture favourable to the rebels. The forces in Ceylon were comparatively scanty at the

time, consisting of three European and three Ceylon Regiments, besides the troops of Royal Artillery and Royal Engineers and the Pioneers and Gun Lascars. There was a great shortage of coolies and Brownrigg had to commandeer 300 men at the docks for service in the Interior.⁵ Moreover, the rainy season set in and the communications between Colombo and Kandy were seriously hampered by the swollen rivers and the inundated country. At the same time, the interception of the telegraphs by the rebels made co-operation difficult for the troops.

The desertion of Kāppitipola was a serious sign. He came of a very old Kandyan family and was connected with most of the chiefs, being Ahālpōla's Mother-in-law. Consequently, Brownrigg feared an organized rebellion; the more so because of Ahālpōla's own behaviour. When the rebellion first broke out, the chief had been sent by D'Oyly into Matallē, where he had large estates, to gain authentic information and to keep the people loyal. At this time Brownrigg was on his way to Kandy by way of the tranquil provinces of Tamunkaḷava, Dumbara and Mātālē. Ahālpōla, during his mission, had taken in with Rāvatāḷē, Disāva of Mātālē, who was on his way to pay his respects to the Governor. Accusing Rāvatāḷē of paying him inadequate respect, Ahālpōla had overawed him with his own superior force, disarmed and deprived him of his insignia of office and virtually suspended him. Rāvatāḷē was found by the Governor, executed and decapitated. Ahālpōla's action was taken to be the prelude to his joining and leading the rebellion, and it was feared that he would succeed and capture Brownrigg and his party. It turned out, however, that the act was merely due to a subtle ambition of rage directed against Molligōla whose uncle Rāvatāḷē was. Ahālpōla, with over two thousand followers, met the Governor at Nālaiddā, and apologised for his unwarrantable conduct. It was considered politic to pardon him.⁶

Brownrigg's fears of an organized rebellion were set at rest by the behaviour of the chiefs and the repeated assurances of Ahālpōla. There was no direct reason for doubting these, which probably were true. The rebellion seems to have taken the chiefs as much by surprise as Brownrigg. In January, 1818, Brownrigg

1. C.O. 54, 86. Brownrigg to Ballantyne, 7th November, 1817.

2. C.O. 54, 87. The Pretender's interrogatory to Maha Demarāla at Batticaloa, 1st May, 1818.

3. C.O. 54, 85. Brownrigg to Ballantyne, 7th November, 1817.

4. C.O. 54, 8th November, 1817.

5. M. 1818, 784 H.

addressed them threateningly in the Hall of Audience and was heard in stony silence: but they subsequently averred that the rising was confined to the lower classes and would, 'as salt which is obtained from water dissolves back in water', soon subside.¹ Nevertheless, Browning realized the need for caution. He was convinced that the chiefs were 'without exception systematically treacherous'. 'They value themselves', he said, 'upon their duplicity and skill in every kind of politic deception, and it will be in defiance of the constant warnings given by themselves if I were impudently to rely upon the good faith of a single chief. This sentiment of universal suspicion and distrust may seem harsh, but it is justified by their whole history, by recent experience, and by their decided opinion of one another'.² In this conflict of motives, this self-interestedness, lay the conqueror's safeguard. So deep was the antipathy between Molligoda and Anālepola that only extraordinary necessity could have brought them together in any cordial co-operation. As usual the aristocratic faction was permeated with dissainity. 'But these faithless politicians', concluded Browning, 'are . . . influenced by discordant motives, and however they may agree in their ambitious desire of power and honours, they widely differ in their view of the means to acquire, and the manner to divide the prize. They are broken into parties which will never unite to resist a government of any energy or strength'.³ Only the prompt suppression of the outbreak, however, would retain their loyalty. 'But the rebels are not got in this', Browning complained mournfully, 'so we are reduced to burning and laying waste the property of the headmen and their leaders'.⁴

That policy appeared to be succeeding. Detachments having crossed from Hambantota, Mānara and Galle too, there were 271 European and 456 native troops, exclusive of Pioneers and gun-lancers, in Ūva—a figure which compares with the garrison of 339 Europeans and 773 natives at Kandy. The rebellion had thereby been confined to eastern and south-eastern Ūva; the rest of the provinces being overawed by the large force at Badulla under

1. C.C.G.

2. C.O. 34, 66. Browning to Balthurst, 27th November, 1817.

3. *Ibid.*4. *Ibid.*

Kelly. Molligoda was appointed Disāva of Ūva, and his influence, supported by the incessant movements of the troops and the harsh policy of devastation, resulted in the submission of several Mohottālas (headmen) with their followers.⁵ To hasten these defections from the rebels, they were all forgiven. 'Now, except the Vādēas, 'who have ought to live', and certain renegade headmen now supported the Tamil who was handicapped by his utter inability to protect their property from the ravages of our detachments'.⁶ 'All will be over', opined Browning, 'if we can capture the Pretender and Kingleader'.

Therein lay the difficulty. The Pretender was safe in the impenetrable jungle, as also his adherents. Although no other chief of consequence had joined him and although Molligoda and Anālepola were active in the British cause, Kūppitipola was most openly leading the rebels. Moreover, it was found that the return of any rebel-headman to such parts of the country as had apparently been tranquillized was marked by the re-occurrence of insurrection. The inhabitants could not shake off their habits of obedience and subjection to the influence of the chiefs, and were terrorized by the condign punishment meted out by the rebels of any who fell into their hands after having been at all instrumental in aiding the British troops.⁷ To counteract this tendency, Kūppitipola, Gōḷapēdāra, Adikkōnna of Ūva; and seventeen headmen were, by a Proclamation of 1st January, 1818, outlawed, their property confiscated, and gratifications therefrom promised to those active in apprehending them and suppressing the rebellion.⁸

Thus, till the end of January, 1818, the rebellion, though rampant, did not overflow its original bounds. Valapara was still unsubdued, but attempts to cross the western provinces had so far failed.⁹ Thence onwards, there was a steady turn for the worse. In February, Hambara rose under its Disāva, Maḍugallē; and Hēvāhāta followed suit. In the same month, the rebels entered Sabaragamuva which immediately joined them.

1. C.C.G. 59, 65. Browning to Balthurst, 27th November, 1817.

2. Browning to Balthurst, 27th November, 1817.

3. C.O. 34, 70. Browning to Balthurst, 30th January, 1818.

4. C.L.G., 10th January, 1818.

5. Browning to Balthurst, 30th January, 1818.

Despite the intensification of the policy of confiscation and devastation, the efforts of the rebels to raise the whole Interior met with increasing success. The Seven Kōralēs rose in revolt, and, before long, the entire Kandyan Provinces, excepting lower Sabaragamuwa, the Three and Four Kōralēs, Uduumēna and Yalimawāna, were alluring with revolt; and every chief of consequence, with the sole exception of Molligoda had either joined the rebellion, or was in custody. On the 21st February 1818, martial law was declared throughout the Kandyan Provinces, and Broughrigg applied to India for reinforcements.¹

Although the rebellion had not been pre-planned or pre-organized by the chiefs, they perceived in it their opportunity. In February, Molligoda confessed to Savers and Broughrigg the fact of the conspiratorial agreement which the chiefs had made in May, 1813, and then accused Abūl'pola and all the descendants of Pīlma Talavē of being privy to the present insurrection.² Independent evidence came to light showing that other chiefs too were involved and had sent presents to the Pretender. In consequence, orders were given for the arrest of Pīlma Talavē, Disāva of the Four Kōralēs; but he escaped with the help of Kapuvāffe, Second Adigār, who was arrested. It was with the flight of Pīlma Talavē that the Seven Kōralēs rose. Millavē the younger, Katōmahāmaya of Mārasīyapattu, Millavē the elder, Disāva of Vellēssa and Birtōana, and a number of other chiefs were also later arrested.

Above all, Abūl'pola was suddenly arrested in the Hall of Audience on the 2nd March, and sent to Colombo.³ No accusation was made against him and it was not at the time intended to charge him as a rebel. The action was dictated purely by expediency. The chief had been indefatigable in the British cause, and though the Governor knew his ambitions and did not feel certain that he would remain loyal through mere gratitude, he was nevertheless convinced that Abūl'pola's hatred of the Nāyakkār dynasty was too deep to let him help in its re-instatement. Indeed, D'Oyley had been preparing at this time to go with him on a secret mission into Hōvāhāta and Dambana to bring

1. C.G.G., 54, 55. Broughrigg to Deshurst, 29th February, 1818.

2. *Ibid.*. Broughrigg to Deshurst, 11th April, 1818.

3. *Ibid.*

them back to the British allegiance. The idea of reasoning with the rebels had however to be abandoned with the spread of the rising. Meanwhile, they were publicly claiming that Abūl'pola was their secret supporter, and even published dies purporting to have come from him. The gullibility of the ignorant and the extensive influence of the ex-Adigār, made the creation of such an impression dangerous. In the circumstances, Abūl'pola voluntarily offered to go to Colombo for the period of the insurrection; but Broughrigg deemed it wise to effect this suddenly and by night lest the Kāppitipola 'interception' should find repelition. 'He is removed for a time,' said Broughrigg, 'because Government consider his presence here as detrimental to the public good but it is not at all meant to charge him as a traitor.'⁴ It subsequently came to light that Abūl'pola, as well as the other chiefs, had kept up a regular correspondence with Kāppitipola, and promised to support the Pretender if the rebellion proved successful.⁵ Anyhow, Abūl'pola was never restored to liberty. He died at Mauritius on 21st April, 1820, an exile and an untried state prisoner.

Among the chiefs, Molligoda alone remained faithful. His attitude was supposed to have been dictated by his rivalry with Abūl'pola and the Pīlma Talavē family.⁶ Whichever the cause, his loyalty was valuable. Not only was he active in military operations, but his influence kept quiet the Four Kōralēs through which the vital communications between Colombo and Kandy passed.⁷ Had these provinces risen, Kandy would have been completely cut off from the Maritime Provinces. The only other chief of importance to side with the British was R'molligoda, who was ubiquitous and active with his Sinhalese troops.⁸ Among the inhabitants, the Moors remained staunchly loyal. They received their immediate reward from Proclamation of 2nd March, 1818.⁹ All Moors in the Kandyan Provinces were excluded from the executive and judicial jurisdiction of the Kandyan chiefs.

1. C.G.G., 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

2. C.G., 54, 54. MacDonnell's Interrogatory to Abūl'pola, 18th May, 1819.

3. Forbes.

4. C.G.G., 50, August, 1818.

5. C.G.G., 17th October, 1818.

6. C.G.G., 2nd March, 1818.

and it was arranged that all cases to which they were a party should be tried by British officials only, while the appointment of their headmen was vested directly in the Resident. Every Moor suffering in person or property through his adherence to the British was promised the fullest compensation, and was exhorted 'earnestly and zealously to aid and assist in putting down the present dangerous rebellion'.

The months of April and May strained the British power to the utmost. The scanty British force of 3,788 European and native officers and men could hardly cope with an elusive foe. 'It is extremely difficult', said Brownrigg, 'to make any impression upon a revolted Province without a continual and active co-operation from the natives themselves. The rebels will not face the weakest detachments of soldiers, they retire into the jungles, and patiently wait till bad weather, scanty provisions or disease compel our troops to retire. To surprise them in their retreats, or drive them out of their interminable forests, requires the aid of their countrymen, used to the climate, and as well acquainted with their secret haunts as themselves. A long experience in former wars shows how impossible it is for any Europeans alone to subdue even a part of their country.'¹ There was a shortage of coolies and bullocks, and the troops suffered severely from disease. The mortality among the European troops in 1818 was as high as 256 per thousand, and this high proportion lingered into the year 1820.² No accurate estimate was ever made of the casualties among the native troops, but some idea may be gained from Davy's opinion that at least 2,000 men died out of the entire Ceylon force, European and native, employed in the Interior in 1818.³ Commissariat difficulties and the cutting off of convoys caused a scarcity of food at many stations; the troops having often to subsist on salt meat and uncleaned rice and even on unhusked paddy. The very policy adopted seems to have required of the British, as 'around many of the posts not an article of sustenance could be procured either by purchase or by plunder.'⁴

1. C.O. 34, 16. Brownrigg to Bathurst, 27th November, 1817.

2. Marshall 210 ff.

3. Davy 311.

4. Marshall 210.

In the circumstances, even a withdrawal from the Interior, with the exception of the few loyal western provinces, was contemplated.¹ All posts in Cova and Vellasse were abandoned except those required to preserve communications between Badulla and Batticaloa. Lady Brownrigg was sent to Colombo with a strong escort, and in Kandy itself, mindful of the disaster of 1803, the men in hospital were every evening provided with fires and ammunition. It was perhaps only the loyalty of Kishgoda and the Four Kōralās that saved the British from having to cut their way out of the Interior into the Maritime Provinces. Voices were not lacking to prophesy that ultimate necessity.² Bathurst himself was impressed by the gloomy despatches from Brownrigg and, in July, advised the policy of retirement, buttressing his argument with melancholy reminiscences of former wars, with the heavy expense involved and with the apparent desire of the Kandyans 'to return back to the system of their ancient government'.³ He followed this up with express orders to evacuate the disaffected provinces as nothing could justify the 'pernicious prolongation' of the contest.⁴ All these orders, of course, arrived too late. With the arrival of reinforcements from India the back of the rebellion was broken and Brownrigg was relieved of considerable anxiety. Till then, 'the want of a greater disposable force' made it impossible to meet at all points 'such a fugitive, unencumbered foe', and the duty, however successful, proved harassing to the troops.⁵

For the Kandyans adhered to their traditional modes of warfare, resorting to guerrilla and feigned tactics, never meeting the enemy in open field, but way laying convoys, cutting off *depôts* and annoying detachments from under cover.⁶ Kappūpōla did indeed attack MacDonald at Paranagama, but the latter's force of eighty rank and file successfully sustained the continuous attack of the former's force of over five thousand men between 26th February and 7th March without the loss of a single man.⁷

1. Marshall 193.

2. C.G.G., 28th February, 1818.

3. C.O. 15, 63. Bathurst to Brownrigg, 25th July, 1818.

4. *Ibid.* Bathurst to Brownrigg, 30th January, 1818.

5. C.G.G., 27th July, 1818.

6. *Ibid.*

7. C.O. 34, 70. Brownrigg to Bathurst, 26th February, 1818; Marshall 193.

This was, however, an exceptional occasion. 'It was a partisan warfare', says Davy, 'which, from its very nature and circumstances, was secret and irregular'.¹ The Kandians, for their part, took every advantage of the difficult nature of the country and of their intimate knowledge of the ground, employing every stratagem that ingenuity suggested. Apart from ambushes, etc., they would block the paths or line them with snares, e.g., spring traps and guns or camouflaged pits covering thorns and pointed stakes; but they would always retire when pressed, only to close down again at the earliest opportunity. So effective were their tactics and so much did the troops and coolies suffer therefrom, that the British resorted to marching troops, conveying provisions and transporting invalids by night.² In the result they suffered the more severely from disease, being exhausted by marching along the rugged and precipitous roads and by crossing the wet mountain torrents drenched with rain and river and dew.

The development of British policy, in face of these tactics, is interesting to trace. During the early stages of the rebellion two objects had simultaneously to be kept in view - the insulation as well as the quelling of the rising. Both objects failed. The very manner in which the rebellion spread entailed peculiar difficulties. There was no simultaneous rising, nor any open fighting. Rebellion was spasmodic, irregular and local. The scanty British force could not occupy the whole revolted region. Where a military post was established, there was tranquillity, but the people would rise elsewhere. When the post was moved to the latter, the former rose. Thus a province was never at peace everywhere at one time; but every part would rise irregularly at some time. The same strategy was expanded in the case of provinces. Just as districts would rise spasmodically, so provinces revolted irregularly. Wherever the rebels or their chiefs appeared, there the people rose; wherever a British detachment was stationed, there they were subdued. It was a harassing, tiring and interminable service, calling for a force large enough completely to occupy the country in an effective military sense - a force which Brownrigg could not at first command. He decided to starve and terrorize an

elusive mercantile enemy who could not be hunted in the open field by disciplined regulars unaccustomed to irregular warfare.

British policy consequently developed equally into plain terrorism.³ Troops were thrown into those provinces which were unaffected by rebellion or which professed to be converted into disaffection by the rebels. Thus, the probably disposed were protected, the first seeds of revolt in a fresh province were suppressed and the rebellion was as far as possible isolated. Simultaneously, such troops as could be spared were sent into the rebellious districts. So long as their total number was small, they were moved about in rapidly marching bodies. Wherever they went, they carried away or destroyed all cattle and stores of grain or provisions that they found, villages were wiped out, houses were burnt down, crops devastated, fields permanently ruined by damaging the irrigation system, fruit-trees cut down and live-stock killed, so as to starve and terrify the inhabitants into submission.

When reinforcements arrived from India the system was expanded. Numerous posts were created and small detachments scoured the country, covering every portion of it, and authorized to burn, ravage and destroy, and to put to death 'all who made opposition or were found with arms in their hands' till the first authors of rebellion were stampeded out. To those who appeared in submission before a commandant, the answer was invariably given: 'Bring up your fire arms, and fire for the troops, and give up your freedom, and you shall be received and protected; otherwise the troops will be continued and subsisted on your country'.⁴ At the same time, the wives, families and property of rebel chiefs were sequestered to enforce their submission - a policy reminiscent of Sri Vikrama Rajasinha. When an influential rebel was captured, he was sentenced to death, but the execution was postponed for a period with a published promise of reprieve on condition his relatives submitted before it lapsed - a very efficacious if dubious method. Rewards varying between 1,000 and 500 star

1. Vide the description in Davy 329 ff., 330; Marshall 183 ff.; and relevant Ceylon Hist.

2. Davy 330.

3. C.G.O., 3rd October, 1818.

4. C.G.O., 15th August, 1818.

1. Davy 329.

2. Marshall 183.

pagodas were offered for the apprehension of Kiipitipola, Pitima, Talanay, Mahiyalle, Kivullegelara and Allēpola, who were denominated the real leaders of the rebellion.¹

It was thus a war of reprisals in which neither side gave any quarter. No attempt was made adequately to distinguish the property and persons of the innocent from those of the guilty.² Even mere supports received short shrift from the troops. The Kariyans were ill-armed, ill-dressed and ill-provisioned. Most of them had only the primitive bow and arrows. They seem however to have had a goodly quantity of fire-arms; yet they lacked ammunition. For though the manufacture of gunpowder was general and of very ancient practice in the country, and niter and charcoal were plentiful, sulphur had to be imported.³ During the rebellion there were captured from them 91 gingais, 7 wall-pieces, 8,000 muskets, 7 pistols, 165 musket barrels, 3 pistol barrels and innumerable bows and arrows, but only 750 lb. of sulphur.⁴ Apart from grain and provisions, the rebels also seriously suffered from lack of salt.⁵ No account is available of their sufferings and losses in the disease-ridden jungle and from the inclement climate, but Davy estimates their casualties at over 10,000.⁶

It is unnecessary to recount the wearisome and tangled details of military movements.⁷ With their medieval weapons and inadequate equipment the rebels could not permanently resist a sufficiently large force. Brownrigg's difficulties rapidly dissolved with the arrival of reinforcements from India. The 15th, 7th, 15th and 20th Regiments of Native Infantry, and a company of Goumdanze (artillery) landed in Ceylon in March, April, May and September respectively. The 86th and 50th British Regiments arrived in September and October. A corps of 5,000 Punjabs did away with the shortage of coolies and solved the chief defect of the commissariat. In Ceylon, too, a Native Militia of 800 men was raised for service in the Interior,

and Lady Brownrigg presented them with their colours on the 27th August. With the energetic aid of Sir Richard King, Commander of the East India Squadron, the last reinforcements under Brigadier Sandilbar were transported from India by the middle of October, and advanced into the Interior from Trincomalee, Batticaloa and Colombo.

Meanwhile, the rebellious provinces were being successively subdued. Intimidated by the policy of terrorism, disheartened by the lack of military success, and weakened by privation and suffering, the rebels came over in increasing numbers, bringing with them their families and property as the best pledges of sincerity and showing a readiness to co-operate with Government in arms, military works and the gathering of the crops.⁸ D'Oyly's influence was of incalculable help. He went here, there and everywhere on open and secret missions, and everywhere large numbers submitted to him. The swing back to loyalty was hastened by a Proclamation of the 1st August⁹ which promised a free pardon to all who submitted before the 1st September. The penalties which would otherwise follow were therein contrasted at length. Already, in June and July, a large number of chiefs - Ratmalarmayas, Adikāmas, Disāvas, etc. - and Headmen - Ratūrālas, Piharanālas, Madhyanālas, etc. - together with their followers, had submitted. Matamēgōña, Disāva of the Three Kōralas, Kobbāradūva, Disāva of Udapālā, Dambavīrū Disāva and Dimbulana Disāva, were captured in August; also Godūgōcara Mohottāla and the Maha Belūnē and Ragnūyaka Nilantē of Katatagana, two very important leaders and imitators of rebellion. Būāvē Ratūrāla and his family were apprehended in September; the elder Madugallē, Gananāyaka Nilantē, and the Disāva of Udunvāra followed in early October, as also the important leader, Allēpola Adikāmas, with his family. About the same time, Kāpūtipōla's family was captured in the jungle near Nāran-gonnuva. By this time most of the provinces had been subdued, including Ūva and Velhesa, the original theatres of rebellion. The revolt was confined to Mātāp, Dambura and Nuwara-elli-viya. In these provinces, those ringleaders who had committed themselves too far, still kept up a feeble resistance. These

1. C.O.G., 21st March, 1818. Proclamation of 12th March.

2. *id.*, March 2nd *id.*

3. C.O., 14, 24. Brownrigg to Baderet, 29th February, 1818.

4. C.O.G., 21st November, 1818.

5. C.O.G., 20th June, 1818.

6. Davy, 131.

7. A useful account is given in R. L. Broome, *The Golden Age of Ceylon: Adventures in Ceylon*.

8. C.O.G., 28th August, 1818.

9. *id.*

were Kāppitipola, Piima Talavē and Maṭṭugallē. No longer under the guardian care of a whole population always on the alert to warn them of an approaching danger,¹ theirs was an increasingly isolated position. Only the difficulty and unknown nature of the country saved them for the time. Hitherto, troops had either never entered or had only merely passed through these districts.² When the arrival of the full complement of reinforcements from India enabled the British to penetrate these provinces, the capture of these last resistors was rapidly effected.

The rapid collapse of the rebellion was as much the outcome of rebel politics as of British policy and military strength. The partners in conspiracy remained rivals in intrigue. It turned out that the Pretender to the Kandyan throne was but a puppet of Kāppitipola. He was not even the royal Tamil he was supposed to be. Brownrigg made inquiries in India, and discovered that Duraisami was residing peacefully in Madura.³ Further investigations revealed the Pretender to be one Villāvē, an ex-*śāsā* and a Gāigama Sinhalese of the village of Villāvē in the Dhala Dula Pattu of the Seven Kōcāṭṭis. The fact was quietly published.⁴ He had come via Colombo, Galle, Sabaragamuwa, Uva and Vellassa in the guise of a *śāsā*, reached Kataragama in July, and there adopted the dress of royalty and affected royal state.⁵ Kāppitipola knew his identity but kept up the pretence and, on 7th May, 1818, carried out at Diyabemma in the Vellavaya Division a solemn ceremony of inauguration before a crowd of about 3,000 people assembled from nearly every part of the Kandyan Provinces.⁶ On 5th July, 1818, he displayed, at Hanguranketa, a casket containing the sacred Tooth Relic, which had been removed in May by two lascarins, with the aid of certain *śāsās*, from the Daladā Malgāva. The Pretender took the name of Nīrti Sīl. A large number of

śāsās and even some headmen of the Maritime Provinces were included in his following.⁷

Meanwhile, Piima Talavē and Maṭṭugallē had also risen in rebellion. Maṭṭugallē joined Kāppitipola towards the end of August at a time when the Pretender was preparing to leave Vellassa for Valapanē. Maṭṭugallē persuaded him instead to cross the Mahavāligāṅga into his own *śāsā* of Dambura. The masquerader was there received with royal honours, and he appointed Maṭṭugallē, Second Adigār and Disāva of Mātālē. Piima Talavē and Maṭṭugallē had, however, discovered the identity of Villāvē. Offended at the deception, Maṭṭugallē, on the 3rd September, on the instructions of Piima Talavē, seized both Kāppitipola and the Pretender, sending the former to Pitavala and exposing the latter to the public ridicule as a '*śāretsa*' (ex-*śāsā*) in stocks at Milavala.⁸ Villāvē escaped into obscurity in Nuvarakalāviya. After many strange adventures he was apprehended in November, 1830, tried and sentenced to banishment,⁹ but released in 1832 on orders from Guderich 'publicly, freely and unconditionally' to pardon him. The evidence at his trial had conclusively proved him to have been a tool.

Piima Talavē's action had been dictated by his own ambitions. With Kāppitipola in custody and Villāvē unmasked, he set up a tool of his own as King; one Vira Vāvu, a Tamil from Mannar.¹⁰ But these bickerings had only accentuated the rebel disunity and accelerated defections to the British. Though Kāppitipola threw in his lot with his captors, the rebellion waned. The activities of British detachments subdued Dambura and Mātālē, and the three leaders retired into Nuvarakalāviya. Thither they were pursued by the troops, and, on the 28th October, Piima Talavē¹¹ and Kāppitipola were captured at Puravahagama, by Lieutenant O'Neil. Piima Talavē had previously tried to make terms

1. C.G.O., 20th August, 1818.

2. C.G.O., 28th August, 1818.

3. C.O. 54, 70. Brownrigg to Bathurst, 10th February, 1818.

4. C.G.O., 28th March, 1818. Proclamation of 15th March.

5. C.O. 54, 71. MacDonnell's Interrogatory to Maha Śāstheria of Kataragama, 1st May, 1818.

6. C.O. 54, 72. Brownrigg to Bathurst, 23rd July, 1818.

7. C.O. 54, 71. MacDonnell's Interrogatory, etc.

8. C.O. 54, 71. Brownrigg to Bathurst, 6th October, 1818; C.G.O., 19th September, 1818; Marshall 195 T for this episode.

9. C.O. 54, 107. Durce to Murray, 20th November, 1830, and encl. of proceedings at trial.

10. C.O. 56, 49. Guderich to Horton, 12th September, 1832.

11. C.G.O., 31st October, 1818.

with Browning, but in vain - the Governor demanded unconditional submission.¹ Madugallé escaped, only to be captured on the 1st November. Kivulgedara alone of the rebel leaders remained at large, and he was captured on the 30th November in Binterna, where he was wandering unattended as a beggar. Vira Vavu, too, was apprehended by Backhouse, Collector of Mannar.

The capture of the sacred Tooth Relic, quite accidentally, on the 2nd November, marks the end of the rebellion. The event had a singular effect upon all classes, being considered 'a sign of the destiny of the British people to rule the Kandyan.'² 'Now', said the people, 'the English are indeed masters of the country, for they who possess the relic have a right to govern four kingdoms: this, for two thousand years, is the first time the relic was ever taken from us'. 'Whatever the English might think', said Molligoça, 'of the consequence of having taken Käppitipola, Pitima Talavé and Madugallé, in his opinion, and in that of the people in general, the taking of the relic was of infinitely more moment.'³ Martial law was in a manner revoked by a Proclamation of 21st November, 1818, but it was only on the 21th November, 1820, that it was finally and completely withdrawn throughout the Kandyan Provinces.

The fate of the conspirators is quickly described. They had all been fairly taken prisoners of war. Allépola had been tried and decapitated in October. Käppitipola,⁴ Madugallé, Pitima Talavé and Nagana, 'a priest and an active partisan',⁵ were tried in November and condemned to death. The sentence was executed on the first two, but commuted to banishment for life in the case of the others. They were accompanied to Mauritius by twenty-five other chiefs and headmen, and banished for periods varying from five years to life.⁶ During the rebellion, courts martial had sentenced 47 people to death (of whom 28 had been executed, 'which I hope will seem to you moderate', 10 were banished, 8 pardoned and one died), 6 to banishment, 8

1. C.O. 54, 71. Browning to Bathurst, 9th October, 1818.

2. C.O. 54, 73. Browning to Bathurst, 8th January, 1819.

3. *Ibid.* 309.

4. For an account of Käppitipola's heroic death see Marshall, p. 279.

5. C.O. 54, 73. Browning to Bathurst, 9th January, 1819.

6. *Ibid.* Browning to Bathurst, 6th February, 1819. *Ibid.* for a list.

to minor punishments; and acquitted 2.¹ Ten *Chāssā*s of Vellasa, where the *Sevāsa* had been deeply involved in inciting rebellion, particularly those involved in stealing the Tooth Relic, were confined in Jaffna.² The lands of some 75 chiefs and headmen, who had failed to take advantage of the Proclamation of 21st August, were confiscated; but were generally restored with a punitive tax of one-fifth produce imposed.³ On the other hand, Molligoça received a pension of 200 six dollars per month for life, as also a miniature of the Prince Regent - Allépola's was naturally withheld.⁴ The lands belonging to certain loyal chiefs were exempted from tax, while the paddy tax in those districts which had been firm in their loyalty was reduced to one fourteenth. The reinforcements from India began to return in December, but it was not till the first quarter of 1820 that the entire auxiliary force left the shores of Ceylon. They had cost the Ceylon exchequer £22,678.⁵

Preventive measures accompanied punitive. A series of Proclamations, published on 21st November, 1818, revised the Kandyan system so as 'to fortify the hands of British officers appointed to the executive government, to invest them with the powers of compelling immediate obedience from all the chiefs and inhabitants to the orders of Government; fixing and collecting a moderate and legitimate revenue, administering prompt and impartial justice; and finally to prevent by all possible means the recurrence of such calamities as have been in these Provinces . . .'.⁶ It was felt that these objects could only be attained by bringing the British administration more directly and vigorously into contact with the inhabitants so as to impress on them 'the real organs of power',⁷ by diminishing the consequence and power of the chiefs by reducing them 'from an aristocratic faction to the rank and office of stipendiary organs for effecting the regulations and orders of the supreme executive

1. C.O. 54, 73. *Ibid.*

2. C.O. 54, 74. Browning to Bathurst, 24th April, 1819.

3. C.G.O. 21st November, 1818. Proclamations of 12th and 14th November.

4. C.O. 54, 73. Browning to Bathurst, 8th January, 1819.

5. *Ibid.*

6. *Ibid.*, *Ibid.* Governor's Minute.

7. *Ibid.*

authority';¹ and by 'giving independent ideas to the mass of the population'.² The Convention of 1815 seemed to prohibit measures of this drastic nature, but as most of the chiefs had been involved in the rebellion, Brownrigg was of opinion that it was 'not imperative . . . to consider the letter of the articles of that Convention as so completely fettering his measures'.³ He had indeed been already contemplating extensive reforms which had only been delayed till fuller information was available. Nevertheless, he thought it wise to carry them out immediately 'during the presence of an imposing military force'.⁴

The fifty-six clauses of the great Proclamation of the 22nd November, 1818⁵ which embodied the measures designed to secure these objects fall into certain natural groups. They are here considered only in broad outline, except in their political aspects, for many of them are concerned with administrative and judicial details which are more properly considered elsewhere. The first six clauses rapidly recapitulate the history of the Kandyan Provinces since 1815. They emphasized the mildness and forbearance of the British administration and pointed out the protection that had been afforded to Buddhism, the general deference that had been paid to the opinion of the chiefs, and the laxity which had been observed in tax-collection and service-claims. The origin and course of the rebellion were outlined, and its objects declared to have been the purely personal advancement of the chiefs, and the re-establishment of their arbitrary power over, and contrary to the interests of, the inhabitants. The flimsy veil which the rebel chiefs threw over their ambitious designs was torn aside by themselves, and the pagan whom the people were called to recognise as the descendant of the gods, exposed as the offspring of a poor Sinhalese emperic'. It was therefore necessary to prevent the recurrence of such actions and to impress upon the people that

1. C.O. 24. 73. Encl. Brownrigg to Board, 25th September, 1818.

2. *Ibid.*

3. *Ibid.* Encl. Minutes.

4. *Ibid.* Encl. Brownrigg to Board, 25th September, 1818.

5. *Ibid.* Encl. It is also given in the *Gazette*, in Davy, and in other works.

obedience to Government should come before subservience to chiefs whose power legally emanated only from it.

Consequently, Clauses 7 and 8 reiterated the supremacy of the British Crown and its power as exercised through the Governor. That authority was expressly delegated to the Board of Commissioners at Kandy and, under its superintendence and according to their instructions, to resident agents in the provinces. Jurisdiction of any kind was taken away from everyone 'without powers derived from Government'. The rights of Kandyans of all classes were declared equal; and obedience and respect were to be paid only to those chiefs who were vested with authority by Government.

Clauses 9 to 15 were designed to circumscribe the authority, limit the power and undermine the influence of the chiefs. The mode of their appointment, from Adigâr to petty headman, was defined, and they were completely subordinated to the Kandyan Board and British agents, without whose orders they were to have no power whatsoever to act. The honours to be paid them were described in detail, but all degrading forms like prostration and kneeling were abolished. In turn, the honours they were to pay to the portrait of the King, in the Hall of Audience, and to the Governor and British officials and officers of rank and authority, whether ordinarily or when on circuit, were also fully outlined. The proper number of attendants to which a chief was officially entitled was limited. Even such minutiae as the manner of saluting, and the right to, order and manner of seating, were carefully defined.

Clause 16 took the opportunity of minimising to some extent the categorical nature of the clauses about religion in the Convention of 1815. Balthurst had complained about the matter and even Wilberforce had written to the Colonial Department about it. This clause reserved to Buddhism the respect formerly accorded to it; but general protection was expressly extended to all other religions as well.

Clauses 17 to 25 introduced a new system of taxation. All fees payable for appointments (except in temple villages), all duties payable to the *awwastals* and *awwastal* *gabodians*, and all other duties and taxes whatsoever, were abolished, and a tax on the produce of paddy-lands substituted instead. It was

fixed at the uniform rate of 1/10th of the produce; but the districts which had been steadfastly loyal (they were expressly mentioned and severally indicated) were subjected to only 1/14th, while, on the other hand, such confiscated lands of rebels as were restored, were subjected to an impost of 1/5th. The lands of fifteen loyal chiefs who were named, were entirely exempted from taxation; as also those of chiefs and headmen in office, during term of office. Similarly, in lieu of their services, the lands of persons in the mintion department, of cultivators of royal lands, of attendants allotted to Disavas, and of the *Kapupulā* and *Atagodā* people, were exempted from duty. Temple lands, too, were exempted, but the gratuitous services which certain inhabitants of temple villages customarily owed to the Crown were continued. The Vāddas were ordered to continue the usual tribute in wax.

Clauses 26 to 29 provided for the remuneration of the chiefs apart from tax exemption. The superior chiefs were to be paid fixed monthly salaries, while the inferior chiefs were to receive 1/20th of the paddy revenue.

Clauses 30 to 32 reserved the traditional right of Government to the labour of the inhabitants, according to caste, custom and tenure, 'on payment being made for their labour'. Provision was made, however, for its diversion from useless to useful purposes. Nevertheless, certain duties were to be gratuitous, particularly road and bridge making and repairing which were to fall on the people of the districts in which such service might prove necessary.

Clause 33 gave the Kandyan Board and Agents power to punish chiefs, headmen and others by suspension or dismissal, fine or imprisonment, but reserved to the Governor alone the power of dismissing any who might have been appointed by his commission.

Clauses 34 to 35 constituted a charter of justice and are more appropriately considered elsewhere. It is sufficient to note that they greatly curtailed and strictly defined the judicial powers of chiefs and headmen.

The Proclamation ended with a clause making the usual reservation to Government of the power to make further provisions and alterations as the necessity arose.

The Proclamation of 21st November, 1815, even more than the Convention of 1815, marked the beginning of a new era in the Kandyan Provinces. It set them permanently on the highway of modern development. In effect, the Kandyan Provinces received a constitution which lasted without substantial alteration for fifteen years. This comprehensive document was both initiatory and reformatory in design and intent; but from a political angle and from the point of view of its immediate objects, Clauses 7, 13 and 27 were perhaps the most important. The abolition of the fees paid on inferior appointments, of judicial emoluments and of fines levied arbitrarily for petty offences or neglect of their own orders, deprived the chiefs of three sources of revenue which had been 'exactly the means by which they kept the lower orders in dependence and fear, and made the system of Government so corrupt'.¹ The simplification of the system of taxation, and the appointment of British agents in all the Provinces had an allied effect; for the chiefs thereby became a less essential link between Government and people. But, it is to be remarked, only less; for they were still important and essential. Their influence remained unimpaired, for their power was only diminished, not annihilated.

The last great convulsion of Sinhalese independence thus ended in the firmer establishments of a foreign yoke. After making two more Proclamations,² one regulating the possession of firearms and the other remitting all arrears of taxation, Brownrigg returned to Colombo on the 25th November, 1818. He had been absent in Kandy for nearly fifteen months.

Politically, the history of the Kandyan Provinces was uneventful for the rest of our period. There were indeed two attempts at rebellion in 1820. In January of that year, a Pagan named Kamāra-dini, claiming royal descent, took the title of Vimala Dharma Nārāndrasūha and raised a disturbance with the aid of the Vāddas. The disturbance was promptly suppressed by the Disava of Bircanna and Vellasa, and the Pretender was captured and banished to Mauritius.³ July, 1820, witnessed another disturbance, when Kobbūkaḥwē,

1. C.O. 34. 73. Brownrigg to Bathurst, 8th January, 1819.

2. *Ibid.* Enc. Dated 20th November, 1818.

3. C.O. 34. 76. Brownrigg to Bathurst, 22nd January, 1820.

one of the rebel chiefs who was still at large, attempted to raise a rebellion in Tanarikutva. It proved a fiasco, for he was captured and given into custody by the inhabitants themselves.¹ Rebels could have increasingly less chance with the rapid opening up of the Interior by good roads. The importance of the Colombo-Kandy road, that permanent monument of the memory of Sir Edward Barnes, was instinctive and may be left to exemplify the whole. 'So inaccessible were the interior districts at this time', says Skinner, 'that Kandy was only approachable by narrow jungle paths, so steep and rugged as to be quite impossible for any description of vehicle, and often dangerous as a bridle-path. Commissariat supplies and ammunition, etc. were from necessity carried to the capital and numerous outposts of the interior on men's backs.'² By 1822, supplies and *expôts* 'were conveyed by wheels to Kandy with ease and celerity'.³ Only the province of Ūva suffered a temporary setback. The devastations of 1818 had seriously impoverished the inhabitants, damaged their fields and trees and destroyed their cattle.⁴ A heavy mortality was the result, and Ūva took many years to recover. Repeated measures prohibiting the export of cattle, coupled with large imports of them from India, were found necessary to counter-balance the shortage. Elsewhere, the Provinces were increasingly prosperous and many improvements were progressively undertaken. Despite the 'burlesque' of the 'Kandyan Conspiracy of 1834' and the severe disturbances in the Seven Kūralēs and Mātālē in 1848, the Kandyan Provinces, like all Ceylon, were in the proverbial position of a country that has no history. The Kandyan Provinces were incorporated with the Maritime Provinces in 1833, and Ceylon was, after centuries of disunion, once more united under one sceptre. Thenceforward her way lay along the paths of peace.

1. C.O. 54. 77. Barnes to Bathurst, 21st July, 1820.

2. Skinner 214. 'Memorandum, etc.' 3. *Idem*,

4. C.O. 54. 73. Brewinigg to Bathurst, 8th February, 1819.

5. Skinner 216.

PART II - ADMINISTRATIVE

CHAPTER VII

THE EAST INDIA COMPANY'S ADMINISTRATION OF THE MARITIME PROVINCES

Until settled arrangements could be made from England, the Maritime Provinces were administered directly from Madras. The first concern of the Governor and Council at the latter place was the revenue, the investigation and management of which was early taken away from the military commandants and vested in a separate department. On 15th October, 1795, immediately after the fall of Jafna, it was decided to entrust the revenues of the provinces which had been captured to Robert Andrews as soon as his Kandyan negotiations were completed.¹ Accordingly, on 27th October, Andrews was appointed Superintendent of Revenue, and given John Jarvis as 'Assistant ... for the purpose of investigating and collecting the revenues of Jafnapatam and Mannār and their Dependencies'.² Andrews learnt of his appointment on 7th November at Mullaitivu when returning from his first embassy, and took up his office next day at Jafna. Jarvis arrived there on 3rd December while Andrews was absent at Madras.

These arrangements were ultimately extended throughout the Maritime Provinces. On 12th February, 1796, Andrews, who also held the post of Permanent Ambassador to Kandy, was appointed 'Resident upon the Island of Ceylon, and Superintendent of all its Revenues'. Besides Jarvis, he was given a second assistant, Robert Alexander, who arrived in Ceylon on 16th March and later took charge of the Colombo and Galle districts. Subsequently, in May, 1797, Andrews asked for, and received, a third assistant, Garrow, who took charge

1. *Madras Mil. & Pol. Proc.* 253, xxviii, 3003.

2. *Ibid.* 4065; *Jaffna Envoy*, 3rd December, 1795.

of the Batticaloa and Trincomalee revenues. Andrews received a salary of 250 star pagodas a month, besides $1\frac{1}{2}$ per cent. of all collections; his assistants received 100 pagodas and 1 per cent. each respectively.¹

Immediately after the fall of Colombo, a separate Commercial Department was also set up. On 6th March, 1796, Joseph Greenhill was appointed Commercial Resident 'for the purpose of exclusively attending to the provision of an investment of cinnamon and other spices'.² The organisation of this department is discussed in the chapter on cinnamon.

Above all, on 1st March, 1796, Colonel (later Major-General) James Stuart was vested by the Madras Council with 'a discretionary authority as well Civil as Military on the Island of Ceylon'. The revenue and commercial servants were directed to consider themselves subject to his orders and to address him 'upon all points on which reference may be requisite'.³ But his control over the civil departments was only of the most general character; and the arrangement by which their head offices corresponded directly with Madras made even that, in practice, unreal. This dual control resulted in such 'contradictions' that Stuart suggested his being made the sole channel of communications between Madras and Ceylon.⁴ The suggestion was adopted only to the extent of sending him copies of all correspondence. The civil departments continued semi-independent even though Stuart had been authorized at the end of April publicly to announce his powers and instructed that the civil servants were 'liable to obey any order you think proper to issue for the advancement of the Public Service'.⁵

So ill-defined a relationship caused some disputes about the respective provinces of civil and military authorities, particularly in judicial matters. Prior to the establishment of civil authority, Stuart had empowered the local commandants to appoint Courts Martial for 'arranging all disputes which may arise among the inhabitants and doing strict justice to such as may ... be

1. *Madras Res. Proc.* 275, VIII, 343 and 358; and XXIII, 1829.

2. *Ibid.* 275, VIII, 523.

3. C.O. 35, 1. Jackson to Stuart, 1st March, 1796.

4. *Ibid.* Stuart to Hobart, 7th June, 1796.

5. *Ibid.* Jackson to Stuart, 28th April, 1796.

aggrieved'.¹ There were no other judicial authorities till the arrival of Andrews and his assistants who promptly claimed all revenue disputes as being within their exclusive province. That claim was confirmed. They appear to have had criminal powers too: for when Jarvis applied to the Jaffna commandant for a trial of certain robbers by court martial, he was rebuked for an application which the Madras Council characterized as 'irregular, because it was out of the line of his duty, and unnecessary, because every Collector is vested with the power of confining such delinquents'.² On the other hand, there appears to have been nobody with authority to try civil disputes of a private nature. Thus, while informing the 'Barkeepers and Trading People of Point Pedro' (on their petition against Lieutenant Hagster's illegal customs exactions and interference with revenue affairs) that 'every matter of dispute relating to concerns of Revenue must necessarily be referred to Mr. Andrews or me', Jarvis could only add, 'that every private dispute they were of course at liberty to refer to us that we might take such steps as are in our power to accommodate matters between parties at variance; but if they liked they could go to Lieutenant Hagster in those things'.³ In practice, such cases appear to have been referred to arbitration.⁴ This inconvenience lasted till 1798, for although Stuart was later empowered to arrange for the adjustment of civil disputes relating to private property, the refusal of the Dutch to officiate prevented his organizing the necessary courts.⁵

Ultimately, inter-departmental relations were defined by a General Order,⁶ which had since 1794 been applied in the Northern Circars. By this Order, which was promulgated on 25th April though received in March, the commandants of the districts were forbidden to interfere in any way with the civil government of the Country, except to assist with troops if and

1. C.O. 35, 1. Stuart to Eraser, 26th January, 1796. *Jaffna Diary*, 8th December, 1795. Lieut. Bagster to Lieut. Turner, 21st November,

2. *Madras Res. Proc.* 275, VIII, 513.

3. *Jaffna Diary*, 6th December, 1795.

4. *Ibid.* 7th December, 1795.

5. C.O. 35, 1. Jackson to Stuart, 28th April, 1796; and Stuart to Hobart, 26th June, 1796.

6. *Jaffna Diary*, 2nd May, 1796.

when requisitioned by the Collectors, Stuart added orders giving the control of the Police to the Collectors and authorizing them to adjudicate in all crimes and misdemeanours save the more heinous, which were to be referred directly to him. Thus, in the absence of ordinary civil courts, and as revenue disputes were expressly reserved to 'Mr. Andrews' own discretion and authority,' such judicial authority as existed was entirely in the hands of revenue officials. Indeed, the Revenue Department became, in effect, the sole instrument of civil administration.

In the circumstances, several of its measures proved doubly unfortunate. Hitherto, the European Governments in Ceylon had governed the country through the indigenous organs of administration which they had preserved subject to supervision by European officers at the centre. The powers which, under that system, the Mudaliyars of the *Mohattas*, or districts, had acquired by the concentration of both military and civil authority in their hands have already been noticed. Andrews grew apprehensive that the influence consequent on the extensive authority thus vested in the Mudaliyars might in its operation 'not only prevent his obtaining thorough acquaintance with the resources of the Country, but be the means of entirely undermining his own authority'.¹ Desiring to diminish that influence, he sought to assimilate the administration of his department with the system prevailing at Madras. The principal method employed was the introduction of Malabar (South Indian) officials from the Coast to replace the Ceylonese Mudaliyars and headmen.²

Stuart anticipated the risks of such a measure and requested that his forces should not be reduced until the change was fully appreciated and understood. 'The Mudaliyars and headmen', he warned, 'are likely to lose many advantages and to suffer in their consequence by the change: they may therefore be expected to make some struggle to oppose arrangements which will operate so powerfully against their individual interests, and they will most probably have sufficient influence to excite the inhabitants to revolt, while the latter remain ignorant that their advantage

will be promoted by the new system, although the Mudaliyars suffer. The aversion which the Cingalese must naturally feel to have the power transferred from the Heads of their own Cast to Malabars, who are entire strangers, and for whom they can, as yet, entertain no respect, will greatly assist the Mudaliyars in raising discontents, the bad effects of which may render the interference of Military force absolutely necessary, in which event the troops now here are not more than would be required to act with any degree of energy. I am the more induced to give this opinion from frequent communications I have had with Mr. Van Angolbeck on the subject'.³

Nevertheless, the change was made. The powers of the Mudaliyars and headmen were taken away by proclamation in August, 1796,⁴ and entrusted to *quelques individus de la suite du Collecteur Général, venus avec lui pour gouverner l'Isle*.⁵ These men, foreigners from the Coast, engrossed the lower rungs of the revenue service. At their head were the Amildars who displaced the Mudaliyars and were subordinate only to the Collectors in whose jurisdiction were the districts placed in their charge. Next after them came the Peshkars for executing orders respecting the revenue, the Sampradhis for keeping Tamil accounts, the Kotwals for keeping order in the bazaars, and the Maniagars, Rayasans, Kapskappillais, Gomashahs, Respadoors, etc. who attended to the details of daily collection.⁶ The nature of the subordinate revenue establishment may be gathered from the following tables:—

I
Revenue Servants at Colombo

	Pagodas	Panams	Cash
1 Amildar	100	—	—
1 Peshkar	30	—	—
1 Sampradhi	15	—	—

1. C.O. 37, 1. Stuart to Hobart, 5th June, 1796.
2. *Jaffre Diary*, 2nd September, 1796.
3. C.O. 416, 24. Barraud's *Requiem sur l'Etat ancien et moderne de l'Isle de Ceylon*.
4. Turner 93 ff.
5. Taken from C.O. 51, 2. Proc. 20th June, 1798.

1. *Madras Adm. Proc.*, 1772, N. 1159.
2. C.O. 35, 2. Proc. of 15th March, 1798, Hobart's Minute of 16th February.
3. *Idem*.

	Pagodas	Fannams	Cash
1 Samparadhi Assistant ..	10	—	—
1 Tamil Rāyasam ..	5	—	—
1 Sinhalese Rāyasam ..	10	—	—
1 Head Peon ..	4	—	—
1 Assistant Peon ..	2	—	—
10 Peons ..	10	—	—
12 Badge Peons ..	36	—	—
3 Hirrevahs ..	13	22	40
1 Translator ..	60	—	—
1 Interpreter ..	40	—	—
1 Cash Keeper ..	30	—	—
2 Cash Assistants ..	20	—	—
5 Shoofs ..	25	—	—
* 1 Kūrsāl ..	5	—	—
1 Kūrsāl Kanakkappillai ..	3	—	—
6 Peons ..	6	—	—
Pagodas ..	424	22	40

There were similar establishments, on a lower scale, at Jaffna, Galle and Mātara, Culpenty (Kulpitaya) and Pattalam, Mambār, Mullaipū, Trincomalee and Batticaloa.

II

Sea Customs Servants at Colombo

	Pagodas	Fannams	Cash
1 Maniagār ..	15	—	—
2 Hōzal Kanakkappillai ..	8	—	—
1 Assistant Kanakkappillai ..	9	—	—
8 Peons ..	10	—	—
5 Overseers ..	6	11	20
3 Maniagārs, 1 Kanakkappillai and 4 Peons at Negombo and Kalitara ..	11	—	—
Pagodas ..	59	11	20

There were like establishments at Jaffna with Munnār and Puttalam, Galle with Hambantota and Barberyā (Bēruvala), and Trincomalee and Batticaloa.

III

Office Servants at Colombo

	Pagodas	Fannams	Cash
1 Accountant and 1 Assistant Writer ..	80	—	—
2 Writers ..	50	—	—
2 Writers ..	40	—	—
2 Peons ..	6	—	—
1 Muntolay ..	7	22	40*
Pagodas ..	177	22	40

Similarly at Jaffna and Galle.

The total cost of the revenue establishment was:

	Pagodas	Fannams	Cash
Revenue Servants ..	1,148	2	20
Sea Customs Servants ..	111	12	60
Office Servants ..	285	17	40
Pagodas ..	1,546	7	40

If the salaries of the Collectors are added, the Revenue Department must have cost well over 2,000 pagodas per month, say £1,000.

The Amildārs, who took over the districts from the Munkhyārs, appear also to have exercised powers of a judicial nature, e.g., Jervis refers a revenue dispute to his Kachcheri servants who were to enquire into and report the results of the business, stating the punishment customarily indicted, which was to be carried out if he approved.¹ This union of investigatory with

1. *Jaffna Diary*, 7th December, 1795.

collectoral powers was the more dangerous as these foreign officials, ignorant of the customs, habits and prejudices of the Ceylonese, whose traditional administrative officials they had displaced, appear to have been guilty of 'acts of rapine and cruelty' intent on the advancement of their own fortunes. This 'swarm of Dubashes . . . seem to have considered the land given up to them to be devoured'.¹ Thus, Governor North wrote about 'the excesses committed by a set of profligate Malabar Servants of Revenue in the barah, unjust and impolitic introduction of a system of finance and judicature confessedly defective even where it has been long established and carried on by the natives of the country, but which became altogether insupportable when it was introduced in direct contrariety to the usages, laws and habits of the people, and executed by men unconnected with their fortunes, enemies to their religion, and having no interest but in oppressing and despoiling them'.²

Nor was this all. In the wake of the Malabar officials came a crowd of adventurers from the Coast, seeking their fortunes in the Island. 'La commode de détail', said Jacob Burnand, a distinguished Dutch official, 'a été envahi par une multitude d'étrangers de toutes nations et descriptions, qui ont si non entièrement enlevé cette ressource aux habitants, y ont fait un tort infini en augmentant la cherté. C'est à être au point que Mr. Jervis . . . comptoit déjà à la fin de 1796 un nombre de près 30,000 individus, passés de la cote de Chormandel à Ceylon, tous pour y chercher fortune . . . Si toute cette foule s'étoit habituée à Ceylon ce n'auroit été qu'un mal temporaire, mais tous s'en retournent chez eux aussitôt qu'ils ont ramassé quelques écus, et sont succédés par d'autres qui viennent avec le même dessein'.³ Many of these Tamil adventurers speculated in tax farming; and having purchased most of the rents, proved 'a set of wretches, whose speculations are plunder, whose interests are permanently foreign to those of the country, and whose rapacious dispositions are perpetually urged

forward by the precariousness of their tenure'. 'I am certain', declared Lord Minto, 'that no mode for destroying a country could have been devised, that was more likely to accomplish that end, with despatch and aggravation; and which was more completely calculated by the vexations with which it must inevitably be attended, to create amongst the natives and resident inhabitants the most rooted abhorrence of, and disgust to the British Government'.⁴

The widespread discontent was brought to a head by two injudicious revenue measures — the imposition of a tax on coconut trees, and the abolition of service tenures. Both measures are examined in detail in a subsequent chapter. Suffice it therefore to note that coconut lands had hitherto escaped direct taxation, and that, after consultation with Madras, Andrews imposed, as from 1st September, 1796, a tax of one silver fanam (about 2d.) on every coconut tree in plantations containing 50 or more trees.⁵ Included in the proclamation on the coconut tree was a notification that labour was to be paid for in future; in pursuance of which the system of personal service hitherto prevalent in Ceylon was abolished. Under that system, certain lands were held on tenure of service, and, in lieu of the customary tax on produce, their holders were bound to serve the State, unpaid and for a certain number of days in the year. That obligation was now abolished and service lands were subjected to a tax of half the produce instead.⁶

Both measures were unwise. On the one hand the dissatisfaction of the Mudaliyars and headmen was accentuated. They disliked the one measure as large coconut landowners, and the other as holders of *accommodations*, i.e., service lands granted in lieu of salaries to officials to be held free of tax during tenure of office. On the other hand, both measures were even more unpopular among the common people. Service lands were common in the Sinhalese districts, while the services owed by their holders were not particularly onerous and had largely fallen into desuetude; whereas the substituted tax on produce

1. C.O. 55, 2. Proc. of 15th March, 1798. Hobart's Minutes of 10th February.

2. *167th Diary*, July, 1796.

3. C.O. 55, 2. Proc. of 10th August, 1797.

1. Wellesley MS. 13, 386. North to Mornington, 27th October, 1798, encl. Cleghorn to Dundas, 28th September.

2. Valentia I, 316.

3. Wellesley MS. 13, 386. North to Mornington, 27th October, 1798.

4. C.O. 416, 24. Burnand's *Propositions sur l'Etat des Isles de Ceylon*.

was heavy and inevitably disliked. Also most Sinhalese must have had some direct interest in coconut land and naturally objected to an unprecedented tax which had the added disadvantage of being unequal in its incidence, often excessive, and onerous as having to be paid in cash.¹

Universal discontent produced open revolt. The attempt to collect the coconut tax provoked immediate opposition. Even from the Tamil Provinces, where the tree is scarce, Jervis reported, as early as 25th September, 1796, 'the particular opposition which has been given to my people who were employed to number the coconut trees, as well as the disposition the inhabitants in general manifest to oppose my collection of the tax'.² It was, however in the Sinhalese districts, to which the new measures applied with particular force, that opposition was strongest. In December, 1796, Andrews reported disturbances in the Kayigam Kōralē, near Colombo, where the inhabitants had refused to pay the new tax on resumed lands and seized the renter who had come to collect it. Andrews went down with some troops, rescued the renter, punished some of the tumultuaries and came away with the impression that the matter was settled.³

At this juncture Stuart departed as Commander-in-Chief to Bergal. His office was taken over, on 1st January, 1797, by Major-General Welbore Ellis Doyle who had arrived in the preceding December to succeed Stuart as Commander of the Forces in Ceylon.⁴ Doyle was faced with the full blast of revolt. Away in Batticaloa, there were several disturbances,⁵ and, in the Vanni, an Amildā 'was murdered in the Government House by the populace'.⁶ From Jaffna, Jervis reported in March the aversion of the inhabitants to pay the coconut tax, adding, 'I should, moreover, apprehend a very alarming opposition were

1. C.O. 55. 2. Proc. 16th August, 1797 and 15th March, 1798; De Meuron's Report.

3. *Jaffna Diary*.

4. *Madras Res. Proc.* 275, xv, 88 ff.

5. C.O. 55/1. Robert to Stuart, 26th November, 1796 and Proc. of 1st January, 1797.

6. *Madras Res. Proc.* 275, xviii, 1,819 ff.

7. Wellesley MS. 13,867. Note to Morning on 30th October, 1799.

I to exact the tax now'.¹ But the most alarming resistance occurred in the Kayigam, Siyanē, Hēvāgam, and Salpiṭi Kōralēs, bordering on the Kandyan Kingdom. In March, several disturbances occurred in the Hēvāgam and Salpiṭi Kōralēs, where the inhabitants objected to the tax on service lands. Doyle immediately sent down a guard to protect the renter, a South Indian. Two days later he was informed that the inhabitants had collected in great numbers, had armed themselves with different offensive weapons and surrounded the Sepoys and Renter at the Cutcherry.²

Robert Alexander 'proceeded to quell the riots' in the Hēvāgam Kōralē accompanied by 'an officer's guard' of 100 Sepoys under Lieutenant Young.³ In May, the Hēvāgam rioters were quickly dispersed, and their ring-leaders 'Mungah' Mahandiran, 'Sequior' Appuhāmi and Abraham Kargānā⁴ fled. Alexander looked into complaints and, considering the disturbances to be ended, withdrew with the troops. Thereupon, 'tumults broke out afresh'. The Salpiṭi Kōralē remained altogether unsubdued. A party of troops under Captain Forbes, whom Young had detached thither, was fired upon, on 23rd May, and eight or nine Sepoys were wounded.⁵ Doyle promptly sent Lieutenant MacGregor with one hundred Sepoys to tranquillize the district; and Andrews applied to Madras for permission to raise a revenue corps.⁶

In the meantime, many petitions had been made against the coconut tax, as an innovation, and complaints preferred against the revenue servants for having levied it in specified cases on lands containing less than fifty trees.⁷ Doyle became so convinced of the impolicy of the tax that he suspended its collection about 25th March; only to be reprimanded for suspending on his own authority a tax that had been imposed in direct consultation with Madras.⁸ Lord Hobart was convinced of the justice of a tax on coconut trees and held that the rate of one silver anna was low in view of the improved prices of coconut,

1. *Jaffna Diary*, 17th March, 1797.

2. *Madras Res. Proc.* 275, xix, 2,196 ff.

3. *Ibid.* 275, xxiii, 1,819 ff.

4. *Ibid.* 275, xix, 2,210 ff.

5. *Ibid.* 275, xix, 2,196 ff.

6. *Ibid.* 275, xxii, 1,230 ff.

7. *Ibid.* 1,251 ff. Turner 125.

producer so much so that he had refused to grant Andrews the discretion he desired to vary the rates in suitable circumstances.¹ Despite Doyle, and pursuant on a report made by Andrews on 4th April,² he adhered to his conviction and, on 29th April, ordered the collection of the tax to be resumed. Doyle could only obey orders, but expressly desired 'in that case . . . not to be held responsible for any consequences that may attend the present arrangements in the Revenue Department . . . I am still decidedly of opinion that that tax ought to be abolished. . . The inhabitants of all descriptions are at present discontented, several Corles (*kōrales*) in open revolt, and in many I fear no Revenue can be collected but at the point of the Bayonet's. His opinion was reinforced by a letter from Van Angelbeck.³

The *kōrales* remained unsubdued, and, in the Salpiṭi Kōralē MacGregor and Forbes were attacked, the latter having three of his Sepoys and four of their women wounded. In consequence, Lieutenant King was sent thither in July with one hundred more Sepoys. In the Hēvāgari Kōralē, Young was holding the rebels in check. But only with difficulty because they kept to the jungle. The rebels did not lack arms as they still had the remnants of those that had been issued to the Sinhalese levies for the defence of Colombo. Moreover, suspicions arose that the Kandians were meddling in the rebellion. As a last resort, the harsh measure was taken of ordering the seizure of the families of the Salpiṭi rebels, and the seizure and destruction of their houses and lands. These orders appear to have been followed on several occasions. Similar threats were made to intimidate other *kōrales*.⁴

Meanwhile, 'a more enlarged and distinct of view', of the coconut tax had led Lord Hobart 'to form an opinion in favour of its abolition'.⁵ Indeed he had realized the necessity of obtaining more precise and accurate information about Ceylon. He therefore appointed on 9th June, 1797, a 'Committee for investigating the state of the Revenue, and other important matters

on the Island of Ceylon'. Its President was Brigadier-General de Meuron, and its members Robert Andrews and Major Agnew. Their instructions were embodied in Hobart's Minute of 9th June, 1797. There, the abolition of the coconut tax was ordered and a substitution of export duties on coconut produce recommended at rates to be subsequently determined. Subject to the principle that objects chosen for taxation should be those 'least likely to be vexatious in their operation', the Committee's attention was drawn to several possible sources of revenue. The necessity for some judicial organisation was stressed, as also the regulation of supplies for the garrison. Above all, although the farming system 'cannot be dispensed with . . . if it be true that the farms now rented are most of them held by Malabars, who, since our possession of the Dutch Settlements, have gone from the Coast for that purpose . . . the Committee was instructed that 'the most positive injunctions should be given to the Superintendent, after the expiration of the present year, on no consideration whatsoever, to suffer one of those Malabars to hold any farm under the Government . . . the system is so radically bad that it cannot be sufficiently reprobated . . . At all events if the Revenues are to be farmed, the farms should be separated as much as possible and for distinct objects. The farm for the whole Revenue of every description in any particular district should, on no account, be allowed'. However, the Committee had no direct administrative power, for 'the power, which is now vested in you, is not to affect the authority of the Superintendent over the current Revenue or the inhabitants; and whatever measures it may be necessary for you to take in these respects must be executed by him individually'.

Hardly had this Committee begun its deliberations when its President succeeded to the Military Governorship of Ceylon. Madras received on 11th July news of the death of General Doyle on the 2nd of that month,⁶ and at once determined to take advantage of de Meuron's nomination to the Committee to invest him 'with the command of the troops and with the general control of all the Company's affairs in the Island, until a more permanent arrangement can be made'.⁷ Meanwhile, Colonel Bonneville,

1. *Madras Rev. Proc.* 175, 211, 3364 and 3367.

2. C.O. 55, 2. *Proc.* of 4th August, 1797. Hobart's Minute of 9th June.

3. *Madras Rev. Proc.* 272, 277, 1,456 ff.

4. *Ibid.* 275, 277, 2,343 ff.

5. *Ibid.* 2,404 ff.

6. C.O. 55, 2. *Proc.* of 9th August, 1797. Hobart's Minute of 9th June.

7. *Madras Rev. & Pol. Proc.* 253, 1797, 1,229.

8. *Ibid.* 1,228.

commandant at Galle, had assumed the command in Ceylon, only to die of an accident at Colombo on 12th July.¹ General de Meuron, who had reached Colombo on 31st July, received information of his new appointment on 6th August and immediately took up office. Lieutenant-Colonel George Dalrymple appears to have acted as Commander of Forces in the interval.

De Meuron's first action was to publish a proclamation, dated 15th August, calling on the rioters to plead their grievances before him, and to that end offering them five days' grace from attack.² He also asked Andrews to check the oppressive action of the Renters who were found to be laying several unauthorised duties. Two days later, de Meuron conferred with Andrews and Agnew who made no objection to recalling the detachments in the revolted *kōrales* and apprehending the Renter to answer for his conduct.³ The advertisement announcing the former decision ordered the inhabitants to return to their homes within eight days. At the same time, a small Malay Revenue Corps was raised. Also, pursuant on Hobart's Minute of 9th June, Andrews had suspended the coconut tax, probably at the beginning of August.⁴

In taking these conciliatory measures, de Meuron was impelled by anxiety to quell the rebellion before Kandy interfered. In that object he failed. The rebels refused to obey his proclamations ordering their return to their homes; neither would they appear before him; but they submitted their grievances in two *shes* signed by eighty-three inhabitants of the Salpiti and fifty-three inhabitants of the Hēvāgam Kōralē.⁵ The rebels complained that when the British first came they had been able to submit their grievances to Government through their own headmen; but that, since the appointment of 'Malabar Mudaliyārs', they could not get their complaints against the Renter heard. The Renter, 'being vested with authority over us', had combined with the Amildār to frighten and compel them into complying with the demand for half the produce of

1. *Madrās M.S. & Pal. Proc.* 253, lxxxv, 4,340 and 253, 1,451. Turner 100.

2. *Ibid.* 254, 11, 4,931 ff.

3. *Ibid.* 254, 117, 5,365 ff.

4. C.O. 55, 2. *Proc.* of 2nd September, 1797.

5. *Madrās M.S. & Pal. Proc.* 254, 11, 5,237 ff. and 111, 5,365.

service lands. Their complaints to the Government and the Commandant had never reached the authorities as their petitions had been intercepted. Then, an Amildār, accompanied by a Renter and several Moors had come to Hādīgama and 'used us ill'. Thereupon the inhabitants had begun to assemble. Thrice they had been told to appear for redress; they had done so, but their complaints had been altered in the interpreting and no redress had therefore been obtained. Then 'an English chief' (Robert Alexander) had come down, 'pretended' to hear complaints, and incarcerated thirty-five people away in Colombo at the instigation of the Malabars and the Moors. Further, the troops had, on their direction attacked, plundered and destroyed Halythiya, killing the inhabitants; also Vāvāla, where after the Renter had first seized and removed all movable property on which he could lay his hands, the detachment had set fire to the rest as well as to 102 houses.

De Meuron refused to act on these petitions till the rebels returned to their houses. The rebels conferred towards the end of August, and the Hēvāgam section showed a disposition to cease rebellion. Their opposition was overcome by the Salpiti ring-leader, 'Signo Apoe' (Siñño Appu); and the rebels began to erect works in both *kōrales*. Also, Siñño Appu entered the Siyanē Kōralē to raise its inhabitants, but was quickly driven back by Young.¹ Captain Kenny was in charge of operations in the Hēvāgam Kōralē. Several skirmishes occurred in the succeeding months. There was no proper fighting, and the rebels were gradually driven back. Unfortunately, the Kandyans took an increasingly active hand. Their agents encouraged and supplied the rebels, and ultimately, Siñño Appu was openly received at Kandy, appointed *Deśāvā* of the Nine Kōralēs (i.e., the Colombo *deśāvā*) and ordered to tranquillize and govern it in the name of the King of Kandy.² The rebels were however, on the defensive: several of their leaders were captured and hanged; and, in the middle of December, Siñño Appu himself was nearly captured.³ After a remarkable escape, he fled to Kandy, and de Meuron reported that the country was tranquillized. However, Siñño Appu returned at some period early

1. *Madrās M.S. & Pal. Proc.* 254, 111, 5,367 ff.

2. *Ibid.* 254, xv, 67. 3. *Ibid.* 96 ff.

in 1798 and tried to raise the Rayigam Kōndē.¹ Major Kenny promptly drove him back into Kandyan territory. By the beginning of March the country was completely tranquillized.

That tranquillity was by no means the result solely of military operations. It must largely be accounted to measures recommended by the Committee of Investigation.* The Committee began its sittings on 4th August, 1797, at Colombo, with P. Dornieux as its clerical secretary. Realizing that the situation 'called for the immediate action of the Committee', it set to considering at once 'how far measures might now be adopted to palliate the Evils, which it is hereafter intended to remedy'. De Meuron suggested as the means most likely to prevent the spread, and effect the suppression, of the rebellion, 'the establishment in each Corle of a judicial authority, in lieu of that now exercised by the farmers of the Revenue; the alleged abuse which forms a very prominent feature of all the complaints which have at various times been preferred from the Districts . . .'

Adopting their President's view, the Committee recommended three allied measures as early as 16th August. (1) 'In each Corle, a native magistrate assisted by a certain establishment of subordinate officers shall be appointed to take cognizance of and determine in the first instance all disputes and civil causes, which may arise between the native inhabitants of the District, or between them and the farmer of the Revenue. The latter to be decided when possible by reference to the *Tsunbo* (land-register) on the one hand, and the terms of the *Canals* (renter's agreement) on the other; adverting in all cases to the long established usage of the country, where such usage is not contrary to more recent orders and regulations of Government'. (2) 'In attention to the ancient customs of Ceylon which the inhabitants understand and respect, the chief magistrate of each Corle to be called the *Moodeliar*, and with the *Muhandirams* and *Ayrtchies* (his subordinate officers) be selected from the *Vellales*, or superior caste of the Sinhalese, exclusively'. (3) 'That the *Moodeliars* be the channel of communication for all *sansas* or other orders from Government to the districts, excepting such

as are on the subject of Revenue; that each be held responsible for the Police and good regulation of the District in which he resides (for which purpose a small establishment of *Leascoryns* or *Peons* should be maintained in each Corle) and that each description of Persons employed be paid a fixed monthly salary by Government, in lieu of the Revenue exemptions formerly attached by the Dutch Government to the offices the re-establishment of which is now proposed.

The measures were to be introduced at the commencement of the approaching Revenue year, from which period, the farmer of the Revenue shall, as such, have no Power but that of superintending the cultivation of the lands, and receiving that share of their produce and of such other objects of Revenue, as they may be justly entitled to demand by the specific terms of their leases'. The separation of the *Mudaliyars'* duties from those of Renter was to be aimed at, though it was not immediately attainable as several had bid for the farms who would be proper to be appointed as *Mudaliyars*. Once the proposed system was established, the farms could be sold indiscriminately without producing the tumults which were now 'the consequence of *Moores* and *Chitties* (*Chetties*) holding a degree of authority as farmers of the Revenue, to which, in their hands, the pride and prejudices of the native Cingalese cannot, and will not, submit without resistance'. Further, the Committee adumbrated the necessity for removing the bad impression created by the resumption of service lands, and suggested that the substituted tax should be reduced and service tenures revived in a modified form.

The Committee admitted the necessity of more prior investigation, but expediency stood in the way. 'There is not at present on this Island force to compel obedience to regulations considered by the natives as oppressive; nor do we conceive any suitable addition to our strength can be spared from the Coast'.

The Committee's proposals were approved by Sub-Secretary Palcumar's letter of 8th September; and the following establishment was proposed on the 20th:—

1. *Maddes MS. G. 66. Proc.* 254, 270, 2702 ff.
2. Its proceedings are in C.O. 55, 2, also in Wellesley MS. 13, 269.
3. C.O. 55, 2. *Proc.* of 16th August, 1797.

I
Disáva of Colombo

	<i>Rix-Dollars</i>	<i>Rix-Dollars</i>
1 Mahamudaliyár, General's Gate	@ 20	20
2 Muhandirams, General's Gate	@ 12	24
12 Mudaliyáns in the Kōralés	@ 12	144
11 Muhandiráms in the Kōralés	@ 8	88
3 Áratichies in the Kōralés	@ 6	18
7 Kōralás in the Kōralés	@ 8	56
1 Mohottár, General's Gate	@ 12	12
3 Maha Vidánés	@ 8	24
23 Vidánés	@ 6	138
3 Paṭṭankattis	@ 6	18
1 Áratichí Writer	—	—
180 Lascariás	@ 3	540
Monthly Pay		1,082

II
Galle and Disáva of Mátara

	<i>Rix-Dollars</i>	<i>Rix-Dollars</i>
10 Mudaliyáns	@ 12	120
10 Muhandirams	@ 8	80
2 Áratichies	@ 6	12
3 Kōralás	@ 8	24
1 Áratichí Writer	—	—
20 Vidánés	@ 6	120
186 Lascariás	@ 3	558
Monthly Pay		974

Of these, 1 Mudaliyár, 2 Áratichies and 12 Lascariás, were of the Commandant's Gate of Galle, and were stationed at Mátara.

The restoration of the Mudaliyáns occasioned the first disagreement in the Committee. Andrews raised the question 'whether their nomination was vested in the Commander-in-Chief of the Forces, or the Superintendent of Revenue, and whether or not all public orders . . . to them should pass in the name of the Superintendent'. De Meuron held that these appointments, 'belonging to the Police in the Colonies', should be permanent, and therefore that they should rest in the representative of Government in the Island, and that orders should be in his name. Andrews opposed the proposal as being 'mean to deprive me of the authority which . . . I conceive I now hold'. He had only agreed to the restoration of the Mudaliyáns 'under an impression that they possessed a secret influence over the minds of the Rioters'; and he saw no advantage from the measure unless they became 'Rulers of Districts where they are influential'. Indeed, his power would be undermined, and dissensions created, as a result of their proposed judicial powers and independence of the Resident and Superintendent.¹

Agnew dissented from Andrews in a valuable Minute. The restoration of the Mudaliyáns 'was by no means limited to the temporary advantage expected to be derived from their personal influence, in putting a stop to existing disturbances.' Guided by the more extended principle of providing a permanent barrier for the inhabitants against the oppression of the Farmers of the Revenue, and securing to them the means of obtaining general justice, by the nomination of magistrates independent of the Revenue office, I was decidedly of opinion that the measure recommended was proper and ought to be adopted; and I considered those instances where the Mudaliyáns were for the current year, likely to become Farmers of the Revenue also, as deviations which existing circumstances alone could warrant, from the system it was my wish to see established'. The present Rebellion had three chief causes. (1) 'The Union of the Powers of Renter and Magistrate in the Colonies', facilitating oppression. (2) 'The aversion expressed by all classes of the Cingalese inhabitants to the authority officially vested in Malabars from the Coast, and other Persons of Casts which they consider as much inferior to their own'. (3) 'The loose mode in which the Propri-

1. C.O. 55, 2. Proc. of 20th September, 1797.

tion payable to Government from the produce of lands formerly held under a species of feudal Tenure, on the condition of personal service, has been defined'. The separation of offices would remove the first cause; the limitation of Mudaliyars to *Vellakka* tended to remove the second; and the latter's knowledge of indigenous rights and customs seemed to promise the surest remedy for the third. The measures would be abortive if orders were to go through the *Karicheeri* (where the principal effective servants are Malabars). They ought to be in the name of 'the Person vested with the chief civil authority in Ceylon, be he whom he may'. It was another matter that the President of the Committee happened also to hold both that and the chief military power.

The discussion was forwarded on 23rd September for decision to Madras. Also, a new proposal was added. 'To give full effect to the proposed system of internal justice it will be proper to establish a Tribunal for appeals in cases where the decision of the Native magistrate is objected to by the Parties in the cause. Under existing circumstances perhaps it might be advisable to vest the Power of decision in such cases jointly in the Person holding the Chief Civil authority, the Superintendent of the Revenue, and the Commercial Resident, or in a Special Commission to be formed from the Principal Inhabitants in the nature of a Jury, as occasion might require, and to be appointed with such powers as Your Lordship might direct'. Hobart accepted the majority opinion as to appointments, and as the separation of judicial and Revenue authority 'has long been a desideratum on the Coast, and has been urgently and frequently pressed . . . by the Court of Directors', gladly accepted its application to Ceylon. On the same principle, appeals from the tribunals constituted by the Chief Civil authority should not lie to the subordinate power; therefore appeals from the *Kōralē* Courts were to be made 'to the Chief Civil Officer on the Island'. The Committee thereupon requested de Meuron, as Commandant in Ceylon, to carry the approved recommendations 'into immediate effect'.¹

Meanwhile, the Committee had, on 2nd September, recommended the 'immediate abolition' of the coconut tax, as its

1. C.O. 55, 2. Proc. of 1st November, 1797.

suspension by Andrews in accordance with Hobart's Minute of 9th June 'had not much affected the disturbances'. Hobart accepted the proposal on the 16th, and ordered Andrews to abolish the tax. Further, Hobart had directed 'all proposals for the farms . . . of land rents' to be laid before the Committee which was now authorized 'to make the arrangements most desirable about them'. The Committee adopted the principle of combining the good character of the proposer with the amount of the offer; and divided the farms, so as to prevent risk of loss to the Revenue by the failure of one renter holding big rents, and in order to reduce the power of the renters by dividing their authority.* The Revenue farms of 1797-98 were all priorly approved by the Committee.

While initiating measures for tranquilizing the country, the Committee had not forgotten the chief object of its institution - collecting precise information and making recommendations regarding possible sources of revenue, and the system of their administration. For a decided opinion on that subject, research into Dutch records was necessary. The task was undertaken by de Meuron, who knew the language and was conversant with the customs of former Governments. The outline of his 'Memoir', supplemented by information from former Dutch employes, was placed before the Committee early in 1798; and, on that basis, the Committee recommended several taxes on 6th February. As they are considered in detail elsewhere, only the central recommendation need here be noted. This was the relinquishment of the Committee's earlier suggestion of a modified tax on resumed service lands, and the proposal to reinstitute personal services and service tenures on their ancient footing. In recommending the revenue system now proposed, the Committee paid regard to the nature of the Island's products, the situation of Kandy, and the prejudices of the people. 'The more our system approximates to that heretofore in force (always supposing the abuses of its administration corrected) the better it will apply to this Island', said the Committee, for 'many of those customs and laws which to a stranger may appear inequitable and oppressive,

1. C.O. 55, 2. Proc. of 6th September, 1797.

2. *Ibid.* Proc. of 12th September, 1797.

are in reality gratifying to the people and necessary to the welfare and security of the state'.

The Madras decisions regarding these proposals were delayed because the papers were forwarded to Bengal for the consideration of the new Governor-General, Lord Mordaunt, 'who may be bringing new orders . . . from the Court of Directors'.¹ However, there was no doubt of their ultimate adoption. Lord Hobart had visited Ceylon during December, 1797, and January, 1798, and, no doubt from his consultations with officers on the spot, gone away convinced that Ceylonese 'disaffection was due to the premature and impolitic alteration of the ancient Revenue system'. Prior to the receipt of the Committee's letter of 6th February, he had submitted a Minute on the Political Department, dated 16th February, 1798, wherein he had almost literally anticipated the Committee's recommendations.² It is not therefore strange that, on 16th May, the Madras Council confirmed every proposal of the Committee, authorized their immediate promulgation, and ordered the immediate removal of the Coast revenue officials.³ But this could not be done till the commencement of the next revenue year, in September; and as a new Governor, the Honourable Frederic North, had been appointed in England and had already arrived at Bombay on 4th June, the Committee was ordered to postpone all measures regarding revenue till his arrival and decisions. Only two important measures were taken prior to the receipt of these orders on 12th July. By a Proclamation of 3rd July, notice was given that service tenures would be revived and Mudaliyars restored as from 1st September.

Thus far the Committee had partly acted executively. Henceforward it became purely advisory and investigatory, for the new Governor gave a 'decided negative' to the inquiry whether it was 'to continue to regulate matters of this (i.e., Revenue) nature', in accordance with the powers it had hitherto exercised.⁴ The Committee held only three more meetings. On 3rd November was tabled the 'Minute of Brigadier-General de Meuron

Communicating the Result of his Examination of the Dutch Books with General Explanations and Opinions on Subjects of Revenue, etc. of Ceylon'. This document, generally known as de Meuron's Report, contains a vast mass of detailed and valuable information on every subject relating to the revenue, administration, government, agriculture, industry, trade, finance, etc. of Dutch Ceylon. That information is utilised in the appropriate chapters of this work, and is too lengthy to summarize here. The report is interspersed with recommendations as to revenue measures, and contains frequent comments on the history of the immediately preceding years. For instance, after describing the ancient administrative organisation, de Meuron remarks - 'Mildness and persuasion, it appears, were not the distinguishing features of our change of system; and our force was inadequate to compel obedience'.

Five recommendations are made at the end of the Report. (1) Restoration of service lands. (2) Re-establishment of so much of the ancient system as was connected with the interior management of lands by the revival of the department of the Desava or of the Atapetta, and the employment in it only of natives or Europeans. (3) The public sale of farms to the highest bidders of fair character, etc. on conditions previously published for general information - the system of sealed proposals being condemned. (4) Revival of the *Landroads*, i.e., Dutch land courts. (5) Slavery being too delicate a subject to touch while the possession of the Island was uncertain, arrangements for gradual abolition after Peace and the establishment of a Register to secure proprietors of slaves their property, subject to a certain tax, were recommended.

On 10th November, the other members of the Committee added their final Minutes. Robert Alexander, who had taken Andrews' place in May, agreed to the re-establishment of the Dutch system, but opposed the revival of a Capitation Tax and urged the necessity of some form of direct taxation on coconut trees. Agnew too endorsed de Meuron's proposals, and disagreed with additional taxes. Also, he pointed out the need for an accurate register of service tenures, the necessity of accurately and precisely defining the functions of the Mudaliyars, and the desirability of appointing 'Sworn Surveyors' to help in determi-

1. Cal. 55, 2. Proc. of 15th March, 1798.

2. *Ibid.*

3. *Ibid.* Proc. of 31st May, 1798.

4. *Ibid.* Proc. of 3rd November, 1798.

ing property claims. Further, he criticised in detail the Kandyan treaties and outlined the terms which ought to be aimed at. Lastly, he estimated that the permanent garrison of Ceylon ought at least to be 2,000 European Infantry, 4 Companies of Artillery with the usual proportion of Lascars, and 4,000 native infantry. Paid on the peace scale in India, such a garrison would cost £160,000 per annum, besides £20,000 for stores and extraordinaries.

On 12th November, 1798, the Committee of Investigation ended its deliberations. Alexander withdrew his suggestion for a coconut tax, so that the Committee's recommendations as presented to Lord Olive, Governor of Madras, were unanimous except on the Capitation Taxes. For many years, their proceedings constituted the basis of all measures promulgated in Ceylon; a fact which, coupled with Governor North's praises and acceptance of their recommendations, bears eloquent testimony to the valuable work of 'a committee constituted . . . of members whose other functions demanded their attention, and seldom permitted any of them to be absent from the Principal station of the Island'.

Prior to the conclusion of the work of the Committee of Investigation, the authority of the Madras Governor and Council over the Maritime Provinces had been abolished. From the very outset, Dundas appears to have desired to retain Ceylon under Crown control,¹ but, while its destiny at a peace remained completely uncertain, the expedient of entrusting it to the East India Company, to whom it had been ceded and within the limits of whose exclusive trade it lay, was natural. Indeed, Dundas was believed to have 'given a promise, that in case the Island should be preserved at the peace, the Crown would resign it to the Company'.² When, however, with the failure of the Lille negotiations, the idea of permanent retention took definite shape, 'too favourable an idea of the resources of that Island . . . made Him resolve on keeping it entirely in the King's Hands . . . and, as it was thought impossible to treat about a possession already ceded to the Company, he at length determined to retain the Government and the Sovereignty for the Crown, but to give up

1. Turner 88.

2. Wellesley MS. 13,866. North to Mornington, 5th June, 1798.

to the Company the administration and disposal of the Revenues; instructing at the same time the future Governor to consider himself as under the direction of the Governor-General (of Bengal)'.³ By this peculiar compromise, Dundas hoped 'to avoid as much as possible the inconvenience of giving up the Island at present to the Company, and the very great one of rendering it entirely independent of the Company's Government'.

Conformably to these decisions, the appointment by the Crown of a Civil Governor to the Maritime Provinces was determined in November, 1797. The Honourable Frederic North, third son of the second Earl of Guilford, and previously Chief Secretary of Corsica, was chosen for the post. He left England on 1st February, 1798, and arrived at Bombay on 3th June, but as his Commission and Instructions did not reach him till September, he could not leave for Ceylon till 1st October. He landed at Colombo on the 12th, and took his oaths before his military predecessor, Brigadier-General Pierre Frederic de Meuron.

By his Commission,⁴ dated 26th March, 1798, North was appointed Governor and Commander-in-Chief; but as it had been decided to place Ceylon 'as far as circumstances will permit under the direction of the . . . Company and especially that all commercial intercourse therewith should be under the control of the said Company', he was directed by the accompanying Instructions that 'you should correspond with the Court of Directors of the said Company and with our Secretary of State through the medium of the said Court . . . and that you should obey such orders as you may . . . receive from the said Court . . . or from the Secret Committee of the said Court . . . or from the Governor-General of Fort William in India in Council, in the same manner as the Governments of Fort St. George and Bombay . . . and especially subject to the powers of superintendance and control vested in the Governor-General in Council over the other Presidencies or Governments in India'. Nevertheless, 'all the powers of Government civil and military are vested solely in you' and, 'all Public Acts' are to be done in your name'. But the Revenues were 'placed under the direction of the . . . Company . . . with power to make such alterations therein . . . as they think fit, in

1. Wellesley MS. 13,816. North to Mornington, 5th June, 1798.

2. The Commission and Instructions are in C.O. 25, 61. Appendix.

the same manner as the Revenues of the several Governments in India are disposed of and subject to the same control'. Thus, with respect to the Revenue, North was 'precisely in the situation of the Presidents of Madras and Bombay, but without a Council;' in other respects, his position was somewhat 'undecided'. 'I trust', he wrote to the Governor-General, 'the anomalous nature of my situation will not occasion any inconvenience to either of us'.¹

Although North was also Commander-in-Chief, it was in a sense only titular. The Governor being a civil officer, the real military control was exercised by the Commander of the Forces, who was *ex-officio* also Lieutenant-Governor and acted as such in the absence of the Governor. At North's arrival, the Commander was Brigadier-General de Meuron. He left Ceylon at the end of 1796, and was succeeded by Colonel Josias Champagné, hitherto Commandant of Trincomalee. Champagné, was succeeded in the middle of 1799 by Major-General Hay MacDowall. Trincomalee, we may note, was placed on a special footing, being considered 'only as a military post for the General Defence of India'.² Its administration, both civil and financial, as well as military, was entrusted to the Commandant of the forces, in order to prevent 'the inconvenience of divided civil and military authority which I have strongly felt since my arrival'. North found himself in an uneasy position regarding military matters. He complained at the very outset that his powers were clashing 'at every point' with those of the Commander in Chief in India owing to the indefiniteness of his own instructions.³ Fortunately, his good relations with Champagné and MacDowall obviated possible difficulties. To aid him in military matters, North set up a Military Board on 23rd March, 1799,⁴ consisting of the Commander of the Forces, President; the Commandant of Colombo, Vice-President; the Military Auditor-General, the Deputy Adjutant-General, the Deputy Quarter-Master-General, the Senior Officer of Artillery and the Senior Officer of Engineers, members; and a Secretary. This Board lasted throughout his Governorship.

1. Wellesley MS. 13,866. North to Mordaunt 5th June, 1798.

2. C.O. 54. 1. North to Court of Directors, 26th February, 1799.

3. *Ibid.*

4. *Ibid.* 240.

Simultaneously with the appointment of Governor North, a Principal Secretary was also appointed. A salary of £3,000 was attached to the post, the first holder of which was Hugh Clegburn whose services in connection with the Occupation have already been noted. The appointment was always made from England. The Principal Secretary was the channel of all Government business, and all public acts were issued 'signed by the Chief Secretary to the Government by the authority of the Governor'. There was also a Deputy Secretary who, as it happened, did most of the Chief Secretary's work. The office has existed during the Madras Administration, being held from the days of Stuart's military governorship by John MacDowall.¹ He was continued in that office by North.

There were also set up an Auditor-General's Department and an Accountant-General's Department. The posts of Civil Auditor and Accountant-General were held by one officer—Cecil Smith, who had been sent by the Madras Government to organize 'the two most laborious and disagreeable offices under Government'.² The salary attached to the combined post was £1,600.

Two other departments—both established during the Madras regime—may be noted. The first was the Cinnamon Department, with the Commercial Resident, Joseph Greenhill, at the head. As its organisation is examined in another chapter, it is sufficient to note that the post of Commercial Resident was later abolished, and the control of the Cinnamon Department vested in a Superintendent of the Cinnamon plantations—the first being Joseph Joinville, a very 'learned naturalist' who had come out with North. The other department inherited from Madras was that of the Master Attendant. This department had grown up haphazard, and at North's arrival there were three Master Attendants—James Dent at Colombo, William Carmichael Gibson at Galle and Thomas Marshall at Trincomalee. The Madras Government had allowed them a port establishment of boats in September, 1797,³ and paid each a salary of thirty pagodas a month. As the appointments were held on different agreements, entered into 'at different Times . . . in the confusion

1. C.O. 55. 1. Stuart to Hobart, 1st April, 1796.

2. C.O. 54. 1. North to Court of Directors, 26th February, 1799.

3. C.O. 55. 2. Proceedings of 8th October and 1st November, 1797.

of a recent Conquest' North tried to give the department 'some Degree of Analogy and Regularity'. He also appointed a Master Attendant for Jaina and Manar.¹

But the chief sphere of North's administrative reforms was the Revenue Department in which power had so fatefully been concentrated. Having 'no hesitation', within a few days of his arrival, of expressing his 'perfect and unqualified agreement' with the criticisms and recommendations of the de Meuron Committee, North decided to revert to a system as closely in accord with that which prevailed under the Dutch as circumstances and good policy permitted. The Committee's 'masterly labours . . . have considerably diminished difficulties', he said 'and little is left to do except to put into execution their recommendations for the Revenue, and to establish such Courts of Justice as may restore to this justly discontented people, the laws, the usages, the security and the comforts of which they have for these last three years been with equal cruelty and impolicy deprived'. As, however, the reform of a 'vicious defective system . . . which lodges all judicial authority in the hands of the Collector of the Revenue' was impossible 'without at the same time a total change of the Civil and Criminal Jurisprudence', the fundamental reform was that of separating the collectorial and judicial functions for a new judicial establishment modelled on Dutch lines.²

North's first step was to abolish the office of Resident and Superintendent of Revenue, which, as every department of the state now vested in the Governor, he conceived to be 'useless'.³ Accordingly, Andrews was informed on 28th October, 1798, of the Governor's intention to abolish his office and to divide the country into four separate Collectorships 'independent of each other' - the collectors to be instructed to correspond with Government through the Principal Secretary.⁴ As regards Andrew's other office of 'Fixed Ambassador to Kandy', North considered the idea 'ridiculous, particularly when the Ambassador resides at Colombo or Madras with an income of 400 Pagodas per month. Embassies to that Court must take place only on particular

1. Turner 133 B.

2. C.O. 34, 1. North to Court of Directors, 26th October, 1798.

3. Wellesley MS. 11,866. North to Mordaunt, 27th October, 1798.

4. B. 23. Cleghorn to Andrews, 28th October, 1798.

occasions, and must be executed with some regard to the existing circumstances'.¹ Andrews resigned his office on 4th December, and the Revenue Superintendent's office was abolished from that day.² The post of Ambassador remained in abeyance till July, 1799, when it was revived in Cleghorn's favour. Cleghorn resigned from the post almost immediately after, and General MacDowall was given it in August.³ After the latter's Kandyan Embassy, the office lapsed.

The revenue administration was now carried out through the Collectors - the former Assistants of the Superintendent. At North's arrival there were three - Barbut at Jaffna, appointed on 20th January, 1798, after Jervis's death on the 1st; Alexander in charge of the Colombo, Galle and Matara districts, and Garrow managing Batticaloa and Mullaitivu. North created Colombo into a separate Collectorship under John MacDowall who was also Deputy Secretary. The several *kōralās* of each Collectorial district were administered through the restored Mudaliyārs: their authority being defined in order to circumscribe the exercise of arbitrary power. Subordinate to the Mudaliyārs were the usual headmen. The *Kōralā* Mudaliyārs reported to the *Atapattu* Mudaliyār 'who attended on the Collector' at his *Kachchēri*, or to the *Mahamudaliyār* of the Governor's Gate who was 'in constant attendance' on the Governor at Colombo.⁴ The latter officer was generally called the *ūst* *Mahamudaliyār*; the first occupant of the post under the British being Johannes de Saran. There were besides, three more Sinhalese and two Tamil *Mahamudaliyārs*. Each caste also had its own headmen. Sinhalese officialdom was now paid by *accommodations*, which North restored, but these were abolished soon after, and salaries substituted.

It is to be noted that this terminology, applied mainly to the Sinhalese districts. In the Tamil Provinces too there were some *Mudaliyārs*, but the subordinate headmen were denominated differently, e.g., *Mamigārs*. Further, in the interior Tamil

1. Wellesley MS. 11,866. North to Mordaunt, 27th October, 1798.

2. B. 23. Andrews to North, 4th December, 1798.

3. Wellesley MS. 11,867. North to Mordaunt, 7th August, 1799.

4. C.O. 34, 1. North to Court of Directors, 26th February, 1799; B. 23 under date 3rd January and 20th February, 1799.

districts such as the Vanni, the counterparts of the Mudaliyars were the Vanniyaars. The duty of a Vanniya is exactly the same as that of a Mudaliar of a Corle, on the opposite side of the Island, i.e., he is the person that carries the orders of Government into execution in the district to which he belongs - who collects coolies or cattle or anything else that may be required for the public service - and has the privilege of deciding all petty disputes between the inhabitants. Before the *scotomodessew* were abolished, the perquisites of a Vanniya were very great as they had the privilege of levying a duty of 2 per cent. on all articles of Trade imported into their districts, and the inhabitants were obliged to cultivate their grounds, graze, and the Fishermen to supply them with whatever quantity of fish they might require for the private consumption of their families; but those privileges are now done away, by the orders of Government, and they receive in lieu of it, a fixed salary of 37 six-dollars per mensem.¹

These administrative reforms were not carried out without considerable friction. North's instructions were to recruit the Civil Service from Madras. Within a fortnight of his arrival, he apprehended difficulties from that obligation because of 'that spirit of click and party . . . the height of which in this country . . . renders it advisable to mix as much as possible in the same service and in the same place persons whose habits, connections and future expectations are different'.² Ere a year had elapsed he was faced with civilian faction. The first signs were manifested in a semi-military connection. About June, 1798, Dr. Ewart was appointed Physician General to the King's Forces in Ceylon, with a salary of 2,800 six-dollars per mensem.³ The appointment was made directly by the Company, and North at once realized the difficulties that could arise from that fact. Ewart took over from 'Head Surgeon' Briggs, and in May, 1799, wrote direct to Lord Mornington that the health of the troops was being endangered by too free consumption of liquor which was stimulated by 'its being customary for officers holding certain situations . . . to draw a profit from the Arrack and Toddy, sold

in Garrisons and cantonments, proportionate to the quantity consumed by the Troops'. He therefore suggested restrictive measures. North protested against this procedure of direct reference to India, especially as an implied criticism of his own measures was conveyed. He had himself, in consultation with de Meuron and Champagne taken steps at least three months earlier. 'These Regulations were the granting a liberal allowance to the Commandants, and Staff officers of Forts and Garrisons, obliging them to declare that they would neither receive nor allow to be received by any person in their family any present, gratification, or accustomed due, so as to take from them the advantages they were suspected of deriving from the sale of spirituous liquors; the allowing the Arrack Renter only one shop in each of the Towns where there is a garrison; the subjecting that shop completely to the commandant, and empowering the Town Major to destroy all such adulterated and unwholesome liquor as he might find there, and to bring the vendor to punishment; the raising the retail price of it to, I think, 25 taams per gallon'. More stringent measures would have created smuggling and the consumption of adulterated Toddy, 'a more dangerous beverage'.⁴ North also abolished, with compensation, the privilege of the officers to buy in the bazaars at lower prices - the officers' *dubasées* had abused the privilege.⁵

The Ewart episode occurred while North was at Madras, conferring on intended judicial reforms. He was there from March to July, and Champagne acted for him during that period. He returned to meet open faction. The new legal arrangements aroused the opposition of the Madras Civilians and brought an 'outrage' from Cloghorne and Ewart. Imagining that North had lost Mornington's confidence and that Cloghorne retained it, they had combined against, and tried to discredit, him. Cloghorne was said to have written 'reams' of criticism to Dundas; and North speaks of his 'outrageous' behaviour and 'his public abuse of me' - till he was 'cumbfounded' by the Governor-General's approbation of North's decisions. North determined to send him as Ambassador to Kandy because he could not do much harm

1. P. 31. Campbell to Arbuthnot, 2nd January, 1805.

2. Wellesley MS. 13,866. North to Mornington, 27th October, 1798.

3. *Ibid.* North to Mornington, 5th June, 1798, Encl. C.O. 54. 1. North to Court of Directors, 26th February, 1799.

4. Wellesley MS. 13,866. North to Mornington, 25th May, 1799 and Ewart to Mornington, 6th May, 1799.

5. C.O. 54. 1. North to Court of Directors, 26th February, 1799.

there; though I am afraid Candying will not have the same effect on him as on currants, in making him sweet.¹

Worse followed. North went from Madras to Trincomalee, and there learnt of the 'shockingly violent and irregular' behaviour of Garrow, 'a little, pert, black monkey', against whom 'complaints of violence scarcely imaginable' were preferred.² Garrow's behaviour had never been satisfactory. Shortly after his arrival, late in 1797, he had a quarrel with Champagne, then Commandant of Trincomalee, over the supervision of the attack rents and about an elephant which was gifted by a Vanniyār to Champagne but was claimed by the Revenue Department. Not long after, he again complained to Madras that Champagne had plotted a spy to guard an Amildār whom Garrow had dismissed for misconduct, and would not permit his own servants to make the necessary enquiries. Champagne was a second time peremptorily ordered not to interfere with the Revenue - only to evoke a reply which showed that Garrow was really to blame in the affair. The Collector was censured for intemperate and exaggerated statements and ordered to apologise to the Commandant.³ Thereafter, North said, 'he... declared War against Trincomalee' and even 'endeavoured to cut off the supplies of the place'. Now he was discovered illegally arresting four persons at Trincomalee, where he had no authority; and issuing written orders for them to be brought to Batticaloa by another road so as to prevent their petitioning to North at Trincomalee.⁴ North suspended him on 31st July, 1799. A Commission sent into his Collectorship later reported 'that the extremely partial decisions of *individuals* have driven over 4,000 inhabitants from the single district of the Wannī since our occupation of the Island'.⁵ The Commission's delicacy in accusing 'individuals' produced North's comment - 'Now there has been no tribunal there for the two last years but Garrow's Cutcherry and before him a black Amildār of Andrews who was murdered in the Government House by the populace'.

1. Wellesley MS. 13,866. North's letters of 13th September, 1799.

2. *Ibid.* North to Mornington, 27th September, 1799.

3. *Madras Rev. Proc.* 275, XLIV, 527 ff. VVV, 1,205 ff and xxxvi, 1,024 ff.

4. Wellesley MS. 13,866. North to Mornington, 31st July and 1st August, 1799.

5. *Ibid.* 13,867. North to Mornington, 30th October, 1799.

On the same day as Garrow, there was also suspended John MacDowall, Deputy Secretary and Collector of Colombo. MacDowall was suspected of profiteering with Government rice at the Pearl Fishery and speculating with the proceeds; but as the charge fell through on inquiry by General MacDowall, he was restored to office a week later and ordered to explain other irregularities.¹ A month later, however, he was peremptorily dismissed for 'offensive and impertinent' behaviour. MacDowall had refused to recognise a Mudaliyār and two headmen whom the Lieutenant-Governor had appointed to Negombo, declaring 'he was not inclined to allow the Mahamudaliyār to govern the Country, and intended to help his friends out of his place... the Governor if he wished to employ them might name them to attend at his own gate'.² MacDowall appears to have been the '*primus mobilis* of the Civil or rather Civilian, War' against North, who further speaks of his 'plans to bully and upset my Government'. The work of Deputy Secretary was given to William Boyd who had come from England with North. The office of Collector of Colombo was suppressed; and its dependent districts south of Chilaw entrusted to the Collector of Galle and Matara on 14th of September. Those north of Chilaw were amalgamated with Jaffnapatam.³

In the same month, the Military Board made 'a pretty discovery'.⁴ Atkinson, the Commissary, was found to have bought up condemned salt pork when sold at outcry (according to the nefarious directions of the Company) and to have issued it again as good provisions to the Troops, making poor John Company pay full price for it'. Atkinson was reprimanded from India. By the end of the year, the office of Commissary of Grain was abolished.⁵

North was beginning to show his 'claws'. An investigation which had been instituted into the Pearl Fishery of 1799, laid open 'a scene of corruption which will terrify the Company's

1. Wellesley MS. 13,866. North to Mornington, 31st September and 1st and 6th August, 1799.

2. C.O. 54, 1. North to Sec. Comm., 5th October, 1799.

3. B. 24. Letters to Gregory and Barbut of 14th September, 1799.

4. Wellesley MS. 13,866. North to Mornington, 1st August, 1799.

5. C.O. 54, 2. North to Court of Directors, 30th January, 1800.

servants into their duty for a century to come'.¹ The Commissioners in charge of the Fishery were found to have embezzled Government, and, as a result, Cleghorn and Lieutenant Turnour (Commandant of Mannār) were dismissed in December, 1799. Cleghorn left Ceylon shortly after; William Boyd had taken charge of his duties as Principal Secretary.

The Pearl Fishery enquiry also produced evidence against Robert Andrews, and North's report resulted in his suspension from office in India,² whether he had departed, on orders from the Court of Directors. As to the question of Andrews' responsibility for the evils of the Madras Administration, the evidence has been carefully weighed by Turner, whose conclusion that 'the documents at present available appear to leave a decided balance of evidence against Andrews' seems justified.³ The abuses in his department were 'incontrovertible'. Nevertheless, according to North, he had showed 'no disposition either to overthrow his old system or to reform its abuses', and had not punished or dismissed 'even one' of those servants who had 'betrayed his confidence and committed his reputation'.⁴ Andrews never attempted to clear himself, and, as Cleghorn remarked, 'whether oppression upon the unfortunate inhabitants has proceeded from his intolerance or from worse motives, in his situation intolerance and guilt are the same'.⁵

'The neck of the infamous faction' was thus broken. Greenhill 'made pac' and retired in 1802; and Ewart had died in March, 1800. The only 'honourable exceptions' to North's charges were Robert Alexander and Cecil Smith (both now advanced in India) and George Gregory, Collector of Colombo. Dismissals and resignations somewhat disorganised administration and set back the judicial reforms. Nevertheless, 'his remonstrance has done great good', and North took in hand further reforms in the Revenue Department.⁶

1. Wellesley MS. 13,867. North to Mornington, 30th November, 1799.

2. *Madras Despatches*, xxxii. 3. Turner 129 E.

4. Wellesley MS. 13,308. North to Mornington, 27th October, 1798.

5. *Ibid.* Encl.

6. *Ibid.* 13,367. North to Mornington, 14th September and 30th October, 1799; C.O. 34. 1. North to Sec. Comm., 31st October, 1799.

He formulated his ideas in a Minute of 12th October, 1800.¹ After reviewing the preceding regime, he pointed out that a separate Commercial Department was unnecessary, and that a single Superintendent of Revenue or even three Collectorships was an 'ineffectual control'. 'The form of (the Maritime Provinces) extended in a long narrow line around the circumference of a vast island renders it necessary to multiply authority here in a manner which would by no means be requisite in territories more compactly situated though of a greater size; and the various districts which compose the Government gained at different times from their original possessors, and inhabited by people of different customs, language, and origin are accustomed to forms of administration considerably different from each other'. Difficulties had been mitigated by placing European deputies in such of the thirteen revenue sub-districts as the Collectors could not directly supervise. But great inconveniences may undoubtedly result from any accident which may deprive Government of the service of any individual Collector whose place would be directly supplied by a person new to the country, unacquainted with its customs and resources, and open to the false and interested suggestions of the native or half-European agents of his Catchery. The sources of information to Government would in this manner be poisoned and the execution of its orders entirely palsied. All relation between it and the subject would be cut off, and control would be rendered impossible by the power of the accountable persons, and the distance, in some cases, of the scene of its exertion'. To remedy these defects and to ensure 'rigorous and pure superintendance' through covenanted servants, North proposed to set up a Board of Revenue of five persons with a Secretary, to abolish the Collectors, and to place subordinate Agents in the districts who were to receive orders directly from the Board on matters relating to Revenue and Commerce. That system already subsisted 'in some degree... but without so perfect a control... for the three Collectors have under their individual authority accredited European agents in all the districts where they do not make their residence'. By the new plan, North expected to obviate dangers proceeding from 'the personal defects of any single individual', it being unlikely that

1. B. 25.

'partiality or dislike to labour' would affect an entire Board 'at the same time and towards the same object', and to secure continuity.

North carried out his ideas in a somewhat expanded form. On 28th April, 1801, a Board of Revenue and Commerce was instituted, with the Secretary of Government, President; William Boyd (Deputy Secretary), Vice-President; George Gregory (Collector of Colombo, Galle and Mātara), Thomas Young (Collector of Batticaloa), J. D. Alexander and Thomas Fraser (Accountant-General), members; and H. A. Marshall, Secretary. As there was no Chief Secretary at the time, Boyd acted as President till the arrival of Robert Arbuthnot in September, 1801. But the latter was displaced in a few months by Nicholas Saumarez whom the Secretary of State had sent out specially to be President of the Board. The Collectorships were abolished; and Agents of Revenue and Commerce appointed to the various districts. They were unoverpaid servants receiving 200 rix-dollars a month and 2 per cent of collections. In two cases, Batticaloa and the Māgampatū, they were called Residents and received 300 rix-dollars a month and 3 per cent. Further, Jaffnapatam was given a special standing by the appointment of Lieutenant-Colonel Barbut (the only Collector who was not placed on the Board) as Commissioner Extraordinary of the Northern Districts, comprehending Pattalam, Mannār, Jaffnapatam, Mullaitiya and Vauni districts. The new Commissioner was the old Collector writ large. The Board thus had the following principal servants under its superintendence—the Agents of Revenue and Commerce at Colombo, Chilaw, Trincomalee, Mātara and Galle; the Commissioner Extraordinary and his assistant; the Residents at Batticaloa and the Māgampatū; also the Superintendent of the Cinnamon Gardens (who took the place of the Commercial Resident) and the Surveyor-General. The number of assistants and inferior servants and their salaries were left to the Board's decision. The Agents were charged with the customs and also given a seat in the *Law Courts* and the powers of a Magistrate in their districts 'so that they may regularly be informed of the proceedings of those Courts and be ready to enter any appeal against such decisions as appear injurious to

1. B. 25. Vide Instructions to Board of same date.

the interest of Government'. The Board, too, in its collective capacity, or its members detached on special commission, was given the powers of a magistrate throughout the Island, i.e., 'the power of summoning persons from every part of it, of taking examinations on oath, and of committing persons till delivery in due course of law'; also the powers of a Fiscal's Court in all cases concerning the revenue.

It has been noted that the Surveyor-General was placed under the orders of the Board. A full-fledged Surveyor-General's Department was constituted by the Proclamation of 2nd August, 1800, consisting of a Surveyor-General, the first being Joseph Joinville; and five Principal Surveyors of Negombo, Colombo, Mātara, Trincomalee and Jaffna, each with an Assistant and sub-Assistant. The department is examined in another chapter. There were also the beginnings of a Public Works Department. Lieutenant Cotgrave of the Madras Engineers was appointed 'Civil Architect and Engineer' about September, 1800; and was succeeded in March, 1802 by George Atkinson, who had been sent out as Civil Engineer. In 1805, the post of Surveyor-General was combined with that of Civil Engineer.¹

Several other departments were also set up at this time. The Land Registry Department, set up by the Proclamation of 18th March, 1801, and the Boards of Commissioners for securing the Estates of Natives, set up by the Proclamation of 30th December, 1802, are discussed in a later chapter. Only the Post Office, the Medical Department and the Education Department remain.

Although postal arrangements of some kind must have existed before, the Post Office is first mentioned in North's despatch of 30th January, 1800, where Anthony Bertolacci, who originally came out as North's private secretary, is reported to have made 'great improvements in the Post Office'.² Some time later, Bertolacci was appointed Post Master General, and by 1804, had instituted an 'immense increase of celerity and regularity'.³ Besides the General Post Office at Colombo, there were post offices at Trincomalee, Jaffna, Mannār, Galle and Mātara. There was a daily post, not only between the offices in Ceylon but also to

1. Turner 130 ff.

2. C.O. 34, 2.

3. C.O. 59, 13. North to Hubert, 18 January, 1804.

and from Madras, Calcutta and Bombay; the rate being $1\frac{1}{2}$ *fanams* for every 100 miles on a letter weighing less than one silver rupee. Despatch was by single runners during day and couples at night – the latter carrying lights and firelocks where molestation from wild animals was feared. Several persons had been wounded, and four killed by elephants and bears; their families were pensioned with four *rix-dollars* a month. The Colombo-Galle post had been reduced to 21 hours. The Post Office never brought a profit as the revenue 'depends almost entirely from the private correspondence of the English Civil and Military Servants of Government' – and those were supposed to abuse the privilege of franking letters. 'The natives have no correspondence, the Dutch inhabitants very little and the postage is rather too high for their means'. The department cost 3,488 *rix-dollars* per month, whereas its income for the year 1802-3 was only 1,259 *rix-dollars*.¹

The Medical Department, on its civil side, appears to have arisen in connection with the campaign against smallpox. It is possible that Ewart also attended to civil work, but it is not clear whether he controlled Christie, Orr and Camde, 'to whom I (North) confided the Medical Superintendance of the Three Districts into which I at first divided the Settlements' and Yates who was later added.² Probably he did, as he was also 'Inspector of Hospitals'. However that may be, after Ewart's death in March, 1800, Thomas Christie was appointed Inspector-General of both Civil and Military Hospitals. The appointment was confirmed in May, 1803 and a salary of £1,200 attached to the post.³ By October, 1799, a General Dispensary of European Medicines was established at Colombo for the use of the Troops;⁴ and by August, 1800, a Leper Hospital, which the Dutch had established near Colombo but neglected, was revived under Dr. Joseph Sansoni, a Ceylonese who had been educated at Pisa.⁵ Originally the patients were divided into three classes: (1) The lepers and venereal patients actually under treatment, for the

1. C.O. 54. 15. North to Hobart, 1st January, 1801. Decl.
2. C.O. 54. 2. North to Court of Directors, 30th August, 1800.
3. C.O. 55. 22. Hobart to North, 7th May, 1803.
4. C.O. 54. 1. North to Court of Directors, 3th October, 1799.
5. C.O. 54. 2. North to Court of Directors, 30th August, 1800.

provision of whose diet, according to regimen, the Surgeon received 5 *rix-dollars* and 1 *parra* of rice per month per head; besides, each patient received a *rix-dollar* for betel and tobacco; (2) Patients preparing for treatment, each of whom received 2½ *rix-dollars* and a *parra* of rice; (3) The old and incurable cases, each given 2 *rix-dollars* and a *parra* of rice. The system was altered in January, 1802, as it was open to abuse and as the patients receiving their allowance directly squandered it quickly. Consequently, all patients were placed on the same footing and Sansoni received 4 *rix-dollars* and a *parra* of rice per patient per month to supply them with three full meals a day. But a personal allowance of 9 *fanams* was allowed for betel and tobacco. There were at this time 20 patients; the hospital fixed establishment cost 83 *rix-dollars* a month – Sansoni's salary being 31 *rix-dollars*.¹

But chief attention was paid to the smallpox. By April, 1800, three hospitals had been established at Colombo, Jaffna and Trincomalee for treatment of the disease.² A fourth was subsequently established at Galle and North thought the number should be increased to twelve. There were besides, twelve medical overseers stationed in the districts to attend the sick in their own homes, and to carry on inoculation. The department was expected to cost £9,000 per annum. The hospitals were successful beyond anticipation as 'there is not so much objection to inoculation as in India'.³ But the introduction of the Jennerian discovery of vaccination into the Island in 1802 wrought a revolution. The conveyance of the inoculating matter of the cow-pox presented some difficulty, and the sending out of sufficient persons from England to be inoculated successively on the voyage so as to keep the matter fresh was suggested by North. That proved unnecessary as one of several threads steeped in vaccine sent from Bombay was found to convey the infection to a patient at Trincomalee inoculated on 11th August, 1802.⁴ Thereafter, vaccination became a permanent feature in Ceylon.

1. C.O. 55. 10. Proceedings of Committee of Superintending Charitable Establishments, 31st January, 1801.
2. C.O. 54. 3. North to Court of Directors, 3th April, 1800.
3. *Ibid.* North to Court of Directors, 30th August, 1800.
4. C.O. 54. 7. North to Hobart, 12th September, 1802.

varily a revolution, for prior to that event the diseased were usually left to the wild beasts and whole villages evacuated as a result of, or decimated by its ravages. By June, 1805, 33,000 people had been vaccinated, and Christie estimated that it represented the saving of one-sixth that number of lives.¹ The smallpox hospitals were no longer necessary and were abolished. Under Brownrigg, vaccination was introduced into the Kandyan Provinces too—with untold benefit during a widespread epidemic in 1818.

Allied to the work of the Medical Department was that of the Committee of General Superintendence of Charitable Institutions, set up by North about January, 1800. This Committee controlled Poor Relief, which had hitherto been administered by the Deacons or Diakonies. The Diakony funds were derived from the alms collected in churches and from the fines inflicted by the Governor, e.g., a stamp duty of 12 stuivers levied on all petitions,² and the Fiscal, and from various minor taxes. The Committee sat at Colombo³ and consisted in 1802 of General MacDowall (President); Judge James Dunkin (Vice-President); George Arbutnot, George Gregory, Samuel Tolfrey, James Christie, Captain John Wilson, Robert Arbutnot, William Boyd, James Sutherland, Gavin Hamilton, Reverend James Cordiner, M. A. Marshall, members; and P. J. Dornieux, Secretary. The Governor attended its sittings which were held on Sundays. The Committee corresponded with and controlled the work of its sub-committees at Negombo, Chilaw, Galle, Matara, Jaffna, Kalutara, Trincomalee, Kalpitiya, Puttalam, Mannar, Mullaitivu, Batticaloa and Tangalle—all appointed by North during his circuit in 1800. All expenditure had to be sanctioned by the Governor. These Committees superintended the distribution of the funds by the Diakonies in their several towns until the Peace. Thereafter, the latter were abolished (as the protection accorded them by the Dutch Capitulations was supposed to have thereby been superseded) and the Committees dispensed relief directly. Workhouses were set up and their inmates taught

spinning and other occupations; being paid for what they manufactured. Several Orphan Houses and Schools were opened. It is to be noted that the Malay State Prisoners were paid through this department. The vestry elections were also submitted for North's approval through the same channel.⁴

Like the system of Poor Relief, the system of education had been made an aspect of ecclesiastical work by the Dutch. Education was a subtle vehicle of proselytism and a more efficacious weapon, perhaps, than the method of direct compulsion. However that may be, the British abolished the last vestiges of open religious compulsion by dropping the stipulation of a particular religious belief for holders of official appointments. In fact, though Government officials continued to be chosen only from professed Christians.⁵ Further, the disabilities to which the Roman Catholics had been subjected by the Dutch were abolished and general freedom of religious worship and observance proclaimed.⁶ North reports the main religions in Ceylon to be Christianity (Presbyterian and Catholic), Islam, Buddhism, and 'A wilder and more extravagant system of Paganism called by the Dutch the Worship of the Devil'—the last being, no doubt, the animistic beliefs and practices prevalent in the Island to the present day. Cordiner estimated the number of Protestants in the Maritime Provinces at 236,109—Colombo District, 101,709; Galle, 56,509; Batticaloa, 439; Trincomalee, 588 and Jaffnapatam, 76,864. The number of Catholics 'is greater than that of the Protestant; and the number of pagans... is equal to the whole of the Christians'.⁷

North interpreted the principle of religious toleration to mean 'enforcing the due Observances of Religious Duties, in each Sect, and in each Religion, by its own particular Professors, and in procuring for each, as far as may be, proper teachers, and a

1. Vide its Proceedings in C.O. 55, 19 ff. Passim for the entire paragraph, periodically, Proceedings of 31st January, 14th February, 21st February and 18th April, 1802. Also, C.O. 54, 7. North to Hobart, 24th November, 1802.

2. C.O. 54. Memoir to Castleburgh.

3. C.O. 55, 1. Stuart's Proclamation of 3rd August, 1796 which was reaffirmed by Proclamations in 1799 and 1802.

4. C.O. 54, 1. North to Court of Directors, 20th February, 1795.

5. C.O. 54, 4. Cordiner's Report on Native Schools and Protestant Christians in Ceylon.

1. Turner 179.

2. Wellesley MS. 13,866. North to Mornington, 27th October, 1798; C.O. 55, 1. Deacons and Poor Surveyors to Stuart, 14th October, 1798, gives full details.

3. Vide its Proceedings in C.O. 55, 19 ff.

decorous maintenance of open Worship'.¹ In practice it meant the finding 'means of securing to Christianity the power in this Colony of preventing the relapse of the inhabitants into Paganism'.² North therefore set himself to strengthen the work of the Dutch clergy who had been continued in their offices by the Capitulation of Colombo, and to whom Stuart had granted small pensions.³ Two difficulties were met. Owing to the refusal of the Dutch clergy to pray for the King, they were disallowed from exercising ecclesiastical authority and confined to visiting the sick. That difficulty was surmounted after the Peace.⁴ In 1802, it was decided to suppress the *Kerkker Raad* which regulated ecclesiastical matters unless the forming of a Presbytery should prove advisable; general discipline was to remain with the Ordinary; and the Diakonies handed over to the Committee of Superintendance of Charitable Institutions.⁵ The second difficulty was the small number of clergy, there being only ten at North's arrival. To that fact in particular North attributed the unreality of Christian beliefs even among professed converts. To remedy the defect, since importing English clergy would be costly, North proposed to send one Tamil and one Sinhalese youth every year to be trained in England as recruits from whom to draw the forty Parish priests he needed and who 'being native and yet sympathetic to England by education . . . would also be instrumental in keeping the country tranquil and contented'.⁶ Education and religion were thus to be harnessed to political objects. Although North argued that experience showed the utility of his suggestion (citing Messrs Morgappali, a Tamil, and Phillips, a Sinhalese) and although he reduced his demands to twenty parish priests, Dundas rejected the proposal. North had therefore to depend on local recruitment, and here education entered as an aspect of proselytism.

The Dutch bequeathed to the British a very complete religious and educational system. The Commitments had been divided

into counties, and these into parishes in each of which was established a Protestant school. The school houses also answered the purpose of parish churches, and a register of marriages and baptisms was kept in each. Each school had two to four teachers, and every ten schools were supervised by a catechist who was in turn superintended by Dutch clergymen making annual circuits to examine the children, to baptise, marry and administer communion. The schoolmasters and catechists were trained at the Academy at Colombo, while some were sent to Europe for a fuller education and returned in Holy Orders. North found this excellent system fallen into inefficiency as a result of neglect by the Madras Administration. He reconstituted the schools, settling eight rix-dollars on each and paying the catechists fifteen rix-dollars each per month. The marriage tax, the produce of which went to the schools, was abolished.¹ The Dutch clergy resumed their circuits at Government expense; several preachers were locally educated and licensed by the Governor, and others imported from Coromandel; officiating clergymen being thus established with salaries of £40 to £60 at Colombo, Negombo, Galle, Puttalam, Mannar, Jaffna, Mullativu, Trincomalee, Battaraha, Matara, Galle and Kalutara.² The parish school curriculum consisted of reading, writing, arithmetic, the Catechism, Prayers, and the Bible in Sinhalese or Tamil, and the rudiments of English.

Besides, North developed a scheme for schools 'of a superior nature for the education of the children of Burglers and of those natives whose families are eligible for the office of Mudaliyar and to other Dignities and charges given by Government to its native servants'.³ The plan was to establish three schools in Colombo (one for Burglers, one for high caste Sinhalese, one for Tamils) and one in Trincomalee (for Tamils), where children received at the age of eight were to study for six years; from these, such Burglers as wished, and other children who showed promise, were to be sent to a central school at Colombo, the former 'on the payment of an easy contribution', the latter at Government expense. The children were to be taught English, the native

1. Turner 168.

2. C.O. 54, 1. North to Court of Directors, 5th October, 1799.

3. C.O. 55, 1. Jackson to Stuart, 28th April, 1796; Wellesley MS. 13,895. North to Mornington, 27th October, 1798.

4. Turner 168.

5. C.O. 54, 7. North to Haldar, 24th November, 1802.

6. C.O. 54, 1. North to Court of Directors, 25th February, 1799.

1. C.O. 54, 1. North to Court of Directors, 5th October, 1799.

2. Turner 168 F.

3. C.O. 54, 1. North to Court of Directors, 5th October, 1799.

languages and the 'lower humanities'. The central school was called the Academy, and it was from there that the public services were to be recruited and from which the annual scholars whom North hoped to send to England were to be chosen. By 30th October, 1799, the schools were established and several children had been placed in them. 'They learn very fast, and I hope I shall soon have a supply for all the purposes of Government.'¹ Schools for foundlings and orphans were also established at the chief towns by 1801; a school for Muslims was proposed; and several schools for Catholic children were set up by the end of 1801.²

At the head of the educational establishment was the Inspector and Principal of Schools. The post was held by Reverend James Cordiner whom North had brought from Madras and appointed Chaplain to the Garrison at Colombo. For a time he was the only ecclesiastic in Ceylon; but, by the end of 1802, the Secretary of State informed North of his intention to send out some clergymen.³ The Rev. Thomas James Twisleton was sent out as Senior Chaplain in May, 1803.⁴ Besides, in 1805, the first Protestant missionaries of British times arrived in Ceylon.⁵ These were de Vos, Erhardt and Palm, whom the London Missionary Society had sent out. North was unwilling to permit independent missionary activity and placed them on the ecclesiastical establishment. The ecclesiastics took a great part in educational activity. Cordiner reported on the parish schools after a tour in 1800, and produced the following 'Statement of Expenses of the English Ecclesiastical and School establishments on the Island of Ceylon', dated 1st January, 1801.⁶

	<i>Rix-Dollars</i>	<i>Rix-Dollars</i>
In the district of Colombo, 4 Preachers	200	
Academy at Wolfendal	1,100	
57 Native schools, 7 Catechists, Thomboholder, etc.	633	1,933
European school at Galle	100	
24 Native schools, etc.	232	332
18 schools in Mātara district and 1 Catechist ..		159
3 schools at Batticaloa and 1 Preacher ..		74
8 schools in Trincomalee district and 1 Preacher		124
38 schools in Jaffna district, 1 Preacher, 2 Catechists, Thomboholder, etc. * ..		415
European Orphan schools at Jaffnaputnam ..		400
10 schools in Mannār district, Catechist, etc. ..		100
Principal of schools		250
Probable expense of books		50
		<u>3,847</u>
Per mensura		

Adding the expense of other Orphan schools, etc. the annual expenses must therefore have been about £5,000. Lord Hobart regarded the sum excessive and paterfamiliasly restricted it to £1,500 in 1803.¹ The expenses of the schools at Colombo, Jaffna and Galle were promptly reduced by North, but 'the critical state of the country prevented... carrying into immediate effect a measure of such extensive importance as the abolition of the country schools'.² By the end of 1803, however, the grants to the parish schools were stopped. But as the schoolmasters also acted as Notaries, North indicated that some of them would have to be re-appointed under that designation. Ultimately, on the personal representations of Cordiner after his return to England, the new Secretary of State, Lord Camden, permitted 'absolutely indispensable' increases of expenditure on education.³ North's successor revived the grants to the country schools and, as will be seen, for political reasons buttressed the influence of the schoolmasters. Economy had begun at the wrong end.

1. Wellesley Ms. (3,877). North to Mornington, 30th October, 1799.
 2. Turner 169.
 3. C.O. 54. 7. North to Hobart, 24th November, 1802.
 4. C.O. 55. 62. Hobart to North, 7th May, 1803.
 5. C.O. 54. 17. North to Camden, 27th February, 1805.
 6. C.O. 54. 4.

1. C.O. 55. 61.
 2. C.O. 54. 13. North to Hobart, 1st January, 1804.
 3. C.O. 55. 62. Camden to Maitland, 21st February, 1805.

CHAPTER VIII

THE CROWN ADMINISTRATION OF THE MARITIME PROVINCES

While North was reorganizing the Government, Ceylon was taken away from the East India Company's control and made a purely Crown Colony. North had represented in no uncertain terms the difficulties attendant on the original arrangement. Hampered as he was by dual control, his powers tended to conflict with those of the Governor-General and Commander-in-Chief in India. But his principal criticisms were directed against his obligation to recruit his officials from the Madras service.

In a despatch of 5th October, 1799,¹ North complained to the Secret Committee of 'the great uneasiness' occasioned him by the conduct of the Madras civilians. His appointment had been disagreeable to them and they had worked for his recall. Nevertheless, even after he realized the 'corruption and iniquity' of the system that had preceded him, he had tried to conciliate them by liberality and non-enquiry into past conduct. 'But I must confess I then took for mere spleen, and which kind treatment would shortly overcome, that determined and systematic spirit of opposition and hatred which has guided them in all their actions, and which has made them turn every mark of confidence which I have shown them and every authority with which I have invested them into engines to discredit my Person and to thwart my Government'.

Two defects were inseparable from his Standing Orders. (1) 'The impossibility of having any direct control over persons appointed directly to their offices by another Presidency to which they must look for their advancement' - an inconvenience greatly diminished by Lord Clive's assurance that none would be promoted at Madras whom North dismissed for misconduct

or insubordination in Ceylon; (2) 'The necessity of increasing the emoluments of the Public Servants far beyond what their service requires, to induce persons capable of executing their trust to the Public advantage to leave a profitable and established service, for one which leads to nothing, and rather retards than forwards their future prospects'. As the Presidencies were naturally loth to release their better men, North was faced with 'the alternative of employing persons totally useless to the Service or of loading the least productive of your Settlements with an establishment more expensive than that of the most opulent and important of them'. Moreover, a Madras training was unrelated to the needs and conditions of Ceylon.

North therefore proposed that the posts reserved to Company's servants be defined, and suggested they should be those of Collector, Accountant-General and Commercial Resident, and further that he should be permitted 'to apply indiscriminately to each of the three Presidencies' in filling them. Within two months, he imposed even that restriction. The higher posts in Ceylon were 'remarkably few' (about ten) and prospects were therefore poor. In two cases - Cecil Smith and Blake - he had actually felt constrained to allow the departure of meritorious servants in their own interests. To fill the higher offices exclusively from the Indian Service would therefore both discourage men in the penultimate grades and surround Government in the Chief departments 'with men not connected with it by the tie either of gratitude or of expectation'. As the numerous colony of Burghers could easily supply the necessary recruits for the lower grades, North proposed that, on the analogy of India, the higher grades be filled by covenanted servants, 'and their appointment . . . restricted by nought save his own responsibility and the control of the Governor-General'.²

These arguments ministered unto Dundas's own desire. In a letter of 30th December, 1800,³ he informed the Court of Directors that 'I am clearly of opinion that it is my duty to advise His Majesty to place the Island of Ceylon upon the footing of a Royal Government'. The expedient of blending the Government of India and Ceylon had been 'prematurely and inadvertently adopted' upon 'a very superficial knowledge of the subject

1. C.O. 54. 1.

1. Douglas MS. v. 4. 105.

2. C.O. 55. 61.

and upon an erroneous supposition that such a measure was necessary to preserve the unity of Our Indian Empire'. Actually, separation was to the interest of both parties. It would be long before Ceylon became self-supporting, and it was inexpedient to encumber the Indian Revenue with its expense. 'Immediate bad consequences' had resulted from the appointment of Madras Servants to the charge of affairs in Ceylon. The Ceylon establishment would have to be on a moderate scale and would not hold out 'any such prospects as the servants of the East India Company are entitled to . . .' Ceylon would therefore be unattractive except to men of an inferior type who were 'not exactly the description of servants which with a view to the real interests of Ceylon I should wish to see established on that Island'. 'But', concluded Dundas, 'although I am of opinion that the political Government of Ceylon should be carried on in different hands from those which are engaged in the Government of India, I am equally of opinion fatal in every commercial point of view, the settlement ought to be held upon a footing more beneficial to the East India Company than even the territories under their own immediate administration. Our Indian possessions are open to the trade of all other nations as well as to that of our own . . . Company, but this cannot be allowed with regard to the trade between Ceylon and Europe. In that respect the settlement must be held upon strict colonial principles and a monopoly of its trade must be reserved for the . . . Company'. It was in pursuance of this arrangement that the Company obtained the cinnamon contracts; and it was not till 1814, and completely till 1822, when the Company's contract lapsed, that Ceylon shook itself free of the Company's shackles. With that disappeared the last vestige of Indian control of Ceylon.

Accordingly, on 18th February, 1807, a new Commission and Instructions were issued to North.¹ Ceylon was made independent of the Company, and all powers, 'as well Civil as Military,' vested solely in the Governor. At the same time, to prevent every approach towards colonization, Europeans and Americans not in the Civil or Military Service were prohibited from residing in Ceylon except on licence from the Governor, and by the accompanying despatch, all Europeans were prohibited from

1. C.O. 35.60. Dundas to North, 13th March, 1807. Enclosures.

holding land for a term longer than seven years, except in the District, Town and Port of Colombo. The latter restriction was removed in 1812 and the former dropped in 1813. The Maritime Provinces became a Crown Colony as from 1st January, 1802, and the Governor thenceforth corresponded directly with the Secretary of State.

Along with the new system, Dundas suggested the formation of a Council with which the Governor 'would consult on all great and important occasions'. 'At the same time, it is not to be understood that the members or any majority of them, are to have any share of the Legislative or Executive authority . . . or that they are to be responsible for any opinions and advice they may give in that capacity . . . and though . . . it will be expedient to allow any questions to be put to the vote, it will be proper that any member differing from you upon any measures under deliberation, should be at liberty to enter a Minute on the Proceedings stating the grounds of his opinion and dissent'. In other words, the Council merely provided 'some form' by which it might be 'understood' that important measures 'were passed or ordered by the Governor-in-Council'. Dundas suggested that the Council should consist of five - the Chief Justice, the Commander-in-Chief, the Chief Secretary, and two others in the Governor's discretion. North restricted himself to the three first named officials, and the first meeting of the Council took place on 4th February, 1802.¹ The Deputy Secretary was Secretary to the Council.

Secondly, a new Supreme Court of Judicature was constituted in completion of North's provisional arrangements. These are examined in a separate chapter.

Thirdly, a separate Civil Service was constituted. Twenty-four new Civil Servants were sent out in March, 1801, to supplement the eight whom North had originally brought with him from England. These officers formed the nucleus of a regular 'covenanted' service, whose selection rested in the Secretary of State. But, except in the case of those now filled from England, such appointments as thereafter fell vacant were to be filled up by the Governor from existing covenanted servants, subject to exceptional re-appointment from England. Dundas adopted 'the same rule of patronage . . . I have enforced

1. Turner 144.

with success in India', viz., annually sending out a number of young writers to fill the lower grades as they fell vacant by local promotions; thus creating satisfaction in the service and respect for the Governor on whom all promotions would depend. Nevertheless, North complained to Mornington that Dundas had flooded the service with appointments in his patronage, unfairly superseding men who had come out with him and already done meritorious work.¹ On the other hand, North himself was rebuked for locally recruiting and continuing uncovenanted servants in reserved posts.² Further, he was ordered to discontinue the employment in the Civil Service of military men to whom he had been compelled to have recourse amidst dismissals.³

Lastly, Dundas's despatch recommended the establishment of a Board of Revenue of three, the President to receive £2,000, and the members £1,500 each. When, however, information of North's own Revenue Board was received, the new Secretary of State, Lord Hobart, directed its immediate reconstitution to consist of the Chief Secretary (President), the Vice-Treasurer, the Accountant-General and Paymaster-General, receiving no pay besides that of their offices.⁴ The President of the old Board, Saumarez, set on the new as Vice-Treasurer; his superseded colleagues received other posts.

As the Company's servants returned to India under the new arrangement, North was advised to take the opportunity to reorganize his departments on an economical footing and to set up a regular gradation of offices whereby a writer starting at £300 a year might rise step by step to the highest paid office, that of Chief Secretary, which might be held out to covenanted servants. Finally, by despatches of 8th February and 7th May, 1803, the following office establishment was sanctioned by Lord Hobart:—

The Council.—Governor-in-Council; Commander-of-Forces, 1st Member; Chief Justice, 2nd Member; Chief Secretary, 3rd Member; and Deputy Secretary as Secretary to Council; all unsalaried.

1. Wellesley MS. 13,857. North to Wellesley, 7th September, 1801.

2. Turner 145.

3. C.O. 35, 61. Hobart to North, 8th February, 1803.

4. C.O. 35, 62. Hobart to North, 7th May, 1803.

The Governor and his Office.—The Governor, £10,000; Lieutenant-Governor, £1,500; Private Secretary, £300; Chief Secretary, £3,200; Deputy Secretary, £1,280; First Assistant, £512; Second Assistant, £320; Third Assistant, £300.

Treasury.—Treasurer, the Governor (no salary); Vice-Treasurer, £2,000; Assistant, £784.

Pay Office, Civil and Military.—Paymaster-General, Civil and Military, £1,600; Assistant, Civil Department, £320; Assistant, Military Department, £320; Garrison Storekeeper, Colombo, £500; Deputy Paymaster, Galle, £500; Deputy Paymaster, Trincomalee, £500.

Accountant's Office and Auditor.—Accountant-General and Auditor of Civil and Judicial Accounts, £1,600; Assistant, Auditor's Department, £320; Assistant, Accountant's Department, £320.

Board of Revenue and Commerce.—Chief Secretary, President; Vice-Treasurer, 1st Member; Accountant-General, 2nd Member; Paymaster-General, 3rd Member (all four unsalaried); Secretary to Board, £1,021; First Assistant, £384; Second Assistant, £300.

Cinnamon Plantations.—Superintendent, £1,280; First Assistant, £400; Second Assistant, £300.

Survey Department.—Surveyor-General, £400; six Surveyors in the six Provinces at 100 rix-dollars, £767.

Land Revenue. Collectors (£512), with First and Second Assistants each (£320 and £300 respectively), at Colombo, Jafna, Mātara, Puttalam, Trincomalee and Batticaloa; besides, each Collector received $1\frac{1}{2}$ per cent. of nett collections, and each First Assistant 1 per cent.

Sea Customs.—Collectors at Colombo and Galle receiving £320 each and a commission of 2 per cent.; also they were charged with the care of the Export and Import Warehouses.

Civil Courts.—President (£1,500), Second Member and Registrar of Lands (£640), Secretary (£784), Assistant (£237), at Colombo; President (£1,021), Second Member, etc. (£512), Secretary (£300), at Mātara; President (£1,280), Second Member, etc. (£512), Secretary (£320), at Jafna; and Presidents (£767), Second Members, etc. (£388), Secretaries (£300), at Puttalam, Trincomalee and Batticaloa.

The total cost of this civil establishment was £48,919; and if the Postmaster-General's Department, the three Chaplaincies at Colombo, Galle and Trincomalee and the Medical Department are added, the fixed civil establishment may be estimated at about £52,000. It is to be noted that the scale had deliberately been fixed on a supposedly moderate basis consistent with the resources of the Island; and, in compensation, a Pension Scheme for the covenanted service was inaugurated in 1803.

When the 1807 reforms were inaugurated, a Colonial Agency was also established in London. The first Colonial Agent was William Huskisson; and he held the post, with a brief interruption, for over twenty years. His salary was £1,200 a year, 'subject to the expenses incident to the execution of the duties of the office, to which there are no allowances or other emoluments of any kind annexed'. Huskisson himself described, in 1812, the duties which had accumulated in his hands. Generally, it was his duty 'to execute all directions received from the Government of Ceylon and the Secretary of State or the Treasury in this country in reference to the wants or concerns of that Colony, and to bring under the consideration of the two last-mentioned Departments all matters which may appear to him requisite in furtherance of the general interests of the Colony'. No doubt, it was from attention to the latter point that Huskisson submitted to the Treasury in 1813 an important memorandum on the finances of Ceylon. Some of the more important duties of the posts were to provide and send out, upon the requisition of the local Government, articles and stores needed for the public service; to pay to the representatives of Europeans dying intestate in Ceylon such balances as were forwarded; to manage the Sinking Fund established in England for the redemption of the Colonial Debt and to pay bills drawn thereon; to settle the accounts of the Cinnamon Contract with the India House; and to pay to retired Civil Servants their pensions and their allowances from the Superannuation Fund. The Colonial Agent thus handled business to the value of about £50,000 per annum on the average.¹

Although considerable advances towards settled government were thus made under North, his governorship closed inauspiciously. Apart from the disastrous Kandyan adventure and

1. C.O. 54, 83. Huskisson to Wilson, 15th May, 1822.

unexpected physical calamities, North's last years witnessed serious interdepartmental friction. The root cause was the semi-independence of the Military Command. Pursuant to the new system, the command of the troops in Ceylon was separated from that of India, and, in May, 1803, Major-General David Douglas Wemyss was sent out as Commander of the Forces.² He replaced MacDowall on 22th March, 1804. The powers vested in Wemyss by his Commission were such that North at once protested against the diminution of his own powers and against the independence granted to the Commander.³ It was an ill omen. Wemyss appears to have been distinguished by a certain obstinate pugnacity which soon created trouble and destroyed that goodwill which had marked North's relations with MacDowall. Wemyss began with a dispute as to pay. By Hobart's instructions, his pay had been fixed at £3,260 £1,500 as Lieutenant Governor, £730 as Commander of the Forces, £730 as General on the Staff and £400 as lodging money; but Wemyss claimed 'urgently and vehemently' that this was his peace salary, and that during war he was entitled to field allowance and to an additional allowance for the forage of his horses and the upkeep of his servants.⁴ Further, he made himself immediately unpopular with the troops - the Europeans, by his proceedings at a Court-Martial on Lieutenant Showers; and the Sepoys, with a parade order which, by enforcing their attendance at divine service, seemed to infringe their religious feelings.⁴ Though the latter error was soon rectified, North was moved to write 'a strong though secret letter to Lord Hobart stating the absolute necessity of removing General Wemyss to some less independent situation'. North repeatedly returned to the charge, and, as late as 31st April, 1805, in a private and confidential letter to Lord Camden, repeats 'the impossibility of carrying on the Government without more control than I have over the army, and the impossibility of having that control while the whole

1. Wemyss's Commission is enclosed in C.O. 55, 62. Hobart to North, 7th May, 1803.

2. C.O. 54, 14. North to Hobart, 10th July, 1804.

3. Ibid. Arbuthnot to Sullivan, 26th March, 1804.

4. Wellesley MS. 13, 867. North to Wellesley, 7th July, 1804.

patronage of the Army is vested exclusively in the hands of another person'.¹

By then, North had full reason for his opinion. Military expenditure swelled alarmingly, and yet, amidst the exigencies of war and the perpetual complaints of the General, North had no clear means of checking it. For Wemyss acted on his own initiative and without that full consultation with the Governor which MacDowall had maintained.² Military works were undertaken without North's consent, and regardless of expense. Secondly, the overbearing conduct of the local military commanders created differences with and antagonized the administrative officers in the districts. Above all, a serious quarrel with the judiciary was provoked. 'My anxiety has much increased', wrote North, 'by a Scarlet Fever which the Robes of the Judges and the Uniform of the General have thrown me into; and I am concerned to say that the absolute insanity of the one party has been scarcely more dangerous, and not so vocacious as the perverse irritability of the other'.³ The quarrel is summarized in another chapter; so only Maitland's opinion of Wemyss need here be given. 'The Executive Government', said he, 'was totally paralyzed by the unhappy differences which existed between it and the Military Power. This under the Command of Major-General Wemyss, had assumed a Character of Independence, incompatible with the existence of good government, and the exertion of this Independence was generally manifested in some attempt to curtail the Civil Power, by forcing it, under the Plea of Military necessity, to disorganize its former System of Government, and break through every Rule that had been laid down for the Establishment of Economy and Regularity in the Military Disbursements in the Island'.⁴ He characterized Wemyss's conduct as 'utterly reprehensible'. North had no control over him, except that of withholding the public purse, a course impossible in the circumstances as Wemyss always pleaded dire military necessity. Wemyss had 'disorganized every part of (the army) that was antecedently well regulated,

1. C.O. 54, 17. North to Camden, 31st April, 1805.

2. *Ibid.* North to Camden, 12th July, 1805.

3. Wellesley MS. 13,867. North to Wellesley, 24th November, 1804.

4. C.O. 54, 16. Maitland to Camden, 19th October, 1805.

and in everything new he has formed he has proceeded on a system incompatible with every principle of economy and irreconcilable to every idea of military efficiency and subordination'.¹ 'In short, one would imagine, instead of having a due regard to economy, that Major-General's sole object was to embarrass the Government, by increasing the expenditure, and that, instead of supporting and maintaining the character of His Majesty's arms in this colony, he had assiduously studied how he could most completely disgrace and degrade it'.²

Difficulties were solved by the appointment of a military officer to the post of Governor. North had applied for his own recall as early as September, 1803, as he had completed his five-year term and was in bad health; and by July, 1804, had been assured that his successor would immediately be appointed. Lord Camden's choice was very probably influenced by North's representations; for the new Governor, whose Commission and Instructions were issued on 15th and 16th January, 1805, respectively, was Major-General Sir Thomas Maitland.³ In June, 1807, at his own request, he was appointed Lieutenant-General. Maitland arrived in Ceylon on 15th July and took over the Government on the following day. He was also the bearer of a letter discontinuing Wemyss's appointment as Lieutenant-Governor, on the ground that it was incompatible with regulations.⁴

What with the disorganization attendant on inter-departmental hostility amidst a disastrous war, Maitland was faced with no light task. His despatches developed an increasingly strong attack on North's administration. At first, Maitland restricted criticism to the military and judicial departments alone and praised North's arrangements in the only department, the civil, which had been 'positively under him'.⁵ Ere long, even that reservation was dropped. 'Looked at superficially', said Maitland, 'it presented an appearance of uniformity, ability and

1. C.O. 54, 18. Maitland to Camden, 12th July, 1805.

2. *Ibid.* Maitland to Camden, 28th July, 1805.

3. C.O. 55, 62. Camden to Maitland, 12th January, 1805 and Enclosures. For Maitland's earlier career, vide *Preux*, Lord, *Sir Thomas Maitland*.

4. C.O. 54, 17. Letter to Wemyss, 21st February, 1805.

5. C.O. 54, 18. Maitland to Edward Cooke, 12th July, 1805.

efficiency, but on looking at it more closely, I have extremely to lament however much I approve of the system in itself, that that system has been administered with so little regard to the maintenance of its own regulations and with a lenity so extremely bordering upon feebleness as to render it in many points totally inefficient.¹ The purity of North's motives and the excellence of his intentions had been vitiated by administrative laxity, weakness of character, and defective judgment. 'I fear his plans have very generally been formed upon mere theoretic principles without attending to local circumstances or religious prejudices, and I am sure the execution of those plans have been left totally to themselves.'²

The central point of Maitland's attack was North's tenurial reforms. Maitland condemned them as ill conceived, ill-digested and expensive, and as unwise in their tendency to undermine the social, political and military organization of the country.³ That subject is considered in a later chapter, but we may note the remark to which Maitland was provoked by North's abortive scheme for a land registry. 'In truth, in everything that has been done in the Island the same principle prevailed; it has been one constant scene of writing fine plans home and doing nothing here except inventing places of no utility as far as related to the country to provide out of the King's Orders for a set of favourites unworthy of the situations they held.'⁴ Few of the legislative proclamations had been strictly adhered to and many had become blank letters. 'The laxness with which we have administered our own legislative regulations, the obscurity with which they have been promulgated . . . and the conviction after their promulgation that though applicable in some, they were totally inapplicable in other situations . . . have all led to the predicament in which the Island now stands, viz., a most pernicious relaxation in the administration of its own laws.'⁵ In the result, indolence and proclation had found full scope.

1. C.O. 54, 12. Maitland to Camden, 19th October, 1805.

2. *Ibid.*

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

4. C.O. 54, 12. Maitland to Cooke, 19th October, 1805.

5. *Ibid.* Maitland to Camden, 19th October, 1805.

Maitland's proneness to over-emphasis somewhat vitiates his criticism. North certainly was not a strong governor. His schemes outran his capacity. The manner in which he dropped and veered during his disastrous Kandyan venture, and the ease with which Pilima Talauvé out-witted him, indicated a largeness of ambition which, if influenced by Wellesley's policy in India, was unaccompanied by Wellesley's ability. North's tenurial reforms were, perhaps, premature; and his attempt precipitately to revolutionise the property system by transplanting English legal and economic ideas on unprepared soil, suggests that the excellence of his intentions was inadequately tempered by a realistic appreciation of the conditions in which he endeavoured to translate them into practice. Similarly, his project of a land registry, if excellent in principle, proved difficult in practice, and was abandoned at his own instance. That North permitted theoretic preconceptions to over-ride practical facts appears therefore to be a legitimate inference. On the other hand, Maitland's reference of all evils almost solely to North's defects of character and temperament seems to be unjust. North was the victim of circumstances not entirely of his own making. Within a short period, he had not only had to lay the foundations of settled Government, but also to carry out two considerable instalments of administrative reforms. In addition, his position had been uncertain while the future of the colony remained undecided, and had always been somewhat anomalous. After he had shaken off the East India Company's control, he had still been hampered by the excessive power vested in the Military. The intractability of Weyanys had emphasized that difficulty. Neither can the effects of the Kandyan War be discounted even while allowing for North's own responsibility in precipitating it. Measures that were difficult enough when all the energies of peacetime were available became impossible when those energies were completely absorbed by a disastrous war. In the circumstances, the laxness of their administration was explicable. Some disorganization, as well as inadequate supervision, of the civil administration was inevitable amidst such pre-occupations. Moreover, a charge of favouritism comes with ill grace from a successor who himself avowedly advanced his own protégés in the service.¹

1. C.O. 54, 28. Maitland to Castlereagh, 11th March, 1806.

The best conclusion appears to be that North's easy-going optimism had induced him to bite off more than he could chew.

However that may be, Maitland took prompt and vigorous measures – the more easily since the combined civil and military power rested solely in him. Within a week of his arrival, he abolished the Military Board whose value the Secretary of State himself had doubted.¹ Simultaneously, he took the opportunity of a dispute between the Collector and Commandant of Mātara to publish a Minute which effectively killed inter-departmental hostility.² While strictly forbidding 'any exertion of individual authority on the part of a Civil Servant to counteract the orders of the military officers, or any irritating correspondence, with a view to redress a supposed grievance', he directed that all remonstrances should be addressed immediately to him. 'No serious quarrel', he added, 'can ever occur when both parties are actuated by that conciliatory and forbearing spirit which can alone secure a continuation of harmony and union between the two services . . . His Excellency will therefore in future, consider the fact of a difference existing, without reference to a critical investigation of who may be right or wrong, to be a strong *prima facie* ground for displeasure and for the removal of the Parties concerned'. If the voice was peremptory, the result was salutary.

Maitland next turned his attention to particular departments. His judicial retortees are considered in another chapter, so only the civil departments need consideration. On the side of pure machinery, he had little to do in the way of new departures, North's Land Registry Department and the Boards of Native Commissioners were suppressed and the revived Dutch *schouten* entrusted as of old to the local schoolmasters who also acted as notaries.³ The Committee for Superintending Charitable Institutions was abolished in December, 1805, and its duties, as well as those of the sub-Committees in the provinces, entrusted to William Boyd as 'Superintendent of the Poor's Fund'.⁴ The Post Office was reorganized by the introduction of unsalaried runners and post-holders on the basis of revived service tenures. A separate Salt Department was later set up.

1. C.G.C. 2410. July, 1805.

2. *Ibid.*

3. C.O. 54, 78. Maitland to Camden, 17th October, 1805.

4. C.O. 420, 6. C. 15.

Above all, the Board of Revenue and Commerce was abolished at the beginning of 1806.⁵ This Civil counterpart of the Military Board, said Maitland, 'had the appearance of relieving me from some degree of responsibility, though in truth it does not in fact relieve me from any'. In reality, it 'could do a great deal of harm without the possibility of doing any good' – being 'perfectly nugatory as far as related to the interests of Government, but . . . undoubtedly . . . not nugatory as far as related to the unfair interests of individuals'. In its place a Commissioner of Revenue was appointed to act under the direct orders of the Governor. This officer was paid a salary of £3,000 and given a seat on the Council. The utility of this appointment was to consist 'not in his sitting down here and receiving *ad hoc* statements by letters from the different Collectors' but in his visiting every part of the Island, checking petty abuses by direct supervision, and generally convincing the inhabitants that they were to look to Government and not the Collector for protection. Further, the Customs Department was separated and placed under a Comptroller General of Customs. The number of Collectors, as the former Revenue Agents were now termed, was increased to eleven – at Colombo, Kalutara, Galle, Mātara, Māgampattu, Batticaloa, Trincomalee, Vanni, Jaffna, Mannār and Chilaw.

This extensive re-organization was accompanied by a campaign of purification. Maitland gave to individual departments a personal supervision which North had not afforded. He began the practice of regular circuits by the Governor, his first being completed within six months of his arrival. It was on the basis of information thus gained that he made his onslaught on North's policy. It was on that circuit too that he discovered a scene of unparalleled corruption at Jaffna.⁶ The Collector of the Province had partly been the victim of native subordinates over whom he had exercised little or no control. But Jaffna was only an outstanding example. Corruption and peculation had crept in everywhere. Maitland attributed the easy acquiescence in his drastic measures to that fact – 'they have too much to fear from an investigation to protest'.⁷ It was only after investigation

5. C.O. 54, 21. Maitland to Castlereagh, 29th February, 1806.

6. C.O. 54, 21. Maitland to Camden, 28th February, 1806.

7. *Ibid.*

by a special Commissioner. Wood, and strong action, that reform was effected. As, however, particular methods were adapted to individual cases, it is not possible to pursue them in detail. Only general measures can be noted.

In the first place, proper standing orders were prepared for the several departments by 1808.¹ Secondly, the Collectors were confined to their proper administrative duties and disbursements were placed in the full control of the proper authority.² Thirdly, careful new instructions were issued to the Collectors.³ The practice of the Collector staying in the chief town of his District and relying for information on his Ceylonese subordinates was condemned as 'by much the most important part of it (his work) appears to be to make himself thoroughly master of the situation and state of his District by frequent and personal inspection'. The Collector was therefore to make it a 'primary duty' to visit every part of his district so as to be able to give an opinion, 'not obtained from hearsay, or from black intelligence, but from personal knowledge', of the state of the district, the characters of headmen, and of 'all other persons possessed of influence and talents'. Hence, the Collector was to make a circuit of his district every three months at the time when the revenues usually collected the taxes, which was when his presence would be most necessary. A regular journal of the circuit was to be forwarded to Colombo. Besides, the Collector was to ascertain the exact population and to make the headmen report on the products and occupations of the district. In short, the energy at the centre was transmitted directly to the extremities.

A further reform is noteworthy. Camden's original instructions to Maitland had hinted at the existence of private trading among public servants, and ordered its suppression.⁴ This corroding evil, 'if . . . not countenanced, was . . . at least tacitly admitted' by North.⁵ Maitland condemned it unreservedly. He drew a distinction between real commerce (which he was willing to encourage public servants to engage in, as an example to the inhabitants)

and private trade. Citing the experience of the East India Company, he declared that 'a greater abuse cannot be supposed to exist'. Briefly, two evils were entailed. The first and lesser was that 'in some instances' public servants had misapplied public funds and official position to cheat Government itself. The second was more vital. The power and influence of a Collector was, in his district, 'nearly co-extensive with that of the Government itself'. Employing that power for his private benefit, he could monopolise, at almost his own price, the staples of the locality, stifling fair enterprise and competition, concealing the real state of commerce in the district, and nullifying every attempt of Government to stimulate trade. It was impossible 'to suppose this species of public swindling fair and honourable'. Consequently, the Minute of 27th August, 1805, prohibited private trading by public servants.¹ In practice, the rule was at first somewhat relaxed. Private trading was permitted in cases where the individual was old enough and of good character and when the species of commerce was fair, avowed and ascertained - the Board of Revenue being entrusted with the judgment.² Ultimately, however, it was totally prohibited.

In relation to this subject, Maitland raised another important topic.³ The mischief produced serious and alarming effects on the character of the Civil Servants themselves. Maitland attributed this to the system of recruitment. Writers were sent out at fifteen to seventeen years of age; raw youths, of good education and birth indeed, but unaccustomed to business, fluid of character, and unable, from inexperience, to distinguish the honourable from the dishonourable elements in 'the complex transactions of Public Life'. The attendant abuses were therefore inevitable, especially as mere striplings were often placed in charge of distant and lonely districts because their seniors naturally sought the plums of the service. Further, being unseasoned, they were easy victims of illness. An even more vital drawback arose. The usual term of service was twelve years, after which the officers retired on pension. So that valuable men were lost at the height of their powers just when they were rich in

1. C.G.C., 28th August, 1805.

2. L.O. 54, 18. Maitland to Camden, 17th October, 1805.

3. *Ibid.*

1. C.O. 54, 28. Maitland to Camden, 17th August, 1805.

2. L.O. 54, 21. Maitland to Camden, 28th February, 1806.

3. C.O. 54, 23. Maitland to Windham, 28th February, 1805. Enclosures.

4. C.O. 55, 62. Camden to Maitland, 21st February, 1805.

5. C.O. 51, 18. Maitland to Camden, 19th October, 1805.

experience; whereas quite half their period of service had been fruitlessly spent in learning their work as assistants and performing duties that 'can be better performed by the native clerks, and other native officers, who are admirably expert in the performance of all subordinate duties.'¹ The difficulty was accentuated by the pension scheme. A Civil Servant was entitled to his pension after twelve years' service but could not draw it if he was still employed by Government. Hence the tendency was to retire promptly to the more congenial conditions of home. 'They may, perhaps, remain . . . beyond the fixed period, reluctant to quit a good salary; but this is done by mere procrastination from year to year, without a plan, and without the advantages that could be derived from a more settled mind.'²

To remedy the difficulty, Maitland proposed that the Governor should be authorized, if necessary, to retain for not more than three years, or for the duration of his own term of office, three servants who might be willing to remain after their period of service had expired, receiving their pensions in addition to their salary. Since this proposal entailed no additional expense to Government, and imposed no new obligation upon the officer, Lord Liverpool gave Maitland's successor the necessary powers.³ On the other hand, another expedient employed by Maitland to counteract the evils of immaturity was discontinued. This was the appointment of military officers to civil posts in direct contravention of the rule against combining civil and military powers. The chief case was that of Major McNab who was made Collector of Batticaloa in 1806.⁴ Castlereagh ordered the immediate discontinuance of the practice on the principle that civil servants must rise in strict gradation starting from the lowest position of writer.⁵ Castlereagh was perhaps not un-influenced by the fact of 'your (Maitland's) multiplying offices upon the gentlemen whom you took out'.⁶

By the middle of 1808, Maitland had prepared General Regulations for the Government of Ceylon which were later made

1. Desolucci 432.

2. *Ibid.* 413.

3. C.O. 55, 62. Liverpool to Brownrigg, 5th November, 1811.

4. C.O. 54, 20. Maitland to Gordon, 28th February, 1806.

5. C.O. 55, 62. Castlereagh to Maitland, 10th June, 1807.

6. *Ibid.* Cooke to Maitland, 10th June, 1807.

permanent.⁷ It is unnecessary to detail such of these standing orders as related to the internal regulation of individual departments, but some general points may be noted. A regular gradation of offices was established by dividing the Civil Service into three classes. The first class consisted of the five officers receiving salaries of over £2,000, viz., the Chief Secretary, the Commissioner of Revenue, the Civil Auditor-General, the Vice-Treasurer and Accountant General, and the Civil and Military Paymaster-General. Officers receiving £600-£1,800, e.g., Collectors, constituted the second class, and those receiving £550 and less, the third. No officer of less than seven and eight years' service respectively could belong to the second or first grades. Secondly, the Commissioner of Revenue was confined to the duties of receipt; expenditure being made solely the duty of the Paymaster-General. Thirdly, the duties of all officers were carefully defined. In this connection the Collector's powers are noteworthy. He was instructed generally to exercise his judicial powers 'only when on circuit', leaving such work normally to the Sitting Magistrates—who were usually Burghers. Further, it was made the permanent duty of the Collector, when on circuit, to advance agricultural implements, etc. to cultivators. Lastly, the appointment of minor native officials was taken away from them and vested in the Commissioner of Revenue; all native officials of the rank of Mubandiram and upwards being appointed directly by the Governor.

Now, Maitland did not confine himself in the realm of administration only to Civil Service reforms. He set before himself three general objects: to undermine the power of the Madaliyars, to bind all religious organizations to Government, and to establish an efficient police. In a sense, these were different facets of the one policy of stabilising the British position in Ceylon.

A legitimate police was badly needed. 'Regular gangs of thieves perfectly known of, and perfectly organized, were regularly settled in different parts of the Island . . . if not supported and established by the Moodallars, at least by them known to exist in full activity. Independent of these regular bodies of Plunderers, every Town in the Island was full of Outcasts of every description, without any visible means of livelihood, and living upon the

7. C.O. 54, 23. Maitland to Castlereagh, 17th August, 1807.

plunder of the Public.¹ Maitland attributed these evils in the Sinhalese districts largely to the disorganisation of the internal police and the promotion of idleness by North's abolition of service tenures. In the Tamil districts, he put it down to certain measures of North relating to slavery, and the steps referring to them will be examined in another part of this chapter.

The evil was first met with in the Kalpōattu of the Galle Kōnalē which was 'much infested with numerous and daring associations of Robbers'. Maitland took prompt steps. Since the headmen had 'disgracefully' neglected their duty from fear or bribery, the Collector of the district was ordered to go immediately on circuit in the *patte* and given special powers to try all criminal offences, and to punish to the extent of 200 six-dollars fine, six months' imprisonment at hard labour, and 200 lashes. This special measure of 30th June, 1806 was followed by three general regulations of 14th and 19th August, 1806 and 25th February, 1807.² Certain allied judicial measures are examined in the chapter devoted to that topic. The first regulation was designed to compel the headmen effectively to discharge their duties. They were ordered to report the existence of robber gangs and vagrants on pain of instant dismissal and a heavy fine for failure to do so. Secondly, 'such men as might be inconvenient or prejudicial to the peace, good order or security of these Settlements whom it is difficult for legal proceedings to reach', were to be banished to Delft - a remarkable exercise of arbitrary power which it is difficult to justify. Thirdly, every Magistrate was directed to apprehend 'all descriptions of Vagrants or suspected Persons who may be lurking about his jurisdiction without any sensible means of subsistence or who cannot give a satisfactory account of themselves', and, if he had reason for 'suspecting' them to be 'disorderly or ill-disposed people, to employ them on road repair or other public works until they found adequate security for good behaviour or employment under 'some creditable person' or proof by their department, while in custody that they would find a proper occupation on discharge.

1. C.O. 54, 23. Maitland to Windham, 28th February, 1807.

2. *Ibid.* Enclosures.

The second regulation applied to the town of Colombo which was thereby divided into police divisions, each under a constable who was also to be chief overseer of the divisional patrol. The constables, who were to report personally every month to the Magistrate, and carried a rattle to call for assistance, were empowered to apprehend suspicious persons and search, upon complaint, suspicious houses after sunset; to demand and enforce entrance into any house in which he suspected disorderly persons or improper conduct to be existing 'at any time'; to apprehend all vagrants; to prevent beggars from infesting the streets except on Saturdays between 7 a.m. and 5 p.m. - none being allowed so to beg without a certificate from the constable or headman; and to report all disorderly persons and houses to the Magistrates. The patrols were to see that nobody slept in piazzas or verandahs, or passed along the streets without lights after 10 p.m. Nobody was to harbour a stranger without notice to the constable, who was to make 'a particular enquiry' into the means of subsistence of those in his division. Unlicensed gambling places were abolished; street gambling, etc. prohibited; the number of licensed gambling places was limited to three and were to be closed at 6 p.m., even as licensed billiard-table-keepers were to close at 10 p.m. and the smoking of 'Madika or Opium' was disallowed after sunset without the constable's permission. The pawning or sale of gold, silver, or copper articles without first showing them to the constables was prohibited, as also the purchase of any goods whatsoever after sunset from hawkers and pedlars. All houses and gardens were to be enclosed and their inhabitants charged with keeping the corresponding street-space clean, and streets were to be named. Fire was guarded against by forbidding the firing of muskets in the Pettah and the unpermitted erection of cadjan huts and shade. Finally, precautions for keeping abattoirs clean and seeing that the streets were not encumbered upon by new buildings, were outlined. By another regulation, bakers were licensed and prices fixed. The constables received 10 per cent. on all property discovered or recovered; informers 5 per cent. This regulation was later extended to the towns of Jaina, Galle, Mātara, Negombo and Trincomalee.

The third regulation applied to the countryside. To each village was to be appointed by the Collector, with security and during pleasure one or more police officers to be called Vidānē. This officer was empowered to arrest, and search the houses of, all such persons in his village as were 'either suspected by himself or accused by others of having committed any offence,' and also to call upon, in the King's name, 'every inhabitant of his own and of the neighbouring villages, and also upon all the neighbouring Vidānēs to aid him in the execution of his duties'. He was, as soon as possible, to deliver to the nearest Justice of the Peace, with reasons, such as he arrested; and to report with details about any search of houses that he might have made. The Vidānē received 10 per cent. on all recovered stolen property, provided he brought one of the guilty persons to conviction. Further, as in the towns, silver and goldsmiths were ordered to take out licences and give security; and prohibited to 'mend, alter or melt' any silver or gold article without first showing it to the Vidānē. Similarly, as to pawning such articles.

These regulations have a distinctly Elizabethan flavour and appear to constitute a partial attempt at adapting English ideas of local police and vagrancy laws to local conditions, and at grafting them on to the indigenous organization. Maitland himself acknowledged their drastic nature and the need for subsequent relaxation. He justified them by their results. 'As a result of these and their vigilant application', he claimed, 'the Police is placed on a footing widely different to what it was - all the Gangs of Plunderers and Robbers are now working in the Salt Pans for Government; all the vagrants who could not find security and have no means of livelihood are employed in a similar way - the rest have either taken to useful occupations or left the Island; and the result of these measures, when incontrovertibly proved by the test of the number of Criminal Cases tried in the Courts, is satisfactory'. This conclusion was supported by the Collector in the case of the Taipōpattu itself. The police organisation of the towns was placed on a permanent and responsible footing in 1811, when a Superintendent of Police was appointed.¹ The Village Vidānēs exist to the present day.

1. C.O. 54. 131. Horton to Goderich, 23rd November, 1833 and Enclosures.

It is obvious that the direct creation of the new Vidānēs entailed a diminution of the powers of the Mudaliyārs in whom the police of the *kōvalēs* had traditionally vested. This fact relates to a conscious policy. 'Were I to give at this moment a decided opinion with regard to the greatest evil that exists in the general administration of this Island', said Maitland, 'I should be very much inclined to say, that the complete control and power, vested in the hands exclusively of the Mudaliyārs, was the evil.'² Fortifying his opinion with 'the Repeated Testimony of the ablest Dutch Governors', he declared that 'it approximates so much to a perfect *Imperium in Imperio* that in truth the real Government of the Island is more that of the Mudaliyārs than of the British Government'. Convinced though he was of the propriety of supporting their power and influence to a large degree, he felt it was 'stretched much beyond its fair bearings'. As a remedy, he adopted a two-fold policy - increasing the powers of other native officials, and stimulating the family jealousies of the Mudaliyārs.

According to Maitland, the school-masters in the districts were in fact the indigenous civil servants whose powers the Dutch had suppressed and combined with the military powers of the Mudaliyārs. These men still retained vestiges of their former influence, especially as the Dutch had tried to repair their mistake of concentrating authority in the Mudaliyārs, by 'a mixture of religious and Police Regulations' aimed at reviving some portion of the influence of the old civil servants under the new designation of school-masters. Maitland reverted to that policy. By appointing the school-masters as notaries and sub-stamp-distributors, and by re-placing them as Thambo holders, he hoped to increase their influence. 'By employing the school-masters as agents of Government', he said, 'I think we are extremely likely to come at a more thorough knowledge of the real state of the interior than we at present possess, or ever will get so long as all we know of it (which is the case at present), rests upon what one Mudaliyar or other chooses to tell.'³ The establishment of Sitting Magistrates struck another blow in the same direction, for Maitland claimed that it would undermine

1. C.O. 50. 18. Maitland to Camden, 10th October, 1805.
2. *Ibid.*

the influence of the Mudaliyars who were accustomed to arbitrate in minor disputes.¹ Maitland also found it necessary peremptorily to end 'the assumed power of a number of self-constituted headmen, hardly credible'; the necessity of an act of appointment from Government was re-affirmed.² At the same time, he was encouraging family jealousies and the Collectors of the districts were instructed to that end.³ By 1800, he could write: 'My policy of reducing the power of the Mudaliars by making the heads fall out among themselves has succeeded'.⁴ One difficulty he had met was the tendency for the post to become semi-hereditary, e.g., the Mahamudaliyars of Colombo, Galle and Mâra came from the same family. Late in 1800 he took the opportunity of the death of the First Mahamudaliyâr to condemn that principle in his address to the assembled headmen, and to break it by a new appointment from a different family — the Mangakôn family of Mâra.⁵

This unscrupulous policy of *divide et impera* was also employed in another connection. It was Maitland's view 'that one of the strongest measures that could be adopted with a view to the security of this Island was to connect if possible the religious with your political establishment'.⁶ This was, of course, already the case with the Anglican Church, as also largely the Dutch Church. As regards the latter, we may note that Maitland banished the missionary, de Vos, of the London Missionary Society which sent its first missionaries to Ceylon in 1806, for attempting to create a schism and for disobeying the Governor's orders.⁷ As for the Roman Catholic Church, of which there were 83,000 members at the time,⁸ Maitland hoped he had effected his object by a regulation of 27th May, 1806, which completely removed the disabilities which the Dutch had imposed on Roman Catholics.⁹ They were now assured the unimpeded profession

1. C.O. 54, 25. Maitland to Windham, 28th February, 1807.
2. C.O. 54, 37. Maitland to Castlereagh, 25th January, 1806.
3. C.O. 54, 25. Maitland to Windham, 28th February, 1807. Encl.
4. C.O. 54, 34. Maitland to Cooke, 27th April, 1809.
5. C.O. 54, 37. Maitland to Castlereagh, 25th January, 1806.
6. C.O. 54, 29. Maitland to Windham, 28th September, 1806.
7. C.O. 54, 26. Maitland to Castlereagh, 30th September, 1807.
8. C.G.G., 8th February, 1809. Address to Sir Alexander Johnston.
9. C.G.G., 28th May, 1806.

and exercise of their religion, and admitted to all privileges and capacities; and all marriages according to Catholic rites since 20th August, 1795, were declared valid although the prescribed Dutch formalities had not been observed. Until this measure, the Catholics had been 'disinclined in some degree to a (British) Government which though it tacitly had connived at the non-observance of them had not positively done them away — thus leaving them and their property in a very uncertain position'.¹

It was, however, in relation to Buddhism that Maitland's actions were most significant. The majority of the Sinhalese were Buddhists; and even many professed Christian converts were 'really zealous Buddhists'. Now, the Buddhist *Saigâs* was strongly under Kandyan influence. Kandy was the last bulwark of independent Buddhism in the country; its Mahanâyaika Thera was the acknowledged Head of the *Saigâs*; thither the Maritime *gâmasâras* went for ordination, and the relations between the Kandyan and Maritime *bhikkhûs* (and through them, as well as independently, of the people) was close and intimate. To a foreign Government of the Maritime Provinces, this was an unsafe and dangerous position. 'They have', said Maitland, 'about 750 priests (in the Maritime Sinhalese districts), everyone of them nominated specifically by the King of Kandy, (surely a mis-statement of the position); and all bound to go to Kandy to report the state of their congregation'.² So that the religious position of the Island, from a political point of view, was that 'the mass of the People followed a Religion, the Pastors of which were specifically appointed by your natural enemy; while those of the Roman Catholic Faith were 'of a Religion, the Pastors of which are nominated by the Bishop of Cochin under the Archbishop of Goa', i.e., both were outside the possibility of direct Government control. Maitland sought to rectify this political defect with two weapons. He developed a scheme for appointing, in each province, a Committee of Buddhist *bhikkhûs* to whom were to be referred for decision all cases relative either to the *bhikkhûs* themselves or their lands and religious ceremonies.³

1. C.O. 54, 24. Maitland to Windham, 20th September, 1806.
2. *Idem*.
3. C.O. 54, 25. Maitland to Windham, 28th February, 1807. Encl. Instructions to Eden.

He hoped thereby to show the people that the greatest attention and respect would be paid to Buddhism, to give the *bhikkhus* themselves 'a fellow-feeling with our Government and an interest in supporting its authority among the inhabitants', and 'to break through the powerful combination which has hitherto from want of taking a proper view of the subject been allowed to subsist between the Moodeliars and the Principal Priests, to the great detriment of the British interests and obvious advantage of the King of Kandy'. This scheme does not appear to have been carried out. But his second weapon was certainly used. This was the playing off of rival parties among the *bhikkhus* against each other. In the south of Ceylon, the *bhikkhus* of the Mākirigala Vihāra wielded a 'prodigious influence'. Maitland discovered that a disciple of the Nāyaka Thera of the Vihāra was attempting to build up a rival faction at Galle. Thereupon, he instructed the Collector secretly to instigate their rivalry while publicly pretending, if necessary, to support the Mākirigala faction.¹ It is noteworthy that he adopted the same line of action in the case of the Hindu Tamils of the North, instructing the local Collector to follow a precisely similar course with the rival factions of a great Hindu temple at Jaffna.² It was thus that Maitland endeavoured to harness or break an influence even greater than that of the Moodeliars, and 'a political engine which the King of Kandy is constantly trying to keep in his own hands'. *Divide et impera* was never more unscrupulously advocated and practised as a maxim of political prudence.

However, though Maitland's methods were sometimes dubious, his governorship was an outstanding success. He reformed and completed the administrative organization of the Maritime Provinces, and established it on a well-regulated and permanent basis. The machinery he set up, and the regulations he imposed, substantially lasted till 1833. Moreover, he gave the country five years of sound and efficient government which afforded a welcome respite after North's ambitious schemes. Without the basis given by such a period of recuperation, his successor could not have carried out his Kandyan plans with the facility with

1. C.O. 34, 25. Maitland to Wickham, 28th February, 1807. Encl. Instructions to Eden.

2. *Ibid.* Encl. Instructions to Montgomery.

which they were effected. Maitland left Ceylon prematurely, because of ill-health, on 18th July, 1811. He was accompanied by two young men, relatives of Mudaliyār Abraham de Saum. These Sinhalese youths were probably the first Ceylonese to visit England. After an education at Government expense, they returned to Ceylon; one, as an ordained clergyman, was placed on the ecclesiastical establishment as a chaplain. General John Wilson took charge as Lieutenant-Governor until the arrival, on 11th March, 1813, of Lieutenant-General (later Sir) Robert Brownrigg. As the Kandyan Kingdom fell to the British in 1815, Brownrigg may be termed the first Governor of Ceylon.

After Maitland's work, there was little in the way of new administrative machinery to be set up by his successors. Indeed, all efforts were now concentrated on financial, rather than administrative reforms – and that topic is reserved for a separate chapter. Nevertheless, there are certain facts to note. As from 1st June, 1812, a Commissariat Department was organized, being separated from the Quarter-Master-General's Department to handle a multitude of avocations (e.g., the sale of European goods imported for the Colony on Government account) incompatible with the latter's duties and which it had hitherto performed.¹ The Quarter-Master-General's Department was confined to its proper military duty of provisioning the troops and furnishing the supplies for barracks. Secondly, a Superintendent of the Botanical Gardens was appointed in October, 1812.² The Botanical Gardens had been initiated by North, and their history is outlined in the chapter on agriculture. The first Superintendent was William Kerr. Thirdly, the office of Chief Translator to Government, which had been originated by Maitland and held throughout by John D'Oyly, was abolished after D'Oyly was promoted to the Residency of Kandy.³ At the same time, Civil Servants were to be encouraged to learn the native languages by the offer of prizes for acquiring the accomplishment. In fact, this very desirable object was never properly fulfilled during this period. Civil Servants with a working knowledge of

1. C.O. 34, 43. Brownrigg to Liverpool, 20th May, 1812; C.G.G., 3rd June, 1812, General Order of 2nd May.

2. C.O. 34, 24. Chief Secretary to Kerr, 10th August, 1812.

3. C.O. 35, 69. Baskant to Brownrigg, 10th March, 1812.

Ceylonese languages were exceptional. Lastly, on the ecclesiastical side, Ceylon was in 1817 made a part of the See of the Bishop of Calcutta, and an Archdeacon was appointed to the Island.¹ The first Archdeacon was the Venerable Thomas James Twissleton who had come out to Ceylon as colonial chaplain during North's governorship. Brownrigg took a deep interest in religion and education. In 1812, he inaugurated the Auxiliary Bible Society at Colombo,² while a school was also established under Lady Brownrigg's patronage. The arrival of five American missionaries in 1816 deserves mention.³ Their educational work will be noted, as also that of the Wesleyan and Baptist Missions.

As it was during Brownrigg's governorship that the most important action relating to slavery occurred, that topic may well be reviewed at this stage. Dutch law recognised slavery, and the Dutch colonials appear to have owned many slaves, chiefly for household and menial work, e.g., carrying palanquins. The Batavian authorities had indeed attempted to regulate the ownership, treatment, inheritance, etc. of slaves by the enactment of several 'wholesome and humane' laws; but these seem to have been very laxly administered.⁴ Although the practice of selling children in time of famine and stress appears to have been fairly common throughout the Island,⁵ slavery, as an institution, appears to have been foreign to Ceylon. In the Sinhalese districts, in particular, the owners of slaves were nearly all Burgbers. In the Tamil districts, on the other hand, certain low castes - the Kúvia, Nallavar and Palla castes - appear to have been in a state little distinguishable from, if not of, absolute slavery. Further, there was a regular traffic in slaves between Java and South India. 'The practice of kidnapping at Cochin was for many years notorious', said North, 'but the reception of slaves from that place was subject to scarcely any restriction on this Island, and those restrictions were ill-observed'.⁶ This import of slaves from the Coast was promptly stopped by the

1. C.O. 51. 63. Warrant of 15th August, 1817.

2. C.G.O., 513 August, 1812.

3. C.O. 34. 30. Brownrigg to Buchanan, 27th March, 1816.

4. C.O. 34. 2. North to Court of Directors, 30th Aug. 1812.

5. C.O. 52. 3. North to Court of Directors, 18th February, 1817. Encl. North to Wellesley, 20th October, 1800.

6. *Ibidem*.

Madras Administration, which prohibited the external traffic in slaves. That, however, was as far as the British could then go. The guarantees of all private property made in all the capitulations, covered slaves as well. Consequently, all de Meuron could recommend was the establishment of a Registry with a view to gradual measures for ultimate abolition.⁷

The abolition of slavery was a measure which greatly appealed to a man of North's progressive temper, and he sought to implement de Meuron's suggestion in a proclamation⁸ he proposed in 1801. No persons were to be regarded as slaves except such as had been the lawful property of individuals at the respective dates on which the several districts had capitulated. All such slaves were to be produced with their bonds and registered by 1st May, 1802, or else to be considered free. Transfers of unregistered slaves were made invalid - a six-dollar being charged for registration and for every transfer. The Dutch prohibition of the transference of Christian slaves was confirmed. Further, attempts to enslave after 1802 were penalised by a thousand six-dollars fine. The import of slaves was forbidden - all slaves entering Ceylon being declared *ipso facto* free except in cases of those attending their masters with permission. Export was similarly prohibited. Finally, some rules were drawn up for the treatment of slaves. Chief among these were the keeping together of families at sale, and the grant of a prior right to the slave, if he could obtain the money, to purchase his freedom at the sale price. The children of female slaves, except when the father, legitimate or illegitimate, was a free man, were declared slaves. All these were based on the Dutch law; but one innovation was made - the evidence of a slave was made admissible in a court of law, chiefly to prevent innocent defendants being left at the mercy of malicious and interested accusers in a country where Perjury is not yet regarded with sufficient abhorrence.⁹

Whether this proclamation was executed is not clear, but North certainly tried to achieve his object through administration. He was of opinion that slaves could 'for the most part obtain

7. De Meuron's Report.

8. C.O. 54. 3. North to Court of Directors, 18th February, 1801. Encl.

9. *Ibidem*.

their liberty on account of the insufficiency of the proofs of their slavery . . . and those who are lawfully held in slavery may by a very confined exertion of public or individual charity easily be delivered from it . . . The slaves indeed are individually of little value as I have had reason to know from valuation by experts in civil cases, as children they are burthensome . . .¹ Anyhow, much seems to have been done by strictly demanding proof from claimants of slaves. Indeed, Maitland accused North and his Provincial Judges of biased decisions, unfairly given, out of sympathy, in favour of the slave against the master.² Also, North had taken the extraordinary action of refusing the right of appeal in cases where the decision favoured the slave while permitting appeal where it went against him. 'Such administration of the law, said Maitland, 'endangers that which it is designed to protect', property. He therefore repealed the 39th clause of the proclamation of 22nd January, 1807, which had legalised this curious procedure. An appeal was allowed in either case, provided the slave was of appraisable value.³

Paradoxically, it is noteworthy that North, while condemning slavery in Ceylon, was anomalously promoting slavery in recruiting his Kaffir Corps. There were among the Colonial Office papers, three interesting documents relating to this matter.⁴ A sum of 20,279 six-dollars was expended in purchasing Kaffir slaves at Bombay and transporting them to Colombo—79 men capable of bearing arms at 145 six-dollars each, and 79 women at 125 six-dollars each; freight cost 40 six-dollars per head, and insurance, commission, provisions, etc. 3,139 six-dollars. Similarly, 70 men (at 175 six-dollars) and 8 women (at 150 six-dollars) were purchased at Goa, and, with freight, etc. cost 19,054 six-dollars. Lastly, North contracted with one Monsieur Fortin to receive 500 able bodied Kaffirs to be brought from Mozambique and delivered at Galle or Colombo at 725 Spanish Dollars each—payable one-third in cinnamon or 3 shillings per pound and the rest in bills on Bengal or Madras.

1. C.O. 54. 1. North to Court of Directors, 18th February, 1801. Encl.

2. C.O. 54. 25. Maitland to Windham, 28th February, 1807.

3. 1810. and Encl. Regulation of 8th July, 1806.

4. C.O. 54. 14. North to Hobson, 25th September, 1804. Encl.

When investigating slavery in Ceylon, North discovered 'a horrible mistake' that the Dutch had made in confounding with slaves the Kōvias, Nallavar and Palla castes of Jaffna, who were 'bound to do service to superior castes, with a strictness and to an extent approaching nearly to positive slavery'.¹ On the other hand, in applying the essential distinction between low caste and slavery, North appears to have gone to the opposite extreme of undermining the caste obligations of bounden service. Maitland pointed out that the 'right of servitude' possessed by higher castes over Kōvias, Nallavars and Pallas was a species of property, and that the relationship was mutual because the right to service carried also a duty to support. This ancient and deeply-embedded system was 'assimilated . . . to the ancient habits of the country, to the feelings and prejudices of the People, and . . . was . . . on the whole wise in principle and salutary in its effects'. To undermine it through biased judicial decisions was both unjust to individuals and unfair to the community. The fabric of society was destroyed and the police disorganized. 'The Servant . . . refuses to obey his masters; the master consequently refuses to support his Servant; the ancient system of subordination is gone away; numbers of the lower castes, without the means of subsistence are daily turned upon the Public and uniformly commit those enormities which for the last few years have disgraced the Province of Jaffna . . .'. Maitland therefore restored caste obligations, confirmed the *Tēsavakamaī* (i.e., the code of Tamil customary law drawn up in 1706 by Governor Simons), directed cases relating to caste to be decided according to custom, and ordered persons claiming services from lower castes to give a list to the Collector and to be responsible for the good behaviour of their dependents.²

Also, a registry was set up. A regulation of 17th August, 1806, ordered the registration of slaves within four months on pain of forfeiture of title.³ But difficulties relating to determination of titles necessitated postponement of the date of closing the registry, which was done by Regulation No. 3 of 1808. As it happened, successive postponements proved to be its uniform

1. C.O. 54. 25. Maitland to Windham, 28th February, 1807.

2. 1811. Encl. Regulation of 9th December, 1806.

3. C.G.C., 17th August, 1806.

face. So that, although Maitland anticipated the early abolition of slavery, the question remained unsettled when Brownrigg arrived.

The matter was brought to Brownrigg's urgent notice by the exertions of Sir Alexander Johnstone, Chief Justice at the time.¹ By the exercise of his influence, Johnstone persuaded a large number of slave proprietors, chiefly Burghers, voluntarily to take steps to effect the ultimate abolition of domestic slavery. In an Address to the Prince Regent in 1816, they expressed their agreement to a substantial measure of emancipation. 'In families long settled in this Island', declared the signatories, of whatever Class, the Household Establishment is usually so much dependent on the service of slaves, that a discharge of those persons would subject the inhabitants to privations, losses and expense, such as ordinary prudence forbids us to encounter. At the same time we have reason to know, that to great numbers of persons now in our houses in the character of slaves, bred up under our roofs, supported for a course of years with kind and considerate treatment, and comfortable subsistence many of them far advanced in life, the greater part established in habits of attachment, a general emancipation would withdraw the source of their support, without advancing their happiness, or improving their support.'² Gradual abolition was therefore desirable, and the emancipation of slave children born after 12th August, 1816, was accordingly suggested as the best measure.

Brownrigg commendatorily accepted this voluntary offer, and implemented it by two regulations of 5th August, 1816.³ All children born on or after 12th August, 1816, to female slaves belonging to the proprietors who had signed the Address, were declared free, and the owner of the mother, with whom the children were always to go, was to maintain and clothe such children until the age of fourteen years and in return for service to be rendered. The opportunity was taken for further important steps. All owners of slaves (even if now emancipated) were ordered to register them at the local Provincial Court within three months, and to take out certificates costing six fanams each (no charge in emancipated cases). The death, birth, or

1. For his part vide the Johnstone MS. in the Colombo Museum.
2. C.G.O., 14th August, 1816. 3. *Ibid.*

transfer of slaves was to be notified within eight days. Heavy penalties were imposed for breach. Further, tenure in joint-property of slaves of the Kōvia, Nallavar and Palla castes was declared illegal as from 12th August, 1819, and arrangements were made for their division among owners whether directly or through sale. Also, slaves desirous of emancipation were empowered to have themselves valued at the Provincial Court in the presence of the proprietor and five assessors, and to purchase their freedom at that price within three months. Maitland's slavery regulations were repealed.

A complementary regulation, designed to further the objects of the first, instituted Commissioners to carry out the registration and division of slaves, and to settle disputes. The method of division was set down and, in general, registry, emancipation and single ownership were facilitated.

Successive postponements were the fate of these arrangements too. There was so much litigation involved that quite a year before the 12th August, 1819, which had been fixed for closing the registry, Brownrigg himself had to postpone the date by a year. It should be noted, however, that all arrangements now referred only to the Kōvias, Nallavars and Pallas, for the measures of 1816/18 appear to have substantially abolished slavery in the Sinhalese districts. The Registry was steadily postponed under Governor Barnes, too, but by a regulation of 17th April, 1821, he made useful arrangements for gradual emancipation by taking the power to purchase from the masters their interest in all female slave children of the Kōvia, Nallavar and Palla castes who might be born after 24th April.⁴ That was the end as far as our period is concerned. Slavery lingered on in the country till it was peremptorily abolished by orders from England in the middle of the century. There had been registered by 30th September, 1821, the following number of slaves:—

	<i>Male</i>	<i>Female</i>	
	<i>Adults</i>	<i>Adults</i>	<i>Children</i>
Kōvia	1,424	1,828	1,538
Nallavar	1,107	1,321	1,190
Palla	1,025	1,230	960
	<u>3,620</u>	<u>4,382</u>	<u>3,688</u>

1. C.O. 54, 80. Barnes to Buxhurst, 10th May, 1821. *Eccl.*

Before dismissing the subject, some information about slavery in the Kandyan Provinces may well be added. It was there an 'ancient institution'. 'The title to a slave', said Revenue Commissioner Savers,¹ 'is established by its being proved that he or she was the issue of a woman known and acknowledged to be a slave of the claimant, or that he or she had been presented by the King from his stock of slaves, or captives of a low (in other captives were made slaves) condition taken in war or by a person selling himself or herself to slavery, or by parents selling their children for slaves, or giving them away in time of dearth or in satisfaction of a debt or of damage caused by any wrongful act or as a fee or *Boalat Samsodda*. But where the person was given over as a slave without a valuable consideration . . . since the time of King Kirti Sree, a written deed of *Ketta Soodie* was necessary. All which titles gave the claimant or master the full right of property in his slave's person. Nor could persons giving over themselves or their children in slavery, be redeemed unless a stipulation to that effect was made in the original sale or transfer . . . It was the practice of a creditor when of superior rank, to seize and retain as his slave his debtor, or a child or children of his debtor, according to the amount in satisfaction of his debt — and if the debt was not discharged or the person seized released by superior authority, the person so seized became absolutely a slave. But even when the King interfered and released the person . . . the debt was discharged from the Royal Treasury; and it was customary for the Disawas and Chiefs of the Provinces when they gave redress in such cases, to raise a voluntary contribution in which they always largely contributed themselves, to pay off the debt . . . Slaves were immemorably valued at the fixed rate, regardless of age, of 50 *Ris* (½ 13s. 4d.) for a male and 30 *Ris* for a female. Inferior castes could not enslave, or own slaves of, superior castes; but with that limitation all castes could be enslaved except *Rodiyas*, 'whose vileness would render them useless as slaves'. Though absolute property, a slave could not be given to, or made to marry, a person of inferior caste. Further, 'a slave has the entire right to the property he may acquire himself. His owner cannot deprive him of it. And it descends to his, the slave's children, as if he

1. C.O. 416. 19. G. 12.

were a free man. But being the slave's next of kin in his owner's possession, the property devolves on his owners . . .'. It is not then strange that Judicial Commissioner Downing declared of the 1,067 male and 1,064 female slaves in the Kandyan Provinces, that 'in no part of the world is slavery in a milder form than here. Cruelty to a slave is scarcely known and in general they are treated more as adopted dependents of the family than menials.'²

Brownrigg handed over to Major-General Sir Edward Barnes on 1st February, 1820. Barnes' appointment was of a temporary nature, and Lieutenant-General Sir Edward Paget displaced him on 2nd February, 1822. But Paget was promoted to the Bengal command immediately after, and left Ceylon on 6th November, 1822, leaving the temporary administration in the hands of Major-General Sir James Campbell. In the meantime, Barnes was re-appointed permanently and returned to office on 18th January, 1824. He governed Ceylon for nearly eight more years.

Barnes' Governorship is noteworthy for steady and progressive administration rather than for any striking measures of re-organization. What he really did was to employ the administrative organisation built up by his predecessors to open up and develop the resources of the country. Apart from some important financial measures, which are detailed in a subsequent chapter, his outstanding achievements were as a road-builder.

At the time the British occupied the Maritime Provinces there were no carriage-roads except perhaps in the vicinity of towns.³ The 'roads' were mostly bridle paths connecting military forts. By 1814, 'a fine road rivaling the turnpikes of England' had been built from Colombo to Galle. It was Governor Barnes who was destined to initiate that great policy of road-building which opened up the interior to large-scale economic exploitation and also made into a living reality that unification of the island which had been politically effected by the subjugation of the Kandyan Kingdom. The policy was immediately motivated by considerations more military than economic. 'Sir Edward Barnes, on assuming the Government in 1820, had the penetration to

1. C.O. 416. 19. G. 4.

2. This and the next para. are based on P. M. Bingham, *History of the Public Works Department, 1795-1913*. V. also also Thomas Skinner, *Fifty Years in Ceylon*.

perceive that the sums annually wasted on hill-forts and garrisons in the midst of wild forests might, with judicious expenditure, be made to open the whole country by military roads, contributing at once to its security and enrichment. Before the close of his administration he had the happiness of witnessing the realisation of his policy; of leaving every radius of the diverging lines, which he had planned, either wholly or partially completed. One officer who had been associated with the enterprise from its origin, and with every stage of its progress remained behind him to consummate his plans. The officer was Major Skinner . . .

The great military roads from Colombo to Kandy and from Ambépassa to Kurunégala were commenced in 1820. They were completed in 1825. The road from Kurunégala to Kandy over the Galagatara Pass was completed in 1821, and from Kurunégala as far as Dambulla in 1827. The Kandy-Matāle road was opened in 1831, and continued to Dambulla in 1832. It was continued to the boundary of the present Eastern Province in 1833, probably connecting at that point with the road from Trincomalee which was built at some prior unrecorded date. The Kandy Nuvara Eliya road was commenced in 1827 and completed ten years later. It is also worth noting that in the course of building these roads a bridge of boats was thrown across the Kelani Ganga at Grandpass and the Gordon Bridge across the Mahaoya at Hingula. The Nānu-oya Bridge was built in 1826 and the Māvanālla Bridge in 1832. In the latter year was built the satin-wood bridge over the Mahavāli Ganga at Pēradeniya, a bridge that consisted of a single span of 205 feet. As a result of it all the Kandy Mail Coach, the first mail coach in Asia, was started on 1st February, 1832. By this time, of course, Governor Barnes had left the island.

To return to Barnes' Government, we may note regarding administrative machinery that he abolished the office of Deputy Secretary in the Maritime Provinces, and also the combined office of Commissioner of Stamps and Comptroller of Customs. The control of the Customs was returned to the Commissioner of Revenue and the Commissionership of Stamps was merged in the post of Vice-Treasurer. An attempt was also made in 1820 to combine the Treasury with the Pay Office, but it was later dropped as unsatisfactory. Further, Colombo and Kalutara were main-

gained to form one Collectorship, as also Matara and Tangalle.¹ In 1826, a scheme was proposed from England for placing the Customs Officers in Ceylon on the Imperial establishment, and directly subordinating them to the instructions of the Commissioners of Customs in England.² The object of the scheme appears to have been to place the Customs Officers throughout the Empire on a uniform footing; to safeguard the colonial trade to England, and (this did not apply to Ceylon) to secure the direct collection of such portions of the Customs duties as were sent to England from certain colonies. Barnes pointed out the inapplicability of the last object to Ceylon, and also the unimportance of the second since the direct trade between Ceylon and Britain was small and confined to the port of Colombo. Even on the first head, he attacked the scheme as 'inapplicable', 'impracticable' and 'anomalous'. Under existing arrangements, the Customs Officers were appointed from the Civil Service and were liable to be changed constantly; they were often charged with other duties too, or their duties were attached to other posts. Hence, control by a distant authority was impossible. Moreover, there was every possibility of clashes of authority. On Barnes' representations, the scheme was therefore dropped.³

Barnes also pressed to the notice of the authorities the inadequacy of the Engineer and Medical establishments. His progressive road policy emphasised the former need, which he mitigated by employing officers of the Royal Engineers on civil work.⁴ The only proper technical civil officer at the time was the self-taught Captain Schneider, who held the combined appointment of Surveyor-General and Colonial Engineer and had done excellent work. But neither his qualifications nor his staff was adequate. Nevertheless, this serious drawback lasted till the reforms of 1833.

As for the medical establishment — it consisted, on the civil side, of the Inspector-General of Hospitals; a Deputy Inspector, an Assistant Staff Surgeon and an Apothecary at Colombo; a Physician at Kandy; a Staff Surgeon at Trincomalee and a

1. C.O. 34, 101. Barnes to Huskisson, 31st August, 1823.
 2. C.O. 34, 93. Barnes to Bathurst, 4th August, 1826.
 3. C.O. 35, 55. Memo by Barnes, 3rd December, 1826.
 4. C.O. 34, 82. Barnes to Bathurst, 1st July, 1821.

Hospital Assistant each at Moratuwa, Galle, Batticaloa, Kandy, Ratnapura and Kurunegala. The Regimental Medical Staff consisted of two surgeons each at Colombo and Kandy, and one at Trincomalee; and an Assistant Surgeon each at Trincomalee, Badulla, Ahisota and Jaffna. It is to be noted that the Kandyan Provinces are included in the list. Barnes pointed out that at least fifteen more civil and three more military medical officers were badly needed. For instance in the three hundred miles between Batticaloa and Colombo, there was only one medical officer at Galle. Difficulties were emphasized by the cholera epidemic of 1820.¹ On the occasion, when nearly one-sixth of the 13,000 souls in the 500 square miles of the Mannar district had died, all Barnes had been able to do was to transfer the other Assistant Surgeon MacQueen from Jaffna where his services were equally needed as people were dying at the rate of twenty-two a day in one street. Similarly, in the Chilaw and Puttalam districts, all he could do was to station an officer at Chilaw and order him to extend his visits to Puttalam, thirty miles away. In addition, there were no private practitioners of European medicine in the Island; while it took a long time to fill vacancies from England.² Despite this sad state of affairs, Barnes' application was turned down on grounds of economy. Barnes' successor made similar representations,³ but the Medical Department too, had to await the reforms of 1833.

Barnes also perceived the need for educational re-organization. To overcome the pressing need for qualified teachers, he had a scheme for drawing pupils from the provinces to be educated at Colombo, at Government expense, and sent back as teachers to their localities.⁴ But the question of expense stood in the way. Moreover, it was his view that 'one of the greatest defects of our school system is in my opinion, that it has got too much into the hands of the clergy. It has been considered more as an instrument for the conversion of the people to Christianity than of general improvement in civilization'.⁵ Holding such an opinion,

1. C.O. 50, 80. Barnes to Earl Bathurst, 22nd February, 1821.

2. *Ibid.* Barnes to Bathurst, 1st June, 1821.

3. C.O. 50, 114. Horton to Goderich, 15th December, 1821.

4. C.O. 54, 112. Barnes to Commissioners, 10th September, 1820.

5. *Ibid.*

and considering as he did that the educational system which had been introduced had been 'very absurdly' modelled on the English system in a country where Christians formed a fragmentary minority, it is not strange that he had the 'misfortune to differ from both Bishop Heber and his immediate predecessor, Bishop Middleton'. Barnes desired to give the schools 'a wider scope' than that of 'exclusively Christian establishments'.¹

The point of his remarks may be gathered from a view of the contemporary ecclesiastical and educational establishment. The official Anglican establishment under the Archdeacon of Colombo, supervised by the Bishop of Calcutta, consisted of a Senior Colonial Chaplain with a salary of £800 stationed at Colombo, and four Colonial and two Military Chaplains (£400 each) stationed at Colombo (2), Galle, Jaffna, Trincomalee and Kandy. Their number was reduced in 1837 to four on the death of the Senior Chaplain, Reverend Edward Finch, and the retirement of the Military Chaplain, Reverend J. C. Lyon.² Thereafter, the Senior Chaplain at Colombo received £800, besides £100 for performing military duties—his salary as Principal of Schools was abolished; and chaplains were stationed at Galle (£600 + £100), Kandy (£500 + £100), and Trincomalee (£500 + £100), i.e., purely military chaplaincies were abolished. The salaries were subsequently equated at £500.³ The Dutch Church had Reverend J. D. Palm (£350 from Government) at Wolfendahl Church in Colombo, and a Proponent for the Dutch congregation at Galle. 'The use of the Dutch language is declining', said Barnes, 'and the younger branches of the congregation gradually conforming to the English Church'.⁴ The Wesleyan Methodists had eleven European and three Ceylonese missionaries in the Sinhalese districts; the Church Missionary Society, four clergymen in the same quarter; the American Mission, six missionaries in the Tamil districts; the Baptists, two missionaries at Colombo; and the Roman Catholics, fifteen priests in the different districts under the Superior and Vicar-General. There were about two hundred churches in the Island. All had native subordinate

1. C.O. 410, 6. C. 15. Barnes to Commissioners, 20th July, 1820.

2. C.O. 55, 76. Murray to Barnes, 20th March, 1831.

3. *Ibid.* Goderich to Horton, 30th March, 1830.

4. C.O. 54, 104. Barnes to Murray, 11th March, 1829.

officials, and the Roman Catholics had the largest number of stations. Ceylon was divided into districts, not parishes, and most of the Missions used the same house as school and church.¹

Attached to the ecclesiastical establishment was the educational establishment. At the apex of the Government school system was the Colombo Seminary which, besides the salary of the Colonial Chaplain as Headmaster of the Seminary, and of the Assistant Headmaster, J. C. Arndt, cost Government £12 and some stationery, etc. per month - £11 79s. 6d. of which represented the salaries of five teachers. There were also, in 1827, a school each, supervised by the Colonial Chaplains, at Jaffna and Trincomalee (£2 5s. 6d. each); and supervised by Proponents at Batticaloa (£1 15s.), Kalpitiya (£12s.) and Chilaw (£1 17s. 6d.). Also, there were 91 schools (10s. 6d. per month each) in the Sinhalese districts - there were none in the Tamil and Kandyan districts - supervised by 7 Proponents of districts. The Proponents married and baptized the Christian population, while the schoolmasters also published the banns and kept registers of baptisms, births and deaths. There were 143 boys at the Seminary, and 21,703 pupils (50 girls) at the other schools. The Church Missionary Society, which established itself in Ceylon in 1818, had 36 schools (3 girls' schools) with 1,286 pupils (182 girls). The Wesleyan Mission, which began work in Ceylon in 1824, had 58 schools (2,517 boys and 540 girls) in the Sinhalese, and 23 schools (953 boys) in the Tamil districts; the Baptist Mission which came to Ceylon in 1812, 15 schools (598 boys, 138 girls) in the Colombo district; and the Roman Catholics 61 schools (1,307 boys, 7 girls). The American Mission, which came to Ceylon in 1816, had 93 schools (2,307 boys, 7 girls) in the Jaffna district, besides 3 boarding schools (150 boys, 27 girls). All these Government and missionary schools were free and had the same curriculum - except that many of the missionary schools taught only the native languages as being the most satisfactory medium of instruction. There were also 401 private schools (5,112 boys, 113 girls) within the Collectorate of Colombo, 3 in Galle (50 boys, 64 girls), 2 at Tangalle, 3 in the Trincomalee and 4 in the Vanni districts (151 children), 206 in Jaffna (2,430 boys,

¹ C.O. 416, G. C. 1.

37 girls), 13 in Maurar (182 boys, 4 girls), and 20 in Chilaw (241 boys). Mostly, these taught in the vernaculars.²

Although the Colombo Seminary had supplied numerous recruits to the Government service, and although 'something has been done towards raising up a reading population which can now be addressed and instructed through the press', nevertheless the schools were only satisfactory 'as introductory to a more general dissemination of knowledge, and as a means of reaching the masses, 'altogether inadequate'.³ Indeed, some were of opinion that the existing system needed scrapping, rather than re-organization. These critics held that the problem could never be tackled completely by the missionaries and a voluntary system, the task being one which Government alone could undertake successfully.⁴ The standard was low from lack of good teachers, inadequate supervision, and insufficient funds. Moreover, caste and poverty offered difficult obstacles, as also the reluctance to send girls to school. Bishop Middleton had submitted a plan for amalgamating funds and schools so as to ensure efficiency and proper supervision - 'all schools which cannot be regularly visited by Europeans, and active and conscientious assistants under them, will never be of any real benefit' - but it met with no favour.⁵ The American Mission, however, had used wise methods. They had begun by taking children into their families and then gradually set up schools under proper supervision. Thus they had secured a supply of teachers. Having thus laid an elementary foundation (to use modern terms), they launched, and carried out, a scheme for a secondary school at Vaddukoddai (near Jaffna) for teaching English, advanced Tamil, Sanskrit, Hebrew, some Latin and Greek, Geography, Chronology, History, Mathematics, Philosophy,

¹ C.O. 416, G. C. 2 and C. 15. For fuller details regarding the Mission schools, vide *The Founding of the Mission Schools*, by J. L. Griffin, *The Government Schools in Ceylon, 1798-1832*, is a 200 p. monograph.

² C.O. 416, G. C. 12.

³ *Ibid.* C. 6.

⁴ In 1820, fifty-six Goigama Sinhalese boys at the Colombo Academy struck work (apparently successfully), refusing to sit with the *Sinhalese* pupils.

⁵ *Ibid.* C. 6. Archbishop Clinton to Commissioners, 11th January, 1830.

Chemistry and Natural and Revealed Religion - all with the object of raising a class of natives to propagate Christianity.¹

It may appropriately be noted here that the Commission of Enquiry (of the evidence supplied to whom, the preceding is a summary) recommended the establishment of a School Commission for the proper co-ordination and supervision of the schools. Accordingly, a Commission for the General Superintendence of Education was appointed on 12th May, 1831,² to consist of the Archbishop as President, and the Treasurer, the Auditor-General, the Government Agent for Colombo, and the clergy resident at Colombo as members. The Commission had power to co-opt honorary members to a number not exceeding half the official members. The Commission, which sat at Colombo, had sub-committees at the principal towns, consisting of the Government Agent, the District Judge, and the resident clergy. The Committees inspected the schools and reported to the Commission whose duty it was to suggest necessary measures to Government, to apportion public grants for education, and to appoint school-masters. The latter were now uniformly required to possess a competent knowledge of English.

The School Commission was set up by Sir Robert Wilmet Horton,³ who had become Governor on 23rd October, 1831. Barnes had departed to take up the Bengal command on 13th October, 1831, and Major-General Sir John Wilson had acted in the interim. Colonial governments had been limited to six years in 1823 and further, preparatory to general re-arrangements,

1. C.O. 34, 46. Evans to Bathurst, 3rd February, 1796 and Encl. It may be noted that Government schools were mainly rural and vernacular. The children of the middle classes in the towns - Christians and European descendants in the main - were left almost entirely to obtain such education as private schools could give. The Missionaries when they came followed the Government in giving their attention to the "heathen" and applying generally the Christians in the towns. Vide L. J. Gilliam, *The Story of our Schools*, page 2. The booklet is an account of the origin, constitution and work of the First School Commission.

2. C.O. 11, 2th June, 1831. "In future the towns, the centres of community life, and not the villages, were to be the centre of education. The Government parish schools were closed. From March, 1832, a series of Chaplain's schools were started under the Colonial Chaplains in the towns. Vide Gilliam, *op. cit.*, page 3.

3. Originally, he had been Robert Wilmet - he added the Horton in 1832, at which time he was an Under-Secretary at the Colonial Office.

Horton's own salary had been fixed at £8,000.¹ But, as a civilian, he was allowed a Private Secretary (£500) and an Aide-de-Camp (10s. per diem). Horton's appointment broke the established tradition of military Governors which had prevailed since 1805. A new era was at hand.

With Horton's appointment, an important change was made. Thus far, the Maritime Provinces had been administered by the Governor *in* Council; thenceforward, it was to be by the Governor *and* Council. Horton's Commission and Instructions² directed the appointment of a Council of five - the Chief Justice, the Commander of the Forces, the Chief Secretary, the Commissioner of Revenue, and the Vice-Treasurer and Commissioner of Stamps. There was also a Secretary without voice or vote in the deliberations. The members were 'to have and enjoy freedom of debate and vote in all affairs of public concern, that may be brought before them. But, the Council could only meet if summoned by the Governor, who normally presided. In his unavoidable absence, the senior member present took the chair. Moreover, although the Governor was directed to act with the advice and concurrence of his Council - except in emergency, in which case subsequent consultation was necessary, he was simultaneously empowered to act, at his discretion, in opposition to the opinion of all or the majority of members. In such cases, however, the members' minutes were to be submitted to the Secretary of State. Further, the Council could consider only proposals initiated and submitted by the Governor; the members had no power to originate measures, though they had the right to record dissenting minutes. Also, the Governor could suspend members for just cause, or make exceptional *ad hoc* appointments, where the quorum of two besides himself could not otherwise be available. Thus, it is clear that the new Council had little more real power than the old. From the point of view of responsibility and initiation of policy, the alteration was by no means radical. A conjunction had been substituted for a proposition. Laws were indeed now promulgated in the name of the Governor *and* Council. But the Governor still reigned supreme.

1. C.O. 55, 69. Goddard to Horton, 23rd June, 1831.

2. *Ibid.* Dated 3th and 26th April, 1831, respectively.

The new Council held its first meeting on 10th November, 1831; and on that occasion, Horton submitted an important minute embodying his principles of administration.¹ Certain of its features are worthy of note. To secure the appointment of 'competent persons' to the Civil Service, Horton proposed the institution, in England of 'an adequate examination as an indispensable preliminary'. Further, recruits were to be at least 18-20 years of age, and were to be required to possess a knowledge of Law and of a Ceylonese language before being appointed to any office. Also, promotions were to depend on competence as much as seniority. The Secretary of State accepted these principles with the exception of the proposal for a choice by examination. In proposing the latter plan, Horton had been actuated by the fact that 'out of thirty-six Civil Servants, eleven are decidedly incompetent, nine are just within the pale of competency, fourteen decidedly competent, and two whose merits or demerits are yet unknown'.²

Certain other changes in service conditions were also made at his instance. According to the rule laid down by Brownrigg, on instructions from England, in 1815, a Civil Servant going on leave to England had to vacate his post and succeed to any that might be vacant on his return. Similarly, he was allowed three months' sick leave - at sea or in India - on half salary; thereafter he automatically vacated his post in that case too. Every such event usually meant changes throughout the service - 'all members of the service consider their remaining long in any situation so precarious that they are induced to look forward anxiously to a change instead of devoting their whole attention to the duties of their office; and in almost every instance no sooner has a public officer made himself master of the duties of his situation than he is removed to another of which he knows comparatively little'.³ Horton therefore desired servants of ten years' standing, who had held their office for three years, should be given the right to resume the same office on return from leave; and also that sea leave should be increased to eight

1. C.O. 54, 114. Horton to Goderich, 9th November, 1831. *Ibid.*

2. *Ibid.* Horton to Goderich, 22nd November, 1831.

3. C.O. 54, 117. Horton to Goderich, 31st January, 1832.

months. Goderich rejected the first proposal, but extended sick leave to ten months, with half salary for six months.⁴

Changes were also made in the native establishment. That establishment consisted broadly of three divisions. The first division consisted of such officials as the *Mudaliyars* and *Muhandirams* who performed essential, if subordinate, public duties. The second consisted of men holding like titles as 'honorary distinctions rarely attended with any pecuniary allowance'. The third class consisted of personal attendants. The Governor and the higher European officials had a proportionate number of Government-paid *lascars* and *peons* 'who are retained for the purpose of attending the carriages of individuals holding certain offices, when they or their families go out, or . . . employed according to the custom of the country to hold umbrellas to protect their employers against the sun, or . . . attend . . . their employers as a mark of honorary distinction in reference to their official position'.⁵ Such *lascars* and *peons* are to be distinguished from those employed as official messengers 'in the constant communication that the Governor carries on from hour to hour with various branches of the Civil Service'; as police officers; and as intermediaries to receive 'the numerous petitions, that are daily presented to me at home and abroad'.⁶ The latter belong to the first division.

The Commissioners of Enquiry considered the third class unnecessary and had refused Barnes' offer of the number of attendants that was proportionate to their dignity. Lord Goderich, Secretary of State, adopted the same view but made the mistake at first of confusing the public with the personal officials. On advice, however, he limited his instructions to the dismissal of the *Arutchies*, *Kanganics* and *lascars* of the Governor, and the entire second and third portions of the native establishment.⁷ Horton made a strong protest, particularly with regard to the titular offices.⁸ The honorary titles were highly prized by the Ceylonese and were not without an English

1. C.O. 55, 74. Goderich to Horton, 24th August, 1832.

2. C.G.S., 6th October, 1832. Minute by Governor.

3. C.O. 54, 117. Horton to Goderich, 1st February, 1832.

4. C.O. 55, 69. Goderich to Horton, 4th August, 1831.

5. C.O. 54, 114. Horton to Goderich, 22nd November, 1831.

analogy. They supplied 'a very cheap means' of sustaining British influence; and the title of *Muhalyâr* of his Gate and Guard was the highest honour the Governor could confer. 'I dare not incur the risk,' he said, 'of disgusting the higher class of natives by depriving them of titles to which they attach the highest value; and by multiplying them of moderate allowances which they have been granted as the reward of past and important services. I cannot expect that persons degraded in their own eyes will remain, as they now are, equal in point of loyalty and attachment to the Crown to any of His Majesty's subjects'. Goderich perceived the force of the argument and directed gradual abolition by allowing titular offices to lapse.¹ But he refused to concede the necessity of lascarins and peons, and insisted on the dismissal of those who were not absolutely necessary to perform strictly public duties. Accordingly, personal attendants were abolished as from November, 1832.² Only 2 *Anachies*, 6 *Kangâries*, 40 lascarins and 5 peons were retained from an establishment of 24 *Anachies*, 97 *Kangâries*, 377 lascarins and 515 peons. The reductions represented a saving of £267 19s. 6d. per annum.³

The measure included the abolition of the Ceylon Light Dragoons—a local mounted corps which rode out in attendance on the Governor. In their place, eight mounted orderlies under a *Kangâry* were allowed to the Governor. Horton expressed his 'bitterest mortification' thereon.⁴ An economy of £718 12s. 6d. was 'below contempt'; while the Ceylonese would 'doubtless come to the conclusion that where the external marks of authority are withdrawn, the authority itself is in a great degree taken away'.⁵ Horton considered it 'in the highest degree inexpedient' that the Governor should appear in public without accredited attendants as interpreters and receivers of petitions; and threatened otherwise to notify the people 'that personal communication with me must be considered out of the question'. Proposals based on an 'imperfect knowledge of the natives and their habits',

1. C.O. 53, 72. Goderich to Horton, 11th April, 1832.

2. C.L.C., 6th October, 1832. Minute by Governor.

3. C.O. 54, 107. Horton to Goderich, 3rd February, 1833.

4. C.O. 54, 108. Horton to Goderich, 13th October, 1832.

5. *Ibid.* Encl.

he said, rendered the Commissioners of Enquiry 'the laughing stock of the Eastern Hemisphere'.

Horton expressed this opinion on the eve of the new reforms. Prior to these, when John Rodney retired in 1822, the office of Deputy Secretary was abolished.¹ The establishment of the Colombo Friend-in-Need Society in 1831, and of the Ceylon Savings Bank in 1833, may also be noted. But the last years of Horton's governorship lies beyond our purview. Radical changes were at hand. Horton, the last of the old line of Governors, ushered them in and became also the first of a new succession.

1. C.O. 35, 51. Goderich to Horton, 1st November, 1832.

CHAPTER IX

THE KANDYAN ADMINISTRATIVE SYSTEM

The Kingdom of Kandy was a despotism. The King was supreme and absolute. Peace and war were of his making, and law was the enactment of his will. Nevertheless, it was traditionally implicit that the King should act in conformity with the institutions and customs of the kingdom. He was expected to avail himself of the advice of his ministers; and before innovations of importance were introduced, it was customary to consult the chiefs and, frequently, also the Nāyaka Thēras.¹

The country was governed through a hierarchy of officials at whose head were the great public officers of state – the Adigārs, Disāvas, Lēkams and Raṭmahatmayas. The Nāyaka Thēras of the *villāras* may perhaps be included, for religion was closely interwoven with Kandyan politics. Mention may also be made of the officers of the Royal Household, e.g., the *Saluvaḍare Nilamē* or Master of the Robes, and of the chiefs of departments employed in the King's personal service, e.g., the *Gajanāyaka Nilamē* who was in charge of the King's elephants. These officers were either chiefs of provinces or villages, possessing jurisdiction within their local limits, or chiefs of departments, with jurisdiction over persons dispersed in different districts or villages. They received no definite fixed salaries, but were entitled to sundry emoluments from the persons under them; and in consideration of these, they paid a fixed annual tribute, called *Dāḍyas* into the Royal Treasury.²

The officer of highest rank under the Kandyan monarchy was the Adigār, styled *Maharilanē* or Prime Minister. Usually, there were two such officers – the *Pallegampahē Adigār* and the

Udagampahē Adigār. Sri Vikrama Rājasingha added a third, styled the *Syapattu Adigār*.³ The *Pallegampahē Adigār*, who had, broadly, the north and east of the kingdom under his authority, was First or *Mahādīgār*, and had precedence over his colleague who was charged with the south and west. Within their respective jurisdictions, however, the Adigārs had equal powers and privileges. Their duties comprehended those of court ministers, chief justices and commanders of military forces. The *Katsāpēḷḷ*, *Kasāḍāra* and *Kūṭṭāṅḷḷ* people, i.e., the messengers, whip crackers, and guards of the gaol at Kandy, were under their peculiar jurisdiction. The public works of the country; the police, the streets, and the great gaol of Kandy; and the superintendence of public processions; were in their charge. They were the channels of the King's orders; and they advised him upon the appointment of all other chiefs and of the chief *śāśtras*, upon grants of land or rewards for services. In short, they were the chief advisers of the King, and the immediate executors of his will. The office of Adigār carried with it certain honours and privileges, e.g., precedence on public occasions, the right of being preceded by whip crackers and of causing the *tan-tāns* of other chiefs to be silent in their presence, etc. The resources of Adigārs were drawn from their private lands, often consisting of whole villages, from the judicial business, from ferry dues, and tenorial dues in service, money, or kind. Generally, a *śāśtra* was also conferred on each.⁴

Ranking after the Adigārs were the Disāvas and Raṭmahatmayas. The Kandyan Kingdom consisted of twenty-one grand divisions. Twelve of these were termed *śāśtras* and were each placed under a chief or governor called the Disāva. The *śāśtras* were the Four Kōṅḷēs, the Seven Kūrālēs, Ūva, Mātālē, Sabaragamuva, the Three Kōṅḷēs, Valapanē, Ūḍapalāta, Nuvanakalūviya, Vellaasa, Bīrāṅṅa and Tamankāḍava. The other provinces – Ūḷṅṅavara, Yaṭṭuvava, Turpanē, Hāmsiyapattu, Durahara, Hēvāhāta, Kōṅḷāḷ, Ūḍa Bulatgama and Pāta Bulatgama – were termed *raṭas*, and each was under a Raṭmahatmaya. The Disāva was virtually supreme in his district,

1. D'Oyly, *Constitution of the Kandyan Kingdom*, 5.

2. *Ibid.* 6.

3. ILLIEM, C. F., *Report on the Kegalle District*, 3.

4. *Ibid.* D'Oyly, *Constitution*, etc., 6-7.

and had his distinct flag and bodyguard. He had judicial powers inferior to those of the Adigārs, and was responsible to the King for keeping order in the district, collecting its revenues, executing the royal orders communicated by the Adigār, appointing the inferior headmen, and attending to the general prosperity of his district. Apart from his private lands, the Disāva's resources were drawn from fees of appointments, *bandura nīla* or fines, *sava nīla* or a compulsory tax for attendance at his house, *kada vājābriya* or piggo dues, and *uśakka* or dressed provisions supplied by the inhabitants. Each Adigār and Disāva had the right of requisitioning the upkeep of himself and retinue from the villagers when on progress through their districts — a method of emolument which meant continual exactions and oppression. The *Rājēmahalmayas* were of lower rank than the Disāvas; their duties were similar but less responsible. No flag was allowed them, nor armed guards and palanquins.¹

Subordinate officialdom constituted parallel hierarchies. The civil authority of the provincial governors was exercised through the *Kōvālas* of the districts or *hovalās*, acting through the medium of *Anākūnālas*, *Vidānēs*, *Liyana-rānas*, and *Unāyā-rōlas* in the villages, all petty headmen with varying powers. The military authority was exercised through *Mudaliyārs* or *Mohottālas* under whom were *Mahandirams*, *Āratchies* and *Kangānics*, remunerated by service lands. The powers of these subordinate officials were limited, and they were controlled by the superior chiefs who wielded the real power and exercised a wide influence.²

Apart from, and beside, the officers with jurisdiction over delimited localities, were the heads of departments who saw to the performance of the services owed to the state by various classes of people distributed in different villages of the various districts of the kingdom. Such departments were in the charge of *Lēkams* or Secretaries. For instance, the *Muluvē Lēkam* had the control of the *Hātēvasam* people, i.e., those owing military service, and exercised his authority through his *Mahandirams*, *Āratchies* and *Kangānics* in the several districts.³ Again, there was the *Maḍigē*

Lēkam in charge of the *Maḍigē* or Carriage-bullock Department. Those liable to this service had to supply a bullock for each *avānam* of land they held, and each bullock supplied a *govi* or forty measures of salt and a *haravala* or dried-fish, to the *Maḍagabādāna* or Royal Stores.⁴ They also performed carriage service, e.g., carrying grain from the royal villages to Kandy. The *Maḍigē Lēkam* exacted these dues and services through the *Vidānēs* and other headmen of his department. The heads of other departments may be enumerated: *Mutalēkam* or Chief Secretary; *Atanallu Lēkam* or Commandant of the Military Department; *Vodikāra Lēkam* or Chief of the Infantry; *Koḍḍivakku Nilamē* or Chief of the Artillery; *Nāmayakkūna Lēkam* who had an inventory of the taxes received by the King; *Vibadda Lēkam* in charge of the grain tax; *Kiruvā Lēkam* or Head of the Elephant-catching Department; *Vaḍana Tuvakkukāra Lēkam* or Chief of the King's bodyguards; *Panividakāra Lēkam* or Controller of the Pay Department; *Uḍa Gabadā Nilamē* or Chief Treasurer; *Kotalbadda Lēkam* or Secretary of the Artificers' Department. There were other departments such as the *Kaḍibadda* or Washers' Department, and the *Baḍakālabadda* or Potters' Department, etc. which were more in the nature of those attending the King's personal service.

In the Kandyan state, the organs of executive and judicial administration were not separated. As has been noted, the executive officials also wielded judicial powers. The supreme judicial power rested in the King, and was exercised either in original jurisdiction or in appeal. Sole fount of law, he was also the highest source of justice. Three types of cases were entertained and decided by the King in the first instance — suits arising between the principal chiefs, and principal officers and servants of his court and household; suits among *śāśakas* regarding the principal *vāśakās* or benefices; and the trial of higher crimes of which no inferior authority could take cognizance, e.g., treason, rebellion, conspiracy, homicide and sacrilege. Cases brought before the King by way of appeal were always of a civil type. Every individual had the right to appeal to the King from the decision of any chief in civil cases, without limitation of time or value. Appeals were brought by representation through a chief or court

1. Bell, H. C. P., *Report*, etc., 3; D'Oyley, *Constitution*, etc., 13.

2. Vide previous note.

3. T. B. Fuchs-Kohelpaarata, *Zēteḍḍa*.

4. D'Oyley, *Constitution*, etc., 27.

ties, by prostration before the King or towards his palace (an occurrence which had to be immediately reported by any observer), by proclaiming grievances aloud from a tree near the palace, or by taking refuge in the *Mahagabala* (Royal Storehouse), the *Dalada Māligāta* (Temple of the Tooth-Relic) or other religious sanctuary. The King either tried appeals personally or referred them for examination by the Great Court of the Chiefs and passed decision on their report. He alone could pass sentence of death.¹

Next in importance to the King's Court was the *Mahasaḍḍava* or Great Court at Kandy. Its proper members were the Adigārs, Disāvas, Lēkams and Muhandirama, but all chiefs, particularly those of ability and distinction in judicial matters, had come to be added. The *Mahasaḍḍava* met as occasion suited, and sat either at the entrance of the Hall of Audience or in different buildings near the palace. The Adigār presided over the court, the other chiefs sitting around according to rank. Proceedings were *visu voce*,² and no records were kept. Oaths were administered after examination – and not in the court but at a neighbouring shrine in the presence of the court's commissioners. All witnesses were, as far as possible, examined on the same day, the evidence of absences being taken through messengers who brought sworn, written depositions. The *Mahasaḍḍava* had both a civil and criminal jurisdiction, original and appellate. Decision was by majority of witnesses or by oath – a procedure closely akin to the mediæval European process of compurgation. Oaths were of various kinds, e.g., by oil or red-hot iron.³ For instance, the contestants dipped their fingers in hot oil and the party suffering the worse consequences lost the case. In land cases, a copy of the decree, called the *siṅga*, was given to the successful party, but no record was kept in the court. Cases of exceptional difficulty were referred to the King, to whom an appeal also lay.⁴

The members of the *Mahasaḍḍava* also had separate jurisdiction in their provinces and spheres of authority. The Adigārs possessed exclusive jurisdiction over all persons under their

peculiar authority. Moreover, they also possessed jurisdiction in the provinces subject to their general authority. It was, however, concurrent with that of the chiefs and could only be exercised in communication with the proper chief without whose concurrence no decision could be given. The Adigārs could hear and decide all civil cases except those reserved to the King, and could grant *siṅgas*. Similarly in criminal matters; but exceptionally atrocious crimes were generally referred to the King. Their powers of punishment were almost as wide as the Kings', save that they could not pass sentence of death and were limited by certain traditional restrictions, relating to the rank of the offender, in the mode of punishment chosen.⁵ These restrictions were binding in all Chief's Courts. Further, the fines levied by them went to the chief in whose jurisdiction the complainant property was in the first instance. An appeal lay from the Adigārs to the Great Court and to the King.⁶

The Disāvas within their provinces exercised judicial powers similar to those of the Adigārs. All *disāva* persons and lands, i.e., all persons and lands in the *disāva* except those attached to the King's Court or Household or to the department of another Chief appointed by the King, were within the Disāva's jurisdiction. Within these limits, he had the same civil and criminal powers as the Adigār, and could grant *siṅgas* in cases involving land owing *disāva* service. The *siṅga* cost the winning party a fee varying from 5 to 50 *Rūpis*. The Disāva usually heard cases personally in the courtyard of his house; but sometimes delegated the trial to his *Mohottālas* or *Kōrales* in much the same manner as the King referred matters to the *Mahasaḍḍava*. Great criminals were sent to the *Mahāhiraḍḍa*, or Great Jail, at Kandy; the lesser were imprisoned in the *Aṅgathu* or *Kaṅḍimakkū Maḍḍava* attached to his house. An appeal lay from the Disāva to the Adigār, the *Mahasaḍḍava*, or the King.⁷

The Lēkams, Raṭṭmahatmayas, Chiefs of Departments of the Court and Household, and the lay principals of temples like the Diyavaḍḍana Nāṭṭṭe of the *Dalada Māligāta* all had a civil and criminal jurisdiction over those subject to their orders. In civil cases their powers were similar to those of the Disāva, except that

1. D'Oyly, *Constitution*, etc. 33, 34, 36.

2. Occasionally a written plaint, called *Visu Pāṭṭava* was presented; also lists of movable property and genealogical tables.

3. D'Oyly, *Constitution*, etc. 58-60.

4. *Ibid.* 35.

5. D'Oyly, *Constitution*, etc. 37 given them in detail.

6. *Ibid.* 36-38.

7. *Ibid.* 38, 39.

they could not issue *sittas*; instead, they sent a *vattarava*, or copy of the decision, to the *lesalman*. On the criminal side, they tried only minor cases; major cases were referred to the *Disáva*, *Adigár* or King. Appeal lay as from the *Disáva's* Court.¹

The lesser chiefs and *lesalman* too possessed a very limited civil and criminal jurisdiction over those subject to their authority - but exercisable only in the absence of their superiors. Petty civil disputes, e.g., relating to *eksa* boundaries, and petty crimes, e.g., assault, were in their cognizance. They could inflict slight corporal punishment, put criminals in the stocks, and detain robbers in their houses. The higher among them could impose fines of 10 *Ridís* the lesser up to 5 *Ridís*. Moreover, they constituted the police of the country, and it was their duty to arrest all offenders and bring them before the proper authority.²

Side by side with the judicial system already described were two institutions that presented the spectacle of democratic organs working within a despotic state. These were the *Gawsabáds* and *Rajásabáds*. The *Gawsabáds*, or Village Tribunal, was composed of the principal and experienced elders of a village, or, sometimes, of a group of contiguous small villages.³ The members met in the *ambalansa* (wayside rest-house) or under the village-tree where the villagers were wont to congregate. The *Gawsabáds* inquired into and, if possible, settled amicably and without expense, such criminal and civil matters of the village as disputes regarding boundaries, debts, thefts, quarrels, etc. Its endeavours were directed to compromise, not punishment; and obedience to its decision, as also to that of the *Rajásabáds*, was voluntary, not obligatory. From the *Gawsabáds* an appeal lay to the *Rajásabáds* which was composed of delegates from each village in the *patte*, or district.⁴ The procedure was the same in both tribunals.

Such a system of graded courts with appeals along the line, should have ensured accessibility to, and impartiality of justice. But the combination of executive with judicial power, and the emasculation of central control, coupled with other circumstances, opened the door to corruption. Litigents appearing before a

1. D'Oyly, *Constitution*, etc. 40.

2. *Ibid.* 41-42.

3. *Ibid.* 42. Fritcham I, 218; Skinner 234 ff.

4. Fritcham I, 218.

Chief had to bring presents and give a *balatasaralla*. The former were customary tokens of respect and the latter fees of court; but they developed into a form of bribery. This was the worse because finality of decision was lacking; for a case decided by one Chief could be re-opened before his successor.¹ All fines went to the chiefs; and as they not only received no stipends from the State but also paid *Dábuss* and were mulcted for extraordinary contributions to the Royal Treasury, the tendency was to levy larger and larger fines and to receive greater and greater presents. *Justitia nequam emolumentum!* The chiefs were judges of both law and fact. There were no written laws or, with the exception of the *sittas*, judicial records; there was nothing to guide the judge save tradition and living testimony. Appeal was expensive, and had lost efficacy for the simple reason that men were afraid to alienate powerful superiors. In short, there were few safeguards against corruption besides the personal integrity of the chiefs - and they had every temptation to act otherwise.

Such was the system expressly guaranteed by the Convention of 1815, and it therefore continued into the new régime. A means of directive European control was merely super-imposed on the ancient organs of administration. The Governor, as the representative of the 'Sovereign of the British Empire' took the place of the ancient Kandyan Kings. Unfettered by a Council, he ruled by proclamations passed in his name; and his authority was, subject to control from England, absolute. Even as the Kandyan Kings held Court, he held Audience, and like them he dispensed justice.² In effect, a new despotism took the place of the old. It was not till 1831 that any change was made. In that year, Horton began the practice of submitting Kandyan proclamations to his Council in the Maritime Provinces.

The Governor exercised his authority through the Resident at Kandy, communications to whom were sent through the Secretary of the Kandyan Department which was set up at Colombo. The post of Secretary for the Kandyan Provinces was held by the Deputy Secretary in the Maritime Provinces, George Lusignan. The Resident was inevitably D'Oyly, who became Sir John D'Oyly in the following year. He was given

1. D'Oyly, *Constitution*, etc. 44.

2. e.g., *Vide* C.G.C., 27th May, 1836, Brownrigg's Address to the Chiefs.

and Ratnapura.¹ They were necessitated by the confusion into which land-ownership and titles had fallen in the unsettled years that had immediately preceded. Matters had indeed become so involved in Sabaragamuwa, the chief theatre of Kihilāpola's revolt, that the court established at Ratnapura could settle nothing, and suits flocked to the Kandyan Department at Colombo.

The Kandyan Provinces were governed through the above machinery till 1818. Changes could only be made cautiously in a newly annexed country, and every precaution was taken to reconcile the great chiefs. The necessity for reform was, however, clear. The political reasons have been noted elsewhere; and there were equally pressing reasons from an administrative point of view. The departments of state depended for their working on a cumbrous system of service dues, and proper administration was difficult because of the maze of minutiae involved.² The chiefs were inefficient and often ignorant. Thus Major Hardy, writing of Milhavā, Disāva of Vellassa, says: 'one of the best Disāvas, if there is any use in the best of them; but they lead so indolent, so absurd and so useless a life, that as officer at the head of a District, I cannot discover their worth; they think it beneath them to know anything of their country, and they have a sort of prompter always at their elbow to answer questions for them - in fact they are made up of show and mummery'.³ Moreover, the Disāva, 'however good he was', could not help being a burden to the inhabitants, as they had to supply the upkeep for him and his retinue.⁴ The habit of giving presents with every complaint added to the burden, and the *kolotsaridde* endangered justice. Above all, the Revenue Agent declared 'that Government will never obtain much benefit from any branch of Revenue, the collection and management of which is entrusted to Native authority'.⁵

1. C.O. 54, 61. Browning to Bathurst, 31st November, 1817.

2. C.O. 54, 60. Browning to Bathurst, 31st June, 1816.

3. C.O. 54, 59. Browning to Bathurst, 20th July, 1815. Encl.

4. C.O. 54, 50. Browning to Bathurst, 21st February, 1816 and C.O. 54, 60. Browning to Bathurst, 21st June, 1816.

5. C.O. 54, 66. Browning to Bathurst, 25th September, 1817. Encl. Sewers' work on Kandyan Revenue.

Consequently, Browning was anxious to inaugurate reforms. It was necessary to step cautiously on the basis of full information. Accordingly, by a Minute of 8th July, 1817, the Kandyan Board was ordered to investigate and report on the best form of political government for, and the best mode of administering justice in, the Kandyan Provinces.¹ Under the former head, the report was to advert particularly to the condition, power and remuneration of the chiefs, the collection or commutation of the revenue, the exaction or commutation of services, the education of youth and the cultivation of the English language, and 'lastly and principally' the state, number and occupations of the people, and the means of improving their morals, and ameliorating their condition'. Justice was to be considered under its various incidents, civil and criminal, as relating to 'existing jurisdictions of prescriptive antiquity' and with reference to the persons of the defendants, viz., whether they were Kandyans or Europeans, Burghers, or natives of the Low-country. While the Board was collecting information, however, the Great Rebellion supervened. When it had been crushed, Browning took the opportunity, 'during the presence of an imposing military force',² to carry out immediately the radical reforms he contemplated.

The comprehensive and lengthy Proclamation of 21st November, 1818,³ which introduced the reforms, has already been summarized and examined from a political point of view. It is therefore only with the executive and judicial reforms that this chapter is concerned. The general, executive, and judicial authority in the Kandyan Provinces was formally and expressly delegated by the Governor to the Board of Commissioners at Kandy. By a Minute of 17th November, 1818, the 'Commandant of Troops in the Interior', was placed on the Kandyan Board so as to ensure harmony of action in the civil and military spheres.⁴ Political and secret subjects were still exclusively reserved to the Resident. All subordinate organs of administration were to exercise authority under the superintendence of

1. C.O. 54, 66. Browning to Bathurst, 8th July, 1817. Encl.

2. C.O. 54, 71. Browning to Bathurst, 2nd January, 1819. Encl. Browning to Board, 25th September, 1816.

3. Vide Duvy, Appendix.

4. C.O. 54, 71. Browning to Bathurst, 9th January, 1819. Encl. Minute of 17th November, 1818.

the Board. Further, the upland provinces immediately around Kandy were placed under the direct administration and supervision of the Board. The provinces were the Four Kōralās, Mātālē, Uḍapālāta and Upper Bulatgama, Uḍanuvāra, Yeḷiuvāra, Turupanē, Hārasīyapālāva, Dumbāra, Hēvāhēḷḷi, Kōfmalē, Valapanē, and the four southern *paḷās* of Nuvarakāḷaviya. In these regions, the Board exercised its executive and judicial powers directly over the inhabitants; except that European agents with minor judicial powers were stationed at Aṭṭapīḷiya in the Four Kōralās, and at Nūlanck in Mātālē.

In the outlying provinces the Board exercised its authority through European accredited agents whose numbers were increased by the Proclamation. The Agent of Government for Ūva, Vallasa and Bindirna, was continued. New resident agents were appointed in the Seven Kōralās, to which Northern Nuvarakāḷaviya was attached, in the Three Kōralās, and in Sabaragamuva; and the Agency of Tamankaduva was attached to the Collectorate of Trincomalee. In the provinces within their immediate jurisdiction, the Agents, besides exercising their judicial powers, were to give orders to collect revenue, perform public services, suspend and punish headmen for disobedience, and exercise general powers of government... subject to the superintendence of the Board of Commissioners.

The increase in number of the European Civil Service in the Kandyan Provinces was designed to undermine the power of the chiefs by subjecting them to direct and constant supervision and control. Moreover, the powers of the chiefs and headmen were drastically reduced and carefully defined. In the first place, they were to perform their duties under the orders of the Board or Agents, 'and not otherwise'; that is to say, they were strictly subordinated to and controlled by the European Civil Servants. The higher chiefs were to be appointed by the Governor, and the inferior headmen by the Resident or, provisionally, by any Agent thereto authorized - and no chief or headman was to exercise any authority unless so appointed under a written instrument. Thus, the large powers of appointment which the Adigārs, Disāvās and others had exercised were swept away, except that the Disāvā's privilege of appointing headmen in the villages and departments allotted to his personal service was expressly confirmed. At the

same time, all fees of appointment payable either by or to the chiefs were abolished, e.g., *Dāḷasō*. An exception was made in the case of temple villages, appointments in which were to be made by the Resident on the recommendation of the Diyavādāna Nilamē or Basavāyaka Nilamē appointed by the Governor, the Nilamēs receiving the customary fee. Included in the abolition were all judicial fees, e.g., *śeḷakāsasēḷḷa*, hitherto received by the chiefs. All presents were prohibited, and payment was to be made for all provisions demanded and supplied. In lieu of loss of emoluments a new system of payment was introduced. The lands of all chiefs and headmen holding office were exempted from tax during tenure. Further, one-twentieth of the revenue paddy collected by them was to go to the inferior headmen in proportions to be fixed by the Board. The superior chiefs were, for their part, to be paid fixed salaries. The First Adigār, for instance, received 150 rix-dollars a month, the Second Adigār 100 rix-dollars; and the Disāvās amounts varying according to the size of their *śeḷasēḷḷa*. Moreover, the honours to be paid to the chiefs and headmen according to rank, and the honours to be paid by them to European officials of the Civil and Military Services were carefully defined. Lastly, to tighten control, the Proclamation 'empowers and directs', that the Board of Commissioners in Kandy, collectively or in their several departments, and the Agents of Government in the provinces, shall punish all disobedience and neglect, by suspension or dismissal from office, fine, or imprisonment, as particular cases may require and deserve; provided that no person holding the Governor's commission may be absolutely dismissed, but by the same authority; and no other chief, but by the authority of the Honourable the Resident...

The latter clauses of the Proclamation effected in the judicial sphere what the earlier clauses had done in the executive sphere, i.e., circumscribed the authority of the chiefs by transferring the greater portion of their powers exclusively to European Civil Servants. The wide judicial powers exercised by the chiefs in their respective provinces have already been outlined. By the Proclamation of 1818, their civil jurisdiction was almost entirely swept away. Only in the Adigārs was reserved a civil jurisdiction

1. C.O. 34, 73. Erzwurigg to Haldane, 8th January, 1818. Encd.

over the *Kesepulā* people, i.e., the messengers traditionally subject to the peculiar authority of the Adigārs; and over that jurisdiction was subject to an appeal to the Judicial Commissioner at Kandy. For the rest, civil cases could be referred by the Judicial Commissioner or the Agents to the Adigārs, Disāvas, or Moloṅṅālas, for hearing and report, but not decision. The criminal jurisdiction of the chiefs and headmen was restricted to petty offences and disobedience of orders. In such cases, the Adigārs could imprison for fourteen days or inflict corporal punishment to the extent of fifty strokes with the open hand or twenty-five strokes with a rattan. The Disāvas could inflict seven days' imprisonment or twenty-five strokes with the open hand, and the principal headmen three days' imprisonment or ten strokes with the open hand. Even that jurisdiction extended only over those lawfully subject to their orders and could not be exercised over those holding office or over non-Kandyans and Moors. The latter two classes continued to be subject to the Agents alone. Further, a prisoner sentenced to over three days' imprisonment could not be confined by a Chief but had to be sent to the nearest Agent.

To replace the ancient courts, new courts were established. The minor jurisdiction was vested in the Agents sitting alone as a court. Every Agent of Government sitting alone had jurisdiction in civil cases not exceeding fifty six-dollars in value and not relating to land; and a criminal jurisdiction over inferior offences with power to inflict fines up to twenty-five six-dollars, corporal punishment up to thirty lashes with a rattan or cut of nine-tails, and imprisonment up to two months at hard labour. Like criminal powers were vested in the Judicial Commissioner, sitting alone; as also civil jurisdiction in cases not relating to land and not exceeding one hundred six dollars in value.

For the trial of land and greater civil cases, and of major crimes, the Agents were associated with Kandyans. In such cases, the court was to be composed of the Judicial Commissioner or the Agent in his province as judge, and two Kandyan assessors drawn from the chiefs and principal headmen. The decision was to be given by the Agent with the advice of the assessors. If the assessors disagreed with the Agent, no decision was to be given; and the case was to be transferred to the Judicial Commis-

sioner's Court to be decided either on the proceedings or by way of re-hearing. There was also an appeal to the Judicial Commissioner's Court in cases exceeding 100 six-dollars in value.

The Judicial Commissioner too was associated with two assessors in superior cases. Procedure was as in the Agent's Court, and in case of disagreement, the case, whether heard originally or by way of appeal, was to be transferred to the collective Board of Commissioners and reported thence to the Governor whose decision was conclusive and without appeal. The Governor disposed of such appeals in correspondence with the Board. In criminal cases, no sentence in the Agents or Commissioner's Courts, if it exceeded 100 lashes, 4 months, or 50 six-dollars, could be carried out until confirmed by the Governor after reference to him through the Board. The Resident had power to sit and preside in the Judicial Commissioner's Court, as also to hold a court of his own, associated with assessors and subject to the limitations imposed on the Judicial Commissioner. The Judicial Commissioner, it may be noted, sat at Kandy and did not go on circuit; but he exercised full supervisory powers over the lower courts.

Decision in cases of murder, treason and homicide was reserved to the Governor alone. Such cases were to be tried in the Resident's or Judicial Commissioner's Court in the presence of the assessors, whose opinion, with the sentence to be passed, was to be reported through the Board, and with the Board's collective opinion, to the Governor for decision. Moreover, all cases where a superior chief was defendant were to be instituted originally in the Resident's or Judicial Commissioner's Court; all other cases were instituted at the court in whose jurisdiction the defendant was. Non-Kandyans continued to be subject to the Agents, Commissioner and Resident only, and military men to martial law.

The law to be administered in the courts was the ancient Kandyan customary law. For its ascertainment it was usual to depend on the assessors or the collective opinion of the specially assembled chiefs.¹ In practice, however, Kandyan law became increasingly 'mixed up with English jurisprudence'² and on

1. C.O. 416, 12, G. 4, Q. 12 and G. 6, Q. 3; C.O. 416, 20, G. 11, page 4.
2. C.O. 416, 13, G. 1, Q. 14.

the criminal side in particular, became rapidly obsolete. 'Very few of the Kandyan criminal laws are now in force', said the Sabaragamuwa Agent in 1830, 'and these may be comprised under the head of slander and abuse of caste'.¹ Some customs were expressly altered or forbidden, e.g., infanticide and putting women who made low-caste connections to death.² On the civil side, Kandyan law better held its own. Some express changes may be noted. Prescription was fixed at ten years instead of thirty; the seizure of property claimed so as to oblige the possessor to prove title was made a penal offence; a stricter mode of transferring property by deed was introduced, requiring the attestation of two witnesses; verbal gifts unaccompanied by delivery were made invalid; the liability of third parties to debts was abolished unless reduced to writing; and the ancient custom entitling a seller or his heir to repurchase property sold was abrogated in favour of a right of pre-emption for three years.³

This system set up by the Proclamation lasted without substantial alteration for fifteen years. Sub-agencies were created for the Four Kōralās, Mātālē, Hārasiyapattu and Tumpand, and Lower Ūva and Vol passu; so that there were eight agencies in all. Moreover, on D'Oyly's death on 25th May, 1824, Barnes decided to let the Residency lapse because D'Oyly could not be replaced 'for the confidence of the Kandyan people in him was supreme'.⁴ D'Oyly's duties on the religious side were transferred to the Judicial Commissioner. The duties consisted of the superintendence of the temples and their lands and affairs. 'It is a general superintendence of the affairs connected with the Temples', said Commissioner John Downing, 'and consists in receiving petitions from persons, bringing before the Board the names of the candidates for office either as priests or chiefs, . . . also in requiring the attendance of the people bound by tenure of service to the Temples when requested by the chiefs in charge of Temples to do so, and in enforcing the contributions in money, produce or other articles'.⁵ In effect, the Buddhist *vishvās* constituted the established church of the Kandyan Provinces,

and the appointment of their chief Thēras and lay principals devolved on the British Government as the heir of the Kandyan monarchy. So also the compulsion of temple-service and attendance at the public ceremonies and processions, e.g., the *Perahēra*. The latter duty was cast off by Horton after the 'Kandyan Conspiracy' of 1834,⁶ but the power of appointment was directly exercised until the days of Governor Sir Stuart Mackenzie. Government even supplied to the *śākhās* the traditional allowances granted by the Kandyan Kings. Thus, rice and salt to the value of £7 17s. 1½d. per month, and robes costing £29 10s. 9d. a year were supplied to the Mahānāyaka Thēras and forty *śākhās* of the two great *vishvās* at Kandy.⁷ It is interesting to note that there arose at this time a schism between the two *vishvās* at Kandy, but Government did not consider it important enough to interfere.⁸

Other aspects of the domestic history of the Kandyan Provinces are discussed in later chapters. In 1834, the Kandyan and Maritime Provinces were united and a uniform administration was organized for the whole Island. The Kandyan Provinces as a separate administrative unit then went the way of the Kandyan Kingdom as an independent political entity. In their place emerged the crown colony of Ceylon.

1. C.G.G., 12th August, 1830, Proclamation of 9th August.

2. C.O. 416, 27. G. 40.

3. C.O. 416, 29. G. 13. It may be noted that a new branch of the *Saighe*—the Amarasapura Nikāya—was founded in the Maritime Provinces in 1802. Its headquarters were at the Arāya-ukhāntimaya in Vāltēra, near Malaitiya. The founder was Ambagahapitiya Mānavehāla. These who established a new succession, independent of Malaitiya and Nāgīya, after a visit to, and ordination in, Burma.

1. C.O. 416, 19. G. 6, 9, 12. 2. C.O. 416, 29. G. 11, page 5.

3. *Ibid.* G. 11, pages 5 and 6.

4. C.O. 51, 86. Barnes to Bethune, 10th June, 1824.

5. C.O. 416, 29. G. 13.

CHAPTER X

THE DEVELOPMENT OF THE JUDICIARY

The chaotic conditions of the early years of British rule in the Maritime Provinces were accentuated by the lack of a properly constituted judiciary. The Capitulation of Colombo had stipulated for the continuance, for twelve months, of the Council of Justice at Colombo in order that pending civil cases might be concluded. The stipulation was implemented by a Proclamation of 9th March, 1796; but no provision was made for the trial of disputes arising subsequent to 15th February, 1796.¹ So, the Dutch judicial system came to a complete standstill. The only courts functioning in the Maritime Provinces were the courts martial and the revenue courts at the Kachcheris of the Collectors. The latter were given a minor criminal jurisdiction in April; major criminal cases being reserved for Stuart's own decision.² But there was an utter absence of courts for trying private civil disputes. Hence, such transactions as transfers of property were jeopardized. Stuart therefore empowered the Council of Justice to pass and record all transfers of immovable property and mortgage deeds, and revived the tax and stamp duty which the Dutch had levied on them.³

Meanwhile, both Stuart and Andrews had represented to Madras the great inconveniences attendant on the suspension of the Dutch judicial system. Stuart was consequently authorised to re-establish the administration of justice, both civil and criminal, as under the Dutch.⁴ Accordingly, on 1st June, 1796, Stuart promulgated an 'Act of Authorization'⁵ reviving the Dutch Courts of Justice at Colombo, Galle and Jaffna with their former

civil and criminal jurisdiction. Dutch law was to prevail in all civil cases, except those relating to revenue which continued to be tried in the Kachcheri courts. No capital sentence, or punishment repugnant to English law, e.g., mutilation and torture, was to be carried out without Stuart's sanction and authority. The Fiscal and other officers attached to the Dutch courts were to be re-appointed.

The Act was still-born. The Colombo court refused to undertake any extension of its duties beyond what the Capitulation stipulated; and the Fiscal followed suit.⁶ Stuart had no alternative left him but to take cognizance of any crime that may hereafter be committed in the Colony by trying the offenders by Martial Law.⁷ There were still no courts of civil jurisdiction.

Justice remained in this pass until de Meuron prevailed on the Galle tribunal to act in September, 1797.⁸ The Colombo court remained obdurate. He therefore established, in October, 1797, a Court of Equity to try, in a summary manner and according to Dutch law, petty causes in Colombo.⁹ The court had three members, De Haart, Fyhuantsz and Hols, with Johannes Cornelius Idé as Secretary and P. L. Vanderstraeten as 'Adjunct-Fiscal'. It functioned for only twelve months, for North suspended it in October, 1798, when the members refused to take the oath of allegiance.¹⁰ The future of the Maritime Provinces being yet uncertain, the refusal was not strange.

Thus, North was faced by 'a total suspension of every kind of criminal justice and indeed of civil'. The Court of Equity was suspended, the supersession of the Kachcheri courts had been recommended by the Committee de Meuron, and North had no authority to keep up even the courts martial 'as the forces here are under the command of Madras'.¹¹ His instructions were to re-establish the Dutch system of justice and police and to set up a Court of Appeal in civil cases exceeding £200 in value, to

1. C.O. 55, 1. 2. Jaffna Diary, 2nd May, 1796.
3. C.O. 55, 1. Proclamation of 9th April, 1796.
4. Ibid. Jackson to Stuart, 28th April, 1796. 5. Ibid.

6. C.O. 55, 1. Idé to Stuart, 17th June, 1796; Stuart to Hobart, 26th June, 1796.
7. Ibid. Writing to President and Members of Colombo Court of Justice, 10th June, 1796.
8. Madras M.S. & Pol. Proc. 254, ff. 5, 557 ff. de Meuron to Hobart, 12th September, 1797.
9. Madras Rev. Proc. 275, 202, 3, 822 ff.
10. C.O. 54, 1. North to Court of Directors, 25th February, 1799.
11. Ibid.

consist of the Governor, the Commander-in-Chief and the Chief Secretary. In cases exceeding £500 in value, a further appeal was to be permitted to the Privy Council.

Pursuant to his instructions, North's first plan was to re-establish seven or eight *Landraads* to try civil cases. Each was to consist of a European President receiving 50 pagodas a month, of the usual number of unpaid Mudaliyars, and of a thomb-holder receiving 25 pagodas. Three fiscals were to be appointed for the districts of Colombo, Galle and Jaffna, who would control the police and receive and examine criminal accusations from the Magistrates and Mudaliyars appointed for that purpose under them. Such accused persons were to be kept in their custody until trial by the Supreme Court which was to be set up. The latter was to be presided over by a covenanted servant of the East India Company with two Dutch assistants and two 'Grochiers'. It was to make a circuit of the Island every six months to try criminal cases and to hear civil appeals from the *Landraads*. An appeal from it lay to the Governor in cases exceeding £200 in value.

The plan was defeated by the continued refusal of the Dutch inhabitants to act in criminal cases. All that North could do was to persuade the tribunal at Galle to continue and the tribunal at Jaffna and the Court of Equity at Colombo to begin acting as Courts of Supreme Civil Jurisdiction. The civil judges safeguarded themselves by not taking the oath of allegiance, while, 'by a fiction of law', North considered them 'as meeting after an adjournment from the time of the Government of the United Provinces'.¹ However, North was becoming convinced that several alterations were necessary from the old Dutch system. According to Dutch practice, seven members were necessary to constitute a criminal and five a civil court. With the Dutch refusals, North could not hope to find a sufficient number for his purposes. Secondly, he considered the old powers of the fiscal in criminal matters both 'extensive and dangerous'.² He alone examined the witnesses and on his conclusion and report

1. Wellesley MS. 13,825. North to Macartney, 27th October, 1798. Encd.

2. *Ibid.*: North to Macartney, 3rd November, 1798.

3. C.O. 54, 1. North to Court of Directors, 26th February and 14th June, 1799.

the judges decided. In extreme cases two commissioners watched his examination. The way was therefore open to corruption and bribery – especially as the judges themselves were appointed by patronage and not obliged to hear *ex parte* evidence. Thirdly, the powers of the Mudaliyars needed to be controlled.³ Hence, an increase of inferior tribunals was necessary: as also the payment of salaries to judges. Above all, to preserve racial superiority, the Supreme Court should consist entirely of Englishmen.

Accordingly, after personal consultation with the Governor-General and on the advice of Coldington Edmund Carrington who had arrived from Bengal, North promulgated a re-organised plan of judicature. By the proclamations² of 23rd September and 14th October, 1799, a Supreme Court of Criminal Jurisdiction – to consist of the Governor as President, and General Macdowall (Commander-in-Chief), Hugh Cleghorn (Chief Secretary), James Duakin (a Barrister whom North had obtained from Madras after Carrington's departure from ill-health and appointed judge with a salary of 500 pagodas per month), Colonel Champagné (Commandant of Trincomalee) and Joseph Greerhill (Commercial Resident) – was set up. This court replaced the Dutch *Hoff Van Justitie* at Colombo, Galle and Jaffna, and had full criminal jurisdiction throughout the Maritime Provinces. It was held wherever necessary when the Governor went on circuit, the Collector of the district being added on such occasions. Nevertheless, the cognizance of inferior criminal cases and offences against the police was reserved to the Fiscal. An appeal was allowed from the Supreme Court to the Privy Council in criminal cases where the fine exceeded £100 or 1,000 six-dollars.

For civil cases, the old Civil or Town Courts which had tried matrimonial and petty causes, were re-established in Colombo, Jaffna and Galle, as Civil Courts which were to try all civil cases whatsoever within those towns. Outside those towns, the Dutch *Landraads* were reconstituted to try all civil cases. To hear appeals from these, two courts of appeal were established. The first, called the Higher Court of Appeal, was set up in accordance

1. C.O. 54, 1. North to Court of Directors, 26th February and 14th June, 1799.

2. *Regulations of Government*.

with Royal Instructions. It consisted of the Governor, Commander-in-Chief and Chief Secretary, and heard appeals exceeding £200 or 2,000 six-dollars in value. The second or Lesser Court of Appeal was set up on North's own authority because civil suits in Ceylon were usually of low value. Its members were the same as in the Supreme Court, and it heard appeals in cases exceeding 500 six-dollars and below 2,000 six-dollars in value. James Sutherland was Registrar of both courts which sat permanently at Colombo. An appeal from them to the Privy Council was allowed in all cases exceeding £500 in value or even a lesser sum where the matter in question relates to the taking or demanding any duty payable to the East India Company, or to any established fee of office, or annual rent or other such matter or thing where the Rights in future may be bound.¹ It may also be noted that the Governor was vested with an ecclesiastical jurisdiction.

All courts were to be public and open, and examination was to be *in public*. Procedure in civil cases was to be summary in view of the heavy arrears. Also, because of emergency, one judge was to constitute a competent civil, and three a criminal, court. Torture and barbarous punishments were abolished. The law administered was the Roman-Dutch law.

A change of spirit among the Dutch inhabitants facilitated the establishment of the new system.² Vybrantz, Baron Van Linden and Fretz, who had already taken the oath of allegiance on a promise of pension if the Maritime Provinces should be returned to the Dutch, were now followed by others. Accordingly, the Civil Courts at Colombo, Galle and Jaffna were soon set up, and *Laudresids* at Colombo, Negombo, Chilaw, Puttalam, Mannar, Jaffna, Mullaitivu, Trincomalee, Batticaloa, Galle and Kalutara. There was also an extraordinary commissioner for settling the state of property at Mátara, the register of which had been burnt by the Dutch Dáiva just before Mátara was occupied.³ The Supreme Court opened its sessions at Colombo on 6th December, 1799, and by August in the following year, had worked

off the arrears of five years at Negombo, Colombo, Kalutara, Galle and Mátara. Judge James Dunkin presiding at the Lesser Court of Appeal had already done considerable work and by January, 1801, had digested a useful criminal code.⁴ To cope with minor criminal cases, Fiscal's Courts were established by the Proclamation of 29th June, 1800. They were to consist of the Fiscal as President and two other members, and had power to punish up to 50 six-dollars fine, one month's imprisonment and 40 lashes. They were also granted a minor civil jurisdiction in cases not exceeding 25 six-dollars in value, provided that land was not involved. So useful did they prove that their powers and jurisdiction were expanded by the Proclamations of 2nd September, 1800 and 20th February, 1801, to the infliction of 500 six-dollars fine, 4 months' imprisonment and 250 lashes. Only the civil courts proved unsatisfactory, and, in 1800, North prepared rules of procedure, etc. to expedite their business.⁵

The principles of North's judicial arrangements were confirmed and their objects completed by the Royal Charter of 18th April, 1801, issued at the assumption of the Maritime Provinces by the Crown.⁶ North's Supreme Court was superseded by a court of record to be called 'The Supreme Court of Judicature in the Island of Ceylon', and consisting of a Chief Justice and Puisne Justice. The latter were English or Irish barristers of not less than five years' standing, appointed by Letters Patent and receiving salaries of £5,000 and £3,000 per annum respectively. The new Supreme Court was vested, either directly or by way of supervision, with the criminal jurisdiction throughout the Maritime Provinces. Also, it was given a civil and equitable jurisdiction over all persons within the Town and Fort of Colombo and over all Europeans in Ceylon. It had besides, a competent jurisdiction over Europeans in matrimonial, testamentary and revenue cases, and in probate of wills and letters of administration and execution. Either judge, sitting alone, constituted a competent court; but when they sat together, in case of differences of opinion, criminal cases were to be referred to the Governor whose

1. This is a verbatim quotation of Royal Instructions.

2. Walsley MS. 1586; North to Mornington, 4th September, 1799. Encl.

3. C.O. 54, 1. North to Board of Directors, 5th October, 1799.

4. C.O. 54, 2. North to Court of Directors, 18th February, 1801.

5. C.O. 54, 2. North to Court of Directors, 9th August, 1800.

6. The Charter is an enclosure in C.O. 55, 67. Dunkin to North, 23rd March, 1801 which contains the consequent instructions.

rescript was final; in civil cases, decision was to be deferred for a week, and if the difference could not be settled, the Chief Justice's opinion was to prevail. There was an appeal from the Supreme Court to the Privy Council in cases exceeding £500 or 5,000 rix-dollars, in value.

The Supreme Court was to hold four sessions in Colombo every year, and also to go on circuit at periods fixed in consultation with the Governor. Cases were to be decided by the law of the defendant's community, generally, the Roman-Dutch law. Subsequently, the *Tissawalamas*, or Governor Simon's collection of Tamil customary law was re-issued, and a code of Muslim law was promulgated. To facilitate the work of the circuits, an Advocate-Fiscal was appointed. Usually, he was chosen by the Secretary of State from the English or Irish Bar; but on this occasion James Dunkin was given the post. The Advocate-Fiscal, who received £1,500 per annum and was permitted to practise, is the fiscal ancestor of the modern Attorney-General. His duties were to conduct the prosecution of public offenders, to be Counsel for the Crown, to advise Government, and to draw up Regulations requiring legal knowledge. He also came to control the subordinate courts through the monthly returns submitted to him, and by advising them in difficult cases, and in other ways.¹ The old Fiscals now became merely ministerial officers, and the appointments, which were made by the Governor, were usually given to the Collectors and Provincial Judges. The Supreme Court had a Fiscal, the first being Frederic Baron Mylius. The Chief Justice appointed the Registrars subject to the Governor's approval and on salaries fixed by the latter. Only those approved by the Supreme Court could practise as advocates or proctors.

Although the criminal jurisdiction was vested in the Supreme Court, inferior offences, breaches of the peace and offences against the Police, were left as before to the Magistrates and Justices of the Peace appointed, and acting according to rules laid down, by the Governor. The Supreme Court had a general superintendence over them. Thus, North's Fiscal's Courts were left intact on the criminal side - the civil powers he had granted them being superseded by the provisions of the Charter. By the proclamation of

25th June, 1802, the courts were re-named Courts of the Justices of the Peace to avoid the confusion arising from the appointment of ministerial fiscals in the Supreme Court. One Justice of the Peace sat daily and was called the Sitting Magistrate, the others sitting when required. The Judges of the Supreme Court were Justices of the Peace for the Island, and the same powers had been given by North to the Commander-in-Chief, the Chief Secretary, the members of the old Supreme Court, the Military Board and its President and Vice-President, the Revenue Board and its President and Vice-President, the Law Committee, the Registrar-General and the Medical Superintendent. Also, the Commandants and Collectors had been appointed Magistrates and Justices of the Peace in their districts; the Medical Superintendents and overseers in theirs; the Superintendent of the Cinnamon Gardens and his deputies over the Chikyas; the fort majors and adjutants in their forts; the master attendants at their ports; and the members of Fiscal's Courts within their jurisdiction.¹

A Vice Admiralty Court was also set up by the Charter, and the Governor was vested with an ecclesiastical jurisdiction. The *Landroads* and the Civil Courts of Galle and Jaffna were left intact with their civil jurisdiction over the inhabitants; but the Civil Court at Colombo was superseded by the powers conferred on the Supreme Court. Also, North's Greater and Lesser Courts of Appeal were abolished. In their place, the Charter established a single High Court of Appeal consisting of the Governor, Chief Secretary, Chief Justice and Puisne Justice or any two of them provided the Chief Justice was one in cases above £200 in value and the Puisne Justice in others. The court sat at Colombo to hear civil appeals from the *Landroads* and civil courts in cases exceeding £50 or 500 rix-dollars in value. An appeal lay from it to the Privy Council as from the Supreme Court.

The Charter was brought to Ceylon by the first Chief Justice, Sir Codrington Edmund Carrington, who had helped North in making his judicial arrangements in 1799, and on whose recommendations the Charter was based. The first Puisne Justice was Edmund Henry Lushington. Carrington arrived on 23rd January, 1802, and the Supreme Court opened its first term on the

1. C.O. 415, 10. F. 44, p. 26.

1. *Regulations of Government*, Proclamation of 25th July, 1802.

Stn, and its first sessions on the 12th February. The Vice Admiralty Court opened on the 3rd February, and the High Court of Appeal on the 24th of the same month.¹

Both Carrington and North were dissatisfied with the *Lawds* as constituted. A thorough reform in their procedure was carried out, as a sign of which the name of the Colombo *Lawds* was changed to the Provincial Court of Colombo.² It consisted of a President and two members, the last member being also register-holder. Before long, North proposed the reduction of the *Lawds* and civil courts to six similarly constituted Provincial Courts.³ The plan was carried out by November, 1802, and the *Lawds* were merged into the civil courts or with each other to form five Provincial Courts at Colombo, Puttalam, Jaffna, Batticaloa and Matara.⁴ Their Presidents were civil servants and their members mostly Burghers. North later represented the register-holders, i.e., the first members, to be unnecessary, and Maitland was ordered not to revive the appointments.⁵ On the other hand, North also asked that the Sitting Magistrates, mostly Burghers, should be paid.⁶ Only the Sitting Magistrate at Colombo received any salary, and even there, a Court of Justices of the Peace administered summary jurisdiction in petty cases without any pay.

The new judicial organization was in proper working order by the end of North's governorship, although martial law was established throughout the Maritime Provinces, except within the four gravets of Colombo, during the Kandyan invasion of 1803-4. But North was not to depart without being caused much anxiety by the behaviour of the judges. 'A storm has just blown over', he wrote in October, 1804, 'which I feared might have nearly shipwrecked our small Colony.'⁷ He was referring to an acute quarrel between the Supreme Court and the Military. During the Kandyan invasion of the Maritime Provinces in 1803, the Supreme Court had been housed in the old residence of the Dutch Governors now St. Peter's Church in the

1. C.O. 34, 7. North to Hobart, 15th March, 1802.

2. *Ibid.* 3. *Ibid.* North to Hobart, 12th September, 1802.

4. *Ibid.* North to Hobart, 21st November, 1802.

5. C.O. 33, 62. Camden to Maitland, 27th February, 1803.

6. C.O. 34, 12. North to Camden, 8th February, 1803.

7. C.O. 34, 14. North to Hobart, 25th October, 1804.

Fort, which had, however, been intended as an armory. Despite such close proximity, harmony prevailed for a year. Then, in September, 1804, Flower, Sitting Magistrate of the Portah, inflicted corporal punishment 'summarily and irregularly' on two soldiers found drunk within his jurisdiction but not guilty of any breach of the peace. A warm protest made by Colonel Baillie, Commandant of Colombo, contained some expression which Flower construed to be subversive. However, the matter was being settled, when, unfortunately, Lushington heard of it. His conception of the duties of magistracy were 'of a more imperious and less compromising nature' than North's. Baillie was summoned before the Supreme Court, though he was acquitted after an examination lasting two days, the incident left much irritation.¹

Both parties were nursing mutual resentment when, in latter September, the Supreme Court ordered corporal punishment to be inflicted on a proverting witness on a piece of ground in the square before the court-house which had three years previously been given to the use of the garrison. The punishment was inflicted without opposition from the sentry, but the Town-Major addressed a strong remonstrance to the Fiscal. Thereupon, the Court decided that, because no formal grant had ever been made, the ground had been 'illegally monopolized' by the Military. Colonel Baillie was therefore summoned before the Court, and on his refusing to revoke without the consent of the Governor or General Wemyss a General Order of three years' standing, was made to sign a recognizance of 50,000 rix-dollars to keep the peace for a year. Now, North did not hear of the episode till the same evening, 15th September. He at once summoned a Council - at which only the Chief Justice, Carrington, was present - and resolved to prohibit, by proclamation, the infliction of punishment not of a military nature on the parade ground. Meantime, the sentries were withdrawn. The Court accepted the settlement with ill grace.²

Unfortunately, the affair came to the ears of General Wemyss at Chilaw. He addressed a strong protest to North, and, without awaiting a reply, issued an order to Baillie directing the gates of the Fort of Colombo to be closed from 8 a.m. to noon. The

1. C.O. 34, 14. North to Hobart, 25th October, 1804.

2. *Ibid.*

professed reason for the order was that spies were known to enter the fort at 6 a.m. and to stay till noon; in reality, it was aimed against the judges. The order was carried out on the morning of the 24th September, 1804, and the Puisne Justice, Lushington, was held up at the Delft Gate. The latter and the Advocate-Fiscal, Alexander Johnstone, hurried to the Governor to find Bailie already there in considerable agitation. North hurried to the Gate in the Judges' carriage and insisted on admission. He then held a Council and, exercising his powers as Commander-in-Chief, annulled Wemyss's order and ordered the gates to be opened. Bailie avoided a dilemma by giving up the keys to the Governor who had the gates opened in his presence. Immediately after, he received Wemyss's notification of the Order - it was a day later than that addressed to Bailie - and thereupon permitted the gates to be closed again. Bailie was given the Governor's Warrant to do so lest he should forfeit his recognizance. The Judges met earlier and closed later.¹

The matter did not rest there. The Judges took the independent, if legal, course of summoning Wemyss to appear before them. The latter was at Negombo, but the Judges would not accept North's suggestion for sending Commissioners to take his evidence on affidavit. Wemyss's request for a delay till 14th October was also refused though he was conducting operations against the Kandians. He appeared before the Supreme Court on 3rd October, and entered into a recognizance of 100,000 six-dollars to keep the peace for a year. Meanwhile, North decided to move the Court from the fort on the ground that room was required for expected reinforcements. Although the Court protested that a removal at this juncture would impair its dignity, and opined that proximity would have a good influence on the military, it was compelled to move into Bertolandi's house outside the fort.²

The episode might have ended at that point if the judges did not hear of an intemperate letter that Wemyss had addressed to North on the subject. They obtained the production of the letter, and the General's 'flowers of vituperative eloquence' decided them to commence an action against him in the King's Bench in England. Moreover, a phrase in the letter caused the

Advocate-Fiscal, Johnstone, to challenge Wemyss to a duel. Fortunately, North learnt of it accidentally and attempted to settle it amicably through Rose, the Registrar of the Court. But when Rose went to receive the promised explanation from Wemyss, the latter lost his temper, called him a 'damned scoundrel' and challenged him to a duel in England. So a quiet settlement became impossible. Wemyss deposed before Sitting Magistrate Farrel that Johnstone had challenged him to a duel, and the Magistrate was preparing to bind over the latter, when the case was removed to the Supreme Court by writ of certiorari. After a two days' hearing the Court held that no challenge had been intended - Johnstone was reprimanded from the Bench and Wemyss apologized.³

Not long after, Wemyss was found interfering with the Court of the Justices of the Peace at Jaffna and attempting to close the fort prison. In April he was accused of directing his servants to collect firewood forcibly in private gardens. New proceedings were adumbrated, but the General gave a satisfactory explanation and the matter was peacefully settled. The General and Chief Justice no longer recognized each other on private occasions, when the former went out of his way publicly to insult the latter in his wife's presence. North could only write strong secret complaints to the Secretary of State.⁴

These unedifying disputes, unimportant in themselves, were significant in their relation to North. Wemyss wrote strongly against him for over-ruling his orders without consultation,⁵ and all North could do was to ask that his military powers should be more closely defined. Over the judges, who were appointed by Charter, he had no control; and the difficulties from their pugnacity remained to face Maclaud whose appointment removed the military difficulty. Carrington resigned on the 19th October, 1805; Lushington, who had gone to England to complain, became Chief Justice, Johnstone, Puisne Justice and William Coke, Advocate-Fiscal.

1. C.O. 34, 15. North to Camden, 26th December, 1804.

2. C.O. 34, 17. North to Camden, 24th April, 1805.

3. *Ibid.* Wemyss to Camden, 20th October, 1804; C.O. 34, 15. Wemyss to Camden, 19th December, 1804.

4. C.O. 34, 14. North to Hobart, 5th October, 1804. 5. *Ibid.*

Maitland began by giving the Collectors the fiscal powers in the Provincial Courts, by increasing judicial fees, and by abolishing the courts of Justices of the Peace.¹ On the other hand, he gradually increased the number and powers of the Sitting Magistrate's Courts. By a regulation of 28th July, 1806, a Sitting Magistrate with wide civil and criminal powers was appointed for the port of Colombo.² The lead was followed by successive Governors until, by 1809, there were Sitting Magistrates' Courts at Colombo, Negombo, Pajalure, Kelihara, Jaffna, Point Pedro, Chavakachchi, Poneryn, Mallagam, Kayta, Galle, Balapitiya, Giruva Padurva, Matura, Māgampattava, Valigama, Kalpitiya, Mannar, Delft and Mullaitivu.³ Their jurisdictions varied; but usually they heard civil cases to the value of £22 10s. od. between Ceylonese, and had powers of punishment in criminal cases to the extent of £3 15s. od. fine, 3 months' imprisonment, and 50 lashes. Where the Sitting Magistrate was not a Collector, he was generally a Burgher. The Supreme Court and the Advocate Fiscal exerted a general superintendance over them.

Maitland found that the Magistrates had no specific instructions, and that, in Galle and Matura, numbers of people had been confined for months without any information being lodged, or proceedings taken, against them.⁴ He therefore issued definite instructions regarding arrest, custody and punishment. The amount of bail was left to the discretion of the Magistrate until a maximum was fixed by Brownrigg. Besides trying petty offences, the Sitting Magistrates also committed criminals for trial before the Supreme Court.

On the civil side, Maitland extended the jurisdiction of the Supreme Court in civil cases to the whole Colombo district in 1807.⁵ The Provincial Court of Colombo was abolished, only to be revived in 1809. The civil jurisdiction of the Supreme Court was again reduced to its old limits, but its extended equitable jurisdiction remained until it was also taken away by Barnes in

1826.¹ Further steps were taken to provide facilities for appeal in cases of a value below those falling within the jurisdiction of the High Court of Appeal. By a regulation of 31st July, 1809, the Governor took powers to appoint Minor Courts of Appeal, consisting of two or more principal civil servants, to hear civil appeals (except revenue cases) from the Provincial and minor courts, in cases under £50 or 500 rix-dollars in value.² But as appeals in trading cases only encouraged petty litigation, Brownrigg later limited appeals to these courts from Provincial Courts to cases exceeding 200 rix-dollars in value, and from inferior courts to cases exceeding 25 rix-dollars in value. The regulation of 31st July, 1809, set up a Minor Court of Appeal for Jaffna and Mannar; another was set up for Colombo, Chilaw and Kalpitiya in December, 1810; a third for Trincomalee and Batticaloa in 1814; and a fourth for Galle, Matura, Tañgalla and Hambantota in 1822. They usually consisted of the Provincial Judge, Collector, Sitting Magistrate and another Civil Servant. In Colombo, the members usually sat together; in other places, the proceedings were usually circulated in rotation, the members decided separately, and then met to give a formal majority decision. These Minor Courts of Appeal had no jurisdiction in revenue cases. So, a Minor Appeal Court of three members to hear appeals from provincial and revenue courts, in revenue cases of a value below £50, was established in 1820.³

In the meantime, important judicial reforms had been inaugurated by Charter. Their origin lay in a series of disputes between Chief Justice Lushington and Maitland. Although the Secretary of State had impressed Lushington with the necessity of acting cordially with the Governor and of avoiding collisions between the judicial and executive authorities, almost immediately after his return to Ceylon, he entered into a dispute with Maitland over the cognizance of minor military offences. 'Very unadvisedly and tenaciously', he interfered with the jurisdiction of the Courts Martial by denying their concurrent jurisdiction with the Supreme Court in minor offences. Lushington claimed that, in such cases, soldiers should be tried before the Sitting Magistrate, while Maitland held that they should as far as possible,

1. C.O. 53, 18. Maitland to Camden, 10th October, 1805.
2. C.O. 54, 25. Maitland to Windham, 28th February, 1807. Encl. Regulation of 28th July, 1806.
3. C.O. 470, 13. P. 19.
4. C.O. 54, 21. Maitland to Camden, 28th February, 1807.
5. C.O. 54, 25. Maitland to Windham, 28th February, 1807.

1. C.O. 216, 16. P. 47, p. 19. 2. C.G.S., 10th Aug 18, 1809.
3. C.O. 470, 13. P. 19.

be tried by Court Martial and arrested by communication with the military authorities and not by the civilian police. After a 'very long and unpleasant contest', Lushington was obliged to abandon his opinion as untenable in law. Maitland was much incensed and took the opportunity to attack the constitution of the Supreme Court. He had already proposed the introduction of a jury in criminal cases.⁷ He now pressed the point on the ground that trials were prolonged by the judges' lack of local knowledge - an evil accentuated by Lushington's defects of character.⁸

The next dispute arose over the table of fees in the High Court of Appeal. Lushington had long admitted the schedule; but, in the absence of the Puisne Justice he suddenly declared it illegal. On the return of his colleague, however, he was forced to admit that it was authorized.⁹

A contest then arose on a more vital matter. Although Royal Instructions directed that public instruments should be issued countersigned by the Chief Secretary and by order of the Governor-in-Council, it had been customary for the Deputy Secretary to sign them in the Chief Secretary's absence. Some doubt having arisen over the matter, Lushington had been asked his opinion, and had stated that the Deputy Secretary's signature would, in such cases, give sufficient legal authority to public instruments. Nevertheless when the Governor issued a pardon to a prisoner at Lushington's own recommendation, the latter without giving any previous intimation, declared publicly from the Bench that it was insufficient because it was signed only by the Deputy Secretary. Maitland was justly angered by the precipitation of an open collision and took prompt legislative steps to declare the Deputy Secretary's signature sufficient. Further, he wrote strongly to Lushington. The latter refused to correspond on a matter of judicial decision. Maitland countered that on the same principle he was useless in Council, and, on 5th April, 1808, exercising the powers of suspension vested

in him, dispensed with the Chief Justice's attendance at meetings of the Council. The Puisne Justice, Alexander Johnston was given a seat instead. Lushington appealed to the Lord High Chancellor and Secretary of State, only to be met with a reprimand - the more so as, at a meeting of the High Court of Appeal, when the Governor asked him to deliver the grounds of his opinion, he had refused to do so and abruptly left the court. Finally, at the beginning of 1809, when Maitland decided in Council to suspend Lushington from the office of Chief Justice if he refused to allow the Governor's pardon of a certain sentenced man, Lushington resigned.¹

Meanwhile, Maitland had prepared his case for judicial reforms. Johnston had made investigations on circuit and collected information about Dutch, Tamil and Muslim Law.² On 14th December, 1808, he submitted a minute to the Governor in Council demonstrating the necessity of reviving the *Landraads*, of defining the applicable law, and of establishing juries in criminal cases. Revenue Commissioner Woods added a Minute which declared that although North's original Provincial courts had been a 'plausible arrangement', they had failed. The Dutch assistants to the English President had been discontinued and the courts had become inefficient because the judges had to depend on the irresponsible advice of headmen regarding native laws.³

Johnstone was sent to England to represent matters. In the instructions given to him, Maitland criticised the Supreme Court. Its constitution was 'essentially objectionable' to the British community in the Island as being 'different from every principle of British Jurisprudence in England and in His Majesty's other colonies' where the jury system had been uniformly established. It was 'most abhorrent' to the Dutch inhabitants who, though they never had a jury under their own Government, had been accustomed to have their cases decided by a Court of at least seven members. 'they contemplated with great dissatisfaction . . . the idea of their lives and properties being decided by two men only, however respectable'. It was 'most objectionable'

7. C.O. 54, 28. Maitland to Lord High Chancellor, 28th September, 1806.

8. C.O. 54, 20. Maitland to Castlereagh, 30th September and 1st December, 1807; C.O. 55, 62. Castlereagh to Maitland, 24th April, 1808 and Castlereagh to Lushington, 6th October, 1809.

9. Vide the papers in C.O. 54, 32.

1. Vide the papers in C.O. 55, 29. Also C.O. 55, 62. Castlereagh to Lushington, 6th October, 1809.

2. Vide C.O. 55, 27.

3. Vide the papers in C.O. 54, 32.

to the Sinhalese because they had long been accustomed to the Dutch mode of trial and because the dilatory proceedings of the Supreme Courts involved them in excessive expenses. Macland therefore pressed for the introduction of a jury in criminal cases and sent a list of possible jurors. The inordinate length of trials - Lushington had taken a month to decide a case - would be lessened as juries would possess local knowledge, and the dangers of translation would be minimised when the decision lay with persons who spoke the language of the litigants.¹

The result was the Charter of 9th August, 1810.² The Charter extended the civil, as well as criminal, jurisdiction of the Supreme Court over the entire Island and over every inhabitant, European or Ceylonese. The Court was to sit in two divisions - the first, presided over by the Chief Justice, sitting usually at Colombo, and going on circuit in the western and southern provinces in the exercise of its civil and criminal jurisdiction; the second, presided over by the Puisne Justice, sitting at Jaffna and covering the northern and eastern districts. The Chief Justice's salary was increased to £6,000 and the Puisne Justice's to £3,500, to be paid at Madras out of the Ceylon revenue. A second Advocate-Fiscal was of necessity appointed. In view of the extension of the Supreme Court's civil jurisdiction, the Provincial Courts were abolished; but *Landroods* were to be revived in such districts, under such modification, and with such jurisdiction as the Chief Justice deemed expedient. Their members were to be appointed by the Governor, their officers and fees by the Chief Justice with the Governor's approval. Further, the Commissioner of Revenue was given a seat in the High Court of Appeal. Above all juries of thirteen members were established in criminal cases. Powers were given to the Judges to order that they should be constituted, where expedient, of members of particular communities. In matters not provided for in the Charter, arrangements were to be made by the Governor at the request of the Chief Justice; but no such regulation was to be made unless the Chief Justice considered it necessary.

By the Instructions¹ accompanying the Charter, the Chief Justice was made solely responsible for the judicial department. It was placed directly under his control and management, and all correspondence with it was to be conducted through him. He was to make semi-annual reports to the Secretary of State through the Governor-in-Council. On the other hand, the extension of the Sitting Magistrate's courts - which was now recommended 'as it contributes greatly to the reduction of the Power of the Native Headmen and to the regular government of each District' - was entrusted to the Governor-in-Council because it was a point depending entirely on local knowledge. To conciliate the Burghers, petty courts composed entirely from their community were to be set up at Colombo, Galle and Jaffna to try petty civil cases in which a Burgher was defendant. Lastly and above all, to prevent misunderstanding regarding the form of procedure to be adopted by the Governor-in-Council, the Secretary of State directed that the latter should approximate to the King in Privy Council. The Governor was to be considered as the representative of the Crown, the Chief Justice was to be President of the Council; and the Chief Secretary, Commissioner of Revenue, Treasurer, Vice-Treasurer, and one other to be nominated by the Governor, members. It is to be noted that the Commander-in-Chief had no seat because the post was held by the Governor himself. The Great Seal which had to be affixed to all public acts, was to be in the President's custody; all grants of land were to be made by the Governor-in-Council, sealed, and signed by the President and one member; all members of *Landroods* and minor courts, and all headmen of and above the rank of *Muhan-diram*, were to be appointed by the Governor-in-Council.

The Charter and Instructions were brought out by Johnstone who was now Chief Justice Sir Alexander Johnstone; Coke became Puisne Justice, and Hardinge Giffard, Advocate-Fiscal. The Charter was proclaimed on the 7th November, 1811, but the Supreme Court was not divided as the judges had to sit together to clear up arrears. The Provincial Courts were abolished and *Landroods*, set up at Colombo, Galle, Matara and Jaffna. The President of the *Landrood* was the Collector; since, however, his revenue duties and his work as Fiscal prevented his regular

1. C.O. 54, 20. Madras to Madras, 15th February, 1810. Encl.
2. This is in C.O. 55, 92.

1. C.O. 55, 61. Liverpool to Madras, 10th September, 1810.

attendance, a Vice-President was appointed to take active charge with two or three members and some of the principal Ceylonese. Trial by jury was introduced in criminal cases 'with great success and very happy effects'. Lieutenant-Governor Wilson, writing within three months of their introduction, was full of praises for their impartiality.¹

The new arrangements lasted for only four months. It is clear that the Charter of 1810 went far beyond what Maitland had desired. Under it and the Instructions, the Governor's position was seriously impaired, and the Chief Justice given political powers that were incompatible with the functions of the judiciary as an organ of legal interpretation and not initiation. The Chief Justice's veto on legislation, his custody of the Great Seal, and his position as President of a Council from which the Governor was excluded, gave him political powers of an extensive type. It is not strange that Maitland, who had then returned to England, at once made representations to Lord Liverpool against such 'altogether unnecessary and inadvisable'² changes in the system of Colonial Government.

Consequently, an amending Charter was issued on the 30th October, 1811.³ The clauses of the 1810 Charter extending the jurisdiction of the Supreme Court were revoked and its jurisdiction reduced to the original 'inuits and persons'. The power of establishing *Laudrads*, of fixing the extent of their jurisdiction, and of appointing their respective officers, was re-vested in the Governor. Accordingly, the sole control over the judicial department which had been given to the Chief Justice lapsed. The division of the Supreme Court was abolished as 'unnecessary and inconvenient', but power was conferred on the Governor to arrange circuits as expedient. The Puisne Justice was associated with the Chief Justice in approving panels of jurors, and it was laid down that Europeans were to be tried only before European juries. The clauses relating to the establishment and organisation of the *Laudrads* at the discretion of the Chief Justice were revoked; the Provincial Courts were revived, and the establishment of new courts, e.g., *Laudrads*, and their regulation

1. C.O. 54, 48. Wilson to Liverpool, 25th February, 1811.
2. C.O. 55, 62. Liverpool to Brownrigg, 5th November, 1811.
3. The Charter is in C.O. 55, 62.

was once more left to the Governor's discretion. Lastly, the Chief Justice's power of initiating legislation and the denial to the Governor of the power to legislate except at the Chief Justice's request, were revoked, that power being vested solely in the Governor free of any control. The accompanying Instructions¹ withdrew the clauses of the 1810 Instructions relating to the formation and functions of the Council, the custody and application of the Seal, the framing of legislative acts, and the passing of grants of lands. All such matters were to be regulated as under Maitland. Thus, the political powers which had been granted to the Chief Justice were withdrawn, the judiciary was replaced on its old footing, and the Governor replaced in the position of absolute power. The payment of the judges at Madras was abolished and the Great Seal returned to the custody of the Governor.

The amending Charter was brought out by Brownrigg and promulgated on the 16th March, 1812; the Council was remodelled as directed; and Sir Alexander Johnstone delivered the Seal to the Governor. The old Provincial Courts were revived and the new *Laudrads* were abolished. The judiciary was replaced on its old footing except that, for reasons of economy, Brownrigg arranged for the judges to go individually on separate circuits.²

If the Charter of 1810 was unfortunate in its political effects, the restoration of the pre-1810 position left the judiciary open to the earlier criticisms. So much so that in 1830, and again in 1837, judicial reforms were considered. In the latter year the judges even submitted draft charters embodying the alterations they regarded as necessary. But as a Commission of Enquiry was about to visit Ceylon, the question was deferred till after their report.

Meanwhile, the Supreme Court was once again involved in disputes with the Governor. The first dispute arose over the legal clauses of the Kandyan Convention.³ The Supreme Court claimed jurisdiction under the Charter over the Kandyan Provinces. The matter was referred to England for the opinion of

1. C.O. 55, 62. Liverpool to Brownrigg, 5th November, 1811.
2. C.O. 54, 42. Brownrigg to Liverpool, 25th March, 1812.
3. The papers are in C.O. 54, 64.

the Crown lawyers, and it was decided that the claim could not be upheld as the Kandyan Provinces were not yet formally annexed by the Crown. A second dispute arose over the legality of pressing labour during the Rebellion of 1818, and to overcome all difficulty, Brownrigg passed a peremptory regulation declaring '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'.¹

Not long after this dispute, Coke died, on 1st September, 1818, and Hardinge Giffard became Puisne Justice. The latter became Chief Justice as Sir Hardinge Giffard on the departure of Sir Alexander Johnstone in 1820. Sir Richard Outley came out as Puisne Justice and Henry Mathews as Advocate-Fiscal. Until the latter's arrival in 1822, Henry Dymc was Advocate Fiscal. In 1824, a Master in Equity and Deputy Advocate Fiscal, with a salary of £7,500 was appointed - the first being Charles Marshall. But the post lapsed in 1826, when Giffard departed. Outley became Chief Justice, Mathews Puisne Justice, and Marshall Advocate Fiscal. No one was appointed to Marshall's former post pending the opinion of the Commissioners, but on Barnes' representation, J. Perring was appointed to the post in 1829. Meanwhile, Marshall had become Puisne Justice in June, 1828, on Mathews' death, and William Norris succeeded him as Advocate Fiscal. At the same time salaries were reduced. Godolphin reduced them in 1827 to £4,500 for the Chief Justice, £1,500 for the Puisne Justice and £1,800 for the Advocate-Fiscal - the post of Deputy Advocate-Fiscal being abolished. Sir George Murray further reduced them in 1829 to £3,000 and £2,000 for the Chief and Puisne Justices respectively. The post of Deputy Advocate-Fiscal was revived at the reduced salary of £1,200. In April, 1831, Sir Charles Marshall became Chief Justice and Sergeant William Rough came out as Puisne Justice.

Under Barnes, the equitable and testamentary jurisdiction of the Supreme Court over the inhabitants of the district of Colombo was restricted, in 1820, to the town and fort of Colombo.² The Provincial Courts of Matara and Galle were combined to form one court in 1826. A Loan Board was set up at Colombo at the

instance of the judges in 1824, to lend out the money of suitors in the Supreme Court and of intestates under the administration of the Registrar. Not long after, much to the annoyance of the judges, the appointment of the Registrar was taken away from them and given to the Governor.¹ Barnes also set up the Minor Court of Revenue Appeal which has already been described. It may, however, be noted that, although the Provincial Courts had a jurisdiction in revenue cases, that jurisdiction was strictly limited.² In the first place, no revenue cases could be instituted in any court except at the initiation of the Advocate Fiscal. Secondly, separate Revenue Courts had been set up for the trial of all revenue cases in which a Ceylonese was defendant. Such cases were tried by Magistrates appointed by commission from the Governor, and the usual appeal to the High Court of Appeal existed. The Minor Court of Revenue Appeal had been set up because the Collector sat in the ordinary Minor Court of Appeal and it was improper for him to sit in cases affecting the revenue. The procedure of the Revenue Courts was declared by regulation No. 7 of 1809, promulgated by Maitland. That regulation, after reciting the inefficiency of ordinary process to recover debts due to the Crown, because of the fraud and evasion practised by the debtors in removing their goods on getting notice of the Collector's intention to see them, empowered the Collector, on his own knowledge of default or on notice of a debt having accrued, immediately to seize, on his own responsibility, a sufficient portion of the debtor's property, but not to remove it till judgment was obtained for the Crown. Within three days after seizure, the Collector was to file in the Revenue Court a certificate of the nature and amount of the debt, whereupon, the Revenue Magistrate was to issue a warrant for the sequestration of the property until the case was decided.

The power thus given to the Collector appears to be remarkable. Still more so were certain other powers with which the Governors vested themselves. In the year 1824, on instructions from India, a Sitting Magistrate in Ceylon apprehended one J. D. Rossier, suspected of being a deserter from the Company's service. The man was being held in custody pending removal when the

1. C.O. 50, 71. Brownrigg to Bathurst, 17th July, 1818 and Encl.
2. Regulation No. 5 of 1826.

1. C.O. G., 28th September, 1813. Regulation No. 7 of 13rd September.
2. C.O. 410, 16. B. 47, pp. 17 and 18.

Supreme Court issued a mandate ordering him to be produced in court; and there was every prospect of his being released when brought up. Lieutenant-Governor Campbell thereupon passed a remarkable regulation which declared that a warrant under the hand of the Governor, or of the Chief or Deputy Secretary acting on the Governor's order, was sufficient authority for a prisoner to be kept in custody in return to any process of any court calling on the custodian, civil or military, to produce the person; that the production of that authority was sufficient answer to the mandate of the court; and that the person need not be produced. The regulation may have been justified in the particular case; but even Sir Charles Marshall, who was of that opinion, regarded that such retrospective legislation was 'objectionable in the highest degree'. Sir Hardinge Giffard and Sir Richard Outley, who were the judges of the Supreme Court at the time, were less restrained in their opinions and a strong correspondence arose over the matter. Ultimately, it was even raised in the House of Commons, and Lord Brougham sent orders repealing the regulation and substituting another to meet similar circumstances. But Barnes raised a technical objection to the proposed measure and suggested still another in its stead. Strangely enough, the question escaped the attention of the Colonial Office, and the original regulation continued to remain on the statute-book.¹

However, the matter was again raised by the judges when the Commission of Enquiry arrived. Sir Richard Outley pointed out that the regulation of 1824 when read together with regulation No. 12 of 1806, endangered the liberty of the subject. By Clause 4, of the latter regulation, the Governor-in-Council (or when we know the construction of the phantom called a Council, . . . the Governor alone²) assumed the power to banish to Deff or imprison indefinitely at hard labour, without trial, any person suspected of adhering to the King's enemies or of endangering the peace of Ceylon whom it might be impossible, from various causes, for legal proceedings to reach. By this remarkable exercise of arbitrary power, 'the man who commits the crimes of

labouring under suspicion, incapable of legal proof³ was liable to punishment without trial; while the regulation of 1824 excluded the courts from examining the legality of such commitments. The Commission of Enquiry appreciated the fact, and as 'strained' correspondence with Barnes produced no result, wrote to the Secretary of State recommending the immediate repeal of these laws, and suggesting that the Supreme Court's power to issue Writs of Habeas Corpus, which the Charters did not give, should be defined.⁴ Accordingly, an Order-in-Council of 1st November, 1830, repealed the regulations; but, following on the suggestion of the Commissioners, empowered the Governor so to imprison for eighteen months. In such cases, a minute was to be submitted to Council and forwarded for the information of the Secretary of State. The Supreme Court was given English powers of Habeas Corpus.⁵

It is clear from what has preceded that there were frequent clashes between the Supreme Court and the Executive. These are not to be traced solely to personal factors. The Governor of Ceylon was, in a real sense, an autocrat, though, of course, subject to the orders of the Secretary of State. His Council, as constituted, was a very unreal check. Officials dependent on the Governor's patronage could hardly be in a position to display much independence, and, if they did, it could not be with much effect. The only member of Council in a position to show real independence was the Chief Justice who was appointed under the Charter by letters patent like the Governor himself. Unfortunately, every attempt on his part to form an independent opinion tended to be resented, and to be interpreted as an attempt to increase his political power.⁶ That interpretation was, indeed, not entirely baseless. The short-lived Charter of 1810 bears ample testimony to that fact. Moreover, the judges showed every anxiety to obtain a power of veto over legislation by requiring that laws, to be valid, should be registered in the Supreme Court. Sir Charles Marshall was, perhaps, the only judge who opposed the suggestion. 'Judges should be *custodes*,

1. C.O. 416, 16. F. 41, p. 110.

2. C.O. 416, 18. Commissioners to Murray, 30th April, 1830.

3. C.O. 55, 72. Murray to Barnes, 13th November, 1830.

4. C.O. 416, 14. F. 23, p. 27.

1. C.O. 416, 16. F. 41, p. 109 and F. 42, p. 2181.

2. C.O. 416, 16. F. 41, p. 110.

non conditores, legum, said he: 'their office is proverbially, *fas dicere, non esse facere*;' and I see but little difference in practice and effect, between the power of declaring what shall *not* be law, and that of declaring what shall be law.¹ The example of the India Presidencies was not very apposite and also, from the notoriety of its conflicts, not desirable.

Marshall went on to make a suggestion which closely anticipated the recommendations of the Commission of Enquiry. 'I should think,' he said, 'that the mode of control adopted in others of His Majesty's colonies, in which the limitation of the British Constitution has not been introduced, would be better adapted for Ceylon, than one by which the Supreme Court would be called on first to sanction the passing of laws, and afterwards to interpret and administer them. A council might surely be formed of independent, respectable and experienced men, to whom every proposed legislative enactment might be referred for concurrence or dissent. As part of the executive Government, they might be associated with the Governor, as at present; in their Legislative capacity, it would tend, I should think, to the freedom of their discussions, and might relieve both themselves and the Head of the Government from delicate and awkward situations, if they remained separate and distinct from the Governor. If they saw reason to disapprove of the Regulation proposed to them, they should state fully the grounds of their dissent. It would be for His Majesty's Government to say whether that dissent should be conclusive or whether the Governor should have power on his own responsibility, to carry the measure into operation pending a reference to England.'²

However, if the Supreme Court sought to out-step its legitimate boundaries, the Executive appears equally to have tried to restrict its rightful jurisdiction. The judicial system of the Maritime Provinces fell into two distinct parts. On the one side was the Supreme Court possessing a full criminal jurisdiction throughout the Maritime Provinces and, besides, a civil jurisdiction over all Europeans. On the other was the system of Provincial Courts having a full civil jurisdiction over all Ceylonese. These courts were in the creation of the Governor,

the appointment of the judges was in his patronage, and the appeal from them lay to the High Court of Appeal of which he was President, or to the Minor Courts of Appeal which were of his creation and whose members were of his appointment. Broadly, therefore, the criminal courts were controlled by the Supreme Court, and the civil courts by the Governor. The Supreme Court naturally regarded with jealousy a system so completely under the control of the executive, especially as they were directly supervised by the Advocate Fiscal who was the law officer of the Government. Such a system was repugnant to men imbued with the English legal ideas. That jealousy was intensified almost into hostility by the manifestation of a disposition on the part of the Governor to restrict even the existing jurisdiction of the Supreme Court in favour of the Provincial Courts. The denial of jurisdiction in the Kandyan Provinces where the legal system was indeed very much under the direct control of the Executive, the reduction, in 1809, of the Supreme Court's civil jurisdiction to the town and fort of Colombo, the removal of its testamentary and equitable jurisdiction in the Colombo district in 1828 and the grant of it to the Provincial Court, and the removal of the appointment of the Registrar from the Chief Justice to the Governor in 1824, all appear to support the contention of the judges that the Governor was attempting to extend the jurisdiction of the courts in his control at the expense of the Supreme Court.

Moreover, the Governor readily employed the weapon of legislation in his conflicts with the Supreme Court. Maitland did so in 1809; Browning's action regarding forced labour has been noted, as also Campbell's action in the Rossier case. A remarkable case under Barnes is also worthy of note.³ In 1820, the Collector of Jafna, W. H. Hooper, sentenced a slave to be flogged for having been carried in a palanquin. Although the man had no right to a palanquin either by Dutch or English law — the Governor's licence being required in the latter case — neither decreed flogging in such a case. Consequently, the Supreme Court, on circuit, revived the proceedings and quashed the sentence. Hooper appealed to the Governor, citing English

1. C.O. 416, 12. F. 46, p. 236.

2. *Ibid.* F. 43, pp. 243 and 2.

3. C.O. 426, 14. F. 23, p. 241; C.O. 416, 12. F. 17.

precedents which did not, however, support the sentence. Indeed, he concluded with the following statement which the Commissioners of Enquiry regarded as 'highly illustrative': - 'These circumstances must naturally imply', he said, 'that what by many may be thought to have had its origin in the customs and usages among the natives, had the additional sanction (if such were wanting to render it stronger) in some Law enacted under the Dutch Government, and as it is well known, that few of these Laws or Resolutions of the Dutch Government are to be found anywhere else, but in the Registry of the Dutch Records, my not being able to produce such cannot be conclusive evidence that none was ever made'. Despite this strange attitude, the judges were called on by the Governor to explain; and when they proved their case, Barnes produced 'that ready instrument of his indignation', a regulation authorising the flogging of a slave for any offence.

It is not therefore surprising that the judges spoke of the uniform hostility of every Governor except Sir Edward Paget; nor is their desire for registration of laws inexplicable. It should be noted that the Provincial Courts recognised as law not only the regulations but also the minutes and advertisements of Government.¹ The Supreme Court did not recognise the latter. Also there were no proper collections of Dutch laws or native customs. In the latter case, the opinion of the headmen was taken as authoritative. In fact, a gradual process of assimilation to English laws was taking place. 'The Criminal Laws', said Sir Richard Ottley, 'have been materially changed in practice by assimilation to the laws of England. Although the laws of the Roman Dutch Code still prevail, yet in the application of these laws we are much influenced by English precedents and modes of reasoning: First, the English law of evidence has been introduced; secondly, trial by jury has been introduced; thirdly, all trials are proceeded upon in open court, and no appeal is allowed in criminal cases, and points of law are argued nearly in the same manner as in England'.²

The criticisms of the Provincial Court system included other arguments than the political. Their procedure was dilatory and

expensive, and their judges were civil servants with no special legal education - though the latter fact was somewhat compensated for by their knowledge of the country and its inhabitants.³ Secondly, the Minor Courts of Appeal were ill-constituted. Apart from the fact that their members were also civil servants without a legal education, there was the fact that the Provincial Judge and Sitting Magistrate were members - i.e., the very persons from whose judgments the appeals were made. The other members were men with other duties that demanded their entire time.⁴ Moreover, the courts had no regular organisation or proper records.⁵ Thirdly, the High Court of Appeal was open to similar criticism. Although the Supreme Court judges sat in that Court, the majority of its members were executive officers. 'It has fallen to my lot', said Sir Hardinge Giffard, 'to see in a case in which the Revenue was concerned, the solemn opinion of the two judges, on a matter of law, overborne by those of the Governor, in whose name the suit was brought, and the Commissioner of Revenue, under whose direction it was prosecuted'. This instance was equalled by another. 'It happens that a Collector is sometimes also Provincial Judge of his district. In a case of this sort, a Collector prosecuted a person before himself. The defence was an imputation of misconduct in the Collector himself. He was thus officially and personally a party, and he naturally pronounced a decree in his own favour, against which an appeal was lodged. On the bare statement in the Appcal Court, the Government withdrew the suit, but the Defendant had to pay all his costs'.⁶

The only institutions that received praise from all quarters were the Sitting Magistrates' Courts and the juries. In the former case, however, salaries were 'so wretchedly mean' that they were fearfully liable to temptation'. Yet, they were 'generally free from imputation'.⁷ In the latter case there was a universal chorus of praise testifying to the impartiality and independence of the juries. It may be noted that the panels were formed from different castes - the Europeans and Burgliers virtually forming

1. C.O. 416, 13. F. 39, Question 48.

2. C.O. 416, 16. F. 41, p. 136.

3. C.O. 416, 13. F. 39, Question 5.

4. C.O. 416, 14. F. 43, p. 43.

5. *Ibid.* F. 43, p. 45.

castes of their own - and juries were formed according to the caste of the accused.

The above review of the judicial system is based on the evidence given to the Commission of Enquiry; and Commissioner Cameron,¹ who made the judicial report, substantially accepted the criticisms that were made. He held that a uniform system should be established to cover the whole Island; that the civil jurisdiction of the Supreme Court ought to be extended; that the distinct jurisdiction over Europeans in civil cases was unnecessary; and that the control of the local courts ought to be taken away from the Governor and vested in the Supreme Court whose appellate jurisdiction was to be extended. Also, while preserving juries in criminal cases, he recommended that the Kandyan system of associating Ceylonese assessors with the judges ought to be introduced into the Maritime Provinces. Certain other recommendations of his relating to stamps and fees were not accepted. The following schedule of the expenditure on the Judicial Establishment given by him may be reproduced:

	£	s.	d.
Supreme Court	13,032	18	6
Provincial Courts	8,027	11	6
Magistrates' Comrs	6,005	15	6
Judicial Commissioner, Kandy	2,413	14	0
Magistrate, Kandy	315	0	0
Judicial Agent, Kurunāgala	272	14	0
Half Fixed Establishment of Govern- ment Agents	3,929	10	0
Contingencies Fixed	535	7	2
Contingencies Unfixed	820	6	6
Circuits of Supreme Court	872	4	3
Per Annum	£36,245	0	11

Following on Cameron's Report, a new Charter was issued on the 18th February, 1832.² All previous Charters were repealed:

1. C.O. 416, 15. K. 21, p. 294.
2. His Report is in C.O. 34, 122.
3. C.O. 35, 72. Goderich to Briston, 14th September, 1832. Encd.

and the Provincial Courts, the Sitting Magistrates' Courts, the Court of the Judicial Commissioner, the Court of the Judicial Agent, the Courts of the Agents of Government, the Revenue Courts, the Court of the Sitting Magistrate of the *Mahabodhis*, the Minor Courts of Appeal and the High Courts of Appeal were abolished. The entire administration of justice, civil and criminal, was vested in the courts set up under the Charter, and the Governor and Council were prohibited from establishing any court of justice. A proviso was however included, making it lawful for persons to submit differences for arbitration by the *Gosabāhā* - a proviso for which Commissioner Colebrooke was directly responsible.³

A court was set up to be called the Supreme Court of the Island of Ceylon and to consist of a Chief Justice and two Puisne Justices. The former was to rank after the Governor and the latter after the Commander of the Forces. Sir Charles Marshall was appointed Chief Justice, William Rough Senior Puisne Justice, and William Norris Second Puisne Justice. The Supreme Court, in consultation with the Governor, was to appoint its Registrar and subordinate officers. The Island was to be divided by the Governor, with the advice of the judges, into the District of Colombo and three circuits to be called the Northern, Southern and Eastern Circuits. The Supreme Court was to sit at Colombo except when on circuit; and the circuits were to be so arranged that there would always be a judge in Colombo - but all three judges were not to be at Colombo for more than one month in the year. There were to be two circuits a year in each circuit.

Each circuit was to be divided by the Governor into districts, in each of which was to be a District Court consisting of a District Judge, appointed by the Governor, and three assessors of whom one was to be permanent. These courts were granted full civil powers in all cases within their districts, and criminal powers extending to imprisonment for twelve months, one hundred lashes and £10 fine. They also had a full testamentary jurisdiction including probate of wills. Revenue suits were to come before them. The matters of law and fact arising in a case were to be pronounced by the judge in open court with his opinion;

1. C.O. 34, 122. Colebrooke to Goderich, 24th September, 1832.

the assessors were then to give their opinions; judgment was to be by majority decision, but the judge was empowered to go against the opinion of the assessors. There was an appeal to the Supreme Court from the District Courts.

The Supreme Court was simultaneously to have an original jurisdiction like the District Courts in all crimes and offences throughout the Island. Its civil jurisdiction was only appellate. It was to hold civil and criminal sessions on circuit. At civil sessions it was to hear appeals from the District Courts; at criminal sessions it was to hear appeals as well as try all crimes over which it had an original jurisdiction. In civil cases, the Circuit Judge was to be associated with three assessors and follow the procedure laid down for the District Courts — the judge on circuit, with the assessors, received all the power of appellate and original jurisdiction of the Supreme Court. In criminal cases, there was to be a jury of thirteen. Judges on circuit were empowered to issue mandates in the nature of Writs of Habeas Corpus. The judge remaining at Colombo was to have all the powers of a judge on circuit. Questions of importance or doubt were to be reserved for consideration by the full Bench at sessions to be held at Colombo. At such general sessions, the Supreme Court could hear and decide appeals from the District Courts summarily. The Supreme Court was to examine contradictory decisions of the District Courts and submit declaratory laws on such points to the Governor. There was an appeal to the Privy Council in cases exceeding £500 in value. It may be added that the Advocate-Fiscal now became the King's Advocate — the first being William Ogilby Carr.

In accordance with the Charter, the Island was divided for judicial purposes by proclamation of 1st October, 1833, into the Colombo District and three circuits.¹ The Colombo District was given six District Courts, established at Colombo, Negombo, Ruaravilla, Kalutara, Pāpadurū and Ratnapura. The Northern Circuit was divided into nine districts with District Courts at Puttalam, Mannār, Anurādhapura, Jaffna, Mulligam, Point Pedro, Chavakachchēri, Kayts and Mulluivu. The Southern Circuit consisted of five districts with District Courts at Rāfāpitiya, Galle, Mātara, Hambantota and Ahipota. The Eastern

1. C.C.G., 16th November, 1833.

Circuit constituted nine districts with District Courts at Kurunāgala, Urumankanda, Kandy, Madavanāma, Fort MacDowall, Nuvara Eliya, Badulla, Trincomalee and Batticaloa. In 1833, the District Court at Colombo was sub-divided into Colombo North and Colombo South because of accumulated arrears.¹ An Ordinance of 23rd December, 1834, declared English rules of evidence to be in force in Ceylon.²

A new era had commenced in the administration of justice.

1. C.C.G., 14th December, 1833. Proclamation of 10th December.

2. C.C.G., 20th December, 1834.

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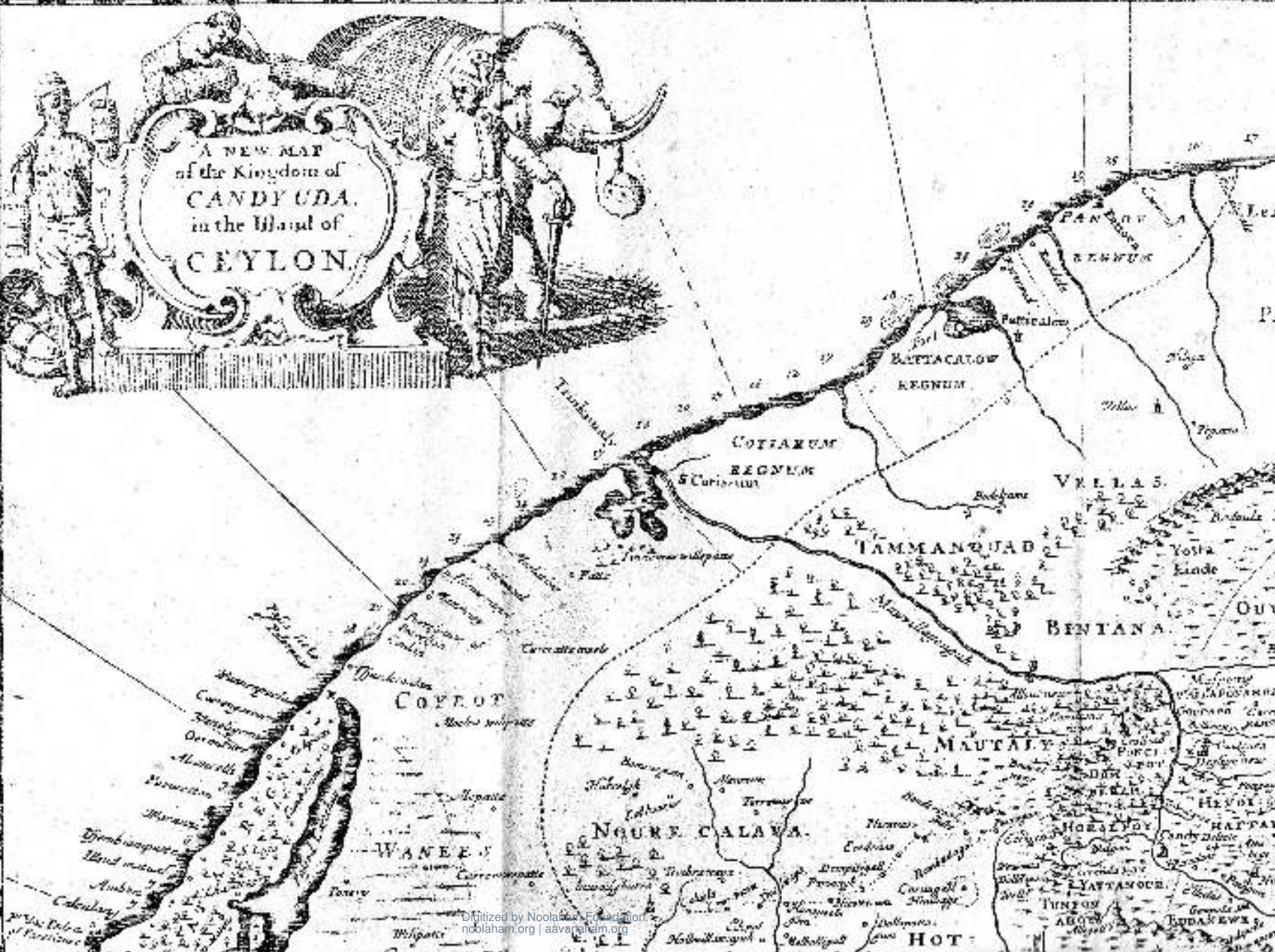
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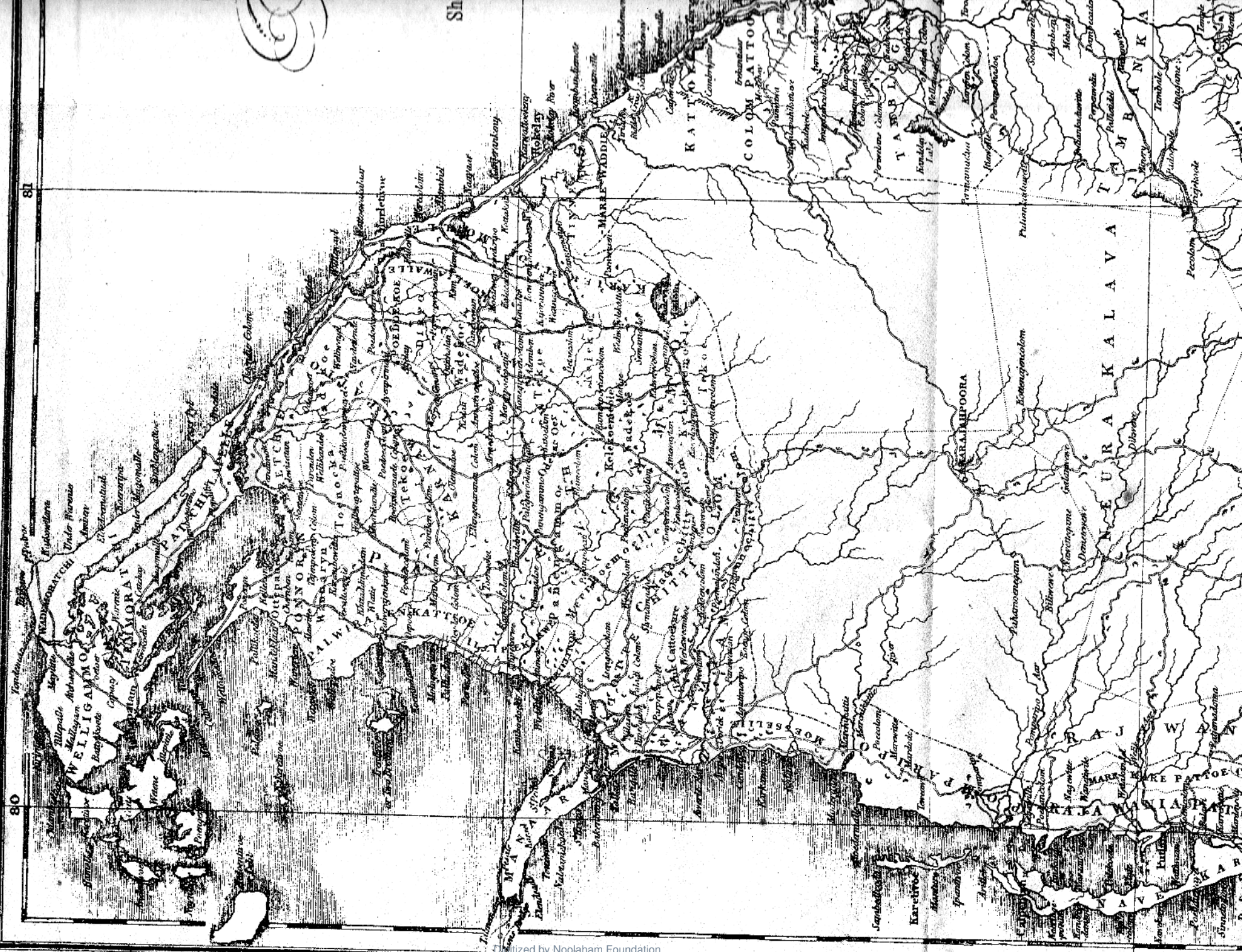
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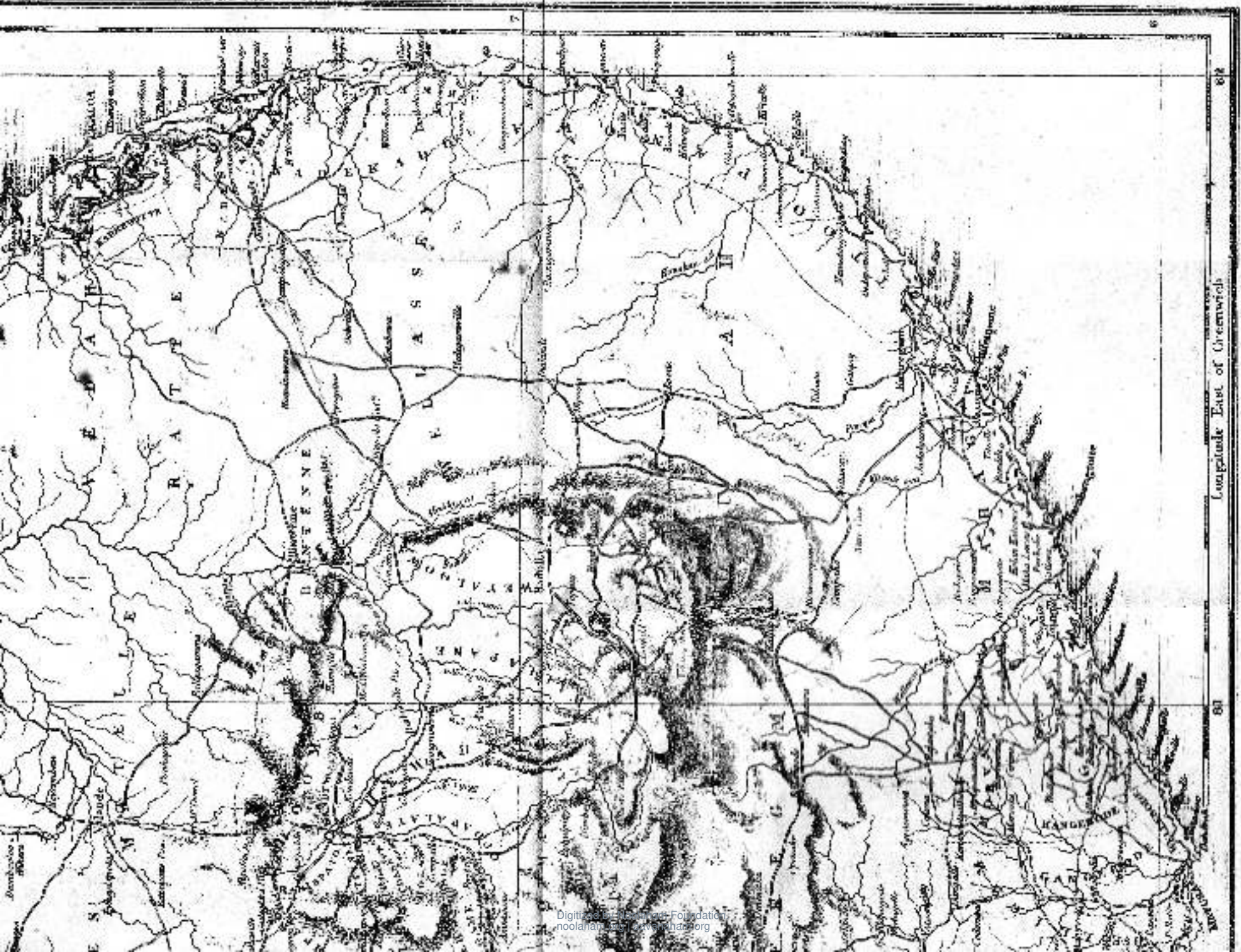




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